

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, August 5, 1969

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

Present on roll call 7: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen. Absent 2: Johnson and Zatkovich.

Mr. Cvitanich moved to excuse Mr. Zatkovich from the meeting. Seconded by Mrs. Banfield. Voice vote taken. Motion unanimously carried.

The Flag Salute was led by Mr. Cvitanich.

Mr. Cvitanich moved to suspend the rules to allow Mr. Douglas Howard of the Tacoma-Pierce County Junior Soccer Association to speak. Seconded by Dr. Herrmann. Voice vote taken. Motion unanimously passed.

Mr. Douglas Howard, Public Relations Chairman, 4119 No. 36th St. explained that the Junior Soccer Team, The Tacoma Wanderers, had visited England two years ago. At that time an invitation was sent to the English Soccer Teams to visit Tacoma. The Association now informs, the Council, as well as the citizens of Tacoma, that the school boys' Soccer Team from Manchester, England will arrive in Tacoma on Saturday, August 9th at 3:30 P.M. He noted that Mayor Rasmussen will officially welcome them to Tacoma at the County-City Bldg. Soccer games will be held on August 13th and August 25th at the Bellarmine Prep School at 6:30 P.M.

Mayor Rasmussen said he hoped the visiting team has a pleasant visit in the United States and that a large crowd will attend the games.

Mr. Gary Gibbons, 8636 So. D, presented a bouquet of yellow roses to Mrs. Banfield. He stated these roses were presented to her from Vietnam veterans and the crew of a Navy destroyer in appreciation of her efforts to have a resolution adopted which would support the war in Asia.

Mr. Cvitanich moved that the minutes of the meeting of July 8, 1969 be approved as submitted. Seconded by Dr. Herrmann.

Mayor Rasmussen explained, on July 8 he had asked Mr. Hamilton, Acting City Attorney to submit a report to the Council relative to the additional leases which had been granted at the Public Safety Bldg. without Council action.

Mr. Rowlands, City Manager, stated the Chairman of the Allied Arts Commission had been contacted by letter and the information will be submitted to the Council as soon as a reply is received, in addition to the opinion that the City Attorney has prepared.

Mayor Rasmussen asked that a copy of the lease be furnished to the Council, so the Council may study it before the report is submitted.

Mr. Rowland stated that could be done.

Voice vote taken on the minutes. Motion unanimously carried.

HEARINGS & APPEALS:

This is the date set for hearing for rezoning of the west side of Pearl Street approximately 150 feet south of No. 48th St. from an "R-2" to an "R-3" District, submitted by Forrester Realty & Mortgage Co., Inc.

Mr. Buehler, Director of Planning, pointed out on a map the location of the site and explained there has been an eight unit apartment abutting the site which has been requested to be rezoned. The applicant has requested the reclassification in order to construct two duplexes. This rezone would provide a buffer between an intensity of land use of an apartment development and a single family development.

Mrs. Banfield asked if the Tacoma Housing Authority pays taxes.

Mr. Hamilton stated he would like to check the ordinances before rendering an opinion on this matter.

No protests being made, Dr. Herrmann moved to concur in the recommendation of the Planning Commission to rezone the above property and that an ordinance be drafted approving same. Seconded by Mr. Bott. Voice vote was taken, resulting as follows: Ayes 5: Bott, Finnigan, Herrmann, Murtland and Mayor Rasmussen. Nays 2: Banfield and Cvitanich. Motion carried.

COMMUNICATIONS:

Mr. A. R. Damkoehler of the Air Pollution Control Office and Puget Sound Air Pollution Control Agency, explained that the National Pollution Control Administration held their regional consultations in Seattle regarding the development of the Regional Air Pollution Control District for Seattle and Tacoma. It appears that they will designate the federal region to include King, Pierce, Snohomish and Kitsap Counties. The benefits to be derived from such a region is that Pierce County and Tacoma will be able to partake of the federal standards, criteria developments and support from the federal level.

Mr. Damkoehler further explained the development of the program during the past fifteen months in Tacoma. He added, the Agency has used a number of procedures to gain compliance with the regulations. In some cases show-cause hearings and variance procedures have been followed by the Board of Directors. In other cases, the Agency's enforcement staff negotiates compliance schedules with violators. Some recourse has been made to the courts but this has not been used extensively because most violators have submitted a compliance schedule, but most violators require considerable lead-time for engineering analysis, design of appropriate equipment and a period of testing and adjustment after installation. He outlined the major industries involved in the industrial complex of the Tacoma tideflats and what measures have been undertaken that promise improved air quality in the years to come. Periodic reports are required to be submitted to the Agency as to what progress has been made, he added.

Mr. Damkoehler further explained that in July, 1968, the Agency's Board of Directors issued a compliance order to the American Smelting & Refining Co., which operates a copper smelter in the vicinity of Ruston. The smelter filed suit against the Agency on August 12, 1968, seeking to prevent the order from taking effect, and requesting judgment against Regulation I as being unconstitutional and arbitrary. Subsequently, the Agency filed a counter suit seeking court support of the Board order. Attempts have been made to arrive at a mutually agreeable compliance schedule but these efforts have failed. Therefore, the Board of Directors ordered its legal counsel at the board meeting in June of 1969 to proceed with the Agency's suit.

Since the Agency's Board of Directors passed Regulation I, a variety of commercial establishments in the Tacoma area have taken steps to reduce air pollution from their operations from waste burning, and some have chosen to cease burning wastes altogether.

Mr. Damkoehler stated they feel considerable progress has been made and the major problem now is the legal battle with the Tacoma Smelter in the courts.

Mr. Cvitanich said there is more pollution emitting from the Tacoma Smelter which is 22 tons an hour, which is more than all the other fifteen industries combined on the tideflats.

Mr. Damkoehler explained that the smelter's pollution cannot be compared directly with that of other businesses but he did agree that all other industries combined, emit just one-seventh as much as the Smelter.

Mr. Cvitanich mentioned the new coal plant to be constructed in Centralia and asked what steps will be taken relative to controlling its pollution.

Mr. Damkoehler stated this is the responsibility of the State coordinating the regional activities. Meetings have been held, and the federal regulations require that a program be established to prevent air pollution from crossing boundaries of regions.

Mr. Cvitanich asked Mr. Damkoehler where the mobile unit is stationed that has been discussed during the past year.

Mr. Damkoehler stated the unit is now in Seattle as there has been a problem of obtaining equipment from the manufacturers but it should be in Tacoma next month.

Mr. Cvitanich said he did not feel any industry has the right to pollute the air as extensively as the Smelter has been doing.

Mr. Damkoehler said that no further action can be taken against the Smelter until the Superior Court resolves the matter legally.

Mayor Rasmussen asked what the violations were during the past month.

Mr. Damkoehler explained, during the past month the Smelter's alleged violations of the regulation have been more severe.

Mayor Rasmussen thanked Mr. Damkoehler for his report.

RESOLUTIONS:

Resolution No. 20305 (postponed from the meeting of July 29th)

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

Mr. Phillips, Airport Manager, explained that the final documents between Air West Inc. and the Hughes Tool Co. have not been signed. However, he explained he had talked with the attorney from Air West and he asked that the City of Tacoma transfer the agreement as proposed, subject to the transfer of Air West's interests to the Hughes Tool Co.

Mayor Rasmussen felt this would be a hasty decision if the Council allows the transfer of rights to a company that has not yet purchased the interests of Air West.

Mr. Phillips stated he could not make a judgment on that as the attorneys for the companies in question have stated that the Civil Aeronautics' Board should be assured that the obligation of the new company would then immediately go into effect in each community.

Mr. Murland asked the Acting City Attorney if there were any reasons why this could not be made contingent upon the transfer, as the assignment would not be effective until the Hughes Tool Co. takes over the control of Air West.

Mr. Hamilton said this agreement only approves the assignment in advance, if it does take place.

Mr. Cvitanich explained he had understood that the liability in the lease relates to the space in the Terminal Bldg. not to a crash of an airplane.

Mr. Hamilton explained this was true. The lease comes up for renewal within approx. forty days, no matter who the lessee is. This particular agreement would be interim, he added.

Mr. Rowlands explained that a memorandum has been submitted to the Council outlining this situation and whether such a transfer takes place, the City will be re-negotiating the contract on October 28, 1969.

After some discussion, roll call was taken on the resolution, resulting as follows:

Yes 4: Bott, Finnigan, Herrmann and Murtland.

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

The Resolution was declared LOST by the Chairman.

Resolution No. 20326

Fixing Tuesday, September 9th at 4 P.M. as the date for hearing for the vacation of property in the vicinity of No. 37th, Warner and Lawrence Sts. and Ruston Way. (Vacation of Edward J. Young.)

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

Yes 7: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.

Yes 0: Absent 2: Johnson and Zatkovich.

The Resolution was declared passed by the Chairman.

Resolution No. 20327

Fixing Tuesday, Sept. 9th at 4 P.M. as the date for hearing for the vacation of the alley between Columbia Ave. and George St. from Ea. "T" to approx. 84 feet west. (Vacation of Lloyd Mathison)

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

Yes 7: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.

Yes 0: Absent 2: Johnson and Zatkovich.

The Resolution was declared adopted by the Chairman.

Resolution No. 20328

Awarding contract to Walker Chevrolet on its bid of \$23,660.96 for two dump trucks and one cab & chassis.

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

Yes 7: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.

Yes 0: Absent 2: Johnson and Zatkovich.

The Resolution was declared adopted by the Chairman.

Resolution No. 20329

Authorizing the execution of an agreement retaining Tudor Engineering Co. for engineering services on preliminary phase of Bayside Dr., a secondary arterial from 18. 7th to McCarver Streets.

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

Mr. Schuster, Director of Public Works, explained this resolution and Resolution No. 20330 are confirming the agreements for preliminary engineering for two urban arterial street projects. Resolution No. 20329 relates to a secondary arterial from the vicinity of So. 7th St. to McCarver St. under the designation of Bayside Drive. The Council has given its approval for the City to negotiate with the engineering firms for these preliminary studies.

Mr. Cvitanich said he had previously requested a synopsis of the firms involved.

Mr. Schuster stated he had misunderstood Mr. Cvitanich but he has included in the agreement the professional firms retained by the consultant. The Tudor Engineering Company's main office is in San Francisco but a branch office is located in Seattle.

Mayor Rasmussen thought this was all one project which would be taken care of under one resolution.

Mr. Schuster stated Res. 20330 relates to the Tacoma Spur which lies easterly of "A" street from So. 13th to So. 7th street. They were submitted to the Urban Arterial Board under these two sections.

Dr. Herrmann asked when the expected completion date for these two projects would be.

Mr. Schuster explained the approval of the preliminary engineering design is anticipated for the 1st of June, 1970.

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

Ayes 7: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
Nays 0: Absent 2: Johnson and Zatkovich.

The Resolution was declared passed by the Chairman.

Resolution No. 20330

Authorizing the execution of an agreement retaining Tudor Engineering Company for engineering services on preliminary phase of Tacoma Spur project lying off A Street from So. 13th to So. 7th Street.

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

Ayes 7: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
Nays 0: Absent 2: Johnson and Zatkovich.

The Resolution was declared passed by the Chairman.

Resolution No. 20331

Authorizing the execution of an agreement with Pacific N.W. Development Co., granting a 120 day extension on its option agreement for the completion of a Convention Center Complex.

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

Mr. Murtland moved that the resolution be amended to limit the extension requested of 120 days to 60 days. Seconded by Dr. Herrmann.

Mayor Rasmussen explained that the Public Utility Board advises that they would approve an extension of 60 days. Their reason for this recommendation is due to a number of Water Division projects which will have to be planned and scheduled to enable release of the property in question, which will have to be programmed in next year's budget.

Mr. Jay Schack, Executive Vice President of the Pacific N.W. Development Company, Inc., said the reason they have asked for the 120 day extension was due to the money market in New York and Philadelphia which does not show any change for a period of at least 60 days.

Dr. Herrmann wondered since the agreement expired on July 30, 1969 if all the terms in the agreement have been met. He was particularly interested in one item which provides that the City Council would be furnished with some type of evidence of their ability to finance this convention center.

Mr. Schack explained, the financial statement was presented in a complete feasibility and economic study, with a ratio shown as to whether the debt could be retired. He noted that a change in the interest rate has increased from 6.8% to 8.8%. The company's books show it has spent \$230,000 to date on the Tacoma project, but there is no way that the present convention center can be financed at the current rate of interest. It cannot go higher than 8% and retire the entire indebtedness. He further stated that two or three other forms of interim financing and public underwriting have been studied.

Mayor Rasmussen felt this was a reasonable request for additional time to arrange the financing for the convention center but he did feel that the 60 day extension would be appropriate.

Mr. Cvitanich stated he opposed the plan because there was no assurance that the City's General Fund would not end up subsidizing the center.

Mr. Finnigan explained he understood that the company is involved in two other major projects in Tacoma, as well as in Memphis, Tenn., and other cities. If the company is combining all the interests in one project it would certainly jeopardize the development of the Tacoma project.

Mr. Schack said the company was trying to sell its plans to groups in Memphis, Tenn., Sacramento, Calif. and other cities. In each instance, they had been involved with other groups. If the plans can be shared with two or three other cities, the Tacoma project costs would be reduced by nearly a million and one-half dollars.

Mr. Cvitanich felt it was not fair to postpone the extension of time to just 60 days.

Mr. Murtland moved to amend his motion to a sixty-five (65) day extension of the option and changing the date to October 5, 1969. Seconded by Mr. Bott. Voice vote was taken, resulting as follows: Ays 6: Banfield, Bott, Finnigan, Herrmann, Murtland and Mayor Rasmussen. Nays 1: Cvitanich. Absent 2: Johnson and Zatkovich. Motion carried.

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

Ayes 5: Banfield, Bott, Herrmann, Murtland and Mayor Rasmussen.
Nays 2: Cvitanich and Finnigan. Absent 2: Johnson and Zatkovich.

The Resolution was declared passed by the Chairman.

Resolution No. 20332

Authorizing the execution of an agreement with Puget Sound National Bank to provide electronic data processing services as part of the Community Renewal Program.

Mr. Murtland moved to adopt the resolution. Mr. Finnigan seconded the motion.

Mr. Alfred Anderson, residing at 4530 So. L, Computer Operator for the State Dept., questioned the advisability of the Puget Sound National bank providing electronic data processing services as part of the Community Renewal Program. He asked how much the service would cost the City and what type of machines the City uses at the present time.

Mr. Rowlands explained the City uses the 1440 series. The machines are now operated in two shifts and it is felt that the plan will be more economical and more effective than trying to work this into the City's own program.

Mr. Buehler explained the total cost of the data processing project is not to exceed \$10,500. The entire CRP Program amounts to \$281,000. The equipment of the 1440 series will not store all of the information and sorting required. The Puget Sound Bank has a 360-20-30 and 40 type of computer which can do the job.

Mr. Creighton, Principal Planner, who has been coordinating the program, explained the cost of this equipment depends upon the type of equipment used. The Bank's Model 30 computer rents for \$16 per hour. Many things have to be considered, such as the disc runs, card punch, operator charge, so the estimate for most of the work will be in the vicinity of \$45 per hour.

Mr. Anderson felt this charge was entirely out of line. He felt that the possibility of other equipment being used should be thoroughly checked.

Mr. Creighton reiterated that the 1440 equipment is not capable of handling the magnitude of information required. If it is decided that this has to be accomplished on 1440, additional equipment would have to be leased and it would have to be processed in small amounts. A more efficient operation will be obtained through using the 360 computer.

After some discussion Mr. Buehler explained he had submitted a substitute resolution changing the first "Whereas", 4th line down by adding the words, "and said bank is the only local firm capable of performing the total scope of the services desired which has expressed any interest in doing so, and".

Mayor Rasmussen stated this substitute resolution will be checked next week.

Mr. Cvitanich moved to continue the resolution for one week, until August 12, 1969. Seconded by Dr. Herrmann. Voice vote was taken. Motion carried.

The Resolution was postponed until August 12, 1969.

Resolution No. 20333

Authorizing the execution of a contract with R. L. Polk & Company to provide social and employment data to the City as a part of the Community Renewal Program.

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

Mr. Buehler explained this resolution should also be postponed, as it is a companion resolution to Res. No. 20332.

Dr. Herrmann moved to postpone the resolution for one week, until Aug. 12, 1969. Seconded by Mr. Cvitanich. Voice vote was taken. Motion carried.

Mrs. Banfield asked that the Council be advised next week if R. L. Polk & Co. pays any business tax in the City of Tacoma.

Mr. McLennan, Director of Tax & License, said he would check into the matter.

Resolution No. 20334

Commending members of the Centennial Committee and members of the public assisting said committee and specifically commending John H. Anderson, General Chairman and Norman D. Rowley, Executive Director of the Committee, for their work and efforts in planning and directing the Centennial Celebration.

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

Mayor Rasmussen explained there was a luncheon given for all former Mayors of Tacoma during the Centennial Celebration. He was pleased to announce that former Mayors, M. G. Tennent, Harry Cain, John Anderson, Ben Hanson and Harold M. Tollefson attended.

He added, at that time each former Mayor received the "Distinguished Service Plaque of the City". He felt that there being five living former Mayors was quite a remarkable record.

Mayor Rasmussen thanked all the citizens including the Centennial Committee who participated in the Centennial Celebration.

Mr. Cvitanich moved to amend the last "Whereas" of the resolution after the word Committee in the second line, by adding the words, "and the citizens of the City of Tacoma." Seconded by Mayor Rasmussen. Voice vote taken. Motion carried.

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

Ayes 6: Banfield, Bott, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
Nays 1: Cvitanich. Absent 2: Johnson and Zatkovich.

The Resolution was declared passed by the Chairman.

Mayor Rasmussen requested that a copy of the resolution be sent to Mr. Anderson and Mr. Rowley.

Resolution No. 20335

Appropriating the sum of \$141,000.00 or so much thereof as may be necessary from the unanticipated revenues for the purpose of carrying on said Model Cities Planning Program between the United States of America and the City of Tacoma.

Mr. Finnigan moved to continue the resolution for one week, until August 12, 1969. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

The Resolution was postponed until August 12, 1969.

Mr. Cvitanich said that inadvertently Res. No. 20322 had been omitted from the agenda, therefore he would ask the Council to consider the resolution at this time.

Mr. Cvitanich then moved to suspend the Rules to consider the resolution. Seconded by Dr. Herrmann. Roll call was taken, resulting as follows:

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

Mr. Cvitanich moved to place Res. No. 20322 on the agenda. Seconded by Dr. Herrmann. Voice vote was taken. Motion carried.

Resolution No. 20332

Amending Rule 13 of the Rules of 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. Bott moved that Res. 20322 be Tabled. Seconded by Mr. Finnigan. Roll call was taken, resulting as follows: Ayes 4: Bott, Finnigan, Murtland and Mayor Rasmussen. Nays 3: Banfield, Cvitanich and Herrmann. Absent 2: Johnson and Zatkovich. Motion carried.

The Resolution was declared TABLED by the Chairman.

Mr. Cvitanich asked that this Resolution be placed on the agenda for August 12th Council meeting.

FIRST READING OF ORDINANCES:

Ordinance No. 18896

Appropriating the sum of \$85,000.00 or so much thereof as may be necessary from the General Fund for the purpose of paying the cost of an audit to be performed by certified public accountants.

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18879 (postponed from the meeting of July 22)

Providing for the improvement of L I D 4894 for paving on Ea. 52nd from "I" to "L" St. and other east side streets.

Mayor Rasmussen explained this ordinance was set over for the Public Works Dept. to further check the area.

Mr. Schuster reiterated the discussion that has taken place at the last meeting which involved the paving from East "I" to East "L" St. and a storm drain down to the trunk line on East "N" St. The staff have contacted these property owners again and it is now determined there is a protest of 43.4% on the improvement on the basis of the amount of the assessments that are being paid by these people.

Mayor Rasmussen moved to suspend the Rules so that the public would be allowed to speak on the ordinance. Seconded by Mrs. Banfield.

Mr. Cvitanich explained that last week a number of property owners were allowed to express their opinions on the matter and he felt since there did not seem to be a drastic change in the remonstrances, that further discussions would be to no avail.

Roll call was taken on the motion to suspend the Rules, resulting as follows:

Ayes 2: Banfield and Mayor Rasmussen. Nays 5: Bott, Cvitanich, Finnigan, Herrmann and Murtland. Absent 2: Johnson and Zatkovich. Motion LOST.

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

Ayes 4: Bott, Finnigan, Herrmann, and Murtland.

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

The Ordinance was declared LOST by the Chairman.

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 Street and 75 feet south of So. 68th St. (petition of Don Groff)

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

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

Nays 0: Absent 2: Johnson and Zatkovich.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18894

Providing for the improvement of L I D 3687 for sanitary sewers in alley between Stevens and Mason from So. 60th to So. 64th Streets.

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

Ayes 7: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
Nays 0: Absent 2: Johnson and Zatkovich.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18895

Providing for the improvement of L I D 4900 for paving on So. "K" from So. 25th to So. 27th Street and other nearby streets.

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

Ayes 7: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.
Nays 0: Absent 2: Johnson and Zatkovich.

The Ordinance was declared passed by the Chairman.

Mr. Murtland moved to reconsider Ordinance No. 18885 which was voted down at the Council meeting of July 29, 1969, concerning the rezoning of property on the N.E. corner of So. 12th & Mullen. Seconded by Mr. Bott.

Mrs. Banfield asked that she be informed of the circumstances as she was not at the meeting last week.

Mayor Rasmussen explained the rezoning was to allow two duplexes to be built in the area with the driveway off 12th Street and Mr. Murtland had wondered if the developers could rearrange their parking so that the access could be off Mullen St.

Mayor Rasmussen added he would allow Mr. Fors, representing the petitioner, Mutual Securities, Inc. to speak if there were no objections by the Council.

Mr. Gordon Fors explained he had talked to Mr. Schuster, Mr. Anderson of the Public Works Dept and Mr. Chapin, Assistant City Attorney, and Mr. Schuster had explained they had not had time to study the situation and asked that he request a continuance of the ordinance for one week. Mr. Fors said that the possibility of building one of the duplexes facing Mullen St., an unimproved street is very remote, because it was not economically feasible. He noted there are provisions for turn-arounds on the driveway on 12th Street in the revised plot plans.

After further discussion, voice vote was taken on the motion to reconsider Ord. No. 18885. Motion LOST.

UNFINISHED BUSINESS:

The Director of Public Works presents the Assessment Roll for the cost of improvement in L I D 3675 for sanitary sewers on So. Mullen from Center St. to So. 31st St.

Mrs. Banfield moved to set Monday, Sept. 8, 1969 at 4 P.M. as the date for hearing on the above assessment roll. Seconded by Dr. Herrmann. Voice vote taken. Motion unanimously carried.

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Mr. Cvitanich explained that Resolution 20322 was tabled before he had had an opportunity to speak on the resolution. He noted that he had requested that it be placed on the agenda next week because several members who supported it will be attending the Council meeting.

Mayor Rasmussen explained he had had a request from the Senior Citizens' Center to place a Crosswalk on No. 13th & "I". He asked Mr. Rowlands to check into the matter.

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Mayor Rasmussen said he had asked that a page be included in the 6 months Finance Report analyzing each Department's expenditures, to indicate which Departments are overexpending their budgeted allocations.

Mr. Rowlands explained this is being watched very carefully and the over-all picture can be submitted to the Council in the future.

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Mayor Rasmussen explained, apparently there are a number of pieces of property in the Center Street Urban Renewal area that are being held for speculation. The property has been held past the time that has been granted under the Urban Renewal laws, and no development has taken place. He mentioned a location at Center & M, the Floor Covering Company's property as well as a parcel near a restaurant supply company.

Mayor Rasmussen also asked if the monies had been received for the site of the new Labor Temple in the Fawcett St. Urban Renewal area.

Mr. Rowlands, explained he did have a breakdown on three or four parcels of property in the Center St. area, however, he would have to check on the matter of the site of the Labor Temple.

Mayor Rasmussen also mentioned that six months ago the Council had requested information from the Urban Renewal Dept. relative to expenditures and receipts in that department. He thought that this monthly report should have been received by this time.

Mr. Rowlands stated he would look into the matter.

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Mr. Cvitanich commended the Legal Dept. for their excellent report relative to the 1969 Legislature Digest. He directed the Council's attention to Page 43 relative to Weights & Measures. He quoted the following, "This bill requires that there shall be a sealer of weights and measures in every city. In cities of more than 50,000 population, which includes the city of Tacoma, the sealer is to be appointed subject to local civil service laws or by the municipality's chief executive officer with the consent of the governing body of such municipality."

Mr. Cvitanich further stated that he had brought this matter to the Council's attention and asked if the City had a civil service list for this position.

Mr. Rowlands explained he had talked with Mr. McLennan about this particular provision. It is also noted that such a person may be appointed by the municipality's chief executive officer with the consent of the governing body, or by civil service laws. He noted that perhaps Mr. McLennan should be designated as the Sealer for the City. The other alternative would be to designate a weights and measures inspector as the City Sealer.

Mr. Cvitanich said it was his opinion that a civil service promotional examination should be established for this position.

Mr. Rowlands said it was his understanding at this time that the Council wishes a civil service position established so that a promotional examination can be established for a City Sealer.

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Mayor Rasmussen mentioned the paragraph on page 42 of the Digest, relating to Data Processing and Communication. On page 43, under the same subject, it states as follows: "authorizes state and local governmental agencies to contract with budget director for maximum utilization of facilities and services subject to the act." He added, at the end of the paragraph the following statement is made, "may contract with public or private vendors or purchasers for sale, exchange or acquisition of data processing materials, service and facilities."

Mayor Rasmussen wondered why the State's Data Processing System could not be utilized in place of the Puget Sound Bank's system relative to correlating the Community Renewal Program.

Mr. Rowlands stated this could be investigated.

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Mayor Rasmussen noted that the copy of the agreement from Mr. Gaisford, Finance Director, relative to deposits of the City's funds in several banks has not been received.

Mr. Gaisford explained that no written agreement had been made but there had been a verbal agreement with the Clearing House Association a number of years ago and prior to the Manager form of government. However, at that particular time the funds were reviewed and investments made and because of the number of checks that were being processed for the City of Tacoma, the Clearing House representatives called a meeting. At that time an oral agreement was made with the banks that a minimum amount would be placed in the operating banks and a hundred thousand dollar balance would be kept in the non-operating banks.

Mr. Gaisford continued, that letters have been received from banks throughout the City which explain their feelings on the operation of the City's cash. He also said he would make copies and submit them to the Council. He also noted the Finance Dept. would consider any recommendations from the Council at any time.

Mayor Rasmussen felt this matter should certainly be reviewed as too many funds are standing idle in the banks without drawing interest.

Mr. Gaisford explained the transactions that have occurred during the month of June, 1969, relative to the revenues and expenditures of the City. He noted that investments the City had on hand were approximately \$90 million dollars. The City is taking the chance of investing warrants that are outstanding. Legally, the banks could come in and demand the the City have on deposit sufficient money to clear the warrants that are outstanding in the City. However, turn-over in the City will average better than a quarter of a million dollars a day. With \$650,000 cash the City now has, we do not have sufficient cash available to operate for three days. He felt that money management within the City is excellent.

Mayor Rasmussen asked Mr. Gaisford to list the amount of money that is deposited within the banks of Tacoma.

Mr. Gaisford explained that the City is a bank of its own. Each bank, Bank of Tacoma, National Bank of Washington, Bank of California and Puget Sound Bank are receiving warrants from the City daily, and they in turn are bringing them to the City Treasurer and is then bought back with cash from the operating bank. Therefore, the bank is actually a holding cash bank.

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Mayor Rasmussen then said the other banks have City money in them which draws no interest.

VERBATIM REQUESTED BY MRS. BANFIELD

Mr. Gaisford: Well, I say this, no this is not true. We use all five banks as operating banks. If this came up on this day of \$650,000 available cash, and we were presented with a million dollars worth of warrants, it's a cinch that we'd draw on every account to pay. This happens, this does happen numerous times. And I might say this, that if we didn't have good connections with the County, we'd be in worse trouble. When we come with a situation where we don't have enough money in the banks to cover, I run up to Morrie Raymond and say, I need a half million dollars for coverage for a day. And they're pretty good on it.

END OF VERBATIM

Mr. Gaisford felt it would be best for independent auditors to audit the books as he has tried to explain the entire phase of the operation of cash of the City government many times and his explanation has not been satisfactory. He did feel that the taxpayers know that the Finance Dept. is trying to do a good job for the City.

Mr. Rowlands explained the type of investment program that has been conducted for the City. He stated it has earned many hundreds of thousands of dollars for the City.

Mayor Rasmussen said if there is an agreement with the banks, it should be a signed agreement and should be public knowledge.

REPORTS BY CITY MANAGER:

MC-607 Delinquent License Fees - Salvage Management Inc.

Mr. Cvitanich felt the Council should make a determination on this matter. He noted that Mr. Rowlands had recommended in the last paragraph on the first page of the MC that the Legal Dept. be directed to proceed to bring an action against Value Village for the amount of the license assessment. This would not include the penalties.

Mr. Rowlands reviewed the discussion that had been held by the City Council with reference to the assessment for delinquent license fees and penalties filed by the Director of Tax & Licenses against Salvage Management, Inc., d/b/a Value Village. He noted that the delay in submitting this recommendation to the City Council stemmed from the differences of opinion among all parties concerned. He checked with UGN organization which evidenced its approval of the program carried out by the Dyslin Boys' Ranch by its continued financial support over the years.

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Mayor Rasmussen pointed out that the Mayor and Council members have been served with a subpoena on this matter and it was his understanding it has been set for a hearing by the court on Aug. 12, 1969. He thought since these papers have been served, it would not be the proper time to discuss the matter.

Mr. Rowlands explained that the procedure he has followed in the memorandum to the Council had been checked out with the City's Legal staff before submitting it to the Council.

Mayor Rasmussen ruled the discussion of the matter was out of order.

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MC-608 Tax Income in Urban Renewal Projects.

Mr. Rowlands explained the graphs attached to the MC indicate tax revenue and tax credits received by the City in the three Urban Renewal projects. He felt it was interesting to note in the Center Street Project the 1969 tax is a 512 % increase of the 1959 taxes.

Mrs. Banfield stated she was not pleased with this report. She wished to know what the difference between the tax rate of 1968 and 1969 has been; she also wished to know why Goodwill Industries has not paid taxes since 1966. She felt that the citizens of Tacoma had had to pay a higher property tax because of the properties that have been taken off the tax rolls due to urban renewal projects.

Mrs. Banfield further stated there have been properties purchased in the urban renewal projects that have not been placed back on the tax rolls. She wanted to know how this was possible.

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Mr. Hamilton stated this would be up to the County Assessor but he would check into the matter.

Mayor Rasmussen felt the City should notify the County Assessor's office when it leases any property so that the property can be taxed. He asked what the statutes were in regard to back taxes.

Mr. Hamilton explained that the County is entitled to institute foreclosure action after seven years on back taxes.

MC-609 Urban Renewal Information

Mayor Rasmussen read the list of businesses in the New Tacoma Urban Renewal area that had closed.

Mr. Rowlands explained there are approx. 15 to 20 businesses which have actually gone completely out of business.

Mayor Rasmussen asked that this report be brought up to date over a ten year period relative to the ten year loss in taxes and also in business, and what the City is now liable for in taxes at the present time.

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MC-611 Summer Youth Employment Programs

Mr. Rowlands explained this MC is simply a directory of Summer Youth Employment Programs and explained that the City is participating in the first five programs.

Mr. Rowlands reminded the Council that Wednesday, August 6 is County-City night at the ballpark and he hoped that the Mayor and Council members would be present for the game.

COMMENTS BY MEMBERS OF THE COUNCIL

Mayor Rasmussen explained that under Items filed, a Third Quarterly Progress report had been submitted relative to Tacoma's Community Improvement Program. He felt the report was incomplete.

Mayor Rasmussen requested that a report he had asked for a number of weeks ago relative to false alarms be submitted.

Mr. Rowlands explained that the Fire Headquarters had turned in their report yesterday and it would be on the Council's agenda for the next Council meeting.

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Mrs. Banfield noted the Urban Renewal Dept. Audit Report No. 3, which had been submitted to the Council and she wished to know who had purchased the property mentioned in the communication for only \$342.00

Mr. Rowlands stated he would look into the matter.

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Mayor Rasmussen said he felt there was no need for the Model Cities Program as Tacoma already has adequate programs and its Planning Dept. to assess the needs of the Hilltop area and make improvements.

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Mayor Rasmussen asked Mr. Rowlands to obtain from the Planning Dept. a report relative to all the areas that are rezoned for high-rise apartments between 6th Ave. and 27th St. and between Fawcett Ave. and Sprague St. Also the areas that the Planning Dept. would recommend for rezoning for high-rises.

He felt if there was any rezoning to be accomplished it should be done now so that anyone who owns a home in that district will be aware of the fact and participate in the increased value of their property.

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Mr. Cvitanich mentioned he had had several calls from citizens who live in the So. 70th & Warner St. area relative to L I D 4893. This L I D was passed 30 days ago but it will probably be next spring before the curbs and gutters will be constructed. However, the City did place an oil mat on the street at this time to keep the dust down until the improvement is finished.

* * * * *

Mr. Hamilton asked the Council's direction in view of the proceedings which have taken place this evening, relative to the mandamus action on the tax and license matter.

Mayor Rasmussen asked that Mr. Hamilton bring the legal papers into court, which had been signed five weeks ago.

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ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Planning Dept. quarterly progress report for Community Improvement Program.
- b. Report from Fire Dept. for the month of June, 1969.
- c. City Clerk notifying that the time has expired for filing of protests on L I D's 3685, 4893, 4895 and 5487.

Placed on file.

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Mr. Bott moved to adjourn the meeting. Seconded by Dr. Herrmann. The meeting was adjourned at 9:30 P.M.

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

Attest: *Josephine Melton*
Josephine Melton - City Clerk