

CITY COUNCIL MINUTES

City Council Chambers  
Tuesday, Aug. 12, 1969

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

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

Mr. Al Dravis, 5415 So. Park, Commander of Post 1, Amvets and 1st Vice Commander of the 6th District, explained he had brought a tape recording of the Carolin Bells which play at the tomb of the Unknown Soldier in Washington, D.C. Mr. Dravis remarked that he hoped it could be established at the Narrows Bridge Memorial that the City has dedicated to the Veterans of World War II, Korea and Vietnam. A portion of the tape was played for the Council's benefit.

Mayor Rasmussen thanked Mr. Dravis for obtaining such a memento for the citizen's of Tacoma.

The Flag Salute was led by Mr. Dravis.

Mr. Doug Howard, Public Relations Director for the Tacoma-Pierce County, Junior Soccer Football Association, introduced eight male school teachers from Manchester, England, with them were sixteen, fifteen year old boys from the Jr. Soccer team. Mr. Howard explained the boys will be playing a total of nine games on their month's tour of the West Coast. He also thanked Mayor Rasmussen, Mr. Rowlands, City Manager, and particularly Mr. George Cvitanich and his committee who had made the visit of the Manchester Jr. Soccer team an enjoyable one. 67  
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Mayor Rasmussen congratulated the dignitaries from England and proclaimed them Honorary citizens of Tacoma and presented each with a Tacoma Centennial memento.

Mayor Rasmussen asked if there were any omissions or corrections in the minutes of July 15th and special meeting of July 18th, 1969.

Mr. Cvitanich moved that the minutes of the meeting of July 15 be approved as submitted. Seconded by Mrs. Banfield. Voice vote taken. Motion unanimously carried.

Mr. Cvitanich moved that the minutes of the special meeting of July 18 be approved as submitted. Seconded by Mrs. Banfield. Voice vote taken. Motion unanimously carried.

HEARINGS & APPEALS:

The City Planning Commission recommending the denial of the request of Carl Laursen for rezoning of the north side of So. 76th St. from approx. 250 feet east of Sheridan Ave. from an "R-2" to an "R-3-PRD" District.

An appeal was filed by the petitioner and the date for hearing has been set for Sept. 23, 1969.

Mrs. Banfield moved that Sept. 23, 1969 be set as the date for hearing on the appeal by Carl Laursen on the above rezoning. Seconded by Mr. Cvitanich. Voice vote taken. Motion unanimously carried.

The City Planning Commission recommending denial of the request of Alvin Tone & Gary Smith for rezoning of the south side of Ea. 46th St., approx. 130 feet west of Portland Ave. from an "R-2" to an "R-4-L" District.

The last day to file an appeal was Aug. 6, 1969 and no appeal was filed.

Dr. Herrmann moved to concur in the recommendation of the Planning Commission to deny the above rezone request. Seconded by Mr. Johnson. Voice vote taken. Motion unanimously carried.

PETITION:

James J. Petrick requesting rezoning of the west side of Oakes St., 100 feet north of No. 21st St. from an "R-2" & "C-1" to an "R-4" District.

Referred to the Planning Commission.

COMMUNICATIONS:

Communication from Alan Liddle, Pres. of the Civic Arts Commission notifying the City Council that the Commission reaffirms its position to not allow any advertising on City bus benches.

Placed on file.

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A communication was read from Thomas R. Garlington, Chairman of the City Planning Commission, requesting clarification of the City Council's position as to what action is requested, if any, of the Planning Commission, in determining proper conditions relating to the Tribune Publishing Company rezone and site development for their facility.

Mr. Buehler, Director of Planning, explained there seemed to be a decided disagreement on the part of the Tribune Publishing Company's representatives and the staff, as he felt no condition was set regarding the rezoning. Mr. Buehler noted he had understood that the nineteen suggested conditions developed by the Planning Commission were to be heard by the Commission and would be forwarded to the Council when the vacation petition comes before the Council.

Mr. Cvitanich thought if the Planning Commission or staff had any suggestions they should be submitted to the Council for its consideration.

Mr. Sprinker, representing the News Tribune Co., stated it was his understanding that they would comply only with the Utility and Public Works Depts. recommendations. He could see no reason to delay the matter any further as they were ready to begin construction.

Mayor Rasmussen asked the Legal Dept. to draft the appropriate ordinance for the Council's consideration.

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Mr. Patrick J. Gallagher, Chairman of the Board of Pierce County Commissioners, read a letter regarding a proposal by the Town of Fife to provide interim sewer service to a tributary portion of the Lakehaven Sewer District. Mr. Gallagher explained that Pierce County was not in a position to actively participate in the proposed project. However, it is the policy of the Board to encourage interim sewerage facilities where such facilities are technically and financially feasible and consistent with the Pierce County Comprehensive Sewerage Plan. This Plan indicated that the proposed Lakehaven interim sewer is to be intercepted by a major trunk sewer extending into the Milton area. He added, the Board has no objection to the project as proposed provided that it meets with the Pierce County Comprehensive Sewerage Plan and participation by involved

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municipalities with the long range plan for sewage of the lower Puyallup River basin.

Mayor Rasmussen thanked Mr. Gallagher for his presentation.

Mr. Gallagher noted that the report prepared by their consultants, the Kennedy Engineers, on the Chamber Creek-Clover Creek Basin, Sewerage General Plan is on the agenda. He added, he hoped that the City Council will also accept this report.

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A communication was read from Esther E. Campbell, Retirement System Manager, requesting the City Council raise the interest rate on Tacoma progress estimate warrants and local improvement district notes from 6% to 7%.

Mr. Gaisford, Finance Director, explained that the Employees' Retirement System has requested this change because it has been found that it is to the benefit of the Retirement System to invest in other commodities so a higher interest rate may be received. Therefore the Board is requesting that the Council increase the rate on new L I D's and progress estimate warrants and notes to 7%. He also added that a progress estimate warrant or an L I D is not a long term guaranteed investment, as an L I D note can only be guaranteed for one year.

Mayor Rasmussen said he had no objection to the Retirement System making good earnings but he felt it would be penalizing the citizens of Tacoma if the rate were raised to 7%.

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Mr. Gaisford stated, as a member of the Retirement Board, he would suggest that the Tacoma progress estimate warrants and L I D Notes be sold on the open market.

Mayor Rasmussen asked what was the total amount credited to the L I D Guaranty Fund.

Mr. Gaisford explained that the assets of the Guaranty Fund at the present time amount to a little over \$1,400,000.

Mayor Rasmussen asked if the Guaranty Fund were depleted what method would be found to provide a guaranty.

Mr. Gaisford explained that the law states it would be mandatory for the City to pick up any delinquent L I D bonds.

After some discussion, Mayor Rasmussen stated he would appoint a committee to meet with the bankers to investigate this matter.

Placed on file.

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Mr. Alan Liddle, Chairman of the Civic Arts Commission of Tacoma-Pierce County, explained that the Commission has been working for some months on two proposed ordinances, one relative to the Historic Preservation of Building, site and landmarks and the other with an Arbor Ordinance.

Mayor Rasmussen stated the staff had not had the time to prepare ordinances on these two proposals but it was felt that presentations should be made at this time by Mr. Liddle and Dr. Alcorn since they would not be able to attend the meeting at a later date.

Mr. Liddle stated the intent of the historical preservation ordinance is to deem a few significant buildings worthy of preservation. This would come to pass by means of hearings with the Arts Commission. Such buildings would then be approved by the Council and the building department would be notified and alterations to the buildings would be permitted only through hearings with the Arts Commission. In the event of a dispute the Council would then make the final decision.

Dr. Gordon Alcorn, a Civic Arts commission member, explained many citizens have felt that the City and County should consider an Arbor Committee for beautification of streets, roadways, parking strips, etc. He noted the Arbor Committee mentioned in the proposed ordinance is purely an advisory committee to those individuals concerned with beautification.

Mayor Rasmussen asked if the ordinances could be on the agenda with the stipulation that it is for the purpose of a public hearing.

Mr. Hamilton, Acting City Attorney, asked the Council if they contemplated a hearing beyond the usual first reading of an ordinance.

Mayor Rasmussen felt it would be in the province of the Civic Arts Committee to hold a public hearing on the matter.

Mr. Hamilton asked if the Council wishes the ordinances placed on the agenda or in study form first.

After some discussion Mr. Finnigan moved to authorize the Civic Arts Commission to conduct the hearings prior to the ordinances being presented to the Council. Seconded by Mr. Murtland. Roll call was taken on the motion, resulting as follows: Ayes 4: Finnigan, Johnson, Murtland and Mayor Rasmussen. Nays 5: Banfield, Bott, Cvitanich, Herrmann and Zatkovich. Motion LOST.

RESOLUTIONS:

Resolution No. 20324 (postponed from the meeting of July 29)

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

Mr. Bushler explained the property owners affected have been working toward annexation of this property and have submitted a 10% petition for annexation to the City. He outlined the procedure that is required for annexation to the City.

Mr. Cvitanich pointed out the several paragraphs and noting that the Council is changing its policy relative to sewer connections.

Mayor Rasmussen felt by allowing property which is not immediately abutting the City limits to be annexed would benefit the City sewer system and would assist in cutting down pollution in the boundary areas of Tacoma.

A number of Council members objected to the fifth paragraph of the resolution, stating it is now the desire of the Council to change or modify its policy.

Mr. Rowlands, explained the property owners involved have submitted their 10% annexation petition which shows their intent. He also felt it has been the Council's determination to consider each individual annexation request on its merit.

Mr. Murtland moved to delete the last three Whereas's in Resolution No. 20324. Seconded by Mr. Johnson. Voice vote was taken. Motion unanimously carried.

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

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

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20332 (postponed from the meeting of August 5th)

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. Bushler, explained that supplemental information regarding the data processing contract has been submitted to the Council. The charges submitted by the Puget Sound National Bank are \$2,670 lower than the closest competitor for an equivalent number of hours. He also submitted a substitute resolution changing the wording to the "Puget Sound National Bank was the only local firm capable of performing the total scope of the services desired which has expressed any interest in performing the work".

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

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

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

Nays 2: Banfield and Cvitanich. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20333 (postponed from the meeting of Aug. 5th)

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

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

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

The Resolution was declared passed by the Chairman.

Resolution No. 20335 (postponed from the meeting of August 5th)

Appropriating the sum of \$141,000 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. Zatkovich explained he felt the Model Cities program would not benefit the people who need it as the federal money will be used for staff salaries instead of aid to the Hilltop area. He noted that he was opposed to the way it is being handled although not opposed to the program itself.

Mr. Cvitanich also felt that these funds would not help the source of the problem in the Hilltop area, as there are so many rental units in that area.

Mr. Johnson explained that this money is to be spent on a planning grant and not to physically change things in the Hilltop area.

Mr. Rowlands explained that the initial one-year program centers on a study project, which it is hoped will identify the problems and the possible solutions.

Mrs. Banfield hoped that the resolution would be postponed so she would like to have a speaker from Seattle next week who would inform the citizens of Tacoma how much the people of Seattle respond to their Model Cities program.

Mrs. Banfield added, she also questioned the process of appropriating sums of money from the General fund of the City to be later reimbursed by the Federal Government.

Mr. Rowlands stated that the Federal and State auditors have always approved of this procedure, and this has been done before.

Mr. Walker, Director of Model Cities, explained that the first year of this program is a planning year at which time a comprehensive package is put together whereby plans can be made to solve the many problems that exist in the Hilltop area.

Mayor Rasmussen asked if the \$141,000 has been received by the City.

Mr. Rowlands explained that the money has been set aside, encumbered, but not actually received yet. The grant offer was made and accepted by the City, so for all practical purposes the sum may be appropriated pursuant to the passage of a resolution of the legislative body.

Mayor Rasmussen explained if this money was not forthcoming from the Federal Government and if this resolution passes, the City would have already spent the funds and would leave the City in a bad position.

Mr. Rowlands explained there may be a cut back of funds in the future, but this money has already been set aside for Tacoma.

Mr. Cvitanich said he was most interested in what these programs have done for the people in the communities particularly in the cities of Seattle, Portland and Tacoma.

Mayor Rasmussen explained he has originally voted for the Model Cities program and after studying the matter, he has now changed his mind, as he felt the program only provides for some well paid jobs and also the plans are not working out. He quoted from an article in the Nation's Business magazine which stated that many people, directly involved, also wondered about the program succeeding. He stated that his position is now against the program because it is a program of Negro removal. He also felt this was one of the reasons that riots had been staged in many of the cities throughout the United States.

Mr. Bott stated he was proud of what Tacoma has done in terms of Urban Renewal and he was also proud of the results that will show in the near future. The Model Cities program is set up so the people within the area can help themselves, so the City should be proud that it has approved such a program.

Mr. Johnson explained the Model Cities program could be an subject failure but it depends upon the quality of the people, the cooperation of the people and the willingness of the people to make it work.

Mayor Rasmussen asked if the money has been received from the Federal government.

Mr. Gaisford explained the cash has not been received, however the money will be received upon billing from the Model Cities program director.

Mayor Rasmussen asked how can unanticipated revenue be appropriated.

Mr. Hamilton explained that the Government has a contractual commitment to reimburse the City as it spends the money. The Council authorized a \$25,000 temporary loan to the Model Cities Fund and there was an outright appropriation of city monies in the sum of approximately \$7900 to carry the program on until such time as the grant agreement was signed. The position now is that the money is in the federal depository and it is committed to Tacoma contractually, and as soon as the invoices are sent, the money will be received by Tacoma. He noted that until such time the appropriation is approved, there is no way to spend the money in order to bill the government.

Mrs. Banfield felt if government funds are accepted, there will always be a certain amount of government control.

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

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

Nays 4: Banfield, Cvitanich, Zatkovich and Mayor Rasmussen. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20336

Fixing Tuesday, August 26th at 4 P.M. as the date for hearing on the rezone of approx. 365 feet west of Tyler between So. 31st and So. 35th Sts. extended. (petition of Weyerhaeuser Co.)

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

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

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20337

Fixing Tuesday, Sept. 9th at 4 P.M. as the date for hearing for the vacation of Procter St. from So. 58th to 300 feet north. (petition of Frank Stojack)

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

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

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20338

Pining Tuesday Sept. 16th at 4 P.M. as the date for hearing for the vacation of the alley between So. 14th & 15th and between Yakima Ave. and I Street. (petition of Episcopal Diocese of Olympia, Inc.)

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

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

The Resolution was declared passed by the Chairman.

Resolution No. 20339

Approving the final Plat of Bayview Park Estates in the area of No. Vassault St. extended and No. 35th Street.

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

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

The Resolution was declared passed by the Chairman.

Resolution No. 20340

Authorizing the execution of an agreement with ABAM Engineers, Inc. and Harstad Associates a joint venture for engineering services to be performed in connection with the preliminary engineering phase of the structure along River St. from East 26th to East 21st Street.

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

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

The Resolution was declared passed by the Chairman.

Resolution No. 20341

Authorizing the execution of an agreement with Hansen & Chalker Engineers, Inc. for engineering services for the preliminary engineering phase of the So. 48th St. overpass & bridge structure over Sign Route 5 at So. 48th Street.

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

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

The Resolution was declared passed by the Chairman.

Resolution No. 20342

Authorizing the execution of a permit to the Hilltop Jaycees for permission to install flag holders in the sidewalk along K Street from approx. 6th Ave. to So. 23rd Street.

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

Mayor Rasmussen hoped that placing the flags in the Hilltop area would help assure that the area will be again known as "K" Street.

VERBATIM REQUESTED BY MR. MURLAND:

Mayor Rasmussen: Mr. Rowlands, I understand that **Vic Miele's** restaurant was fire-bombed again last night. And I don't know how many people are aware of the fact that arson I believe is a ten year sentence. I would think that any officer that detects a person fire bombing up there would have the right to shoot. I would certainly hope that the Police Dept.: - I visited Mr. Miele up there at this restaurant this afternoon. The merchants up there have raised some \$4000 for advertising in an attempt to bring that area back to the fine shopping center that it once was. After the riot, business just fell off completely.

Now, the Council instructed you to have patrolmen on the beat in the "K" Street area. And in discussions with the merchants this afternoon they said they did not see that man on the beat that was there approximately for two weeks after the riot, and then it has been discontinued. Can you tell us something about that.

Mr. Rowlands: Mr. Mayor and Council members, first of all, we all regret the incident that occurred. I also was up and talked to Mr. Miele. The Chief and I talked to him this noon. Noone knows who did it; it damaged the car and a little to the rear of the store. Certainly that type of action is to be very severely condemned.

I might add, that as you probably all know, I think we've had very fine relations for the past three months within the City. There has been a lot of cooperation between the white community and the black community. A lot of extra programs going on this summer throughout the community and I think that everyone should be commended for the progress which has been made.

Now, with regard to the Police officers getting out of their cars. As far as I know this is still continuing. We have a regular team of officers, a black and a white officer, that have been making the rounds. Going, not only in the K St. area of Tacoma, but right up to Sprague. Stopping their car and going in the various places of business, particularly restaurants and taverns. And again, initially they were looked upon somewhat askance by particular children, now they are well accepted. I think that this has been one of the reasons why we've had better relations. So, that has been taking place. On getting out of their cars, I don't have the present specific schedules of the time they are doing this, but I know it has been going on now for some months.

We certainly want to encourage that, not only in this district, but also in other districts of the City. That's one of the points that I made, as you recall, some months ago, when I was misunderstood by the policemen, when I talked about "sloughing off". This program was supposed to be in effect the past year and certainly we instituted it, and the Chief certainly encouraged it.

I don't know the specifics of your question, all I know is that the team has been getting out and parking their car and going into the various establishments and making their presence known.

Mayor Rasmussen: This was the Council's request and they were specific in their directions that they wanted a very firm law enforcement policy up there, and I'm glad to hear you say that the cooperation has been working very good this summer. And this was the impression I got when I've visited the area many times.



However, I was concerned, and I'm glad to hear you say that it has smoothed out. I have a copy of the July Bridgebuilder in my hand, put out by Mr. Lynn Hodges, entitled, "Summer is not a slack season for human relations' activities. Outbreaks of frustration tend to increase during the long, warm days. Tension has increased in Tacoma since the May 11th Hilltop incident." It would seem that Mr. Hodges of our Human Relations' staff is not aware of your feelings and my feelings, that the situation has improved up there, with firm law enforcement and he is now trying to raise some more tension.

Mr. Rowlands: I would say, Mr. Mayor and Council members, that much is being included besides the so called firm law enforcement. We've had that, you merely have to look at the arrest records to know that the police officers are doing their job, in arresting people that are breaking the law. By the same token, other programs are getting started that I think have had an impact. I passed out to the City Council, I think it was last week or the week before last, a very fine program for summer employment and summer training, for not only the young people of high school age, but some college age and some that are through school. I think all of these things, all of these programs certainly will have an impact. We have as you know, several day nurseries in operation in the area where some of the mothers have a chance to work and get some educational learning. So I think, I'm positive, all of these programs certainly make an effect. And we still have problems in various parts of the City as far as the human resource, I'd say that follows a human being. All of these programs that are being undertaken, and hopefully the Model Cities and its end result, will have a bearing on the new look of the whole City.

Mayor Rasmussen: I want to point out it isn't the mothers that are taking their children to a day care center that are causing these fire bombs.

Mr. Rowlands: I didn't say that.

Mayor Rasmussen: What I want is, that I want positive instructions issued to the Police to shoot when they see a person throwing a fire bomb, because that person is attempting to murder somebody in their bed, and they have, as far as the Mayor is concerned, they have absolute authority, when they see that person throwing a fire bomb, to shoot to stop.

Mr. Rowlands: The Police certainly know their job and they have been doing an outstanding job from the Chief on down, and I don't think you have to worry about the right decisions being made as far as that area is concerned, Mr. Mayor.

END OF VERBATIM

Mayor Rasmussen explained that certain individuals must be taken out of circulation immediately.

Mr. Rowlands said this was true but he reminded the Council that noone knows who actually committed this particular crime, but recently the Police have apprehended an individual who does not even live in Tacoma. It is true, he added, regardless of where they are from the individual must be apprehended.

Mayor Rasmussen asked that the foot Patrolmen be stepped up in the area. He also wanted to commend the Hilltop Jaycees who wish to install flag holders in the "K" Street area.

Mr. Cvitanich asked that the legal staff check to see if the downtown merchants have the same type of permit.

Mr. Rowlands stated this particular resolution covers a community effort in the "K" street area, but perhaps an ordinance could be submitted on the matter which would cover the entire city.

Mr. Zatkovich suggested that two Patrolmen be assigned to this particular area full time.

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

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

The Resolution was declared passed by the Chairman.

Resolution No. 20343

Endorsing the Comprehensive Sewerage Plan prepared by Kennedy Engineer of San Francisco, California entitled Chambers Creek-Clover Creek Basin Sewerage General Plan.

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

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

The Resolution was declared passed by the Chairman.

Resolution No. 20344

Amending Resolution No. 20304 to specifically authorize the Mayor or Deputy Mayor and attested by the City Clerk or Deputy City Clerk to execute the Grant agreement with the Federal Aviation Administration.

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

Mayor Rasmussen asked why this resolution was brought before the Council, and wondered if this was a new approach by the Federal Government.

Mr. Rowlands explained that often times there is a change in the administrative regulations of the Federal Aviation Administration. In past years, it has been acceptable if the Council passes a resolution just directed the proper officers to sign such a document. However, now it is a matter of clarification stating the Mayor or Deputy Mayor.

Mayor Rasmussen said this will then be a requirement in the future in dealings with the Federal Government.

Mr. Rowlands explained this only is in regard to F.A.A.

Mayor Rasmussen brought up the matter of \$600,000 worth of additional bonds for the garages. Mayor Rasmussen stated he had reported to the Council that he had signed the authorization for the issuance of \$600,000, but he had also reported to the Council that he had refused to sign a power of attorney, designating someone other than our City Attorney's staff as attorneys for the City. He asked if Mr. Rowlands has signed that authorization.

Mr. Rowlands stated he signed the document with the full knowledge of all the attorneys, Mr. Sullivan, Mr. Hamilton and Mr. Ghilarducci. It was just a functionary and administrative duty.

Mayor Rasmussen asked Mr. Hamilton when it was necessary to go into Court is it required that the Mayor sign the legal documents.

Mr. Hamilton explained that anyone other than the legal office signs them.

Mayor Rasmussen said he would bring this to the attention of the Council at this time since it is a very serious matter. He noted that the Mayor was elected and when he refuses to sign any document, that matter can be brought before the Council. He noted in the particular case he was referring to, he had reported to the Council that he had refused to sign the power of attorney, which is signing over the authority to some other group of attorneys for the City. The reason he had done that, is that the

Council did not know anything about this additional power of attorney being requested, and the Council, if they had had an opportunity to vote on it, they probably would not have authorized such an action.

Mayor Rasmussen continued, this is an instance where the Manager of the City had taken the authority on himself to sign a legal document where he had no authority whatsoever. Therefore, he said he was going to refer this matter to the Council as a whole to decide on what action it desires to take in disciplining Mr. Rowlands as he is not an elected official and has no authority to sign anything for the City.

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

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

The Resolution was declared passed by the Chairman.

Resolution No. 20345

Releasing and abandoning a sewer easement in the alley east of M St. between So. 28th & Center St. which is no longer needed.

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

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

The Resolution was declared passed by the Chairman.

Resolution No. 20346

Proclaiming and declaring the City Council's full support and backing of American servicemen in Vietnam and urging the substitution of a new national policy which will result in either an ultimate victory in Vietnam at the earliest possible date or an immediate and complete withdrawal of United States troops,

Mrs. Banfield explained she hoped all the Council members' names would be placed on the resolution.

Mayor Rasmussen felt, perhaps a motion would be in order.

Mrs. Banfield moved to include all of the Council members' names on the resolution. Seconded by Mr. Cvitanich.

Mr. Bott explained he felt it was not proper to involve the City in national affairs, although he definitely backed the men in Vietnam.

Mr. Zatkovich felt the resolution was beyond the scope of the Council. He suggested that the Council establish a policy relative to national affairs as this particular type of resolution has been brought to the Council on three other occasions.

Mr. Murtland also felt it was far beyond the purview of the Council in suggesting national policy, however, he did feel that the Council could very easily support our servicemen in a resolution.

Mr. Cvitanich thought since the Council does occasionally take action on bills from the State Legislature, he felt they could state their position to the Congress of the United States.

Roll call was taken on the amendment to add all Council members' names to the resolution, resulting as follows: Ayes 4: Banfield, Cvitanich, Zatkovich and Mayor Rasmussen. Nays 5: Bott, Finnigan, Herrmann, Johnson and Murtland. Absent 0.  
Motion LOST.

Mr. Bott and Mr. Cvitanich requested that their names be placed on the resolution even though the motion lost.

Mr. Murtland moved to amend the resolution to delete the 2nd and 5th Whereas paragraphs and the last "Be it Further Resolved," and also that in the first "Be it Resolved, after the word, Vietnam, delete the remainder of the paragraph. Seconded by Mr. Finnigan.

The resolution was then read as amended.

Mr. Cvitanich thought the 2nd Whereas should be left in the resolution, as he felt it was a statement of fact relative to the publicity of the press has been about persons opposing our involvement in the conflict.

Mrs. Banfield and Mr. Zatkovich felt the resolution should be voted down rather than being amended as proposed.

Mr. Bott moved to amend Mr. Murtland's motion in the first Be it Resolved, after the word "Vietnam", to include the words, 'and express our wholehearted desire for an early victory, and a speedy return of our servicemen.' Seconded by Mr. Johnson.

VERBATIM REQUESTED BY MR. MURTLAND

Mayor Rasmussen: I'm just wondering if the Tacoma City Council by these amendments as proposed by Mr. Murtland, Mr. Bott and Mr. Johnson; that we aren't in effect saying by striking this last "Be it further Resolved", that the Council of the City of Tacoma does hereby protest the landing of any foreign nation. Now, if we strike that portion, and insert all the "hurrahs" and "tears" for an early victory - but when we are striking that portion of it, we're saying in effect, fine, we'll do business with you as much as you want. We're not going to interfere with you getting all the materials that you need to continue supplying our enemies.

Mr. Bott: Mr. Mayor, can we vote now. I thought you were finished.

Mayor Rasmussen: Mr. Bott, I'd like to ask you to give the Chair the same courtesy.

END OF VERBATIM

Mayor Rasmussen thought the Council should take a strong position on this--the landing of foreign ships here that are engaged in trade with our enemies. It is true that we allow the enemy to go into Haiphong, but I don't think we should allow them to come into our own ports. I would hate to see the Council put themselves in that position.

Roll call was taken on Mr. Bott's amendment to Mr. Murtland's motion, that after the word Vietnam in the first Be it Resolved, add the words "and express our wholehearted desire for an early victory, and a speedy return of our servicemen. Ayes 5: Bott, Finnigan, Herrmann, Johnson and Murtland. Nays 4: Banfield, Cvitanich, Zatkovich and Mayor Rasmussen. Absent 0. Motion carried.

Roll call was taken on Mr. Murtland's motion as amended to delete the 2nd and 5th "Whereas paragraphs and the last "Be It Further Resolved." Ayes 5: Bott, Finnigan, Herrmann, Johnson and Murtland. Nays 4: Banfield, Cvitanich, Zatkovich and Mayor Rasmussen. Motion carried.

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

Ayes 4: Bott, Finnigan, Johnson and Murtland.

Nays 5: Banfield, Cvitanich, Herrmann, Zatkovich and Mayor Rasmussen. Absent 0.

The Resolution was declared LOST by the Chairman.

*Resolution 20322*

Mr. Cvitanich moved to suspend the Rules to reconsider Res. No. 20322. Seconded by Mr. Zatkovich. Voice vote taken. Motion carried.

Mr. Cvitanich then moved to take this Resolution from the table. Seconded by Mr. Zatkovich and motion carried.

Mr. Cvitanich explained that the resolution pertains to the exclusion of the press from the back room during the Council's recesses which was lost on July 29, 1969.

Roll call was taken on the motion to remove Res. No. 20522 from the Table, resulting as follows: Ayes 4: Bonfield, Cvitanich, Zatkovich and Mayor Rasmussen. Nays 5: Bott, Flanagan, Hornum, Johnson and Hartland. Absent 0. Motion LOST.

FIRST READING OF ORDINANCES:

Mr. Zatkovich was excused at 8:10 P.M.

Ordinance No. 18898

Adopting a Uniform Mechanical Code together with amendments and enacting Chapter 2.07 of the Official Code.

Mr. Ben Button, Chief Building Inspector, explained that studies have been made and the staff has come up with some revisions which are included in the amended code.

The Ordinance was placed in order of final reading.

Ordinance No. 18899

Amending Title 11 of the official code by amending Section 11.04.060 relative to operation of vehicles on private roadway used by the public.

The ordinance was placed in order of final reading.

Ordinance No. 18900

Appropriating from unanticipated revenues the sum of \$39,900 or so much as may be necessary for the purpose of carrying out the program of increasing computer capability and traffic records system design.

Mayor Rasmussen asked if this ordinance were passed, how much will it help to increase the City's computer capabilities.

Mr. Rowlands, explained since the City's computers are not capable to handle additional work, this grant was applied for and will enable the staff to develop a more sophisticated type of records. A data bank will also be developed to make information more easily retrievable. He added, this is a federal grant which goes through the Washington State Traffic Safety Commission in the amount of \$39,900. Mr. Rowlands stated information on this matter had been given to the Council previously but can be resubmitted next week if they Council wishes.

Mayor Rasmussen asked if additional help will be needed, as there is no authorization for it in this ordinance.

VERBATIM REQUESTED BY MAYOR RASMUSSEN

Mr. Rowlands: Well, the monies are to be received for this purpose. The studies will be made, and conceivably we will be able to increase our capacity, that's the purpose of the study, under the direction of Captain Richardson working with our computer section of the Finance Dept.

Mayor Rasmussen: We are going to use our present help then, to develop computer capabilities.

Mr. Rowlands: No, we're going to have some additional assistance through this grant on a fifty-fifty matching basis. Again, as I explained to you, we'll be using some of our people, not only from the Police Dept. Traffic Division, Traffic Sgts., Traffic Engineering section, some of our data processing supervisors and assistance from the key punch operators. So, some of the people will be doing this work, and when necessary they will have to be augmented.

Mayor Rasmussen: My question, Mr. Rowlands, are we going to hire additional help, and if so, why isn't the request for authorization included.

Mr. Rowlands: Well the in kind contribution, as I said is fifty-fifty, will be the personnel I've just mentioned. So it won't be necessary to hire additional help to tap the resources we now have in the various departments. We are doing the same thing basically on some of these other programs.

Mayor Rasmussen: Well then we are going to hire additional help. How many people do you anticipate.

Mr. Rowlands: I don't have the breakdown for the additional people. As I say, these in kind contribution will be basically people all ready on the payroll. I'm trying to get that point across. Basically, will be the people already on the payroll, making their contributions, in kind.

Mayor Rasmussen: Well, you've lost me someplace. We're going to increase our capability on the computer. How are we going to do it with our present staff, Mr. Rowlands, this is my question.

Mr. Rowlands: Well, I'm trying to answer you, and I'll answer you again. The primary purpose of this project is to lessen the tragedy and loss resulting from vehicle accidents. We intend to develop evaluation programs that will provide in-depth analysis that results from each functional segment. Working in traffic engineering and we're going to be doing it basically, our contribution will be the representatives from the departments. We are doing that on many of our other programs; now if there is any specific additional personnel, I can give you further information for next week at final reading. Basically there may be some additional help needed on the computer field, such as we're doing on the CRF Program, now there may be additional people needed.

END OF VERBATIM

Mrs. Banfield asked when a project uses, in kind contributions, do not the salaries of the people come out of the general fund budget.

Mr. Rowlands explained that it did as they are paid their regular salaries.

VERBATIM REQUESTED BY MAYOR RASMUSSEN:

Mr. Gaisford: In regards to the ordinance for the appropriation for the Police Dept. That is under Captain Richardson. Now, his salary will be paid from the fund received from the Federal government. So, that actually will be saving the City the salary of Captain Richardson, under this particular phase of the operation.

END OF VERBATIM

Mr. Rowlands further explained the fifty percent of the City's contribution will be made and distributed over a number of people in both the Police Dept. and Traffic Safety Dept.

The Ordinance was placed in order of final reading.

Ordinance No. 18901

Accepting a State of Washington grant in the amount of \$13,800 and creating a new fund to be known as Traffic Control Device Inventory Revolving Fund.

The Ordinance was placed in order of final reading.

Ordinance No. 18902

Authorizing a franchise for CATV services.

Dr. Harrmann moved that Ord. No. 18902 be postponed until Tuesday, Sept 9, 1969, for the purpose of having a study session to evaluate the complicated data which was submitted. Seconded by Mr. Murtland. Voice vote was taken. Motion carried.

The Ordinance was postponed until Sept. 9, 1969.

Ordinance No. 18903

Authorizing a franchise for CATV services.

Dr. Harrmann moved that Ord. No. 18903 be postponed until Tuesday, Sept. 9, 1969 for the purpose of having a study session to evaluate the complicated data which was submitted. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

The Ordinance was postponed until Sept. 9, 1969.

FINAL READING OF ORDINANCES:

Ordinance No. 18871 (as amended)

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; So. 16th from Titlow Road to 130 feet east of Walters Road.

Mr. Schuster, Director of Public Works, explained, at the time the Ordinance was before the City Council on July 1st, direction was made by the Council to the Public Works Dept. to revise the roll to include only that property that was directly benefited by the storm drain lines that were placed in the roadway.

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

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

The Ordinance was declared passed by the Chairman.

Ordinance No. 18996

Appropriating the sum of \$65,000 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.

Mr. Cvitanich thanked Mr. Zatkovich for returning to the meeting to vote on this particular ordinance. He believed a Councilman who has been in favor of such an ordinance in the beginning has now decided to vote against the ordinance.

Mr. Johnson explained he has had some time to study the ordinance and has decided that the purpose to be gained by spending \$85,000 for an audit is rather questionable. He felt it was quite a sum to pay for political propaganda. The citizens of Tacoma are protected from financial mismanagement by present auditing procedures carried on by the State of Washington.

Mayor Rasmussen explained that he has been impressed by Mr. Johnson's statements in the Audit Committee meetings that an audit was needed, aside from the fact that the Charter calls for such an audit.

Mr. Cvitanich explained, he thought one reason Mr. Johnson had gone along with him was to make sure that the Dept. of Public Utilities was audited. He noted he is a candidate for office, and also Mr. Johnson.

VERBATIM REQUESTED BY MR. MURLAND:

Mr. Cvitanich: He led us down the primrose path; I've been had real good, but no pain, believe me. As an incumbent, he's got a record to stand on; it's pretty shaky, but more power to him.

Mr. Johnson: I opened the door for you nicely, didn't I George. You should thank me for that.

Mr. Cvitanich: The only question I have, Mr. Mayor at this time of night, I wonder if, at his age, he had the strength to open the door.

Mr. Johnson: Isn't that wonderful.

END OF VERBATIM

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

Ayes 4: Banfield, Cvitanich, Zatkovich and Mayor Rasmussen.

Nays 5: Bott, Finnigan, Herrmann, Johnson and Murland. Absent 0.

The Ordinance was declared LOST by the Chairman.

Ordinance No. 18897

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

Mr. Schuster explained that this ordinance was previously submitted to the Council but had been voted down because of the opposition of the property owners in the area of Ea. 52nd from East I to Ea. N St. However, at that time, the Council had instructed the Department to make a survey of the area in question to obtain a clearer picture as to the properties of the protestors. This survey has been made and the remonstrance has risen from 43.38% to 45.04%.

Dr. Herrmann explained he had requested that this L I D be place on the agenda again because the remonstrances were received from just one section of the L I D and the other property owners had not protested.

Mayor Rasmussen felt all the property owners should be notified again that the L I D has been placed before the Council.

After some discussion Mr. Bott moved to postpone the ordinance for a period of one month, until Sept. 9 to allow sufficient time to notify the property owners of the postponement. Seconded by Mr. Murland. Voice vote taken. Motion carried.

The Ordinance was postponed until Sept 9, 1969.



UNFINISHED BUSINESS:

Mr. Bott was excused at 9:15 P.M.

\* \* \* \*

Mr. Cvitanich announced that the Manchester England Soccer Team and the All Star Soccer Team will be playing at Bellarmine High School at 6:30 P.M., Wednesday, Aug. 13th.

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Mr. Cvitanich also thanked the people who had been involved in touring the English team around the State, particularly Mr. John DeVore, Pres. of the Student Body at TCC for providing the school bus free of charge. He added, he would also like to thank Mr. Hendry, Director of Transit, as well as Mr. Chuck Hall who drove the bus to Ft. Angeles to pick up the team. Mr. Bill Nelson of Clinton Hull Printing Co. and Mr. Rowlands, who all helped to make the team's visit more enjoyable.

\* \* \* \*

Mrs. Banfield asked if all the land in the Center Street urban renewal project was now back on the tax rolls.

Mr. Wright, Urban Renewal Director, explained that all these properties are back on the tax rolls with the exception of one parcel. This parcel is Pacific Cascade Properties, Inc., 27th & Yakima Ave.

Mrs. Banfield also asked about the property in the Fawcett St. area.

Mr. Wright stated that the Fawcett St. project has not been closed out as other parcels have to be sold.

Mrs. Banfield mentioned that the New Tacoma project was approved by the previous Council and an ordinance was passed setting up an Architectural Design Review Board. She felt such a Board would be covered by State Law RCW 42.32.010, and the minutes of each meeting of the Board should be filed in the City Clerk's office according to state law. She added she has checked and found that the minutes have not been filed in the Clerk's office. Therefore, she felt that much of the New Tacoma urban renewal project had been illegally purchased.

Mr. Wright explained that the Board does not have the function of passing any resolution or ordinance or law of any type but the Board does function in a recommending capacity to the Council. He also noted the meetings of the Board are open and they meet on call at the request of the architect or the developer.

Mrs. Banfield felt the City of Tacoma should follow the State laws as well as their own Code of the City.

Mr. Wright stated he would check this matter with the Legal Dept. and if they were in violation of the State law, a correction will certainly be made.

Mrs. Banfield asked that the Legal Dept. submit a report in regard to this matter.

Mrs. Banfield also noted that many of the people who make up the architectural design review board have interests in the downtown property and she questioned their right to be on the board.

VERBATIM REQUESTED BY MRS. BANFIELD

Mrs. Banfield: May I continue, I haven't finished yet.

Mrs. Banfield: Not only then, but they became public officials at which time an ordinance was passed by the City Council. They, after being on a committee, passed by resolution of the official code under ordinance, certainly become public officials, so to speak. I think that under RCW 35.81.180, you'll find out that it says something about urban renewal project powers of public officials, and I question this Mr. Hamilton.

Mrs. Banfield: These people were appointed by the, or passed by the Council, Nov. 8, 1967. That was prior to your coming on, as you did say. I'd like to read their names and I would like to make a couple of statements about a couple of them. Francis Browne, Harry Birmingham, Jerry Geehan, Larry Chilanducci, Jr., Jay A. Granley, Paul Herlinger, Councilman C. Morrison Johnson, William Johnston, John King, Ned C. McMahon, Charles Pearson, Conrad Peterson, Donald Seifert and Gerritt Vander Ende.

I certainly think that Francis Browne had considerable interest in the downtown project as we paid him \$87,000 for one building which was assessed for \$17,500 for land and \$1,940 for the building. This was the last assessed valuation. We also paid to move him--

Mayor Rasmussen: Mrs. Banfield, would you tell us what date that last assessed valuation was.

Mrs. Banfield: There was no date on it Mr. Mayor, probably in 1966, 1967 or 1968. We also paid to move him to another location. I think another member of this board is a member of the Land Development Co. I feel that the Legislature in their wisdom wrote the law so that people with financial interests in an urban renewal project could not make decisions on this.

Since the Council 1967 felt it advisable to have this Board, and amended Section 14.06.020 of the official code of the City to create this Board, then it certainly has to comply with State Law.

Mr. Rowlands, I would ask you to please get the Legal Dept. to give me a report on this by next week, and I'd also like the transcript of my questions for the record for the future.

END OF VERBATIM

Mayor Rasmussen asked Mr. Hamilton, City Attorney to review all boards appointed by the Council, as well as the committees that have been appointed without a definite term of expiration. He felt that such committees would not be legal as they, in all probability, expired with the end of the appointing authority's term of office.

Mrs. Banfield remarked that she had checked back to Nov. 7, 1961 at which time an ordinance set up a review board for Project #1. She had not found anything that showed that such a board was created. However, a subsequent ordinance was passed in 1962 which she felt took care of that. Mrs. Banfield asked Mr. Wright to report for the next Council meeting exactly what business the Urban Renewal Dept. transacted, if any, between Nov. 7, 1961 and May 8, 1962.

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Mayor Rasmussen explained to the Council that the State of Washington will now audit and assess penalties on all the businesses that were not paying their B & O tax to the State.

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Mayor Rasmussen explained that Mayor Joe Vrazes of Fife was present to discuss the Fife sewage problem and wondered if the Council wished to hear him at this time.

Mr. Schuster explained that an MO has been submitted to the Council by Mr. Rowlands as well as a copy of the proposed agreement. There are a few areas as yet to be resolved between the Councils of Fife and Tacoma. He hoped that a study session could be set up on this matter.

Mr. Nurland moved that the Fife sewage proposal be continued indefinitely until a study session can be held on the matter. Seconded by Mr. Finnigan. Voice vote was

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taken, resulting as follows: Ayes 6: Banfield, Cvitanich, Finnigan, Herrmann, Murtland and Johnson. Nays 1: Mayor Rasmussen. Absent 2: Zatkovich and Bott. Motion carried.

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Mayor Rasmussen announced that he would call a study session on this matter at 12 Noon, Wednesday, Aug. 13, 1969 and asked that all Council members attend.

A number of Councilmen explained that they could not attend a Wednesday noon study session.

Mr. Rowlands stated there are a number of items in the sewer agreement that should be discussed and resolved. He also asked that a study session be held on the matter, perhaps, Monday Noon, Aug. 18, 1969.

Mayor Rasmussen felt the Council should give the officials of Fife the courtesy of discussing this matter this evening.

Mayor Joe Vraves asked that the Council consider the agreement this evening on the contract as there were so few differences of opinion as the policies have already been set. However, he would appear at the study session on Monday if it is desired.

After further discussion, it was decided that a study session would be held Monday Noon, Aug. 18th at which time the matter will be discussed further.

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Mayor Rasmussen announced that the supply of Keys to the City of Tacoma had been depleted and asked if he should order more and if the design should be changed. He also noted that the cost of keys has increased. For 250 keys it would cost \$1,352. Mr. Murtland suggested that Mr. Bond, Public Information Officer, check into a different design.

Mayor Rasmussen stated action on this matter would be postponed for one week, until more suggestions from the Council have been made.

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Mr. Murtland stated that this matter concerns the firm of Salvage Management, Inc., which has been before the Council on previous occasions relative to delinquent license fees. Mr. Murtland moved that the City proceed to bring action against Salvage Management Inc., d/b/a Value Village, on the matter of collection of the license assessments in the amount of \$42,500 and that the penalties be waived. Seconded by Mr. Finnigan.

Mayor Rasmussen stated Mr. Murtland's motion would be out of order at this time as he had already signed the proper legal documents at the request of the legal and tax and license depts.

Mr. Murtland felt that the Council could modify, rescind or change any part of such papers as they are not a matter of litigation as Mr. Hamilton has informed the Council.

Mr. Rowlands explained under MC 607 he had made a recommendation to the Council under the procedures that are being followed by the City Council at this time. He added the recommendation was that the Council direct the legal dept. to proceed to bring action against Value Village for the amount of the license assessment, excluding the penalties.

Mayor Rasmussen asked Mr. Hamilton to explain the action that had been taken on this matter.

Mr. Hamilton explained he had taken a "Summons and Complaint" to the Mayor for his signature, wherein the City alleged and intended to sue on the part of the Salvage Management, Inc. in the amount of approximately \$63,000.

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Mayor Rasmussen asked if there was any reason why the legal staff could not process the legal papers which he had signed on this matter about six weeks ago.

Mr. Hamilton stated there was a reason at this juncture, as there is a rule of law that administrative procedures must be brought to a conclusion and completed before the Court will take jurisdiction of a controversy.

Mr. Hamilton further stated that Mr. Rowlands has made a recommendation to the Council under the provisions of the administrative code. The legal dept. feels that there may be a distinct possibility that someone could raise that question and the court would say, "go back and complete the administrative remedies first."

The legal dept. therefore, is requesting that the Council act on that recommendation, reverse it, modify it, disregard it, or accept it, but such action would show the court that the administrative procedures would then have been followed.

Mr. Rowlands explained that Section 1.06.226 of the official code allows the City Manager to recommend to the City Council cancellation, or reduction of the amount outstanding, which he did bring to the Council's attention under MC 607 submitted a week ago.

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Mr. Murtland felt that it is a civil action regarding the matter of collection of taxes past due and now owing. He noted that it is not believed that the Value Village had willfully violated the City's ordinance, therefore, he hoped that the action for collection will deal directly with the license assessments and not with the penalties, as he stated in his motion.

Mayor Rasmussen did not feel that Section 1.06.226 of the Administrative Code had anything to do with directing the courts to only collect half of the assessment from the Tax & License Dept. He felt that the Manager's first recommendation was to place this matter in the court and his second recommendation was that Value Village should only pay half of the assessments.

Mr. Murtland explained this is not a criminal matter but a civil matter, which is a matter of collection. The Council makes the determination as to how much they would ask, not the court.

Mr. Hamilton explained that the motion by Mr. Murtland, if passed, would be confirmed by a resolution of the Council.

Roll call was taken on Mr. Murtland's motion to bring action against Salvage Management Inc. d/b/a Value Village for collection of the license assessment in the amount of \$42,500 and that the penalties be waived. Ayes 4: Finnigan, Harrmann, Johnson, Murtland, Nays 3: Banfield, Cvitanich and Mayor Rasmussen. Absent 2: Bott and Zatkovich. Motion carried.

Mayor Rasmussen announced that now a resolution will be brought to the Council by the legal staff.

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Mayor Rasmussen announced that the Trainee Committee is short two members, and he will soon be submitting the names to the Council for approval.

\* \* \* \*

Mayor Rasmussen announced that the East Side Multi-Service Center is going to hold a carnival for the purchase of a new bus on Aug. 14, 15 and 16. It is hoped that everyone that can, will attend.

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Mayor Rasmussen pointed out that three elected officials from the Pierce County area voted against increasing the budget for the Puget Sound Governmental Conference. He noted that he had asked the Council to place an additional elected member on the Conference. He said that Mr. Rowlands was also present and voted for increasing the budget.

Mrs. Banfield asked about the Allied Arts Lease dated July 14th.

Mr. Rowlands stated the Council has requested that the lease be sent out in their agendas. He added he had sent copies with an attachment concerning an interpretation of the lease from the attorneys.

Mrs. Banfield read parts of the lease concerning business activities for private profit which is prohibited in the Fine Arts Center, unless the profits are turned over to the Allied Arts or another non profit organization. She wondered if the profit from the brochures sold by the League of Women voters should be turned over to Allied Arts rather than to the League.

Mr. Rowlands stated he presumed the profit has been going to the League of Women Voters although he was not familiar with their operation.

Mrs. Banfield felt this organization could not then, be called a non profit organization. She also noted that no yearly report has been submitted to the Council by the Fine Arts Center and this is required in the lease.

Mayor Rasmussen explained he had asked for a detailed report on the Allied Arts operation and it was received.

Mr. Rowlands stated this was why he had enclosed the legal opinion for the Council on this matter. All organizations in that building, with the exception of the League of Women Voters, do not have to come to the Council for permission to lease the building. He had contacted the Allied Arts commission and asked them to check with the League of Women Voters on this matter. He felt the request would be submitted to the Council soon.

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Mrs. Banfield felt this was a breach of contract and asked if they had been notified of this breach of contract.

Mr. Rowlands explained they had been notified and there is sufficient time to obtain an answer before the sixty days are up.

Mrs. Banfield also asked if the Allied Arts commission had forfeited the right to the building when they allowed the League of Women Voters to occupy premises because they are a non-tax exempt group.

Mayor Rasmussen asked that all contracts be conducted on a written basis so that documents will be on file.

REPORTS BY CITY MANAGER:

Mr. Rowlands explained that the Puget Sound Governmental Conference budget contemplated for next year was to be \$278,000 for the entire region. It was reduced twice by action of the committee and the final figure was approximately \$191,000. The increase for the City for next year amounts to approx. \$285 for the entire year. He added, unfortunately Pierce County did not agree to pay its fair share for 1969, so obviously when the adjustment was made for 1970, there was a rather substantial increase, therefore the County Commissioners voted against the budget.

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Mr. Rowlands also felt the meeting with the Fire officials on the sewer problem was not a simple matter and there are important decisions to be made. He requested a meeting with the Council on this matter and asked for approval by the Council for Monday Noon, Aug. 18, 1969.

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Mr. Rowlands explained he submitted MC 610 relative to the purchase and sale of urban renewal properties.

Mayor Rasmussen stated he had requested a complete statement on the cost of urban renewal as he had not been able to find this included in the MC.

Mr. Rowlands explained the information submitted to the Council pertains to the general fund expenditures from 1959 through 1968.

Mr. Wright stated that the Council had asked that the department give the amount of the general fund expenditures from 1959 through 1968 which amounts to \$261,000. The

1969 salaries have not been listed as they are paid out of the Urban Renewal Project Budget, which are separate and apart from the General fund budget.

Mr. Wright further added, the information that the Mayor had requested during the past week is now ready if the Council wishes it to be submitted at this time.

Mayor Rasmissen asked for a report on the total cost of urban renewal to the City of Tacoma.

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The following MC's were submitted by the City Manager:

- a. MC-612 Progress report on City Hall Annex and City Hall rehabilitation.
- b. MC-614 Tax exempt property-City of Tacoma.
- c. MC-615 Fire alarm boxes -False alarms.
- d. MC-617 Sewer Agreement with Fife.

Placed on file.

COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mrs. Banfield thanked the persons who made the American Flags which have been placed on the podium this evening.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:


- a. Allied Arts Lease - dated July 14, 1969.
- b. Resolution No. 19057 - Lease with the West Coast Airlines, Inc.
- c. MC-613 - Design for Progress Capital Need Study.
- d. Pierce County Tax Title and Surplus Lands Sale.
- e. City Planning Dept. report for July 1969.
- f. Tacoma Employees' Retirement System for July 1969.
- g. The Bridgebuilder submitted by the Tacoma Human Relations Commission for July 1969.
- h. Agenda and minutes of the Selection & Evaluation Board of July 14th.
- i. Minutes of the meeting of Board of Park Commissioners of July 28th.
- j. Suggestion Systems - City of Tacoma Joint report for 1968.
- k. Municipal & Regional Planning in Washington State for June 1969.

Placed on file.

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Dr. Herrmann moved that the meeting be adjourned. Seconded by Mr. Cvitanich. Voice vote was taken and the meeting was adjourned at 10:35 P.M.

  
 A. L. Rasmissen - Mayor

Attest:   
 Josephine Melton - City Clerk