

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, December 15, 1970

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

Present on roll call 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

The Flag Salute was led by Mr. Corsi.

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Mayor Johnston asked if there were any corrections or omissions to the minutes for the meeting of November 24th, being submitted for approval.

Mr. Schroeder moved to approve the minutes as submitted. Seconded by Dr. Herrmann. Voice vote was taken and carried unanimously.

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HEARINGS & APPEALS:

This is the date set for hearing for a Special Use Permit submitted by V. F. Halsey for an airfield helistop at the east side of Pacific Avenue at So. 80th St. extended.

Communication received from Mr. Halsey requesting postponement of the hearing on the appeal until March 16, 1971.

Dr. Herrmann moved that the hearing be postponed until March 16, 1971. Seconded by Mr. Corsi. Voice vote was taken and carried unanimously.

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COMMUNICATIONS:

Communication received from Mr. James Lively wishing to donate the award check he received to the United Good Neighbors Fund.

Mr. Lively said he appreciated having received this award from the City for his suggestion on December 8th from the Council, but wished to donate it to the United Good Neighbors' Fund as part of the City Employees' contributions.

Dr. Herrmann moved that Mr. Lively's check in the amount of \$25 be accepted. Seconded by Mr. Corsi. Voice vote taken and carried unanimously. Mayor Johnston thanked Mr. Lively for his contribution to the fund and the community.

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RESOLUTIONS:

Resolution No. 20979

Appointing Waldo Stone as a half-time Municipal Judge of the Municipal Court of Tacoma.

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

Mr. Robert Hamilton, Acting City Attorney, explained at the present time the City Municipal Court utilizes one full-time and one half-time judge. The judges were re-elected at the recent election, and it was necessary that an appointment be made for the part-time Municipal judge. The Council, some time ago, joined in a petition to the redistricting committee in which the Council requested, because of the increase in the court's docket that the City utilize the services of an additional full-time judge so as to have two full-time judges as of April 1, 1971. This resolution, he added, will fill the gap from January 1 to April 1, 1971.

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

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20980

Authorizing the sale of miscellaneous salvage items to Pacific Iron & Metal Co.

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

Mr. A. J. Benedetti, Asst. Director of Utilities, explained that the salvage consists mainly of transformer coils and small copper wire which had been replaced with larger conductors, and copper scrap. The prior allotment had been sold approximately six months ago at 38¢ per lb., but the present bid was down to 32¢ per lb.; however, this is the highest and best bid.

A voice vote was taken on the resolution, resulting as follows:

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20981

Awarding contract to Pennwalt Corp. on its bid for annual supply of Chlorine gas and ammonia for calendar year 1971.

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

Mr. Finnigan asked if the Pennwalt Corporation was the same as the Penn Salt Corporation.

Mr. Benedetti remarked it was the same company and had changed its name several year ago. He said this contract provides for chlorine and ammonia for both the water and the sewer utility requirements. There is a split of approximately 50% for each utility.

RESOLUTION No. 20982

Awarding contract to various bidders for furnishing motor oil requirements for calendar year 1971.

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

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

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20983

Awarding contract to L. C. Roth Construction Company on its bid of \$10,118.50 for nine L. I. D.'s.

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

Mayor Johnston explained that he had received a phone call from a resident regarding one of the LID's, who inquired about the delay in taking bids for such matters. Mayor Johnston said he had explained to him that the City normally waits until several LID's can be combined for bid at one time thereby better bids would be received. He asked Mr. Schuster to confirm his remarks.

Mr. Schuster, Director of Public Works, said this was particularly true in the contract in question as there were several extremely small improvements to be made in street lighting on several arterial streets.

Mr. Finnigan commented that he had sent out a call for bids to Alaska for his firm and that licensed contractors there receive a 5% preference on the bidding. He asked why the City of Tacoma does not use that system. He noted that the low bidder in this instance for the LID's is from Woodinville and asked why the City does not honor the above procedure.

Mr. Schuster replied at one time there was a Washington State law whereby a 5% preference had been allowed for someone outside the State, but not for anyone within the State. He added this had come up before the Council previously when the matter was discussed in detail and it was determined the City was not in favor of this policy.

Mr. Finnigan asked if Mr. Schuster meant the State legislature would not allow this or if any city in the State allowed such a differential.

Mr. Schuster said he did not mean the State ruled on it; however, there used to be a 5% differential which could be allowed for bids outside the State vs. those inside the State. He said he did not know of any city in Washington allowing a differential between one city and another.

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

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20984

Awarding contract to Lige Dickson Company on its total bid of \$81,089.87 for W. O. No. 91140 and Imp. #3711.

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

Mr. Schroeder said there had been a great deal of discussion as to the disposal of the cobblestones that would be dug up and replaced with blacktop, some of which will be stored by the Park Board for future use and some set aside so the public can pick them up on a first come - first serve basis. He asked if the City could store them in one place until they could decide what could be done with them. He pointed out that on numerous occasions the Planning Commission had discussed construction of a pedestrian mall on Broadway in the downtown area and felt in view of their historic value, the cobblestones could be used in such a plaza with no additional cost to the City.

Mr. Maule said he had discussed this matter with the Park Board and with the additional help that had just been hired through the State under the C.A.M.P. program, there would be manpower to store them and then use them at the small park on North 30th St. and in other parks in the City.

Mayor Johnston asked if there had been any discussion between the Public Works and the Park Dept. on their use.

Mr. Schuster advised that the Park Dept. had said they would have some use for the cobblestones and the Department had planned that they take what they wished and then allow adjacent residents along Ruston Way to use what they want.

Mr. Charles Lane, 1124 No. 27th St., said he had read a newspaper article relative to placing the cobblestones along Ruston Way. He did not feel this was a normal LID project as it would not be the usual disposition of surplus material from LID projects, where abutting property owners are given priority to use it as fill in the immediate area. He felt inasmuch as the City owns the stones now, all other residents should have an opportunity to obtain them also. He recommended the citizens pay a 5% sales tax on them plus any charge that might be incurred. He said he based his contention on a prior instance wherein there was material excavated from public property and used on public property and there was no tax for the material.

Mr. Schroeder repeated his viewpoint and said the stones are something the City might never have accessible again and could foresee a historical use for them.

Mr. Jarstad moved to amend the resolution for arrangements to be made by Public Works Dept. and the Park Dept. for a storage place until disposition of the stones could be made. Seconded by Mr. Corsi.

Mr. Finnigan pointed out that this is not the last such cobblestone street in the City.

Dr. Herrmann asked if the amendment would mean the Lige Dickson Company would handle the stones, which would, therefore, alter the effect of the bid.

Mr. Schuster pointed out that the street has a concrete slab cushion with the stones set in and a load could be picked up and put in a truck and hauled to a certain site. The problem might be in finding an appropriate site to store them.

Voice vote was taken on the amendment and carried unanimously.

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

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20985

Fixing January 11, 1971 as the date for hearing for L I D 1012 for fire hydrants in Brown's Pt. Blvd. from Silver Bow Road to 53rd St. N. E.

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

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

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20986

Fixing Tuesday January 5, 1971 at 7 P.M. as the date for hearing for zoning text amendments relative to house trailers and mobile homes to be used as caretaker-watchman quarters and temporary offices in an "M-2" & "M-3" Industrial Districts. (City Planning Commission petition)

Mr. Corsi moved that the resolution be adopted. Seconded by Mr. Maule.

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

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared passed by the Chairman.

Mr. Jarstad moved to suspend the rules to consider Resolution No. 20978. Seconded by Mr. Maule. Voice vote was taken and motion carried.

Resolution No. 20978

Authorizing the execution of an agreement with Geolabs-Washington, Inc. for soils and foundation investigation in conjunction with the proposed Lincoln Ave. Sanitary sewer interceptor line and the proposed urban arterial improvement of Port of Tacoma Road.

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

Mayor Johnston commented this resolution had failed last week and asked if Mr. Schuster had any further comments to make.

Mr. Schuster explained this resolution would permit the City to retain a consulting firm to perform soils investigation and research across the industrial area, primarily in conjunction with the sewer interceptor line which is planned for the tide flats and also for an urban arterial project on the Port of Tacoma Road.

Mr. Moss commented that during the study session it had not been clear whether or not there was a possibility of sharing the costs. He felt there was a feeling the City had been placed in a position where it felt it was forced to install the sewer line; whereas the Port Commission did not have a responsibility to share in the cost or any other assistance. He further commented there seemed to be considerable interest at the study session as to the possibility of sharing.

Mr. Schuster advised if an agreement is worked out with the Port, the engineering costs would be figured in the agreement. A great deal of design work had been done prior to the discussion with the Council and the cost would be part of the total design cost. He felt sure that something can be arranged with the Port on this problem.

Mr. Moss asked if there had been any exploration of this possibility.

Mr. Schuster reported it had been discussed, but no satisfactory answer as yet was received from the Port. However, he added he will pursue the matter further before the City approves the contract.

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

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Resolution was declared passed by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 19262

Adopting the Annual Budget for the year 1971 in the amount of \$80,856,335.00.

Mr. Clar Gaisford, Finance Director, advised that the changes presented at the final budget hearings are the only changes being made in the budget for 1971. He reviewed the changes that were made such as: the City Street fund, the Library fund, the Airport fund, the Transit System fund and the Belt Line Railway. Some changes in the Pay and Compensation Plan are also being made with regard to salaries. Otherwise, the budget as it stands is the same as was adopted by the Council on December 3, 1970.

Mayor Johnston asked if the budget included any pay raises for those unions that have indicated they would request mediation.

Mr. Bixel, Personnel Director, advised that in accordance with instructions by the Council, the compensation ordinance as it is being considered includes raises agreed upon only by certain unions.

Mr. Fred Van Camp, business representative of the Tacoma Civil Service League, said he was representing the City employees. He asked if the 1971 budget includes employees for the asphalt plant operation and said he had heard rumors it was to be closed down. He thought, as a taxpayer, it would be important for the City to hold on to the asphalt plant.

Mr. Gaisford said the City has no intention of closing down the asphalt plant. The budget is approximately the same as last year with the same amount of employees.

Mr. Finnigan asked if it were not the gravel pit that he has reference to that is to be closed.

Mr. Van Camp said he understood it was not the City's intention, but the Air Pollution Control Agency that had contemplated closing the asphalt plant. He pointed out the City could maintain better asphalt mixes if they owned their own plant.

Mr. McCormick explained that he had not received any such communication. If there is a pollution problem, the City would have to face that when it came up.

Mr. Schuster said his office had received a communication from the Air Pollution Agency stating something had to be done by February 1st in regard to the City's asphalt plant, but the Department is hopeful some solution can be arrived at and is conducting an investigation. He added he hopes to present a plan to the Council probably in February relative to this matter. The letter

had stated the plant would either have to be brought up to standards or shut down. The Department has been investigating using various types of materials so that the present higher temperatures would not have to be maintained. He explained that higher temperatures had to be used for the mix, which causes the fine material to come up; whereas some asphalt producers have advised that if the temperature can be lower, there would be no problem. Other solutions are being investigated, however, but there are questions of cost and whether the processing would be acceptable to the Pollution Control Agency.

Mr. Moss asked Mr. Van Camp if he had discussed the asphalt plant problem with City staff employees.

Mr. Van Camp replied that he works at the asphalt plant, but not had time to go into the matter at length. He pointed out the problem was not one of City administration, but one connected with the Air Pollution Agency. He felt it would definitely be to the City's advantage in a monetary way to retain its own plant.

Mrs. Becky Banfield asked Mr. Gaisford if the over-all budget for the City has been exceeded and if the City had paid all of its outstanding bills.

Mr. Gaisford replied the budget will definitely not be exceeded by the amount of money appropriated. He said \$280,000 had been paid to the Light Dept. on December 4, 1970, which settled the City's bill through and including the month of October.

Mrs. Banfield asked what is the status of the Workable Program.

Mayor Johnston remarked it had not been certified inasmuch as the prior Council had cut back on the people who were in the field qualifying the program.

She said she had heard on the radio it was being turned down and asked if it were true with all the Federal programs in the budget.

Mayor Johnston said he had not received any correspondence to this effect, but would advise her.

Mrs. Banfield said she would like to have a written report on the status of the Workable Program. She also referred to page 356 of the budget concerning Model Cities, where it states: "It is anticipated that any changes in the program will have been resolved prior to the approval of the 1971 budget by the Council" and she asked if there had been any changes and if so, whether they have been resolved.

Mayor Johnston commented the telegram had been in Washington, D. C. for two or three weeks and there are no anticipated changes. He said he had met with high echelon representatives of the Model Cities Program in Atlanta last week and the discussions indicated there would be no changes.

Mr. Corsi commented that Mrs. Banfield took interest in the City's Federal programs and she probably had concerned herself more with the Model Cities program than anyone else, and as such, she must be aware that the Federal government does not give written assurances for any Federal program. He added the City has the strongest assurance that we will receive the funding.

Mrs. Banfield stated that this present Council had taken \$39,000 out of the General Fund, without any reassurance of getting it back.

Mr. Corsi said this was not true. We have received assurances.

Mrs. Banfield asked the City Attorney what would happen if the funds do not come through.

Mr. Hamilton said an appropriation had been made for this purpose and if the City is not reimbursed the money would come out of the General Fund.

Mrs. Banfield asked if this would not then be malfeasance and misfeasance for the misappropriation of funds for the City of Tacoma.

Mrs. Virginia Shackelford, 1102 No. "L" St., said she had a few questions on the budget.

Mayor Johnston asked why she had not appeared during the budget hearings to express her viewpoints.

She said she had been ill at that time and had also not wanted to speak at the time the Council was discussing the budget, but now had questions in view of the pending adoption.

She referred to pages 56 and 57 of the budget concerning the maintenance and operation for police administration and for police detectives administration, which show that the budget for 1971 is approximately triple what was spent for 1970 and asked how this occurred.

Mr. Gaisford explained that on page 92 the budget shows this phase under the general service for the Police Dept. and that section takes care of all fringe benefits for the entire Police Dept. and that it is merely a matter of bookkeeping where the items are placed.

Mrs. Shackelford said she had questions about the Model Cities program also and asked if the City has assurance that the Workable Program will be accepted during the coming year and thus insure the underwriting the Federal funds. She said she would like to know the status of the program.

Mayor Johnston said that when he responds to Mrs. Banfield in writing, he would send Mrs. Shackelford a copy of the letter.

Mrs. Shackelford asked how many police had been eliminated according to the budget. She also asked if the City felt that increases were necessary for such items as membership dues, travel expenditure and books for various departments.

Mayor Johnston stated the Council had determined that such interests should be pursued in order that the community becomes a richer place to live and that this is promoted by exposing the personnel to persons other than those who come to the Council meetings. He said he was really pleased to see the Council, be in a position to rejoin the fine organizations that the City had formerly belonged to and to give the departments an opportunity to travel. He said he feels Tacoma is going to come out of the wilderness and become a city once more.

Mrs. Egan affirmed that the professional department personnel know what books and materials are necessary for the better functioning of the department. She said as a member of the teaching profession she agrees that any university or profession grants travel time and she saw no reason why the City should be any different.

The ordinance was placed in order for final reading next week.

Ordinance No. 19263

Amending Sections 1.12.360 & .628 of the Pay and Compensation Plan for the year 1971.

Mr. Bixel, Personnel Director, said there should have been a third classification included, which was inadvertently omitted from the listing. He said the Junior Fire Alarm Dispatcher, which was equated with the Fire Attendant, should have been added. This was discussed with the Council. The memorandum submitted is self-explanatory.

Mr. Van Camp representing Civil Service League asked if the Pay & Compensation Plan includes all fringe benefits. He explained that the non-uniform City employees are unanimously against what has been offered thus far and under the Pierce County Medical Plan, they feel they should be as fully covered as in the past and not regress.

Mr. McCormick said that he understood the unions had asked for mediation on the fringe benefits and that three unions had asked for mediation on their salaries as well. The unions have reported their approval or disapproval to Mr. Bixel.

Mr. Bixel said there were three unions that have indicated non-acceptance of the City salary proposal in accordance with the Council's express statement at the time of adoption. Therefore, there is not a unilateral change in the rates. Several of the larger groups are planning a meeting to discuss the situation and have asked to be reconsidered during the second reading of this ordinance. Mr. Bixel pointed out the present ordinance pertains strictly to salaries and not to fringe benefits and another ordinance will be presented next week regarding such items as a slight increase for the clothing allowance for police officers and a few housekeeping items. The Pierce County Medical Plan as such is not covered in the Compensation Plan other than in general terms; there is a medical plan provided and the only express statement is regarding the \$5.00 paid for dependent coverage. The contract has been approved by the City Manager and the Director of Utilities after conference with the City Council.

Mr. Van Camp referred to a letter on the bulletin boards which stated that employees would lose coverage under Pierce County Medical and said he had been approached by several hundred employees protesting the matter. He asked if this had been resolved.

Mr. Bixel explained this ordinance does not include the agreement with the Pierce County Medical Bureau. The Joint Labor Committee under its union agreement with the City has declared they should handle the mediation, if any, regarding the Pierce County medical contract for 1971. He stated the contracts are being prepared in accordance with authorization by the Council's December 3rd budget meeting. He said there had been no official declaration that there will be any mediation, however, but pointed out if any City employee is against the contract, they should contact their local unions.

The ordinance was placed in order for final reading next week.

Ordinance No. 19264

Appropriating the sum of \$140,000 from the General Fund for the purpose of subsidizing the Tacoma Municipal Transit System and transferring the appropriation to the Tacoma Municipal Transit Fund and declaring an emergency making necessary the passage of the ordinance.

Mr. Hanson, Accounting Officer for the Transit System, explained that at the time the 1970 budget was considered, the Department was to find some method to increase the transit revenue or reduce costs. The Department then asked that school fares be increased 7½¢ and it was estimated this would bring in approximately \$137,968; however, this raise did not become effective until July, 1970. The adult fares for the first eleven months of 1969 amounted to \$817,700 at a 25¢ fare, and for the same period of 1970 only \$68,668 was taken in, which was a reduction of \$137,000. Mr. Hanson stated that the budget is not being overexpended, but the revenue has dropped considerably during 1970.

Mayor Johnston asked if the senior citizens passes had any effect on the situation.

Mr. Hanson explained it was estimated that it would cost the City \$2,000 for the \$2.00 passes, and when the hours were restricted, it cost the City an additional \$3,000 per month. He commented there has been a conversion to a permanent pass, with a 10¢ fare, and that it is running the same as the \$2.00 pass would be after the restricted hours were eliminated. Also some schedules had been cut down and some customers were lost, he added.

Mr. Corsi said at the time the discussion of the Transit tax had come before the Council, an analysis had been made relative to whether the tax for small businesses should be raised from \$2.00 to \$3.00, as opposed to raising the tax for households from 75¢ to \$1.00. He said the figures seemed to be out of proportion and it was decided to increase the business tax and realize an increase of \$44,000, as opposed to raising the household tax and realizing a possible increase of \$137,000.

Mr. Hanson said that was correct. The Transit System had merely submitted their recommendations to the Council and apparently the Council had thought that was all that was required to balance the Transit budget.

Mr. Finnigan asked what was the total amount that the general City government subsidized the Transit System this year, including the \$140,000.

Mr. Gaisford said the subsidy for 1969 had been \$400,624 and the subsidy for 1970 would be less, being \$346,929, and the estimate for 1971 is \$427,180 and is therefore increasing.

The ordinance was placed in order for final reading next week.

FINAL READING OF ORDINANCES:

Ordinance No. 19254 (Postponed from the meeting of December 1st)

Approving and confirming the assessment roll for L.I.D. 4858 for paving between "I" and Yakima Ave. from No. 10th to 11th and other nearby streets.

Mr. Ken Jorgensen, representing the Public Works Dept., said the Department had not heard from Mr. Uthus since the last Council meeting, therefore, there had been no further action.

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

Ayes 5: Finnigan, Herrmann, Maule, Schroeder and Mayor Johnston.

Nays 4: Corsi, Egan, Jarstad and Moss.

The Ordinance was declared passed by the Chairman.

Ordinance No. 19257 (Postponed from the meeting of December 8th)

Vacating the east and west 10 feet of the alley between Yakima & "I" Streets between So. 12th & 13th Streets. (Tacoma School District #10)

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

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 19259 (Postponed from the meeting of December 8th)

Amending Chapter 13.06 of the Official Code by adding Section 13.06.050-25 to include property on the south side of No. 9th St. approximately 65 feet west of Orchard Street, in an "R-3" District. (Karl A. Tongedahl)

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

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 19260

Vacating So. 17th from Lawrence to the west line of Warner; So. 16th from Lawrence to Puget Sound; Warner from So. 16th to 18th; alleys between 16th & 17th between Warner & Lawrence and from 16th to 18th from Union Ave. to Puget Sound. (First Assembly of God Church)

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

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 19261

Amending Chapter 13.06 of the Official Code to add section 13.06.090-3 to include property in the area bounded by the center line of So. 16th St.; west line of Lawrence and Warner and the center line of So. 17th Street from an "R-2" to an "R-5" District. (First Assembly of God Church)

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

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Ordinance was declared passed by the Chairman.

Mr. Maule moved to suspend the rules to reconsider Ordinance No. 19256. Seconded by Mr. Jarstad. Voice vote was taken and motion carried.

Ordinance No. 19256

Amending Sections 1.30.580 and .586 of the Official Code relative to allowance on service retirement.

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

Ayes 9: Corsi, Egan, Finnigan, Herrmann, Jarstad, Maule, Moss, Schroeder and Mayor Johnston.

Nays 0.

The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

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

LID 4893 paving on Fife St. from So. 62nd to 64th and on So. "J" from So. 68th to 72nd and other nearby streets.

Dr. Herrmann moved that the date of hearing be set for Monday, January 11, 1971. Seconded by Mr. Corsi. Voice vote was taken and motion carried.

LID 4900 paving on South "K" St. from So. 25th to 27th and other nearby streets.

LID 5498 water mains in 134th and 135th Street Court East and 136th St. East from 126th Ave. East, easterly approximately 483 feet to cul-de-sacs.

Mrs. Egan moved that the date of hearing be set for Monday, January 25, 1971. Seconded by Dr. Herrmann. Voice vote was taken and motion carried.

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REPORTS BY CITY MANAGER:

Mr. Marshall McCormick, Acting City Manager, reported that Councilman Moss had contacted him regarding the status of the Dean-Witter urban renewal project. He said he had discussed this matter with Mr. Gary Sullivan, Director of Urban Renewal, and said that everything is progressing satisfactorily. He said he felt the current details would be of interest to the Council and asked Mr. Sullivan to review the progress for the members.

Mr. Gary Sullivan explained that the agreement between the City and the Dean-Witter Company had been signed on October 27, 1970 and was referred to the Dept. of Urban Renewal for review in final form, subsequent to the study session by the Council. Approval was received from the Dept. of Housing & Urban Development on November 17, 1970. The agreement was then referred to the City Attorney and sent to the Dean-Witter offices in San Francisco on the same date. The signed instruments were then returned to the City by Mr. King of Dean-Witter last week and they are being processed through the various departments. He further explained that there are certain easement releases relative to the entry ways through the garage yet to be executed and those should be completed by the end of the next week. Dean Witter has agreed to do a Height and Mass study to determine the configuration of the building as related to the open space and placement of the escalades. They have 30 days to complete this, after which the final plan will be presented to the City Manager.

Mr. McCormick said that Dean-Witter is anxious to complete the project and they have requested, they be informed on all steps taken by the City.

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COMMENTS BY MEMBERS OF THE COUNCIL:

Mayor Johnston commented that Mr. Roy Devish, Building Superintendent, should be complimented on the excellent annual Christmas decorations which have been placed on and around the building.

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Mayor Johnston announced that the new members to serve on the L. I. D. Committee for the months of December, January and February, will be Mrs. Egan, Mr. Maule and Dr. Herrmann.

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Mr. Finnigan also commented on the Christmas decorations at the County-City Building, but stated that the theft of light bulbs from the Christmas trees was a disheartening occurrence. He suggested that anyone noticing such vandalism should report it to the proper authorities and that the continuing of such acts would certainly discourage future decorations both by the City and by private citizens.

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CITIZENS' COMMENTS:

Mrs. Becky Banfield spoke relative to Model Cities and said she had analyzed some of the financial statements and could not understand where the taxpaying dollars had been spent or what had been accomplished. The statement had shown that \$141,000 had been spent, plus whatever had been added since that statement.

Mrs. Banfield said she had quite a few questions relative to the program and asked if the Mayor would respond to them by letter if she wrote to him.

Mayor Johnston replied he thought she and the Director of Model Cities and himself could get together and determine the answers.

Mrs. Banfield further questioned why one of the employees is still in the Model Cities office after he had been relieved of his duties, despite the fact that no one has been appointed to succeed him. She asked if the City is waiting for the funds.

Mayor Johnston replied it was an administrative matter.

Mrs. Banfield said she had brought it to the Council meeting as she felt the public is interested in how the public funds are spent.

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Mrs. Virginia Shackelford said that she had presented a number of petitions a month ago asking for a Councilmanic election on January 15th inasmuch as that date would coincide with the school bond issues. She said the election date has now been postponed until February and, therefore, she requested they be held in conjunction at that time.

She asked for a copy of the City Attorney's opinion on the election subsequent to the time she had appeared before the Council a month ago and for a copy of the Governor's authority established under Slade Gorton, when the Council appointed Mr. Billett.

She reported she had additional petitions to present bearing 4,343 more names. She said she feels there is a grievance and, as this is Bill of Rights Day, she had a right to present them.

Mayor Johnston stated the legal department had been extremely busy and he had not been in a position to respond to her. He advised that according to the opinion of the City Attorney, the election would be held approximately in September, 1971, and that there was no legal way an election could be declared before that time. Mayor Johnston gave Mrs. Shackelford a copy of the attorney's opinion.

Mayor Johnston further commented that some signatures on the last petitions had been from people as far removed as Eatonville and Orting and other outlying cities and he did not feel these signatures were proper as those people do not have a right to request an election in Tacoma.

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Mrs. Shackelford stated that the public is aware of the fact that the utility rates are predicted to be raised, and this would affect everyone in the county; therefore, people all over the county take an interest on the actions of the City Council. She further stated that in order to challenge an election or take any other action, certain legal steps are required and, therefore, she was "taking certain steps".

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Mr. James Watson, 2105 S. "M" St., said he would like to postpone his comments relative to the Model Cities Program.

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Mr. John Zelenak, 5414 So. "J" St., discussed the subject of the Federal trial being held at the Federal Building. He said there should be City laws which would allow the citizens to walk freely on the sidewalks and go into buildings without being harrassed by undesirable persons. He commented the abuse the policeman have to encounter is amazing. He said he feels there should be more control by the Police Dept.

Dr. Herrmann said he would like to have a resolution brought in next week commending the Police Department for the efficient manner in which they handled the difficult situation during the Federal trial at the Federal Building.

Mr. McCormick said he would like to also comment on the subject of the action of the Police Department. He thought the Chief of Police had handled his men in such a way as to avoid a possible serious riot, which could have resulted in thousands of dollars of damage and possible deaths from injuries. He agreed with Dr. Herrmann that the Police Department does its job well and efficiently in order to create less friction and fewer riotous scenes. He pointed out that inside the Post Office building, it is the U. S. Marshals who have jurisdiction and that the City police only have authority outside of the building. He said, however, there were a good number of people arrested on the outside and they are now in the County jail in the County-City Building.

Mr. Jarstad felt that most people recognize the difficult job the police have and the City should be concerned when there is a change of venue and cases come to Tacoma as the situation could be a real drain on the police manpower and funding. He said he had discussed such a matter with Congressman Hicks on his last trip to Tacoma. Mr. Hicks had said he would investigate the possibility of some Federal reimbursement for the extra costs imposed on the City in such cases.

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Mr. Ted Amell spoke to the Council asking that a proposition be put on the ballot at a special election for a coliseum in Tacoma. He presented letters with 183 signatures petitioning for such a building in the City.

Mr. Jarstad complimented Mr. Amell on his enthusiasm and explained there is a fund approved by the Council whereby a stadium fund is being accumulated from the sales tax on hotels and motels charges in the City. The City may be in a position to act on this matter in the future. He added that he had read an article in the paper stating that the knowledge gained on domed stadiums have been increased and the stadium being built in Idaho is costing \$2.3 million which will seat 20,000 people and has astro-turf. This size would be adequate for Tacoma which would serve for basketball, hockey, etc. and also for a convention center.

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Mr. Fred Van Camp, Civil Service representative, made some objections to the CAMP or ESP program, which was approved by Council action at a previous meeting. In the guidelines of the program, it stated that a CAMP employee was not to be hired to displace any full-time City employee. He said he did not see how this was possible. He referred to the statement that the CAMP employees were not to be used in jobs where it would impair in any way the learning opportunities for regular employees.

Mr. Van Camp questioned how many Civil Service jobs would have to be given up in order to prove that Civil Service employees are qualified for their jobs. The fact that there would be 60 persons coming in under the CAMP Program and that there are a number of other programs, such as Mainstream, the Youth Corps and the Trainee Corps, which provide jobs that the City employees feel are taking the place of other City employee jobs. He asked how many more jobs would have to be given up by City employees in order to support all the Federally-funded programs allowed to come into the City system. He pointed out that 60 City employees had been cut back last year and those employees did not have unemployment compensation even at the beginning; whereas the persons being employed now under the CAMP program at least had some compensation paid them.

Mr. Van Camp further stated if a person reads the guidelines of the CAMP Program, the State Unemployment office does the hiring and firing of those employees.

Mayor Johnston asked Mr. Van Camp if he did not believe in having a man work for 16 weeks at this time of the season at \$2.00 an hour, when his extended unemployment compensation has expired; and further if he did not believe the Council should assist in helping people in the community during this economic situation. 357

Mr. Van Camp said the City Civil Service group was not protesting those people working per se, but they did wonder how many more programs would have to be subsidized. He questioned what would prevent the same type of program from being added after the present one is completed. He felt the Council should also insist on helping the City employees to maintain their positions within the City and not cut down on the number of employees.

Mayor Johnston advised that the CAMP payroll would not come out of the City budget.

Mr. Van Camp said he realizes that and also there were a number of other items in the budget which he did not consider pertinent.

Mr. Fimmigan felt it should be pointed out that this program was only on a 16-week basis, subsidized by the Federal government through the State, as were other similar programs and was only temporary. He said he wanted it made very clear he did not approve of having anyone take the place of any City employee.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Tacoma Board of Adjustment meeting of November 12th and November 23rd.
 - b. Minutes of Civil Service Board Meeting of November 2nd and November 16th.
 - c. Trainee Corps Activity Report for November, 1970.
 - d. Report of Municipal Court of Tacoma, Traffic Violations and Court Cases for November, 1969 and 1970.
 - e. Monthly Report, Citizens' Information and Service Bureau, November, 1970.
- Placed on file.

Mr. Schroeder moved to adjourn the meeting. Seconded by Mr. Maule. The meeting was adjourned at 9:30 P.M.

ATTEST:

Josephine Melton
Josephine Melton - City Clerk

Gordon N. Johnston
Gordon N. Johnston - Mayor