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CITY COUNCIL MINUTES

City Council Chambers, 7:00 P. M.
Tuesday, May 2, 1961

Council met in regular session. Present on roll call 9: Bott, Cvitanich, Easterday, Murtland, Olson, Porter, Price, Steele and Mayor Hanson.

Mr. Porter said last week he asked that the approval of the minutes of April 11th be postponed until this week so that several corrections could be made. He said he finds the corrections are few and not very important. At this time he would move that the minutes be approved as corrected by the Clerk at which time he will submit the corrections to be made. Seconded by Mrs. Price. Voice vote taken. Motion carried.

Mr. Hanson asked that the Council be furnished with a memorandum of the corrections at the next Council meeting so that they can be reconsidered if anyone so desires.

Mr. Bott called attention to two typographical errors, one appearing on page 21 in the 7th paragraph, first line, in which the word "behobot" should be "belabor" and the other on page 22, 6th line from the bottom of the page in which the word "maj" should be "my". He asked that the minutes be so corrected.

Voice vote was taken on the approval of the minutes as corrected. Motion passed.

Mayor Hanson explained, that before proceeding with the agenda, he would like to greet the audience present this evening. He said he would like to explain the Parliamentary procedures to be followed on the matters up for discussion this evening. He said after the matters are discussed by the Council he will, on controversial issues, ask those who would like to speak on the subject. Under the rules of the Council each person asking to address the Council after being recognized will state his name and address, then prior to them speaking, the Council must vote unanimously before that person has the right to speak. This is not inconsistent with the Legislative procedures followed throughout the country, he added. Unless a person is representing a group officially or unless he has been invited to speak by the Council, he will ask the person to limit his remarks to 2 minutes.

Discussion on State Audit by Mr. Robert V. Graham, Chief Examiner of the Division of Municipal Corporations.

Mr. Robert V. Graham said he is appearing before the Council this evening because of the fact that one or two of the Council members expressed a desire to learn more concerning the operation and function of his division of the Auditor's Office with particular respect to the City of Tacoma, which the State Examination covers. He pointed out that each Council member had been provided with a communication prepared by the two local examiners, Mr.

Harry Sites and Thornton Kreibel, which explains quite clearly some of the difficulties frequently experienced in trying to understand the extent of the mandatory legal fiscal type audit such as is conducted on a continuing post audit basis. He said attached to the examiners' letter is additional data setting forth the divisions authority and function under the law.

Mr. Graham further explained that the 1959 General City Examination report was just filed today with the City Clerk. This is the 50th examination made of the City of Tacoma and it is particularly significant that in all the years that he has been performing his duties as Chief Examiner, this is his first occasion to appear publicly to explain their procedure. In the past, he added, evidently their reports have spoken for themselves as has the long standing good relationship which exists between their division and the City. He hopes this cooperation continues and it is for this reason that he is making himself available as Chief Examiner to help clarify any particular questions. One other point, he would like to make clear before accepting any questions, is that he understands that the matter of the scope, and detail of the running audit which is required by the Charter may be a subject for discussion this evening. He said he would like to remind each member that he cannot enter into any purely local policy determination and that his answers must be limited to questions relating specifically to the State examination report. He then asked if there were any questions at this time.

Mayor Hanson asked if there were any State Examiners in the City of Tacoma on a full time basis.

Mr. Graham replied that there were two examiners in the City.

Mayor Hanson asked if they were hired by the State.

Mr. Graham explained that they are employed under the State Statutes, appointed by the State Auditor and under the supervision of the Chief Examiner. The cost of the examination is by law borne by the City.

Mr. Cvitanich said he would like to direct a question to Mr McCormick at this time. He asked, "has section 7.14 been complied with in our City Charter since its inception in 1953?"

Mayor Hanson said he would rule that question out of order at this point. It will be taken up after the discussion of the State Audit Requirements, as this is a matter involving our own local charter provisions.

Mr. Cvitanich said he challenged the Chair.

Mr. Steele asked for a roll call.

Mayor Hanson said he has ruled the question out of order at this time. Those voting "aye" will be in support of the ruling, those voting "nay" will be against the ruling.

Roll call was taken resulting as follows: Ayes 6; Nays 3, Cvitanich, Easterday and Porter; Absent 0. The Chairman said the ruling of the Chair is supported.

Mrs. Olson explained that it was because of her request that Mr. Graham was present tonight. She did not know if the same question has occurred to other members of the Council, but she had been under the impression that the State Examination of the books was a detailed complete post audit. She said she picked up the 1958 report which was filed in the City Clerk's office and at the moment the 1959 report had not as yet been filed. She said she had gone through the report as much as she could in 4 or 5 hours, and while she finds there is a great deal of information contained therein which is very helpful, it does state that it is a limited audit.

Mr. Graham said he has allowed Mr. Sites to use the term Limited General Audit on his report. Mr. Sites obtained the term from the Municipal Accounting and Auditing Manual of the National Committee on Government Accounting. However, he added, in reading the definition of a Complete General Audit, he felt that they have complied with that. He said it would be impossible for one man to check every single line item, transaction or receipt that has occurred, but there is a reasonable number of checks made within the framework of the internal control to satisfy themselves that the accounting has been correct.

Mrs. Olson asked Mr. Graham if he would say that the major difference between his examination and an audit that the City might have performed now, is that his is a post audit, whereas a current audit would keep the City up to date with expenditures as they are made.

Mr. Graham said the Audit performed by the State is a post audit by law.

Mrs. Olson asked what were the requirements of the Examiners.

Mr. Graham outlined the qualifications and background of Mr. Sites and Mr. Kreibel, examiners for the City of Tacoma. He also gave the aspect of the current proposition as under the Civil Service Law of the State. He said the program at the present time is to give the Examiner an in-training program on the job with another State Examiner for a period of time so as to indoctrinate them into this specific qualified field.

Mrs. Olson asked if an Examiner also made legal interpretations.

Mr. Graham said their position requires them to make a determination in their own mind as to whether the transactions of the City have been complied with: 1. The State Constitution. 2. The State Law. 3. The Ordinances of the City or Town. 4. The rules and regulations of the division. The final legal determination is made however after the report has been filed by the Attorney General.

Mrs. Olson said in going over the 1958 audit she found an item which concerns her from the standpoint of a citizen. It states that at the end of 1958 there were four funds within the City of Tacoma that were operating in the red and that the general fund was overdrawn by some \$49,000 and that it continued to operate in the red until 1959, and then the expenditures authorized by the 1959 Budget were based on the assumption that there would be \$260,000 surplus remaining in the General Fund at the end of 1958. These are important matters that she feels the Council should be aware of at the time the Budget is being prepared, and since these audits are post audits, this report has been the current report until today when the 1959 report was filed.

Mrs. Olson further added while this is a valuable service, she still cannot feel that it is taking the place of a current audit. None of the implications of the Law are such that it could be interpreted to take the place of a current audit.

Mr. Graham said their authority is post audit. The matter of a current fund balance to him was not something that should be the result of any audit. Information on the status of any funds at any time should be obtained from the local officials.

Mr. Cvitanich said what concerns him, in addition to what has been discussed, is the Bond Redemption. He asked Mr. Graham if he had anything to do in relation to how far the City can go in this respect. He said, we have bonds that are coming due very shortly, for instance, on page 90 of the Washington State Research Council, a private independent firm in no way connected with the State of Washington, very specifically states, "Thus it is not possible for a reader of these reports to determine the division of general fund expenditures among these three classifications unless he makes his own calculations." He explained, who on the Council can determine this. He said he did not know where the City stands financially. He said he could not interpret this report. The Washington State Research Council also recommends that something be done about it.

Mayor Hanson said the report of the Washington State Research Council would be discussed at next week's meeting as the Council could not expect Mr. Graham to discuss this report.

Mr. Bott asked Mr. Graham if it was a fact that the Examiners in Tacoma are in constant consultation with the various Department heads so there is actually a pre-auditing control of any expenditure.

Mr. Graham replied that the examiners are available to give the people the advantage of their knowledge and background on these situations in a determination of whether or not they are spending the funds properly. This type of cooperation is the policy of the Division.

Mr. Bott said it is his understanding that this cooperation is greatly appreciated by the Department heads.

Mr. Cvitanich said he wondered if he would have the opportunity to speak with Mr. Graham at a future date.

Mr. Graham said he would be happy to see Mr. Cvitanich in Olympia at any time at this convenience.

Mr. Murtland said, he is speaking in objection to the Mayor's specific ruling of speaking only twice on a subject. He said he felt that in this particular type of discussion, the ruling of speaking only twice on a subject was far afield. He said it might be that some question will be brought up while Mr. Graham is answering someone else and he felt that the Council members should have the right to question him.

Mayor Hanson said he would not differ with Mr. Murtland in terms of the lack of wisdom of applying a rule absolutely, however, he said, it is a matter for the body to decide.

Mr. Porter said he believed that in the general rules of order that reference to speaking only twice on a matter, is engaging in debate, and not in asking questions.

Mayor Hanson said he has a tendency to agree, however, he would like to have an indication from the Council.

Mr. Steele: (Statement verbatim as requested by Mr. Cvitanich) We seemed to have strayed afield again. As I recall the vote was on Mr. Cvitanich's bringing up a matter of the Resolution he has further here in the stack of reading material. Mr. Graham had already expressed himself as being of the view that his remarks should be confined strictly to the area of their work and I don't see any reason why Mr. Cvitanich couldn't visit with Mr. Graham at any time Mr. Graham finds convenient to visit with him. I don't think that is a proper point for us to consider.

Mr. Bott said he would move that in this instance that the rules be suspended so that any member can ask any number of questions he desires. Seconded by Mr. Murtland. Voice vote taken. Motion carried.

Mayor Hanson asked if there were any further questions. There being none, Mayor Hanson thanked Mr. Graham for appearing before the Council.

Mr. Cvitanich said he would like to extend his thanks to Mr. Murtland and to Mr. Bott for their courtesy and wisdom in bearing in mind that as discussions do arise, questions also arise.

Mayor Hanson said he assumed that anytime a ruling was felt to be improper that the party would point it out to the body, to be determined.

Mr. Graham thanked the Council for the opportunity to be present this evening. Since he has another appointment in Olympia, he would like to be excused at this time.

Mr. Easterday moved that the rules be suspended in order that the report on L I D 4677 be taken up at this time. Seconded by Mr. Cvitanich. Roll call was taken on the motion, resulting as follows:
Ayes 8; Nays 1, Murtland, Absent 0. Motion carried.

Report on L I D 4677 , which was postponed from the meeting of April 18, 1961.

Mr. Easterday said at this time he would like to move that the LID Committee's recommendation that this L I D be killed, be denied, and that the proper Ordinance be drafted to conform with the agreement reached between the developer and the residents of the area. Seconded by Mr. Steele.

Mr. Rowlands said he thought it might be well for the Council members to determine at what stage negotiations have developed on this matter in order that all misunderstandings have been eliminated.

Mr. Dowling, the developer in the area in question, said the City asked them to obtain signatures of 100% of the property owners to ascertain that they no longer object to this improvement. He said they have obtained all these signatures with the exception of a Mr. Cole who is out of the City and could not be reached. He understood, after talking with the City Attorney, that if this signature could be obtained before the next Council meeting, it would be legal. He said they now have a working agreement with the people who are involved in this matter. He thanked the Council for their attention given on this situation.

Mr. Steele said there is a companion water L I D 5333 which appeared before the Committee at the last L I D Meeting. The Committee continued the L I D until the next meeting to determine the outcome of this L I D 4677. Therefore, he thought the Council should give some attention of disposing of this L I D 5333 as long as L I D 4677 was approved.

Mayor Hanson said he first thought the Council should confine itself to clearing up L I D 4677, after which L I D 5333 could also be considered.

Mr. McCormick said as he understands this situation, L I D 4677 concerns the permanent paving of the area in question, also included in the improvement is a sanitary sewer installation. He said it is his understanding that there is now an agreement by the developer that he will pay the total cost of a certain portion of both of these access roads to his property, which will relieve all of the other property owners from any assessments insofar as the cost is concerned. However, he added, this is to be an oil mat which does not come under the definition of a permanent paving such as listed in the Initial Resolution fixing a date of hearing on this L I D. He said, to be legally on a sound basis, he asked the developer to obtain a written agreement that the oil mat can be put in place of the permanent concrete or asphalt concrete pavement and that they then have their own agreement with these owners that the developer will pick up the cost. Based on that agreement, Mr. McCormick added, Mr. Hamilton, Ass't. City Attorney, drafted an agreement to be signed by all the property owners and the developers consenting to the changing of the Resolution to provide for this oil mat. He said as he understands it, every signature has been obtained with the exception of the husband of one of the owners, Mr. Cole. He also found out today that one of the owners sold part of his property prior to the drafting of this agreement, and therefore, the signature of the new owner and his wife will also be required as well as the signature of Mr. Cole.

Mr. McCormick said he informed the developer today that inasmuch as the Ordinance could not be passed until at least next week and if he could obtain those signatures between now and next week, he would comply with our requirements. Then the Council could instruct the Legal Office to draw up the necessary Ordinance on this basis with the understanding, if these signatures are not obtained by next week, the Ordinance would not pass at that time.

Mayor Hanson said in other words if the signatures are not obtained and there is hope of obtaining them, the Ordinance can be postponed for 1 week.

Mr. Stevenson, a property owner in this 72nd Street area, thanked Mr. Easterday and Mr. Cvitanich, for all their help and effort in working out this compromise.

Mayor Hanson said he would like to thank Mr. Dowling for his persistence in this improvement as the new development will no doubt benefit the City.

Voice vote was then taken on Mr. Easterday's motion to overrule the L I D Committee's recommendation that the L I D be abandoned and that the Legal Dept. be instructed to draw up the proper Ordinance to conform with the agreement reached between the developer and the residents of the area. Motion carried.

Mr. Steele at this time moved that the Legal Dept. be instructed to bring an Ordinance providing for the improvement of L I D 5333, which is in the same area as L I D 4677. Seconded by Mrs. Price. Voice vote taken. Motion carried.

Mayor Hanson explained that before proceeding further with the regular order of business, he would suggest, since a great number of the people present seem to be interested in the advertising bench Ordinance, that this be taken up at this time.

Mr. Bott moved that the rules be suspended in order that Ordinance No. 16778 be considered at this time. Seconded by Mrs. Price. Voice vote taken and motion carried.

FINAL READING OF ORDINANCES:

Ordinance No. 16778

Amending Section 5, 6, 10 and 11 of Ordinance No. 16660 entitled; an Ordinance granting to the State-Wide Advertising Co., the right, privilege and permission to place, construct and maintain benches with advertising at designated locations on the street and sidewalks of the City of Tacoma. Read by title.

Mr. Porter said this Ordinance was introduced at the request of Mr. Copeland, Attorney for the State-Wide Advertising Co. He said, although, he is still of the opinion that this is a good Ordinance, he thought it would be well after hearing from those who wish to speak on the subject, to continue the matter of the decision for a couple of weeks inasmuch as there has been considerable comment on the Ordinance, therefore, allowing the Council to determine the desires of the public. "They are the people that elected me and I wish to do what they want, not serve any special interest," he stated.

Mayor Hanson asked that Mr. McCormick give a resume of the proposed amendment to the original Ordinance.

Mr. McCormick said the Council will remember that this franchise was originally granted the Council by Ordinance No. 16660. Thereafter, Mr. Porter proposed the amendment which is embodied in Ordinance 16778. By the terms of that Ordinance, the proposed amendments were made in four sections of the original Ordinance, Section 5, 6, 10 and 11. At the time of the introduction of Ordinance No. 16778, a letter from the Legal Office was distributed which listed the various changes proposed by the Ordinance.

Mr. McCormick then outlined these amendments for the benefit of the audience.

Mayor Hanson announced that some 30 letters had been received from private citizens and business firms objecting to this Ordinance which are now on file in the City Clerk's Office.

Mr. Murtland said at this time he would like to propose an amendment to this Ordinance which is being given final reading this evening. He explained, each Council member has been provided with a copy and asked that the Clerk read the amendment in full for the benefit of the audience. The amendment was then read in full by the Clerk.

Mr. Murtland then moved that the amendment be accepted. Seconded by Mr. Steele.

Mr. Murtland advised when Ordinance No. 16778 was first brought up,

Mr. Copeland appeared and spoke in behalf of the proponents. At that time, he questioned Mr. Copeland in reference to the procedure that would be involved on the abutting owners. It appeared that the abutting owners had no right whatsoever to question the initial placing of the bench. He is opposed to this amendment and felt it took out the very basis of the original Ordinance which was, that the property owner would have the right to determine whether or not he wanted this advertising bench in front of his home, place of business etc. With that in mind, he proposed this amendment, for in its primary purpose it provides that the advertising company must first secure the written approval, of not only the owners, but also the purchaser or lessee or other persons in lawful possession of the property and that such written approval shall be filed with the City Manager before any approval is given by the City Manager to the grantee. In this way it eliminates one step, even of the original Ordinance, because in that instance, it was not required that written approval be made first, but that the owner could make objections. In this instance the City Manager would not be placed in the position of having granted the right to place a bench and then have to rescind his request because of the fact of an objection. He felt this would not make it any different than when any advertising agency would secure advertising space on the side of a building or in placing a sign. It is true the benches are not placed on the owner's property, but in this instance, he added, they are the people most directly affected by the benches.

Mr. Murtland further added, in the event the bench which had been approved by the owner at one time, should prove unsatisfactory, and if the owner decides that he does not want it for reasons which he does not have to state, he would in the same way give written revocation of this approval and the City Manager would then proceed to order the removal of the bench. The amendment he proposes also states the type of advertising permitted. Ordinance No. 16778 includes religious advertising which had been excluded by the original Ordinance. In his proposed amendment, he suggested that it would be put back in as an exclusion, the reason being that as far as the religion and the feelings thereof is concerned, "they differ among us, and we all have our own right to that - a little bit different than just the commercial advertising in the papers, etc., the usual way of selling products." He felt there would be too much of a conflict there as far as people are concerned, there would certainly be a difference of opinion as to the type of religious advertising and he thought the City should not get into the indirect way of saying that there should be religious advertising of one person or another of a particular sect or creed.

Mr. Murtland pointed out the other item changed in Section 5 pertaining to different types of advertising is that it is provided there shall be no political advertising except for the City of Tacoma, Metropolitan Park District, School District No. 10 and the Port of Tacoma. Yet, he added, we are part of Pierce County and he feels that Pierce County will many times have bond issues or other major measures. Therefore, he thought it would be proper to have that type of advertising for other subdivisions to also include Pierce County.

Mr. Murtland said in reference to the amendment in section 10, which deals with the removal of benches, the right of the grantee to appeal to the Council should the City Manager determine that the bench be removed is still contained within the section, but as far as the property owner is concerned it is provided that if he shall file his written revocation as previously outlined, the bench shall be removed and this shall not be appealable to the City Council, but shall be conclusive on all parties concerned. He said, he urged the adoption of this amendment which he feels clarifies the original Ordinance, which Mr. Copeland pointed out at a previous meeting contains, ambiguities.

Mr. Steele spoke in favor of the amendment proposed by Mr. Murtland. He said initially he was opposed to the original Ordinance as he felt it proposed an unnecessary franchise in view of the Ordinances passed setting up the Beautification Committee and the work accomplished in the tree planting program in the down town area, also limiting the area of the sidewalk to be utilized by property owners for display purposes. The franchise Ordinance giving a private operator the right to place these benches seemed to be in derogation of those prior Council actions. Mr. Murtland's amendment would attempt to place some control on the abutting property owners or lessee, etc. as to what would be permitted. He thought that this amendment clears up some of the ambiguities pointed out by Mr. Copeland at the last Council meeting. He thought the Council should adopt this amendment introduced by Mrs. Murtland.

Mr. Porter said he thought there was some merit to some portions of Mr. Murtland's amendments. However, he believed that the Council should have an opportunity to study them further and not have to make a decision on them tonight. He added, another reason for asking for the postponement of a couple of weeks was he would like to propose an amendment applying the provisions of the original Ordinance No. 16660 as it may or may not be amended, to all vending and distributing paraphernalia placed upon City Streets and/or sidewalks. One of the objects he is referring to, is a sheet metal container painted orange, many of them scratched and some rusty and some fastened with baling wire to various City lamp posts, containing advertising of a certain newspaper, some of which are in front of stores which also sell newspapers. It seemed to him that this should also be covered by this Ordinance or perhaps by others already passed as he believes they are illegally placed.

Mr. Easterday then moved that the amendment introduced by Mr. Murtland be postponed for consideration until Ordinance No. 16776 is considered. Seconded by Mr. Cvitanich.

Mr. Easterday said his motion is made since Mr. Porter said he thought the Council should have a couple of weeks to consider this Ordinance and its amendment.

Mayor Hanson said since there has been no definite time established for the consideration of the Ordinance before the Council except tonight, it means that at some future time the Ordinance before the Council will be considered, so it is therefore a motion to postpone indefinitely.

Roll call was then taken on the motion resulting as follows:
Ayes 2; Nays 7, Bott, Murtland, Olson, Porter, Price, Steele and Mayor Hanson. Absent 0. Motion lost.

Mr. Hugo Metzler, Attorney, representing the Tacoma Retail Trade Bureau said the Bureau is unanimously in accord with Mr. Murtland's thinking

as proposed in his amendment. He said they sincerely urge the passage of this amendment to secure the right of the property owner to object to the placing of a bench on his property.

Mr. Taylor, speaking on behalf of the Central Association of Tacoma, said they were unanimously opposed to Ordinance No. 16778 as submitted, but since Mr. Murtland proposed this amendment, he would say that they would be in favor of it.

Several other members of the audience spoke in favor of the amendment proposed by Mr. Murtland.

Mr. Ron Pretti, a citizen, asked if either Ordinance No. 16778 or the amendment proposed by Mr. Murtland, would jeopardize in any way the original franchise granted. He asked if the benches already placed would be removed.

Mayor Hanson explained that the placing of a bench would have to have the advance and continuing consent of the abutting property owner.

Mr. Copeland, the Attorney representing the State Wide Advertising Company, said the Council has already in its judgment seen fit to grant a franchise for these benches. What is before the Council at the present time is an amendment to this original franchise Ordinance. He pointed out that the reason for the amendment is largely due to the fact that the original Ordinance does contain many areas of doubt. In the rewrite of Section 5 of the Ordinance, the only place that Mr. Murtland appears to differ in his proposed amendments, is in the matter of religious advertising. There are large billboards in Tacoma displaying the advertisement - "Work together and Pray together." This is nondenominational and which is apparently in good keeping with what is being done throughout the United States. People have shown a desire to utilize that same type of advertising on these particular benches. It must be remembered, however, that throughout this Ordinance the only thing that has been done is to put in the right to appeal, which is the American way of having a hearing. The City Manager still has a great deal of authority to rule these out.

Mr. Copeland further stated, he thought Mr. Murtland's amendment is a very dangerous amendment because it goes even farther than the original Ordinance. The original Ordinance granted to abutting property owners, effecting a public sidewalk, a right that is not granted the property owners in an L I D for instance which costs them money.

He said the beautification of the City of Tacoma is something we should all be interested in, but also we should be interested in the prosperity of Tacoma. This City has been labeled as a depressed area and he did not think there was anything more important than payroll. These gentlemen are small at the present time, but most things start small. These gentlemen have come into town and have renovated a building and created a payroll for 30 men. They are doing something for Tacoma that is good.

Mr. Copeland said the original Ordinance gave the property owner the absolute right to veto benches that are placed for the convenience of the riding public. The fact that someone is building them, and is given a franchise to permit advertising on them, is an incidental point. They are put there for the bus riding public and for such others who might care to occupy them. This right of absolute veto is a very unusual thing in the United States. Veto is the power that is reserved almost exclusively in the Legislative field, to the

President and the Governor and something that a private citizen does not have. Private citizens generally in this country resort to public hearings either before the Court or public bodies and that has always been the American way to conduct affairs.

Mr. Fott then said that Mr. Copeland indicated that the abutting property owners should not have the right to veto. However, he added, the only provision that influenced many of the Council members to vote for this Ordinance, in the first place, was that the abutting property owner would have the right to veto the placing of these benches.

Mr. Porter moved to postpone action on the amendment and on Ordinance No. 16778 for two weeks until May 16, 1961. Seconded by Mrs. Price.

Mr. Allan Overland, Attorney, who formerly represented the Company when the original Ordinance had been passed several months ago, said the section regarding the approval of the property owner in the original Ordinance was copied almost verbatim from the Modesto, California Ordinance which was given to the Council for their study. He indicated the firm cannot comply with the Ordinance that it place 50 benches within 6 months if the approval restrictions remain.

Roll call was then taken on Mr. Porter's motion to postpone action on the amendment and on Ordinance No. 16778 which resulted as follows: Ayes 4; Nays 5; Bott, Cvitanich, Murtland, Steele and Mayor Hanson. Absent 0. Motion lost.

Mr. Murtland said on page 2, line 3, of his proposed amendment, there has been an omission and at this time he would move that the words "or maintained" be added after the words "such benches shall be placed". Seconded by Cvitanich. Voice vote taken. Motion carried.

Mrs. Olson said she did not feel that she could properly vote on this amendment since it was just submitted to the Council this evening and thought in all fairness that a postponement should be granted. She moved that it be postponed for one week. Roll call was then taken on the motion resulting as follows: Ayes 4; Nays 5, Bott, Cvitanich, Murtland, Steele and Mayor Hanson. Absent 0. Motion lost.

Roll call was then taken on the amendment proposed by Mr. Murtland resulting as follows: Ayes 5; Nays 4, Esterday, Olson (passing), Porter, Price; Absent 0. Motion carried.

Mayor Hanson said the Council now has before it the Ordinance as amended.

Mr. Porter said he does not understand the Ordinance as amended as he has not had an opportunity to read the amendments. He urged that the Council members extend him the same courtesy as he has extended them in the past, when they have asked for a continuation for information and vote against the amendment as amended.

Mr. Murtland said since he is the proponent of this amendment, he would like to move that further action on this Ordinance 16778 as amended be

be continued for one week until May 9, 1961. Seconded by Mrs. Olson. Voice vote was then taken on the motion Motion carried.

The regular order of business was then resumed

PETITIONS.

Petition from Ray Powell requesting the rezoning of property located on the south side of So 40th between Alder and Union Ave. from an "R-3" to an "M-1" District.

Petition from Westgate Inc. requesting the rezoning of property located between No 26th and No 30th, Pearl to Highland Street from an "R-2" to a "C-1" & "C-2" District

Petition from Home Builders Ass'n of Greater Tacoma requesting the rezoning of the property located at So 40th and Orchard Streets from an "R-2" to a "C-1" District

Referred to the Planning Commission

COMMUNICATION:

Communication from Morley Brotman, requesting the City Council or the Planning Commission initiate a "C-2" zoning classification for his property located at So 19th and Stevens which is now zoned "CPN"

Mr. Brotman said he is requesting that the City Council initiate a "C-2" zoning classification for his property located at South 19th and Stevens which is now zoned "C-P-N". He said this request is made because of the recent action taken by the Planning Commission in recommending that approximately the 9 acres on Center Street between Bantz and Orchard be rezoned "C-2" and "C-1". He said it seemed inconsistent that these petitioners would be granted "C-2" zoning in the same general area with so little study when it took him almost 4 years to have his property rezoned. He also had requested "C-2" zoning for his property but had agreed to a "C-P-N" since it was presented as the best zoning in the overall planning for the City. A "C-P-N" is much more restrictive than a "C-2" which also required him to finance traffic control improvements.

Mr. Porter said inasmuch as Mr. Brotman's communication is related closely with Ordinance No. 16786 which appears later on the Agenda, he moved that the rules be suspended and that Ordinance No. 16786 be considered at this time along with Mr. Brotman's request. Seconded by Mrs. Olson. Voice vote taken. Motion carried.

Ordinance No. 16786:

Amending the Official Code of the City relating to zoning by adding two new sections 13 06.120 (2), & 130 (10) to include property on both sides of Center St between Huson & Cove in a "C-1" and "C-2" Commercial District
(petition of Joseph A. Peterson) Read by title

Mayor Hanson said the report of the Planning Commission recommends the approval of this rezoning

Mr. Buehler, Planning Director, outlined on the map the property involved. He said there had been some question last week as to the lines shown across the map relating to the possible alternate routes of a road the County had projected in their Freeway study. Upon checking further this past week with the County Engineer, he said, he found that there is nothing scheduled or proposed on this route in the County in the foreseeable future.

Mrs. Price asked Mr. Brotman if his property were zoned a "C-2" would it hasten the development in that area.

Mr. Brotman said that it would, as a straight commercial zoning is less restrictive.

Mr. Murtland said Mr. Brotman seems to be linking up the two parcels of land. In looking the properties over last week, he said, he did note that there were many residences around Mr. Brotman's property whereas there aren't any residences within about a half mile of the other property in question. As he understands a "C-P-N" is provided so that commercial zoning can be put within a residential area. He asked if Mr. Brotman still maintained that they were similar, so that they should be zoned the same.

Mr. Brotman said he did not imply that. He was referring to the fact that both pieces of property should be classified the same. He felt this property at Center St. should be given more study as to the best possible land use for the City.

Mr. Steele said it seemed to him that two different subjects were being discussed here. He did not see the relationship of Mr. Brotman's problem to this rezoning of property for a bowling alley.

Mr. Overland said what Mr. Brotman is trying to show the Council is that in discussing these two areas, although they may have different characteristics, they are within a one mile radius of each other, and it is just ordinary planning procedure that when these market analysis are made and the Planning Staff makes a survey that not only the immediate area is considered but also the adjoining area as well. There is available the so-called 19th Street report made by the Planning Staff in 1950. This is a very comprehensive report and an approach to the overall master planning context. After studying all these reports much will be learned about this area, whether this is good planning in view of the overall welfare of the City. He said it seemed to him that if the "C-P-N" was not working out and the City is in fact abandoning it as a planning tool, then they should grant the "C-2" zoning also to Mr. Brotman.

Mr. Tollefson, Attorney representing Mr. Iverson, the petitioner, requesting the rezoning of the property located on Center Street, spoke at this time. He explained that Mr. Iverson has a bowling alley in the 38th Street District, but the parking situation is very poor, and the number of lanes available are limited, and with the lease running out at his present location, it was felt that he should locate elsewhere in order that better parking facilities and more alleys could be provided. Various possible locations were investigated and the Planning Staff consulted on these different sites. One such location was on South 19th Street near the property of Mr. Brotman's. However, he was informed that it was the policy of the Planning Commission to not further zone commercially on this street, that they had allowed only the "C-P-N" zoning for Mr. Brotman in the area. Finally this site on Center Street was investigated. Mr. Buehler of the Planning Dept. advised the petitioners that he could not say that the Planning Commission would zone the area, but it could be presented to them for their consideration. It must be remembered that the Planning Commission has looked at this area for a long long time because from time to time they had extended the district of "C-1" zoning. They recognized that this was a pocket adjacent to the town of Fircrest that would not be conducive for residential and it should be rezoned commercial of some type.

Mr. Tollefson continued, whether Mr. Brotman gets his property rezoned "C-2", "C-1" or remains "C-P-N" should not influence the Council in regard to the Iverson property on Center Street. He said these developers have no conflict with Mr. Brotman. It might be that a re-analysis of his property is in order, but they did not believe that there is any real conflict between the two areas.

After further discussion, Mr. Cvitanich asked if there was any possibility that the Council could grant the bowling alley rezoning so that construction could begin and then the Council could try to reach a satisfactory solution to Mr. Brotman's problem.

Mr. Buehler said the question was raised at the Planning Commission meeting and they voted 5 to 3 not to grant Mr. Brotman's request.

Mayor Hanson said he thought the Council should make a decision on the Ordinance before them which does not preclude either present or future action with reference to Mr. Brotman's property. He said he was in favor of granting the rezoning for the bowling alley.

Mr. Murtland said he thought the Council should consider what is before them.

Mr. Easterday moved the previous question. Seconded by Mr. Bott. Voice vote was taken. Motion passed.

Mr. Porter said that Mr. Riconosciuto had mentioned at the Planning Commission meeting last evening that he intended to attend the Council meeting to speak on this matter. He is in the audience this evening and as yet has not had an opportunity to speak.

Mayor Hanson said the motion for the previous question cuts off debate and gives the body an opportunity to vote on the matter at hand.

Roll call was then taken on Ordinance No. 16786 resulting as follows:

Ayes 8; Nays 1. Porter; Absent 0

The Ordinance was then declared passed by the Chairman

Mayor Hanson said the Council still has before it Mr. Brotman's request for the initiation of the re-examination of the zoning of his property.

Mrs. Price moved that the Council initiate the proceedings for the reclassification of Mr. Brotman's property to "C-2" zoning. Seconded by Mr. Easterday.

Mayor Hanson said it would seem that if Mr. Brotman feels this has reasonable chance upon full examination he could still apply for it. However, it would seem rather futile for the Council to refer this back to the body that just last evening decided they saw no reason why it should be re-examined. However, he did not object to the Council initiating such an action.

Mr. Riconosciuto asked to speak at this time. Mr. Riconosciuto said he did not speak while the other zoning question was before the Council as he did not want to be in the position of jeopardizing a development. Unfortunately, he said, he saw an example of what he thinks is basically wrong with the planning in the City of Tacoma. Apparently the only planning the City seems to be doing is under pressure of someone wanting a development. Unfortunately he thought this hindered good planning judgment.

He added, the last real planning the City did was five years ago as the result of a study initiated by the Planning Commission in an attempt to answer the problem of strip zoning. The Commission took the initiative and rezoned four small corners on 19th Street from Commercial to Residential. They also asked Mr. Brotman who owned property in this area who desired "C-2" zoning if he would go along with them in trying to do some good overall planning for the City. He said he felt sorry now for having asked Mr. Brotman to do this. Since that time much strip zoning has been effected throughout the City.

Mayor Hanson said he agrees with what Mr. Riconosciuto has said. However, the City of Tacoma is perhaps as advanced as any City in its planning. The problem is always how can planning keep ahead of development.

Mr. Steele moved the previous question. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Mr. Bott asked if this action to initiate a "C-2" zoning for Mr. Brotman embraces further hearing so that the residents of the area will have an opportunity of attending the meeting.

Mayor Hanson said, after the action is initiated by the Council, the matter is referred to the Planning Commission for study and action, and then the report will be made to the Council.

Voice vote was then taken on Mrs. Price's motion, that the Council initiate the proceedings for the reclassification of Mr. Brotman's property to "C-2" zone. Motion carried.

Mr. Porter said he would like to explain his "no" vote on the Ordinance 16786, the Iverson rezoning. He said had not the previous question been moved at that time eliminating debate, he had intended saying some of the things Mr. Riconosciuto said and then move to amend the petition to grant the "C-2" to allow the bowling alley, and to eliminate the "C-1" zoning which creates strip zoning

The regular order of business was then resumed.

RESOLUTIONS:

Resolution No. 16509: (postponed from the meeting of April 18, 1961)

Authorizing the proper officers of the City to execute certain easements to the Port of Tacoma in exchange for easements for rights of way for the transmission facilities for the N. E. Substation

It was moved by Mr. Steele that the Resolution be adopted. Seconded by Mr. Cvitanich.

Mr. McCormick explained that the Resolution received by the Council in their agenda is an amendment to the original Resolution.

Mr. Steele moved that Resolution No. 16509 be amended to conform with the copy received in the agenda. Seconded by Mr. Easterday. Voice vote taken. Motion carried.

Mr. Benedetti, Acting Utility Director, said this Resolution will allow the location of electrical lines from the Tideflats to a new substation being built and will provide for the Port Industrial waterway which will soon be extended into the area. This Resolution is authorizing a change of easements between the Port and the City of Tacoma to allow this line location. Also included in this Resolution is a transfer to the Port of Tacoma approximately 2 acres of land for which the City is being properly reimbursed on the basis of an appraisal.

Voice vote was then taken on the Resolution. Motion carried.
The Resolution was then declared adopted by the Chairman.

Resolution No. 16547:

Authorizing the proper officers of the City of Tacoma to execute an agreement with the N. P. Railway Co., whereby the City agrees to assume responsibility for the permanent maintenance and operation of two culverts located on the site of the Western Slopes Treatment Plant.

It was moved by Mr. Cvitanich that the Resolution be adopted. Seconded by Mr. Easterday.

Voice vote was taken on the Resolution. Motion carried.
The Resolution was then declared adopted by the ~~Chairman~~.

Resolution No 16548:

Authorizing the proper officers of the City to execute and deliver to the State of Washington a local improvement assessment deed for property located between Ea 29th and 30th Streets and between Ea D and McKinley Ave upon payment of \$1.096 65

It was moved by Mr. Easterday that the Resolution be adopted. Seconded by Mr. Bott

Voice vote was taken Motion carried
The Resolution was then declared adopted by the Chairman

Resolution No 16549.

Authorizing the proper officers of the City to transfer \$340.00 from the General St and Bridge Construction Fund of 1958 to the Center St. Project Temporary Loan Repayment Fund, Project No. Wash. R-1, for the purpose of realigning the east approach ramp of the Yakima Ave. Bridge.

It was moved by Mr. Bott that the Resolution be adopted. Seconded by Mr. Easterday

Voice vote was taken on the Resolution Motion carried.
The Resolution was then declared adopted by the Chairman.

Resolution No. 16550:

Authorizing the proper officers of the City to sell the buildings from the Center Street Urban Renewal Area, U. R. 11630.

It was moved by Mrs. Price that the Resolution be adopted. Seconded by Mr. Steele.

Voice vote was taken on the Resolution. Motion carried.
The Resolution was then declared adopted by the Chairman.

Resolution No. 16551:

Authorizing the proper officers of the City to sell to the Pacific Iron and Metal Company 5,000 lbs. of Aluminum & ACSR wire for \$328.00 and 20,000 lbs. of Junk Copper wire, insulated, for \$3,576.00.

It was moved by Mr. Bott that the Resolution be adopted. Seconded by Mrs. Price.

Voice vote was taken on the Resolution. Motion carried.
The Resolution was then declared adopted by the Chairman.

Resolution No. 16552:

Authorizing the proper officers of the City to purchase property fronting on Collins Road east of Malcolm-McLarty Road, for substation purposes for the amount of \$4,500

It was moved by Mrs. Price that the Resolution be adopted. Seconded by Mr. Easterday

Voice vote was taken on the Resolution. Motion carried.
The Resolution was then declared adopted by the Chairman.

Resolution No. 16553.

Fixing Monday June 12, 1961 at 4:00 P. M. as the date for hearing on L I D 3524 for Sanitary sewers in the vicinity of Mildred Street, Lexington Ave., No. 17th, No. 23rd and No. 24th Street

It was moved by Mr. Bott that the Resolution be adopted. Seconded by Mr. Murtland

Voice vote was taken on the Resolution. Motion carried
The Resolution was then declared adopted by the Chairman.

Resolution No. 16554:

Fixing Tuesday, June 6, 1961 at 7:00 P. M. as the date for hearing on the vacation of So. 23rd East of So. J and alleys to the south within the McCarver School area. (petition of Tacoma School District #10).

It was moved by Mrs. Price that the Resolution be adopted. Seconded by Mr. Cvitanich.

Voice vote was taken on the Resolution. Motion carried.
The Resolution was then declared adopted by the Chairman.

Resolution No. 16555.

Recommending that the City Council make all the necessary arrangements for a running audit by an independent firm of certified public accountants.

Mr. Cvitanich moved that the Resolution be postponed for one week. Seconded by Mr. Easterday. Voice vote taken. Motion carried.

Mr. Benedetti said that the Utility Board has requested that they be given an opportunity to discuss this matter with the City Council before any action is taken. There is a scheduled meeting with the Council for Monday, May 8th, he added, and perhaps this would be an opportunity to discuss the running audit.

Resolution No 16556.

Awarding bid to the Nelson Construction Company in the amount of \$146,432.00 including sales tax for the construction of the escalade housings at the Cameo Theatre site and the Arden's Store site

It was moved by Mr. Steele that the Resolution be adopted Seconded by Mrs. Price

Mr. Norman Jardeen, a contractor, stated there seems to be some question on the awarding of this bid. He said on the basic bid the Jardeen Company's bid was \$800.00 higher. Including the alternates which are a part of the contract they were approximately \$3000.00 low.

Mr. Murtland asked, what were the alternates as they were not listed in the Resolution.

Mr. Rowlands said he thought that Mr. Pearson, the architect, who drew up the specifications could explain this.

Mr. Pearson explained that the two alternates were placed in the bid for information purposes only, to give an indication of how much it would cost Arden's to have some additional work done on their own. He said in any bidding process alternates can either be accepted or rejected.

Mr. Rowlands said as far as the City is concerned from the standpoint of money to be expended by the City, Nelson Construction Co. is low bidder.

The Northwest Supervisor of the Arden's Store stated they had been laboring under the impression that the alternate and basic bid would be taken as one because it would be more beneficial to the Arden Store. Now they find they are to be penalized because the alternates are being referred to as information sources only. He thought since there was a difference of only \$800 between the bids that Jardeen Bros. should definitely do the job because they have had the experience of constructing the first two escalade tunnels, as time is of the essence in this contract. It is specifically stated in the Contract that the contractor must vacate the Arden's property no later than July 9th. He said he did not see how a contractor could complete this job before a 10-week period and if any difficulty arises it could take much longer than that. Therefore he thought that Jardeen Bros. would be able to do this job with the least amount of difficulty because of the experience they have had with the other escalades.

Mr. George Marsico, Attorney, for Nelson Construction Co., said that the Nelson Company is a reputable local contractor and has had considerable experience in the construction business. He contended that Nelson Construction was the lowest bid. Upon that basis, Mr. Nelson being a qualified bidder and the low bidder is entitled to this contract.

Mr. Rowlands explained from the standpoint of the City the two alternates do not mean a thing. If the Arden people want to obtain bids from 20 different firms, it is their prerogative. The alternates were simply informational.

Mr. Murtland said the point that concerns him is why were the alternates included in the bid if the City was not going to pay for them.

Mayor Hanson said it seemed that it was done in courtesy to Ardens for their information as it could reasonably be expected that since it was included on a large bid the work would be done cheaper than if it were just one separate item.

Mr. Cvitanich asked if Mr. McCormick would render some legal opinion on this matter.

Mr. McCormick said he hoped the Council understood that these two alternate bids should never have been included in the bid. The City's bid was only for the construction of the escalades. If the Arden Company wished to call for bids that was their responsibility. The alternates were placed in the bid for the purposes of establishing how much it would cost the Arden Company to get their work done.

Mrs. Price asked Mr. Jardeen if he were under the impression that this was one package when he bid on the job.

Mr. Jardeen answered that when bidding on a job the alternates are normally considered part of the job, if they are acceptable.

Mr. Murtland asked if Mr. Jardeen knew whether or not the City was obligated to put those alternates in.

Mr. Jardeen said he did not.

Mr. Murtland asked if he had felt that the City must be the one who was to pay the bill on these alternates.

Mr. Jardeen said that was his impression.

Mr. Bott asked Mr. Jardeen when he bid on the job was he prepared to accept the tunnel and have the alternate rejected.

Mr. Jardeen said, he was.

Mrs. Price said she thought the City accepted a responsibility by including these alternates in the bid.

Mayor Hanson said the point to consider here is since there is \$800 difference in the basic bid, can the Council say that the lowest and best qualified bidder is Jardeen Bros. due to his experience.

Mr. Steele said he would move to amend the Resolution to award the contract to Jardeen Bros. Seconded by Mrs. Price.

Mr. Bott said many times call for bids have contained alternates and the City is not obligated to accept alternate bids. He asked Mr. McCormick if the Council is obligated to accept the lowest bid for the basic purpose for which the City desired - the escalator tunnel.

Mr. McCormick said under competitive bidding the City is required to accept the best and lowest bid. Unless this Council can find that there is some substantial reason the Jardeen Bros. should be awarded the contract over the lowest bid, then the Council is bound to award it to the lowest bidder.

Mrs. Olson said she recalls the Council had a similar discussion a short time ago regarding the purchase of traffic paint from a Seattle firm or a Tacoma firm when there was the difference of a few cents per gallon. Actually, she said, under the principle of the lowest bidder, that the actual difference, between

between these two bids should not necessarily be discussed, or considered, if we operate on the basis of the lowest bidder. In order to be consistent the Council should continue to operate on that basis and since Mr. Nelson is obviously the lowest bidder, she would speak against Mr. Steele's motion.

Mr. Easterday said he thought the bid should be awarded to the lowest bidder.

Mr. Murtland said as much as he would like to consider these alternates, he believes the basic bid is the basis upon which the bid should be awarded.

Mr. Cvitanich said he will vote no on the Resolution for the particular reason he feels the cost at the present time is more than the City can afford.

Voice vote was then taken on the motion to award the bid to Jardeen Bros. in place of Nelson Construction Co. Motion lost.

Voice vote was then taken on the Resolution. Motion carried.

The Resolution was then declared adopted by the Chairman.

Mr. Steele moved to suspend the rules for the purpose of reconsidering the vote by which Resolution No. 16540 lost at the last Council meeting.

Seconded by Mr. Cvitanich. Voice vote. Motion carried.

Resolution No. 16540.

Authorizing filing of application with the United States of America for an advance to provide for the planning of public works under the terms of Public Law 560, 83rd Congress of the United States, as amended.

Mayor Hanson explained the application will be sent back to Washington where it will be decided on whether or not the \$25,000 will be granted to the City, then the City would still have to accept the offer. He said, this is the opportunity to have a detailed study of a very complicated situation where an error could well result in thousands and thousands of dollars, whereas detailed studies may well enable the City to have the most efficient operation at a lower cost.

Mr. Rowlands further explained before the City can spend any money, the Council will have to approve further Resolutions to retain somebody to do the job. He said there are three operations concerned here that could be combined which should be taken into consideration.

Mayor Hanson asked if it would be Mr. Schuster's recommendation that a study be made prior to going into a centralized garage system.

(Verbatim, requested by Mr. Cvitanich)

Mr. Schuster: Yes, it would be our recommendation that a study be made for various reasons, which were outlined in the M C 349, submitted by the City Manager. There was, I think it was in the middle 50's sometime, that a bond issue was put up at that time for combining the Public Works Maintenance Division and their garage facilities into one location. It was defeated at the polls at that time. We feel that perhaps one of the reasons that it was defeated at that time was because there was not enough information given the public as to what the plans were, and it was not given because there were no plans to give them. That's our feeling on it.

Mayor Hanson said now there is the additional factor of the Transit Garage.

Mr. Cvitanich asked if the location of the Transit Garage was not discussed as a central agency.

Mr. Rowlands said this was definitely discussed. It is a possibility and will certainly be explored. He added, it would be very beneficial if this could be consolidated somehow.

Mr. Easterday said he could see no point in hiring an expert for this study. He had confidence in Mr. Schuster in this detail.

Roll call was then taken on the Resolution resulting as follows:

Ayes 5; Nays 4, Cvitanich, Easterday, Olson and Porter; Absent 0.
The Resolution was then declared adopted by the Chairman.

FIRST READING OF ORDINANCES

Ordinance No. 16796:

Repealing Ordinance No. 16776 to correct a duplication in section numbering, and adding a new section to the Code, S c 13.06.120 (22).
Read by title and placed in order of final reading.

Ordinance No. 16797.

Amending Chapter 13.06 of the Official Code of the City by adding a new sec. 13.06.065 (9) to include property located at the N. E. corner of Ea. 57th and McKinley Ave in a "R-4-L" Low Density Multiple Family Dwelling District. (petition of J. B. Malyon) Read by title and placed in order of final reading.

Ordinance No. 16798.

Amending Chapter 12.550 and 810 of the Official Code of the City and adding a new section 12.625 in reference to Transit Operations. Read by title.

Mr. Cvitanich asked if someone from the Transit Co. will be present next week to represent the employees of the Company.

Mr. Rowlands said the Personnel Dept. has had very fine working relations with the Transit employees on this matter.

Mr. Bixel explained that the Transit Union leaders were advised that this was to be before the Council tonight. The Ordinance was then placed in order of final reading.

FINAL READING OF ORDINANCES

Ordinance No. 16787:

Amending Sec. 11.24.010 of the Official Code of the City in reference to Parking Meter Zones--to include a parking meter on the north side of So. 7th on Fawcett Ave. to St. Helens Ave.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman

Ordinance No 16788:

Amending Section 1 30.585 of the Official Code of the City by inserting the words "on service or survivor retirement "

Ordinance No 16789:

Amending Chapter 8 44 of the Official Code of the City and adding two new sections Sec. 8.44.056 & 065 in reference to Property Damage.

Roll call was taken on the Ordinance resulting as follows.

Ayes 9; Nays 0; Absent 0

The Ordinance was then declared passed by the Chairman.

Ordinance No 16790:

Providing for the improvement of L I D 6783 for ornamental lights on North Carr from Yakima Ave. to No. 26th Street.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16791:

Approving and confirming the Assessment roll for L I D 1994 for sanitary sewers in Narrows Drive, No. 23rd, Bridgeview Drive and No. 26th St.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16792:

Approving and confirming the Assessment roll for L I D 3511 for sanitary sewers in the vicinity of So. 18th and Walters Road.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16793:

Approving and confirming the Assessment roll for L I D 4653 for paving and storm drainage on Ea. D from 3rd to 11th St., Ea. E from 7th to 11th, and Ea. 7th from Ea. D to East F Street.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16794.

Approving and confirming the Assessment roll for L I D 4662 for paving on various locations between No. 16th and 38th St. and between North Mullen and Jackson St

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0

The Ordinance was then declared passed by the Chairman

Ordinance No. 16795.

Approving and confirming the Assessment roll for L I D 4667 for paving on So. 73rd from Park Ave. to So. I Street

Roll call was taken on the Ordinance resulting as follows.

Ayes 9; Nays 0; Absent 0

The Ordinance was then declared passed by the Chairman

REPORTS:

MC-347-One-way Street on So. 7th St. between St. Helens and Fawcett Avenue. Placed on file.

MC-348-Proposed VFW Clubhouse Development Vicinity of Narrows Bridge. Placed on file.

MC-349-Request for advance planning funds for proposed Public Works Dept. - Maintenance Division Center. Placed on file.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Personnel report for the month of March 1961
- b. Water Division report for the month of March 1961.
- c. 72nd Annual report of the Fire Dept. - 1960.

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COMMENTS:

Mayor Hanson said action should be taken this evening with reference to the City's representatives to the Association of Washington Cities . Tacoma is entitled to have one representative on the Resolutions Committee.

Mr. Easterday moved that Mr. Steele be Tacoma's representative on the Resolutions Committee. Seconded by Mr. Cvitanich.

Mr. Steele said he was very honored by this consideration but since he has served in this capacity once, he would like to decline and suggested that Mr. Murtland be appointed in his place.

Mayor Hanson said if that was acceptable to everyone, they would vote on Mr. Murtland's appointment. Voice vote was taken. Motion carried.

Mayor Hanson said there was also a position on the Nominating Committee.

Mr. Murtland nominated Mrs. Price for that position. Voice vote taken. Motion carried.

Mayor Hanson said that two voting delegates must also be chosen.

Mrs. Price nominated Mr. Steele and the Mayor as the voting delegates. Voice vote taken. Motion carried.

Mr. Cvitanich said that he thought the Council should appoint a Transit Committee to work with Mr. Bond, with his many problems.

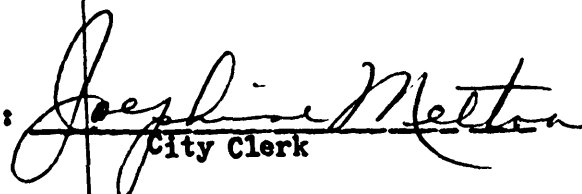
Mayor Hanson said Mr. Bond has made a report to the Council on certain suggestions with a request for directions, and would like an opportunity to discuss them in detail with the Council, which should be done very soon.

It was the concensus of the Council that they meet with Mr. Bond at 9:00 A. M. , Thursday, in the Council Chambers.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 1:15 A. M.


Mayor of the City Council

Attest:


City Clerk