



Charter Review

Administrative Subcommittee Minutes

Tacoma Municipal Building North, 733 Market Street, Room 12
www.cityoftacoma.org/charterreview

March 18, 2014 – 7:00 p.m.

Chair Hahn called the meeting to order at 7:09 p.m.

Committee Members Present: 6 – Baarsma, Hahn, Leighton, Miller, Ushka, and Van Dyk.

Committee Members Excused Absence: 1 – Edmonds.

Approval of the March 5, 2014 Minutes

Committee Member Leighton moved that the minutes of March 5, 2014 meeting be approved. The motion was seconded by Committee Member Baarsma. Voice vote was taken and carried. The motion was adopted.

Discussion followed regarding Committee Member Edmonds and the fact that she continues to do work for the committee although she is unable to attend Tuesday meetings.

Review and Discuss Committee Criteria and Assignments

At approximately 7:10 p.m. Chair Hahn stated the Subcommittee would begin by reviewing the City Manager and the powers thereof. Committee Member Baarsma requested looking at the Model City Charter regarding the qualifications of the City Manager in Section 3.1; he then stated he would have language ready by the next meeting. Discussion ensued regarding concerns about the current language being too vague, the need to look at the position not the person, and potential language stating "...consistent with a city our size."

Chair Hahn noted the City Manager and powers thereof discussion would be continued to a later time. He then requested review of the Sections related to the City Attorney and the powers thereof. Chair Hahn stated he and Committee Member Ushka analyzed this section. Discussion ensued regarding four different options related to the City Attorney and the pros and cons of each.

Option 1. Confirmation by Council (National Civic League NCL) Pros: shared responsibility by the Council; Council has the option to review credentials; gives the Attorney some limited degree of independence; characterized as a best practice by the NCL. Cons: asking the Attorney to serve two masters; potential conflict of interest.

Option 1a. Include a provision that they can only be fired by cause. Pros: greater degree of independence and security; checks and balances for City Manager/ City Council.
Cons: need a majority of the City Council.

Option 1b. Update language in Section 3.2 as it applies to the City Attorney and chain of command.

Option 2. Appointment by the Council (Pompano Beach). Pros: no need to worry about any of these issues above; Hire/Fire; independence, checks and balances less need for balance. Cons: need a majority of the City Council to terminate; City Manager still holds the budget (City Attorney's salary); conflict/risk moves to the City Council.

Option 3. Council would have their own Attorney (two attorneys). Pros: two attorneys. Cons: two attorneys; potential for things to turn adversarial; budget/money.

Option 4. Direct Election. Pros: independent; reports only to the voters. Cons: cost of elections; hiring/firing; challenge of recall; may deter good people from applying (people may not want to run for election).

Committee Member Miller recommended researching how the 86 cities work their City Attorney. Chair Hahn requested the UPS interns research the pros and cons of the above four options; possibly checking with the ICMA and/or the ABA. Committee Member Leighton requested researching Pierce County Council's independent lawyer and the relationship with the Pierce County Prosecutor.

Committee Member Ushka moved to place the City Manager and the powers thereof as the first item on next week's agenda. Seconded by Committee Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Chair Hahn noted he will be out of town during the next meeting; however, he would call into the meeting. He then asked Committee Member Ushka to serve as Chair in his absence.

Committee Member Baarsma provided an excerpt from the Model City Charter related to the Administrative Branch, which may help to address alternative language should the form of government be recommended to change. Discussion ensued regarding which subcommittee would be responsible for crafting alternate language should the form of government be recommended to change.

Public Comment

None.

Committee Comments

None.

Adjournment

On proper motion, the meeting was adjourned at 8:12 p.m.

Eric Hahn, Chair

April Larsen, Administrative Assistant