

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, July 29, 1969

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

Present on roll call 6: Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen. Absent 3: Banfield, Johnson and Zatkovich.

Mr. Cvitanich moved that Mrs. Banfield and Mr. Zatkovich be excused from the meeting. Seconded by Mr. Bott. Motion carried.

The Flag Salute was led by Mr. Finnigan.

Mr. Cvitanich moved that the minutes of the meeting of July 1, 1969 be approved as submitted. Seconded by Mr. Bott.

Mayor Rasmussen asked if the report was compiled relative to his request regarding how many playgrounds had been developed on vacant lands.

Mr. Harvey, Assistant to the Manager, explained it was his understanding there had not been any lots cleared at this point but he would check further.

Mayor Rasmussen also mentioned there had been a complaint from residents in the Hilltop area that code enforcement was not being properly handled.

Mr. Harvey explained that the report submitted to the Council was a breakdown of enforcement activities over the entire City. They had not been aware that there was a designation of a particular geographical area, however, he would check into this matter also and make it available for the Council.

Voice vote was taken on the motion to approve the Council minutes of July 1, 1969. Motion carried.

HEARINGS & APPEALS:

This is the date set for hearing for rezoning of the S. E. corner of So. 5th & B Sts. from an "R-2" and "R-4-T" Dist., submitted by Hillhaven, Inc.

Mr. Buehler, Director of Planning, explained this request is for rezoning of the area in order to expand an existing headquarters corporate office of Hillhaven, Inc. They plan to construct a new building within the site. Since the corporation is so closely tied in with the medical industry the Commission felt Hillhaven Inc. should be allowed to expand in the area of the City which has become the focus of medical and health services. The Commission also felt that the "T" district use proposed is harmonious with the surrounding "TM" District.

No protests being made, Mr. Finnigan moved to concur in the recommendation of the Planning Commission and that an ordinance be drafted approving the rezone. Seconded by Mr. Bott. Voice vote was taken. Motion unanimously carried.

This is the date set for hearing for rezoning of the N.E. corner of East 36th & B St. from an "R-3" to an "R-4-L"-PRD District, submitted by Forrester Realty & Mortgage Company.

Mr. Buehler explained the applicants have requested this reclassification in order to construct a 70-unit apartment structure. He pointed out on the map the location and noted it will provide a buffer between the State of Washington SR #7 freeway and the single family dwellings to the west.

Mr. Paul Pelela, 3517 East B submitted a petition signed by approximately 32 persons favoring the rezone.

No protest being made, Dr. Herrmann moved to concur in the recommendation of the Planning Commission and that an ordinance be drafted approving the rezone. Seconded by Mr. Finnigan. Voice vote was taken. Motion unanimously passed.

This is the date set for hearing for the vacation of a portion of East 36th St. and also a portion of East C Street submitted by Forrester Realty & Mortgage Company.

Mr. Buehler explained that 100% of the property owners abutting the street have signed the vacation petition. He also noted that two minor undeveloped streets will be eliminated as they deadend into the State of Washington proposed "SR-7" Freeway.

No protests being made, Dr. Herrmann moved to concur in the recommendation of the Planning Commission and that an ordinance be drafted approving the vacation. Seconded by Mr. Finnigan. Voice vote taken. Motion unanimously passed.

COMMUNICATIONS:

Mr. Frederick P. Smith, Attorney, representing Mr. & Mrs. Wayne Vrieze, Mr. and Mrs. Harry Mandt and Mrs. Erica Dickey explained he had submitted a request that Ord. No. 18869 be reconsidered at this date.

Mayor Rasmussen explained the only thing the Council could do at this time is to repeal the ordinance that has already been passed.

Mr. Smith explained that at the L I D hearing on June 23, 1969, he had appeared to protest the inclusion of his clients property on the assessment roll for L I D 5439. Subsequently the matter came before the Council and Ord. No. 18869 was passed. He added he had asked to be notified when the Ord. came up for passage but was not advised, therefore he had asked that the Ord. be reconsidered.

Mr. Murtland felt the Council should determine whether Mr. Smith should make his presentation at this time. Since he had been at the L I D meeting on June 23, he wished to let the Council know that he did not recall Mr. Smith making any special request to be notified of the time the ordinance would become before the Council.

Mr. Finnigan stated that Mr. Guenther, Assistant City Attorney, reported that he personally listened to that portion of the L I D Committee record containing the verbatim proceedings which took place at the close of the various arguments and presentations for L I D 5439 and could find nothing in the verbatim record indicating that Mr. Smith had asked when the Council would consider the matter or had asked to be notified. Consequently, Mr. Smith had not been notified either by the Attorney's office or the L I D Dept.

Mr. Smith stated he would accept either an acceptance or rejection from the Council which would allow him to pursue the matter.

Mr. Finnigan asked Mr. Hamilton what procedure the Council should take.

Mr. Hamilton, Acting City Attorney, explained it is now up to the discretion of the Council if they wish to repeal the ordinance that is now in effect.

Mr. Murtland felt the entire matter had been handled properly by the City from the initiation of the L I D.

Mr. Benedetti, Assistant Director of Utilities, explained the L I D was heard by the Committee and the evidence that was presented at that time substantiated the fact that the property had been benefitted the same extent as the other properties that had been assessed. The statutes have been followed and he did not see any extenuating circumstances that would change the method of assessing. He also stated he did not feel that any useful purpose would be accomplished by rehearing the

evidence that has already been heard by the L I D Committee.

Mr. Finnigan reminded the City Council that originally the L I D was initiated by the property owners and the normal procedures have been taken.

After some discussion, Dr. Herrmann moved to concur with the action of the L I D Committee and the City Council relative to Ord. No. 18869. Seconded by Mr. Finnigan. Voice vote was taken, resulting as follows: Ayes 5: Bott, Cvitanich, Finnigan, Herrmann and Murtland. Nays 1: Mayor Rasmussen. Absent 3: Banfield, Johnson and Zatkovich. Motion carried.

RESOLUTIONS:

Resolution No. 20302 (postponed from the meeting of July 15)

Authorizing the sale of two surplus locomotives to General Metals of Tacoma on its bid of \$5,618.00.

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

Mr. Benedetti explained he had requested the continuance of this resolution two weeks ago, as they had had indications that other companies might be interested in the sale. However, no acceptable bid has been received and it is the recommendation of the Utility Board that the bid of General Metals of Tacoma be accepted.

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

Ayes 6: Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
Nays 0: Absent 3: Banfield, Johnson and Zatkovich.

The Resolution was declared passed by the Chairman.

Resolution No. 20305 (postponed from the meeting of July 15)

Authorizing the proper officers of the City to execute an agreement transferring lease agreements with Air West Inc. to Hughes Tool Company.

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

Mr. Cvitanich explained he felt that the important matter is not the transfer between AirWest to Hughes Tool Co., but it is the government subsidy for the operation of the air line. He noted that in MC-604, dated July 25, the last sentence states that constant litigation might result in the absence of a written agreement between the City and the airlines. He wondered if the Legal Dept could arrange to write an agreement to carry the City over during this interim period. He felt the most important thing is not so much the leasing of the airline, but the quality of the service. He certainly felt the Council would be remiss in approving this agreement if it did not get some guarantee that better service will be forthcoming at the Airport.

Mr. Hamilton explained that the lease itself expires in October, 1969.

Mr. Phillips, Airport Manager, explained this lease agreement has ninety days to run which is normally a renegotiation period.

Mr. Harvey, Assistant to the City Manager, explained if this lease were not properly signed then in the event of an accident or damage to property at the Airport, it would result in litigation on the matter.

Mr. Finnigan moved to continue Res. No. 20305 for one week, until Aug. 5, 1969. Seconded by Mr. Murtland. Voice vote taken. Motion unanimously carried.

Resolution No. 20317

Authorizing the sale of certain properties from the Public Util. Dept. to the Public Works Dept. for the purpose of widening So. 35th St. between Adams and Window Sts. and widening So. Union Ave. from So. 35th to the Utilities building south property line for the sum of \$42,000.

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

Ayes 6: Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
Nays 0: Absent 3: Banfield, Johnson and Zatkovich.

The Resolution was declared passed by the Chairman.

Resolution No. 20318

Authorizing the execution of an agreement and permit for the construction, operation and maintenance of railroad spur tracks for the Philadelphia Quartz Co. of California at locations across Taylor Way near East 11th St.

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

Ayes 6: Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
Nays 0: Absent 3: Banfield, Johnson and Zatkovich.

The Resolution was declared passed by the Chairman.

Resolution No. 20319

Authorizing the acquisition of property at 3003 East Taylor Way from Ohio-Ferro Alloys Corp. by the Light Division for the expansion of the existing Ohio-Ferro Alloys Substation on Taylor Way for the purchase price of \$2,000.

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

Ayes 6: Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
Nays 0: Absent 3: Banfield, Johnson and Zatkovich.

The Resolution was declared passed by the Chairman.

Resolution No. 20320

Awarding contract to Tucci & Sons, Inc. on its bid of \$11,252.91 for L I D 3682 and Impr. No. 3688.

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

Ayes 6: Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
Nays 0: Absent 3: Banfield, Johnson and Zatkovich.

The Resolution was declared passed by the Chairman.

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Resolution No. 20321

Awarding contract to Tool Crib Sales, Inc. on its bid of \$12,971.35 for furnishing a Front End Loader.

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

Ayes 6: Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
Nays 0: Absent 3: Banfield, Johnson and Zatkovich.

The Resolution was declared passed by the Chairman.

Resolution No. 20322

Amending Rule 13 of the Rules for the Government of the City Council to reserve the office of the Mayor, Council Library and reception area adjacent thereto solely for the use of the Mayor, members of the City Council and selected staff personnel and employees of the City.

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

Mr. Cvitanich explained the matter was discussed during budget that there was a need for a room for the press during Council's recess, as he felt that the Council should have privacy during recesses. He said he had checked into the matter of telephones for members of the press which would be a minimal expense to the City. He urged all the members of the Council to support this resolution.

Mayor Rasmussen said he hoped the resolution would be removed from the agenda.

After some discussion, Mayor Rasmussen moved that the resolution be removed from the agenda. Seconded by Mr. Bott. Roll call was taken, resulting as follows:

Ayes 2: Bott and Mayor Rasmussen. Nays 4: Cvitanich, Finnigan, Herrmann and Murtland. Absent 3: Banfield, Johnson and Zatkovich. Motion LOST.

Mayor Rasmussen explained that according to the rules of the City Government the resolution will have to set over for one week before any action is taken.

The Resolution was then set over for adoption on August 5.

Resolution No. 20323

Reappointing Fred Ludwig as a member of the Housing Authority Commission for a term of five years expiring on August 16, 1974.

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

Ayes 6: Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
Nays 0: Absent 3: Banfield, Johnson and Zatkovich.

The Resolution was declared passed by the Chairman.

Resolution No. 20324

Granting sewer service from the City of Tacoma to owners of real property situated between Mt. View Drive and Willow Lane Road south of the City limits on So. 19th Street.

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

Mr. Murtland explained he was opposed to extending sewers to this area due to the fact not all the property borders the city limits at 19th St. He felt that the property owners should work to have this area annexed to the City.

Mayor Rasmussen thought the City should grant the sewer service as it would help cut down pollution. He also noted that this was the recommendation of the Kennedy Report which indicated the properties in question are in the City sewer service area. He added, within a short time the properties will probably be serviced by the City without annexation under the terms of the Comprehensive Plan.

Mr. Donald G. Huber, 2919 Elwood Dr., a property owner, asked the Council to pass this resolution. He explained the property owners will bear all the costs.

Mr. Buehler pointed out that the resolution should be amended to delete the property of G. E. Reha, as there is a contract sale to another party in progress at this time. He also mentioned an addition would be made to the agreement to show that the property of Godfroy and Rose would have only first floor sewer service.

Mr. Finnigan said he would not be inclined to vote for this resolution unless the Council was assured that annexation would take place, and asked what could be placed in the resolution to accomplish this.

Mr. Hamilton explained permits are required where the property actually abuts the sewer line located in the city streets. In the permits, covenants are contained wherein it is stated that in the event of annexation, the property owners would not oppose such a move. However, he did not think the city could obligate the property owners to carry through with annexation as there may be some question concerning protests by school district, boundary review boards, etc.

Mrs. L. A. Strandley, 3003 No. Highland, explained that annexation had been discussed but she felt the home owners who had been in the area for a number of years did not wish to annex. The property owners who are now developing their land are willing to annex to the city but felt they would be outnumbered if a petition were introduced.

Dr. Herrmann felt these property owners should be granted the privilege of connecting to the city sewers.

Mr. Schuster, Public Works Director, informed the Council that these property owners had discussions with his staff last spring and they had hoped a study session could be held, but this was impossible. Therefore, the staff indicated to the property owners that it should probably be submitted directly to the Council.

Mayor Rasmussen hoped that the Council would see fit to hold this resolution over for a week for further information.

Mr. Harvey explained the staff has tried to present this problem at a study session, however, instructions have been given to limit the number of items on an agenda. Previously the staff tried to discuss this at a given study session but a quorum was not present.

Mr. Harvey added, several conversations have been held with the property owners and the staff has urged them to consider annexation, but the Council has not given a specific policy to the staff on how they wish these requests handled.

Mrs. Strandley explained they would attempt to have a petition submitted for Council's action for annexation to the City.

After further discussion Mr. Finnigan moved to postpone the resolution for two weeks, until August 12, for further study. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

The Resolution was postponed until August 12.

Mr. Murtland moved to suspend the rules to consider Res. No. 20325, not on the agenda. Seconded by Mr. Finnigan. Voice vote was taken. Motion carried.

Resolution No. 20325

Appropriating the sum of \$141,000 or so much thereof, as may be necessary from anticipated revenues, for the purpose of carrying on said Model Cities Planning Program, all in accordance with the contract for said Model Cities Planning Program, between the United States of America and the City of Tacoma.

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

Mayor Rasmussen asked why this resolution had not been placed on the agenda.

Mr. Harvey explained when Ord. No. 18888 was on first reading last Tuesday, which dealt with an additional emergency appropriation of approximately \$17,000, considerable discussion was held with the legal staff and the Finance Dept., particularly regarding the proper manner in which this matter should be submitted to the Council. It had been determined that the proper method for the Council to proceed if they saw fit, is to consider this resolution appropriating the full \$141,000 which has already been authorized by the Federal Government for the Model Cities Planning period, rather than by Ord. 18888. Therefore, the resolution was prepared to be distributed to the Council this evening. He explained how the monies expended would be reimbursed by the Federal Government.

Mayor Rasmussen asked that Mr. Hamilton explain why this resolution was brought to the Council, apparently in lieu of Ord. 18888.

Mr. Hamilton said at the time the request came for the original preparation of the ordinance, the grant contracts had not been authorized nor executed by the City. The only fund available at that time was the \$25,000 in the Revolving Fund, which was made available to the Model Cities fund by a loan from the General Fund authorized by the Council. In order to spend that money, which was not budgeted, an emergency appropriation by ordinance was submitted. At last Tuesday's meeting the Council authorized the execution of the grant agreement which was signed by the City officials. Therefore, there is now available to the City the entire sum of \$141,000, which constitutes revenues to be received by the City in excess of those anticipated at the time of the preparation of the budget for this year. Under RCW 35.33.120 it authorized where revenues are received in excess of those anticipated, this may be appropriated by resolution by the Legislative authority.

Mr. Hamilton further stated, had the original ordinance passed at this time, other resolutions would have had to be submitted. It was thought they might as well prepare a resolution for Council's consideration authorizing the expenditure of the federal monies as they come to the City when they are needed.

Mayor Rasmussen felt that the monies requested in Ord. 18888 in the amount of approximately \$17,000 is other than the \$141,000. He felt the resolution was proposed so that a lesser number of votes would be required to pass the resolution.

Mr. Harvey explained the purpose of proposing this resolution was to clarify the entire matter of how to properly proceed with establishing the proper documents for the Council to consider so that the Model Cities Program could go forward.

Mayor Rasmussen opposed the resolution and stated that an appropriation of funds, whether federal or not would require six affirmative Council votes instead of five.

Mr. Hamilton explained under R C W 35.35.120 funds can be appropriated when not anticipated at the time the budget was prepared.

Mayor Rasmussen said he thought the budget law should be revised, as it certainly does not give the general public an opportunity to be heard on expenditures of anticipated revenue.

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

Ayes 4: Bott, Finnigan, Herrmann and Murtland.

Nays 2: Cvitanich and Mayor Rasmussen. Absent 3: Ranfield, Johnson and Zatkovich.

The Resolution was declared LOST by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 18891

Amending Chapter 13.06 of the official code by adding a new section 13.06.050.24 to include property on the west side of Bell and 75 feet south of So. 68th. (petition of Don Groff)

The Ordinance was placed in order of final reading.

Ordinance No. 18892

Amending Title 1 of the official code by amending Sections 1.06.475 & 770 relative to Weights & Measures Inspectors.

Mr. Cvitanich explained it was his understanding that this ordinance, as well as the following Ord. 18893, should go through the Civil Service System. He wondered why Ord. No. 18893 directs that the Director of Tax & License act as the official City Sealer, as he had asked that an eligible list be established by a promotional examination sometime ago.

Mr. Hamilton explained the ordinance relates to the administrative code of the City and the activities of all departments are essentially covered under the provisions of the administrative code. He noted, sometime ago the administration transferred the Weights and Measures Inspectors from the Public Works Dept. to the Tax & License Division; this ordinance merely outlines their functions under the Tax & License Dept. and releases them from the Buildings' Division of the Public Works Dept.

Mayor Rasmussen noted that under Section 2, paragraph 1.06.770 of the Ordinance, the seventh line down should be deleted as it has been eliminated by State law.

Mr. Hamilton stated this could be corrected before the final reading, if the Mayor wished.

Mr. Cvitanich stated he had been told by either Mr. Rowlands or Mr. Bixel that a report would be submitted on this subject, but to date he has not received it.

Mr. McLennan, Director of Tax & Licenses, explained the City of Tacoma has never had a City Sealer. For information of the Council, a Weights and Measures inspector was first employed by the City in 1936. Upon the retirement of the first inspector another was added in 1954 and a third was employed in 1966.

He further stated, the purpose of both these ordinances, No. 18892 and 18893, is to set these items up in accordance with the RCW, Chapter 19.93.150. In reviewing the matter with the Legal Dept. they felt this would comply with what the Council wished to do.

Mr. Bott did not feel that the Weights and Measures inspectors should be under the Tax & License Dept. as their duties involve various types of businesses.

Mr. Fred VanCamp, Civil Service League Business representative, asked how long the present inspectors have been on the job.

Mr. McLennan explained that one inspector has been employed since 1954 and the second has been employed since Jan. 1966. They were employed by the Public Works at that time. This Inspection division was not under his Dept. until 1967, and these ordinances should have been submitted at that time.

Mr. VanCamp also asked if these men would have an opportunity for a promotion, and into what position.

Mr. McLennan said as far as his Dept. is concerned, there is no chance for promotion in this position.

Mr. VanCamp noted that both of these inspectors have more experience in their positions than does the head of the Tax & License Dept. He therefore felt the City Council could at this time amend the ordinance to make the positions, including the City Sealer, under classified City Civil Service System, which would allow the position to be promotional under examination.

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Mr. Cvitanich asked that all the background information, including State laws, be provided to the Council at the next meeting.

After some discussion, Mr. Bott moved to postpone the Ordinance for one month, until August 26, 1969 until more information is available. Seconded by Mr. Cvitanich. Voice vote taken. Motion unanimously carried.

The Ordinance is postponed for one month, until August 26.

Ordinance No. 18893

Amending Title 2 of the official code by amending Section 2.15.030 relative to the Sealer and Inspector in the Tax & License Dept.

Mr. Cvitanich moved to also postpone this Ord. 18893 for one month, until August 26, 1969, until more information is available. Seconded by Mr. Bott. Voice vote taken. Motion carried.

The Ordinance was postponed for one month, until August 26.

FINAL READING OF ORDINANCES:

Ordinance No. 18871 (postponed from the meeting of July 8)

Approving and confirming the assessment roll for L I D 3655 for storm drain sewers in Titlow Road from 110 feet north of So. 16th to So. 17th and in So. 16th from Titlow Road to 130 feet east of Walters Road.

Mr. Harvey explained this ordinance was postponed from July 8 so that a revised assessment roll could be prepared. However, since the Legal and Public Works Dept. have not as yet been able to recompute the assessment roll, he asked that the ordinance be postponed another two weeks.

Mr. Murtland moved to postpone Ord. No. 18871 for two weeks, until August 12, 1969. Seconded by Mr. Cvitanich. Voice vote taken. Motion unanimously carried.

The Ordinance was postponed for two weeks, until August 12.

Ordinance No. 18878

Zoning ordinance Text change establishing a new fee schedule for street vacations, special use permits, site approvals, conditional use permits and reclassifications.

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

Ayes 6: Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
Nays 0: Absent 3: Banfield, Johnson and Zatkovich.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18883

Vacating the alley between Wilkeson & Alaska Sts. north of Center Street. (petition of Atlas Foundry & Machine Co.)

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

Ayes 6: Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
Nays 0: Absent 3: Banfield, Johnson and Zatkovich.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18884

Amending Chapter 13.06 of the official code by adding a new section 13.06.065-91 to include property between Pacific Ave. and So. C approx. 560 feet south of So. 88th in an "R-4-L" District. (petition of Woash Realty)

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

Ayes 6: Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
Nays 0: Absent 3: Banfield, Johnson and Zatkovich.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18885

Amending Chapter 13.06 of the official code by adding a new section 13.06.050-23 to include property on the N.E. corner of So. 12th & Mullen in an "R-3" District. (petition of Mutual Securities, Inc.)

Mr. Murtland explained that the Council had asked that a restriction be added to the agreement regarding one house and that its access be on Mullen St. He wondered if anything had been done about this request.

Mr. Gordon Fors, the developer, stated if Mullen Street was developed they would rather have one duplex face that way, however, nothing has been done as far as obtaining building permits or arranging for the buildings until the ordinance passes. He did believe this was part of the agreement that was made.

Mr. Murtland asked if the company that Mr. Fors represents would be willing to improve part of Mullen St., to give access to that home. He felt anything the Council could do to keep traffic off 12th St. would be advantageous.

Mr. Fors said they would certainly be in favor to have Mullen St. improved, but it would have to be with participation of all parties concerned. He asked if they would be guaranteed a building permit if they used temporary access off Mullen St. He said he thought it would be good business to place this access on Mullen if at all possible.

Mr. Cvitanich explained he would vote against the rezoning at the present time, but he would not be opposed to continue the ordinance two weeks to give Mr. Fors further time to check the matter.

Mr. Fors explained they could not exclusively improve Mullen St. and it would not be economically possible.

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

Ayes 4: Bott, Finnigan, Herrmann and Murtland.
Nays 2: Cvitanich and Mayor Rasmussen. Absent 3: Banfield, Johnson and Zatkovich.

The Ordinance was declared LOST by the Chairman.

Mr. Murtland stated he would change his vote to "No" and move for reconsideration next week to allow time for further information.

Mr. Cvitanich felt that Mr. Fors should contact the Legal Dept. and Public Works to see if it can be resolved internally before next week.

Ordinance No. 18886

Amending Chapter 14.02 of the official code by adding a new section known as Section 14.02.035 requiring submission of Urban Renewal projects to a vote of the people.

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

Yes 6: Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
No 0: Absent 3: Banfield, Johnson and Zatkovich.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18887

Appropriating the sum of \$54,489.00 or so much thereof as may be necessary and authorizing the proper officers to transfer funds from the Sewer Utility Fund for payment of the Town of Fircrest participation in L I D 3650.

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

Yes 6: Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
No 0: Absent 3: Banfield, Johnson and Zatkovich.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18888

Appropriating the sum of \$17,017 or so much thereof as may be necessary from the Model Cities Program Revolving Fund for the purpose of paying salaries and wages, maintenance and operation and capital outlay costs and expenses incurred in the Model Cities Program.

Mr. Murtland moved that Ord. No. 18888 be tabled. Seconded by Mr. Cvitanich. Voice vote was taken. Motion unanimously carried.

The Ordinance was declared TABLED by the Chairman.

Ordinance No. 18889

Accepting a Federal Grant and Creating a new fund known as Traffic Control Device Inventory Revolving Fund and providing for the expenditure therefrom and authorizing a temporary loan in the amount of \$13,800 or so much thereof as may be necessary from the General Fund to the Traffic Control Device Inventory Revolving Fund.

Mr. Murtland moved to substitute page 2 of the original ordinance which has been submitted to the Council. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

Mr. Hamilton explained at the time the ordinance as originally drafted, inadvertently the appropriating section, Section 5, was omitted.

Mayor Rasmussen stated this is a temporary loan from the General Fund and in his estimation this would require an emergency ordinance.

Mr. Hamilton explained a temporary loan supplies the cash but it is not in itself authority to spend the funds. Then the next step is an appropriation to spend the funds.

Mayor Rasmussen felt that federal monies could be expended to a better advantage and a project such as this was not necessary.

Mr. Havey explained that the State of Washington has recently become eligible to provide financial assistance to local communities in the area of highway safety. This program is designed to assist state and local governments in reducing traffic accidents and deaths, injuries, and property damage resulting therefrom. Grants that are administered by the State require a 47% local matching contribution and this contribution can be either in kind or cash. This therefore enables the cities

to augment a program with funds from the State.

Mr. Harvey continued, the Wash. State Highway Traffic Safety Commission has approved an allocation of \$13,800 to the City of Tacoma to conduct a traffic control device inventory for the purpose of: (1) having a rotating replacement program to insure all devices are in optimum condition, (2) immediately replacing damaged or destroyed signs, signals and markings, (3) using manpower in the most efficient manner through advanced scheduling of work requirements, (4) having complete records for legal and administrative purposes and ultimately making the roadway safer for Tacoma drivers.

Mayor Rasmussen felt the City of Tacoma already has the requirements that were pointed out by Mr. Harvey. He felt that any extra money should be used to hire more policemen.

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

Ayes 4: Bott, Finnigan, Herrmann and Murtland.

Nays 2: Cvitanich and Mayor Rasmussen. Absent 3: Banfield, Johnson and Zatkovich.

The Ordinance was declared LOST by the Chairman.

Ordinance No. 18890

Accepting a Federal Grant and creating a new fund known as Traffic Records Revolving Fund and providing for the expenditures therefrom.

Mr. Murtland moved that the substitute to page 2 of the original ordinance be included in the Ordinance. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

Mayor Rasmussen felt there should be a designated time for the repayment of the loan in the ordinance. He also stated there was some duplication of effort in these two ordinances, No. 18889 and 18890. He said he would make a further investigation of the traffic problems and probably ask for another vote at a later date.

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

Ayes 4: Bott, Finnigan, Herrmann and Murtland.

Nays 2: Cvitanich and Mayor Rasmussen. Absent 3: Banfield, Johnson and Zatkovich.

Mr. Bott announced he would change his vote to "Nay" so the ordinance could be reconsidered at the next Council meeting.

The Ordinance was declared LOST by the Chairman.

UNFINISHED BUSINESS:

Mayor Rasmussen announced that Mr. Benedetti left a plaque with the Mayor which is a first place award to the Utility Dept. of the City for their float for cities of 100,000 population, which appeared in the parade at the Seattle Seafair Parade.

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Mayor Rasmussen asked that a motion be made granting the Pacific NW Development Co., Inc. an extension of 120 days on its option agreement for the completion of a convention center complex.

Mr. Murtland moved that the Pacific N.W. Development Co., Inc. be given an extension of 120 days on its option, subject to the ratification of the Utilities Board. Seconded by Mr. Bott.

Mr. Hamilton, explained that Mr. McCormick, City Attorney, had asked that if such a motion was passed, that a resolution be submitted next week to the record will be clear.

Roll call was taken on the motion, resulting as follows: Ayes 4: Bott, Herrmann, Murtland and Mayor Rasmussen. Nays 2: Cvitanich and Finnigan. Absent 3: Parfield, Johnson and Zatkovich. Motion carried.

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Mr. Cvitanich passed out an ordinance explaining that this will be on the agenda next week relative to an appropriation of \$85,000 for an independent audit for general government financial transactions and an investigation of controversial expenditures made since the change to Council-Manager form of Government. He asked that Mr. Hamilton place the ordinance on the agenda for August 5.

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Mayor Rasmussen said he understood that a Bicycle shop is moving into the Puget Sound Furniture Company's building. He said he thought that building had been condemned or that Urban Renewal had forced them to sell. He asked Mr. Harvey to check into the matter.

Mr. Harvey stated he would check with Mr. Wright, Director of Urban Renewal and report to the Council.

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Mayor Rasmussen explained that the last Salmon Bake will be held Wednesday, July 30 at 4:30 P.M. He also stated that this may be the last Salmon Bake.

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Mr. Cvitanich mentioned he had asked that the Council take a position in regard to tax exempt status of municipal bonds. The information he had requested has been submitted on tonight's agenda. He had noticed that the Dept. of Public Utilities has sent a letter to Congress requesting them not to repeal the tax exemption on municipal bonds. He felt perhaps when the entire Council is present action should be taken on the matter.

Mayor Rasmussen mentioned the Congressional Report from the National League of Cities, dated May 16, 1969, in which it stated that the Executive Council of the AFL-CIO reaffirmed its opposition to the continued tax exempt status of municipal bonds. He also noted that under the bulletin published by Municipal Finance Officers Assn. which stated that the municipal bond market is a very large market amounting to billions of dollars.

Mr. Cvitanich felt there should be some corrective legislation but if there is an inequity he did not feel it was fair to condemn everyone and place an additional burden on their taxes. He felt a coordinated effort must be made so harmful legislation will not be passed.

Mayor Rasmussen stated he would write to the National League of Cities for further information.

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REPORTS BY CITY MANAGER:

Mr. Harvey explained a report had been submitted under MC-605 relative to the activities of Housing Improvement Section and he would have a detailed breakdown for the Council as the Mayor requested, relative to the Hilltop area.

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Mr. Harvey stated the other report was the information that Mr. Cvitanich had previously mentioned regarding the tax exempt status of municipal bonds.

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Mr. Harvey explained inasmuch as the Council was the body who approved the employment of the Model Cities Director, he wished to inform them that the initial appropriation of approx. \$7,900 had expired. Mr. Walker is eligible for a pay check this Friday and there are not sufficient funds available.

Mayor Rasmussen said he had information from the Finance Dept. that there was sufficient money to pay Mr. Walker.

Mr. Gaisford explained there was a report submitted to the Council in regard to the entire operation of the Model Cities Fund, but he believed there was a approx. \$282 unexpended balance in the salary and wage account. He noted that Mr. Walker is well aware that without the passage of Res. No. 20325 he would be working for the City without salary.

Mr. Gaisford also explained there will be no further activity in the Model Cities Program until funds are properly appropriated by the City Council.

Mayor Rasmussen stated the Council majority ignored his past attempts to reduce the Model Cities staff salaries. He also felt that the Model Cities Program is based on Urban Renewal, and perhaps the Federal Government would not be allocating the funds, as Vice President Agnew had quoted, the federal government now has made promises of more than \$3 billion which it does not have.

Mr. Finnigan felt it was deplorable that the Model Cities Program had come to a halt at this time as the Council did authorize the \$141,000 grant agreement.

COMMENTS BY MEMBERS OF THE COUNCIL:

Mr. Cvitanich announced that on August 9 the Manchester, England's Soccer team is coming to Tacoma and he urged the Council as well as the citizens of Tacoma to attend the Soccer game.

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Mayor Rasmussen noted that the Financial Annual Report for 1968 had been submitted, and also the 6 month's report ending June, 1969. He asked Mr. Gaisford if there is sufficient funds to operate for the balance of the year.

Mr. Gaisford explained he thought there might be an overdraft for paying overtime in the Police Dept. and also a possibility of an overdraft in the Transit System. He noted that the estimated revenues for 1969 had been overestimated and it is hoped that the next six month's revenues will take care of the matter.

Mayor Rasmussen said he had understood that the City Manager had requested a 5% cutback. He wondered if this was 5% of the total budget or any particular funds.

Mr. Gaisford explained this was on 5% of the unexpended balance as of the end of May.

Mayor Rasmussen requested that Mr. Harvey submit a report on the six month's operation to show what funds can be anticipated in that period in line with the 5% cutback.

Mr. Gaisford stated that any request for additional funds will be submitted to the Council as directed last year.

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Mayor Rasmussen asked Mr. Hamilton to prepare a resolution for next week's agenda thanking Mr. John Anderson and Mr. Norman Rowley for their services on the Centennial Committee.

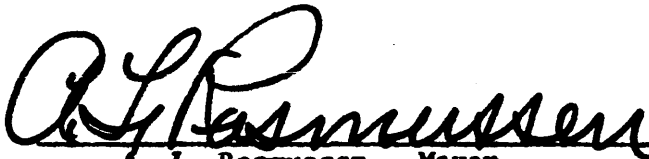
ITEMS ON FILE IN THE OFFICE OF THE CITY CLERK:

- a. Board of Park Commissioners minutes of July 14, 1969.
- b. Civil Service Board minutes of June 17, 1969.
- c. Civil Service Board minutes of July 1, 1969.
- d. Human Relations Commission minutes of July 17, 1969.
- e. Recreation Ad Hoc Committee minutes of June 25, 1969.
- f. Traffic Activities report for May and June 1969.
- g. Finance Director's report for June 1969.
- h. City of Tacoma Annual report for 1968.
- i. Water Division report for June 30, 1969.

Placed on file.

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Dr. Herrmann moved that the meeting be adjourned. Seconded by Mr. Finnigan. The meeting was adjourned at 9:45 P.M.



 A. L. Rasmussen - Mayor

Attest: 

 Josephine Melton - City Clerk