

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, February 10, 1970

The meeting was called to order by Mayor Johnston at 7:15 P.M.

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

The Flag Salute was led by Mr. Dean.

Mayor Johnston asked if there were any omissions or corrections to the minutes of the meeting of Jan. 27th, 1970.

Mr. Dean asked that the tape of the Council meeting of Jan. 27th be checked relative to the motion at the top of Page 7 in the 3rd paragraph. He said his amendment to Mr. Jarstad's motion was not included in the minutes. He asked that the tape be checked to include on the fourth line after the word "Manager" the following:

Mr. Dean moved to amend the motion so that the Council may recommend to the Legislative Committee that they take this action on the Council's behalf. Seconded by Mr. O'Leary."

Moved by Mr. Cvitanich that the minutes be approved as corrected. Seconded by Mr. Zatkovich. Voice vote was taken. Motion unanimously carried.

* * * * *

HEARINGS & APPEALS:

This is the date set for hearing on the appeal filed by Mobil Oil Corp. on the denial of the request by the City Planning Commission for waiver of development standards on the S.W. corner of South Tacoma Way and So. 74th St. (petitioned by Mobil Oil Corporation)

Mr. Buehler, Director of Planning, explained the Planning Commission had granted a special use permit to the Mobil Oil Corp. However, the company has requested a waiver of a development standard which the Commission did not feel was warranted as there were no unusual circumstances or conditions demonstrated that would warrant granting such a waiver. The Commission also felt because it had been the company's policy to have the lubrication doors facing only a street, was not sufficient reason for granting the waiver request.

Mr. Zatkovich felt that this plan would vastly improve the S.W. corner of So. 74th and South Tacoma Way.

Mr. Delbert Miller, Attorney representing Mobil Oil Corporation, explained that the proposed structure is in the heart of a commercial-industrial area of the City and the proposed structure would up-grade the appearance of the intersection. He did not feel that the company would be violating the intent of the ordinance if they placed the lub-room doors facing South Tacoma Way. He urged that the City Council grant the waiver in question.

Mr. O'Leary felt this would create a safety hazard as it is safer to have a lub-room away from the gasoline pumps.

Mr. Jarstad felt that Mobil Corp. is certainly trying to upgrade the particular area.

Dr. Herrmann moved that the waiver be granted. Seconded by Mr. Zatkovich.

Mr. Cvitanich urged the members of the Council to oppose granting the waiver, as he felt it would digress from the intent of the Service Station Ordinance.

Roll call was taken on the motion to grant the waiver to Mobil Oil Corp.,
waiting as follows:

- s 3: Herrmann, Jarstad and Zatkovich.
- s 5: Banfield, Cvitanich, Dean, O'Leary and Mayor Johnston. Absent 1: Finnigan.
- tion Lost.

* * * * *

COMMUNICATIONS:

Civil Service Board submitting a proposed amendment to Section 1.24.540 of
Civil Service and Personnel Rules relative to Promotional Examinations.

Mr. Bixel, Director of Personnel, explained this proposed amendment would permit
liberalization of promotional opportunities among regular employees.

Mr. Zatkovich moved to concur in the proposed amendment and that an ordinance
be submitted for first reading at next week's Council meeting. Seconded by Dr.
Herrmann. Voice vote was taken. Motion carried.

* * * * *

Stanley L. Thaut, Pres. Fire Fighters Local No. 31, asking that Mr. John Willis
and Mr. Harvey Enerson be allowed to speak to the City Council regarding negotiations
and possible arbitration for Fire & Police personnel.

Mr. John Willis, explained he was Chairman of the Joint Labor Committee, and
there has been a question raised in regard to the legality of city participation in
binding arbitration. He asked that a meeting be set with representatives of the
Council as Willard Olsen, the State mediator, informed their unions that the City
Council had been advised that Chapter 6.17 of the City Charter, dealing with
arbitration was illegal. He felt that such a meeting between the Council, City
Attorney, City Manager and union representatives was imperative because of this dispute.

Mr. McCormick, City Attorney, explained there was a difference between advisory
arbitration and binding arbitration. Many opinions have been issued and all of them
taking the position that a City Council does not have the legal right to enter into
binding arbitration.

31

The City Council may appoint a committee to look into such a matter as advisory
arbitration, but the Supreme Court's decision in 1955 or 1956 pointed out that a
City Council may only enter into advisory arbitration.

Mr. Harvey Enerson, Pres. of Police Local #224, explained that during the
budget hearings they had presented an unofficial offer from the Council to their
union of a 9% raise in pay with a promise of a higher increase if any money was re-
ceived from the State. The union voted to agree to such an arrangement. However,
it was later learned that the actual compensation plan had been adopted before such
an offer was made. Therefore, he would urge that the City Council give further
consideration to arbitration as the City salaries are not comparable to prevailing
rates for police personnel

* * * * *

Motor Coach Employees, Div. No. 753 agreeing to submit the unresolved issues
in the current labor dispute with the City of Tacoma to arbitration.

Mr. Bill Hull, Business Agent for Motor Coach Employees Div. No. 758, explained
their union is asking for arbitration. They feel that they have the material that
gives them the right for binding arbitration.

* * * * *

Automotive Machinists #1152 asking for arbitration for the mechanics employed
by the City of Tacoma.

Mr. Artie Rand, Business Representative of the Automotive Machinists #1152, explained he was present to ask for binding arbitration. He added he has presented to the mediator, at his request, the schedule of the mechanic's wages for five years. It is noted that starting with 1970 the wages would be approximately \$90 a month behind other comparable area wages.

* * * * *

Tacoma Public Library Board asking for a supplementary appropriation in the amount of \$8,000 so that the public libraries can maintain its evening hours.

Mr. Valen Honeywell, a member of the Tacoma Library Board, explained their request for \$8,000 would permit the Library to re-open for four evenings a week during the remainder of this year. He explained that previously it has been necessary for the regular staff to work at least two nights a week, even though they are hired for day-time hours. The suggested hours from 12 to 9 P.M. for the library hours seem very unreasonable to the Board, as the schedule already shows that the employees work one Saturday out of three for the convenience of the public. Furthermore, the library staff works longer hours than comparable city positions.

20
53

Mr. Honeywell further explained that most of the reference work is done in the morning and during the year 1969, the Library System answered 67,672 telephone reference questions. He felt that the hours from 12 to 9 P.M. is not a practical or possible answer to the problem. He also noted how the library budget was cut for the 1970 year. He urged that the Council allow the supplementary appropriation of \$8,000 so that the libraries might continue to keep open four evenings a week.

Mr. O'Leary pointed out that all city departments were affected by the city's 1970 budget and as far as he was concerned, the re-hiring of any one of the persons that were laid off will take preference over any other added expenditure for any department.

Mr. Dean asked if there was a difference between the 1969 and 1970 library budgets.

Mr. Honeywell explained there was an increase of \$57,000 for the 1970 budget but the library employees should not suffer so that other city employees could benefit. They did receive a 7.5% increase in pay which is the major portion of the \$57,000. However, he noted that the unions are asking for binding arbitration for raises more than 7.5%.

Dr. Herrmann felt that Mr. Honeywell has made an excellent presentation and he felt this matter should be referred to the Council's Finance Committee.

Mrs. Banfield mentioned the fact that the Park Dept. only received an increase of 5% so she did not feel that the Library employees were in dire circumstances. She also reminded Mr. Honeywell that the City Council has requested that the libraries be re-opened during the evening hours.

Mr. Honeywell felt that perhaps the Library Board would re-open the libraries during the evening hours because of the Council's request, but noted that primarily the staffing of the evening hours is done by hourly wage persons.

Mr. Cvitanich asked Mr. Honeywell if he had statistics to indicate the volume of business predicated upon the hours in a day.

Mr. Honeywell said they do have estimates.

Mr. Cvitanich explained he was most interested in the number of people who utilize the libraries at what hours of the day and asked for an estimate. Mr. Honeywell explained he would try to have this for the Council but he did know that the body count is much greater in the later afternoon and evening.

Mr. Jarstad thanked Mr. Honeywell for trying to change their budget with a supplemental amount of \$8,000 so that evening hours can be resumed. He knew that the Council would look very closely at the matter, particularly if the 1/2 of 1% sales tax is allowed. He noted that the Library has to compete with other cities for professional librarians as they do have degrees from Colleges and Universities.

Mr. Zatkovich thought this should be studied to see what can be done to help the library open its doors during the evening hours.

Mr. Cvitanich moved to suspend the rules in order to hear one additional representative of a labor union. Seconded by Mr. Zatkovich. Voice vote taken. Motion carried.

* * * * *

Mr. Floyd Clifton, representative of the Teamster, Local #313, and International Union of Operating Engineers, Local #612, asked that the City Council submit to binding arbitration so as to promote and foster a fair agreement regarding wages, hours and working conditions for their unions.

29

* * * * *

Mrs. Lilly Piva, Business Agent for State, County and Municipal Employees, stated their union also respectfully requests that a three-man arbitration team be formed for the purpose of reaching a settlement in the dispute over class of employment change for the Storekeepers and current salaries of the Purchasing and Store Buyers.

Mayor Johnston explained that all the communications from the labor unions and requests for additional funds be referred to the Management Team.

* * * * *

RESOLUTIONS:

Resolution No. 20564

Fixing Tuesday February 24th at 7 P.M. as the date for hearing for rezoning of the N.E. corner of No. 26th & Madison Sts. from an "R-2-T" to a "C-1" District. (petition of Wheeler Realty)

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

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

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

Nays 0: Absent 1: Finnigan.

The Resolution was declared passed by the Chairman.

Resolution No. 20565

Fixing Tuesday February 24th at 7 P.M. as the date for the meeting with the initiating parties for the proposed annexation of property adjoining the southeasterly side of F I A #5 approx. 630 feet north of So. 96th Street. (petitioned by Richard H. Shaw & Helen Hall)

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

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

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

Nays 0: Absent 1: Finnigan.

The Resolution was declared passed by the Chairman.

Resolution No. 20566

Fixing Monday March 9th at 4 P.M. as the date for hearing for L I D 3701 for sewers in Hosmer St. from 940 feet north of So. 90th to 400 feet north of So. 90th St.

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

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

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

Nays 0: Absent 1: Finnigan.

The Resolution was declared passed by the Chairman.

Resolution No. 20567

Awarding contract to Slead-Tonnesen Construction on its basic bid of \$4,996.67 and the supplemental bid of \$474.43 for L I D 3692.

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

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

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

Nays 0: Absent 1: Finnigan.

The Resolution was declared passed by the Chairman.

Resolution No. 20568

Authorizing the City Manager to prepare a modified Urban Renewal Plan for Parcel 13 in the Fawcett Urban Renewal Area for project Wash. R-3.

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

Mr. Wright, Director of Urban Renewal, explained this resolution concerns the use of the south 140 feet of Parcel 13 in the Fawcett Urban Renewal Project, to be modified for residential apartments.

Mr. Oles, City Manager, explained he felt this was a desirable modification of the Fawcett Urban Renewal area.

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

Ayes 7: Cvitanich, Dean, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Johnston.

Nays 1: Banfield. Absent 1: Finnigan.

The Resolution was declared passed by the Chairman.

Mr. Oles, City Manager, asked for the Council's guidance or reaffirmation of its policy regarding his position to proceed with procedures for the remaining parcels of land in the urban renewal projects still to be completed.

Mayor Johnston asked the City Attorney if such action would be necessary as full support of the Council had been indicated at study sessions.

Mr. McCormick, City Attorney, explained it has been several years since the original urban renewal plan was adopted by the City Council. Four years ago the Ordinance No. 18083 passed which authorized the City to condemn all the property within the area. He thought that a resolution should be submitted stating this was still the position of the present City Council. This would protect the city, particularly if any matter goes to court.

Mr. Jarstad suggested that the City Manager contact all the departments that might be affected and then a resolution can be brought to the Council at the next Council meeting for passage.

Mrs. Banfield moved to have the Finance, Audit and Investigations Committee of the Council, look into the matter of the existing urban renewal projects and make a recommendation to the full Council at a later date. Seconded by Mr. Cvitanich.

Dr. Herrmann felt that during the study sessions, the Council was not particularly interested in embarking on any new urban renewal, but it was certainly interested in closing out the projects that have already been initiated.

Mr. Cvitanich explained that the Council must be sure they place the highest and best development and proper type of construction within the urban renewal boundaries.

Mr. Jarstad hoped that all the members of the Council attend the meeting of the Investigating Committee if there is one held on this particular matter.

Voice vote was taken on Mrs. Banfield's motion. Motion carried.

Resolution No. 20569

Terminating the option agreement with the Pacific Northwest Development Co., and refunding the payment to the Company of \$42,500.00.

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

Mr. Hamilton, Assistant City Attorney, explained this resolution was prepared in order that the status of the option agreement which had been granted to the Pacific Northwest Development Co. might be clarified. The option expired on Jan. 31, 1970. This was initially a six-months option which has been twice extended by the Council. He further explained that the Council received a letter dated Jan. 27, 1970, from the Development Co. stating that conditions have changed to such an extent that a lease of the property covered by the option is now impossible, and further, that said company now wishes to secure an option to purchase the property. He also mentioned that the Pacific Northwest Development Co. has paid \$42,500 to the City, however, on the bottom of that check the words 'new option' had been written. Mr. Hamilton said a new option has not been agreed upon. Therefore, this resolution has been submitted which would revoke the agreement and if any new option is to be submitted, this can be arranged at a later date.

Mr. Mason Halligan, Pres. of the Pacific NW Development Co., stated he had not been advised of the intent of this resolution. He explained that the company had paid the City a total of \$50,000 to exercise the option with the City on the property. This matter was discussed at a study session that the company could not arrange financing for the project on a lease basis and should buy the property outright. The company was given to understand that a purchase agreement could be worked out.

Mr. Halligan, therefore, requested that the Council postpone any action on this resolution until Feb. 17th because they were not notified of this resolution before this meeting.

Mr. Hamilton read excerpts of the original agreement where the City would grant an option to lease to the developer the real property with the payment of \$7,500 and that option to expire on the 31st day of July, 1969. Mr. Hamilton said when a person pays for an option that is only what you are paying for. The property is taken off the market and a person has the right to purchase it during that period of time and it cannot be sold to anyone else. The agreement further provided that it was understood by the parties that the option agreement may be exercised at any time by the developer by its entering into a formal lease to the City and upon the payment to the City of an additional \$50,000 which amount would be rental payment from the date said agreement is entered into, until the 31st day of January, 1970.

He further stated the amount of \$42,500 was forwarded to the Council, but after discussion, he had written the Pacific NW Development Co. explaining this was a partial

payment and the City expected another \$7,500 together with the execution of the lease, etc. in order to perfect the option. Sample leases were prepared by Mr. McCormick, City Attorney, with other documents sometime ago and forwarded to the company, however, none of these have been returned by the company.

Mr. Zatkovich moved to postpone the resolution for one week, until Feb. 17th, 1970. Seconded by Mr. Cvitanich. Voice vote was taken. Motion carried.

The Resolution was postponed until Feb. 17, 1970.

Resolution No. 20570

Vacating slope and sewer easements in the vicinity of So. 37th and Pacific Avenue.

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

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

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

Nays 0: Absent 1: Finnigan.

The Resolution was declared passed by the Chairman.

Mrs. Banfield moved to suspend the rules to consider Resolution No. 20571 which is not included on the agenda. Seconded by Mr. Cvitanich. Voice vote was taken. Motion carried.

Resolution No. 20571

Increasing the salaries of certain members of the Police and Fire Dept. equal to nine percent, predicated on the passage of the 1/2 of 1% Sales Tax.

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

Mr. Cvitanich moved to amend the resolution on the first line, after the word 'legislature' insert the words 'may adopt' and delete the words 'has now adopted'. And add to the last paragraph of the resolution the following sentence. "This increase is predicated on passage of the 1/2 of 1% sales tax." Seconded by Mr. Jarstad. Voice vote was taken. Motion carried.

Mr. O'Leary felt the passage of this resolution was proper as the salaries of the Police and Firemen should be comparable state wide.

Mrs. Banfield felt the citizens of Tacoma have the right to expect the highest level of police and fire protection as they are the backbone of the City and the services must be of the highest standard. Mrs. Banfield urged that this resolution be unanimously passed by the City Council.

Mr. Jarstad explained this resolution is predicated on the passage of the 1/2 of 1% sales tax at the Legislative level. It is hoped that such a measure passes because if it does not, the resolution would not be in effect.

Mr. Zatkovich also felt the Police and Fire personnel should be given the higher salary increase to bring the salaries to the prevailing rates of pay.

Mr. Cvitanich pointed out that with the passage of Omnibus Pension Bill by the Legislature, No. 74, Tacoma will be confronted with the problem in terms of retention of police and firemen. When this law becomes effective, personnel have the privilege of transferring between cities, therefore, the salaries must be kept up or trained personnel will transfer to other communities.

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

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

Nays 0: Absent 1: Finnigan.

The Resolution was declared passed by the Chairman.

Mr. Jarstad felt, in view of the fact that the Legislature will, in all probability, pass the 1/2 of 1%, the Council of the City of Tacoma should now support such action. If the City does receive funds from this source, the drastic cuts in certain other departments, other than police and fire, can be reviewed. Mr. Jarstad then asked Mr. Cvitanich to state what he thought would be most helpful to him as Legislative Chairman regarding the position of the Council in this matter.

Mr. Cvitanich explained he had polled the Council members last Friday relative to their position on 1/2 of 1% sales tax as requested by Pierce County Delegation and found that the majority of the Council at this time favored the permissive legislation under HB-21. The bill has now returned to the House from the Senate. Therefore, he added he would ask that the Council give him direction relative to this matter so he could have a positive statement to all inquiries.

Mayor Johnston felt that the proper way to proceed is for the Council to endorse the Legislative bill for a 1/2 of 1% sales tax.

Mr. Jarstad moved that the City Council go on record as endorsing the 1/2 of 1% sales tax. Seconded by Mr. O'Leary.

Mrs. Banfield explained that she has gone on record opposing any sales tax. However, if this is the only way the cities could obtain any funds from the State, she would have to vote for such a motion at this time.

Mr. O'Leary explained he had gone on record twice for a direct grant of aid from the State, however, this was not approved at the State level. He did not feel that a sales tax was proper, but since the City does not have a tax base to support it, he would have to vote for such a motion.

Mr. Dean stated he, too, had been opposed to the sales tax but the elected officials are charged with the responsibility of maintaining a level of service within the community and the State has made it very clear that no direct grant will be given to cities. He felt that it comes to a choice whether the City will take the sales tax and utilize it for the City or that the State raise the present sales tax and absorb the returns. He said he was against the sales tax but would have to vote for the 1/2 of 1% sales tax.

Mr. Zatkovich felt everyone was opposed to taxes, but since the direct grant of aid from the State is not to be given, this seems to be the best solution.

Mr. Jarstad explained that the City will receive approximately \$7,500 a day and he felt that it would be to the City's advantage to impose the tax as soon as possible.

Dr. Herrmann explained he would also vote for the increase in taxes although he wished that an increase did not have to be in any form.

Mr. Cvitanich explained that in 1973 this source of funding will be cut off as it is a temporary measure. He also said that it is a united effort in Olympia to try to have this bill passed and signed by the Governor.

Roll call was taken on Mr. Jarstad's motion that the City Council endorse the 1/2 of 1% sales tax proposition, resulting as follows:

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

Nays 0: Absent 1: Finnigan. Motion carried.

FIRST READING OF ORDINANCES:

Ordinance No. 19037

Vacating the alley between So. 14th & 15th Sts. and between Yakima Avenue and I Streets. (petition of Episcopal Diocese of Olympia)

The ordinance was placed in order of final reading.

Ordinance No. 19038

Amending Chap. 13.06 of the official code to add Sec. 13.06.160-14 to include property on the south side of the Flume Line R/W to F A I #5 (freeway) between M and vacated I Street from an "R-3" to an "M-1" District. (petition of Fred G. Duclon)

The ordinance was placed in order of final reading.

Ordinance No. 19039

Amending Chap. 13.06 of the official code by adding Sec. 13.06.112-5 to include property on the east side of Hosmer between So. 74th & 76th Sts. in a "C-P-P" District. (petition of Elwin Investment Corp.)

The ordinance was placed in order of final reading.

Ordinance No. 19040

Amending Chap. 13.06 of the official code by adding Sec. 13.06.115-12 to include property on the east side of Hosmer between So. 76th and 78th Sts. extended in a "C-P-N" District. (petition of Elwin Investment Corp.)

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 19023

(postponed from the meeting of January 27th)

Amending the pay and compensation plan to include certain classes in the Fire and Police Dept. in the Longevity Pay which were not included in the plan thru an oversight.

Mr. Cvitanich explained, this ordinance was postponed for three weeks for further study. It has been recommended to include the Fire Marshal and Chief Fire Training Officer, as these positions are two of the most difficult positions to fill with qualified personnel in the department. Interest in the positions have decreased, particularly, if longevity pay is not included.

Mrs. Banfield moved to include the positions of Fire Marshal and Chief Fire Training Officer in Section 1.12.133 of the ordinance. Seconded by Mr. O'Leary. Voice vote was taken. Motion carried.

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

Ayes 7: Banfield, Cvitanich, Dean, Herrmann, O'Leary, Zatkovich and Mayor Johnston.
Nays 0: Absent 2: Finnigan. Jarstad (temporarily).
The Ordinance was declared passed by the Chairman.

Ordinance No. 19032

Vacating the East 60 feet of Union Ave. between No. 37th & No. 38th Street. (petition of Orville Shenefelt)

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

Ayes 6: Cvitanich, Dean, Herrmann, O'Leary, Zatkovich and Mayor Johnston.
Nays 1: Banfield. Absent 2: Finnigan. Jarstad (temporarily).

The Ordinance was declared passed by the Chairman.

Ordinance No. 19033

Appropriating the sum of \$17,788.10 or so much thereof as may be necessary from the General Fund to the Police Relief and Pension Fund and appropriating \$37,440.13 from the Police Relief & Pension Fund for paying pension obligations of the Police Fund.

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

Ayes 7: Banfield, Cvitanich, Dean, Herrmann, O'Leary, Zatkovich and Mayor Johnston.
Nays 0: Absent 2: Finnigan. Jarstad (temporarily).

The Ordinance was declared passed by the Chairman.

Ordinance No. 19034

Appropriating the sum of \$199,722.53 or so much thereof as may be necessary from the Public Works Revolving Fund for the purpose of paying certain costs of maintenance and operation.

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

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

The Ordinance was declared passed by the Chairman.

Ordinance No. 19035

Appropriating the sum of \$39,753.27 from the Equipment Rental Fund A of the 1969 budget for paying salaries and wages and costs of M & O.

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

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

The Ordinance was declared passed by the Chairman.

Ordinance No. 19036

Amending Section 3 of Ordinance No. 15928 to amend motor vehicle charges.

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

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

The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

Mr. Cvitanich remarked that serving on the Planning Commission certainly gives a Council member an insight into the degree of planning that is done within the community. He added, he recognizes that the ordinance states that a Council member

City Council Minutes - Page 11 - Feb. 10, 1970

serves in an ex-officio capacity until the end of his term, however, he suggested that a minimum of a year on the Commission would be more logical so other Council members may have the opportunity to serve. Mr. Cvitanich noted that Mrs. Banfield has resigned from the Planning Commission and another member of the Council must be appointed to fill the vacancy.

Mr. Cvitanich then moved to appoint Mr. Jarstad as a member of the Planning Commission. Seconded by Mrs. Banfield. Voice vote was taken. Motion carried.

* * * * *

The Public Works and Utilities Director presents the assessment roll for the cost of the following improvements:

L I D 4807 for paving on No. 10th from Huson to Mullen and other nearby streets.

L I D 4836 for paving on So. Fawcett from 76th to 78th and other nearby streets.

L I D 4879 for paving on So. 10th from Sprague to Ferry St.

L I D 6890 for street lights on So. 92nd from Yakima to L; Sheridan from So. 93rd to 96th and other nearby streets.

L I D 5477 for water mains in East 65th from I to a point approximately 975 feet west of East L Street.

Fixing Monday, April 27th at 4 P.M. as the date for hearing.

Mr. Cvitanich moved to set Monday, April 27th at 4 P.M. as the date for hearing on the above assessment rolls. Seconded by Mrs. Banfield, Voice vote taken. Motion carried.

* * * * *

Mrs. Banfield explained that it had been brought to her attention that a housing and employment survey form from the Tacoma Area Urban Coalition had been printed by the City. She said that many questions were very personal on the questionnaire. She wondered if the city government had paid for this distribution.

Mr. Oles, City Manager, explained he had inquired about the matter and a meeting will be held Wednesday at 10 A.M. with various city employees. He would report the result to the Council as soon as possible

* * * * *

Mrs. Banfield also said she had been informed that \$5,000 has been placed in the budget to help defeat any Charter change. She asked the Finance Director where this sum would be in the budget.

Mr. Gaisford, Director of Finance, explained he had no knowledge of such an item.

* * * * *

Mr. Cvitanich explained that last week the Council had adopted a Statement of Policy regarding travel, and as a result, a misunderstanding has developed between General Government and the Dept. of Public Utilities. Mr. Cvitanich submitted an additional paragraph to be added to the Statement of Policy which was passed on February 3rd by the Council. 25

Mr. Dean moved to amend the Statement of Policy on expenditures for travel and subsistence by adding paragraph "4. The Public Utility Board for the

Department of Public Utilities shall, within the limitations of the Charter, Administrative Code and annual budget, set and administer the appropriate policy for the Department of Public Utilities." Seconded by Mr. O'Leary. Voice vote was taken. Motion carried.

* * * * *

Mr. Cvitanich explained during the budget hearings discussion was held regarding the number of City owned vehicles that are taken home by employees every night. Statistics were compiled and approximately \$24,000 a year is spent in one department for this use. Except for the Police and Fire Departments, he did not feel there was any justification for taking city-owned vehicles home.

Mr. Cvitanich added that he would submit a statement of policy on this matter for next Tuesday's Council meeting. He felt, the City would be money ahead by paying personnel mileage for the use of their cars, during an emergency situation, rather than having so many City vehicles driven home at night.

✓
58

* * * * *

Mr. O'Leary also felt that more budget control should be exercised relative to transferring of funds to try to have the directors of each department operate within their budgets.

Mr. Oles explained they recognize that the budget covers a full year. He called the Council's attention to the fact they had authorized in the budget a position in the nature of a budget analysis, but it has not been filled.

Mr. O'Leary urged that the City Manager also exercise budget control.

* * * * *

Mrs. Banfield called the Council's attention to an item in the Park Board Minutes of Jan. 26th, 1970, where it states that Rev. Pigford, Metropolitan Minister for Associated Ministries, expressed concern over the transfer of Snake Lake property to the School District for the new high school and accompanying recreational facilities. He had also asked for a moratorium pending the report of a Model Cities task force with an innovative approach to a new high school and recreational facilities in the Model Cities area.

348

Mrs. Banfield also explained she had obtained minutes from an education task force meeting from the Model Cities Program. She thought the City Council was delegated to oversee this program. She read for the Council's information from the minutes which referred to Title 4, Civil Rights Act, 1964, which had been implemented relative to desegregation in the City schools, meetings in homes, teacher problems, etc. She wondered if this situation also did not relate to Human Relations and sensitivity programs.

Mrs. Banfield felt the Council should look into the matter as she felt it was getting out of hand and since the Council is responsible, it would be derelict in its duty if it did not check on the matter.

* * * * *

REPORTS BY CITY MANAGER:

Mr. Oles, City Manager, submitted the Juvenile Curfew Violators Report for the month of January, 1970 and also presented a report covering February 1st thru 5th, 1970, in which no violations of the curfew were recorded.

Placed on file.

Mr. Cvitanich asked Mr. Oles if the Police Dept. has devised a new method in processing the juveniles when apprehended, as suggested by the Council. He also wondered if any other problems relative to personnel had been noted as a result of the enforcement of the curfew.

Mr. Oles, City Manager, said he would see that such information is included with this type of report in the future.

COMMENTS BY MEMBERS OF THE COUNCIL:

Mr. Jarstad read an article regarding users of L S D and the terrible consequences. He mentioned the incident in Tacoma where a young man had taken his life because he knew that he had been a victim of dope for too long a time. Mr. Jarstad felt that the City Council, the Police Dept. and citizens of Tacoma should all band together to persue all people who are in any way connected with providing illegal drugs to anyone and particularly the teenagers. He felt the Police should be allowed to enter into any place according to any new federal laws on the procedures of serving search warrants. He also suggested, if funds are to be made available to the City, that the Narcotics section of the Police Dept. should be enlarged. He asked that the City Manager check into these matters for the Council's information.

Mr. Oles, assured the Council that some very drastic steps are being taken and a report will be submitted to the Council on the matter within the near future.

Mr. Zatkovich felt this was a matter of education and he knew it was also the Police Dept's. number one concern at the present time.

* * * * *

Mr. Dean explained that the Agenda Committee will meet in Room 354 on Friday morning at 9 A.M.

* * * * *

Mr. Dean mentioned that many younger students are using lighter narcotics rather than the hard narcotics. The lighter narcotics are available on the street and in various business places. The availability of this particular type of drug has occurred within the past two years and it is very difficult for the Police Dept.

* * * * *

Mrs. Banfield said she had mentioned sensitivity training many times within the last year or two, and she read from an article about 'role playing' which had been invented in Russia in 1920 as a method of making aristocrats sensitive to problems and attitudes of peasants, with the objective of converting the aristocrats to communism. She felt that National Alliance of Businessmen, Chamber of Commerce, Junior League, League of Women Voters are all involved in 'role playing'.

Mayor Johnston explained he felt Mrs. Banfield was misrepresenting N A B. The businessmen have a training program to prepare people to find employment, particularly the young people in the summertime for the unemployable. He added he was Honorary Chairman of the National Alliance of Businessmen and they are doing an outstanding job.

Mrs. Banfield asked if 'role playing' in the Police Dept. is being deployed, and if the department is still teaching the difference between a crime and a confrontation, and if there is a list of the courses, by title, that are being taught by the Police Dept.

Mr. Oles said he would check into these matters.

* * * * *

Mayor Johnston explained he had sent a letter to the Council members suggesting changes in the present arrangement of the Council Chambers. He felt that the Department Directors should be seated on the right of the podium and the press moved to the left. By this seating arrangement, it would allow the press to utilize Mayor's Conference Room as a press room.

Mayor Johnston further suggested that the Radio Stations KINT and KAYE be removed from the podium and placed in the press row.

Mr. Cvitanich asked Mr. Stewart of KINT and Mr. Nichols of KAYE if this would give a problem in terms of transmitting the Council meeting.

Mr. Nichols said he did not feel they should be delegated to Room 354, but if at all possible, he could sit in the press row if the wires and equipment will not bother the press.

Mr. Cvitanich said he agreed with Mayor Johnston designating Room 354 for the press.

Mayor Johnston stated he would be pleased to have this arrangement at the next Council meeting.

Comments were made relative to the inconvenience of the press being moved in Room 354. After some discussion, Mr. Cvitanich moved that the radio commentators remain on the podium. Seconded by Mr. Zatkovich.

Mr. Jarstad amended Mr. Cvitanich's motion that Mr. Bond, Public Relations Director, contact the press and explore the feasibility of another location that could be found and still accomplish the purpose intended. Seconded by Mr. Cvitanich. Voice vote was taken on the amendment. Motion carried.

Mr. Cvitanich requested that cost estimates be submitted in regard to installing a telephone in Room 354, solely for the use of the press.

* * * * *

Mayor Johnston explained that last week a motion was rescinded regarding a request that had been allowed for Capt. Smith of the Police Dept. to travel to Oklahoma City. He thought it would be appropriate if the Council would reinstate the funds.

Mr. Dean felt that the Statement of Policy sets up that such a request must come from the City Manager and through the Council's budget committee. This would protect Capt. Smith from any recourse.

* * * * *

Mr. Cvitanich explained that the City Council had continued the Resolution awarding General Electric the contract for the purchase of the radio equipment for the Fire Dept. He asked Mr. Oles, City Manager, to determine if the strike has been settled, and if so, place the resolution before the Council next week.

Mr. Oles said he would look into the matter.

* * * * *

Mr. Cvitanich explained about a year ago the Council majority had determined that construction of the D Street viaduct be moved ahead in terms of priority on the Urban Arterial Program. He asked that the City Manager check with Mr. Schuster to see if this has been done as Mr. Schuster is the Council's representative on the Urban Arterial Board.

Mr. Oles said he would check the matter.

CITIZEN'S COMMENTS

The following persons expressed their views on various subject matters to the City Council.

20

135

Mr. Curtis A. Carmen, 516 No. C, explained that the Council would create a potential monopoly if Tacoma Cable Co. franchise is allowed to go into effect. If CATV installation by Tacoma Cable is installed without a second franchise being granted for simultaneous installation, the first company would have a tremendous advantage. If such a monopoly is created, it should be to the benefit of the city as a Public Utility.

Mr. Zatkovich explained that at next week's meeting consideration of bids for a second community antenna television company franchise will be considered.

* * * * *

Mr. George W. Goe, 5645 So. Cedar, spoke on violations of the City Charter by previous Councils.

* * * * *

Mayor Johnston explained that Mr. John A. Monson, Pres. of the Tacoma Cable Co., is unable to be present at this meeting but will speak to the Council on Feb. 17th.

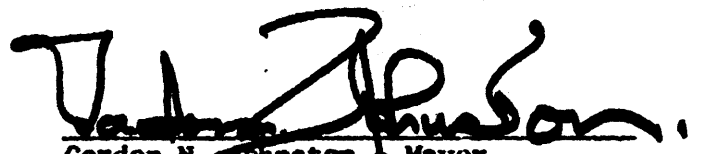
ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Public Works Dept. filing with the City Clerk copy of the Updated Cost Estimate for Improvement No. 4844.
- b. Public Works Dept. filing a copy of the Project Prospectus for 1970 - Traffic Signal Construction at 19th & Jefferson, 19th & Market and So. 25th & Yakima Ave.
- c. Urban Renewal Dept. filing Financial Status Report for Fawcett - Wash. R-3, Center Street - Wash R-1 and New Tacoma - Wash R-14.
- d. Civil Service Board minutes for January 19th, 1970.
- e. Board of Park Commissioners minutes for January 26th, 1970.
- f. Selection and Evaluation Board agenda for February 9th, 1970.
- g. City Treasurer submitting Notice of Real Property Sale.
- h. City Clerk advising that the time has expired for filing protests on LID 4917, 6916 and 6922.

Placed on file.

* * * * *

Dr. Herrmann moved to adjourn the meeting. Seconded by Mr. Cvitanich. The meeting was adjourned at 12:10 A.M., Feb. 11, 1970.


 Gordon N. Johnston - Mayor

Attest: 
 Josephine Melton - City Clerk