

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.  
Tuesday, November 29, 1966

Council met in regular session. Present on roll call 6: Finnigan, Herrmann, Johnson, Murtland, Price and Mayor Tolleison. Absent 3: Cvitanich, Haley and Bott. Mr. Bott and Mr. Haley coming in at 4:20 P. M. and Mr. Cvitanich at 4:30 P. M.

Mrs. Price moved that the minutes of the meeting of Nov. 15, 1966 be approved as submitted, Seconded by Mr. Murtland. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

This is the date set for hearing on the petition submitted by Hillcrest Investment Co. for the vacation of property east of 55th St. and the alley immediately south thereof between Portland Ave. and East N Street.

No one appearing and no protests being made, Mr. Finnigan moved that the proper ordinance be drafted approving the vacation. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

RESOLUTIONS:

Resolution No. 18949

Fixing Monday, Jan. 9, 1967 at 4:00 P. M. as the date for hearing on L I D 5432 for water mains on Mildred St. from 6th Ave. to So. 8th; So. 10th to So. 12th and in So. 8th from Mildred to Vassault St.

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

The Resolution was passed unanimously by voice vote.  
Ayes 6; Nays 0; Absent 3, Bott, Cvitanich and Haley.

Resolution No. 18950

Fixing Monday Dec. 12, 1966 at 4:00 P. M. as the date for hearing on L I D 5434 for water mains on Pine St. from So. 35th St. to So. 38th; So. 36th from Lawrence to Nevada Ave. and Pierce Place from Pine to California Ave.

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

City Council Minutes - Page 2 - Nov. 29, 1966

The Resolution was passed unanimously by voice vote.  
Ayes 6; Nays 0; Absent 3, Bott, Cvitanich and Haley.

Resolution No. 18951

Fixing Monday January 9, 1967 at 4:00 P. M. as the date for hearing on L I D 4804 for paving on Cushman Ave. from So. 78th to So. 80th and various other south end streets.

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

The Resolution was passed unanimously by voice vote.  
Ayes 6; Nays 0; Absent 3, Bott, Cvitanich and Haley.

Resolution No. 18952

Fixing Tuesday, Dec . 13, 1966 at 4:00 P. M. as the date for hearing for the rezoning of property located between K & L Sts. from So . 18th to So. 19th Street.

Dr. Herrmann moved that the resolution be adopted. Seconded by Mrs. Price.

The Resolution was passed unanimously by voice vote.  
Ayes 6; Nays 0; Absent 3, Bott, Cvitanich and Haley.

Resolution No. 18953

Fixing Tuesday, Dec. 20, 1966 at 4:00 P. M. as the date for hearing for the rezoning of property on the S. W. corner of So. 86th St. & Pacific Ave. (petition of Darrell H. Wilber)

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

The Resolution was passed unanimously by voice vote.  
Ayes 6; Nays 0; Absent 3, Bott, Cvitanich and Haley.

Resolution No. 18954

Awarding contract to Rod Rose Excavating on its bid of \$42,018.20 for beautification of Olympic Blvd--W. O. No. 73907.

Mr. Johnson moved that the resolution be adopted. Seconded by Mrs. Price.

Mr. Murtland asked if the State was contributing any monies toward this project.

Mr. Rowlands explained that the State of Washington's share of this project is \$7,690, which will be taken up later in Resolution No. 18957 on this agenda. This is a 50-50 matching fund project so 50% of the cost will be paid for by the Federal Government.

Mr. Schuster stated that the figure is a little better than \$17,000 from the funds of the City for this contract.

Mr. Finnigan asked if the lighting project on the Julia Gulch has been completed.

Mr. Schuster stated they have readvertised that project. These are to be opened again next Mon., Dec. 5, 1966. This will be before the Council a week from today.

The Resolution passed unanimously by voice vote.  
Ayes 6; Nays 0; Absent 3, Bott, Cvitanich and Haley.

Resolution No. 18955

Authorizing a temporary loan in the amount of \$135,000 from the Local Improvement District Guaranty Fund to the General Fund for Park purposes.

Dr. Herrmann moved that the resolution be adopted. Seconded by Mrs. Price.

Mr. Rowlands explained this will be repaid to the City with interest by the Metropolitan Park Board. The millage fund voted on about a year ago will be made available about April 1, 1967. This is again a 3/4th and 1/4th grant and the City will be reimbursed by the Federal Government.

The Resolution was passed unanimously by voice vote.  
Ayes 7; Nays 0; Absent 2, Bott and Cvitanich.

Resolution No. 18956

Authorizing a temporary loan in the sum of \$135,000 from the General Fund of the City to the Metropolitan Park District for the purchase of property located in the Swan Creek area for park purposes.

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

The Resolution was passed unanimously by voice vote.  
Ayes 8; Nays 0; Absent 1, Cvitanich.

Resolution No. 18957

Authorizing the proper officers of the City to execute for and on behalf of the City an agreement with the Dept. of Highways for a payment of \$7,690. to the City for participation in the beautification of Olympic Blvd. between the Narrows Bridge and the intersection of 6th Ave. and Skyline Drive.

Mrs. Price moved that the resolution be adopted. Seconded by Dr. Herrmann.

The Resolution was passed unanimously by voice vote.  
Ayes 9; Nays 0; Absent 1, Cvitanich.

Resolution No. 18958

Authorizing an agreement for and on behalf of the City with William and Thelma Busch and E. D. McCarthy Inc. providing for the construction of streets and other improvement, applied to for the zoning reclassification of property located between 6th Ave. & So. 7th St. and between Shirley and So. Orchard.

Mrs. Price moved that the resolution be adopted. Seconded by Dr. Herrmann.

Mr. Buehler, Director of Planning, explained that Mr. Busch's attorney as well as the City Attorney have agreed with the draft of the agreement which provides for the construction of the street and other improvements in this area.

Mayor Tollefson asked if this applied to all the requests that the Council had made when it was referred back to the Planning Commission.

Mr. Buehler said these requests were included in the agreement.

Dr. Herrmann asked why there was a time limit mentioned under No. 7 in the Resolution in regard to the service of underground power.

Mr. Buehler stated that the pad mount or underground transformers are critical items at the present time.

Mr. Erdahl, Director of Utilities, stated that the Department might be unable to obtain the underground vaults and all of the equipment, and they might have to install pad mounts. However, if they can be built around the facilities and buildings, there might not be any problem. The policy is to go completely underground, he added.

The Resolution was passed unanimously by voice vote.  
Ayes 8; Nays 0; Absent 1, Cvitanich.

#### Resolution No. 18959

Authorizing a Wheeling Exchange & Trust Agreement with the Bonneville Power Administration and the City of Tacoma to provide for the transmission of electric energy to be made available from the Cowlitz Project and for the construction of the Chehalis-Mossyrock transmission line and related facilities at the Government's Chehalis substation.

Dr. Herrmann moved that the resolution be adopted. Seconded by Mrs. Price.

Mr. Erdahl, Director of Utilities, stated that the City has been negotiating with the Bonneville Power Administration for three years for wheeling non-federal power from various sources of generation to the load centers. BPA has offered to wheel Project power to Tacoma, for a consideration, thereby obviating the necessity for the City to construct and operate its own separate transmission facilities from the Cowlitz Project to Tacoma. There is a critical time element involved, and all phases of the economics of wheeling versus ownership by the City of its own transmission facilities from the project to Tacoma, have thoroughly reviewed. Two separate contractual documents have been prepared for approval. A trust agreement authorizes the City to advance the money and BPA to expend such money, to complete the construction of the 22 mile line. The main agreement provides that BPA will wheel project power to Tacoma under stipulated terms and conditions and will credit the City's account for the funds, including interest, advanced to BPA.

Mr. Finnigan asked if there would be any savings as far as the over-all plan.

Mr. Erdahl said he felt at this time it would be a saving as building our own lines would present problems as the Weyerhaeuser Co. does have nineteen miles of forest land in this area.

After conferring with the Weyerhaeuser officials as well as the BPA officials, it was felt that this agreement was a definite benefit to all concerned.

38

City Council Minutes - Page 5 - Nov. 29, 1966

The Resolution was passed unanimously by voice vote.  
Ayes 9; Nays 0; Absent 1, Cvitanich.

Resolution No. 18960

Amending Sec. 6.07.030 of the official code relative to licensing of ambulances by increased the rate to \$28.00 plus the additional sum of \$1.00 for each mile traveled from point of pickup to destination.

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

The Resolution was passed unanimously by voice vote.  
Ayes 8; Nays 0; Absent 1, Cvitanich.

Resolution No. 18961

Accepting certain offers to sell real property situated within the New Tacoma Urban Renewal Project No. Wash. R-14 located at 1207 Pacific Ave.

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

The Resolution was passed unanimously by voice vote.  
Ayes 8; Nays 0; Absent 1, Cvitanich.

FIRST READING OF ORDINANCES:

Ordinance No. 18177

Adopting the 1964 Uniform Building Code and amendments.

Mr. Les Gillis, Building Supervisor, introduced the members of the Building Code Board of Appeals and stated that these individuals have been working diligently in preparing this ordinance for approval.

Mr. Rowlands remarked that between now and the next meeting there will be a short resume prepared outlining any significant changes within the ordinance.

Mayor Tollefson thanked the members of the Building Code Board of Appeals for their time and effort in preparing this ordinance.

The ordinance was placed in order of final reading.

Ordinance No. 18178

Appropriating the sum of \$850,000 from the Light Division M & O and \$60,000 from Salaries & Wages to pay for excess purchase of power from outside the City of Tacoma generating system.

Mayor Tollefson asked that Mr. Benedetti, Assistant Utilities Director, to explain the purpose of this ordinance.

Mr. Benedetti explained, as a result of power purchases and steam plant expenditures in excess of the amounts provided for in the 1966 budget, the budgeted estimates will be exceeded by approximately \$850,000. In addition, expenditures for salaries and wages are also running above budgeted estimates and will exceed budget provisions by \$60,000 at the close of the year. This \$910,000 will be taken care of by a readjustment in the capital outlay portion of the budget.

He added, this was brought about due to the dry conditions which prevailed last summer.

The ordinance was placed in order of final reading.

Ordinance No. 18179

Amending subsection A of Section 6.38.144 of the official code of the City relative to Permit Applications for the Teenage Dance Board.

Mr. Rowlands stated that prior to conducting any dance the sponsor or applicant applying for such a permit for the first time shall be required to submit such initial application at least thirty days prior to the time set for the dance.

Mrs. Price explained that it also gives the Teen-Age Dance Board time to investigate an organization that has not been in existence for a year or more.

The ordinance was placed in order of final reading.

Ordinance No. 18180

Amending Section 6.52.130 of the official code relative to Taxicab rates.

The ordinance was placed in order of final reading.

Ordinance No. 18181

Amending Chapter 13.06 of the official code by adding a new section 13.06.085-1 to include property on the S.W. corner of No. 26th & Vassault Sts. in an "R-4-L-TM" District. (petition of Northridge Development Corp.)

The ordinance was placed in order of final reading.

Ordinance No. 18182

Amending Chapter 13.06 of the official code by adding a new section 13.06.065-60 to include property in the area bounded by Steele St., No. 11th, Sheridan Ave. and the alley between Sheridan & Cushman Ave. in an "R-4-L" District. (petition of Leo B. Seiwerath)

The ordinance was placed in order of final reading.

Ordinance No. 18183

Amending Chapter 13.06 of the official code of the City by adding a new section 13.06.130-38 to include property on the north side of So. 8th St. between Orchard and Shirley in a "C-2" District. (petition of William M. Busch)

The ordinance was placed in order of final reading.

Ordinance No. 18184

Vacating property on Holgate Street lying between So. 25th & So. 26th Street extended (Tacoma Ice & Cold Storage Co. - petition)

The ordinance was placed in order of final reading.

Ordinance No. 18185

Vacating the area on No. 22nd St. between Vassault & Defiance Sts. (petition of Reyier & Wick)

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18171

Vacating Roosevelt Avenue between Ea. 68th & Homestead Ave. (petition of the City Planning Dept.)

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

Ayes 8; Nays 0; Absent 1, Cvitanich.  
The Ordinance was declared passed by the Chairman.

Ordinance No. 18172

Vacating So. 70th and So. 72nd Sts. between Sprague Ave. and a point approximately 630 feet west of Sprague Ave. (petition of Hillcrest Properties, Inc.)

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

Ayes 8; Nays 0; Absent 1, Cvitanich.  
The Ordinance was declared passed by the Chairman.

Ordinance No. 18173

Amending Chapter 13.06 of the official code of the City by adding a new section 13.06.120-(50) to include property on the N. E. corner of East 27th and East D Streets in a "C-1" District. (petition of Lloyd M. Silver)

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

Ayes 8; Nays 0; Absent 1, Cvitanich.  
The Ordinance was declared passed by the Chairman.

Ordinance No. 18174

Amending Chapter 13.06 of the official code by adding a new section 13.06.065-(59) to include property on the south side of Ea. 56th between East Q and S Streets in an "R-4-L" District. (petition of Roger L. Hanson)

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

41

Ayes 8; Nays 0; Absent 1, Cvitanich.  
The Ordinance was declared passed by the Chairman.

Ordinance No. 18175

Annexing the area in the vicinity of So. 92nd and Hosmer Steets. (petition of Oscar Hokold)

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

Ayes 9; Nays 0; Absent 0.  
The Ordinance was declared passed by the Chairman.

Ordinance No. 18176

Authorizing and providing for the levying and collection of excise taxes upon persons within the City of Tacoma, and limiting the use of the proceeds thereof to the operation, maintenance and capital needs of the Tacoma Transit System.

Mr. Rowlands stated that the revised ordinance submitted today reflects the opinion of the City Council at the study session on Monday. It was agreed that 75 cents a month would be fixed for the householder and the rates as outlined in Plan 5 on the MC-AI. This is, of course spelled out also in the ordinance.

Mr. Haley asked if the Mayor wished a motion to amend the original drafted ordinance.

Mr. McCormick, City Attorney, stated, there should be a motion to adopt the proposed substituted ordinance. Also the different definition of 'employee.' He added, some persons, perhaps, would not be in the categories from 2a through 2e so No. 3 has been added to take care of all other persons not subject to the levy of an excise tax under the provisions set forth.

Mrs. Price asked Mr. Rowlands if this would be sufficient revenue to take care of the deficit in the Transit System.

Mr. Rowlands stated they did not have every exact amount but it will depend upon possible adjustment with the Utility Dept. in regard to the billing costs. In all probability \$29,000 will be needed. However, the total of \$580,000 is quite close to \$600,000, the estimated figure.

Mr. Murtland moved that the Council adopt the substituted Ord. 18176 with amendments therein contained. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

Mr. Cvitanich asked if this ordinance should include a provision providing transit services to the outlying districts.

Mr. Rowlands said he had made a report relative to the transit passengers outside the City limits that he distributed. This included a 5-cent raise in fares for passengers riding to and from points outside the City.

Mr. McCormick explained that this should be a separate ordinance and not to be incorporated in this ordinance. This is a separate, distinct tax, for tax purposes only and the only reason it is tied into the public utilities at all is a base that you could use for collection.

Mr. F. W. R. Brown, 7629 So. Thompson Ave., thought the tax was all right but stated he hated to see those transit riders living outside the City be excluded. He said the town of Ruston citizens get better bus service from the City than some areas in Tacoma.

Mayor Tollefson explained that the City cannot tax Ruston citizens and an added fare would be difficult to administer, since the town is surrounded by



areas of the City of Tacoma. A person alighting from a bus on Pearl St. might be in Ruston or across the street in the City of Tacoma.

Mrs. Bertha McCormick, 710 McKinley Way, stated the tax would work a hardship on pensioners and others on low incomes. She felt the City could save money by using small buses during off-peak hours.

Douglas Hendry, Transit Director, stated the City needs the larger buses for peak hours, and the purchase and maintenance of two separate fleets would be more costly.

Mr. Harlan McCord, 3419 East L. St., called the proposed tax another burden on our antiquated tax system and stated it would work too great a hardship on pensioners, widows and other low incomes.

Mr. Bott asked what Mr. McCord would suggest in place of the tax.

Mr. McCord said the Legislature should revise the State's entire tax structure.

Mayor Tollefson agreed that this should be done, and if the tax structure is changed at the next Legislature, this tax should be abolished. If the Council had the power to delete the tax from pensioners, widows, etc., they would probably do so, but under the State law they do not.

Nancy Thomas, 3024 No. 25th St., stated that both her parents and herself rely on the Transit System and she would support the tax. However, she felt it would be more practical not to refer the ordinance to the vote of the people.

Mr. Rowlands pointed out that the Transit tax had been well advertised as the alternative to the sales tax revenues which were denied the cities when Initiative 226 failed. The City officials had worked diligently to obtain a small share of the sales tax which has long been denied the cities.

Mr. Haley called for the question on the ordinance.

Mayor Tollefson asked that \$1.00 per month be asked, rather than the \$2.00 per month under No. 3, on Page 3 of the ordinance.

Mr. Johnson moved that the sum of \$2.00 per month in Item 3, page 3 be changed to \$1.00 per month. Seconded by Mrs. Price. Voice vote taken. Motion carried.

Roll call was taken on the ordinance as amended.

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

Mr. Bott felt it was not his wish to go counter to the thinking of the people, and he thought that the ordinance should be referred to the voters at the January 24, 1967 election.

Mrs. Price said she thought an election would be an unnecessary expense. This tax should not come as any surprise to the citizens, after the Council had worked to obtain the enabling legislation and then had advertised it as the alternative to Initiative No. 226. She said it is either a matter of imposing the tax or closing the transit system.

Mr. Cvitanich felt the people deserved a chance to vote on the tax and believed they would support it.

Dr. Herrmann felt the Council should shoulder its responsibility and impose taxes if they feel it is necessary. The people retain the right of referendum if they disagree.

Mayor Tollefson noted that one of the duties of an elected official is to govern even though it may not always be pleasant.

Mr. Haley stated there is no requirement by State statutes to refer it to the electorate. As indicated if the electorate wishes to referendum the ordinance they are able to do so, therefore, he was against the referral.

Mr. Johnson stated the Council had done everything they could to raise money for the transit system and if this isn't done there will be no transit system. It is our obligation to stand by the ordinance that has been passed.

Mr. Murtland felt if the Council had any other alternative, this would not be passed, but if it is necessary, the Council should stand by it.

Mr. Finnigan felt if it were referred to the voters by the Council it would be apologizing for its actions.

Mayor Tollefson stated he had been of the opinion that the tax should be referred to the people, but after remembering the proposition when Initiative 226 was being defeated, many of the arguments that came up and were thrown out to the voter was "you haven't exercised every opportunity you have at the present time within the framework of your laws, to get the taxes within the city government, to be paid for at the level where the services are rendered. You haven't even taken the opportunity to pass a transit tax, so why should you take the easy way out and make the State legislature impose the tax." He stated this was thoroughly discussed. It would be a terrific burden to convince the people who do not ride buses, that the transit system is a benefit to the entire community and they profit by it, living in a community that has some services. Therefore, he felt this is a duty that the Council has to assume, as unpleasant as it might be.

Mr. Cvitanich felt they were not trying to avoid their responsibilities and he felt the citizenry would support the tax.

Mr. Cvitanich wished it clearly understood that he agreed that we need the transit tax, however, he did feel it should be submitted to the vote of the people.

Mr. Bott moved that the Ordinance be referred to the vote of the people. Seconded by Mr. Cvitanich. Voice vote taken. Motion failed.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Personnel report for the month of Oct. 1966.
- b. Tacoma Police Dept. report for the month of Oct. 1966.
- c. Report from the Director of Finance for the month of Oct. 1966.

COMMENTS:

Mr. Bott asked to be excused from the Council meetings of Dec. 3rd and 13th, 1966.

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Mr. Cvitanich remarked, since the Bonneville Hotel was torn down the view is superb. He was hoping if the City acquired the property, the structure that would be built on the site should not be too high so as not to obstruct the view.

223 ✓

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Mr. Haley stated there was an accident on E. 26th & A Sts. again the other day. He felt that some type of light should be installed immediately.

Mr. Cvitanich mentioned that on 21st and A Sts. there is also a definite accident prone corner.

59-29

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There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 6:35 P. M.

Attest

Josephine Melton  
City Clerk

JAN Jolley  
Mayor of the City Council