

Municipal

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Research News

Municipal Research and Services Center of Washington



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MRSC Celebrates 75 Years

A municipal research and services program for Washington local governments has been around a long time. In fact, on July 5, 2009, the program will be 75 years old. The concept for a local government research and service program came out of the national public administration movement of the 1930s, a concept aided by the Rockefeller Foundation with its focus on enhancing public administration. However, unlike many of the other local government research and service programs started at that time, Washington State's has survived.

History

The history of the organization now called Municipal Research and Services Center (MRSC) began 75 years ago with the Bureau of Governmental Research and Services (the Bureau) at the University of Washington. The Bureau came into being with investment from a diverse set of stakeholders. The Association of Washington Cities (AWC), which began operating in 1933, provided the impetus behind the creation of a research bureau. AWC saw the need for the research and study of conditions and practices making for good local governance and then for sharing that information with municipalities in the state. The University of Washington saw itself as a natural setting for a laboratory for studying local governance and thus agreed to house the research bureau and provide additional funding. At this time, there were a number of municipal research organizations sprouting all over the country as an outgrowth of the rebuilding years of the Great Depres-

sion. The American Municipal Association, an organization that had been assisting many of these organizations, decided this new venture in the Pacific Northwest was a worthy investment and contributed funding support. Also, with help from the American Municipal Association, the fledgling Bureau applied for and received grant funding from the Rockefeller Foundation Spelman Fund, a charitable grant organization set up posthumously by the Laura Spelman Rockefeller Memorial for the advancement of good civic projects. Thus, in 1934, the Bureau of Governmental Research and Services was born.

For several years, AWC and the Bureau functioned as one unit. Both organizations worked with and out of the University of Washington, using staff and equipment from the political science department. Correspondence, records and files, bookkeeping and budgeting – all were handled for both organizations in a single office. Although the primary purpose of the Bureau was to provide services to all governmental agencies and political subdivisions of the state, the Bureau's program specialized in municipal research and services, due, in large part, to the close affiliation with AWC. Finding strength in unity, both organizations patterned their association after similar relationships between leagues of municipalities and university bureaus of research in other states.

As AWC grew in size and the Bureau expanded its activities, the need to separate the two organizations became increasingly

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MRSC

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apparent. From the beginning, it was evident there was a need to maintain a distinction between the research and services rendered by the Bureau and the political and legislative activities carried out by AWC. This was not always an easy task with both operating as one unit. Also, the expanding work load of both organizations demanded that each employ larger staffs as well as a full-time executive director. Although still sharing offices at the university, the two organizations separated in 1939 and established a more clearly defined working relationship between them.

From 1939 through 1945, the two organizations continued to maintain a close working relationship as they enlarged their respective programs. However, during this period, the Bureau was finding it increasingly difficult to keep up with the larger demand for its services due to its limited budget. It became evident that either the university would have to increase its funding or revenue from other sources would need to be found. Increased university funding was not made available, so AWC took the matter into its own hands. After World War II, AWC presented to the 1945 legislature a bill proposing that an allocation of a portion of the cities' share of the motor vehicle excise tax be diverted to the Bureau through the university and in cooperation with AWC. The monies would be used for increased research and consultative services to the cities and towns in the state. The bill passed unanimously, and for the next 25 years, this funding for the Bureau continued.

With the increase in funding, the staff and program of the Bureau expanded over time. As a consequence of this expansion, the organization evolved into a more autonomous one. The Bureau's relationship and ties began shifting away from the university which, in time, brought about major changes for the Bureau. In 1969, a state agency, the Municipal Research Council, was created to provide oversight and funding of the local

government research and services program. At this time, the Bureau's program at the University of Washington was terminated. Many of the Bureau's staff left the university to continue the program under a new organization called Municipal Research and Services Center of Washington (MRSC). MRSC was created as an independent, non-profit organization and was given a contract by the Municipal Research Council to continue the programs of the Bureau of Governmental Research and Services.

During the time the Bureau was affiliated with the university, the Bureau and AWC shared offices. After MRSC was formed as an independent entity, the two organizations continued sharing office space off campus in Seattle until 1989. At that time, AWC moved its offices to Olympia, where it continues to operate today. MRSC, after relocating its offices to Kirkland for a few years, moved back to Seattle and has been operating there for the past 14 years.

Funding

Since its inception, funding of the research and services program has come from diverse sources, eventually evolving into an appropriation received through city-derived funds. As stated earlier, starting in 1945, the program for cities and towns was partially funded, and later fully funded, through a small portion of the cities' share of the motor vehicle excise tax. When the passage of I-695 eliminated the motor vehicle excise tax, funding for cities was shifted to a small portion of the cities' distributions of the Liquor Board profits. In 1997, the program was expanded to include Washington counties, funded from a distribution of the counties' share of liquor excise tax. In 2007, special purpose districts were added to the program with a small appropriation from the state legislature. However, as of 2009, the state legislature eliminated the special purpose district funding due to the severe budget crisis. Total funding is provided through a biennial contract with the Municipal Research Council.

Services

From the beginning, the purpose for creating our organization was to provide research and services that would benefit local government in the state of Washington. In conjunction with AWC, the Bureau, and later MRSC, instituted many activities relating to municipal governance, including the preparation of research and study reports, information bulletins, and publications; the creation of an ordinance reference file; the establishment of a municipal government reference library; and the provision of consultative and advisory services.

Publications

Publications have always been an important part of the services extended to local governments, first by the Bureau and then by MRSC. These publications were then, and continue to be today, comprehensive and timely and designed to assist local officials in carrying out their duties, as well as to provide practical information about emerging issues. The first publications issued by the Bureau were research studies that reflected matters of everyday concern to municipal officials of that time, such as "Liquor Revenue for Washington Municipalities," "Salaries of Municipal Officials in Washington, 1934," and "Street Lighting in the State of Washington." Today, our publications cover a broad range of subjects and topics and continue to deal with the concerns of local government, ranging from *The Appearance of Fairness Doctrine in Washington State to Nuisance Regulation for Washington Cities and Counties*; and from *Personal Services Contracting Manual for Washington Ports to Public Records Act for Washington Cities and Counties*. Today, we significantly rely upon the web for distribution of information to local governments; most publications may now be viewed and downloaded from the MRSC website.

Library

Fortunately, when the Bureau's program was terminated in 1969, all informational holdings dating from 1934, including correspondence and

inquiry records, were transferred to MRSC. Today the MRSC library contains the state's largest collection of local government reference documents, including local ordinances, codes, budgets, comprehensive plans, and other documents illustrating virtually every function and operation of local government.

Inquiry Service

One of the most valuable services provided by our organization has always been, and continues to be, the consultative and advisory service, or inquiry service as it is called today. Over the years, inquiries have covered many aspects of local government. In 1939, the first few "part-time research assistants" responded to approximately 139 inquiries in the first nine months of operation. Today, MRSC has a consultant staff of 12 highly-qualified professionals with experience in the areas of budget and finance, municipal law, public management, growth management, public works, utilities, and local government policies. Last year MRSC responded to over 7,500 requests for professional assistance.

"Newer" Services

In keeping with our purpose of providing timely research and services to Washington State local governments, MRSC has added in the last few years other services to those we have provided since 1934.

Web Site www.mrsc.org

The development of the MRSC website has occurred over the past several years. The major goals of the website are to provide a "virtual" collection of local government library materials, and to facilitate self-service research about local government matters. Information on our site is constantly being revised, updated, and developed. Our website may be the most comprehensive local government site in the United States. It contains information relevant to Washington State local government, including weekly news, sample documents, state statutes and administrative rules, articles, publications, court decisions, responses to common questions received by MRSC, and much more. Our website is

available to anyone with web access from anywhere in the world. Nearly 250,000 local officials, state officials, and citizens currently visit our site every month.

Professional Development Services

MRSC helps a number of local government organizations carry out their professional development services by supplying administrative support. We serve the Washington Association of Municipal Attorneys (WSAMA), the Washington City/County Management Association (WCMA), the Washington Finance Officers Association (WFOA), the American Public Works Association (APWA), and the Washington Municipal Treasurers Association (WMTA). Each of these organizations has an MRSC professional staff member as a liaison and an assigned administrative staff member who is responsible for any or all of the following: managing the organization's membership services, including the membership database; preparing and mailing newsletters and other informational materials; and handling conference mailings and registrations.

Rosters Program

The newest addition to the services offered by MRSC is the rosters program (MRSC Rosters). Traditionally, municipalities have managed and funded individual small public works contractor rosters. Now MRSC has developed MRSC Rosters, a statewide shared roster system, to provide municipalities with a cost-effective and more efficient way to search for potential bidders. Also, MRSC Rosters offers contractors a more convenient way to market their services to municipalities statewide. This program is open to all Washington cities, counties, and special purpose districts; to contractors having a current Washington UBI number and are eligible to perform small public works projects (under \$200,000); and to consultants with a current Washington UBI number. To find out more and/or to register, visit our website: www.mrs.org.

Legacy

MRSC is proud of its history. The Bureau began helping cities in Wash-

ington State back in 1934, exhibiting a dedication to local government that continues today with MRSC.

Our founders recognized the extraordinary value of sharing resources for common purposes. Our services and resources enable local governments to freely borrow upon the experiences of other local governments. Smaller jurisdictions with few resources are able to get information and advice that would otherwise not be affordable.

Thomas Jefferson believed that democracy at the national level could not exist without strong local democracy. Local government is closest to the people, and people expect government to be open, transparent, inclusive, fair, responsible, and responsive. For 75 years, MRSC's programs and services have helped jurisdictions in Washington State provide strong local government.

MRSC plays an important role in supporting all levels of local government in Washington State – cities, towns, counties, and special purpose districts. We are proud of our mission – "working together for excellence in local government through professional consultation, research and information services." We are proud to celebrate 75 years of service and look forward to the next 75 years!

Much of the history information in this article was taken from the book Twenty-five Years of Governmental Research and Service, published by the University of Washington, Seattle, April 1959.

This article was a collaborative effort by Connie Elliot, MRSC Research Associate; Erich Dewald, MRSC Library Technician; Rich Yukubousky, MRSC Executive Director; and Lynne De Merritt, MRSC Senior Research Consultant. ▀

Home Sweet Home



Commerce Building at University of Washington



Brooklyn Ave, Seattle



IBM Building, Seattle



Fourth and Vine, Seattle

Leadership



Chester Beisen



Ernest Campbell



John Lamb



Rich Yukubousky

Inquiry Research

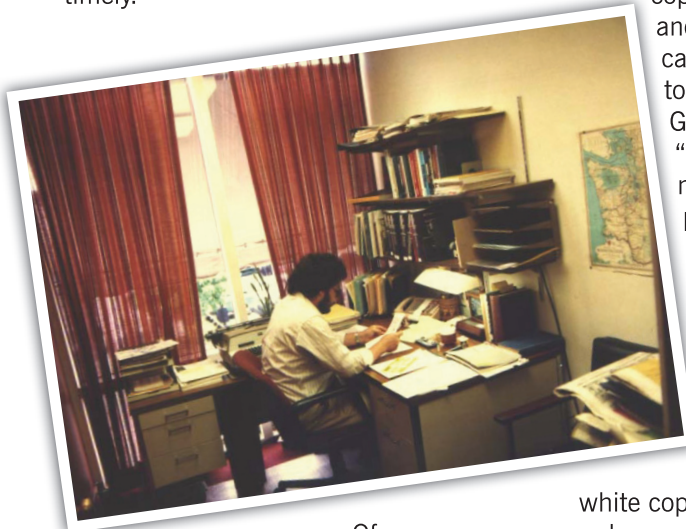
As Good as it Gets

By Byron Katsuyama, Public Policy and Management Consultant, Municipal Research and Services Center

The old Bureau of Governmental Research and Services (the Bureau), our predecessor organization, was built on the premise that local government officials needed a resource they could call on to ask a question and get an answer in a timely manner. Often that meant getting an answer they could take to a city council meeting the next day or possibly that same evening.

Thankfully, when the Bureau first opened for business in 1934, our offices came equipped with the very latest in communications technology – the rotary dial telephone. If our response was something that could be given over the phone, we could meet those short deadlines, even then.

If a local official requested a compilation of sample ordinances or maybe a book from our library, as they often did, they might have to wait a few days for the U.S. Post Office to pick up and deliver their package. In those days though, a response that took a week or even two would still be considered timely.



Of course, back in the day, the research process itself could be a time-consuming affair. When a new inquiry came in, we would usually begin by searching our files for previous inquiries we may have had on the same subject. Even this relatively simple task might take an hour or more, depending on how many files we had to go through.

Before we had computer databases, the Bureau, and even MRSC for a time, had to rely on a manual system for retrieving our inquiry records. Our filing system was based upon a set of 3x5 index cards on which we meticulously recorded the subject of each inquiry, the inquirer's name, title, city, and a unique number that was assigned to each one.

In those early days, our public relations materials would proudly feature photographs of hard-working consultants thumbing through boxes of dog-eared index cards in pursuit of the answer to a pressing question. Everyone, of course, would be suitably impressed by these images of streamlined efficiency.

Once we found the relevant inquiry numbers, we would then have to retrieve the actual records from one of the many steel filing cabinets that lined the walls of our library. Each of these imposing cabinets was, in turn, filled with a colorful assortment of pink, blue, white, and green "carbon copies" of our old telephone and letter responses that were carefully separated according to their assigned use. (For you GenXers, we note that the "carbon" in those copies was not used for "carbon dating" purposes.)

No one can now recall exactly what the color codes were used for, but we know there must have been a good reason for them. You can still find some of the blue and white copies in our files today. No one knows what became of the pink and green ones.

As they say, those were the days when researchers still "got their hands dirty." In fairness though, it should be noted that this was mostly caused by the pigment that rubbed off the old carbon copies and onto our hands. (Trivia question for GenXers: What does the

acronym "bcc" used in emails stand for? Answer: "blind carbon copy.")

In addition to those color-coded, carbon-laced letters, our files contained a variety of other valuable resources including sample ordinances, articles, reports, newspaper clippings, and other odds and ends that could be sent out as library loans to supplement our written responses.

We also had access to a growing collection of library books, magazines, municipal codes, comprehensive plans, budgets, and other documents that we could draw upon to support our research. In fact, the Bureau's library had become home to one of the most comprehensive collections of local government documents and reference works in the entire country.

We pushed a lot of paper around in those early years. And we basically had to rely on the same manual filing system throughout the 50s, 60s, and 70s. Somewhere in there, we did manage to exchange our old manual typewriters for the *new* IBM Selectrics, the ones with the little spinning golf ball printers. (How did they do that?)

To help us manage our growing collection of paper documents, we also took advantage of the new space-saving microfilm technology that allowed us to store and retrieve thousands of documents using just a fraction of the space that was required before. The only downside was the occasional case of motion sickness that resulted from prolonged use of the microfiche readers that could make your head spin if you scrolled too quickly through the magnified images.

During that same period, the Xerox Corporation changed all our lives when they introduced the first office copying machines. Now we could send out Xeroxed copies instead of the originals, which meant that we could respond even quicker than before to multiple requests for the same document. Some

of us still call them “Xerox copies,” even though we have long since purchased and used copy machines from several of their competitors.

Although we had the latest IBM Selectric typewriters on all our desks, we continued to use “dicta-phones” to dictate our letters well into the 80s, since most of us couldn’t type much faster than 20 to 30 words per minute, tops. But our word processing department had the latest WANG word processors (with 64K of RAM!) that could actually display an entire line of text on a narrow, amber screen.

We thought we were on the cutting edge of technology with our slick Selectrics and our WANG 1200s. And then came the decades of the 80s and 90s and the dawn of the information age! These were pretty exciting times for organizations like MRSC, whose primary missions revolved around gathering and sharing information.

The first breakthrough came with the introduction of the FAX machine. Now, suddenly, we were no longer limited to sending documents solely by the U.S. mail. A process that used to take days could now be accomplished in mere minutes! Strangely, we were still getting our hands dirty, only now the culprit was the toner that was used in the FAX machines.

The FAX machine was a great time saver on the delivery side of things, but we were still tied to our old manual filing systems for doing most of the research work.

Then things got really interesting.

The introduction of desktop computer technology in the 80s truly revolutionized MRSC’s internal operations and the level of research services we could provide. While we benefitted like everyone else from the power of our new word processing programs, spread sheets, and other productivity enhancing applications, for MRSC, the true “killer app” was the development of computer databases.

Someone should have said a few words over those old boxes of index cards.

After all, they had served us well for over 50 years. But we dispensed with the ceremony and the dog-eared cards in short order and haven’t looked back since.

With computer databases, we gained instant access to the full texts of all our previous inquiry records through simple key word searches. No more tedious thumbing through boxes of index cards. No more trips to the vertical files to retrieve carbon copies of our old letter and telephone inquiries. Now we were finally able to bypass these time-consuming tasks. We were free at last!

Not only that, but with our Windows-based PCs, we were able to do cool new things like cutting and pasting whole passages of previously prepared text into entirely new documents. This was another huge time-saver for our research program that gave new meaning to the concept of a timely response.

We had saved significant amounts of time on the delivery side with our new FAX machines. Now, we were finally beginning to save time on the production side with our amazing new database and word processing tools. How could things possibly get any better?

Just when we were beginning to get our heads wrapped around the concept of local computer networks and all that it entailed, someone came along (was it Vice President Gore?) and told us that we could now extend our local area network to, well, pretty much the entire world. And, ever since then, that’s just what we’ve been doing.

With the rise of the Internet, the *computer* revolution had morphed into a major new *communications* revolution. Not only did we gain a powerful new research tool, we also had the ability to share our information with anyone else who was connected to the rapidly expanding World Wide Web. We had seen a lot of changes in technology over the years, but all of that seemed to pale in comparison to

the possibilities that now lay before us. For MRSC, this was “as good as it gets.”

Like everyone else, we got to work building our website. We were pioneers on the new information highway, and we started posting everything we could convert into an electronic document: sample ordinances, municipal codes, publications, newspaper clippings, featured inquiries, and more. Then we added the RCWs and WACs so our site’s visitors could search for state laws and regulations. We also added access to our state court of appeals and supreme court decisions as an aid to legal researchers. For the first time, local officials could have direct access to a large portion of MRSC’s information resources. Our new website (www.mrsc.org) was open 24 hours a day and seven days a week.

With the ability to use email in our communications with local government officials, we could bypass the old snail-mail system and respond directly to requests even more quickly and, of course, we could also include attached documents and links to other resources. We also started to experiment with new electronic newsletters that could be sent out to thousands of subscribers without having to chop down a single tree!

As our own website grew, so did many others, including city and county sites, national associations, think tanks,



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MRSC Staff Through the Years



Staff at IBM Building, Seattle



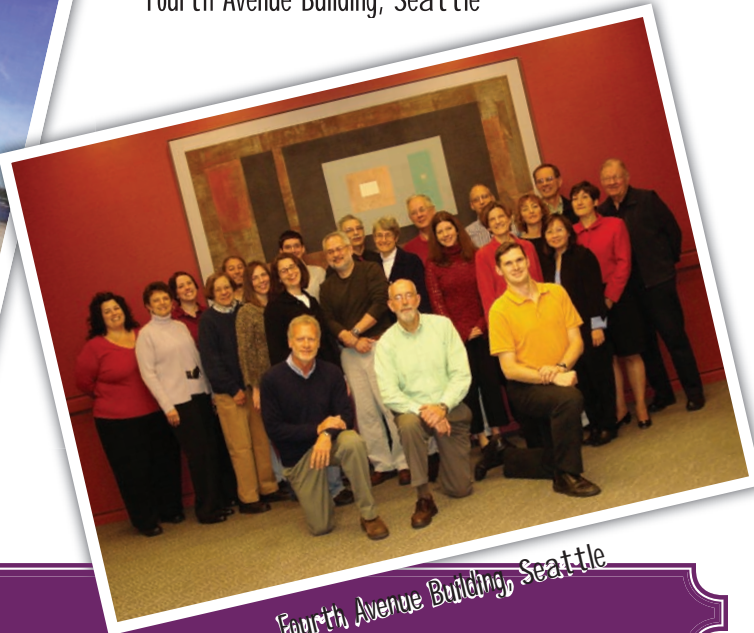
Kirkland



Fourth Avenue Building, Seattle



MRSC Staff



Fourth Avenue Building, Seattle

Headlines through the Decades

Compiled from the website HistoryLink.org, the free online encyclopedia of Washington State history.

1930s

Bids are opened for first phase of construction of the Grand Coulee Dam on June 18, 1934.

HistoryLink.org Essay 7252

Governor Clarence Martin signs the County Acquisition of Camp Sites and Parks Act on March 1, 1937 allowing individual Washington counties the right to purchase or otherwise acquire land for public use and enjoyment.

HistoryLink.org Essay 4083

Bonneville Dam officially goes into service on June 6, 1938.

HistoryLink.org Essay 7823

1940s

Port of Seattle agrees to build new regional airports on March 7, 1942.

HistoryLink.org Essay 1005

First irrigation water reaches Pasco on May 15, 1948.

HistoryLink.org Essay 7555

Washington State Legislature enacts Fair Employment Practices Act in 1949. HistoryLink.org Essay 1046

1950s

The Dalles Bridge spanning the Columbia River is completed on December 18, 1953.

HistoryLink.org Essay 7804

Richland votes to incorporate as a first-class city, thus making the transition from being federally owned to being a self-governing city, on July 15, 1958.

HistoryLink.org Essay 8452

Washington State Legislature passes new Planning Enabling Act on March 9, 1959.

HistoryLink.org Essay 7741

1960s

Seattle holds groundbreaking ceremony for the Space Needle on April 17, 1961.

HistoryLink.org Essay 722

Century 21 World's Fair opens in Seattle on April 21, 1962.

HistoryLink.org Essay 5396

Boeing rolls out first 747 Jumbo Jet in Everett on September 30, 1968.

HistoryLink.org Essay 1565

1970s

Federal Judge George Boldt issues historic ruling affirming Native American treaty fishing rights on February 12, 1974.

HistoryLink.org Essay 5282

Expo 74 Spokane World's Fair opens on May 4, 1974.

HistoryLink.org Essay 5133



State voters elect Dixy Lee Ray as first woman governor of Washington . . . November 2, 1976.

HistoryLink.org Essay 5611

Kingdome opens to a crowd of 54,000 on March 27, 1976.

HistoryLink.org Essay 2527

Legislature creates Washington State Department of Transportation (WSDOT) effective September 21, 1977. HistoryLink.org Essay 7274

1980s

Mount St. Helens erupts on May 18, 1980.

HistoryLink.org Essay 5457

First vehicles cross the Glenn L. Jackson Bridge over the Columbia River on December 15, 1982.

HistoryLink.org Essay 8789

Tacoma Dome opens its doors on April 21, 1983.

HistoryLink.org Essay 5154

First Costco discount warehouse opens in Seattle on September 15, 1983.

HistoryLink.org Essay 3609

U.S. Forest Service protects the northern spotted owl by limiting timber sales on August 7, 1986.

HistoryLink.org Essay 5319

1990s

Washington Legislature enacts Growth Management Act on April 1, 1990.

HistoryLink.org Essay 7759

Washington voters reject property rights, casino gambling, and other ballot measures on November 7, 1995.

HistoryLink.org Essay 7916

Forests and Fish Agreement results in Salmon Recovery Plan on June 7, 1999.

HistoryLink.org Essay 5324

2000s

Kingdome stadium is imploded on March 26, 2000.

HistoryLink.org Essay 2252

Christine Gregoire wins nation's closest-ever governor's race after recounts and a court battle . . . November 2, 2004.

HistoryLink.org Essay 7336

Voters ban indoor smoking, require performance audits, reject dueling malpractice initiatives, and pull the plug on the monorail on November 8, 2005.

HistoryLink.org Essay 7638

Walla Walla sweet onions become Washington's official state vegetable on April 20, 2007.

HistoryLink.org Essay 8236

Washington voters set turnout record, support Barack Obama for president, re-elect Governor Christine Gregoire, and legalize assisted suicide on November 4, 2008.

HistoryLink.org Essay 8896



Ask MRSC

A Sampling of Inquiries Over the Years

Since 1934, our organization has received thousands of research requests or inquiries. The first documented research requests were in the form of letters. The Bureau of Governmental Research and Services, MRSC's predecessor, received its very first research request on January 4, 1934 from the city of Toppenish. Here is an excerpt:

a member of the city council of Toppenish, Washington, asked me regarding the power of third class cities with the commission form of government in Washington to pass zoning ordinances. He tells me that a number of shacks have been built upon property bought for taxes in a fairly good residential area in Toppenish. He wanted to know whether this practice could be prevented by a zoning ordinance.

Soon after receipt of this letter, the newly-appointed field research consultant visited Toppenish during an early tour of the region to provide municipal research services.

We thought it would be interesting to include in our "Ask MRSC" column for this special anniversary edition a couple of inquiries from each decade, starting with the above request for information from the 1930s and continuing through the 2000s. You will see how some things change, and some things don't. Some editing of the inquiries was done to make for easier reading and understanding. Also, be aware that laws, opinions, and information were accurate and relevant at the time these responses were written.

In the 40s, 50s, and 60s, we received our inquiries by letter and telephone, and we responded to them in the same manner.

1940s

Council Salaries – Due to the war emergency, everyone is over-

burdened with war work and attending to their own businesses, so it is difficult at times to secure a quorum for council meetings. We are wondering if it would be legal to pay the mayor and councilmen for services rendered in attending council meetings when we have nothing in the budget for same. We do, however, have plenty of money but no special item for either mayor or councilmen pay.

The second section of Chapter 115, Laws of 1941, authorizes the town council to pay the councilmen and the mayor a per diem not exceeding three dollars per meeting and for not more than two council meetings each month, as may be fixed by ordinance of the town council. Under the authority of this law the council could, by ordinance, provide for paying the salary or per diem specified therein to your councilmen and the mayor. However, if you have not previously enacted such an ordinance you could not now make it effective for the term of the mayor nor for any councilman now elected. Such was the holding of the Supreme Court under the same kind of a statute, which, by the same Chapter of the Laws of 1941, was made applicable to third class cities, in the case of the *State ex rel Wyrick v. Ritzville*, vol. 116 Wash. Dec. No. 1, page 30, decided December 29, 1942.

The decision of the court referred to was based upon the ground that the constitution prohibits the paying of a salary or per diem to an officer, there being no provision for payment of salary or per diem to the officer at the time he was elected.

If it were not for this constitutional inhibition, I believe that so far as the budget question is concerned you could provide for compensation for your mayor and councilmen by passing an ordinance fixing the amount to be paid and then making an emergency

appropriation under Chapter 27, Laws of 1941.

Billboards – The city seems to be having a problem with billboards, the chief objection to them being from the standpoint of aesthetics. It has been suggested that to curb somewhat the erecting of billboards, the city might pass an ordinance requiring a fee to be paid to the city by the lessor of the billboard and/or the lessee advertising. If you believe such an ordinance would be constitutional and you know of such legislation being enacted, please send me a copy of such.

Several cities have ordinances requiring billboard companies to pay license fees; in some cases based on the number of boards. We enclose copies of those from the cities of Pullman, Vancouver, and Longview for your reference, as a loan from our files. As to fees paid by the owner of the property, we are checking that and will advise you, but at present we know of no case where this is done.

Pest Control – We are annoyed a great deal every spring with the invasion of tent caterpillars. We would like to pass an ordinance providing for the spraying of trees that might be effective in eradicating the pests. Kindly procure for us a model ordinance covering this sort of action.

We are enclosing ordinances for the control of pests, including tent caterpillars, from the cities of Yakima, Sunnyside, Chelan, and Wenatchee. Their return when you have finished with them will be appreciated.

1950s

Councilmember's Powers and Duties – Do you have any

information or a booklet on “Duties and Powers of a Councilman of a fourth class town?”

We are sending you a copy of Report No. 75, “Handbook for Municipal Officials” which outlines the duties of councilmen as well as the other officials of the town. Please note that the Bulletin was issued in 1947. While it is substantially correct, a number of amendments to the laws relating to fourth class towns have been made by the State Legislature since its publication. Thus, it is not entirely accurate at the present time. We hope to get out a revision before too long.

Television Aerials – We are encountering problems in the erection of television aerials within the city. Reception is rather bad in this area, requiring very high aerials to get any reception. Some property owners propose to erect steel aerials 100 or more feet high on the roofs of existing buildings. Possible collapse of these towers would endanger adjoining structures and traffic on adjoining streets. Such high aerials would require numerous guy lines which would seriously interfere with the fighting of possible fires on the roofs of buildings. At present, the city has no regulations controlling this type of installation. We would very much like to secure what information you may have on standards or regulations controlling television aerials.

While our files are not too complete in this regard, we are happy to send you herewith the following materials, as a loan from our files:

- Ordinances from Port Angeles and Miami, Florida
- Special News Bulletin from the National Board of Fire Underwriters entitled, “Television Installations”
- City code regulations for antenna installations from Cleveland, Ohio and Greensboro, North Carolina

- National Building Code and Uniform Building Code sections related to towers and spires

As you will note, several cities seek to regulate television antenna masts through the use of their electrical codes, rather than through the building code. However, it would appear that either approach could be used, or perhaps regulations with respect to certain aspects of design and construction might be set forth in both the electrical and the building codes.

1960s

Accounting – I have a check in the amount of \$1620.00 payable to “City Treasurer-City of Arlington” from the Boeing Airplane Company. This check was handed to the mayor with the request that it be used to purchase an “orthopedic table” for use at the local hospital. The Boeing Company wanted to do something for the town for the help received at the time of the crash of their jet plane in the vicinity of Arlington.

I do not particularly like putting this money through my books. May I simply endorse it over to the company from which the hospital equipment is purchased?

. . . since this money is to be used by a private hospital, it probably would be better if the check was given directly to the hospital rather than to the town. Making a record of it on the town’s books or even endorsing it complicates the procedure unnecessarily.

Actually, as you know, towns are not authorized to establish hospitals. Therefore, the donation cannot be said to be given to the town because the town is without authority to expend the money for the purpose for which it was donated. Although you could endorse the check over to the company from which the hospital equipment is being purchased, you may not wish to handle the transaction in this way.

Perhaps the best procedure is to notify the Boeing Airplane Company that it should make its check directly payable either to the hospital itself or to some community organization which might pay for the equipment with the proceeds and present it to the hospital. This would avoid the town records becoming involved in any way.

Business Regulation – The police department has had a complaint about persons advertising hypnosis. Do you know if any other cities have enacted ordinances to control hypnotic lessons, treatment, etc.?

In response to the request in your letter, we are sending the following:

Ordinances from Olympia, Des Moines, Toppenish, Kennewick

Code sections from Seattle, Ellensburg, Tacoma, and Sumner

A newspaper clipping “Restriction Would Ban Unlicensed,” dated June 1, 1961 from the *Olympia News*.

Beginning in the 70s, the majority of our inquiry requests started coming in by telephone.

1970s

Optional Municipal Code – What are the advantages and disadvantages of adopting the Optional Municipal Code?

The primary benefit for cities adopting the Optional Municipal Code lies in the local home rule authority granted to such cities. Cities operating under the Optional Municipal Code are authorized to take action on all matters of local concern as long as that action is neither prohibited by the state constitution or in conflict with state general laws. In addition, code cities are given all the powers that any city or any class (e.g., first, second, and third class cities) may have consistent with the state constitution and not specifically denied to code cities by law. These are broad grants of authority which give code cit-

ies the flexibility to tailor legislation and programs to the special needs of their communities.

MRSC consulting staff is not aware of any disadvantages of being an Optional Municipal Code City.

Finance Procedures – Does Senate Bill 2302 apply to commercial or checking accounts? Do most cities presently advertise for bids in placing money in public depositories.

The bill prohibits treasurers from depositing public funds in a public depository without calling for sealed bids. The bill refers to investment deposits, i.e. interest bearing accounts, rather than checking accounts. We do not have precise records, but we are under the impression that most cities in the state do not now call for competitive bids in making investment deposits.

Ah-h-h-h technology! The 80s' telephone and letter inquiry requests and responses were aided by the advent of the fax machine in the late 80s.

1980s Drug Paraphernalia – Request for sample ordinances regulating drug paraphernalia.

With respect to your request for ordinances regulating drug paraphernalia we are enclosing a copy of ordinances from Lynnwood, Marysville, Sumner, Walla Walla, and Stanwood.

We note that ordinances relating to drug paraphernalia have been challenged on constitutional grounds on the basis that they were overbroad or vague. However, there have been a number of federal court cases which have upheld the validity of such ordinances if they are properly drafted. For example, *Stoianoff v. State of Montana*, 695 F.2d 1214 (1983) and *Village of Hoffman v. Flipside, Hoffman Estate, Inc.*, 455 U.S. 489 (1982) have upheld such ordinances.

The Washington State provisions relating to drug paraphernalia (which

were modeled on the Drug Enforcement Administration's Model Drug Paraphernalia Act) are contained in RCW 69.50.102 and 69.50.412. The above enclosed ordinances were enacted or amended since the enactment of these statutes and appear to reflect those provisions.

Use of City Facilities – May a city allow private or religious groups to use city facilities?

A city may allow private or religious groups to use city facilities for meetings, banquets, receptions, and so on, but it would be necessary to require the payment by these groups of a reasonable rental value. If a city were to allow use of municipal property by a private group without the payment of a reasonable rental value, it would probably be a violation of Article XIII, Section 7 of the Washington State Constitution.

The rental for most buildings owned by a city should reflect a fair rental value, which would be as close to the market rental value of similar buildings in the city. If your city does decide to allow the use of a municipal building as a community center by a variety of private groups, we recommend that a consistent policy be developed by the city regarding the usage and rental of such facilities. The city must take care not to discriminate against legitimate groups if there are several that wish to use the facilities. Similarly, non-profit groups should be charged the same rate as all other groups using the facility.

Although the majority of 90s inquiries were handled by telephone and fax, some of our inquiry requests and responses began to be via e-mail.

1990s Adult Entertainment – Request for adult entertainment zoning ordinances particularly for topless dancing business.

We are enclosing, as a loan, an MRSC compilation entitled, "Adult Entertainment Regulations - Background Articles

and Sample Ordinances." This compilation contains a number of sample ordinances that have been adopted within recent years as well as several articles that provide some background and legal guidance on this issue. While it is doubtful that a city may completely prohibit the location of adult entertainment businesses within their corporate limits, it is possible to regulate such businesses through zoning ordinances, as in the above samples. However, as you may know, this is a difficult area of law and numerous court cases attest to the problems municipalities have faced in attempting to regulate such businesses.

Growth Management – Request for sample comprehensive plans prepared under the GMA for medium-sized cities.

We have very few plans completed under the Growth Management Act, at this point. I have enclosed two of the plans we do have from Carnation and Anacortes. The plan from Carnation, although a smaller community, is a good example of a plan which generally incorporates GMA requirements. It includes inventories of existing land uses and facilities, identifies problems and future needs, and includes policies and strategies for accomplishing their desired future. I have also enclosed two draft land use elements prepared under the GMA from Renton and Tumwater since this is a central element of your comprehensive plan. We also have other types of draft elements prepared under GMA. The DCD [Department of Community Development] "Small Communities Guide to Comprehensive Planning," although again geared for smaller cities, is a model comprehensive plan which illustrates plan format. The other DCD guidebook, "Preparing the Heart of Your Comprehensive Plan: A Land Use Guide Element," provides step-by-step directions for preparing the land use element of your plan. Many of the other DCD guides will also be useful, as you prepare other plan elements. I have also enclosed plans from Wenatchee and Yakima. Although they were prepared before the Growth Management Act, they il-

illustrate growth management concepts, policies and strategies.

Beginning in the 2000s, an increasing number of inquiries began coming to us by e-mail. E-mail continues to be a popular method for receiving inquiry requests and sending responses.

2000

Public Records Disclosure – Request for sample public records disclosure policies.

This is in response to your inquiry requesting sample public records disclosure policies. It turns out that we have a web page on this very subject. Our Public Records Disclosure web page includes legal reference sources, frequently asked questions, sample policies and forms.

Open Public Meetings Act – What constitutes a “meeting” under the Open Public Meetings Act?

The Open Public Meetings Act (OPMA) covers all “meetings” of a local governing body. This raises the question as to what constitutes a “meeting” under the Act. There is a common misunderstanding that the term “meetings” only applies if the governing body takes some kind of final action or vote, such as adopting an ordinance or a motion. However, the definition of meeting in the OPMA is actually much broader than that. “Meeting” is defined to include any meeting when “action” is taken. “Action” is defined to include discussions, deliberations, considerations, reviews, evaluations, and also includes, of course, final actions when a formal vote is taken. But it is clear that the OPMA covers all meetings of a quorum of a local governing body whenever there is merely discussion of public business, even if no votes or final actions are planned or taken. If a quorum of the governing body discusses public business, then they are having a “meeting” as defined in the OPMA, and the notice and other requirements of the Act apply.▶

75 Year Retrospective of MRSC

By Erich Dewald, Library Technician, Municipal Research and Services Center

We are excited to be celebrating our 75th year of “promoting excellence in local governments,” continuing the program begun as the Bureau of Governmental Research & Services in 1934. We have prepared a presentation that provides some highlights of the events that tell the story of the partnership between MRSC and local governments in Washington State. Explore this timeline sequentially or by decade.

The presentation can be found on our web site home page at the top or you can type in the url address as follows, http://show.zoho.com/embed?USER=ewdewald&DOC=Test2&SLIDE=1&P_STIME=0.

We hope you enjoy this look at our proud legacy.▶

Inquiry Research continued from page 8

universities, news organizations, and many more. MRSC was still performing its role as an information clearinghouse. However, what used to be a steady stream of information had now turned into a raging river, and, for the first time, we began to hear talk about a curious new problem called “information overload.”

Indeed, we did seem to be crossing into some uncharted territory. In the beginning, one of our organization’s major challenges was to gather enough relevant information to keep up with the demand from local officials. Now, ironically, that challenge had shifted to one of keeping up with an ever-expanding flow of new information sources!

And that’s where we find ourselves today. We’re “not in Kansas anymore,” and many of our new staff members have never seen, much less used, a rotary dial telephone.

In addition to our traditional role as an information clearinghouse, we are also becoming something more like an aggregator or manager of information, helping local officials to find and sort through all the vast new quantities of information that have become available through the miracle of the Internet.

Our goal over the past 75 years has remained the same – to give local government officials a resource that they can call on to ask a question and get an answer in a *timely manner*.

So, how can things possibly get any better?

Stay tuned!▶

FYI

Filing Local Government Documents with the Secretary of State

A number of statutes direct that certain local government documents are to be filed with the Secretary of State for recording. These include incorporation; corporate name changes; changes in city classification, such as the adoption of the optional municipal code; change in county seat; facsimile signatures (manual signatures); and other filings pertaining to the legal status of a city, town, or county requiring filing with the Secretary of State.

To ensure that documents reach the appropriate division within the Secretary of State's Office use the following address:

Washington State Archivist
Public Filings
Washington State Archives
1129 Washington Street SE
PO Box 40238
Olympia, WA 98504-0238

75 YEARS
1934 – 2009

Municipal Research and Services Center
2601 4th Avenue, Suite 800
Seattle, WA 98121-1280



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1934 – 2009