

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, April 21, 1970

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

Present on roll call 8: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary and Zatkovich. Absent 1: Mayor Johnston.

The Flag Salute was led by Mr. Jarstad.

Deputy Mayor Cvitanich asked if there were any omissions or corrections to the minutes of April 7, 1970.

Mr. Dean moved that the minutes of April 7th be approved as submitted. Seconded by Mrs. Banfield, Voice vote was taken. Motion carried.

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PETITIONS:

St. Joseph Hospital requesting rezoning of the property between So. 17th & 19th and between I & J Sts. from an "R-3" & "R-4" to an "R-5-TH" District.

Referred to the City Planning Commission.

Receipt of an annexation petition from Henry O. Johnson et al, representing 75% of the property owners located on both sides of Crystal Springs Road between So. 19th and 22nd St. West extended.

Referred to the City Planning Commission.

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COMMUNICATIONS:

Herman Walker, Director of Model Cities Program, informing the City Council that Mr. Ree Hutchine has been selected as the Community Development Specialist for the Tacoma Model Cities Program and asked Council's support in this selection.

Mrs. Banfield asked Mr. Walker if Mr. Hutchine has already been hired.
Mr. Walker said he is now working on the job.

Mrs. Banfield felt it was strange that Mr. Walker would forward a communication to the Council asking for its support after the position has been filled. She asked that the Council study this appointment thoroughly as she felt the Council should have acted on the appointment before the position is filled.

After some discussion, Deputy Mayor Cvitanich explained that the final analysis in regard to the Model Cities Program ultimately rests with the City Council. He also mentioned that the very survival of this program in Tacoma rests with the type of people who are employed for the program.

Mr. Walker pointed out the Model Cities Director has the authority to hire a community development specialist. He assured the Council that, in no way, was he trying to do anything against the Council's wishes. He noted that their staff is putting together in one year, what would normally take three years to accomplish.

Communication was placed on file.

A letter from Mrs. Betty Jane Hiegel residing at 8009 So. Yakima, commenting on the Omnibus Crime & Safe Streets Act, was read for the record.

Mrs. Banfield explained she had been quite concerned about the Police Dept. and its sensitivity training course. She noted that the University of Puget Sound has received a federal grant for police training. She felt investigation should be made by the Prosecuting Attorney on behalf of the Police Dept. to find out exactly what type of training is being conducted through this federal funding.

Deputy Mayor Cvitanich asked that Mr. Oles, City Manager, contact the Prosecuting Attorney and submit a report to the Council.

Mr. O'Leary asked that the report include how much federal control relative to hiring, firing, training, etc., is contained in a grant under the Omnibus Crime & Safe Street Act.

Mr. Oles, City Manager, said he would look into the matter.

Communication was placed on file.

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RESOLUTIONS:

Resolution No. 20655

Awarding contract to Preservative Paint Company on its bid of \$11,283.30 for the furnishing of 4,500 gallons of white traffic paint.

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

Mr. O'Leary explained that he has noticed that under rainy conditions the crosswalks are quite slick and asked if this type of paint was used.

Mr. Schuster, Director of Public Work, explained that the crosswalks are treated with an entirely different type of material which is a powder that is heated and placed down by machine. It is not a paint and it permits the department to stripe a crosswalk without holding up traffic.

Mr. O'Leary asked that Mr. Schuster check into the matter and, perhaps, try to remedy the slickness on the crosswalks.

Mr. Schuster said he would check on the matter.

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

Ayes 7: Banfield, Dean, Finnigan, Herrmann, Jarstad, O'Leary and Zatkovich.

Nays 1: Deputy Mayor Cvitanich. Absent 1: Mayor Johnston.

The Resolution was declared passed by the Chairman.

Resolution No. 20656

Awarding contract to Haughton Elevator Company on its bid of \$6,120.00 per annum for lubrication and maintenance service on the City's moving sidewalks.

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

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

Ayes 6: Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich.

Nays 2: Banfield and Deputy Mayor Cvitanich. Absent 1: Mayor Johnston.

The Resolution was declared passed by the Chairman.

Resolution No. 20657

Authorizing the purchase of certain real property located at 1334 Commerce and 1333 Broadway in the Urban Renewal Project Wash. R-14 from Olga H. Warwick for the sum of \$7,250.00.

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

Mr. O'Leary thought the purchase price of \$7,250.00 for this property was too low. He added he knew there have been discussions held with the owners over a long period of time.

Mr. Sullivan, Urban Renewal Director, explained that negotiations have continued with Mrs. Warwick, since the death of her husband, over the property. Mr. Fredericks of the Urban Renewal staff also contacted her relative to the purchase at her request. Mr. Sullivan felt that Mrs. Warwick was in agreement that \$7,250.00 was a fair price for the property. He also mentioned that Mrs. Warwick will receive a small business displacement payment which is being processed at this time in the amount of \$2500.00. He called Council's attention to the appraisal price of the property in the amount of \$6,250.00 which was lower than the price offered Mrs. Warwick.

Mr. O'Leary said he had spoken with Mr. Warwick prior to his death and it was his understanding that there was an encumbrance on the property over and above this price.

Mr. Sullivan said that Mrs. Warwick is handling this matter herself and he did not know if there was an encumbrance.

Mr. Zatkovich also felt this price was too low as he had talked with Mr. Warwick many times about the matter. He knew that Mr. Warwick would not have been satisfied with this offer. He suggested that the resolution be postponed so he could meet with Mrs. Warwick.

Mr. Sullivan explained that the appraiser, Mr. Steel, in his report noted that the land and contribution value of the improvements is supported by more than (19) sales in the downtown area. He had further reported that the costs of repairs to conform to the City Code are more than the value of the improvements.

Mr. Sullivan also explained, the department has tried to do the best they could in this situation in a courteous and proper manner.

Mr. Dean moved to postpone the resolution for one week, until April 28, 1970. Seconded by Mr. Zatkovich. Voice vote was taken. Motion carried.

The Resolution was postponed until April 28, 1970.

FIRST READING OF ORDINANCES:

Ordinance No. 19095

Approving the annexation of the S. W. corner of So. 19th St. and Seaview Ave. (petition of Walter C. Witte et al).

The ordinance was placed in order of final reading.

Ordinance No. 19096

Amending Chapter 1.14 of the official code to add 14 new precincts and changing boundaries of 22 precincts inside the City limits.

The ordinance was placed in order of final reading.

Ordinance No. 19097

Appropriating the sum of \$1,650.00 or so much thereof as may be necessary from the General Fund for the purpose of paying additional costs of City contributions to the Tacoma Employees Retirement System.

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 19085

Amending Section 1.12.590 of the pay and compensation plan to add the classification of Working Foreman Fire Alarm Electrician and Fire Alarm Supervisor.

Mrs. Banfield moved to refer the ordinance to a joint committee of the Finance Audit and Investigating and Public Safety Committees. Seconded by Mr. O'Leary. Voice vote was taken. Motion carried.

The ordinance was referred to the Finance Audit & Investigating and Public Safety Committees.

Ordinance No. 19086

Amending Section 1.12.360 of the pay and compensation plan to add the classification of Senior Customer Service Assistant.

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

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

Nays 0. Absent 1: Mayor Johnston.

The Ordinance was declared passed by the Chairman.

Ordinance No. 19087

Appropriating the sum of \$10,800.00 or so much thereof as may be necessary from the General Fund for paying salaries and wages and M & O for the purpose of carrying on the annual Clean-Up Campaign.

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

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

Nays 0. Absent 1: Mayor Johnston.

The Ordinance was declared passed by the Chairman.

Ordinance No. 19088

Providing for the improvement of L I D 4906 for paving on McBride from Orchard to Ferdinand; Huson from No. 38th to McBride and Madison from No. 16th to No. 18th Sts.

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

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

Nays 0. Absent 1: Mayor Johnston.

The Ordinance was declared passed by the Chairman.

Ordinance No. 19089

Providing for the improvement of L I D 4916 for paving on Prospect from So. 74th to So. 76th Street.

Mrs. Banfield said a complaint was made at the L I D hearing that 67th Street between Yakima & Park Avenue was in a deplorable condition, she asked if this had been checked.

Mr. Schuster, Director of Public Works, explained that the department has had a grader on the street within the last week.

Mr. Dale Collison residing at 968 121st Street East explained that South I Street from So. 88th to So. 90th was deleted from the L I D by the committee. However, he added since the hearing he has made an effort to contact the residents that are living on South I Street in an effort to work out a solution whereby he would pay a portion of their costs if they would agree to withdraw their protests. He added he was unable to contact three parties residing on I Street and would like to have a joint meeting with the residents to explain to them what he proposed to do. He then asked if the Council would postpone the ordinance for one week.

Mr. O'Leary moved that the ordinance be postponed for one week, until April 28, 1970. Seconded by Mr. Dean. Voice vote was taken. Motion carried.

The Ordinance was postponed until April 28, 1970.

Ordinance No. 19090

Approving and confirming the assessment roll for L I D 5445 for water mains in No. 11th from Highland to Pearl and other nearby streets.

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

Ayes 8: Banfield, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Deputy Mayor Cvitanich.
Nays 0. Absent 1: Mayor Johnston.
The Ordinance was declared passed by the Chairman.

Ordinance No. 19091

Approving and confirming the assessment roll for L I D 5462 for water mains in Cedar from So. 19th to 23rd Street.

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

Ayes 8: Banfield, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Deputy Mayor Cvitanich.
Nays 0. Absent 1: Mayor Johnston.
The Ordinance was declared passed by the Chairman.

Ordinance No. 19092

Approving and confirming the assessment roll for L I D 5463 for water mains in 140th Street East from 126th Ave. East to the Cul-de-sac west of 126th Ave. East and other nearby Streets.

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

Ayes 8: Banfield, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Deputy Mayor Cvitanich.
Nays 0. Absent 1: Mayor Johnston.
The Ordinance was declared passed by the Chairman.

Ordinance No. 19093

Approving and confirming the assessment roll for L I D 5467 for water mains in the area bounded by So. 40th, Alder, So. 48th & Junett Streets.

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

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

Nays 0. Absent 1: Mayor Johnston.

The Ordinance was declared passed by the Chairman.

Ordinance No. 19094

Approving and confirming the assessment roll for L I D 5470 for water mains in 35th St. N. E. from 49th Ave. N. E. to Browns Point Blvd. and other nearby streets.

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

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

Nays 0. Absent 1: Mayor Johnston.

The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

Mr. Dean announced that on Friday, April 24th, 1970, the Tacoma Youth Symphony will be holding a dessert followed by a concert for the purpose of adding to their funds for their trip to Switzerland.

Mr. Jarstad asked Mr. Sullivan, Urban Renewal Director, to bring the Council up to date regarding the program generally as he had read an article in the paper relative to the future of urban renewal.

Mr. Sullivan said the story that Mr. Jarstad read in the paper does not accurately portray the situation of urban renewal. He added he is currently preparing a report for the Council of what has transpired during the two months since he has been Director of Urban Renewal. He added he is preparing for next week's agenda an informative memorandum relative to less than fee acquisition for property. A letter has been sent to (27) property owners or their representatives in the New Tacoma Urban Renewal area as required by the federal government which does point out some options which can be followed prior to eminent domain action by the City.

Mr. Sullivan felt that the Council would agree that in the execution of the urban renewal plan, it is far more desirable to allow the present owners to still own their property. The Urban Renewal Dept. has made a uniform offer in the letter referred to above. The first option (1) the property is slated for acquisition and the Department offers to purchase it for 'X' number of dollars. (2) The Dept. will allow an owner to submit to the Council for its consideration an owner participation agreement. (3) Then the Department has offered an approach which is termed the 'less than fee acquisition'. This points out that if an owner's property is slated for acquisition, the plan calls for certain things. He felt it would be more desirable that the plan be owner-oriented. The owner is then to submit a plan which is in conformity to the Urban Renewal plan as this would save money for all concerned and also that it will make urban renewal more palatable to everyone concerned, he added.

Mr. Sullivan also mentioned that the Mall in the Urban Renewal plan is a question that has to be met. He hoped that in the near future, he would have the proper answers for the Council relative to that situation. He also hoped to definitely close out the Center Street project by June 30th. Some developments are being discussed in both the Fawcett and Downtown project and he hoped these would be consummated.

Mr. Jarstad read an article from U. S. News & World Report which pointed out the funds which will be needed for the program through 1975 because more cities are asking for funds each year.

Mrs. Banfield asked if there is still an Urban Renewal office in the downtown area. Mr. Sullivan remarked the Urban Renewal Site office is still operating and he would make available to Mrs. Banfield why in his judgment it should remain there.

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Deputy Mayor Cvitanich asked that the Council excuse Mayor Johnston from this evening's meeting.

Mr. O'Leary moved to excuse Mayor Johnston. Seconded by Mrs. Banfield. Voice vote was taken. Motion carried.

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Deputy Mayor Cvitanich brought up that the Mayor has been invited to a ten-day Model Cities Workshop to be held in Colorado Springs on April 23 and 24th, 1970, which will be no cost to the City of Tacoma if the Mayor attends this meeting. Mayor Johnston has asked for the Council's authorization to attend.

Dr. Herrmann moved to allow Mayor Johnston to attend the Model Cities Workshop in Colorado Spring, Colorado, on April 23 and 24th. Seconded by Mr. Finnigan. Voice vote was taken. Motion carried.

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Deputy Mayor Cvitanich explained that a letter had been received from the University of Washington asking that Tacoma participate in the problem of obtaining a ferryboat for the Puget Sound Region. He said if there were no objections, he would refer this matter to the Civic Arts Commission for its recommendation.

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Mr. Jarstad moved to suspend the rules to reconsider Ordinance No. 19048, pertaining to the CATV franchise. Seconded by Mr. Finnigan. Roll call was taken, resulting as follows: Ayes 3: Finnigan, Herrmann and Jarstad. Nays 5: Banfield, Dean, O'Leary, Zatkovich and Deputy Mayor Cvitanich. Absent 1: Mayor Johnston. MOTION LOST.

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COMMITTEE REPORTS:

Deputy Mayor Cvitanich explained that a letter had been submitted from the Tacoma-Pierce County Humane Society requesting added funding. He asked direction from the Council to the Finance Audit and Investigating Committee as well as the City Manager regarding this matter.

Mr. O'Leary asked that an ordinance be drafted allocating \$15,000 to the Humane Society to relieve a deficit in their M & O fund. A discussion can then be held on the matter next week, he added.

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Deputy Mayor Cvitanich said that a letter had also been received from the Civic Arts Commission pertaining to the Arbor Committee. He felt that members of the Council who wish to obtain further information can contact Gordon Alcorn, Chairman of the Arbor Ordinance Committee of the Civic Arts Commission, before another ordinance is brought before the Council

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Deputy Mayor Cvitanich submitted minutes to the Council relative to the negotiations that had been held by the Finance Audit and Investigating Committee with the union representatives from unions who had filed petitions for mediation.

He pointed out that the entire committee had been present at the meeting as well as Mr. Oles, City Manager; Mr. Bixel, Director of Personnel; Mr. Lund, Assistant Director of Personnel; Mr. Erdahl, Director of Utilities and Mr. Benedetti, Assistant Director. Eight union representatives were also present and were given the opportunity to state their point of view. After the meetings, discussions were also held with the City's staff. He further explained that the committee does have a recommendation and it is up to the entire Council to decide what is to be done in this matter. He said he explained to the unions that the Council's decision would be forthcoming on Wednesday, April 22nd. It is the committee's recommendation based upon all the factors involved that no changes in the 1970 compensation plan be made. He read a letter which would be sent to all unions on the matter after this meeting, if the Council so desires. He also stated that the 1971 negotiations will be starting within the near future which will afford an opportunity to review any individual inequity and/or special adjustments which may be indicated. 195

Mr. Zatkovich said he felt there were several inequities, particularly in relationship to the rain apparel for gardeners, which was requested by the representative from the municipal employees union.

Mr. O'Leary also mentioned inequities in the Service employees salaries which was noted, but this can be included in the 1971 negotiations. The Transit Union representative presented new points in bargaining and these new suggestions should be brought to the 1971 negotiations. The Automotive Machinists' representative asked that their salaries be raised in line with the Journeyman's wage outside City service. Mr. O'Leary said it was his hope these machinists could be granted the ten-cent hour raise.

Mr. O'Leary also mentioned that Labor's Joint Negotiating Committee in a letter had requested an increase of 2-1/2 percent over and above the increase that had been granted for all employees. He explained this request was absolutely impossible to grant.

Deputy Mayor Cvitanich explained such an increase would bring the percentage raise to 10% for all city employees and this would amount to approximately \$600,000. The new points in bargaining submitted by the Transit employees were improper and they shouldn't have been submitted at this time.

Mr. Zatkovich felt perhaps if an inequity existed in the Automotive machinists' wages further consideration should be given. He asked the Council members to give their views on this matter.

Deputy Mayor Cvitanich felt the rain apparel was a small item, but he wondered if this would set a precedent.

Mr. Dean moved that the Council correct the inequities and provide rain apparel for gardeners at the Dept. of Public Utilities and that an adjustment be made to raise the pay by 10 cents an hour for automotive machinists. Seconded by Mrs. Banfield.

No vote taken.

Mr. Oles, City Manager, said that such changes are inadvisable at this time. He felt if the Council provides protective clothing for one group, several other groups have made it known that they would bring in a similar request. He felt it was a matter that should be referred until the 1971 negotiations. He also mentioned if any wage adjustments are made by the Council, it will be infringing on other groups that will have comparable claims. Therefore, there will be no bargaining power left for the 1971 negotiations.

Mr. Finnigan said he appreciated the work that the Finance Audit & Investigating Committee had performed, however, in all fairness to the entire Council, he thought the decision on this matter should be postponed for one week.

Mr. Zatkovich pointed out that various utility groups in City service already have this type of clothing. He said he would agree with Mr. Finnigan that the decision by the Council should be postponed for a week.

Mr. O'Leary moved to continue the Council's decision on the matter for one week, until April 28th, 1970, and that the committee provide additional background information for other members of the Council. Seconded by Mr. Zatkovich. Voice vote was taken. Motion carried.

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Mr. O'Leary, Chairman of the Public Works Committee, explained he was in the process of setting up a meeting relative to the Housing Improvement problem and a report will be forthcoming at a later date.

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REPORTS BY THE CITY MANAGER:

Mr. Oles, City Manager, submitted copies of a Progress Report relative to the Solid Waste Demonstration Grant signed by Mr. Schuster, Director of Public Works.

Mr. Oles asked for direction from the Council relative to student summer employment as he has been receiving numerous letters of application.

Mr. Cvitanich asked that Mr. Oles submit a report on the cost figures in the various departments relative to summer work.

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Mr. Oles said he received a purchase order recently from the Model Cities Dept. for equipment consisting of a rotary duplicator, two electric typewriters and other typewriters which amounts to approximately \$1500. He said, he realized that this expenditure would not be allocated from the City's General Fund, but he had declined to sign the purchase order because he did not feel it was his responsibility; consequently, after checking into the matter, he found it legal for him to sign such a request. However, he would prefer that the matter be referred to the Council for a decision because it comes from an area where he has no jurisdiction.

Mr. O'Leary moved that any expenditures of a Department directly under the jurisdiction of the Council be referred automatically to the Finance Audit and Investigating Committee. Seconded by Mr. Dean.

Mr. Finnigan suggested that the Finance Audit and Investigating Committee should recommend to the entire Council how such funds should be spent so that in the future, they would not be overburdened with every expenditure.

Mr. Cvitanich asked that Mr. Oles submit a report on the status of the Model Cities Program in conjunction with the Finance Dept. and Legal Dept. and present it to the members of the Council who feel that no problems exist in that area.

Mr. O'Leary said he would withdraw his motion with the consent of his Second.

Mr. Cvitanich remarked that Mr. Finnigan's recommendations will be carried out.

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Mr. Oles called attention to the communication regarding the Tacoma Human Resources Council which he believed was the name that the Council had chosen for the O. E. O. organization. If there was any desire on the part of the Council to give any direction at this time, he would be happy to receive it, otherwise, he suggested that it might be well to present to the Council certain alternate courses of procedure.

Mr. Cvitanich explained there were three alternate proposals provided to the Council, but it was up to the Council to make a decision on the matter. His preference was the Mariposa County Plan that was presented.

Mr. O'Leary requested that an ordinance be drafted setting up an organization for the anti-poverty program in the City.

Mr. Oles remarked that two alternative ordinances would be prepared.

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Mr. Oles reported that the Building Committee has had a meeting in reference to the parking problem around the County-City Building and a further report will be forthcoming on its decision in the near future.

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Mr. Oles explained he thought the Council must consider the position in which the City finds itself regarding the Humane Society, Park Board and Library Board. He added, the City appropriates funds to all of these organizations which are operated by independent boards where actually the Council has no control; also in the near future, the Human Relations Commission will also be asking for funds.

Mr. Cvitanich said he had been concerned over this matter for some time. The City does have the legal right to place certain restrictions on the allocation of funds to some of these boards. He felt it becomes incumbent upon the Council to comply with the intent of the law regarding these matters.

Mr. O'Leary asked that an ordinance be drafted for Council's action for additional funds for the Tacoma Humane Society and that an explanation be submitted along with the ordinance relative to its legal background.

Mr. Cvitanich explained that the City finds itself as a third party with no control, other than providing a service to these organizations.

Mr. Oles reported on the status of the City Hall Annex and felt that a reasonable amount of progress is being made in that connection.

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COMMENTS BY MEMBERS OF THE COUNCIL:

Mr. Cvitanich announced a joint meeting of the Council will be with the Civil Service Board in Room 354, at noon, Monday, April 27th. He hoped that all the members of the Council would be able to attend.

Mr. Finnigan explained that the Human Relations Commission has suggested in a letter to the Council that a joint study session be held at the convenience of the City Council. It was suggested that perhaps, Monday, April 27th, 1970, at 8 P.M. could be set as the date for the session.

Mr. Cvitanich said the Council is scheduled to meet with the Civil Service Board at noon of that day, however, if there are no objections a joint meeting with the Human Relations Commission will be held at 8 P. M. on Monday, April 27th.

Mrs. Banfield pointed out that in the report submitted by Mr. Button, Chief of the Buildings Division in reference to the City Hall and City Hall Annex that several schedules stipulated in the contract have not been completed. She hoped that this has been called to the contractor's attention.

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Mr. Oles, City Manager, explained the contractor has been apprised of the problem.

Mrs. Banfield asked who appointed Mayor Johnston to the O. E. I. Board and who paid for the trip to Washington, D. C. She felt, perhaps, there might be a conflict of interest in this appointment.

Mr. Cvitanich explained that he would contact Mayor Johnston and he will probably report on the matter.

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Mr. Zatkovich explained he was disappointed in the unfortunate comments made by the former Police Chief which were published in the newspaper. Many persons in law enforcement have contacted him who have taken exceptions to those comments.

Mrs. Banfield asked that a resolution be drafted asking that the Superior Court Judges call for a grand jury investigation of the City of Tacoma.

Mr. Cvitanich said he thought a visiting grand jury would be in Tacoma soon and then, perhaps, the total story can be told. He noted that about a year ago the Council defeated a suggestion to support a bill in the Legislature for an annual grand jury.

Mr. Finnigan explained that from what he has learned within the last two months he would be very much in favor of such an investigation at this time.

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Mr. Cvitanich said he has been informed that State Land Commissioner Bert Cole is proposing to allow exploration by oil and gas drillers under the waters of Puget Sound north to Alki Point. He added, if this happened in Tacoma this would be the area between Pt. Defiance and Vashon Island. He, therefore, requested that a resolution be drafted stating the City of Tacoma's position in opposition to the program. If this resolution is adopted next week, Mr. Cvitanich asked that a copy be sent to Land Commissioner Bert Cole, Governor Evans, Senator Warren Magnuson as well as to the U. S. Corps of Engineers.

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Mr. Cvitanich noted that not too long ago there had been a serious power outage in the area which created many problems. He wondered what type of protection is available to the City in case of an all-out emergency. He asked Mr. Oles to submit a report to the Council on the following: What function does the Civil Defense Dept. play in case of an emergency; what type of coordination is planned between the Police and Fire Departments; what type of emergency procedures are outlined to guarantee the people of this community protection under all types of circumstances.

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Mrs. Banfield explained she has had numerous phone calls in reference to Mr. Bond acting in an outside business when he is being paid by the citizens of Tacoma.

Mr. Cvitanich explained that the primary function of Mr. Bond's position is to serve a public need by dispersing information. He knew that Mr. Bond had checked with his immediate superiors before being on a program.

Mr. Oles, City Manager, explained he felt that Mr. Bond's function as the Public Information Officer would be enhanced by having the opportunity to explain the activities of the City over the air.

Mr. Cvitanich explained Mr. Bond received no compensation for appearing on the air.

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Mr. Jarstad felt that urging a grand jury investigation for Tacoma is a very serious thing, however, he would agree with such a move. He mentioned that the press had printed a story that \$50,000 worth of drugs were confined in the Police Dept. and no one has claimed it. He added, a man had approached him and charged that the

Police Dept. had stolen those drugs from him and planted them in a house and he was arrested when it was picked up. Mr. Jarstad requested that a report be submitted by Mr. Oles as to what is happening in this matter since there is now a new Police Chief.

Mr. Oles, City Manager, explained that the police did raid a house and seized material. This material is still in custody. On the advice of the City Attorney, the material is being held in the event it may or may not have to be used in Court.

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Mr. Jarstad said he had been asked why the Censor Board was not active, particularly on the matter of pornographic material.

Mr. Oles, explained this was a long story and very involved. The City is under a very grave handicap by reason of decisions that have been handed down by the Supreme Court. He pointed out that he was the person that caused the raid to be made and he does not intend that more will be made in the future. A Censor Board is provided for in the administrative code and is given some very broad powers, but the decision of the Supreme Court states that a Censor Board is unconstitutional if it tries to exercise any of its powers. There have been meetings with many people to see if there is any possible way that the City can enforce its own ordinance in the light of some very adverse Court decisions.

Mr. Cvitanich felt that Mr. Oles should find out how often the Censor Board meets in the period of the last eight or ten years.

Mr. Oles stated that at the present time, he could not see how the Censor Board could provide any useful assistance.

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Mr. Cvitanich asked that Mr. Oles provide the minutes of the Board of Adjustment for review. He knew that Mr. Thompson of the Recall Committee had served on that Board for a period of time and he felt it would be interesting to know who his clients were when he served on the Board of Adjustment. Secondly, a wife of one of the committee members, who teaches at Jason Lee, was using the citizens' tax dollars to convey her particular point of view on the matter at the time allocated to teach the youngsters. Mr. Cvitanich said he was extremely pleased that Mr. Lassoie reaffirmed the policy that the School Board has had for a long time.

Mr. Cvitanich informed Mrs. Banfield that Mr. Gierke, another attorney on the Recall Committee, appeared before the Council at the hearing of Goodwill Industries which is tax exempt property.

Mr. Cvitanich pointed out that approximately 51.2% of the property in Tacoma is tax exempt; 49% of the people in this community are paying 100% of the tax load. This problem will also be rectified before the investigation is through.

Mrs. Banfield read letters announcing meetings in various areas of the City which concerned the current recall movement.

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Mr. Cvitanich said that the new fire trucks will be arriving shortly and he hoped that they be displayed at the Mall so the public will have the opportunity to see the latest in fire trucks and fire fighting equipment.

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Mr. Jarstad reported that action was started on the Design Review Board at the Planning Commission's meeting last evening. He hoped that a report will be available to the Council within the next month.

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Mrs. Banfield asked if it were possible for the City to charge a non-profit tax exempt property for services, such as for the Fire Dept. She knew of three different times the department has been called to one particular tax exempt property, which obviously is getting all of the City services for nothing.

Mr. McCormick, City Attorney, explained that the tax exempt properties are tax exempt by State and by Federal law and the City could not charge these properties for any services unless the State or Federal law authorizes such a charge. Sometimes the Federal law does authorize payment in lieu of taxes and they are collected by the County Treasurer as real property taxes. He did not think the City could differentiate in the extension of the City service.

Mrs. Banfield said that she was speaking of the YMCA, Goodwill Industries or a non-profit organization that own acres of land and all of it is tax exempt. She thought that only the workshop area should be the tax exempt portion.

Mr. McCormick said that it was his understanding that the tax exemption as to churches, schools and such institutions as mentioned, the tax exemption only extends to the actual areas that are being used for religious purposes. He knew, for instance, that the University of Puget Sound, pays taxes on any commercial property. He was sure that the County Assessor's office could advise her on these rules and regulations of the State law.

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Mr. Dean explained he had received a letter from the Musician's Union regarding their property and there seems to be some problem over a joint-wall and he wondered what committee would take care of the problem.

Mr. Cvitanich explained it would be referred to the proper department, which he was sure was Public Works, Buildings Division.

Mr. Dean asked that a report be submitted on the matter.

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CITIZEN'S COMMENTS:

Mr. Cvitanich explained that Mr. Stanton who was scheduled to speak this evening, informed him that he wished his name removed from the agenda.

Mr. A. G. Richardson was not present to speak.

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ITEMS FILED WITH THE CITY CLERK:

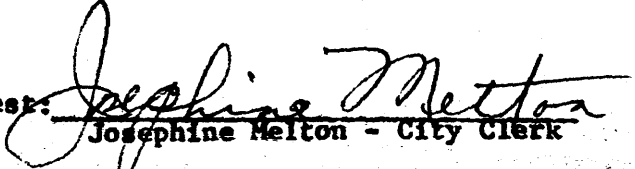
- a. Minutes of the Tacoma City Planning Commission for April 6, 1970.
- b. Citizens Information & Service Bureau monthly report for March 1970.
- c. Tacoma Police Dept. report for March 1970.
- d. Report from James F. Wendt, Radio Engineer-attending Western States APCO Conference.
- e. City Clerk advising the time has elapsed for filing protests on L I D 3701 & 6926.

Placed on file.

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Mr. O'Leary moved to adjourn the meeting. Seconded by Mr. Zatkovich. The meeting was adjourned at 9:45 P.M.

George Cvitanich - Deputy Mayor

Attest: 
Josephine Melton - City Clerk