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CITY COUNCIL MINUTES

City Council Chambers, 7:00 P. M.
Tuesday, January 24, 1961

Council met in regular session. Present on roll call 9: Bott, Cvitanich, Easterday, Murtland, Olson, Porter, Price, Steele and Mayor Hanson.

Mr. Easterday moved that the minutes of January 10, 1961 be approved as submitted. Seconded by Mrs. Price. Voice vote resulted as follows: Ayes 9; Nays 0; Absent 0.

RESOLUTIONS:

Resolution No. 16406: (postponed from the meeting of Jan. 17, 1961)

Authorizing the execution of agreements between the City of Tacoma and six firms for the use of electric power and energy.

Mr. Easterday moved that the Resolution be adopted. Seconded by Mrs. Olson. Voice vote was then taken on the Resolution resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16408:

Fixing Tuesday, February 14, 1961 at 7:00 P. M. as the date for hearing on the construction and reconstruction of sidewalks in various areas throughout the City.

Mr. Easterday moved that the Resolution be adopted. Seconded by Mr. Murtland. Voice vote was then taken on the Resolution resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16409:

Fixing Tuesday, February 14, 1961 at 7:00 P. M. as the date for hearing on the vacation of property in the alley between Pacific Ave. and "A" Street running from Puyallup Ave. to So. 25th Street. (Medosweet Dairies petition)

Mr. Steele moved that the Resolution be adopted. Seconded by Mrs. Price.

Mr. Rowlands explained that Mr. Sweeting, President of the Medosweet Dairies, is here this evening to bring the Council up to date on this vacation petition. Mr. Rowlands said that in May of 1958 a hearing was held by the Council on this vacation. At the Planning Commission meeting in April 3, 1958, they recommended approval of the vacation subject to three conditions: (1) Reservation of an easement over the

vacated alley for the existing sewer line; (2) Dedication by Medosweet Dairies of certain other properties for alley purposes; and (3) Payment by Medosweet of the cost of relocating utilities. At the same time, he added, the Medosweet Dairies was negotiating with the State Highway Department in connection with their other plant which would have to be removed from the freeway right of way. They wanted that settled with the State before proceeding with these changes. Mr. Rowlands added that three years have elapsed since this was before the City Council, and the City Attorney feels it would be proper to hold another hearing before granting the vacation.

Mr. Sweesting said three years ago it was expected that the Bay Street plant would be taken in by the new Freeway system. He said now the condemnation proceedings have been completed and the plant will be taken into the Freeway system. He said this vacation is necessary to allow them to consolidate their operations so that they can cross the alley with conveyors to store milk and also convey the milk to the trucks.

He said the alley at the present time has very little use. The Medosweet Dairies owns all of the property on one side of the alley, and one-half of the property on the other. He further added, in return for this vacation the Medosweet Dairies are dedicating 15 feet of the alley and are constructing a turn-around on their property 25 feet wide and 30 feet deep so that trucks coming in on the other side can turn around and back out so as not to hinder egress to other facilities.

Mr. Buehler, Planning Director, added that this vacation was heard previously before the Council. He said this is more or less a procedural step as State Law requires that a hearing be held and the vacation made within a reasonable time. Since this was before the Council some three years ago and no recommendation was made at that time, they are now presenting it before the Council again. The conditions as set forth at the hearing before the Planning Commission three years ago remain the same and have been agreed upon by the petitioner and others involved. He said it was his understanding that the Medosweet Dairies is trying to meet a deadline in reference to the movement from the Freeway to consolidate their operations.

Mayor Hanson asked if any of the property owners objected to the vacation at the previous hearing?

Mr. Buehler said there were no objections, and to the best of his knowledge this has not changed.

Mayor Hanson said with all the information submitted, the Council will be in a position to become sufficiently familiar with the matter so that a decision can be made at the hearing.

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

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16410:

Fixing Tuesday, February 14, 1961 at 4:00 P. M. as the date for hearing on LID 4680 in the vicinity of No. 25th and Stevens Street, for paving.

Mr. Steele moved that the Resolution be adopted. Seconded by Mr. Murtland.
Voice vote on the Resolution resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16411:

Fixing Tuesday, February 14, 1961 at 4:00 P. M. as the date for hearing on
LID 4679 for paving on Skyline Drive & Hawthorne from No. 18th to No. 24th St.

Mr. Steele moved that the Resolution be adopted. Seconded by Mrs. Price.
Voice vote on the Resolution resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16412:

Accepting an offer of the United States to make an advance of Federal Funds to
the City of Tacoma to aid in financing the cost of preparing a General Neighborhood
Renewal Plan designated Plan No. Wash. R-6 (GN).

Mr. Steele moved that the Resolution be adopted. Seconded by Mr. Murtland.

Mr. Rowlands said a meeting was held on this proposition last week at which
time the staff of the Urban Renewal office explained the various aspects, particularly
of the General Neighborhood Development Program. Unfortunately, the supporting
information in connection with this Resolution was not distributed to the Council on
Friday. However, he added, each Council member did receive a copy of this informa-
tion today containing reports from Mr. Thompson, Assistant City Attorney, Les
Gillis, Building Inspector, Deputy Fire Marshall Heymel, Don Hager, Inspector of
the Police Department, and Dr. Fargher, Director of Health, in which explanation
is made of their findings indicating this particular area would be eligible for this
program. He said he did not know whether the Council members have had an oppor-
tunity to look over the report but the information, in effect, is supporting this
Resolution.

Mayor Hanson said the Council is aware of the area involved in this step and
of the need for an Urban Renewal program. He said he understands that the Council
is of the opinion that we should proceed with the Urban Renewal program in this
area.

Mr. Rowlands said Resolutions No. 16412 and No. 16413 are somewhat related.
About a month ago this \$21,500 grant was earmarked, and Resolutions No. 16412
and No. 16413 will enable the City to proceed with these studies using this advance.

Mr. Steele moved that the Resolution No. 16412 be adopted and the supporting
material be made a part of the record. Seconded by Mrs. Price.

Mr. Bott said he noticed in the report from the Chief Fire Inspector, the area
of Division Avenue to Stadium Way, south on Stadium Way to 7th Street, has been
included, and asked if that was part of the Urban Renewal or was it part of Fire Zones
#1 and #2?

Mr. Jacobson, Urban Renewal Director, replied the statistical information over the years was not kept on the basis of this area. This is larger than the area in question but is a just indication of the conditions in the area.

Mr. Bott said then as he understands it, Division Avenue to Stadium Way, south on Stadium Way to So. 7th Street, is not included in the Urban Renewal Plan.

Mayor Hanson answered that was correct.

Mrs. Olson said this matter was very briefly discussed last week. She said this covers a very large area, and wondered how many square blocks it involves.

Mr. Jacobson said he did not have the area in blocks but it did involve slightly less than 200 acres, but he estimated it involved approximately 70 square blocks.

Mrs. Olson asked how this compared with the total area in the Center Street Urban Renewal.

Mr. Jacobson said it was about 3 times the size. However, he added, this is not one project, this is the total area which in the future may be divided into several projects following this study.

Mr. Jacobson said this study which will be authorized by Resolution No. 16412 will make it possible for the information to be prepared for a plan of action toward the area.

Mrs. Olson said she realizes that, but she was a little confused by the procedure. She said if the Council adopts this Resolution, it indicates intention. In other words, we designate this as an Urban Renewal area, and that our intentions are of proceeding with a similar program as the one presently accomplishing in the Center Street area.

Mr. Jacobson explained that this simply designates that the City will have at least one Urban Renewal project, and it could be the same as the Center Street Project, or a Conservation project, or some other type.

Mrs. Olson said but it does indicate that we intend to proceed.

Mr. Jacobson replied that they will have to proceed with at least one project.

Mrs. Olson said there seems to be some confusion as to the status of certain real property and some people are confused as to whether they are going to be permitted to make certain real estate transactions. She said since the finding and contract would commit the City to undertake at least one major project in the area, the Council should be given more time to study the information.

Mr. Steele said this Resolution simply authorizes the inventory of this particular large area under discussion and he would hesitate to suggest that any delay be made. This large area in the Downtown Tacoma General Neighborhood Renewal Plan has no relation to the Center Street or the Fawcett Street areas, and any confusion or difficulty being experienced in another area should not interfere with what is being done in this instance.

Mrs. Olson said she appreciated Mr. Steele's opinion but she also thought that these are very important decisions and is aware of the fact that everything has to proceed step by step in an orderly manner. She said the City of Tacoma may be involved in tremendous sums of money in this project and felt another week delay would not harm the position. She said she read the contract proposed by the Federal Government, and it did not specify a time limit.

Mr. Jacobson said there is a time limit from the time the offer was made to the City, which was January 6, 1961, and the City has 30 days from that time to accept or reject the offer. Therefore, he added, it would not be harmful to delay this another week.

Mr. Murtland said he has not had an opportunity to look over this additional information that was submitted, and he felt more time should be taken to study it, as the Council may not agree with some of the findings listed and may want them presented more specifically.

Several of the Council Members felt that a postponement would be in order.

Mr. Steele said he would withdraw his previous motion in regard to the Resolution.

Mayor Hanson asked if a two week delay would enable the City to accept the offer in reference to the financing of this study.

Mr. Jacobson said the U. S. will withdraw the offer before the two weeks are up.

Mr. Rowlands said if necessary an extension of time could be requested.

Mayor Hanson said he would suggest that the Council postpone this for one week and that instructions be given to the staff to request an extension of time so that the Council will be in a position to take action after one week if it becomes necessary.

Mr. Porter moved that action be postponed for one week. Seconded by Mrs. Price. Voice vote on the motion resulted as follows: Ayes 9; Nays 0; Absent 0. Motion carried.

Resolution No. 16413:

Designating the Downtown Tacoma General Neighborhood Renewal Area Wash. R-6 (GN) as a major Independent Urban Renewal Project.

Mr. Easterday moved that the Resolution be postponed for one week so that it might be heard with the previous Resolution No. 16412. Seconded by Mr. Cvitanich. Voice vote on the motion resulted as follows: Ayes 9; Nays 0; Absent 0. Motion carried.

Resolution No. 16414:

Amending Resolution No. 15325 in reference to change orders on the work performed by Horace J. Whitacre & Associates for the design and supervision of the construction of the Yakima Avenue Bridge.

Mrs. Price moved that the Resolution be adopted. Seconded by Mr. Easterday.

Mr. Schuster, Director of Public Works, said the original contract which was drawn up for the design and construction of the Yakima Avenue Bridge was patterned after suggestions contained in the "Manual of Professional Practice for Civil Engineers, No. 29" - of 1952 - of the American Society of Civil Engineers. However, he added, through inadvertance no section was included to be used in case of any redesign of the work over which the engineer himself had no control. This was experienced principally on the northern approach to the bridge where some changes were made primarily due to the Urban Renewal project in the Center Street area. The Manual was again consulted, and it was found that it is provided in the Manual, "Redesign Required by Client," that: "When redesign work is required by client, after preliminary report or preliminary plans have been approved, compensation for such redesigning should be on the basis of salary costs of employees, plus 100% in addition thereto for allowance for overhead and principal's time. In addition, reimbursement should be made for travelling, etc." The Department feels that this is a very fair percentage. As a matter of fact, the 1959 Manual edition now calls

for 150% to 200%. Mr. Schuster said it was the Department's recommendation that this be adopted by the Council. The engineer himself had nothing to do with the fact that this had to be redesigned. The plan had been approved by the Council and the City did request that these changes be made.

Mr. Murtland said the Resolution mentions "salary plus 100%." He asked if this means wages paid to all workers who would work on this particular job.

Mr. Schuster said this applies to the employees of the designing engineer.

Mr. Murtland asked if it included anyone in the executive capacity.

Mr. Schuster said there is a section designating what his salary is.

Mr. Murtland asked if it would be 100% of Mr. Whitacre's salary, and if that were the case, it would cost an extra \$1000 plus another \$1000 for his overhead.

Mr. Schuster said that would be true if that amount of money were involved, but, he added, his salary is very nominal in this agreement, which is in the neighborhood of \$5 an hour. In that event there would not be a great deal of money involved.

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

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16415:

Appropriating the sum of \$600 or so much as may be necessary from the Cumulative Reserve Fund for Capital Outlay and M & O for the purchase of one Mobil Cardex File and one four-drawer File Cabinet for the Personnel Department, and for the replacement of a stenographer's chair in the City Attorney's office.

Mr. Easterday moved that the Resolution be adopted. Seconded by Mrs. Olson.

Mr. Rowlands explained that the Personnel Department will need additional files to properly assimilate and classify employees of the Transit System into the City service; and the stenographer's chair is needed for the Attorney's office to replace a chair which is worn out and cannot be repaired.

Voice vote on the resolution resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16416:

Accepting certain offers to sell Real Property situated within an Urban Renewal Project designated Project No. Wash. R-1.

Mr. Steele moved that the Resolution be adopted. Seconded by Mrs. Price.

Mrs. Botts of 2708 So. Yakima Avenue, said she was negotiating for the sale of her property in this Urban Renewal area, and had refused to sign any agreement as she had been offered only \$1,750 which she feels is too low and that she could not find another home at that price. She said she did not want to go on County relief but would have to unless the City raised its offer.

Mayor Hanson asked Mr. Jacobson if there was any possibility that the City was underpaying Mrs. Botts.

Mr. Jacobson said there could be that possibility. However, he added, the Urban Renewal and City Staff do not determine the price set on property. He said he had received a report this morning from the Real Estate Staff on about 20 properties in the area on which they have been unable to come to any agreement with the property owners. Out of this list there are no more than five in which there is a possibility that the offers are inadequate. He said their staff is not in the position to say these people must receive more money, as they would have to consult with the Federal Government. Mr. Jacobson added that he has no knowledge of how real estate prices are determined, so he could not say whether or not it would be possible for Mrs. Botts to obtain a higher price.

Mayor Hanson said this illustrates the very painful aspects of any project of this nature. There are some avenues of relief available, he added, but he did not know if there was anything that would specifically apply in this instance. He asked Mr. Jacobson if this could be investigated to see if a reappraisal on this property could be obtained.

Mr. Jacobson said this was already being done.

Mayor Hanson further added that it is impossible to always do what they would like to do as they are circumscribed by legal requirements, but he certainly understood the seriousness of this situation with reference to Mrs. Botts' problem. He continued that he was sure the Relocation Committee has been made aware of this problem but perhaps another look can be taken on the matter to see if there is any way that Mrs. Botts could have a suitable and decent place to live.

Mr. Bott said in the event they cannot arrive at any agreeable price, Mrs. Botts would have the privilege of refusing the offer and then could take it to Court.

Mayor Hanson said that was true, but on a piece of property involving this amount, it would be quite obvious the cost of the Attorney's fees would make it very impractical to take it to Court.

Mr. Cvitanich asked Mr. Jacobson if he would enlighten the Council on the City's plans in regard to the relocation program.

Mr. Jacobson said the City is under contract with the Housing Authority which handles the relocation program. So far, he added, the relocation program has been proceeding satisfactorily. All but two families displaced from the Center Street area have found better housing than what they had. He said it is extremely difficult to help individuals with no income to find good housing.

Mayor Hanson said this is an example of the real problems arising in this type of an area, and wondered if in consulting with the Housing Authority on this problem a meeting could be arranged so that he could attend, as he would like to have more information on the procedures.

Mr. Bott asked how people were being assisted in finding new homes in the Urban Renewal Program.

Mr. Jacobson said the only way that their office can help is by seeking available housing in the community and matching the housing resources with the people in the area in terms of needs, desires and the ability to pay.

Mayor Hanson said he sincerely hoped that the appraisers were in error in the appraisal of Mrs. Botts' property and that she can get more for her home than was quoted.

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

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 16632:

Amending the Official Code of the City relating to zoning by adding a new section known as 13.06.065 (8) to include property on the S. E. corner of No. 26th and Bristol St. extended in a "R-4-L" Multiple-Family Low-Density Dwelling District. (Petition of Rex Harrington & F. R. Kendall). Read by title.

Mr. Rowlands said there is an error made in the property description in the 7th line. He said it should read "Cushman Transmission Line R/W" in place of "Cushman Transmission Line R/L."

Mr. Steele moved that the Ordinance be amended so that the 7th line of the property description will read "Cushman Transmission Line R/W." Seconded by Mr. Porter. Voice vote on the motion resulted as follows: Ayes 9; Nays 0; Absent 0. The Ordinance was then placed in order of final reading.

Ordinance No. 16733:

Amending the Official Code of the City by adding two new sections 12.08.045 and 046 in reference to the Inspection and Testing of Sewage. Read by title.

Mr. Rowlands said the City Council has embarked on this very important program of trying to put sewage through the sewage treatment plant, and it is not desirable to run a lot of drain water through as it obviously will overload the treatment plant. This Ordinance will permit City officials to inspect the downspouts to make certain that they are not connected to sanitary sewers.

He further added that this checking is done regularly now but the City Attorney advises this should be clearly delineated so there is no misunderstanding about the City's right to do this.

The Ordinance was then placed in order of final reading.

Ordinance No. 16734:

Amending Sec. 1.06.395 of the Official Code of the City to bring this section into conformity with the section changing the title from Urban Renewal Coordinator to Urban Renewal Director.

Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 16721:

Amending the Civil Service and Personnel Rules to provide for the acquisition of Transit Employees under Civil Service for the Transit System, which will be acquired by the City effective February 1, 1961. Read by title.

Mr. Dynaski said at this time he would like to suggest that a joint city-school transit system be established to take advantage of state subsidies for school riders.

He felt this would be much more satisfactory than taking over a Transit System comprised of second-hand buses.

Mr. Bott said on several occasions Mr. Dynaski has mentioned the wornout second-hand buses. He said he has inspected these buses himself and was surprised to find them in such good condition. Also, the experts maintain these are the finest of any transit system in the country as far as maintenance goes.

Mayor Hanson explained there are a number of Ordinances before the Council this evening relating to the acquisition of the Transit System and involving the conditions of employment for the Transit employees. These Ordinances represent an amazing effort and a great forward stride in reaching an agreement on matters of employment. He added it does not represent the ultimate and absolute conclusion of the Council but merely sets the groundwork necessary to take the employees into the system so that the City can proceed with the acquisition on February 1, 1961.

Mr. Bott asked Mr. Bixel, Personnel Director, if the matter of seniority between the bus employees and any city employees who might be in the same classification, such as mechanics, has been resolved.

Mr. Bixel said as requested by the Council after the Study Session held on the Transit matter, a proposed amendment was prepared to this effect. Each Council member should have received a copy of the proposed amendment which should spell out the Seniority problem.

Mr. McCormick said at the Council's request, this proposed amendment was worked out. However, Mr. Ketler, Civil Service Representative, now believes that there should be more protection in the event of a merger of City Civil Service employees and those of the Transit System, into a classification, that there should be no seniority for time worked for the Transit Company as against the regular Civil Service employee. The amendment suggested by Mr. Ketler is as follows: "Nor shall such seniority credits be granted or used against other City Civil Service employees when a classification is established by merger of Transit employees and such other City Civil Service employees."

Mr. Bott said, in other words, then they would not have seniority in that type of classification. Also he asked if there has been a classification set up of "Bus Mechanic." He said this is a source of concern as this is a specialized job as compared to working on a pickup or passenger car, and conceivably a new apprentice employee who had just become a journeyman would then have seniority with the City over a bus mechanic who had been working on this equipment for 20 years or so.

Mr. Bixel said as long as the mechanical work of the Transit Company is kept separate from any other department, there will never be any problem of seniority. He added this will arise only in the event there is a consolidation of the actual function of the mechanical repair work of the Transit Company, or any other function, with other departments.

Mr. Bott said Mr. Bixel mentions "only in the event" this should occur. He said that is one of the big points used in selling the idea that we should acquire the Transit System - the fact that we could consolidate our garage facilities, and undoubtedly it would be financially practical to do so. He asked if a classification of "Bus Mechanic" could be established; if so, they would then have their seniority.

Mr. Bixel said that could be possible. He said they are going to have to recognize, however, that if the duties performed by the Transit Company mechanics are comparable to those of other City mechanics, they should warrant the same classification.

Mayor Hanson said it seems those problems will be identified upon the completion of the study that is in progress.

Mr. Bott said this is a matter of concern to those employed now, and as he understands it they were assured that their seniority would be protected.

Mr. Cvitanich said at the Study Session it was his impression that the City Civil Service employees would have preference over the newly arriving Transit employees.

Mr. Rowlands said that is correct.

Mr. Easterday then moved that Section 1.24.1005 be amended to read as follows: "1.24.1005 SENIORITY OF INCUMBENT EMPLOYEES. In the exercise of the rights of seniority as set forth in section 1.24.920 of this Code, employees of the Tacoma Transit System who shall have been granted Civil Service status upon the acquisition of said system by the City shall be allowed seniority credits for all time worked as a bonafide employee of such company. Thereafter, such employee shall accrue seniority rights as provided for in said section 1.24.920. PROVIDED, HOWEVER, that such seniority credits herein granted for time worked as an employee of the Tacoma Transit System shall only be granted and used in determining rights and privileges pertaining or relating to such Civil Service classifications as such classifications now or may hereafter exist and only within the Transit System Department, nor shall such seniority credits be granted or used against other City Civil Service employee when a classification is established by merger of Transit employees and such other City Civil Service employees." Seconded by Mr. Cvitanich. Voice vote on the motion resulted as follows: Ayes 9; Nays 0; Absent 0. Motion carried.

Roll call was then taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

Mr. Murtland said he would like to explain his vote since he has been the only dissenter in the Transit System Acquisition. He said he still opposes the acquisition under the terms set up but will go along with the procedural steps, which is necessary.

Mayor Hanson thanked Mr. Murtland and said Mr. Murtland has made his position clear but is accepting the decision of the Council and cooperating with *are* necessary steps in taking over the operation of the Transit System.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16722:

Amending the Pay and Compensation Plan to provide for the payment of Transit Employees of the Transit System which is being acquired by the City effective February 1, 1961. Read by title.

Mr. Cvitanich asked if there was any clarification on the classifications of the Transit System Director, Assistant Director and Superintendent of Transportation, Assistant Superintendent of Transportation, and the Assistant to Manager, since the Study Session?

Mr. Rowlands said there is nothing further except that the positions of Assistant Director, the Superintendent of Equipment, the Assistant to the Manager are vacant. It was thought that after all these positions are analyzed and the

organization chart developed, the Council would have an opportunity to then determine whether these positions were to remain appointive or to place them under Civil Service.

Mayor Hanson said Mr. Bixel thought that he could have this study completed with reference to this section by April 1st at which time the Council would have an opportunity to examine the recommendation of the Staff and then make a decision on which positions should be eliminated, which should be appointive, and which should be under Civil Service.

Mr. Cvitanich asked Mr. McCormick, in the event the Council wishes to make changes in the near future, are they bound by this Ordinance?

Mr. McCormick said it would not be binding as it is specifically stated here that there will probably be some reorganization and it is set up on a contingency basis.

Mayor Hanson said the increase for the drivers is 16 cents an hour, which is still not up to the Seattle figure but is a step in that direction.

Mr. Porter asked Mr. Rowlands which of the appointive positions will be filled immediately.

Mr. Rowlands said it is planned to employ the Transit System Director, and the Assistant Director and Superintendent of Transportation immediately. Also they plan to employ the Assistant to the Manager within a 3 or 4 week period because he will, no doubt, serve as a Chief Accounting Officer combination. He added that the Council indicated they would like an Advertising and Public Information Officer. Perhaps the Council would like to discuss other possible areas where this employee may be utilized, he added.

Mayor Hanson said there will also be discussion after the regular meeting with reference to appointments.

Mrs. Olson asked if there was anything to prevent the Council from making that appointment prior to April 1 when this matter is finally resolved.

Mr. Rowlands replied there was nothing to prevent this.

Mrs. Olson asked if any additional amendments or Ordinances would be necessary, if the Council members should choose to make the appointment themselves.

Mr. Rowlands said normally under the Charter the appointments are made by the City Manager, and if the Council did make the appointment it would seem to him that there would have to be a change.

Mr. McCormick said he thought that Ordinance No. 16724 establishing the Transit System as a department is a broad grant of power setting up any Administrative Code which does not definitely state one way or the other. To make it clearer the Ordinance could be amended later on if the Council so desires.

Roll call was then taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16723:

Amending the Pay and Compensation Plan to authorize payment of expenses incurred by officers and employees of the City in connection with the transacting of City business while attending sessions of the Washington State Legislature. Read by title.

Mayor Hanson said the reimbursement of expenses incurred by officers and employees of the City while attending the Legislature would be only upon assignment which would have to be consistent with the policy established by the Council.

Mr. Rowlands said this Ordinance also amends two or three positions, as he explained at last week's meeting: "Customer Accounts Supervisor", on page 4, which is a reclassification action; "Supervisor of Photo and Reproduction", on page 7, also the result of a reclassification; and the "Chief Fire Alarm Dispatcher" and Senior Fire Alarm Dispatcher" contingency wage increase, on page, which should have been included in the regular budget but through inadvertence was omitted.

Roll call was then taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16724:

Amending Sec. 1. 06.070 of the Official Code and adding a new section 1.06.405 by establishing a Tacoma Transit System Department. Read by title.

Mayor Hanson said this Ordinance will bring the Transit System as a Department under the City Government similar to other departments. He added, it may seem that this is the most desirable method to handle this at this time, but in the event that some other method would be more suitable in the future, the Ordinance can be amended.

Roll call was then taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16725:

Amending the Annual Budget of the City for the Fiscal year 1961 by appropriating the sum of \$1,417,570 for the operation of the Tacoma Transit System, and correcting an error made in the Annual Budget. Read by title and passed.

Roll call was then taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16726:

Amending the Official Code of the City by adding a new section 1.08.025 which provides for the bonding of the position of the Director of the Tacoma Transit System, and his Administrative Assistant. Read by title and passed.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16727:

Amending Section 1.34 of the Official Code of the City by creating a Working Fund advance in the Tacoma Transit System Dept., in the amount of \$15,300. Read by title.

Mr. Cvitanich asked for an explanation of 1.34.460 where a "Working Fund Advance" in the sum of \$15,300 is set up for the Transit System.

Mr. Rowlands said this amount is presently used by the Company for change, etc.; therefore, the same amount was set up in the "Working Fund Advance."

Roll call taken on the Ordinance resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16728:

Condemning property for the construction of So. 28th St. from M St. to Yakima Ave. and So. 30th from M to J Street; also for the establishment of sidewalks, slopes and fills in connection therewith. Read by title and passed.

Roll call taken on the Ordinance resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16729:

Amending Chapter 12.06 of the Official Code of the City in reference to Contract Power Rate CP-2 and repealing Sec. 12.06.241. Read by title and passed.

Roll call taken on the Ordinance resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16730:

Amending Chapter 13.06 of the Official Code of the City in reference to zoning to include property located in the southwest corner of So. 38th and J Streets, in a "C-1" Commercial District. Read by title and passed.

Roll call taken on the Ordinance resulted as follows:

Ayes 7; Nays 2, Murtland and Porter; Absent 0.

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16731:

Repealing Ordinance No. 16685 which provided for the improvement of LID 4671 for permanent pavement on So. 52nd from Park to Thompson; So. 54th from Park to So. I St. Read by title and passed.

UNFINISHED BUSINESS:

The Director of Public Works presents the following Assessment Rolls for hearing:

L I D 2196 for grading and oil mat surface on So. 8th from Winnifred to Shirley, and sidewalks on both sides of So. 8th from Winnifred to Shirley.

L I D 2300 for grading and oil mat on East C from East 38th to 40th; Wapato Lake Drive from Alaska to 64th; also water mains from Alaska to So. 64th St.

L I D 4492 for paving on D St. from So. 60th to 63rd; So. 63rd from C St. to Pacific Ave.; also on 58th, Pacific Ave. to A St.

Mr. Easterday moved that Monday, March 13, 1961 at 4:00 P. M. be fixed as the date for hearing on the assessment rolls for L I D 2196, L I D 2300, and L I D 4492. Seconded by Mr. Steele. Voice vote was then taken on the motion resulting as follows: Ayes 9; Nays 0; Absent 0. Motion carried.

COMMENTS:

Mr. Easterday asked Mr. Rowlands if preparations were such that the liability policy for the protection of the City will take effect at the same time the City takes over the Transit System.

Mr. Rowlands said this is being worked up now as the coverage is a necessity. At the present time United Pacific has the coverage.

Mr. Steele said he had received a telephone call from a Mr. Eichelser concerning additional protests which he filed against the improvement of Melrose Street, a portion of L I D 4674. Mr. Steele said he understood the Ordinance creating this L I D 4674 was passed by the Council on December 20, 1960, and did not know that it was possible to amend this Ordinance now.

Several of the Council members acknowledged that they, too, had received a similar call from Mr. Eichelser.

Mr. Bott said to his knowledge the 30-day period for additional protests to be filed on this L I D, elapsed on January 20, 1961, during which time additional protests were filed against the portion of the L I D concerning Melrose Street, totaling 60%. He said this District is not contiguous and is comprised of a few streets here and there. Melrose Street between Oakes and Fife was added to the L I D by the Engineering Department.

Mr. Steele asked Mr. McCormick what action was possible.

Mr. McCormick said this L I D involves several separate units, and at the time the hearing was held before the L I D Committee certain areas of the L I D were deleted. However, Melrose Street was left in the District, as sufficient protests were not filed at that time to allow it to be deleted. The Ordinance was created following the recommendation of the L I D Committee, and consequently was passed by the Council.

Mr. McCormick added, in his opinion, since the Ordinance creating the L I D has become effective, the Council does not have the jurisdiction to delete any section in the Ordinance. The only thing that could be done now, if the Council so desires, is to repeal this Ordinance and then direct that a Resolution be drawn

fixing a date of hearing on a new district, omitting Melrose Street.

Mr. Lee of 2613 Melrose Street, said he was present to speak on behalf of Mr. Eichelser. He pointed out that in this particular L I D there are streets as far away as 29 blocks from Melrose. To obtain better than 60% ^{PROTEST} against the entire district would necessitate canvassing the entire City. He said he represents approximately 67% of the people in this particular block of Melrose. The next block from Fife Street east, is not paved and there was no mention of paving it. Also, all of 17th is not paved, although it is an arterial. South Fife from 15th to So. 19th Street is not paved, and he wondered why they picked out this one short block from Oakes to Fife on Melrose to be paved?

Mayor Hanson asked why these persons did not remonstrate before the Ordinance was passed by the Council?

Mr. Lee said they had understood that there was a 30-day period after the Ordinance passed to file protests.

Mayor Hanson said it is true there is a 30-day period for protesting, but that is figured against the entire L I D and not just one section of it. He said he can, however, understand the confusion.

Mr. Murtland asked Mr. Lee, then at the time this was heard before the L I D Committee, this 67% protest was not filed against Melrose Street?

Mr. Lee said that is correct, as it was their impression that there was ample time to file protests at a later date.

He said they feel that Melrose Street could go in for improvement maybe in two years when some of the other streets in the immediate area are also improved. To include Melrose in L I D 4674 means that the contractor will have to move his equipment from one unrelated section all the way to Melrose to pave one block, and then move to the next section of the L I D. It stands to reason that if there are other streets in the same locality to pave, a better price can be obtained from the contractor. He said the Council's consideration of this matter is appreciated, and it is hoped they will find it in their power to help the property owners on Melrose St.

Mayor Hanson said he knew that if the Council had had this information at the time of the hearing or at the time of the passage of the Ordinance, they would have been very happy to delete this section. Even so, he thought the Council should give it serious consideration, and the only steps open are to either leave the Ordinance as it now stands or to repeal the L I D Ordinance and then initiate a new district with Melrose Street omitted.

Mrs. Olson asked what type of statute sets the limitation on the period for reconsideration of an Ordinance.

Mr. McCormick said that is the Council's own rules.

Mrs. Olson asked if it would not be possible to suspend the rules to consider this Ordinance.

Mr. McCormick said the difficulty is that in the event some property owner wanted to contest the assessment roll later, the City may have a faulty roll. He said he would rather see the Ordinance repealed to avoid this risk. Then a new district could be created including all the other properties involved.

Mr. Bott said, after receiving a call from Mr. Eichelser he checked with the Engineering Department as to how these L I D's are initiated. He asked how it was determined that Melrose Street was included in this Ordinance. It was explained that a survey of the area is generally taken. This was not done in this instance.

Mr. Bott said he felt Melrose Street was arbitrarily added to the L I D, and works a hardship on all, including the Council, to try to explain this procedure.

Mayor Hanson said he could not understand this procedure, nor could he understand why the people did not remonstrate prior to this time.

Mr. McCormick explained this 30-day period allows them time to protest against the entire L I D and not just one particular section, so it is a matter of misunderstanding. If there is any possible way that it could be deleted, it should be done, Mr. Bott added.

Mrs. Price said in view of this information she would like to move that an Ordinance be drawn repealing the Ordinance which created this L I D 4674. Seconded by Mr. Easterday.

Mr. Cvitanich said minutes of the L I D meetings, as well as of the Council meetings, will show time and time again that the Council has been confronted with L I D problems as to the coordination, as to who called, and what percentage; and in all sincerity he felt, for the protection of the Council and the Public Works Department, something definite should be worked out on the L I D procedure.

Mayor Hanson said he agreed that some additional attention should be given to this area. Perhaps it will never reach perfection. He knows that there has been a great deal of effort^{made} but there is still room for improvement. He said he does not regard this as establishing a policy in rescinding this Ordinance, but he does think this is an unusual situation.

He then called for voice vote on the motion to repeal the Ordinance creating L I D 4674, which resulted as follows: Ayes 9; Nays 0; Absent 0. Motion carried.

Mr. McCormick asked if the Council also wanted a Resolution to be brought in recreating the District with this deletion. The Council agreed this should be done.

Mr. Rowlands said Mr. Munsey has asked to be heard this evening on the subject of the Naches Tunnel as there will be a hearing tomorrow evening in Olympia at 8:00 P. M. on this subject.

Mayor Hanson said the Council was very happy to have Mr. Munsey present this evening, and thanked him for the work he was doing for the area and the community.

Mr. Claude V. Munsey, President of the Naches Pass Tunnel Highway Association, urged the Council members to add their support to propose legislation to get the project under way. He said support for the tunnel is at an all-time high, but the financing may be a problem, with a \$7,000,000 subsidy seen as necessary by the consulting engineers.

He said the bill will be introduced to set up a three-county tunnel district embracing Pierce, King, and Yakima counties, authorized to levy millage for the project following a favorable vote of the people. He added he is hopeful of state financial support for the project.

Mayor Hanson thanked Mr. Munsey, and said he was looking forward to seeing him at the meeting Wednesday at 2:30 in Olympia, of the Cities and Towns Senate Committee. He said there will be a 4:00 P.M. meeting of the Study Committee headed by Mr. Sprinker appointed by the Governor; then at 6:00 P. M. the meeting not only of the Naches Tunnel Association, but of the City of Tacoma, with the Legislators; and then at 8:00 P. M. the meeting of the Naches Tunnel Legislature, so it would be a full afternoon, he added. Also, he continued, at 9:00 A. M. is the

meeting of those who respond to the invitation to discuss the matter of improving relationships among the various governmental bodies and private organizations to improve new industries.

Mr. Rowlands said he would like to report on the action taken both by the International City Managers Executive Board and the American Municipal Associate Executive Board. Both have unanimously approved the creation of what will be known as the American Municipal Fire Insurance Institute. The purpose is to gather information which can be used by the Cities in their negotiations and discussions with the National Board of Fire Underwriters, and also with the various insurance rating organizations. The idea is that this be a permanent organization and a full time staff member appointed by A. M. A. The Cities all feel that this is one area in the next 10 years where a tremendous savings can be expected without injuring the fire protection program because everyone realizes that fire protection is certainly very essential to the well being of all communities. He said, unfortunately the National Board has not taken cognizance of the changes made, not only in the equipment, but also in some of the techniques being used and the type of manpower utilized. The A. M. A. Board has gone on record as supporting this program, and there will be a small advisory committee that will work with the consultants getting the program together. In order to underwrite the cost of this program, a small fee has been suggested per City on a population basis, or it might be based on \$1.00 per Fireman, but this has not been definitely determined as yet. He added, without exception the Executive Board of A. M. A. felt that the small amount to be contributed by the Cities would be more than offset in the savings to be affected.

Mr. Rowlands announced that the A. M. A. Conference is to be held in Seattle this summer from August 26th to August 30th, and it has been discussed with Mayor Clinton of Seattle that some of the programs be held in Tacoma. Mr. Rowlands said he thought this suggestion had been accepted by Mayor Clinton.

Mayor Hanson said he would like to comment on the work that Mr. Rowlands has done with reference to the Fire Underwriters grading policies. He added, that for years the Cities have complained about the grading procedures but it was not until recently that anything was done in regard to this. If this program succeeds, it should result in hundreds of thousands of dollars savings to the City of Tacoma.

Mr. Bott said he would like to compliment Mayor Hanson for his statement made to the local newspaper that it was his impression that the proposal to make Firemen take their vacations over a 12 month period was not to be considered further at the present time. Mr. Bott said he thought this would ease the minds of a lot of the Fire Personnel and should increase the morale.

Mayor Hanson said he attempted to make it clear that it was his opinion that this was the Council's consensus, and perhaps it would be well for the Council to state this officially. He said he also stated that he could not give them a commitment of indefinite length, but that his thinking was that the present system was worth the \$15,000 it would cost, just in the terms of benefits and morale, and that he would give them advance notice should he consider changing his position.

Mr. Rowlands said this is one of the areas that will be covered by the

Committee in an attempt to get the National Board to grade Cities on the basis of the average number of men on duty during the year rather than the minimum number on any shift during the year.

Mr. Bott asked Mr. Rowlands if he feels that this program will be accepted by the National Board.

Mr. Rowlands said it is felt they will accept these changes. As a matter of fact, he said, the Board has been more responsive to suggestions recently. A year ago they did not give any credit for Battalion Chief Drivers; now they are giving complete credit.

Mayor Hanson said, if there were no objections from the Council, that is the stated position as to the 12 month vacation situation, so that the Fireman can be reassured.

Mrs. Olson said she had received a call from a citizen today very much upset because of a letter she had received in the mail which she thought came from the City, which was in reference to the Airport petition. Mrs. Olson said she voted for the Airport as she felt it was something that would benefit Tacoma, but she respects the right of the people to disagree with her and the right of citizens to disagree with the majority of the Council. She thought one thing we must do is protect the right of people to petition their legislative body by initiative. She said this letter perhaps was misleading in that the Citizens Committee used the address of the County-City Building, but the post card is to be mailed back to the City Clerk, and it stated on the card that the postage will be paid by the addressee, which indicates that the City of Tacoma is sponsoring this drive to get people to withdraw their signatures from these anti-airport petitions. She added, if that is the case, she would like to protest it, and if it is not, then she thought we should take steps to make sure that this misunderstanding is corrected.

Mayor Hanson said he was aware of the Committee's intention to make this effort since a number of inquiries have been made by people desiring to withdraw their names and what method they should use to do so. He said he approved of the Committee's activities, and it was understood that it was to be Committee activity, that they would have available to them the public records, that would be available to anyone in terms of finding out the signatures, but that no expenses were to be borne by the City of Tacoma. He said this matter of "Postage will be paid by Addressee" certainly was misleading. It was his understanding that a card would be sent out with postage on it, and he did agree that the address should be to the City Clerk because this is in effect an authorization to the Clerk to withdraw names, but it was certainly misleading when it stated "Postage will be paid by the Addressee." He said he will assure the Council that the City of Tacoma will not be paying the postage. It will be paid by the Citizens Committee.

Mr. Cvitanich said he would like a list of the Citizens Committee members, and he would like to know who participated in this particular effort. He said he also had received calls on this matter. He said the return address of 340 County-City Building which was on the envelope was very misleading. He said he voted against the Airport for his own reasons but feels if people disagree that is their privilege and should not have pressure put on them in any way to withdraw their names from the petitions.

Mayor Hanson said he did not regard this as pressure. He said they have a

right to disagree and also to change their minds. He added that it was unfortunate that this misunderstanding was created, and it was a very justifiable criticism, and he certainly wanted to assure everyone that the City was not participating in any way in the financing of this activity.

Mayor Hanson said the Legislative Program is just beginning, and he thought that a thorough examination of the Legislative Bulletin would be very helpful. The point is reached where a number of policy decisions have to be made with reference to the approach at the Legislature. He said there are a number of areas that look very good and others that look bleak, but none look hopeless, and that includes the area of financial relief even though it may not be of the precise nature recommended by the State Association.

He added that he thought it might be well to set up a special meeting to discuss the different bills before the Legislature.

Mr. Rowlands said in the past years the Legislative Committee of the Council has prepared material to send to the Legislators each week in reference to bills being considered, and the Legislators of Pierce County have felt this to be very helpful. He asked if the Council would like to have some material prepared for tomorrow evening's meeting as there are certain bills the Council members are all agreed upon.

Mayor Hanson said he thought it would be well to give our general objectives and seek the advice of the Legislators and have an opportunity to get acquainted with them.

Mayor Hanson said a communication from the Retirement System has been received regarding a desired amendment to the statute covering Cities and Towns - Investment of Pension Funds (RCW 35.39.040). This amendment would raise the limitation from 5% to 25% of the System's total investments in the shares of certain Open-End Investment Companies, provided that not more than 5% of the System's total investments may be made in the shares of any one such Open-End Investment.

Mayor Hanson said the Retirement Board has voted to present a bill to this effect in this Legislature and has done so upon the recommendation of Moody's Investors Service, which is nationally recognized. He said perhaps the Council would like to think further on this matter before taking official action endorsing this legislation. He thought this should then be placed on the agenda at a later date with a full report so that the Council will be more informed.

Mr. Cvitanich asked what was being done in regard to Mr. Murtland's suggestion regarding the City's contribution to the Century 21 Program.

Mayor Hanson said Mr. Sass, Sub-Chairman of the Citizens Committee, will be ready to make a report on this shortly. He thought the Council Committee should meet with him in reference to this matter the first part of next week, as Mr. Sass has models, plans, etc. and there will be a number of alternatives to choose from.

Mr. Bott said he would like to suggest that the Citizens Committee for the Future Development of Tacoma make arrangements to have their office some place other than in City Offices so that any controversy on the Airport will not occur again.

Mayor Hanson said he thought it might be well for this to be considered.

Mr. Cvitanich asked how many people are checking the signatures on the petitions submitted.

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Mr. Rowlands said there is one full time employee working on the signatures. Mr. Cvitanich asked if there was any specific reason why extra help was not hired.

Mr. Rowlands said no extra help has been hired on these petitions, but when the referendum against the Parking Garages was filed with the Clerk's office, extra personnel was already employed in the office due to the elections.

Mr. Cvitanich said he wondered if there was any correlation between that and the rumor that the City is holding back on the checking of these signatures.

Mayor Hanson said he was sure that the opponents of the Airport would like to have the City employ extra personnel for this purpose, but he personally will make no secret of the fact that he saw no reason to impose added expense to the City in checking these signatures.

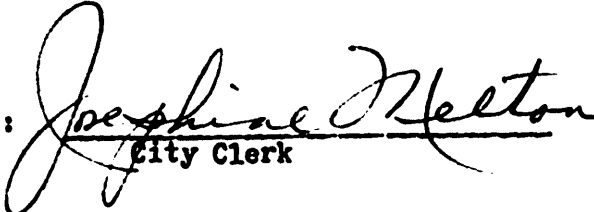
Mr. Collins, a C. P. A., said he would like to speak briefly on the City Audit. He said the City has a continuing contract with Lybrand, Ross Bros., and that contract is dated April 1st which provides that upon termination 60 days notice must be given. They have had this contract for 7 years and there has been some discussion that perhaps some local firm might be interested in doing the work. He said he would like to suggest that the City terminate this contract with Lybrand, Ross Bros. and invite proposals from local firms or whoever else might be interested in doing this work. 51:556

Mr. Rowlands informed Mr. Collins that this was already under consideration and that several local firms have expressed an interest in this matter.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 10:30 P. M.


Mayor of the City Council

Attest:


City Clerk