

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, March 10, 1970

The meeting was called to order by Mayor Johnston at 7:10 P. M.

Present on roll call 7: Banfield, Cvitanich, Dean Finnigan, O'Leary, Zatkovich and Mayor Johnston. Absent 2: Herrmann & Jarstad.

The Flag Salute was led by Mr. Finnigan.

Mayor Johnston asked if there were any omissions or corrections to the minutes of February 24, 1970.

Mrs. Banfield asked that a correction be made on Page 9, under Ordinance No. 19047, on the second line of the third paragraph, that the figure of 7 1/2% be changed to 5%.

Mr. Oles, City Manager, asked that on Page 10 under Reports by the City Manager, second paragraph, on the fifth line down, that a period be placed after the word property and that the last eight words be deleted.

Mr. O'Leary moved that the minutes of the meeting of February 24th be approved as corrected. Seconded by Mr. Cvitanich. Voice vote was taken. Motion carried.

HEARINGS & APPEALS:

This is the date set for the meeting with the initiating parties for the annexation of the easterly side of Hannah Pierce Road between So. 58th and 62nd St. extended, submitted by Richard H. Shaw, et al.

Mr. Buehler, Director of Planning, explained that this annexation involves 7.63 acres and is located at the west edge of the City of Tacoma between So. 62nd, So. 58th Street and along Hannah Pierce Road. The Meadow Park Golf Course is located to the southwest of the proposed annexation, he added.

Mr. Buehler further explained that this meeting fulfills the annexation procedure which requires that the City Council determine if they will accept an annexation petition representing at least 75% of the assessed valuation of the proposed annexation.

Mr. O'Leary asked if the adjacent property owners, B. R. Carmel, B. Gaines and B. Phelan, were contacted to see if they also wish to annex to the City. He felt this would be proper as it would allow more property to be annexed along Hannah Pierce Road.

Mr. Shaw, the petitioner, said he did not know the opinions of the adjacent property owners on the matter.

Mr. Cvitanich moved that the City Council accept the above annexation petition. Seconded by Mr. O'Leary. Voice vote was taken. Motion carried.

Mr. Cvitanich moved that the annexed area assume the existing bonded indebtedness of the City of Tacoma. Seconded by Mrs. Banfield. Voice vote was taken. Motion carried.

Mr. Cvitanich moved that the comprehensive plan for the proposed annexation area be waived. Seconded by Mrs. Banfield. Voice vote was taken. Motion carried.

This is the date set for rezoning of the property north and west of the intersection of So. 29th and Proctor Sts., from an "R-3" and "R-4-L" District to an "R-4" District; submitted by Ronald M. Brown.

Mr. Buehler explained that the applicant has requested this reclassification in order to construct a nursing home. The property is located on the alignment of the new freeway connection to Bantz Blvd. The property was zoned a number of months ago under an "R-4-L" District. However, since that time, it has been determined that one-half of the site will be required for freeway right-of-way. Therefore, the plans have been changed so that the nursing home development will be one structure and will occupy less ground coverage but will have a greater height. This change requires an "P-4" District due to the high-rise.

Mr. Buehler pointed out that a number of restrictions have been placed on the property by the Planning Commission and will be recorded. The applicants have agreed to all of the conditions imposed.

Mr. Finnigan noted that this is a five story building which will incorporate 234 beds. He felt that a condition must be made so that the developers will provide an automatic sprinkler system in their plans.

Mr. Buehler said he was quite sure that the Fire Code has been amended to require sprinkler systems in nursing homes and he knew the developers were aware of this law.

Mr. Cvitanich moved that as a condition that sprinkler systems be installed on all levels of the nursing home. Seconded by Mr. Finnigan. Voice vote was taken. Motion carried.

Mr. O'Leary then moved to concur in the recommendation of the Planning Commission to approve the rezone and that an ordinance be drafted approving same. Seconded by Mr. Cvitanich. Voice vote was taken. Motion carried.

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Mr. Finnigan noted that recently only five members of the Planning Commission have been attending the meetings. He urged that more members make every effort to attend since many of their decisions are vital to the growth of Tacoma.

Mayor Johnston explained he knew that at times it is very difficult for members to attend the meetings, however, he felt the majority were dedicated members.

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COMMUNICATIONS:

Mr. Louis J. Muscek, Chairman of the Charter Revision committee, reviewed the work of his committee in detail.

Mr. Muscek explained the committee had examined the various complexities of the City's operations. It was noted that the original charter called for nine councilmen who would choose a mayor from among their group, however, a subsequent change had brought about for a direct election of mayors. He thought the present amended charter supports a pluralistic system of government with both a Mayor and Manager. However, it was felt that it is not so much the personnel involved in a Council-Manager form of government as the system, itself.

Mr. Muscek said he had met with the Utility Dept. officials and was appalled to find that the generators and other facilities are worth approximately \$1.3 billion dollars. The Council is also responsible for many other properties as well as all of the departments of City government. He felt a part-time Council cannot take care of such a complex operation efficiently. After an extensive study the committee had unanimously agreed that they recommend that a full-time Mayor and Council be elected by the people. That the Councilmen be elected by districts rather than by the present at-large system. Mr. Muscek said that another report will be forth coming to the City Council.

Mr. Cvitanich commented, he knew that during the discussions there were many disagreements even though the ultimate outcome was a unanimous decision by the committee.

Memorandum from Model Cities Dept. relative to per diem reimbursement for Louis Barzar.

Mr. Walker, Model Cities Director, explained that the intention of the memorandum was to clarify to the Finance Audit and Investigations Committee of the Council the result of his findings relative to the per diem reimbursement for Mr. Barzar. However, his staff routed the communication in error to the City Clerk's office.

Mayor Johnston felt this matter should be referred to the Finance Committee before any further discussion is held.

Mr. Cvitanich noted that certain recommendations were made by the Finance Committee, however, he suggested the entire matter of expense accounts be discussed at this time. He said four other expense vouchers are also involved.

Mr. Finnigan also felt this matter should be referred to the Finance Audit and Investigations Committee for their recommendation.

Mr. Cvitanich explained that Mr. Walker was to contact HUD to determine if this expenditure could be reimbursed and also contact the Finance Director to see if this type of an item was in the Model Cities budget. Mr. Walker was also to contact private individuals in an effort to obtain such funds.

Mr. Cvitanich listed a number of trips that had been made to California by the staff and board members of the Model Cities Program. He felt the fiscal irresponsibility in the Model Cities Program must be corrected. He also explained, if the Director of Finance had not taken over the administration of funds, the City would have lost the program.

Mayor Johnston pointed out that Mr. Barzar was a member of the Model Cities Board, therefore, he represented the Board at the meetings rather than the Police Dept.

Mr. Cvitanich reminded the Council that the policy that was adopted last month required that all expenditures for any trips by all City employees be approved by the Council.

Mr. Walker said Mr. Barzar is an unpaid member of the Model Cities Executive Board and he was elected by the Executive Board to attend the conference. The Department of Housing and Urban Development had requested that a board member be in attendance at the meeting. Mr. Walker also said he had felt the rule on approval of all trips had applied to only staff members. He noted that only two trips had been taken since the Council formalized its policy.

Mr. Walker further explained that before the Finance Dept. had taken over the financial responsibility of the Model Cities funds, the federal government had audited the books and were approved.

Mr. Zatkovich explained there has been criticism relative to Mr. Barzar since he is also a Police officer and is definitely active in the Model Cities plans and programs. However, he said he would not vote against per diem reimbursement for Mr. Barzar.

Mr. O'Leary wondered if sending Mr. Barzar wasn't a move to get around the policy of the Council.

Mr. Walker explained they wished to be represented at the conference since a person can bring back valuable information relative to helping the Model Cities Program in their planning year.

Mr. Cvitanich said the committee also agrees that Mr. Barzar should be reimbursed as he is a victim of circumstances.

After some discussion, Mr. Cvitanich moved that the per diem reimbursement be granted to Mr. Barzar. Seconded by Mr. Zatkovich. Voice vote was taken. Motion carried.

Memorandum from Model Cities Director relative to Mid-Planning statement due to be officially submitted on January 26th. Also communication from Executive Director of the Tacoma Community House, Inc.

Mr. Cvitanich moved to postpone discussion on this matter until after the resolutions are taken up on the agenda. Seconded by Mr. Zatkovich. Voice vote was taken. Motion carried.

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RESOLUTIONS:

Resolution No. 20582 (as amended)

Amending the Rules of the Government of the City Council under Rule 5 to add the item "Committee Reports."

Mr. Cvitanich moved to refer this resolution to the Rules and Agenda Committee for additional consideration. Seconded by Mrs. Banfield. Voice vote was taken. Motion carried.

The Resolution was referred to the Rules and Agenda Committee.

Resolution No. 20590 (postponed from the meeting of March 3rd)

Granting a special use permit for a service station at the S.E. corner of So. 15th & Union Ave. and waiver of the lot area development standards and attaching conditions. (Time Oil Company)

Mayor Johnston said a motion to adopt the resolution was made at last week's Council meeting .

Mr. Cvitanich mentioned the inter-departmental communication forwarded to Mr. Buehler from Fire Chief Reiser, paragraph six, which states that "it would seem to me that the service station and the house from which there will be supervision of the dispensing of gasoline are located with a visual barrier between the attendant and the gas pumps, and this is not acceptable". He asked Mr. Buehler if this has been resolved.

Mr. Buehler explained that the Planning Dept. has taken the position that the service station site is in a "C-1" zoned area, therefore, the house is not in the zoned area and would not be a part of the operation insofar as the service station is concerned. He felt that the Fire Dept. did not want the fence placed there because the house is within 100 feet of the station and a fence would be a physical barrier.

Mr. Cvitanich suggested that the resolution be continued until this particular question is resolved.

Mr. Finnigan moved to continue Resolution No. 20590 for three weeks, until March 31, 1970. Seconded by Mrs. Banfield. Voice vote was taken. Motion carried.

Resolution No. 20596

Authorizing the proper officers of the City to accept additional Federal funds in the sum of \$57,780.00 for sewage treatment works and interceptor sewers across the Industrial Tideflats to N. E. Tacoma.

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

Mr. Schuster, Director of Public Works, explained that after the first of the year the Council approved the acceptance of a grant from the federal government in the amount of approximately \$577,000. At that time the Council was notified if Tacoma's plan met the comprehensive sewer plan for the area, Tacoma would receive an additional 10% grant for the sewer facility. This resolution refers to the additional 10% grant, he added.

Mr. Cvitanich pointed out that the Puget Sound Governmental Conference officials had said they doubted whether Tacoma could qualify for this particular bonus because the Council had stated its intent to withdraw from the conference. He felt this proves that when City elected officials work directly with the elected officials on the National level, the City can still have its programs approved.

Mrs. Banfield pointed out that Mr. Schuster has also pointed out in an inter-departmental communication that this is an increase in federal grant funds based on compliance with regional planning.

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

Ayes 6: Cvitanich, Dean, Finnigan, O'Leary, Zatkovich and Mayor Johnston.
Nays 1: Banfield. Absent 2: Herrmann and Jarstad.
The Resolution was declared passed by the Chairman.

Resolution No. 20597

Authorizing the sale of surplus vehicles to the highest bidders.

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

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

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

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Mr. Zatkovich moved to suspend the rules to consider Resolution No. 20581 which had been referred to the Public Safety Committee for review. Seconded by Mr. Cvitanich. Voice vote was taken. Motion carried.

Resolution No. 20581

Awarding contract to Harley-Davidson of Tacoma for the furnishing of 6 Solo and 4 three-wheel motorcycles on its bid of \$25,724.00.

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

Mr. Zatkovich explained that he failed to inform the City Clerk to place this resolution back on the agenda. He noted there was a meeting held with the staff and Chief of Police. After a thorough review, a majority of the committee recommended that the City should purchase the motorcycles as recommended.

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

Ayes 5: Dean, Finnigan, O'Leary, Zatkovich and Mayor Johnston.
Nays 2: Banfield and Cvitanich. Absent 2: Herrmann and Jarstad.
The Resolution was declared passed by the Chairman.

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Mr. Cvitanich moved to suspend the rules to consider several items that do not appear on the agenda. Seconded by Mrs. Banfield. Voice vote was taken. Motion carried.

Mr. Cvitanich explained that a resolution regarding the Mid-Planning Statement was defeated at last week's meeting; however, discussions have been held during the past week and a new Resolution No. 20598 is now being submitted to the Council for approval.

Resolution No. 20598

Approving the Mid-Planning Statement of the Model Cities Program and directing that the necessary copies be forwarded, without change, to the Dept. of Housing and Urban Development in San Francisco.

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

Mr. O'Leary pointed out that many letters were received from citizens explaining they felt the Mid-Planning Statement resolution should have been passed by the Council last week. He thought that perhaps these letters should have been directed to the Model Cities Committee who had prepared the statement, as it contained misinformation and this was why various areas had to be revised and revamped.

Mr. O'Leary further stated this is the third time in several weeks that the statement had been submitted to the Council. However, Mr Walker is enclosing a cover letter addressed to Mr. Bell of HUD in which it states in part that the members of the City Council wish to make it very clear that they are in no way committing themselves to any implementation whatsoever of any recommendations that may result from this planning program. Because of this letter, Mr. O'Leary said he would vote for the resolution at this time.

Mr. Cvitanich asked that the letter addressed to Mr. Bell be read for the record.

The City Clerk read the letter dated, March 10, 1970, addressed to Mr. Andrew J. Bell, Assistant Regional Administrator, Model Cities Program, Region 6, 450 Golden Gate Avenue, San Francisco, California, signed by Herman G. Walker, Director, Model Cities Program.

Mr. Cvitanich explained that the Finance Committee recognizes the importance of this program, however, this resolution is not an endorsement of the Model Cities Program, nor should this be misconstrued in any way.

Mrs. Banfield pointed out several items she felt were discrepancies in the statement. She wondered why conditions have not improved in the Model Cities area within the last few years since they had been noted a number of years ago. She also said she was very disturbed with the lies that are present in this Mid-Planning Statement.

Mr. Finnigan believed that the citizens who sent letter to the Council know of the conditions in the neighborhood. He felt they are concerned and feel that the Council has not been responsive to conditions that do exist. At times exaggerations have to be cited to get a point across and whether there are exaggerations in the Mid-Planning Statement is debatable. He felt there was a need for the upgrading of this particular segment of the community, however, there are other sections of Tacoma that could also be upgraded.

Mr. Finnigan urged that the resolution is passed unanimously by the Council.

Mr. O'Leary explained the Council is submitting a form to the federal government and it should be as truthful as possible. He thought if a neighborhood is to be rebuilt, it should be rebuilt on truth and a solid foundation. This is why the inequities in the statement were changed a number of times so a factual statement could be submitted to the federal government.

Mr. Cvitanich explained this resolution appears on the agenda this week because a number of the Council members were concerned relative to the matter. He

knew that some of the negative votes were cast last week because further discussions had not been held with the Model Cities representatives as had been promised, but the past week further discussions were held.

Mr. Finnigan felt that the Council should make every effort to find out facts during the period allotted so that the deadline can be met, rather than have continual delays.

Mr. Walker explained that this document has been reviewed and scrutinized by a number of other committees from other federal departments who study each section of the statement as it relates to their departments. They also send any criticism back to the Model Cities office in writing. The Model Cities staff make changes in the document as suggested.

Mr. Walker said this resolution indicates only that they may proceed with the next phase of the planning program which is entitled "Program Approaches". The final draft and acceptance of the program has to be approved by the members of the City Council.

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

Ayes 5: Dean, Finnigan, O'Leary, Zatkovich and Mayor Johnston.
Nays 2: Banfield and Cvitanich. Absent 2: Herrmann and Jarstad.
The Resolution was declared passed by the Chairman.

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Mr. Cvitanich explained that Item C under Communications had been moved to the end of the resolutions. He suggested that the gentleman who wrote the letter supporting the Model Cities Mid-Planning Statement be allowed to speak.

Mayor Johnston asked if Mr. Yamashita, Executive Director of the Tacoma Community House, Inc., was present.

Mr. Yamashita was not present at this time.

Mayor Johnston felt, perhaps, he left when he had found that the Council had passed the resolution relative to the Mid-Planning Statement.

Placed on file.

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Mr. Cvitanich moved to suspend the rules to consider Resolution No. 20599 and Ordinance No. 19061 in regard to the 1/2 of 1% sales tax. Seconded by Mrs. Banfield. Voice Vote was taken. Motion carried.

Resolution No. 20599

Expressing the intent to pass Sales-Use Tax, as provided for by Chapter 94, Laws of 1970, First Extraordinary Session.

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

Mr. Cvitanich explained this resolution has been submitted by the Finance Audit and Investigations Committee, together with Ordinance No. 19061. He asked that the Council consider both at the same time since they pertain to the same matter.

Mr. Cvitanich further stated that Chapter 94, Laws of 1970, Extraordinary Session, enacted by the State Legislature, authorized the cities and counties of the State to impose a sales tax. The law was a crisis measure and the tax is effective only through 1973. He wanted to assure the citizens of Tacoma and the City Council that he would not be supporting such a resolution or ordinance unless the funds are earmarked for law and order. This is the only reason he would support such a tax. He personally felt it is a regressive tax and was opposed to it,

however, unfortunately across the nation, as well as in Tacoma, there is a question of law and order. It is very important that the Council act on these two items this evening, he added.

Mr. Cvitanich also remarked that the County officials had contacted him urging that the City Council, support this measure. He noted from all indications Pierce County Commissioners will also impose the tax.

Mrs. Banfield explained she had also opposed any sales tax, but she also had to consider the necessity of maintaining the highest quality of police and fire protection. It is only on this basis, she would vote for Resolution No. 20599 and Ordinance 19061.

Mayor Johnston asked that Mr. McCormick explain the resolution and asked if the ordinance will be considered as its first reading this evening.

Mr. McCormick, City Attorney, said as the Council knows, the State Legislature passed an Act which gives the right to the governing body of a city to impose the 1/2 of 1% sales tax. However, if Pierce County also imposes a tax, the rate of tax imposed by the City will then be four hundred twenty-five one thousandths of one percent. He also noted that the ordinance passed by the City and the resolution passed by the County Commissioners must be uniform. In fact, these will be the same throughout the State of Washington for the purpose of administration by the Washington State Dept. of Revenue. He further explained the Dept. of Revenue is trying to implement all proceedings so that the law will be effective on April 1st, 1970. He also noted that no resolution or ordinance imposing the tax can be effective other than on the first of a given month. This is why a time table has been forwarded to the cities and counties by Mr. George Kinnear, Director of the State of Washington, Dept. of Revenue, and must be adhered to.

Mr. McCormick also noted that their staff had not received the material until today and that is why this information has not been submitted to the Council until this evening. Under the time table, there must be an instrument of intent, that the City Council is going to pass an ordinance imposing such a tax. Such a resolution must be in the hands of the Washington State Revenue Dept. by March 16th, 1970, which, of course, means that the City Council must pass this resolution this evening.

Also, the ordinance which imposes the tax has to be in effect by April 1st. Therefore, if the ordinance is placed on first reading this evening, it can be passed on the 17th of March. It will then be published and by the time the ten days have expired after publication, Tacoma will beat the deadline of approximately two or three days. There is an agreement which is uniform in character that the Council will have to enter into and it will also be used by all the cities and counties which assess this tax. He said he has inquired of Mr. Richard Heady, Assistant to Mr. Kinnear, when the agreement is to be forwarded to him as the letter from Mr. Kinnear states that the agreement must be signed and returned to Olympia by March 20th. He was told that the agreement is being printed and would probably be mailed out Friday, which is March 13th. So in all probability, the Legal Dept. will be in a position of having to submit the resolution relative to the agreement at the next Council meeting, rather than having it forwarded in the Friday agenda. Mr. Heady also asked that the resolution of intent be forwarded to him as soon as it is passed by the City Council.

Mr. McCormick explained he had attended a meeting this morning relative to this matter with the County Commissioners and representatives of the other cities in Pierce County. It was his understanding that the Commissioners committed themselves at that time. He thought that Orting, Washington, was the only town that was not going to assess the tax.

Mr. Cvitanich said he wished to state publicly his sincere appreciation to Mr. McCormick for being able to have this resolution and ordinance for the Council's consideration this evening. He also wished to call the Council's attention to the 3rd Whereas in Resolution No. 20599 which states in part, "Whereas the City of Tacoma is in dire need of funds for the maintenance and operation of proper police, fire and health departments, and to furnish to the public other very essential and necessary services for which there are at present insufficient funds", etc. He

also mentioned that the resolution provides under the Be It Resolved portion, that if Pierce County imposes the sales tax, such additional tax by the City shall be in the amount of four hundred twenty-five/one-thousandths of one percent.

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

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

FIRST READING OF ORDINANCES:

Ordinance No. 19061

Amending Title 6 of the official code by adding a new section 6.86 and providing for the imposition of a sales or use tax.

The ordinance was placed in order of final reading.

Mr. Cvitanich moved to suspend the rules to consider Ordinance No. 19054 relative to salaries of the Policemen and Firemen. Seconded by Mrs. Banfield. Voice vote was taken. Motion carried.

Ordinance No. 19054

Amending the pay and compensation plan to adjust salaries for various Fire and Police Personnel.

Mr. Cvitanich noted that Section 6 of the ordinance which states, in part, that "This ordinance shall take effect on April 1st, 1970 or upon the effective date of a duly adopted law, statute, resolution or ordinance levying in the manner provided by law a local sales tax within the City of Tacoma." The Finance, Audit and Investigating Committee has recommended that this ordinance be placed on the agenda at this time as the Council has committed itself by prior action. They also felt the additional raise is necessary to prevent the loss of officers because of differences in salaries between cities. This is possible, because under a new state law which became effective March 1st, allows firemen and police officers to change jobs between Washington cities without losing seniority or accumulated pension benefits.

Mayor Johnston asked Mr. Cvitanich how the particular salaries compare to Seattle at the present time.

Mr. Cvitanich explained that for the present Tacoma has moved ahead of Seattle by one cent, however, he knew that the Seattle Council is contemplating action to raise salaries in some categories next week.

Mayor Johnston asked Mr. McCormick if action on this ordinance would reopen labor negotiations.

Mr. McCormick, City Attorney, felt that was a matter for the Council's determination.

Mr. Cvitanich reported that the Finance Audit and Investigating Committee met with various representatives of the Unions last Saturday. He also reminded the Council that at the time the budget was adopted on December 31st, 1969, it committed itself to try to make some adjustments and particularly in the area where people were terminated at the end of last year.

Mr. Finnigan explained that the Council had received a letter from a former employee of the City in the Housing Improvement Section and this gentleman has pointed out the tremendous need for continuing this program as it has accomplished a great deal. He felt that at the same time the Council considers the Public Safety Employees, they should also consider the other employees as well, as he felt they were equally important to the City.

Mayor Johnston explained he was in favor of the ordinance but he did not feel it was responsible government when a matter such as this is brought up under suspension of the rules. He felt that the citizens in the community who are concerned about the Council's actions should have an advance notice what the Council is going to discuss.

Mr. Cvitanich felt this ordinance was pertinent to the prior resolution and ordinance imposing the sales tax. He also mentioned that the rules can be suspended next week to allow citizens to speak on the matter. He felt this was the Council's fiscal responsibility and it was not an effort to work around anyone.

Mayor Johnston asked why ordinances relative to adjustments to the other labor unions requests were not on the agenda this evening.

Mr. O'Leary felt this ordinance should have been passed prior to March 1st when the Police and Fire pension plan was revised to allow the uniformed personnel to move laterally throughout the state. The prime concern is to keep the experienced policemen and firemen in Tacoma, he added.

Mr. Cvitanich stated it was a matter of priorities and other salary adjustments will follow.

The ordinance was placed in order of final reading.

Ordinance No. 19055

Amending Chapter 13.06 of the official code by adding Section .120-59 to include property on the N. E. corner of No. 26th & Madison Sts. in an "C-1" District. (petition of Wheeler Realty)

The ordinance was placed in order of final reading.

Ordinance No. 19056

Amending Title 11 of the official code relative to abandoned vehicles to comply with the new State law.

Mr. McCormick, City Attorney, explained this ordinance has been submitted for the purpose of complying with the new State law. It is a tool which will enhance the Police Dept. to remove abandoned vehicles from the streets of the City, he added.

The ordinance was placed in order of final reading.

Ordinance No. 19057

Amending the Minimum Housing Code to change the enforcing authority from Director of Public Works to Director of Health.

Mr. Schuster, Director of Public Works, explained that the Minimum Housing Code at the present time is under the enforcing authority of the Director of Public Works. Since the Housing Improvement Section employees are now under the Department of Health, it was felt that the Minimum Housing Code should be amended to designate the Director of Public Health as the responsible official for the enforcement of the code.

Mr. Finnigan hoped that in the future, the Council will see fit to revert the Housing Improvement Section back under the authority of the Dept. of Public Works. He felt that it has functioned properly and effectively under that department.

Mr. Cvitanich explained that in the City of Seattle a Dept. of Environmental Quality has been created. This has been discussed with the City Manager and, in the near future, it is hoped that the staff will prepare a report to the effect that Tacoma can consolidate and effectuate savings to the taxpayer by combining Model Cities, Urban Renewal, Housing Improvements, etc. He felt this type of consolidation is badly needed.

The ordinance was placed in order of final reading.

UNFINISHED BUSINESS;

The Director of Public Works presents the assessment roll for the cost of improvement in L I D 3683 for sanitary sewers in Waterview St. from No. 43rd to No. 49th Street.

Fixing Monday, May 11, 1970, as the date for hearing.

Mr. Finnigan moved to set Monday, May 11, 1970, as the date for hearing on the above assessment roll. Seconded by Mr. Cvitanich. Voice vote was taken. Motion carried.

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Mr. Cvitanich announced that on Monday, March 16th at 7:30 P.M. a public hearing of the Finance Audit and Investigating Committee will be held which pertains to tax proposal #3 which was adopted by the Council on December 31st, 1969. The committee has been working diligently with Mr. McLennan, Director of Tax & License, on the matter. He asked that Mr. Oles, City Manager, notify the persons concerned.

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Mr. Cvitanich announced that the date for the CATV public hearing will be Thursday, March 19th, at 7 P.M. in the City Council Chambers under the direction of the Finance Audit and Investigating Committee. He asked that Mr. Oles advise the four companies involved.

Mr. Finnigan suggested that telegrams be sent to the firms who were interested as he knew that some of the persons involved understood that the meeting was to be Thursday, March 12th.

Mr. Cvitanich explained the delay is because two of the representatives are to be out of town on March 12th, therefore, the March 19th date had been set.

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Mr. Cvitanich suggested because of the number of matters involved at the Finance Audit and Investigating Committee level that Mr. Dean and Mrs. Banfield be added to the committee.

Mr. Cvitanich moved that Mr. Dean and Mrs. Banfield be included in the Council's Finance Audit and Investigating Committee. Seconded by Mr. O'Leary. Voice vote was taken. Motion carried.

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Mrs. Banfield mentioned the debris which is scattered throughout the State particularly on weekends. She asked that a resolution be submitted requesting the State Interim Committee place this problem high on the priority list at the next session of the Legislature. She also asked that the Association of Washington Cities be informed of the decision of the Council.

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Mr. O'Leary asked that Mr. McCormick, City Attorney, draft an anti-strike breaker ordinance. It has been reported that professional strike breakers are in Tacoma.

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Mrs. Banfield requested that a resolution be submitted relative to renaming the newly renovated hilltop youth center. She explained she did not approve of the name of Malcolm X given to the center which was recently chosen. She felt that naming a building for this person was degrading to the City of Tacoma as Malcolm X was an ex-con, dope pusher and an addict.

Mr. Zatkovich felt such a name would breed more anarchy and he would not vote for another request for funds for the Park Board until the name has been changed.

Mrs. Banfield complimented the youths who renovated the building. She felt the recreational facilities are needed as she was only objecting to the name.

Mr. Dean asked who is responsible for the naming or renaming of such property.

Mr. McCormick, City Attorney, felt the responsibility rests on the Park Board as it is Park Board property. The City Council can pass a resolution on the matter but he did not know what effect it would have as he understood the property is leased from the Park Board.

Mrs. Banfield understood that the Park Board leases this property to the Neighborhood Improvement Council for a dollar a year.

Mr. McCormick suggested that the Park Board be consulted as to what name they would prefer.

Mr. Dean asked that Mr. McCormick inquire if the Park Board agreed to the renaming of the Hilltop Youth Center to the Malcolm X Center.

Mr. McCormick stated he would check into the matter and draft a resolution for the Council's determination.

Mr. O'Leary also stated he would not be too sympathetic to any request for funds by the Park Board as long as this particular name appears on the building in question.

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Mr. Cvitanich asked that the City Manager submit a report on the status of the Workable Program.

Mr. Oles stated he would submit a report on this matter next week.

✓ 118

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REPORTS BY CITY MANAGER:

Mr. Oles, City Manager, explained that the Report of Juvenile Curfew Violators from February 26th through midnight March 5th has been submitted to the Council in the agenda, as well as the River Street Viaduct Route Location Study.

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Mr. Oles reported that union labor and materials are being used to construct the garages in the downtown area.

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Mr. Oles stated the present status of the renovation of the Old City Hall and City Hall Annex appears to him to be satisfactory. He added because of the time element, a more detailed report will be submitted to the Council.

✓ 119

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Mr. Oles said he would like to meet with the appropriate committee of the Council as early as possible in regard to the Garbage Utility.

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Mr. Oles said he would like to make it clear that the house to house survey being conducted by the Model Cities group has not met with his approval nor has it anything to do with the City departments, as he has forbidden it to be associated with any of the City departments. He said he did this for two reasons as it was his understanding that the survey conducted originally had been authorized before he took office. That the survey was done by mail and preserved the anonymity of the returns that were turned in.

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However, he felt when people are sent out individually from house to house, the anonymity is destroyed and he did not think this proper. He has made it clear that the Planning Dept. of the City will not take any part of this particular survey.

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Mr. Oles stated he has received a request from the State Board Against Discrimination asking to use the City Council Chambers for a meeting on April 7th at 9:30 A.M. He said he had not responded to this request until the Council gives him direction.

Mr. Cvitanich moved that Mr. Oles be directed to grant the use of the City Council Chambers on April 7th provided it doesn't conflict with any important local schedule. Seconded by Mr. O'Leary. Voice vote was taken. Motion carried.

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Mr. Oles said he has been able to bring about the finalization of the lift bridge regulations and they will be published in the federal register which will solve the timing problem for the City's lift bridges.

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Mr. Oles requested policy instructions from the Council regarding persons who seem to have a dual status such as the policeman who is connected with the Model Cities organization. He felt this would be called a dual status and from an administrative point of view, he did not think this proper.

Mr. Cvitanich moved that the matter be referred to the Public Safety Committee of the Council. Seconded by Mr. O'Leary. Voice vote was taken. Motion carried.

COMMENTS BY MEMBERS OF THE COUNCIL:

Mr. Cvitanich asked Mrs. Oles to check the status of the property at 1330 Commerce which is within the Urban Renewal area as there seems to be a misunderstanding as to when it has to be vacated.

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Mr. Cvitanich explained there has been excavating going on at No. 42nd and Highland Ave. and the residents have complained that the trucks used by the contractor have made the street and yards very dirty. He asked that Mr. Oles have the Director of Public Works check into the matter.

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Mr. Cvitanich stated he had received a call from a property owner on 6th Avenue near Alexander-Jackson stating that debris is piled up in that area. Mr. Cvitanich requested that the Public Works Dept. also check on this matter as there are ordinances on the books in regard to littering and if they are not enforced then the City should have the responsibility of cleaning the property.

Mr. Oles said he would inform the Public Works Dept.

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Mr. Finnigan said the Water Dept. that is constructing in the downtown area are taking too much space with their trucks. He asked that a letter be written to the Light and Water Dept. on this matter.

Mr. Oles said he would be glad to write this letter.

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Mrs. Banfield asked Mr. Oles to check to see how much the people were paid that surveyed in the Model Cities area last Saturday.

Mr. Oles explained it was his understanding these people were volunteers, however, he would make the inquiry in Mrs. Banfield's behalf.

Mrs. Banfield felt some of the questions that were asked were involved with people's private lives and should never have been asked. Mrs. Banfield also asked for a report on the reply of the survey.

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Mrs. Banfield also asked that Mr. Oles compile all the surveys and all the plans submitted to the Council between 1952 and 1970 so it can be known how much has been spent in surveying Tacoma.

Mr. Oles said he doubted very much if any consolidation has been done, but as the emissary of the Council, he would look into the matter for Mrs. Banfield. However, he thought this would take more than a week to compile.

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Mr. Dean announced that the agenda committee will meet on Friday at 8:30 A.M. and asked that the City Clerk submit all of the material to be put on the agenda.

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Mr. Cvitanich explained that he thought this would be the proper time for him to discuss some basic matters. He said he has received many calls from people in the community that have supported him in the four campaigns who are somewhat disturbed and concerned about what seems to be transpiring or not transpiring in the community. He said he wanted to make it perfectly clear where he stands on most all issues. It has always been his position to speak frankly; if he has a point of view, he lets that point of view be known. It is unfortunate what is transpiring in the community. There is a civil war between two divergent points of view. On one hand we have the power structure, the Tacoma News Tribune and the bankers. He said he represents a point of view in this community that says the News Tribune does not own this community, the bankers do not, nor the power structure downtown. This community belongs to the people; all of the people, not a special group. Although every effort has been made to cooperate. No matter how hard a person tries as an individual to solve the matter, it can't be done. Then unfortunately many instances the welfare of the community suffers. For the first time in thirteen years, people of this community are having representation. The special interest group of the power structure, News Tribune and bankers, have lost control and are not dictating policy to this Council now.

There are all kinds of rumors and innuendos in the community of the lack of leadership, of what the Council is doing, or not doing. When the budget was adopted on December 31st, 1969, which was not to the liking of the members of the Council in terms of areas of taxation or otherwise, but it was a necessity. The City had a former City Manager to whom the Council majority gave a blank check. The fact was the budget was \$2 million out of balance and the Council had to raise \$1,057,000 to pay salaries, thereby agreed to this special legislation of the intent of 1/2 of 1% sales tax. It's the people that he represents who will bear the brunt of this additional taxation.

He hoped that this will all be resolved, and that the welfare of this community will be uppermost in the minds of the people that are out pervading rumors, half truths and innuendos.

CITIZEN'S COMMENTS:

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

John C. Frai, 1423 South 43rd St.

John Zelenak, 5414 So. J St.

George Goe of 5445 So. Cedar explained that on So. 56th and State Sts., there is a very sharp turn and the City buses have a difficult time turning. Also, at the corner of So. 27th and Pacific Ave., buses at times have to stop until fifty or sixty cars travelling on Pacific Avenue pass. He also mentioned a stop light should be placed at the intersection of So. 54th and Pine St. before a tragedy occurs.

Mr. Cvitanich moved that Mr. Goe's suggestion that a traffic light be placed at 54th and Pine St. be referred to the Public Safety Committee of the Council for review. Seconded by Mr. O'Leary. Roll call was taken, resulting as follows: Ayes 4: Banfield, Cvitanich, Dean and O'Leary. Nays 3: Finnigan, Zatkovich and Mayor Johnston. Absent 2: Herrmann and Jarstad. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the Civil Service Board for February 16th.
- b. Minutes of the Regular meeting of the Board of Park Commissioners for Feb. 26th.
- c. Public Works Dept. submitting the following projects for approval:
 - 1. Updated Estimate for Urban Arterial Project - Improv. 4844, Unit B
 - Updated Estimate for Urban Arterial Project - Improv. 4874, Unit A.
 - 2. Improvement 4-3631 - Wards Lake Drainage System Agreement GC 2152 dated Sept. 6, 1967.
 - 3. Monthly Cash request for reimbursement of funds on subject projects to U. S. Public Health Service etc.
- d. Tacoma Fire Dept. submitting cooperative Survey with the U.S. Dept. of Labor Bureau of Labor Statistics.
- e. Frank S. Evans Director of Civil Defense submitting P & A Claim in the amount of \$1363.63.
- f. Trainee Corps Activity report for February 1970.
- g. Director of Model Cities submitting Monthly report #5.
- h. Tacoma Employees' Retirement System report for February 1970.
- i. City Planning Dept. report for February 1970.
- j. City Clerk advising that the time has elapsed for filing protests on L I D 4921 and 5498.
- k. Report from Director of Finance for the month of December 1969 and for January 1970.

Placed on file.

Mr. O'Leary moved to adjourn the meeting. Seconded by Mr. Dean. The meeting was adjourned at 11:30 P.M., March 10, 1970.

Attest: Josephine Malton
Josephine Malton - City Clerk

Gordon N. Johnston
Gordon N. Johnston - Mayor