

CITY COUNCIL MINUTES

City Council Chambers  
Tuesday, Jan. 13, 1970

The meeting was called to order by Mayor Johnston at 7 P. M.

Present on roll call 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Johnston.

The Flag Salute was led by Mr. Cvitanich.

Mayor Johnston asked if there were any omissions or corrections to the minutes of December 30th, 1969.

Dr. Herrmann moved that the minutes of the meeting of Dec. 30th be approved as submitted. Seconded by Mr. Cvitanich. Voice vote was taken. Motion unanimously carried.

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Mr. Cvitanich moved to suspend the rules in order to take up matters not appearing on the agenda. Seconded by Mr. Zatkovich. Voice vote was taken. Motion carried.

Mayor Johnston asked that Mr. Halligan appear before the Council at this time.

Mr. Halligan presented Mayor Johnston with a check in the amount of \$42,500.00 which he said is the balance of the payment by the Pacific N. W. Development Company to the City of Tacoma for property at So. 56th & Sprague Sts. covered in Resolution No. 20005 which was passed by the Council.

Mayor Johnston thanked Mr. Halligan for his presentation.

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Mr. Cvitanich read a statement from the News Tribune, published last week, which indicated that there may be a conflict of interest in the way he had voted on the TV franchise ordinances. Mr. Cvitanich said there was no truth in the statement and there was no conflict of interest in his vote on any cable television ordinance. He also noted that the Tribune would not be the only cable TV franchise in Tacoma. He also wished to inform the Tribune that he has asked his attorney to request a Federal Communications Commission investigation of the Tribune Publishing Co. and any subsidiary company.

Mr. Zatkovich said he also felt that the News Tribune Publishing Co. has a hammer-lock on the news media.

Mr. O'Leary remarked that he felt that the two local companies that were given the TV franchises would enable them to have fair competition. He also did not foresee the type of tactics that the News Tribune would use. He mentioned, it has been rumored that the man who is circulating a referendum against the TV ordinances is an employee of KTNT and he asked that this rumor be checked.

Mr. Jarstad said he felt that the Council had not studied cable television to a degree to be able to award franchises which would be to the best interests of the City. He also felt that none of the franchise proposals submitted were acceptable.

Mr. Finnigan explained it is on record that he voted against every application for a franchise as he felt the Council was not ready as yet to vote on the matter intelligently. He hoped that the Council would also vote down the other TV franchise that was granted.

Dr. Herrmann stated he also voted against all the franchises as the recommendation was made that all of the bids should be rejected and that the staff be directed to investigate the possibility of creating a City TV utility, and secondly, to create new specifications because of the changes and rapid movement of the community antenna field.

Mrs. Banfield stated she had voted for the franchise because she felt it was for the best interest of the community but now, she was not sure that it was the right thing to award a franchise to the News Tribune.

Mr. Cvitanich stated his prime concern was that if the TV franchise to the News Tribune is allowed to stand, they would have an exclusive franchise and he did not believe this was proper. He asked that on the Tuesday evening when such action was taken on the ordinances, he was approached by a Tacoma News Tribune reporter and was asked certain questions to which he did not respond. He added, the next day he made himself available from a quarter of three in the afternoon until five o'clock. The Mayor's secretary is aware of this action as well as Mr. Bond. The Tribune reporter did not show up and in the paper it was reported that Councilman Cvitanich said-----therefore, it is another falsehood.

Mr. Cvitanich moved to reconsider Ordinance No. 18903. Seconded by Mr. O'Leary. Voice vote was taken. Motion carried.

Mayor Johnston explained he questioned the wisdom of Mr. Cvitanich's motion as he felt the Cable TV bids should be awarded on the basis of technical aspects, not personal consideration.

Ordinance No. 18903

Authorizing the franchise for CATV services to Cable TV-Puget Sound.

Mr. Zatkovich mentioned that he felt the Council in the near future should consider awarding another franchise as by law city franchises must be non-exclusive.

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

Ayes 2: Dean and Mayor Johnston.

Nays 7: Banfield, Cvitanich, Finnigan, Herrmann, Jarstad, O'Leary and Zatkovich. The Ordinance was declared LOST by the Chairman.

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Mayor Johnston explained that Mr. Thomas Dixon has requested to be heard at the Council meeting during the suspension of the rules, therefore, he asked Mr. Dixon to speak at this time.

Mr. Thomas Dixon, Executive Director of the Tacoma Urban League, read a telegram that had been sent to Governor Dan Evans asking that a holiday be set to observe the birthday of Martin Luther King, Jr. who symbolizes the great moral force behind the historic movement toward black equality and black dignity. He further asked that the City Council declare Thursday, Jan. 15th a legal holiday. ✓

Mr. O'Leary asked what procedure would be followed if the Council would declare Jan. 15th a legal holiday.

Mr. Hamilton, Acting City Attorney, explained that a resolution would be required declaring such a day as a legal holiday for compensation purposes insofar as the employees are concerned.

Mr. Gaisford, Finance Director, said this would cost the City an estimate of \$50,000.

Mr. Finnigan suggested, since the Mayor has the privilege of proclaiming a day as a day of commemoration, it should be done, as he did not feel the City's finances were in a position to declare Jan. 15th as a legal holiday.

After some discussion Mr. Jarstad moved that the Mayor declare Thursday, Jan. 15th, Martin Luther King, Jr. Day, as a special holiday, but that the question of declaring the day a legal holiday be left up to Governor Evans. Seconded by Mr. Dean. Roll call was taken on the motion, resulting as follows: Ayes 5: Dean, Herrmann, Jarstad, O'Leary and Mayor Johnston. Nays 4: Banfield, Cvitanich, Finnigan and Zatkovich. Absent 0. Motion carried.

Mayor Johnston stated, he would issue a proclamation designating Thursday, Jan. 15th a day of special observance in the City.

Mr. Dixon explained that a memorial ceremony will be held at 8 P. M., Jan. 15th at 1402 So. Yakima Ave., and he invited the Mayor and Council members to attend as well as the citizens of Tacoma.

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Mr. Cvitanich explained that the Council should direct the representatives of the Council to the Legislature, as to what position to be taken by Tacoma regarding increased State financial aid. He reported that the Association of Washington Cities executive board has voted in favor of legislation enabling cities to impose a one-half percent sales tax. However, he felt many AWC members do not agree among themselves on the best form of State aid.

Mr. Finnigan felt that the City of Tacoma should not take a separate stand from that of the majority of AWC.

Mr. Cvitanich noted that the City had previously gone on record as opposed to any form of sales tax.

Mr. O'Leary and Mr. Dean explained they were unalterably opposed to a sales tax of this type.

Mayor Johnston said, what the Mayors of the State are discussing is the feasibility of a law that would allow the cities to have an option to go in either direction, allow a sales tax within a community or agree to the direct State aid, whichever procedure was the best for a community.

Dr. Herrmann moved to support the decisions of the executive committee of AWC in regard to the sales tax matter. Seconded by Mr. Finnigan. Roll call was taken, resulting as follows: Ayes 4: Finnigan, Herrmann, Jarstad and Mayor Johnston. Nays 5: Banfield, Cvitanich, Dean, O'Leary and Zatkovich. Absent 0. Motion LOST.

Mrs. Banfield moved that the Council officially support the policy of direct State aid. Seconded by Mr. Dean. Roll call was taken, resulting as follows: Ayes 6: Banfield, Cvitanich, Dean, Jarstad, O'Leary and Zatkovich. Nays 3: Finnigan, Herrmann and Mayor Johnston. Absent 0: Motion carried.

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HEARINGS & APPEALS:

The City Planning Commission recommending denial of the request for rezoning of the east side of Pipeline Road between East 57th St. extended and East 59th St. extended from an "R-2" to an "R-4-L-PRD" District, submitted by Golden Ridge Inc.

An appeal was filed by the petitioner on December 29, 1969.

Mrs. Banfield moved to set Feb. 17th, 1970 as the date for hearing on the appeal of Golden Ridge, Inc. Seconded by Dr. Herrmann. Voice vote was taken. Motion unanimously carried.

PETITIONS:

Ronald M. Brown requesting rezoning of the area north and west of the intersection of So. 29th & Proctor Sts. from an "R-4-L" to an "R-4" District.

Daniel A. Laney & Steve M. Mallos requesting rezoning of the north side of So. 19th St. between State and Sprague Ave. from an "R-2" to an "R-4-L" District.

Referred to the City Planning Commission.

COMMUNICATION:

Communication from Max H. Bice, General Manager of Cable TV, Puget Sound expressing appreciation to the City Council for the courtesy given him during the course of the CATV hearings.

Placed on file.

RESOLUTIONS:

Resolution No. 20509 ( postponed from the meeting of Dec. 23, 1969)

Initiating the rezoning of the area lying generally between No. 9th St. extended and west of Skyline Drive on the north side of Olympic Blvd. to an "R-2" District.

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Mrs. Banfield moved that the resolution be adopted. Seconded by Dr. Herrmann. Roll call was taken on the resolution, resulting as follows:

Ayes 4: Banfield, Cvitanich, Dean and O'Leary.

Nays 5: Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.

The Resolution was declared LOST by the Chairman.

Resolution No. 20530 (postponed from the meeting of Jan. 6, 1970)

Awarding contract to Tucci & Sons, Inc. on its bid of \$122,075.82 for Improv. Nos. 4840 and 4842.

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

Mr. Anderson, City Engineer, explained this resolution and the next resolution, No. 20531 are inter-related. He added that the contract for widening of the intersections under this resolution is in two parts, one location is at 6th and Union Ave. and the other at 74th St. and So. Tacoma Way. However, the next resolution, No. 20531 takes care of a contract which will relocate transmission lines and redistribution of secondary power lines at 74th and So. Tacoma Way.

Mr. Anderson explained, a property owner is questioning the construction of the high tension wires over his property. He asked that the Council give him direction on the matter so a determination can be made.

Mr. O'Leary asked if the bids quoted in Resolutions No. 20530 and 20531 are firm bids or are they subject to change.

Mr. Schuster, Public Works Director, explained that the electrical contract is a lump-sum bid but the construction of widening of intersections is a unit-price bid. He added, as he had explained last week, the unit price is a firm figure but the quantities are estimated and can vary on some of the bid items. The engineer in the Public Works Dept. has been designated to determine the overages or underages of such bids.

Mr. O'Leary explained that previously a request has been made that a list

of the prices of contracts be submitted to the Council as to how many overages or underages on projects have been noted within a year.

Mr. Schuster, explained all these contracts are on file in the City Clerk's office and he would be glad to show Mr. O'Leary the records at any time.

Mayor Johnston suggested that a meeting be held to resolve this problem in Mr. Schuster's office.

Mr. Anderson suggested that this resolution be postponed until the action under Resolution No. 20531 is determined.

Dr. Herrmann moved to postpone action on the resolution until Feb. 3, 1970 upon the written consent of the contractors who, upon approval of the Council would construct the projects. Seconded by Mr. O'Leary. Voice vote was taken. Motion was unanimously carried.

The Resolution was postponed until Feb. 3, 1970.

Resolution No. 20531 (postponed from the meeting of Jan. 6, 1970)

Awarding contract to Tyee Construction Co., on its bid of \$24,895.00 for Improv. No. 4840-Unit B.

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

Mr. Anderson explained this contract applies to the area of So. 74th and So. Tacoma Way and would relocate transmission lines and redistribute secondary power lines. He noted in this particular project condemnation of some properties had to be instituted because the department was unable to negotiate with the property owners. Mr. Anderson therefore asked that Mr. Woodke, a property owner, be allowed to speak to the Council on this matter.

Mr. Woodke, the new owner of the Croft Trailer Rentals, explained he agreed that the streets should be widened in this vicinity, however, he felt that Mr. Croft, the previous owner, had not been fully informed when he granted an easement so the City could run high-tension wires over the premises. He also explained the City's own appraisal stated that the wires would not be placed over existing buildings. He further stated that he intends to build a new building on the property and has been informed that according to present city standards, a frame-type building cannot be constructed under high-tension wires. He objected to the fact that the City did not inform Mr. Croft of such a stipulation when he granted an easement for high-tension wires.

Mr. Woodke then asked that the high-tension wires be located 12-inches away from any pre-existing property line owned by the Croft Manufacturing Co., or that the Council postpone action on the resolution until Feb. 1st at which time he will meet with Mr. Croft in Texas to discuss this matter.

Mr. Anderson explained he thought it would be possible to accommodate Mr. Woodke's request, however, if this were accomplished the poles would be placed right in back of the curb and consequently would be vulnerable to traffic. He added, discussions have been held with the Light Dept. representatives and it has been found that these large cables do not break very easily. He also noted that \$5500 has already been invested in the courts to obtain the right to the property through condemnation.

Mr. Hamilton explained that the City owns the easement and the land and it would be merely an accommodation to Mr. Woodke as to whether or not the Council wishes to change the plans.

Mr. Hamilton also noted that there should not have been any misunderstanding concerning the property as at the court hearing Mr. Croft was represented by attorneys.

Mr. Finnigan asked, if this resolution were postponed until Feb. 3rd would it be a detriment to the entire project.

Mr. Anderson explained that the contractors have been contacted on this matter and do not object to a two or three week's delay.

Mayor Johnston explained the Council is sympathetic to the problem but noted the Council has the responsibility of public safety.

Mr. Woodke stated there must be a way to also protect his employees as they are very concerned because of the high-tension wires.

Mr. Dean asked Mr. Woodke if the title insurance, at the time of the purchase of the property, showed these restrictions.

Mr. Woodke explained he had purchased the business, with an option to buy the property which had not required a full title policy at that time.

After some discussion, Dr. Herrmann moved to postpone action on the matter until Feb. 3, 1970 upon the written consent of the contractors. Seconded by Mr. O'Leary. Voice vote was taken. Motion was unanimously passed.

The Resolution was postponed until Feb. 3, 1970.

Resolution No. 20539

Authorizing the acceptance of a federal grant in the amount of \$577,890.00 to assist the City in financing certain improvements to the Sewage Treatment Plant across the industrial tidelands to N. E. Tacoma.

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

Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Johnston.

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20540

Authorizing the acceptance of a State grant from the Washington Water Pollution Control in the amount of \$288,900.00 to assist in financing certain improvements to the Sewage Treatment Plant.

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

Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Johnston.

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20541

Authorizing the execution of an agreement with the Computech Consulting Inc. to provide professional services for the City to undertake certain activities necessary for computer capability increase and traffic records system design.

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

Mrs. Banfield stated she was not in favor of this resolution as the agreement and addendum involved more than one consultant and employs a system's programmer with a schedule of many persons under personal services. She also noted that on the last page of the addendum it states that the proposal submitted by the consultant must be submitted to the Region before a commitment is made. She thought that the previous Councils have approved too many federal programs without complete study.

Mr. Zittel, Chief of Police, explained this resolution is the agreement with the consulting firm and outlines the program which will provide professional services for the City to undertake certain activities necessary for computer capability increase and traffic records system design. Invitations to bid on the project were extended to sixteen consulting firms and twelve firms responded. Computech Consulting, Inc. was selected after a great deal of deliberation by the committee who evaluated the twelve proposals.

Captain Richardson, Project Director, explained the procedure that was followed since Sept. of 1969 which established the programmer function within the terms of the consultant's contract. This request was approved by the Washington Traffic Safety Commission and the U. S. Dept. of Transportation.

Mr. Burger, representing Computech Consulting Inc., Renton, Wash., explained that in general the objective of the project is to assist the City in its efforts to attack the program of traffic safety. He pointed out how their company would proceed under three phases of operation to accomplish this objective.

Mrs. Banfield felt that a number of hours will be spent by certain people in police positions in order to help the consultant which would amount to approximately \$35,000, for which the taxpayers of the community will pay.

Capt. Richardson assured Mrs. Banfield they did not anticipate using all the people listed as they will only use them as it is necessary to administer the development of the program.

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

Ayes 7: Cvitanich, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Johnston.

Nays 2: Banfield and Dean. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20542

Re-establishing the position of Land Officer at Salary range 36 in the Urban Renewal Dept.

Dr. Herrmann moved that the resolution be adopted. Seconded by Mr. O'Leary.

Mrs. Banfield explained the City Council had made certain decisions at the 1970 budget hearings in regard to personnel in the Urban Renewal Dept. She noted that Mr. Wright, Urban Renewal Director, has requested a change in the budget by re-establishing the position of Land Officer at a salary range of 36 instead of range 33. She said she resented the fact that a Director of a Dept. would attempt to suggest that a salary range be changed when an agreement has already been made between the Council and the Director of Urban Renewal.

Mr. Wright, Director of Urban Renewal, explained he did not intend to breach the intent of the Council, but the reason that this resolution is being brought before the Council is that prior to this, there were three persons in the real estate section and two of the positions have been eliminated because of the budget cuts. The acquisition officer and disposition officer have been combined and assigned to one person. The former real estate officer, having the greatest tenure, longevity and experience was chosen to carry on all of the real estate functions. This person in 1969 was at a 34.5 range level. He added, if this employee is expected to handle all of the former duties, as well as increase his work load, it was felt it would be considered equitable to permit him to remain in the pay plan and be allowed to receive a 7 1/2 % salary increase given all other employees in this range. This would eliminate the effect of a demotion which has a demoralizing effect on a person and could result in a decreased work efficiency. This is the reason why the recommendation to restore the salary range of 36 for the land officer was made for the 1970 fiscal year.

Mr. McCormick, Acting City Manager, explained he did not feel that the Council

intended to demote this particular position to the 33 salary range as in 1969 the range was 34.5 for the land officer. He felt that the 36 salary range was proper at this time as the position now requires additional work of the acquisition and dispositions officers as well as the land officer.

Mr. O'Leary moved to postpone the resolution until Jan. 20th, 1970. Seconded by Mrs. Banfield. Voice vote was taken. Motion unanimously carried.

The Resolution was postponed until Jan. 20th, 1970.

Resolution No. 20543

Designating the City of Tacoma as Community Action Agency under Economic Opportunities Act of 1964 as amended in 1967.

Mr. O'Leary moved that the resolution be adopted. Seconded by Mrs. Banfield.

Mr. O'Leary requested that the Finance Committee Chairman report on the meeting which had been held relative to O. D. I., Monday evening January 12th.

Mr. Cvitanich reported the meeting was held in regard to this particular resolution which would designate the city, the community action agency for federal and anti-poverty programs and replace Opportunity Development Inc. He also reported that Mr. Ron Thompson was the consulting attorney for O. I. D. He thought the meeting was quite informative, however, he wished to make it perfectly clear that it is not the intent of the Council committee to scuttle any programs. He noted that many persons attending the meeting who were for and against the resolution were given an opportunity to speak.

Mr. Hamilton, Acting City Attorney, suggested that under the Be It Resolved portion on page 2, 2nd line from the bottom of the page, after the word, hereby, the words 'intend to' should be added, and then complete the sentence. He reminded the Council under federal regulations there has to be a ten day notice given before a formal hearing or meeting, before the actual designation, can take place.

Dr. Herrmann asked if the resolution passes, can the City Council under federal and state laws, legally be designated as the agency.

Mr. Hamilton felt it has been tentatively resolved, however, there is the Attorney General's opinion stating that a County may not be designated. However, a City operating under a Charter has broader powers in many instances.

Mr. Hamilton explained, there is some uncertainty relative to the 1967 Green Amendment of the 1964 Economic Opportunity Act relative to the population of a city but the 250,000 limit has been changed. However, the question that does concern him was whether the Council has sufficient time to meet the dead lines that are required by the federal government, the (10) day notice plus the (45) day notice.

Mr. O'Leary said that discussions had been held on this problem for some time even during the budget discussions.

Mr. L. H. Pedersen was given an opportunity to speak and said he was Secretary of the Pierce County Central Labor Council and serving his 4th year as Chairman of the Board of Trustees of O. D. I. He added, he was amazed at the remarks that were made at the meeting on Jan. 12th against the inability of citizens of Pierce County and Tacoma who have been appointed by the governing officials to O. D. I., to enact the program. He noted there are (38) persons at the present time serving on the Board.

The O. D. I. program has done a great job. He was proud that the O. D. I. program in Tacoma is sufficiently organized that many areas of the State of Washington have sent representatives to Tacoma to determine how the organization has been set up. He was sorry that the City Council has not had a member on the Board for some time as the former Mayor had attended only one meeting in two years. He added, two



bankers on the Board raised \$10,000 for a scholarship fund which is loaned to the young people to go back to school and the monies are loaned without interest.

He felt the Senior Citizen's Centers will be hurt immensely if O. D. I. is ousted as they do cross city boundaries into the County.

Mr. Pedersen felt, if the Council takes over this program they would be creating another duplication which they are trying to avert. He therefore asked that action on this resolution be delayed until the meeting of last evening has been resolved as there was no opportunity for rebuttal at that time.

Mr. O'Leary stated he understood that the County Commissioners wished to handle O. D. I. and O. E. O. within the County and then the City could handle the matter of city participation.

Mr. Jarstad said, if this were under the City Council, there would still be an administrative group and they would answer to the City Council.

Mr. Pedersen explained the City would be the unit that would contract with the regional administration for the funding of the program and (51) persons would be appointed from within the City limits to administer the program.

Mr. Jarstad said the one great concern at the meeting on Monday was the administration of the Narcotics Center and he wondered how the Board of Trustees of O. D. I. felt about the matter.

Mr. Pedersen explained that the O. D. I. organization was the first to receive a grant relative to narcotics. He wanted the Council to know they were very concerned with the problem at the Narcotics Center and are trying their best to resolve the problem.

Mr. Jarstad wondered if the Board of O. D. I. would consent to a joint meeting with the Council to discuss the problems of the Narcotics Center.

Mr. Pedersen said he was sure the Board would be very happy to meet with the Council to discuss the problem if a meeting could be arranged.

A number of speakers criticized the resolution as they did not feel the Council should take over federal programs.

A number of persons spoke in favor of the resolution as they felt such programs should be administered by the Council and indicated there were too many overlapping federal programs.

Mr. Finnigan said there will have to be an official hearing on this matter if the resolution is passed. He thought, perhaps, the resolution should not be passed this evening and in the meantime each Council member should become better informed by being involved in the meetings and the work of O. D. I. and they could vote on the matter in the future.

Mr. Cvitanich explained this is merely a resolution of intent, and a public hearing with due notification will be held.

Mr. O'Leary moved that the resolution be amended as suggested by Mr. Hamilton, that under the first Be It Resolved, Page 2, 2nd line from the bottom of the page, after the word hereby, add the words 'intend to' and continue on with the sentence. Seconded by Mrs. Banfield. Voice vote was taken. Motion carried.

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

Ayes 5: Banfield, Cvitanich, Dean, O'Leary and Zatkovich.

Nays 4: Finnigan, Herrmann, Jarstad and Mayor Johnston. Absent 0.

The Resolution was declared passed by the Chairman.

#### FIRST READING OF ORDINANCES:

##### Ordinance No. 19011

Amending Section 6.70.010 of the official code to provide for a tax of eight per cent on the gross earnings of the Belt Line Division.

The ordinance was placed in order of final reading.

Ordinance No. 19012

Amending Subsections 2 & 3 of Section 12.15.030 of the official code relative to the Levy of Excise Tax for the needs of the Tacoma Transit System operation.

The ordinance was placed in order of final reading.

Ordinance No. 19013

Amending Chapter 12.12 of the official code by adding a new section 12.12.035 to establish a special route of the Tacoma Transit System extending from So. 11th and Pacific to So. 11th & Tacoma Ave. for a fare of 10 cents between the hours of 7:30 A. M. & 5:30 P. M. on any working day that all offices in the County-City Bldg. are open.

The ordinance was placed in order of final reading.

Ordinance No. 19014

Rezoning the East side of Hosmer St. approximately 630 feet north of So. 96th from an "R-2" to an "R-2-T" District. (petition of Fred Roberson)

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 19009

Amending Section 12.12.010 of the official code relative to Transit System School bus fares.

Mr. Toney Shelton, Secretary & Business Manager of the Tacoma Public Schools, explained that the Board has objected to the increase for school fares. He added, the Tacoma School district normally receives 90% of its transportation costs as reimbursement from the State Supt. of Public Instruction. The State has advised that because of their lack of funds for the current biennium the schools could not expect any extra reimbursement for the current year, should these raises go into effect. Therefore the full 100% of the increase would have to be born out of the local school budget, which in turn would necessitate cutting back on some other part of the school program.

Mr. Shelton asked that the increase be deferred until the start of their budget year and that negotiations be scheduled for the City's contract with the schools for bus rates before the School District adopts its budget this coming summer.

After some discussion, Mr. Cvitanich moved that under Section 1, Paragraph 12.12.01, 2nd line, that the figure of 'fifteen' be substituted for the figure of 'twenty'. Seconded by Mrs. Banfield.

Mr. Zatkovich read a number of communications which indicated that an unjust burden will be placed on the private school pupils if this increase becomes effective. He also stated he had opposed this increase as he felt it was not fair.

Mr. O'Leary asked that it be a matter of record that he felt no Councilman wanted to increase taxes in any way, but the budget requirements made it necessary.

Mr. Cvitanich said, many suggestions were made and no Council member was in favor of raising taxes in any form, however, the Council had to be realistic in trying to find the best possible solution.

Roll call was taken on the motion to amend the ordinance by decreasing the school fare from twenty cents to fifteen cents, resulting as follows: Ayes 8: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary and Mayor Johnston. Nays 1: Zatkovich (abstaining). Absent 0. Motion carried.

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

Ayes 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Mayor Johnston.  
Nays 2: Herrmann and Zatkovich. Absent 0.  
The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

The Director of Public Works presents the following assessment roll for L I D 4856 for paving on Es. 59th from East F to East G and other nearby streets.

Mr. Finnigan moved that Monday, March 9, 1970 be set as the date for hearing on L I D 4856 assessment roll. Seconded by Dr. Herrmann. Voice vote was taken. Motion unanimously passed.

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Mr. O'Leary explained that an investigation was to be made regarding acquiring the air rights over the proposed garages in the downtown area. He wondered if a report had been submitted.

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Mr. Hamilton, explained that a letter had been received at the Mayor's office from the Downtown Parking Corp., indicating that if the City desired the property above the garages for additional parking, they would grant any rights that the City might need, other than that they refused to commit themselves. Mr. Hamilton said the only thing the Council can do at this time is to institute condemnation proceedings if the Council still wishes to reacquire the air rights. He said he would advise against refusing to sign any agreements at this time because if the agreements are not signed, the City then breaches the agreements and could be libel to the Downtown Parking Corp., the Development Co. and its contractors for millions of dollars, and in addition, the City could lose the downtown Urban Renewal project and the City would have to repay the government all the money that has heretofore been expended.

Mr. Cvitanich asked that the City Manager set up a meeting with the Director of Urban Renewal and the City Council to discuss the total Urban Renewal project.

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Mrs. Banfield felt that the Allied Arts Commission had committed a breach of contract as they had been instructed by the City Council to revoke the sub-lease of the League of Women Voters and apparently this has not been done. She thought that the Allied Arts Commission should be instructed that their lease will be revoked unless they adhere to the direction in the lease with the City.

Mayor Johnston asked that Mr. Hamilton, Acting City Attorney, check the matter and report to the Council.

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Mr. Cvitanich reported that the Libraries in Tacoma have been closing at 6 P. M. since the adoption of the 1970 budget. He felt the libraries are being used more during the afternoon and evening hours. He added, the Library Board has advised that they will check their budget further to see if it will be possible to provide the maximum service to the public which would keep the libraries open until 9 P. M.

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A communication was received from Byron D. Scott, addressed to the Civic Arts Commission of Tacoma and Pierce County, which enclosed a check in the sum of \$100.00 as an unrestricted gift to the Civic Arts Commission and expressing hope that other gifts would be forthcoming to help start a program within the organization.

Mayor Johnston thanked Mr. Scott for his contribution in behalf of the City Council and citizens of Tacoma.

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REPORTS BY CITY MANAGER:

Mr. McCormick, Acting City Manager, mentioned that the Council previously has had study sessions at noon on Mondays and he wondered if this practice is to be continued. He said it would be his suggestion that a study session be held just prior to the 7 P. M. Tuesday Council meeting.

Mr. McCormick further stated there are many things that he would like to discuss with the Council members, especially the urban renewal problem and public work's matters.

He also asked that the Council inform him of the procedure in which the Council wishes him to follow in regard to the Council committees, particularly in regard to the placing of resolutions and ordinances on the agenda.

Mayor Johnston stated, he knew the makeup of the Council had been changed, but he personally would like to reinstate the Monday luncheon meetings so that problems could be discussed.

Mr. McCormick also mentioned that the Council should consider who is going to be responsible for preparing the agenda for the Council meetings. He also wondered who would be responsible for the agenda for the study sessions.

Mr. McCormick asked that the Council give him guidance on these matters as soon as possible.

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COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston expressed his pleasure at serving at his first meeting of the City Council.

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Mr. Finnigan complimented Mayor Johnston for his fine performance during the meeting which has been extended with many extra matters that were not on the agenda.

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CITIZEN'S COMMENTS:

Mr. David R. Tuell, Jr., attorney, representing bowling alley proprietors in the City as well as the Greater Tacoma Bowling Association explained that the increased taxes on bowling would drastically affect both the businesses and bowler in the City. They felt that the tax gives an unfair competitive advantage to nearby bowling establishments that are not within the city limits. He presented a petition protesting the tax increase with 7,000 signatures.

Mr. Tuell also presented the Council with two proposed ordinances, one eliminating the recently imposed taxes and the other to impose a lesser tax and clarifying some of the administrative details involved in the measure.

Mr. Jarstad moved to set Wed., Jan. 21st at 7:00 P. M. in the Council Chambers as a special meeting date with the Finance Committee and other members of the Council

present to hear from the various organizations who objected to the raise in taxes under the service category. Seconded by Mr. Cvitanich. Voice vote was taken. Motion carried.

Mr. Cvitanich asked that the record show that there has been a great deal of deliberation and thought on this matter. He added, there is history involved in the bowling tax and why the tax wasn't imposed at an earlier date.

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Mr. George Goe, 5645 So. Cedar and Mr. John Frai, 1423 So. 43rd expressed their views on various subject matters to the City Council.

\* \* \* \* \*

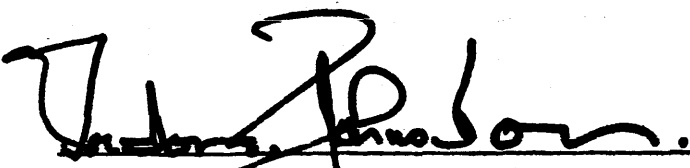
ITEMS FILED IN THE OFFICE OF THE CITY CLERK:


- a. Minutes of the Civil Service Executive Board for Nov. 25, 1969.
- b. Minutes of the Civil Service Board for December 16, 1969.
- c. Minutes of the Trainee Corps Selection & Evaluation Board for Dec. 8, 1969.
- d. Minutes of the Board of Adjustment for December 11, 1969
- e. The City Clerk advising that the time has expired for filing protests on the following L I D's 4914, 5496, 6907 and 6920.

Placed on file.

\* \* \* \* \*

Mr. Cvitanich moved to adjourn the meeting. Seconded by Mr. O'Leary. The meeting was adjourned at 1:45 A. M., Jan. 14th, 1970.

  
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 Gordon N. Johnston - Mayor

Attest:   
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 Josephine Melton - City Clerk