

CITY COUNCIL MINUTES

City Council Chambers  
Tuesday, March 24, 1970

In the absence of Mayor Johnston, Deputy Mayor Cvitanich presided.  
The meeting was called to order by Deputy Mayor Cvitanich at 7:05 P. M.

Present on roll call 7: Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary and Zatkovich. Absent 2: Banfield and Mayor Johnston.

The Flag Salute was led by Mr. Dean.

Deputy Mayor Cvitanich asked if there were any omissions or corrections to the minutes of March 10th, 1970.

Mr. Dean moved that the minutes of the meeting of March 10th be approved as submitted. Seconded by Mr. Zatkovich. Voice vote was taken. Motion carried.

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COMMUNICATIONS:

Civil Service Board submitting a proposed amendment to the Civil Service and Personnel Rules relative to Veterans Preference and asking for Council's approval.

Mr. Dean moved to approve the proposed amendment and that an ordinance be drafted. Seconded by Mr. O'Leary. Voice vote was taken. Motion carried.

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Communication from Clarence Edward, Chairman of the Model Cities Executive Committee requesting a date to be set for a meeting with the Mayor and City Council to discuss the Mid-Planning Statement.

Placed on file.

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Memorandum from Herman Walker asking the City Council for the endorsement of the appointment of James Stanton as the Community Development Specialist.

Mr. Jarstad moved to postpone action on the above request for one week, until March 31, 1970, for further discussion. Seconded by Mr. Dean. Voice vote was taken. Motion carried.

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Memorandum from Herman Walker submitting background data on International Training Consultants Firm.

Placed on file.

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RESOLUTIONS:

Resolution No. 20582 (postponed from the meeting of March 10th)

Amending the Rules of the Government of the City Council under Rule 5 to add the item "Committee Reports".

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

Mr. Cvitanich pointed out that this item to be included in the Council Rules as 'Committee Reports' will allow the Council's standing committees to submit reports of their meetings on the agenda.

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

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

Nays 0. Absent 2: Banfield and Mayor Johnston.

The Resolution was declared passed by the Chairman.

Resolution No. 20605 (postponed from the meeting of March 17th)

Awarding contract to Dick Todd Services, Inc. on its bid of \$6,536.50 for Improv. No. 4844 Unit B.

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

Mr. O'Leary explained that he had received many calls from citizens stating that they felt the trees would be a hazard. Mr. Dean thought the Council should inquire if the Civic Arts Committee has approved this plan. After some discussion, Mr. Dean then moved to postpone action on the resolution for one week, until March 31st, so that information can be obtained from the Civic Arts Commission. Seconded by Mr. O'Leary. Voice vote was taken. Motion carried.

The resolution was postponed until March 31st, 1970.

Resolution No. 20611

Providing for the cost of living increase of 7 1/2% for positions in the Model Cities Planning Program.

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

Mr. Dean asked if the reason this resolution is proposed was because classified positions in the City service were given an increase for 1970.

Mr. Walker, Model Cities Director, explained this resolution would increase the special project positions to the same salary given other positions in their ranges. The guide-lines of the program point out that the program should follow as much as possible the City's operations. When the positions were established, they were comparable to the City's positions.

Mr. Finnigan pointed out this increase is a cost-of-living increase as stated in the resolution.

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

Ayes 6: Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Deputy Mayor Cvitanich.

Nays 1: Dean. Absent 2: Banfield and Mayor Johnston.

The Resolution was declared passed by the Chairman.

Resolution No. 20613

Authorizing the proper officers to utilize the State's Purchasing office price list in order that the City may purchase its supply of tires and tubes for the balance of the calendar year 1970 and waiving competitive bidding.

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

Mr. Menconi, Purchasing Agent, explained that after thorough research he is recommending that the City purchase tires and tubes from the State price list as it would result in considerable savings to the City. The State is able to obtain a much more favorable bid because of the size of its fleet, he added.

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

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

Nays 0. Absent 2: Banfield and Mayor Johnston.

The Resolution was declared passed by the Chairman.

Resolution No. 20614

Authorizing the execution of an agreement consenting to the assignment and assumption of certain obligations from Air West to Hughes Air Corp. at the Tacoma Industrial Airport.

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

Mr. Hamilton, Assistant City Attorney, explained that Air West, Inc. has made arrangements to consummate the sale of its company to Hughes Air Corp. However, Air West had previously entered into a leasehold agreement with the City of Tacoma and is occupying space at the Tacoma Industrial Airport on a month-to-month basis. Hughes Air Corp. and Air West have agreed upon the form of the assignment and assumption of obligations in which Air West has terminal facilities that the entities are signing. Therefore, it is recommended that this resolution be passed. If this were not signed, it would leave the City's Airport without any regular air line and Hughes Air Corp. would have no rights whatsoever in the space and service now occupied by Air West.

Mr. Hamilton further stated, after the sale is consummated the City Council will undoubtedly want to enter into some lease agreement with Hughes Air Corp. on a longer term than the month-to-month basis.

Mr. Cvitanich asked that a report be made relative to the status of the lease at the Airport and what is being done about contacting fixed base operators who have expressed an interest in the site.

Mr. Oles, City Manager, explained meetings are being held relative to this matter and in the very near future a report will be submitted to the Council.

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

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

Nays 0. Absent 2: Banfield and Mayor Johnston.

The Resolution was declared passed by the Chairman.

Resolution No. 20615

Authorizing the proper officers to execute an application to the United States Dept. of Transportation for a grant to provide for the Breathalyzer Instructor Course held at the University of Indiana.

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

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

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

Nays 0. Absent 2: Banfield and Mayor Johnston.

The Resolution was declared passed by the Chairman.

Resolution No. 20616

Authorizing the execution of a joint agreement with Pierce County to hire Dr. Alan Eagleson as an expert in toxicology to perform certain services in connection with law enforcement duties of the Police Dept. and Sheriff's office.

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

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

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

Nays 0. Absent 2: Banfield and Mayor Johnston.

The Resolution was declared passed by the Chairman.

Resolution No. 20617

Authorizing the proper officers to execute an application for a Federal Grant for operational activities of the Tacoma Police Department.

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

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

Nays 0. Absent 2: Banfield and Mayor Johnston.

The Resolution was declared passed by the Chairman.

Resolution No. 20618

Authorizing the execution of an agreement with the firm of Aerial Mapping Company of Boise, Idaho for aerial photography and mapping services in connection with Urban Arterial projects.

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

Mr. Dean asked if the Public Works Dept. had explored the possibility of a Tacoma firm performing this work.

Mr. Anderson, City Engineer, explained that five aerial firms were considered for the preparation of this mapping, and to his knowledge, no Tacoma or Pierce County firms do this type of work.

Deputy Mayor Cvitanich explained he knew that Mr. Bud Kimball did aerial work for the State Highway Dept. and asked that Mr. Anderson contact him to determine if he is in business in the community.

Mr. Anderson said he would check.

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

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

Nays 0. Absent 2: Banfield and Mayor Johnston.

The Resolution was declared passed by the Chairman.

Resolution No. 20619

Accepting an offer to sell certain real property in the Urban Renewal project Wash. R-14 from Elizabeth Henry Hewitt for the purchase price of \$29,600.00 for property located at 1142 Market Street.

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

Mr. Dean remarked that he noticed that there was a difference of approximately \$9,999 between the two appraisals.

Mr. Sullivan, Urban Renewal Director, said that an appraisal was, in essence, a matter of opinion. This difference is not unusual. The owner of this particular piece of property is satisfied with the offer of \$29,500.00. HUD as well as the City's Dept. of Urban Renewal feel that this is a fair price.

Mr. Jarstad explained that the highest appraisal was made in 1963 and the lowest in 1966. He wondered if another appraisal should not be made to bring it up to date as values of land have increased considerably since 1966.

Mr. Sullivan agreed that the price of real estate in a given area would be reflected by market activities and other facts that appraisers take into consideration. He also mentioned that in the near future eminent domain action will be instituted for the balance of the urban renewal project and prior to that action, the property will be appraised again for trial purposes.

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

Ayes 5: Finnigan, Herrmann, Jarstad, Zatkovich and Deputy Mayor Cvitanich.  
Nays 2: Dean and O'Leary. Absent 2: Banfield and Mayor Johnston.  
The Resolution was declared passed by the Chairman.

Resolution No. 20620

The City Council of the City of Tacoma expressing its deep sorrow at the passing of The Honorable Homer T. Bone, Judge of the Circuit Court of Appeals for the Ninth Circuit and acknowledging the deep sense of loss to the City, State and Nation.

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

Mr. Dean asked that the resolution be read in full.

Mr. Dean mentioned many more accomplishments of Judge Bone. He read from a recap of Who's Who in America which pointed out many outstanding accomplishments of Judge Bone, including admittance to the bar in 1911, he was elected in 1923 to the Washington State Legislature and later on became a U. S. Senator. In 1944 he was appointed Judge of the U. S. Court of Appeals for the Ninth Circuit Court with headquarters at San Francisco, Calif. He added the citizens of Tacoma should be proud to have had such a man represent them for so many years.

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

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

Resolution No. 20621

Authorizing the purchase of 3,000 lbs. of Green Lite Striping Powder from Minnesota Mining & Mfg. Co., at a purchase price of \$4,671.15 and waiving the sealed bid procedure.

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

Mr. O'Leary said the only reason the sealed bid requirements are being waived is because the Minnesota Mining and Manufacturing Co. in Seattle is the sole source of this product.

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

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

Nays 0. Absent 2: Banfield and Mayor Johnston.  
The Resolution was declared passed by the Chairman.

Resolution No. 20622

Awarding contract to Radio Corporation of America on its bid of \$9,242.57 for 12 Mobile Radios.

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

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

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

Nays 0. Absent 2: Banfield and Mayor Johnston.  
The Resolution was declared passed by the Chairman.

Resolution No. 20623

Awarding contract to Electric Construction Company on its bid of \$6,854.00 for (7) L I D's.

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

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

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

Nays 0. Absent 2: Banfield and Mayor Johnston.  
The Resolution was declared passed by the Chairman.

Resolution No. 20624

Awarding contract to J. D. Shotwell Company on its bid of \$134,990.17 for L I D's 4889, 4897 and 4914.

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

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

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

Nays 0. Absent 2: Banfield and Mayor Johnston.  
The Resolution was declared passed by the Chairman.

Resolution No. 20625

Fixing Tuesday April 7th at 7 P.M. as the date for hearing for rezoning of the east side of Pacific Ave. at So. 80th St. extended from an "R-2" to an "R-4-L" District. (petition of Hugh Barden)

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

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

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

Nays 0. Absent 2: Banfield and Mayor Johnston.  
The Resolution was declared passed by the Chairman.

Resolution No. 20626

Fixing Monday April 27th at 4 P.M. as the date for hearing for L I D 4915 for paving on Mullen from No. 33rd to No. 35th; Gove from No. 35th to 37th and other nearby streets.

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

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

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

Nays 0. Absent 2: Banfield and Mayor Johnston  
The Resolution was declared passed by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 19063

Amending the Compensation Plan so as to establish the new position of Assistant Chief Clerk in the Municipal Court.

The ordinance was placed in order of final reading.

Ordinance No. 19064

Designating the presently unnamed street rights - of - way to be named 35th Street N. E.

The ordinance was placed in order of final reading.

Ordinance No. 19065

Amending Title 8 of the official code relative to being present where drugs are illegally kept, used or sold.

Charles Zittel, Chief of Police, explained that this ordinance was requested by the Police Dept. as the result of a number of cases being dismissed in court because the Judge ruled that the former ordinance covering the matter was not constitutional. He added, this ordinance is a housekeeping change which will comply with State law.

Mr. Dean mentioned that in the definition of 'Dangerous Drug' on top of page 2 a number of drugs being used are not listed.

Chief Zittel said it was his intention that they be included, but apparently, inadvertently, they were not included in the final draft of the ordinance.

Deputy Mayor Cvitanich asked that Mr. Dean contact the Legal Dept. to resolve the matter before the final reading of the ordinance.

The ordinance was placed in order of final reading.

Ordinance No. 19066

Amending Title 8 of the official code relative to labor to prohibit unlawful professional strikebreaking or the employment of professional strikebreakers and providing penalties.

Mr. O'Leary explained there is controversy as to how strict an ordinance of this type can be drafted. However, this ordinance is similar to the State law which makes recruiting strikebreakers illegal. It also outlaws transporting professional strikebreakers into the city.

Mr. Hamilton, Chief Assistant City Attorney, explained, if this ordinance is adopted by the Council there would then be a duo-enforcement agency, the City or the State acting through the Prosecutor. It is true that the State can inflict a greater penalty than the City as the City is relegated to only misdemeanors.

Mr. Homer Covington, representing the Pierce County Building Trades Council, explained that in 1966 the unions had urged that the same type of an ordinance be passed by the City Council. Unfortunately, at that time there was some disagreement of the legality of such an ordinance. However, he said the union is not particularly satisfied even with this ordinance, but they realize it is a beginning. He further stated that there are (112) cities throughout the United States that have an ordinance such as this. The unions are urging that the Council pass the ordinance.

Mr. Jarstad asked Mr. Hamilton to explain this law in regard to city employees striking. He also wondered if the National Guard or Federal troops would be affected if they happened to be called in on an emergency basis.

Mr. Hamilton explained to his knowledge municipal employees are not permitted to strike. It is true that the law is receiving some severe tests at the present time. However, as far as this specific ordinance is concerned, it points out that the definition of a professional strikebreaker is, "any person who customarily and repeatedly offers himself for employment for the duration of a strike or lockout in the place of employees involved in a strike or lockout". He did not feel that the National Guard or Federal troops in any way would come under this definition.

Mr. Finnigan requested that a synopsis from the Attorney's office be included in the ordinance relative to the State law on the matter.

Mr. Hamilton stated he would furnish the Council with additional information.

Deputy Mayor Cvitanich asked if there is any way that the ordinance can be amended under the section of "Penalties" that it could prohibit any firm or person who has been convicted of strikebreaking from bidding on any city jobs for a certain period of time.

Mr. Hamilton felt this would be impossible.

Deputy Mayor Cvitanich asked that a copy of the ordinance be sent to the Central Labor Council as well as to the Tacoma Chamber of Commerce.

The ordinance was placed in order of final reading.

Ordinance No. 19067

Condemning certain property in the area on Cleveland Way south of East 21st St. for the construction and installation of facilities for the expansion of the Sewage Treatment Plant No. 1.

The ordinance was placed in order of final reading.

Ordinance No. 19068

Amending Title 6 of the official code relative to the rate of tax imposed on admission charges for roller skating and bowling.

Mr. Finnigan moved to postpone the ordinance for two weeks, until April 7th. Seconded by Mr. Zatkovich. Voice vote was taken. Motion carried.

Mr. Tuell, Attorney, asked to speak on the matter.

Deputy Mayor Cvitanich explained that the ordinance has been postponed for two weeks, and according to the Council rules, no one can speak at this time on the matter.

Mr. Finnigan explained that usually when an ordinance is continued to a certain date, the Council allows everyone to speak on the matter at the next hearing.



Deputy Mayor Cvitanich explained since the ordinance has been advanced for two weeks, and will be on first reading, there will be ample time to speak on the matter.

The ordinance was postponed until April 7th, 1970.

Ordinance No. 19069

Amending Title 6 of the official code relative to taxation.

Mr. Finnigan moved to postpone Ordinance No. 19069 for two weeks, until April 7th, 1970. Roll call was taken, resulting as follows: Ayes 5: Finnigan, Herrmann, O'Leary, Zatkovich and Deputy Mayor Cvitanich. Nays 2: Dean and Jarstad. Absent 2: Banfield and Mayor Johnston. Motion carried.

The ordinance was postponed until April 7th, 1970.

FINAL READING OF ORDINANCES:

Ordinance No. 19048

Granting a nonexclusive franchise for a C A T V to Community Television Communications, Inc.

Deputy Mayor Cvitanich suggested that all the ordinances relative to the C A T V franchise be postponed for one week so that a decision can be made by the entire Council.

Mr. O'Leary moved that Ordinance No. 19048 be postponed for one week until March 31, 1970. Seconded by Mr. Finnigan. Voice vote was taken. Motion carried.

The Ordinance was postponed until March 31, 1970.

Ordinance No. 19049

Granting a nonexclusive franchise for a C A T V to Time-Life Cable Corp.

Mr. O'Leary moved that Ordinance 19049 be postponed for one week until March 31, 1970. Seconded by Mr. Finnigan. Voice vote was taken. Motion carried.

The Ordinance was postponed until March 31, 1970.

Ordinance No. 19050

Granting a nonexclusive franchise for a C A T V to TelePrompter Corporation.

Mr. O'Leary moved that Ordinance 19050 be postponed for one week, until March 31, 1970. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

The Ordinance was postponed until March 31, 1970.

Ordinance No. 19051

Granting a nonexclusive franchise for a C A T V to Evergreen, a corporation.

Mr. O'Leary moved that Ordinance No. 19051 be postponed for one week, until March 31, 1970. Seconded by Mr. Finnigan. Voice vote was taken. Motion carried.

The Ordinance was postponed until March 31, 1970.

Ordinance No. 19052

Granting a nonexclusive franchise for a C A T V.

Mr. O'Leary moved that Ordinance No. 19052 be postponed for one week, until March 31, 1970. Seconded by Mr. Finnigan. Voice vote was taken. Motion carried.

The Ordinance was postponed until March 31, 1970.

Ordinance No. 19053 (postponed from the meeting of March 3rd)

Authorizing the City of Tacoma to acquire the properties and assets of the Loveland Mutual Company for additions, betterments and extensions of the existing Tacoma municipal electric plant and system for the estimated cost as near as may be in the sum of \$800,000.00.

Mr. O'Leary explained he had requested postponement of this ordinance until after the annual meeting of the Loveland Mutual Co. which was to be held on March 17th as there was a difference of opinion within the membership as to whether the company should be acquired by the Tacoma Public Utilities Dept. More information was to have been forwarded to the Council on the matter but to date he had not received any information, so he would assume that the problems had been reconciled.

Deputy Mayor Cvitanich explained that a letter from Mr. Erdahl, Director of Utilities, dated March 19th had been received which informs the Council that the membership of the Mutual Co. voted overwhelmingly to retain the two members of the Board who were up for re-election and who favored the dissolution and sale of the company.

The communication was read by the City Clerk for the record.

Mr. Zatkovich explained that the membership of the Loveland Mutual Co. has again expressed its views by re-electing to their Board, two members who were in favor of the sale to the City. He felt the Council has been more than fair in postponing its final decision on the matter.

Mr. Dean thought this was an exceptional agreement for the betterment of both Loveland Mutual Co. and the City of Tacoma.

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

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

Nays 0. Absent 2: Banfield and Mayor Johnston.

The Ordinance was declared passed by the Chairman.

Mr. Finnigan moved to reconsider Ordinance No. 19055. Seconded by Dr. Herrmann. Motion carried.

Mr. Finnigan explained this ordinance pertains to rezoning of the property on the northeast corner of No. 26th and Madison Streets in order to construct a branch banking facility. The ordinance was lost by a tie vote last week, but he hoped that the Council would discuss the matter in more detail.

Ordinance No. 19055

Amending Chapter 13.06 of the official code by adding Section 13.06.120-59 to include property on the N. E. corner of No. 26th and Madison Streets in a "C-1" District. (petition of Wheeler Realty)

Mr. Finnigan moved to continue reconsideration of the Ordinance for one week until March 31, 1970. Seconded by Dr. Herrmann. Motion carried.

The Ordinance was placed in order of Final Reading for next week.

Deputy Mayor Cvitanich moved to reconsider Resolution No. 20602. Seconded by Mr. O'Leary. Motion carried.

Deputy Mayor Cvitanich explained this is the resolution to expand the Finance Audit and Investigating Committee.

Resolution No. 20602

Amending Subsection A of Resolution No. 20537 to add two more members to the Finance Audit & Investigating Committee.

Dr. Herrmann moved to continue reconsideration of Resolution No. 20602 for one week. Seconded by Mr. Dean. Voice vote was taken. Motion carried.

The Resolution was placed in order of adoption for next week.

UNFINISHED BUSINESS:

Mr. O'Leary reported that several weeks ago the Public Works Committee of the Council reviewed the Bayside Drive Study. Mr. Harvey Petrich was present at the meeting and suggested that the mainline railroad tracks along the waterfront from the old City Hall to Steilacoom be removed and changed to run from Sumner to Steilacoom which would enhance the development of property in that area. Mr. Petrich also reported that he had discussed this with the railroad representatives and it was suggested that another meeting be held with the Public Works Committee.

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Mr. O'Leary said he has scheduled Thursday, March 26th, at 9 A.M. for the meeting. He urged that anyone who is interested in this project to be present.

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Mr. O'Leary brought up that the ordinances relative to taxation were postponed this evening until April 7th. He added he had been informed that a city employee had told someone that firms were being doubly taxed. He requested if the staff has had second thoughts regarding these ordinances that the Council should be informed before voting on them.

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Deputy Mayor Cvitanich felt this was a serious charge and that Mr. O'Leary should contact Mr. Oles, City Manager, and give him the details. Then proper action can be taken if it is necessary.

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Mr. Jarstad explained there has been a problem over the location of the new Foss High School. Discussions were held with the Park Board and the Model Cities staff. However, he believed that, perhaps, the Council might pursue the idea of building another high school in the Model Cities area, rather than the Foss High School. In fact, he added, a bond issue had been on the ballot to build two high schools. However, this failed and then a bond issue was placed on the ballot for only one high school, which passed. He felt even at that time there was a need for two new high schools. Mr. Jarstad hoped discussions could be held to pursue this idea by the Finance Audit and Investigating Committee with these different governmental agencies.

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Deputy Mayor Cvitanich thought the School Board must also be contacted on this matter.

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Mr. Cvitanich explained that it is important that the entire City Council meet this evening in regard to the tax ordinances as Mr. McLennan, Tax and License Director, has serious problems in this regard and asked direction from the Council.

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REPORTS BY THE CITY MANAGER:

Mr. Oles, City Manager, reported that all of the necessary preparation for fulfilling the City's obligations in regard to the application of 1/2 of 1% sales tax has been completed. He also submitted an informative memorandum on the subject to the Council.

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Mr. Oles felt that the inter-departmental communication submitted to the Council in the agenda relative to the "D" Street Overpass answered the questions that have been raised.

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Mr. Oles said he will submit a report on the tax exempt properties next week since the entire Council is not present.

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Mr. Oles reported that a complete report has been submitted to the Council in regard to Mrs. Warwick's complaint regarding her property in the New Tacoma Urban Renewal Plan.

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Mr. Oles explained he had taken some action in conjunction with Mr. Erdahl to try and place some limitations to the hiring of persons on emergency appointments.

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Mr. Oles stated he had brought the matter of the audit to the Council's attention about two months ago. He hoped that the Council would consider the matter as soon as possible.

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Deputy Mayor Cvitanich explained that a study is being made and perhaps in three weeks a recommendation will be submitted to the Council for its determination.

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Mr. Oles said he has submitted a report from Capt. Lyle Smith in regard to the Organized Crime Conference which he attended. He suggested that it not be promiscuously distributed.

Deputy Mayor Cvitanich asked that the Council receive sealed copies of the report Friday evening in the agenda and that it be marked confidential.

Mr. Oles stated he would see that this is done.

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Mr. Oles called Council's attention to the unrestricted Senior Citizens' bus passes which will expire on April 10th. He suggested that action be taken by the Council by that date on the matter.

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Deputy Mayor Cvitanich felt that it should be pointed out that erroneous information is being circulated relative to the State Legislature's appropriation to the cities in regard to transit subsidy funds. It was his understanding if the city received transit subsidy funds from the State level, it would have to impose a wheel tax. This is why the City of Tacoma opposed that particular legislation at the Legislative Session.

Mr. Oles stated there is a great financial problem in this field which must be discussed.

Deputy Mayor Cvitanich asked if the possibility had been explored to sell the Transit Company to the Dept. of Public Utilities through a vote of the people.

Mr. Dean asked Mr. Oles for a report on the uses and abuses of the senior citizen passes such as was submitted to the Council a number of months ago. He felt it should be submitted prior to April 10th so the Council could further study the matter.

Mr. Oles stated he would submit a statement next week in the agenda.

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Mr. Oles reported that for some reason the acquisition of additional property at the Airport was terminated sometime ago. He informed the Council there were funds appropriated for that purpose and, of course, the longer it is postponed the more the property will cost. He stated he would proceed with the acquisition of land, unless the Council otherwise directs.

Mr. Zatkovich felt this matter should be taken care of as soon as possible.

Deputy Mayor Cvitanich asked that a resolution be prepared reaffirming the Council's action since there are new members on the Council.

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Mr. Oles reported that the City Council parking space situation has been solved.

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Mr. Oles explained there is a report from Mr. Walker, Director of the Model Cities Program, requesting the City's Share In-Kind Contribution to the Model Cities. This is merely a matter of information for the Council at this time, he added.

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Mr. Oles explained he has addressed a letter to Mayor Johnston pointing out those matters requiring policy determinations by the Council. There are thirteen items listed and two more have been added this evening, the Transit System and the River Street project.

Dr. Herrmann felt that many of the items as outlined by Mr. Oles are administrative matters and do not necessarily require a study session by the Council.

Deputy Mayor Cvitanich pointed out each item in the communication and explained why he felt it required a policy decision or an administrative decision or both.

Mr. Jarstad thought that Mr. Oles should be given direction by the Council as to its preference of priorities for these projects.

Mr. Oles said he would be glad to submit a suggested basis of priorities if this meets with the Council's approval.

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Mr. Oles reported that a request has been made for travel for members of the Police Dept. The Council's policy was that he should restrict the expenditures of

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travel to the lowest possible point compatible with the best interests of the City, and it would be the policy to follow. However, the instructions are that outside of a very limited area, he is to present to the Council a request for authority to travel.

He said he regards this as a very definite intrusion of the Council into the area of administration, but he would abide by the Council's decision. Consequently, he is now submitting requests by Deputy Chief Duppenhaller and Lt. Robert McConnell to attend Northwestern Traffic Institute outside the State. These have been approved by Chief Zittel and himself, he added.

Deputy Mayor Cvitanich asked if these two requests were the only two submitted.

Mr. Oles explained he had one more to present.

Deputy Mayor Cvitanich explained these requests were referred to the Finance Audit and Investigating Committee and since only two members were present, the vote was one to one, so it was decided that the requests should be submitted to the entire Council for determination.

Mr. Zatkovich said he did not think that the Deputy Chief should be allowed to attend any traffic school as he felt other officers in the traffic department would be more qualified to attend. He also mentioned that Lt. McConnell has just returned from nine months of schooling and that he should not be allowed to attend the institute.

Mr. Jarstad moved to approve the City Manager's suggestion to send Deputy Chief Duppenhaller to the Northwestern Traffic Institute. Seconded by Mr. Dean. Voice vote was taken. Motion LOST.

Mr. Jarstad moved to approve the City Manager's suggestion to send Lt. Robert McConnell to the Northwestern Traffic Institute. Seconded by Mr. Dean. Voice vote was taken. Motion LOST.

Mr. Oles submitted Lt. Wallace A. Seymour's request to attend the annual Conference of Law Enforcement Intelligence Unit at the Scottsdale Police Dept. from May 5th to May 8th.

Mr. Dean moved to send Lt. Wallace A. Seymour to Scottsdale for the Annual Conference of Law Enforcement Intelligence Unit. Seconded by Mr. Jarstad.

Mr. Zatkovich felt this request could be justified as Lt. Seymour is in charge of narcotic investigations and there are many problems in this field.

Mr. Finnigan felt it rather odd for the Council to be deciding on these matters as they are administrative responsibilities of the persons who are hired and who know their jobs better than the Council. He felt it was presumptuous of the Council to invade the authority and responsibility of the department heads.

Deputy Mayor Cvitanich felt the taxpayers of all communities across the nation are tired of public employees travelling to conventions to perpetuate their own pleasure.

Mr. Finnigan pointed out that the entire Council is concerned with the taxpayers' money.

Mr. O'Leary explained this is the area which was heavily cut during the 1970 budget hearings. However, if a request was made to the Council on an individual basis, it would be the Council's decision.

Roll call was taken on the motion to send Lt. Seymour to Scottsdale for the Annual Conference of Law Enforcement Intelligence Unit, resulting as follows: Ayes 3: Herrmann, Jarstad, ██████████ and Zatkovich. Nays 4: Dean, Finnigan, O'Leary and Deputy Mayor Cvitanich. Absent 2: Banfield and Mayor Johnston. Motion LOST.

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Mr. Oles explained at the last Council meeting he was asked to investigate a number of complaints in regard to several conditions in the city. He believed that he has resolved all of the questions to the satisfaction of the complainants.

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Mr. Oles explained that a question had been raised about the new issue of bonds in regard to the completion of the sewer project across the tideflats as well as some improvements in the central treatment plant that will be handled by the same bond issue. He added, he is proposing to have the preliminary work done by the firm of Foster and Marshall which is somewhat different than the procedure in the past, whereas it is being carried through on a contract with another firm. The reason for this is that the contract was in practical effect, consummated.

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Deputy Mayor Cvitanich asked what is the City's liability in terms of the first contract.

Mr. Hamilton, Chief Assistant City Attorney, explained that in the initial agreement the authorization was an estimate and over the period of approximately six or seven years the actual authorized issues came close to the estimate. Therefore, he did not think there was any further liability.

Mr. Cvitanich asked that Mr. Oles submit a list of bonds taken care of by the prior bonding company including dates, amounts and fees.

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Mr. Oles requested that the Council discuss the suggested amendment to Resolution No. 18848 passed August 23, 1966, in regard to labor negotiations.

Deputy Mayor Cvitanich explained that he thought it would be very unfair to project Mr. Oles into this particular aspect of the negotiations as he was not with the City at the time they were negotiating during the budget last year. Secondly, because the Council was projected into the roll of negotiator as the budget was \$2,000,000 out of balance. Therefore, he felt it was incumbent upon the Council to complete negotiations with the other unions.

✓ 157

Deputy Mayor Cvitanich stressed that it would be only an interim type of program for the remainder of this year. However, he did feel that the overall negotiating policy should be re-evaluated. He asked that Mr. Hamilton prepare an amendment to the resolution for next week.

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COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mr. Dean explained he is appointed to the L I D Committee for the next three months and said that he will not be in the City on Monday for the next few weeks. He asked that someone else be appointed in this place.

Deputy Mayor Cvitanich explained that he would talk with Mayor Johnston and the necessary arrangements will be made.

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Mr. Zatkovich mentioned that the Council members had received a letter from a woman alcoholic who was very much surprised that Tacoma did not have a hospital to treat alcoholics. He felt that the City Council should try to do something about this universal problem in the very near future.

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Mr. Dean reported that an all Professional Entertainment Spectacular will be held on April 8th in the Temple Theater to benefit the fund needed to send the Tacoma Youth Symphony to Switzerland this summer.

✓ 235

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Deputy Mayor Cvitanich explained he is again requesting a report in regard to the City cars being driven home in the evening; cost to the City and who is driving them home.

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Deputy Mayor Cvitanich explained he had not received a report relative to the L I D at No. 31st and Warner St. He asked that these reports be sent out in the agenda.

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Deputy Mayor Cvitanich explained that on July 1, 2, and 3, 1970, an Association of Washington Cities convention will be held in Yakima and background information will be sent to the Council with their agendas.

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ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

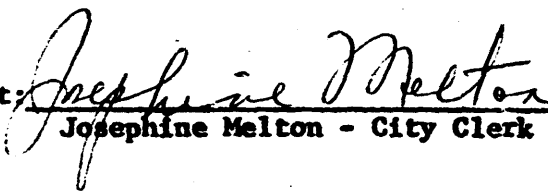
- 1. Minutes of the Regular meeting of the Board of Park Commissioners for March 9th.
- 2. Report from Judge DeWitt Rowland Re: 23rd Annual Western Regional Traffic Court Conference.
- 3. Report from Mel Gaumer Re: Model Cities Citizen Participation Conference.
- 4. Immediate Needs Sub-Committee of the Education Task Force of the Model Cities Program.
- 5. Mid-Planning Statement - Tacoma Model Cities Program.
- 6. Personnel Report for January 1970.
- 7. Tacoma Police Dept. report for February 1970.
- 8. Public Works Dept. filing copies of Aging Schedules for Urban Arterial Projects.
- 9. The City Clerk advising that the time has elapsed for filing protests on L I D 5499 and 6925.

Placed on file.

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Mr. O'Leary moved to adjourn the meeting. Seconded by Mr. Jarstad. The meeting was adjourned at 10:30 P.M.

  
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 Gordon N. Johnston - Mayor

Attest:   
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 Josephine Melton - City Clerk