

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, Dec. 16, 1969

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

Present on roll call 8: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary and Mayor Rasmussen. Absent 1: Zatkovich. Mr. Zatkovich arriving at 4:20 P.M.

The Flag Salute was led by Mrs. Banfield.

Mayor Rasmussen asked if there were any omissions or corrections to the minutes of the meeting of December 2, 1969, and the Budget hearings of Dec. 1 and 2, 1969.

Mrs. Banfield moved that the minutes of the Budget hearing for Dec. 1 be approved as submitted. Seconded by Mr. Cvitanich. Voice vote taken. Motion unanimously carried.

Mr. O'Leary moved that the minutes of the regular Council meeting of Dec. 2, 1969 be approved as submitted. Seconded by Mrs. Banfield. Voice vote taken. Motion unanimously carried.

Mr. Cvitanich moved that the minutes of the Budget hearing for Dec. 2, be approved as submitted. Seconded by Mrs. Banfield. Voice vote taken. Motion unanimously carried.

HEARINGS & APPEALS:

This is the date set for hearing on the preliminary Plat of Parkview Terrace, located on both sides of McBride St. between Orchard & Ferdinand St., submitted by Leroy Engineers.

Mr. Buehler, Director of Planning, explained that this preliminary plat and the next two vacation hearings on the agenda are all included in the same area. He said he would explain all three hearings at one time.

Mr. Buehler explained that these proposals have been studied for the past two years and it was found this is the best street pattern that seemed to be available.

He added that all the streets have been dedicated but the area itself was never platted by Lot and Block numbers on the respective tracts. The right-of-way on No. Ferdinand St. between No. 38th and McBride does not meet the right-of-way satisfactorily to the south, therefore, No. Euson St. is to be opened from No. 38th to McBride St. which will provide circulation for the area. He also mentioned that McBride St. which is presently 80 feet wide will be reduced to a standard 60 feet residential right-of-way.

No protests being made, Dr. Herrmann moved to concur in the recommendation of the Planning Commission and approve the preliminary Plat of Parkview Terrace. Seconded by Mr. Finnigan. Voice vote was taken, resulting as follows: Ayes 8: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary and Mayor Rasmussen. Nays 0: Absent 1: Zatkovich. Motion carried.

This is the date set for hearing for the vacation of Ferdinand St. between McBride and North 38th Street, submitted by Ungers & Hauptman.

Mr. O'Leary moved to concur in the recommendation of the Planning Commission and that an ordinance be drafted approving same. Seconded by Dr. Herrmann. Voice vote was taken, resulting as follows: Ayes 8: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary and Mayor Rasmussen. Nays 0: Absent 1: Zatkovich. Motion carried.

This is the date set for hearing for the vacation of 10 feet on each side of McBride St. also the alley directly to the north; all between Orchard & Ferdinand, submitted by A. McConihe, etal.

Dr. Herrmann moved to concur in the recommendation of the Planning Commission and that an ordinance be drafted approving same. Seconded by Mr. O'Leary. Voice vote was taken, resulting as follows: Ayes 8: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary and Mayor Rasmussen. Nays 0: Absent 1: Zatkovich. Motion carried.

COMMUNICATION:

Civil Service Board submitting a proposed amendment to the Civil Service & Personnel Rules relative to provisional appointments on incomplete certifications and recommending the City Council's approval.

Mr. Bixel, Director of Personnel, explained that he felt the Civil Service Board thought the proposed amendment would strengthen the present provision regarding provisional appointments when there are less than three eligibles available to fill a vacancy. This would also require the prior approval by the Civil Service Board before authorization could be granted.

Mayor Rasmussen asked if this would interfere with the right of a Department Director to make an appointment.

Mr. Bixel stated, this would restrict somewhat the rule of three which is presently in effect. However, if two eligibles are available, a provisional may be appointed with the authorization of the Civil Service Board.

Mayor Rasmussen felt such an amendment would not correct any inadequacy.

After some discussion, Mr. Cvitanich moved that this proposed amendment be referred back to the Civil Service Board for clarification and additional information. Seconded by Mr. O'Leary. Voice vote taken. Motion unanimously carried.

RESOLUTIONS:

Resolution No. 20473 (postponed from the meeting of November 25th, as amended)

Adopting a new policy for the submission of all applications, reports and surveys by the City of Tacoma to the U. S. Government or State of Washington.

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

Mr. McCormick, Acting City Manager, explained this resolution has already been amended, however, he felt there were still areas in which it should be clarified, particularly as to what is meant by a report, etc. Mr. McCormick said he had asked Mr. Mork to make a survey so the Council would be fully aware of what is involved. He knew that Mrs. Banfield and Mr. Hamilton, Acting City Attorney, did not have this information at the time the resolution was drafted.

Mr. McCormick also asked that an opinion from Mr. Benedetti be submitted as this also affects the Utility Dept., as well as General government. He noted that at least 1800 or 2000 reports a year would come under this resolution, and he was sure this was not the intention of Mrs. Banfield when she requested the resolution.

Mr. McCormick asked that Mr. Mork explain this in more detail. He also asked that the resolution be postponed for two weeks.

Mr. Zatkovich arriving at 4:20 P.M.

Mr. Mork, explained they had quickly surveyed several departments which included Public Works, Finance, Urban Renewal, Planning, Health, Civil Defense and Personnel. Upon investigating the number of reports which are being submitted to the Federal government and Washington State during one year, they found the total was approx. 1800. Primarily,

the bulk of the reports are from the Depts. of Public Works and Health. They include financial reports, requisitions for payment and various types of project requests and summaries. He asked if more detail should be given at this time.

Mayor Rasmussen felt that both Mr. Mork and Mr. Benedetti could supply the Council with a list regarding the reports when the resolution is placed on the agenda at a later date.

Mr. Mork said the staff would prepare a short report on each of the 1800 items which they have checked and submit it for Council's information.

Mr. McCormick explained that all the reports relate to projects which have heretofore been approved by the Council, and involve either State and Federal funds, or both. They do not involve any new projects.

Mr. McCormick said his personal opinion was that any new project should be submitted to the Council for their approval by resolution. If any attempt is made to enlarge any project in which the City is involved, it should also have the approval of the Council.

Mrs. Banfield felt that even if there are that many they should still be filed with the City Clerk, as to title, from what department, and would be open for public viewing. She felt the Council would then learn what their tax dollars were being used for as well as the public.

Mrs. Banfield felt that Paragraph 7 of the resolution should be deleted as any report, application or survey that is paid by public funds should never be confidential.

Mr. Cvitanich moved that the resolution be postponed until Dec. 30, 1969. Seconded by Mr. Zatkovich. Voice vote was taken. Motion carried.

The Resolution was postponed until Dec. 30, 1969.

Resolution No. 20484 (postponed from the meeting of Dec. 9)

Awarding contract for the City Printing for the calendar year 1970 to Tacoma Daily Index.

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

Mayor Rasmussen explained this resolution had been postponed to obtain a report on the cost and operations of the weekly Official Gazette published by the City of Spokane, Wash.

Mr. Bond, Director of Public Relations & General Services, reported that the City of Tacoma could publish this type of official newspaper but it would cost considerably more money. He submitted a memorandum to the Council on the matter.

Mayor Rasmussen felt that more information should be obtained.

Mr. Bond explained that he had talked to Mr. Brown, City Clerk of Spokane, and he said that he gathers the information for the Gazette and that they have one employee especially scheduled for this purpose.

Mr. Bond explained that Spokane does not go into detail with their Council minutes. He added, Tacoma has also more departments to cover, for example, Utility Dept, Belt Line, Airport and the General Government, which requires many more ordinances and resolutions to pass each week. After some discussion, voice vote was taken on the resolution, resulting as follows:

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

Nays 0: Absent 0.

The resolution was declared passed by the Chairman.

Resolution No. 20486

Amending Rule 1 of the Rules for the Government of the City Council to provide that meetings of the City Council shall be held at 7 P. M. on Tuesdays instead of 4 P.M.

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

Dr. Herrmann reiterated his objections to the resolution as he felt that the 4 P.M. time was more convenient for the staff. He did not feel that it would hasten the deliberations of the Council.

Mayor Rasmussen read a communication from the Pierce County Central Labor Council AFL-CIO supporting the change in time because this would allow persons who have an interest in certain resolutions and/or ordinances, an opportunity to appear without taking time off work.

Mr. O'Leary said he was in favor of changing the schedule of the Council meetings.

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

Ayes 6: Banfield, Cvitanich, Dean, Jarstad, O'Leary and Mayor Rasmussen.
Nays 3: Finnigan, Herrmann and Zatkovich. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20490 (postponed from the meeting of December 9)

Authorizing the proper officers of the City to take the necessary steps to reconvey to the Metropolitan Park District real property adjacent to Cheney Field.

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

Mr. McCormick explained they have had considerable difficulty in obtaining the proper description on this property and he asked that the resolution be postponed for two weeks.

Mr. Schuster, Director of Public Works, explained they have been in communication with both the schools and the engineering firm which is doing the survey, as well as the Park Board. They have indicated that it will take about two weeks to obtain the information from the schools regarding the description of the property. He explained this particular piece of property is only a portion of the land which was originally conveyed to the City from the Park Board.

Mr. Finnigan moved that the resolution be postponed for two weeks, until Dec. 30, 1969. Seconded by Mr. Cvitanich. Voice vote taken. Motion unanimously carried.

The Resolution was postponed until Dec. 30, 1969.

Resolution No. 20493

Fixing Tuesday December 30th as the date for hearing for rezoning of the south side of the Flume Line right-of-way to F. A. I. #5 between M & vacated L St. from an "R-3" to an "M-1" District. (petition of Fred G. Ducolon)

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

Mrs. Banfield moved that the number (7) be inserted in the blank space in this Resolution as well as Resolution No. 20494, which indicates the time the hearing will be held. Seconded by Mr. Cvitanich. Voice vote taken. Motion unanimously carried.

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

Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20494

Fixing Tuesday, Dec. 30th as the date set for a meeting on the Preliminary Plat of Miller's Skyline Terrace 7th Addition in the vicinity of No. 28th to No. 35th Sts. Narrows Drive to Whitman Street.

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

- Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
- Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20495

Fixing Monday, January 12, 1970 as the date for hearing for L I D 6923 for street lighting on A and East B from East 56th to East 60th and other nearby streets.

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

- Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
- Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20496

Awarding contract to Nic-O-Ray Battery Sales on its bid of \$8500.00 for the furnishing of storage batteries for the calendar year 1970.

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

Mrs. Banfield felt that the wording in the "Be it Resolved" portion of the resolution should be changed as it mentions the bid is hereby awarded to Nic-O-Ray Battery Sales on its bid of \$8500 for the approx. requirements which are not definite.

Mr. Benedetti, Asst. Director of Utilities, explained this award is for the annual storage battery requirements for the year 1970. The staff tries to estimate as best they can how many replacement batteries will be required during a year. The primary purpose of the request for bids is to obtain a price that would apply throughout the year and the necessary requirements be filled at that unit price. However, a situation might develop that the \$8500 might be exceeded by \$50 to \$100 over the entire year. It is hoped that they might not have to spend the \$8500.

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

- Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
- Nays 0: Absent 0:

The Resolution was declared passed by the Chairman.

Resolution No. 20497

Awarding contract to Texaco, Inc. for the furnishing of motor oil requirements for the calendar year 1970.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Cvitanich. Mr. O'Leary asked if the City is using the same detergent oil in the diesel as well as the gas engines. He asked that this information be obtained.

Mr. Cvitanich moved that the resolution be postponed for further information for one week, until Dec. 23, 1969. Seconded by Mrs. Banfield. Voice vote was taken. Motion unanimously carried.

The Resolution was postponed until Dec. 23, 1969.

Resolution No. 20498

Authorizing the sale of surplus Water Division property located at East 108th and Fruitland Ave. to Wesley A. Williams.

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

- Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
- Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20499

Approving the Final Plat of Haddow's Narrows Addition on the N. W. corner of Fir St. & Juniper Street.

Dr. Herrmann 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 Rasmussen.
- Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20500

Amending the Rules for the Government of the City Council to add Rule 13 to reserve the office of the Mayor, Council Library and reception area adjacent thereto solely for the use of the Mayor, members of the City Council and selected staff personnel and employees of the City during any recess of a regular or special meeting.

Mr. Cvitanich moved that the resolution be adopted. Seconded by Mr. Zatkovich. Mayor Rasmussen moved that under Rule 13, second line down in the first paragraph, after the word "Council", strike the words, "the Office of the Mayor". Seconded by Mr. Zatkovich.

Mr. Cvitanich moved to amend the motion in the fourth line down, after the word, "the", strike the word "Mayor". Seconded by Mr. O'Leary. Voice vote taken. Motion carried.

Voice vote was taken on the motion as amended. Motion carried.

Mayor Rasmussen announced the resolution as amended will be set over for one week since it is an amendment to the Rules of the City Council.

The Resolution was postponed for one week, until Dec. 23, 1969.

Resolution No. 20501

Appointing George Cvitanich, Deputy Mayor as the official representative of the City on the Executive Board of the Assn. of Washington Cities to fill the unexpired term of former Councilman Hal D. Murtland.

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

- Ayes 8: Banfield, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
- Nays 1: Cvitanich (abstained) Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20502

Determining and fixing the tax liability due and owing by Greyhound Lines-West Inc. for the period of January 1, 1964 thru June 30, 1969 in the amount of \$4,325.25.

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

- Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
- Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20503

Directing the City Manager of the City to conduct a study and analysis of juvenile crime and the effect of a more rigid enforcement of the curfew law.

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

Mr. Cvitanich moved to insert the word "concluded" after the word "has" on the 2nd line in the second paragraph and delete the words "arrived at a tentative conclusion". On the 4th line of the 2nd paragraph, after the word, "condition", delete the word "and", and insert the words "now therefore", then delete the entire third paragraph. Change the paragraph under Be It Resolved to the following: That the Council of the City of Tacoma does hereby adopt the policy of a more rigid enforcement of the curfew law. Seconded by Mr. Zatkovich.

Mr. Finnigan asked how is the Council going to determine that a more rigid enforcement is taking place.

Mr. Cvitanich explained that the Attorney General of Washington State had made a speech at a national convention in Seattle involving law officers and he stated that the juvenile crime has also risen and boys of sixteen year of age commit the most crimes. The next in line are fifteen year old boys.

Mr. Cvitanich explained that members of the Council have expressed concern over the enforcement of the curfew law for the past six years. He felt that the Council and Police Dept. have a responsibility to assist parents in any way they can. He also felt that every parent should be informed when a daughter or son violates the curfew law.

Mr. Cvitanich further explained that all the Council wishes to do is direct the City Manager to direct the Police Chief to enforce the curfew law. The Council would know by the reports in the Police files if the enforcement is taking place.

Chief Zittel explained that the curfew law requires that any youngster under the age of seventeen who is on the street without a reasonable purpose, at the hours of 10:30 p.m. until 5:30 a.m., is subject to arrest.

Chief Zittel noted they have not changed their policy on enforcement of the curfew law. However, during the last two or three years there has been an increase in robberies, assaults and other serious crimes, as has been the case throughout the nation. Naturally, it has been found that the Dept. has had to assess priorities. In other words, "what is more important, arresting a person for a curfew violation or being on the job, alert for the robber, mugger or the more serious criminal." Arrests in attacking major crimes have increased 29% in Tacoma. He added, approx. 50% of the arrests for major crimes include the person under the age of eighteen.

Chief Zittel felt if the department emphasized curfew arrests, which are minor violations, it would be at the expense of not enforcing more serious violations. He explained if a police car with two men arrests a person for violations of curfew it ties up the crew of the car for at least one hour. There have been many discussions on this subject but he did feel that they have also reduced the number of curfew violations because of the higher priority for the arrests of people because of the more serious crimes.

Mr. Cvitanich said he appreciated the time involved but he felt sure that Chief Zittel could devise a more streamline report on the juvenile, and it was certainly not his intent to pull off police officers from their major responsibility.

Dr. Herrmann felt this was an administrative matter and not a Council policy matter.

Mr. Finnigan asked for an opinion from Mr. McCormick.

Mr. McCormick explained when a City Manager appoints a director to administer a department he felt that he should be responsible to carry out the duties and if he isn't competent then a new director can be appointed.

Mr. McCormick explained that he could see the Council's concern, particularly how to enforce the curfew to prevent juvenile gangs from getting into trouble. He mentioned, when juveniles are found loitering after curfew they could be taken directly home instead of to the police station. He assured the Council further discussions will be forthcoming with Chief Zittel on this matter, and if this is the desire of the Council something will be worked out.

Mr. Zatkovich felt that many crimes can be prevented because they are promoted in the street gangs. He felt everything possible should be done to enforce the curfew law.

Mr. O'Leary asked for a report of the ages of the persons who damaged Lister school last week-end and the amount of the damage.

Chief Zittel stated he would obtain the information for the Council.

Roll call was taken on Mr. Cvitanich's amendment to the resolution, resulting as follows: Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen. Nays 0: Absent 0. Motion unanimously carried.

Mr. Finnigan said he would vote for the resolution as amended as he did not think the Council was interfering with the administration of a policy, as the resolution only indicates more rigid enforcement of the curfew law. He hoped the young people are aware that the Council is concerned on their behalf. This enforcement can have some effect in preventing other serious incidents.

Mr. Jarstad asked that a detailed weekly report be submitted to the Council in regard to this matter and if enforcing this curfew law creates other problems in the department, something else would have to be done.

Chief Zittel stated this report is included in the monthly report from the Police Dept. under the item, Class II offenses.

Mr. McCormick asked Mr. Jarstad if a monthly report relative to the juveniles would suffice if it were in more detail.

Mr. Jarstad stated his concern was, how this policy would work, as he did not wish to endanger any of the other divisions in the Police Dept., but he would like the weekly report.

Mr. McCormick stated he would send this extra report out for the Council's information each week and not be placed on the agenda.

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

Ayes 8: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.

Nays 1: Herrmann. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20504

Establishing a citizens committee to study and analyze the City Charter and proposed amendments and advise the City Council of its findings.

Mr. Cvitanich moved to adopt the resolution. Seconded by Mrs. Banfield.

Mayor Rasmussen announced that two names have been added to the list of the Citizens Committee. They are Mr. Dimitri Todd, 2619 No. Starr who was suggested by Mr. Finnigan and Mr. Harold M. Tollefson, suggested by Dr. Herrmann.

Mayor Rasmussen further stated he was submitting the name of Mr. Tony Passanante of 4406 No. 11th Street at this time for the Council's consideration.

Mr. Cvitanich moved that the resolution be amended to include Mr. Tony Passanante as a member of the Citizen's Committee. Seconded by Mr. Zatkovich. Voice vote taken. Motion carried.

Dr. Herrmann pointed out that in March, 1952, fifteen (15) freeholders were elected, to study the City Charter from a list of (94) candidates plus five write-ins. He felt this was a far cry from appointing a committee which is composed of several members who have expressed themselves as being opposed to a particular form of government. He felt these members could not study the matter of Charter changes with any degree of objectivity.

Dr. Herrmann further said the selection of these freeholders in 1952 to work as a committee to study the Tacoma City Charter were selected as well as elected by the vote of the people. He added, since this is not a representative group and because of the avowed stand of some of the members, he would have to vote against the resolution.

Mayor Rasmussen explained he felt the committee was made up of a good cross section of the citizens interested in good government. He also mentioned that Seattle has amended their Charter this year and this was by a vote of the people through the suggestions made of a citizen's committee.

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

Ayes 8: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.

Nays 1: Herrmann. Absent 0.

The Resolution was declared passed by the Chairman.

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Mr. O'Leary moved to Suspend the Rules to take up Res. No. 20505 which is not on the agenda. This Res. grants an additional extension of time to the Pacific NW Development Co. to complete the Convention Center Complex. Seconded by Mrs. Banfield. Voice vote taken. Motion carried.

Resolution No. 20505

Granting an additional extension of time to Jan. 14, 1970 to Pacific NW Development Co. to complete construction of a Convention Center Complex.

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

Mayor Rasmussen explained it will take thirty days to work out legal details pertaining to this resolution. He also said the Board of Public Utilities must agree to the extension of time.

Mr. Benedetti explained that the resolution in the last "Be It Resolved" points out that the written agreement granting an extension of time shall be approved by the Public Utility Board. He added he had talked with Mr. McGavick, Chairman of the Board, and the request for approval will be on the Board's agenda for their meeting Dec. 22, 1969 at 10 A. M.

Mayor Rasmussen asked that Mr. Benedetti notify the principals in the NW Development Co. of the time of the Utility Board meeting.

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

- Ayes 8: Banfield, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
- Nays 1: Cvitanich. Absent 0.

The Resolution was declared passed by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 18994

Amending Chapter 1.12 of the official code of the City by adding two new sections 1.12.091 and 111 relative to On the Job Injury claims for Belt Line Employees.

Mr. Benedetti, explained this particular ordinance was prepared to cover the employees of the Belt Line relative to On the job injuries to the same extent as the other City employees are now covered. He noted the railroad employees are not normally covered by the workmen's compensation plan.

The ordinance also notes three alternatives which are available to the Belt Line employees in connection with an injury on the job.

The Ordinance was placed in order of final reading.

Ordinance No. 18995

Amending Chapter 1.28 of the official code and adding a new subsection to Section 1.28.110 relative to the functions of the Civic Arts Commission.

Mrs. Banfield moved to amend the ordinance on the first line of item(f) after the word "Encourage", by inserting the words "citizen participation in", in place of the words "programs for". Seconded by Mr. O'Leary. Voice vote was taken. Motion carried.

The Ordinance was placed in order of final reading.

Ordinance No. 18996

Amending Section 1.28.020 of the official code relating to the Civic Arts Commission to give ex officio members of the Commission the right to vote in the same manner as other members.

Mayor Rasmussen explained the County Commissioners are adopting the same type of ordinance which will allow the ex officio members of the Civic Arts Commission to vote.

The Ordinance was placed in order of final reading.

Ordinance No. 18997

Granting a C A T V franchise to Tele-Communications, Inc.

Mr. Patrick Sutherland, Attorney from Olympia, Wash., representing Tele-Communications, Inc., said they felt that the proposal submitted when the bids were opened a number of months ago, was the best and he asked that at the Jan. 6th meeting they would request they be allowed to make a further and more detailed presentation relative to Cable TV.

Mr. Sherrill D. Dunn, Asst. to General Manager of Community Tele-Communications, Inc. of Denver Colo., requested that their company's name be changed in the ordinance to Community Tele-Communications, Inc. instead of Tele-Communications, Inc. as shown.

Mayor Rasmussen stated this would be done.

Mr. Dunn further explained that on Oct 24, 1969, the Federal Communications Comm. issued a new ruling relative to community TV or CATV. This ruling will very seriously affect operation of the CATV system in Tacoma and he pointed out several items included in the ruling. (1) The FCC ruled that a CATV system operating with 3500 or more subscribers would be required to originate local programs. He pointed out that his company has been doing this since its inception. Their total number of stations since the submission of their bid has increased from 46 to 56 stations. They are now located in 13 western states instead of 10 western states. The FCC also ruled on the leasing of channels. This means that a community, through its CATV system, would have access to specialized channels which could be leased and the programming on those special channels would be to the individual subscribers of closed circuit channels. They also have experience in this field, he added.

Mr. Cvitanich explained since all the TV Cable company ordinances will be on the agenda Jan. 6th, Mr. Dunn will be given the opportunity to further explain his recommendations.

Mr. O'Leary moved to postpone the ordinance until Jan 6, 1970. Seconded by Mr. Cvitanich. Voice vote was taken. Motion unanimously carried.

The Ordinance was placed in order of final reading.

Ordinance No. 18998

Appropriating the sum of \$112,725.00 from the General Fund to the Tacoma Municipal Transit System for the continuation of the operation of the Transit System for the balance of the year 1969.

Mayor Rasmussen inquired why the Transit System is now requesting a sum of \$112,725. for the continuation of the operation of the Transit System.

Mr. Hansen, Accounting officer of the Transit Co., explained that the budget of the Transit Co. is difficult to estimate. A certain amount is budgeted but there is no guarantee of how many will ride the buses.

Mr. Gaisford, Finance Director, explained that the Transit System is an operating fund within the City government. Revenues being proposed by the operation of the Transit system are not sufficient to maintain the fund in the black. The City is not allowed to operate a utility in the red.

After some discussion the ordinance was placed in order of final reading.

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Mr. O'Leary moved to Suspend the Rules to take up Ord. No. 18999 which is not on the agenda and pertains to the 1970 budget. Seconded by Mrs. Banfield. Voice vote taken. Motion carried.

Ordinance No. 18999

Adopting the Annual Budget for the fiscal year 1970.

Mr. Cvitanich urged the Council to have an ordinance pertaining to the Compensation Plan on the agenda for the Council meeting of Dec. 23, 1969.

Mr. Gaisford said he hoped that the 1970 Budget can be adopted so that it can be retyped for the Council agenda next Tuesday. He also hoped that the compensation plan could be adopted so it too can be placed on the agenda.

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18987

Designating the portion of the 60 foot right-of-way extending north from So. 19th St. approx. 368 feet west as Brookside Terrace.

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

Ayes 8: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary and Mayor Rasmussen.

Nays 0: Absent 1: Zatkovich (temporarily)

The Ordinance was declared passed by the Chairman.

Ordinance No. 18988

Repealing Ordinance No. 18972 which condemned the right-of-way for a sidewalk area along Steele St. between So. 39th & 42nd Sts. in order to correct an error in the legal description.

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

Ayes 8: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary and Mayor Rasmussen.

Nays 0: Absent 1: Zatkovich (temporarily)

The Ordinance was declared passed by the Chairman.

Ordinance No. 18989

Providing for the improvement of L I D 5497 for water mains in the area bounded by Pacific Avenue; East 80th; East D and East 86th Street.

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

Ayes 8: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary and Mayor Rasmussen.

Nays 0: Absent 1: Zatkovich (temporarily)

The Ordinance was declared passed by the Chairman.

Ordinance No. 18990

Providing for the improvement of L I D 6917 for street lights along No. 29th from Pine to McCarver and other nearby streets.

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

Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
Nays 0: Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18991

Providing for the improvement of L I D 6918 for street lights along No. Park Ave. from Pearl to Bristol Street.

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

Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
Nays 0: Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18992

Providing for the improvement of L I D 6919 for street lights along Skyline Drive from 6th Ave. to No. 9th; No. 7th from Stevens to Huson and Mountain View Ave. from Suspension Drive to So. 19th Street.

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

Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
Nays 0: Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18993

Approving and confirming the assessment roll for L I D 4837 for paving on Cedar from So. 47th to 48th; Warner from So. 72nd to 74th; So. 90th from Ash to Alaska and other nearby streets.

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

Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
Nays 0: Absent 0.

The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

Mayor Rasmussen announced that persons who wish to enter the contest for the best decorated Christmas display must place their names with the judges through P. O. Box 947 by Friday, Dec. 19. The names can also be placed the City Light Dept. in the Utilities Bldg.

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Mr. Cvitanich reminded the Council that Mr. McCormick had stated that a motion should be made at the Council meeting that bus passengers should have their exact fares.

Mr. Cvitanich moved that a policy be initiated requiring Transit passengers to have the exact fare when boarding a bus. Seconded by Mr. O'Leary.

Mr. Hendry, Transit Director, stated he would have to alert the public by advertising that the exact fare policy will be going into effect. He explained a number of cities in the U. S. have taken up this policy and it has been accepted favorably. He heartily agreed that it is a method of protection for the drivers and the passengers and recommended the change.

Mr. Hendry hoped that he would be able to meet with Mr. Bond to work out an advertising program and set a specific date for its inception. He added, this arrangement will take at least a month to implement.

Mr. Hendry also said that the Christmas Tour buses will leave the upper level of the County-City Bldg. on Dec. 26, 29 and 30, and he hoped many people will take the Christmas tour. The fare is 75¢ for adults and 50¢ for children.

Voice vote was taken on Mr. Cvitanich's motion. Motion unanimously carried.

Mr. Cvitanich felt that the schools could be contacted and the Utilities Dept. can be utilized to help advertise the exact change policy.

Mr. Hendry said he would appreciate any suggestions.

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Mayor Rasmussen explained he received a communication from a citizen who stated she would rather have a raise in fares than services cut by the Transit System.

Mr. Hendry explained it had been suggested during budget hearings that a reduction in service would be between the hours of 9 a.m. and 2 p.m., as well as after 7 p.m. for Saturday and Sunday service. He said this should also be published for the public's information.

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Mr. Jarstad moved to reconsider the vote at last week's meeting to withdraw from the Puget Sound Governmental Conference. Seconded by Dr. Herrmann. Voice vote was taken. Motion carried.

Mr. Jarstad explained there had been a great deal of discussion about this decision and he believed there should be more time taken to study this move by the Council. He had found a deep concern on the part of other area elected officials over the withdrawal of Tacoma from the Conference.

Mr. Jarstad explained he had contacted certain officials and they stated they would be at this Council meeting to answer any questions. He then read a letter from Robert R. McAbee, Executive Director of the Puget Sound Governmental Conference. There was also a letter from Commissioner Fred S. Schoneman, Chairman of the P.S. Governmental Conference, asking the Council to meet with the members to review the program and policy of the conference as it pertains to Tacoma's participation and membership.

Mr. Jarstad said he believed more time and study must be given to this problem, as there is more information to be obtained on what alternative the City might take. He felt he had voted in error last week.

Mr. Dean said there had been inferences that the new Council members had voted in haste. He pointed out that Mr. O'Leary had brought up the subject in the past Council campaign and he had studied the matter himself. Mr. Dean said that he had voted as he felt was proper.

Mr. Cvitanich felt this matter should be brought into proper perspective. He mentioned that the Tribune misrepresented, or misunderstood what the Council was deciding to do regarding the Conference. He added that he has been a member of the Council for ten years and during that time they have cooperated with every level of government. This endorsement is a budget necessity. He noted how the cost for membership in the Conference had risen from \$3,440 in 1964 to \$14,141 for 1970. This seemed way out of line, he added.

Mr. Cvitanich felt there was much duplication in planning groups, Federal, State and local. He stated that Mr. Jarstad's position was poorly founded.

Mr. O'Leary moved to suspend the Rules to allow the public to speak on the subject. Seconded by Mr. Dean. Roll call was taken, resulting as follows: Ayes: 5: Dean, Herrmann, O'Leary, Zatkovich and Mayor Rasmussen. Nays 4: Banfield, Cvitanich, Finnigan and Jarstad. Motion carried.

Mayor Glenn K. Jarstad of Bremerton, Wash., explained that solving area problems requires planning on a broad scope for the entire Puget Sound basin. This, of course, is relative to transportation as well as pollution, airports and many other problems. He noted that Bremerton's representatives would like to discuss the problem with Tacoma because they are closer to Bremerton than Seattle in many ways. He reminded the Council that the idea for this conference was instituted by former Pierce County Commissioner Harry Sprinker.

Mr. O'Leary read from a communication by Senator Markworth, Committeeman on Urban Transportation, which stated, in part, that the conference has unlimited authority to study any problem but not to enforce or require compliance until this authority is obtained from the State Legislature.

Mr. O'Leary also listed the number of employees and their salaries, as well as maintenance and operation requirements of the conference, which amounts to a budget of \$1.2 million. This includes membership dues from Seattle, King County, Everett, Snohomish County, Bremerton and Kitsap County, as well as Tacoma's dues in the amount of \$19,786 for 1969 and Pierce County in the amount of \$22,836.

Mayor Rasmussen felt the Conference was growing too large and duplicating the efforts of other state and local planning groups. He thought they had accomplished very little in its years of organization. In addition he would continue questioning their authority to say that Tacoma would not receive any more federal funds if it withdrew from the conference.

Mr. Floyd Oles, 1018 So. 60th, hoped the news media would try to get their facts straight before publishing erroneous statements, as he did not feel, after careful study, that the conference had any authority to decide whether a city in the state could have federal funds. He also mentioned that the conference does not include many counties and cities in the P.S. Basin. He agreed with the concept of withdrawing from the conference. Mr. Oles read a number of articles from various newspapers on the matter.

Mr. Finnigan requested that Mr. McAbee be allowed to speak.

Mr. McAbee, Executive Director of the Conference, asked that a meeting be held with the Council and their organization for a reflective and objective discussion. He said he was prepared to clarify any question on any particular point.

Mr. Finnigan asked Mr. McAbee if he agreed with the newspaper articles Mr. Oles had read relative to his statements.

Mr. McAbee explained there has been some discrepancy in the reporting, however, he knew that on occasion it was difficult to report accurately. He also stated that the conference does not have any substantive power and cannot deny any federal funds. The conference's duty is to review a city or county's application for funds to determine if their applications are consistent with the known plans and policies at the regional level. Mr. McAbee continued, through a joint source of funding from four main areas, a major transportation plan for the area was developed over a three year period. He further explained, there was not any duplicating between State, regional or local planning. The difference is where they concentrate in the same subject areas, but on a different scale. He also mentioned that Seattle and King County are heavily outvoted in the governmental conference.

Mr. Cvitanich asked Mr. McAbee why fifty people and a budget in excess of \$1 million is necessary when a State agency employs forty-nine people with a budget of \$800,000 and takes care of the remaining thirty-five counties in the State.

Mr. McAbee said if the implication of Mr. Cvitanich's statement was correct, he would feel that it was quite proper in raising such a question, however, it is not correct. In fact, he added, the difference is between the amount of money in the conference's budget allocated to the consultants. This doesn't have anything to do with the payment of the staff as opposed to what the State agency has. The second difference

As that two years ago the conference voted to accept the responsibility of incorporating the Puget Sound Regional Transportation into its staff. One of the conditions of employment was the conference must meet the minimum wage scale these employees would have received if they had continued working for the State Highway Dept. Therefore, a salary schedule was planned identical to their previous compensation.

Mayor Rasmussen said he felt there must not be any regional power by anyone or any organization and he would do his best to keep the voting powers and cooperation between local governments and elected officials at local levels, ~~with~~ the State Legislature and Federal Government.

Mr. McAbee stated that the conference only certifies consistency or inconsistency with regional plans and policies.

Roll call was taken on Mr. Jarstad's motion to reconsider the vote to withdraw from the Puget Sound Governmental Conference, resulting as follows: Ayes 3: Finnigan, Herrmann and Jarstad. Nays 6: Banfield, Cvitanich, Dean, O'Leary, Zatkovich and Mayor Rasmussen. Motion failed.

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Mr. Zatkovich asked the Council give direction to Mr. McCormick relative to conflict of interest which he felt existed regarding a police officer who is a member of the Model Cities executive committee, a trustee of the Hilltop Neighborhood Improvement Council, a director of the Tacoma Urban League and Tacoma Community House. He also reiterated his feeling of last week that this police officer had criticized his superiors and Council members in public. Mr. Zatkovich felt that the Council should ask the Acting City Manager to instruct the Chief of Police to look into the matter and ask the officer to resign from his various other duties or resign from the Police Dept. 347

Mr. Cvitanich felt this problem is an administrative matter. He did not feel the majority of the Council would approve setting policy relative to the Police Department's community relations detail. However, he would agree that the officer should be censured.

Mayor Rasmussen suggested this problem be referred to the Council's Public Safety committee.

Mr. Cvitanich moved to refer this matter to the Public Safety committee and a report be submitted at a later date. Seconded by Mr. Zatkovich. Voice vote was taken. Motion unanimously carried.

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Mrs. Banfield explained she had not received a survey report she had requested from the Police Dept. 254

Mr. Mork, Asst. to the City Manager, explained that Mr. McCormick has this information and he was sure that he would go over it with Mrs. Banfield at the earliest opportunity.

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Mr. O'Leary asked if Mr. Mork had submitted the report requested on Dec. 2 regarding O.E.O. and O.D.I.

Mr. Mork explained the information had been sent to his office regarding their by-laws, constitution, summaries of programs and a catalog of the various programs in which they are involved. Only three copies were submitted and he had given them to the Mayor. 333

Mayor Rasmussen asked that the minutes of the meetings of O.E.O. and O.D.I. be forwarded to the Council.

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Mr. Cvitanich reminded the Public Works Dept. that a report he had requested relative to the status report on the L I D at No. 31st and Warner had not been received. He stated he also requested information pertaining to the traffic light on 9th & Tacoma Ave. and 15th & Tacoma Ave. 347

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Mayor Rasmussen explained a letter received from the Tacoma School Board requesting that the Council not to consider the proposed increase in school bus fares until July 1, 1970.

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Mayor Rasmussen stated that in the minutes of the Executive Board of the Model Cities they had requested that any future requests for private building permits be screened through the Model Cities office. Then if federal money was involved, the request would have to be approved by their Board. However, this request had been abandoned. 348

Mayor Rasmussen stated two more Council members are needed to represent the Council on the Model Cities Board. He appointed Mr. Finnigan and Dr. Herrmann as the liaison members from the Council to the Model Cities Board.

Mrs. Banfield moved to approve the appointment of Mr. Finnigan and Dr. Herrmann to the Model Cities Board. Voice vote was taken. Motion carried.

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Mayor Rasmussen explained that the term of the Council member on the Civic Arts Commission has expired. He suggested that Mrs. Banfield be reappointed.

Mr. Cvitanich moved to reappoint Mrs. Banfield to the Civic Arts Commission. Seconded by Mr. O'Leary. Voice vote taken. Motion carried. 346

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Mayor Rasmussen explained that Mayor Alma G. Kemper of Milton, Wash. has sent the Council a copy of the resolution which their Council has sent to the Governor and the State Legislature regarding legislation to be enacted relative to the sale of narcotics.

The Resolution was read for the Council's information.

Mayor Rasmussen stated he had been advised by Mr. Hamilton, Acting City Attorney, that it would be impossible for any city to make its determination on parts of this resolution. However, Mayor Rasmussen thought it was entirely possible the Legislature could enact stricter laws.

Mr. Jarstad moved that the Council concur in the essence of the Resolution offered by Mayor Kemper of Milton and that the City's Legislative Committee work to strengthen the state-wide laws on narcotics at the special session of the Legislature beginning Jan. 12, 1970. Seconded by Mr. O'Leary. Voice vote taken. Motion unanimously carried.

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Mayor Rasmussen nominated Mr. Zatkovich and Mr. Cvitanich to replace Mr. Rowlands and Mr. Johnson on the P.S. Governmental Conference as the City Council's representatives. 62-35

Mr. O'Leary moved to concur in the recommendation of Mayor Rasmussen to appoint Mr. Cvitanich and Mr. Zatkovich to the P. S. Governmental Conference. Seconded by Mrs. Banfield. Roll call was taken on the motion, resulting as follows: Ayes 7: Banfield, Dean, Finnigan, Herrmann, Jarstad, O'Leary and Mayor Rasmussen. Nays 2: Cvitanich and Zatkovich. Absent 0. Motion carried.

Mayor Rasmussen explained there is a meeting of the Executive Board of the Conference at 2 P.M., Wed. Dec. 17th at the Ferry Bldg. in Seattle. He hoped that many Council members could be in attendance. He noted Tacoma has its membership paid until Jan. 1, 1970.

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Mayor Rasmussen hoped that the property the Metropolitan Park Board deeded to the City is returned as requested, as soon as possible.

Mr. Cvitanich mentioned that on Page 4, of the Model Cities Executive Board meeting minutes of Dec. 4, 1969, it referred to Mr. Connerly's reports, and they were not attached to the minutes as stated. He wondered if any Council member received them. If not, he asked that this report be submitted to the Council. 366

Mr. Mork stated he would take care of the matter.

Mrs. Banfield asked if a rezone can be repealed by the Council, if a building permit has not been obtained.

Mr. Hamilton explained that under the zoning ordinance the Council may on its own initiative recommend to the Planning Commission that they wish rezone procedures be instituted.

Mrs. Banfield stated she would therefore request a resolution which would commence the procedure for the Council to initiate the rezoning of the area lying generally between No. 9th extended, and west of Skyline Drive on the north side of Olympic Blvd to an "R-2" District. 372

COMMENTS BY MEMBERS OF THE COUNCIL:

Mr. Cvitanich asked that the Fire Dept. submit a report to the Council on the status of the N. E. Fire District.

Mr. Mork, Assistant to the City Manager, explained he would check into the matter.

Mayor Rasmussen asked that the Council study the use of Heliports within the City limits as a request from Mr. E. J. McLeery has been submitted relative to using the location at 9th and A Streets on the parking lot for a landing. 33

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the Board of Adjustment for November 13, 1969.
- b. Minutes of the City Planning Commission for Nov. 17 and Dec. 1, 1969.
- c. Report from the City Planning Dept. for November 1969.
- d. Municipal Court, Traffic violations during the month of Nov. 1968 and 1969.
- e. Citizens Information & Service Bureau report for November 1969.

Placed on file.

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

A. L. Rasmussen
A. L. Rasmussen - Mayor

Attest: *Josephine Melton*
Josephine Melton - City Clerk