

CITY COUNCIL MINUTES

City Council Chambers  
Tuesday, June 9th, 1970

The meeting was called to order by Mayor Johnston at 7:00 P. M.

Present on roll call 7: Banfield, Cvitanich, Dean, Finnigan, Jarstad, O'Leary and Mayor Johnston. Absent 2: Zatkovich and Herrmann (arrived at 7:20 P. M.).

The Flag Salute was led by Mr. Jarstad.

Mayor Johnston asked if there were any omissions or corrections to the minutes of May 26, 1970.

Mr. Cvitanich moved that the minutes of the meeting of May 26th be approved as submitted. Seconded by Mr. O'Leary. Voice vote was taken. Motion carried.

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PETITION:

John G. Kerr requesting rezoning of the area at 7th & Sprague Ave. from an "R-2" to an "C-2" District.

Referred to the City Planning Commission.

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RESOLUTIONS:

Resolution No. 20673 (postponed from the meeting of May 26th)

Appointing an Executive Director of the Economic Opportunity Board.

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

Mr. Cvitanich asked before the resolution is tabled, he would like to ask if Mr. Oles, City Manager, had any pertinent information regarding the meeting held with representatives of the regional office of the O. E. O.

Mr. Oles replied that at the meeting held with the County Commissioners a suggestion was tentatively made that the O. D. I. Board be reconstituted to include as members the County Commissioners and members of the City Council. This was predicated upon an understanding with the O. E. O. Office in Seattle and concurred in by the State O. E. O. Office that funding would be continued for the Rural Economic Opportunity or R. E. O. group. Subsequent to that time he has had a number of conversations with people in the O. E. O. office in Seattle who contacted him again several times today. A meeting was called of the Board of O. D. I. for Monday evening, and at that meeting, the O. D. I. Board recommended to rescind their previous action in denying R. E. O. funds and continuation of its activities. The situation as of today is that R. E. O. is restored to its appropriate function. It is anticipated that the R. E. O. Board will abandon what they have filed against the O. D. I. Board. He added that action has not yet been taken because they haven't been able so far to call a meeting of the R. E. O. Board. He had a meeting with all three members of the Board of County Commissioners this afternoon; and they are asking that a meeting of the R. E. O. Board be held as quickly as they can get them together. He understands that they will present this proposal to them and in turn the R. E. O. Board will agree to the proposal to abandon its suit in light of the action taken by the O. D. I. Board.

Mrs. Banfield asked Mr. Oles if he submitted the application for a CAP yet. Mr. Oles said, he still had before him the two or three questions that Mr. Ross and the O. E. O. Board had brought up, and those questions must still be solved.

Mrs. Banfield said she would hope that the application would be sent in by the latter part of the week.

Mr. Oles said he would like to have another meeting with some of the members of the Council who would advise him of what answers to give.

Mrs. Banfield asked that the Council receive the minutes of that meeting.

Mayor Johnston said he had a copy of those minutes as did Mr. Oles.

After some discussion, Dr. Herrmann moved that Resolution No. 20673 be removed from the agenda. Seconded by Mr. Cvitanich.

Voice vote was taken, resulting as follows:

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

Nays 0. Absent 0.

The Resolution was removed from the agenda.

Resolution No. 20674 (postponed from the meeting of May 26th)

Appointing a Deputy Executive Director of the Economic Opportunity Board.

Mr. O'Leary moved that the Resolution be removed from the agenda. Seconded by Mr. Cvitanich.

Voice vote was taken, resulting as follows:

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

Nays 0. Absent 0.

The Resolution was removed from the agenda.

Resolution No. 20675 (postponed from the meeting of May 26th)

Authorizing the City Manager to select a management consultant firm to assist in the organization of programs under the Economic Opportunity Act in the City and not to exceed the cost of \$10,000.00.

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

After some discussion, roll call was taken on the resolution, resulting as follows:

Ayes 0.

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

The Resolution was declared LOST by the Chairman.

Resolution No. 20700 (postponed from the meeting of May 26th)

Awarding Contract to Lige Dickson Company on its bid of \$13,272.00 for W. O. 64905.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mr. Zatkovich.

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

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9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Johnston. Absent 0.  
Resolution was declared LOST by the Chairman.

Resolution No. 20713 (postponed from the meeting of June 2nd)

Appointing Dr. Ronald E. Magden as a trustee on the Library Board for a term ending August 3, 1973.

Mr. Dean moved that the resolution be amended to substitute the name of Norman Lawrence. Seconded by Mr. O'Leary.

Mr. Cvitanich moved that the Resolution be continued in two weeks, June 23rd. Seconded by Mrs. Banfield. Voice vote was taken and the motion carried.

The Resolution was postponed until June 23rd.

Resolution No. 20715

Approving the Final Plat of Baych's Addition on the east side of Mullen Street from So. 58th to 60th Street extended.

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

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

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

Noys 0. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20716

Approving the Final Plat of Yoachim's 1st Addition on the west side of Mullen St. between So. 58th & 62nd Sts.

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

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

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

Noys 0. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20717

Authorizing the proper officers to execute a contract with the Law & Justice Planning Dept. of the State of Washington to carry on the work undertaken under prior grants for improving Law enforcement activities.

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

Mrs. Banfield felt that the contract regarding this resolution should be discussed with the Council members before they vote on this resolution.

Lyle Smith, Acting Chief, said that this resolution was based on an application which has been approved by the Council.

Mr. Dean moved that Resolution No. 20717 be postponed for two weeks. Seconded by Mr. Jarstad. Voice vote was taken. Motion carried unanimously.

The Resolution was postponed until June 23rd.

Resolution No. 20718

The City Council of the City of Tacoma does hereby pay tribute to the memory of the distinguished American Patriot, Rossell G. O'Brien and does hereby support proposed Congressional action to acknowledge his patriotic contributions by originating the custom of rising and standing with head uncovered during a rendition of the Star Spangled Banner.

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

Mrs. Kelso, a member of the Mary Ball Chapter of the Daughters of the American Revolution, stated that this custom was originated in the City of Tacoma in the Postwick Building on October 18, 1893, at a meeting of the Loyal Legion Commandery of the United States of America. She read an excerpt from the minutes of that meeting, taken from the Tacoma Daily Ledger.

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

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

Nays 0. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20719

Expressing the intention of the City Council to proceed with the Design for Progress projects.

Mayor Johnston moved that the resolution be adopted. Seconded by Dr. Herrmann.

Mr. Jarstad asked that the Council go through the resolution item by item.

Mr. Cvitanich explained before the Council takes action on the (17) items listed in the resolution for various departments to eliminate some of the areas, he felt that the elected representative, the City Council, Port Commissioners and the County Commissioners, should get together and determine what priorities they would assign to these various items. He felt, as elected officials, they were all concerned to make sure that there are items that should be determined as being high priority.

Mr. Jarstad said the Council should keep one thing in mind--that there is the influx of inflation on project costs. Generally speaking from 1962 thru 1967, project costs raised on the average of 5% per year, but since 1967, project costs have increased 10 to 15% and in some cases even higher every year. An example of these raising costs were clearly shown in the recent Forward Thrust proposition that failed in King County. He felt the people should be given an opportunity to vote on the projects.

Mayor Johnston said that this program isn't to levy taxes at this point. It is a program to be presented to the community to let them decide if it is willing to tax itself for these capital improvements.

Mr. Jarstad said in checking over the projects, there is an item in the Public Safety Dept. for a Center Computer for \$2,400,000 which will provide for an up-to-date equipment for all units. The City's present IBM 1440 has reached its total capacity and cannot provide the necessary services to all the departments of General Government. The department involved in data processing are having to obtain its services outside the City Government because the capacity has been reached on this machine.

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Mr. Lyle Smith, Chief of the Police Dept., said that computerization offers an answer not only to store the information and have fast retrieve, it also has the capability to communicate with other computers on a State and Federal level so that not only the enforcement information is available in our own community, but also on the state and federal levels.

Mr. Oles, City Manager, said of all the (17) proposals listed on the Design for Progress, he personally would regard this item as No. 1. He added he had the privilege recently to spend half a day at the computer center in Seattle, who recently installed a computer. He thought it would be very interesting if the Council members could find an opportunity to see how the computer system operates. It provides instantaneous information. He felt it won't be very long before the City of Tacoma will have to do this irrespective of the Design for Progress in order to keep the enforcement operation up to date.

Mr. Jarstad felt that the plan for a communications and operations center for Tacoma's Police Dept. was necessary.

Mr. Cvitanich said, since Mr. Jarstad would appear as a sponsor for the people that have served on the Design for Progress, he suggested that Mr. Jarstad's name appear on the resolution.

Mr. Cvitanich moved to amend the resolution to delete the words "Submitted by Committee on Design for Progress" and that Mr. Jarstad's name be inserted. Seconded by Mrs. Banfield. Motion carried unanimously.

Mrs. Banfield wondered, under the Fire Dept. section, why the Port of Tacoma couldn't take care of the fire boat modernization, since they do not pay any taxes to the City of Tacoma.

Chief Reiser explained there are other businesses on the waterfront that derive benefits from the fire boat other than the Port. He added he unofficially discussed this with some of the Port people, but they had not given him a negative reply, but thought it might be well to approach the Port officials on this basis which might produce some results.

Mr. Oles said this is still in the preliminary stage, but at the moment they are about to seek some co-operation along that line from the Port of Tacoma and should have a report on it before long.

Mr. Zatkovich mentioned the item of \$100,000 regarding Public Safety Projects for a training academy stating, he felt the present training center is adequate and doesn't feel the Dept. needs a training academy for the cost of \$100,000.00. He thought perhaps in the near future, but not at this time.

Motion was made by Mr. Zatkovich that item 3 the Training Academy under Police Dept. be deleted. Seconded by Mr. Dean. Roll call was taken, resulting as follows: Ayes 3: Banfield, O'Leary and Zatkovich. Nays 6: Cvitanich, Dean, Finnigan, Herrmann, Jarstad and Mayor Johnston. Absent 0. Motion lost.

Mr. Jarstad pointed out there might be other items within the sections which Council members would object to or want to change. He added adjustments can be made but if they are not discussed now, delays of a week or two would be quite a handicap to these people for them to go out and explain this to the public and to have it approved to go on the ballot for the September election.

Mr. Finnigan said it seemed to him that the Council is expressing by its vote whether they intend to submit certain items to the people for their decision mainly for the September election. He thought there would be ample time in the very near future to go over these items. As suggested before, it will take some close coordination to put a package together to be put on the ballot. He added in reading the third paragraph of the resolution, it points out that before proceeding further with any other projects a report will be necessary to expend certain sums of money in order to retain financial counsel, bond counsel, etc.; therefore, there is going to be some time involved in preparing the items for the ballot. He thought there would be sufficient time to resolve the final items to be placed on the ballot.

Mayor Johnston said he didn't think there would be enough time. He thought it was the intention of the Council to go thru these items for this reason. In

Discussing this with the Design for Progress committee previously, this is what they wished the Council to do either to eliminate or to add to the program.

Mr. Peter K. Wallerich, president of the Design for Progress, said what the Council has before them was a list of considerations of those items which may or may not be placed in some kind of general obligation financing or may or may not be placed in some kind of levy financing or perhaps deleted from the program.

He added as Mr. Zatkovich pointed out if there ever is a time to delete a measure, this might be the time, but he wanted to remind the Council this is not absolutely necessary at this time. If the Council acts on the resolution before them, all they are doing is effectuating the preparation of resolutions and are holding out to themselves the responsibility and authority to pass whatever resolutions they please.

William E. Elder, executive director of Design for Progress, spoke on the time element. He said the time element they were referring to would be on the Sept. 15th ballot which is the date of the regular primary. The final date for filing is July 31st. The City's legal counsel informed them that it takes between 30 to 45 days to contact the bonding attorneys and to draft the resolutions for action to be filed with the County Auditor. This is the time element, he added.

Mr. Finnigan said that is what he was trying to convey--that the Council does not have to make a decision tonight, but should make a decision whether or not they intend to submit them to the electorate at this later date.

Mayor Johnston said the purpose of this was to permit the Council to identify the subject as they go thru the bonding operation and that is why they are attempting to identify specific items.

After some discussion, roll call was taken on the resolution, resulting as follows:

Ayes 6: Dean, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston.

Nays 3: Banfield, Cvitanich and O'Leary. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20720

Authorizing the execution of a lease agreement between the City and Great Western Helicopter Lines for space in the Tacoma Industrial Airport Terminal Building.

Dr. Herrmann moved that the resolution be adopted. Seconded by Mayor Johnston.

Mr. Oles, City Manager, mentioned that this was discussed last week and he was asked to secure some information as to the financial responsibility of the lessee, which he has obtained. It showed a net worth of a little over a half million dollars, he added.

Mayor Johnston asked Mr. Oles if he considered that adequate.

Mr. Oles replied that he did.

Al V. Barney, airport manager, said Mr. Charron was anxious to get settled as he has been working out of his back yard and in order to get his FAA certification, he had to move to an airfield. He had just received his flight permits last Friday. FAA will be here tomorrow to check his paper work so this is the reason he had to be established before FAA could make their check. He added he has a 300 and a 500 size plane.

Mr. O'Leary said in checking over article 14, relative to insurance, he has \$10,000 personal liability for each person and \$50,000 for each accident and not less than \$10,000 property damage. He didn't feel that was adequate insurance for a helicopter that is under charter or commercially operated.

Mr. Barney said he believed they would have to carry \$100,000 and \$500,000. Most of them are carrying a million.

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 Johnston.

Nays 0. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20721

Urging all residents of the City of Tacoma who have not yet completed their 1970 census form to forward the completed official census form to the City Planning Department at the County-City Bldg.

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

Mr. Buehler, Director of Planning, said the reason his office is requesting that the people who have not already forwarded their census form that they may submit it to the Planning Department, because in checking with other cities, it appears that approximately 3% has not yet reported. If 3% of the City of Tacoma were not reported, it would be approximately 4500 to 4800 people. The City receives \$22.44 per capita from State collected taxes that are returned to the City. If these signatures were not counted the City would lose approximately \$100,000 to \$110,000.

Mr. Finnigan said it may be well to point out that when Mr. Buehler mentioned that the City receives \$22.44 per capita, from State collected taxes, this does not mean that there would be any more imposition of taxes on people in the City of Tacoma. It is just normal taxes the State collects of which the City receives a portion. Therefore, the City is anxious to receive its fair share.

Mayor Johnston said he thought it has been made clear that the City loses financially if the citizens do not respond to the census.

Mayor Johnston then called for a roll on the resolution, resulting as follows:

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

Nays 0. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20722

Creating a Stadium Committee membership composed of Councilman John Jarstad as Chairman, Council members John E. O'Leary and Helen G. Banfield.

Mr. Dean moved that the resolution be adopted. Seconded by Mayor Johnston.

Mr. Cvitanich explained the Council has asked that this resolution be prepared. The intent of the resolution is to spell out two things: one, a dome stadium; secondly, the effort to acquire the San Mateo. He added rather than limit this committee to two specific areas, the committee is given latitude and flexibility that in the event situations arose, they would not have to come back to the Council, and could function properly without their hands being tied.

Mr. Jarstad said since he is made chairman of the committee, he would like to comment on the flexibility of the resolution. He called attention to the last line in the second paragraph where it states "all other matters that would be of interest to the general public of the City of Tacoma". He added this would practically dissolve the City Council. He said he would like to amend the resolution stating "in all other matters pertaining to the above project that would be of interest to the general public of the City of Tacoma".

Mr. Cvitanich said he would speak against the proposed amendment for the fact there would be so many things to consider-- for example, there is the question where will the San Mateo be placed and if it will have to be set on a platform, what type of a foundation to construct and also will this have to be coordinated with the Civic Arts Commission. He thought the aesthetics would be very important part of the project. There would be various consequences to consider.

Mr. Finnigan said he mentioned last week that there were a lot of other people in the community who would be willing to serve on such a committee outside of the City Council.

He noticed in the minutes of the Park Board meeting of May 25th that Mr. Bratrud reported on the possibility of an old ferry boat being used as an antique marine engine museum. So there's another use--someone has a strong interest in that regard. He went on to say that it could be located on Park District property along Ruston Way. Mr. Jarstad said he would withdraw his amendment with the permission of the second. Motion seconded and carried.

Mr. Cvitanich said in line with what Mr. Finnigan has pointed out, he had talked with Mr. Bratrud, member of the Park Board, and the intent was that the Council would sponsor a resolution to accelerate the project and the committee would draw from the community and other elective groups those who desire to be involved and participate. It wasn't the intent to keep the membership of the committee to only three.

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

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

Noes 0. Absent 0.

The Resolution was declared passed by the Chairman.

#### FIRST READING OF ORDINANCES:

Ordinance No. 19128 (postponed from the meeting of May 26th)

Appropriating the sum of \$48,725.00 or so much thereof as may be necessary from the General Fund for salaries, wages & M & O & Capital Outlay for the Economic Opportunity Board.

Mr. Cvitanich moved that Ordinance No. 19128 be removed from the agenda. Seconded by Mrs. Banfield. Voice vote was taken. Motion carried.

The Ordinance was declared removed from the agenda.

Ordinance No. 19136

Amending Section 1.12.414 of the Official Code, by changing classification No. 0770 to Police Major.

Police Chief Lyle Smith explained that they have supplied to the Council several sheets of documentation concerning the over-all effect of this proposed change in the Police Dept. There are three basic purposes for this change. The first is to bring the job specification and description into balance with the existing duties of that position. Second, it is to standardize the description with the rank of Major and the title of Major so that it is standardized with surrounding agencies and to inform members of the Council of the long-range plans that are in existence for the Department. This ordinance emanated as the result of the document which came into being again as the result of Council action on June 3, 1969. On that date, this Council adopted Resolution 20220 which accepted a law enforcement assistant administration planning grant for the express purpose of conducting an in-depth study of the Tacoma Police Dept. and to formulate the study into a planning document which could be used as a basis for anticipated change within the Tacoma Police Dept. As a result of that resolution, then Capt. Richardson was appointed as a planning officer in the Tacoma Police Dept. Mr. Richardson spent several months conducting an in-depth survey--the result of which he brought before members of the Tacoma Police Dept. staff. It was endorsed by the Tacoma Police Dept. administrative staff with minor changes on May 5, 1970, and filed with the office of City Clerk. That document is entitled, "The Primary Action Plan for Police Community Crime Control". The documentation presented



on the agenda is primarily taken from that particular document. He added, one reason that this deficiency exists and it still exists in the Dept. is that the office of Chief of Police has been overloaded with administrative duties and unable to devote sufficient time to solving problems and long-range planning. Therefore, the work is coming in faster than can be processed by the existing organization and administration.

Chief Smith further stated in the most recent legislature on the State level, the Chief of the Washington State Patrol was granted the authority to appoint all positions in the WSP above the rank of lieutenant. He has the complete authority to create those positions, to assign the personnel from positions below and to maneuver that personnel to his best advantage.

Mr. Dean asked Chief Smith if the operations bureau Major would be the Deputy Chief under this plan that is under discussion.

Chief Smith said he could be second in command at the desire of the Chief of the Police.

Mr. Dean then asked if there were a possibility that the administrative major could be immediately in charge of the line division.

Chief Smith said he would be immediately in charge if so designated in the absence of the Chief of Police only.

It was moved that the ordinance be referred to the Safety Committee.

Mr. Zatkovich said he couldn't see the reasoning for all the titles such as majors, colonels, etc. He felt they needed more men to patrol the streets. He felt this Dept. has been working very efficiently all these years and it has been growing along with the population. He didn't believe the Dept. was large enough to have all these titled personnel. He didn't see why Tacoma has to designate its rank the same as the personnel at McChord or Ft. Lewis.

Mr. Cvitanich said he thought the Chief and his staff should be commended for their efforts to re-organize the Dept. and if there is anything that will help streamline the efficiency of the Dept. and will ultimately improve the services of the people of the community, he was certainly in favor of the change. Since it was brought up that Mr. Smith is the Acting Chief, he would hate to see any changes made at this time because if and when a permanent chief is appointed, the entire Dept. may be re-organized.

He added, we are talking about an interim system. He knew that Mr. Zatkovich has a copy of the International Association of Chief of Police's study when Seattle re-organized its department, which was very expensive. He further added, he personally feels as Mr. Zatkovich, that the first and immediate concern is to get the men out on the street and worry about the re-organization later.

Mayor Johnston said since the chairman of the committee had expressed himself so strongly on this matter, he thought it would be well to express a feeling that a continuation of the matter would be more in the interests of the City than to be referred to a committee. He added, when a man becomes chief of a police dept. in a community, regardless of whether he is acting or a permanent chief, he would be expected to make an observation as to the function of the department and make a recommendation to the Council to improve the conditions as he feels are in order.

Mr. Dean said, with the consent of his second, he would withdraw his motion to refer to the Public Safety Committee. Motion carried.

Mr. Zatkovich moved that Ordinance No. 19138 be removed from the agenda. Seconded by Mr. Cvitanich. Voice vote was taken. Motion carried.

The Ordinance was declared removed from the agenda.

#### Ordinance No. 19139

Creating and establish a Police Dept. Planning Revolving Fund 1970 for the Planning grant of the United States and authorizing a temporary loan of \$9,764.00 or so much thereof as may be necessary from the General Fund.

Mayor Johnston asked the Chief of Police if he had any comment on this ordinance. Chief Smith said this was a companion measure to the Resolution that was postponed.

for two weeks. This should also receive similar action, he added.

Mrs. Banfield said she would like to speak on the ordinance before it is continued. She said she would like to ask if the Council received the contract. This was not in the agenda and she noticed that the contract was prepared on the 24th of April. The beginning date of the contract is April 1, 1970 and runs until December 31, 1970. She asked who had designated the project director on the second page.

Chief Smith answered that it was the former Chief of Police.

Mrs. Banfield asked to whom does the project director answer.

Chief Smith said at the present time the person that is serving in the Planning Capacity of the Police Dept. is answering to the deputy chief of police in the staff function that was depicted in the organizational charts. He is reporting directly now to Deputy Chief Richardson.

Mrs. Banfield asked if Mr. Richardson were not the project director.

Chief Smith replied that he was so designated and by contract he believed that would be the proper individual. However, with the assignment of Deputy Chief Richardson to the additional duties, they have assigned an additional person to Planning.

Mrs. Banfield said she also notes in the contract that the designation may be changed, but only upon written approval of the agency. Then the agency is the Planning and Community Affairs agency of the State of Washington.

Chief Smith said he was sure that was what the contract reads.

Mrs. Banfield wanted to know how much money was allocated for the contract.

Deputy Chief Richardson, Project Director, said with direct reference to the point relative to personnel, this particular project is intended to pay for the salary of a Clerk Stenographer, to purchase office equipment, renovate the office and to create a permanent planning capacity in the department. This will be paid out of Federal funds. The City is allocating no funds, only services in-kind, which will amount to a little over \$2,000, he added.

Mrs. Banfield said the contractor will furnish a biographical sketch of each employee so engaged as soon as possible after that employee has been hired. She asked why not have this biographical sketch before they are hired.

Deputy Chief Richardson answered that as a practical matter, in this case it was.

He added, in this case the project director was already on the staff. That particular provision would relate to a project in which the project director is to be hired for a specific project.

Mrs. Banfield questioned various items in the contract and asked for explanations. She asked Mr. Hamilton, Assistant City Attorney, if he had read the contract.

Mr. Hamilton said he had reviewed it very briefly.

Mrs. Banfield asked if he had any discussion with Mr. Oles or the Chief of Police on the subject.

Mr. Hamilton replied he had not.

Mrs. Banfield thought that Mr. Hamilton should review the contract thoroughly.

Mr. Hamilton asked the Council if they wanted his staff to advise the Council whether they should enter into a contract or whether it is legal.

Mrs. Banfield asked that the legal department submit a legal opinion as to whether or not there is any sensitivity training included or whether or not the Council would be justified to vote for this. This Council has gone on record as opposing any type of sensitivity training and since the contract was not in the agenda and the Council members haven't had an opportunity to read the contract, she would suggest that every member read it.

Mr. Cvitanich said that Mr. Hamilton should certainly have checked the legality of the contract. He said he was somewhat dismayed, even though it may be a formal contract, no contract should be submitted without being submitted to the legal department for their study and a close scrutiny of the implications involved. He thought it was a little presumptuous of department directors, or anyone else, to say it's a standard contract. It should go through our legal department first.

Mr. Hamilton said it was submitted to the legal department and it was processed for the Council. He would presume in the normal course of business they would have reviewed it.

Mr. O'Leary moved that Ordinance 19139 be continued for two weeks on the first reading. Seconded by Mr. Cvitanich. Voice vote was taken. Motion carried.

The Ordinance was continued for two weeks, until June 23rd, 1970, for first reading.

FINAL READING OF ORDINANCES:

Ordinance No. 19109 (postponed from the meeting of May 26th)

Amending the Compensation Plan by adding two new subsections to Section 1.12.414 providing salaries for the Executive Director and Deputy Executive Director of the Economic Opportunity Board.

Mr. Cvitanich moved that Ordinance No. 19109 be removed from the agenda. Seconded by Mr. O'Leary, Voice vote was taken. Motion carried.

Ordinance No. 19109 was removed from the agenda.

Ordinance No. 19125

Amending Section 6.52.130 of the Official Code relating to licensing taxicabs in the City limits of Tacoma.

Mr. Zatkovich said he noticed there were quite a number of people present to represent the taxicab companies and wondered if anyone from the taxi industry would like to talk on the Ordinance.

Mr. Cvitanich reminded Mayor Johnston that this is a final reading of the Ordinance and is closed to the public unless it was substantially amended.

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

Ayes 8: Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Johnston.

Nays 1: Banfield. Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 19136

Amending Title 6 of the Official Code relative to taxation for banks.

Mayor Johnston called for a roll on the Ordinance resulting as follows:

Ayes 4: Finnigan, Herrmann, Jarstad and Mayor Johnston.

Nays 5: Banfield, Cvitanich, Dean, O'Leary and Zatkovich. Absent 0.

The Ordinance was declared LOST by the Chairman.

Mr. Cvitanich moved to suspend the rules to discuss Ordinance No. 19136 that just failed. Seconded by Mrs. Banfield.

Mr. Cvitanich said that the Council didn't have an opportunity to discuss the Ordinance before the roll was called.

Mayor Johnston said that it was his understanding that when there is no change in the ordinance on final reading, the roll can be called without any discussion.

Mr. Hamilton, Assistant City Attorney, cited Rule 12 of the Council Rules which prohibits against talking at second readings and is applicable only to members of the public; there's nothing with reference to Council members.

The Rules were then suspended.

Mr. Cvitanich briefly explained that this Ordinance had imposed a 1% tax on the banks. This Ordinance sponsored by Councilman Finnigan would reduce that from 1% to .005. So, in essence, by defeating this Ordinance, the 1% tax is imposed on the banking institutions of the City of Tacoma.

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Ordinance No. 19137

Changing the street name of that portion of Highline Rd. south of 29th St. N.E. between 58th Ave. N. E. & 59th Ave. N. E. & 60th Ave. N.E. extended to be Highline Place.

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

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

Nays 0. Absent 0.

The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

The Director of Public Works and Public Utilities presents the assessment rolls for the following:

L I D 3685 for sewers in the alley between East L & M; So. of east 38th and East 57th from Q to Portland Ave.

L ID 3687 for sewers in the alley between Stevens & Mason from So. 60th to 64th Street.

L I D 5484 for water mains in Baltimore from No. 21st to 23rd; No. 23rd from Baltimore to Bennett St.

L I D 5486 for water mains in East 44th from McKinley to Water Div. Pipeline; East J from East 43rd to East 44th St.

Fixing Monday July 13th as the date for hearing, at 4 P. M.

Mrs. Banfield moved that July 13th be set as the date for hearing on the above assessment rolls. Seconded by Mr. Dean. Voice vote was taken. Motion carried.

REPORTS BY CITY MANAGER:

Mr. Oles reported on the Senior Citizen bus pass situation, which appears to be working out favorably. The highest number of passes we had out previously was 3,088 and now we have gone four days of putting out these I.D. cards and we are already over 3,000 and still have from "R" on through the alphabet and those that have been missed throughout the alphabet. It would seem that a larger number of senior citizens are being served by this new method. 295  
333

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Mr. Oles then reported on the status of the rezoning by the Tribune Publishing Co. which had just come into his hands. He added if the Council desires a copy, it will be submitted to them.

Mr. Zatkovich indicated he would like to have a copy, but it would not have to be in great detail. 119  
352

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Mr. Oles said the question of possible sick leave abuses has been investigated and while there must necessarily be a certain number of abuses, he is not able to find any that are ascertainable to the degree that one could take issue with or to take disciplinary action. Insofar as the Transit Company was concerned, which is the place where this was particularly applicable, there is rather a difficult situation. If a driver says he is sick, his word has to be taken, because if he

is sick and has to work and the bus was improperly handled the City would have a liability that would be serious. Aside from that, he thought there was no serious question.

\* \* \* \* \*

Mr. Oles presented a request from the Rev. William Bixel, chairman of the Environment Task Force of the Model Cities organization, asking that representatives of our different departments appear before his group for some informational talks.

He also presented a request on the City's share of cost of the first action year of the Model Cities program. He added, this is not merely a matter of form because compliance with the request of the Model Cities Director would involve an acknowledgement of the intent of the Council to proceed with the first action year. He pointed out that he has no authority to make any such commitment. What is being proposed is that there has been allocated an available sum reserved for the Model Cities first action year of \$1,849,000. Administrative costs would be limited to 15% which would be \$184,900, and the City's share of in-kind contribution would be 20% of that, or \$37,000. The past practice has been that the various departments of the City contributed in-kind services which in a total way constituted the contribution of \$37,000. He said he is now being asked by the Model Cities Director to instruct the department directors to provide such services as would constitute this in-kind contribution. As it being a matter of policy, he added, he will leave it in the hands of the Council and will be guided by their desires. 295

Mrs. Banfield said before action is taken on this matter, she thought every one of the task force projects should be gone over very carefully so that the Council is well aware of what is in store for the taxpayers of the City of Tacoma if this is continued.

Mayor Johnston explained that part of the planning process is to know how much in-kind service the City will make available to the program if the Council approves, and most important, if the government approves the application. Therefore, it seems that an approval of an in-kind service to the Model Cities program is essential to the planning program.

Mr. Dean asked if the Council approves the entire first year, at that time would that not automatically include the City's in-kind donation.

Mr. Oles explained that statement is correct, but that would be on the 18th day of August. What we are saying, the Model Cities has to have a specific amount from all of the City departments which will have an impact on the Model Cities Neighborhood or will be assisting in the program. The document cannot be formalized until they receive a commitment from the City as to the amount of its contribution. That contribution is contingent upon there being a first action year. This commitment is a contingent commitment.

Herman Walker, Model Cities Director, explained the \$184,000 that was mentioned covers administrative costs--that is, 80% of the administrative costs; the remainder is in-kind City Share. One of the requirements is that there is 100% cost for administrative overhead prior to the submission of the document to the Federal government. They plan to have a draft on the plan by the 15th of this month. The \$37,000 is to be included in that. He added, they should get that tomorrow or no later than the next day so they can get it programmed, formatted into the document. This approach was taken for the original application - the City committed \$33,000, and it can be in the form of cash or services, or man hours, or however the City so desires. This does not commit the City to the first action year, but this is a requirement for the comprehensive document before it can be presented to the Federal government.

Mr. Dean moved that the City approve the in-kind contribution to the first year action in the amount of \$37,000 in in-kind service. Seconded by Mr. Finnigan.

Mr. Dean added he would like to clarify his position in his vote in relation to this action that any vote which he takes on this is not to be construed in any manner of any future vote on any Model Cities action.

Mrs. Banfield said she will also agree with that statement.

It was noted that any votes these Council members cast at this time will not in any way commit them to any future consideration of the program.

Roll call was taken, resulting as follows: Ayes 6: Dean, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston. Nays 3: Banfield, Cvitanich, O'Leary. Absent 0. Motion carried.

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Mr. Oles said he had been asked to investigate if flags could be flown at half-mast under certain circumstances with regard to the death of someone in service. He reported that he had discussed this with the building committee and it had been disapproved because of the fact that it is illegal according to a Federal law, which states that it can only be done according to a proclamation on a national basis. He pointed out that the State flag can be flown at half-mast, but not the American flag under indicated circumstances.

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VERBATIM REQUESTED BY MR. CVITANICH:

Mr. Cvitanich: Mr. Mayor, I wonder if we could go over this slowly because I find it inconceivable that this fact exists-- I just can't believe it, that's all.

Mr. Johnston: Would you repeat that Mr. Oles.

Mr. Oles: Well, the Mayor is a member of the committee as well as I and we were so informed. I haven't gone into any legal involvement.

Mr. Johnston: It can only be flown at half-mast as a result of a presidential proclamation.

Mr. Cvitanich: May I ask this--does the President issue a proclamation when they lower the flags at half-staff at some of the schools which are state supported institutions, etc.  
Thank you very much for your efforts, gentlemen, but I will pursue it myself.

Mr. Oles: I would be quite willing to get any verification or evidence that there is an exception to this.

END OF VERBATIM

COMMENTS BY MEMBERS OF THE COUNCIL:

Mr. O'Leary thought this would be the proper time to bring this matter up since a number of meetings have been held with a few of the Council members and the Manager on this matter. Mr. O'Leary then moved that the Council accept Mr. Oles' resignation as of June 23rd.

Mr. Zatkovich asked Mr. O'Leary if he had someone in mind to fill the office.

Mr. O'Leary said he probably would have before June 23rd.

Dr. Herrmann asked what the reason was for adding chaos to chaos. He said he didn't vote for Mr. Oles' original appointment, but he understands that the people who voted for him have had a change of mind.

Mr. O'Leary said in deference to Mr. Oles and past practices of the Council, if there are any questions on this before a vote is taken, he thought it should be done executively.

VERBATIM REQUESTED BY MR. CVITANICH:

- Mr. Finnigan: We did have an executive session prior to Mr. Oles being recommended for City Manager and it was the consensus, practically an unanimous opinion of the members in executive session, which numbered eight, that we would not appoint any City Manager until we took the proper action and tried to seek the individual most responsible. This is not true of course, and I don't think it is going to be again.
- Mr. Cvitanich: For the record, I wonder if I could paraphrase Mr. Finnigan's remark. Did you say there was an executive session and that there were all eight members of the Council present?
- Mr. Finnigan: Everyone was there but Mayor Rasmussen.
- Mr. Cvitanich: I would ask that those two portions of the conversation be verbatim. The fact is that there were eight members of the Council present.

END OF VERBATIM

Mr. Cvitanich said all that he is trying to do is to rectify some half-truths and inuendos that have been said by various Council members over a period of time; and the record will indicate that on four occasions tonight some of the very same Councilmen who said that a simple majority determined Mr. Oles as City Manager, the fact is that four times tonight, the Councilmen on either end stated that eight Council members were present. But over the last three or four months, they tried to convey the impression that in fact they were not present.

Dr. Herrmann said he never denied that he was not present when Mr. Oles' name was mentioned as a potential candidate for City Manager, but to try to convey the half-truth impression that the eight Council members were involved in the appointment of Mr. Oles as City Manager is an entirely false impression. He added there were eight present there when Mr. Oles' name was suggested and at that time he suggested Harold Tollefson's name.

Mr. Dean said he wanted to find how actually accurate the Council was in obtaining the best man for City Manager.

Mayor Johnston said the motion before us is an extremely serious motion in terms of the life of this City and Mr. O'Leary has suggested that he would, in executive session, tell us the reasons for the motion and because of the serious nature of this action he said he would declare a recess to hold an executive session relative to Mr. O'Leary's motion.

Recess was held.

Meeting reconvened after executive session.

Roll Call was taken on the motion to accept Mr. Oles' resignation as City Manager as of June 23rd, resulting as follows:

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

Nays 5: Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Johnston. Absent 0.

Motion LOST.

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Mrs. Banfield commented on the report that Mr. Menconi made a couple of weeks ago and said she would like to have a study session. She said she agreed with his suggestions of having six stores being combined into a special storeroom and having all divisions of the City draw from these stores and be charged for their pickups at the end of each month. Better control could result and savings to the City of Tacoma.

Mr. Cvitanich pointed out that any member of the Council has the right of inquiry and that there is no need for a study session.

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Mayor Johnston asked to be excused from next week's meeting. Motion was carried. Mrs. Banfield asked that the Mayor give a report on the trips that he takes.

Mayor Johnston said he would be glad to do so. He mentioned when he went to Florida, he attended a Retirement Board meeting as he was a delegate to the National Municipal Finance Office Conference and will prepare a report. He added he will be attending the National Conference of Mayors. His previous trips have been financed by other departments or the Federal government, but this is the first time the City will be financing his trip.

Mrs. Banfield stated that she had seen a report of the conference he had attended at Tacoma-Pierce County Opportunity and Development, Inc., held in Washington, D.C., in April and asked that the minutes of the conference be read.

Mrs. Banfield then moved that the Council take a vote on whether or not the City Council backed Mayor Johnston in upholding the Narcotics Center in the City of Tacoma. Motion was seconded by Mr. Cvitanich. No vote taken. The Mayor did not take the roll call, but asked for Ayes and Nays.

Mr. Cvitanich pointed out that he did not know by the statements of the Mayor, what was involved in the City of Tacoma's position regarding the Narcotics Center, and that before reaching a decision the Council should examine it more closely, and not reach a decision at this late hour of the evening.

Mrs. Banfield said that is why she put the motion as she did. Mr. Johnston said that he went back to Washington, D. C., to "uphold more funds for the Narcotics Center", and it has been stated many times in this Council that "we're not favoring the Narcotics Center in the manner in which it is being conducted or the duties that are being performed at the present time".

Mayor Johnston stated that he had not gone back to appeal for more funds--that they already had funds beyond the period in which the program was to be terminated. The group wanted to appeal to the ODI headquarters and let the local centers to continue and the cut-off date was between the 5th of June and August without any additional funds. They just barely would be able to continue until other areas of opportunities opened up for them. After the committee met, they decided they would continue on with the operation.

Mrs. Banfield stated that she thought it was a conflict of interest for the Mayor to go back to Washington at O.D.I. expense, stating that Tacoma City Council upheld the Narcotics Center.

Mayor Johnston replied he had spoken as Mayor of the City only and that he had made it clear that he was not speaking for the City Council.

Mr. Cvitanich stated he thought it would be well to get the report from the Mayor before it is voted on.

Mrs. Banfield then withdrew her motion on whether or not the City Council would back the Mayor in upholding the Narcotics Center in the City of Tacoma.

Mayor Johnston agreed to give a complete report within three weeks.

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Mr. Cvitanich explained that Mr. Bond the Director of Public Information for the City, would be going abroad at his own expense, and that the City has an excellent opportunity to have him act as our ambassador of good will. He also thought it might be a good idea for the Council to write some letters of introduction. Mr. Bond accepted the suggestion.

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CITIZEN'S COMMENTS:

Joseph R. Fortier, representing the Maintenance employees, requested increases for the Maintenance Superintendent and Labor Foreman II. He added he thought these were reasonable requests to ask for a \$250.00 a month for six employees for a one-step raise. He said he would ask that an ordinance be passed for a one-step raise for these employees which would amount to \$17,050 for the balance of the seven months of this year.

Mr. Zatkovich asked if he belongs to any union which could represent them. Mr. Fortier said as a supervisor you do not belong to any labor organization. It was suggested that some of his employees could organize themselves and put pressure on the Union to represent them.

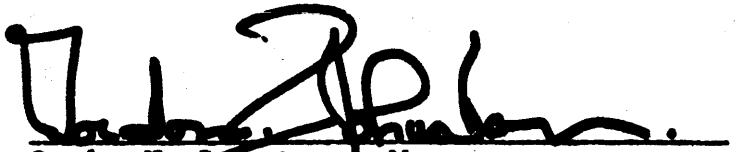
Mr. Cvitanich moved that Mr. Fortier be instructed to contact Mr. Oles, City Manager, through the proper administrative channels inasmuch as he is one of the arbitration committee. Seconded by Mrs. Banfield. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Public Works filing two copies of the Updated Cost Estimate for Improvement No. 4843.
- b. Seminar at Eugene, Oregon, on May 25th thru 29th attended by G. M. George and J.B. Michael, Inspectors.
- c. Herman Walker, Director of Model Cities Program report on National CIA Directors' Conference.
- d. Minutes of the Civil Service Board meeting of May 18th.
- e. Minutes of the Board of Park Commissioners for May 25th.
- f. Minutes and agenda of the Selection & Evaluation Board of June 8th.
- g. Report from Traffic Violations for May 1969 and 1970.
- h. City Planning Dept. report for May 1970.
- i. Report from the Light, Water Division for April 1970.

ITEMS PLACED ON FILE.

The Council meeting was adjourned at 12:50 A.M., June 10, 1970.

  
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 Gordon N. Johnston - Mayor

Attest: \_\_\_\_\_  
 Josephine Melton - City Clerk