Chair Martinez called the special meeting to order at 4:07 p.m.

Committee Members Present: 7 - Baker, Brackett, Farrell (arrived at 4:50 p.m.), Horne, Leighton, Martinez, and Miller.

Committee Members Excused Absence: 0

Organization
At approximately 4:08 p.m., Chair Martinez introduced the recommended proposed language regarding separate legal counsel for Tacoma Public Utilities. Committee Member Brackett described the research that was done on this subject. Bill Fosbre, Chief Deputy City Attorney, answered questions regarding the current legal counsel for Tacoma Public Utilities. Discussion ensued regarding the proposed language. Chair Martinez stated the Public Utilities Director option did not move forward.

Chair Martinez introduced the next agenda item, merging Tacoma Public Utilities and General Government. Committee Member Miller discussed the three different options that were reviewed, noting the recommended action is to mandate a strategic review of the utility assets for both General Government and Tacoma Public Utilities. Discussion ensued regarding the recommended action.

Committee Member Miller moved to have the Charter Review Committee recommend to the City Council a broad scope strategic review of all utilities, taking into account the regulatory environment, market, management needs, and other important factors, and that they complete the analysis by then end of July 2015 so that a ballot measure could go on the ballot in November 2015 if it was required to implement the findings. Chair Martinez stated he did not think this recommendation is within this Committee's purview. Seconded by Committee Member Leighton. Discussion ensued regarding whether the recommendation should be brought forward as a proposed amendment to the Charter.
Committee Member Miller moved to overrule the Chair's ruling that this discussion is out of order. Seconded by Committee Member Leighton. Discussion ensued regarding a mandate to do a strategic review. Voice vote was taken and carried with Committee Members Baker, Brackett and Horne voting in opposition. The motion was adopted.

Discussion ensued regarding whether there is value in a strategic review whether it should be mandated in the Charter or recommended as an action item to the City Council.

Committee Member Brackett moved to adopt the proposed language as amended for Section 4.10 regarding moving General Government utilities to Tacoma Public Utilities. Seconded by Committee Member Baker. Discussion ensued regarding the recommended language.

Committee Member Farrell arrived here, at 4:50 p.m.

Committee Member Leighton asked for a roll call vote on this motion. Discussion continued regarding adopting the recommended proposed language for section 4.10.

Committee Member Brackett motioned to table this item until later in the meeting. Seconded by Committee Member Baker. Voice vote was taken and carried. The motion was declared adopted.

**Council Authority**
At approximately 5:00 p.m., Chair Martinez introduced the topic of City Council authority and approval of Superintendents and Department Heads. Committee Member Leighton provided and reviewed proposed language changes for Section 4.21. Discussion ensued regarding the proposed language.

Committee Member Baker moved to leave Section 4.21 as is for Superintendents and Department Heads in the Utility Department. Seconded by Committee Member Brackett. Discussion ensued regarding Section 4.21.

Committee Member Baker withdrew her motion. Discussion continued regarding Section 4.21.

Robert Mack, Deputy Director of Public Affairs, responded to questions and concerns regarding the current structure where the Tacoma Public Utility Board approves the current Superintendents and the hierarchy structure at Tacoma Public Utilities. Discussion continued regarding Section 4.21.
Committee Member Brackett called for question to leave Section 4.21 as-is. Discussion ensued regarding the motion. Voice vote was taken and carried with Committee Members Baker and Farrell voting in opposition. The motion was adopted. Discussion continued regarding Section 4.21.

Committee Member Leighton introduced proposed language changes for Section 4.18 regarding the City Council appointing and reconfirming the Director of Utilities. Discussion ensued regarding the proposed language changes.

Committee Member Baker moved to recommend approval of the language changes to Section 4.18 as amended. Seconded by Committee Member Miller. Mr. Fosbre recommended the Committee provide specific language changes regarding appointment reconfirmation of the Utility Director. Discussion ensued regarding proposed language changes and the employment contract of the Utility Director.

Discussion continued regarding the employment contract of the Utility Director, and appointment and reconfirmation of the Utility Director. Michael P. Slevin III, P.E., Environmental Services Director, reminded the Committee that the City of Tacoma operates on a biennial budget. Discussion continued regarding the review of the Utility Director.

Committee Member Leighton moved to amend the current motion to remove the proposed language “employment contract as set forth by the Board and consistent with the City of Tacoma employment scale” from Section 4.18b. Seconded by Committee Member Baker. Committee Member Leighton restated the motion, which includes adding “confirmation by the Council” to Section 4.18a. Committee Member Farrell called to question. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken on the motion as amended. The motion, as amended was declared adopted.

Chair Martinez introduced the topic of City Council Budget Input and Veto, Section 4.12. Committee Member Baker reviewed proposed language for amendments to Section 4.12, Powers and Duties for the Public Utility Board. Discussion ensued regarding the proposed language.

Committee Member Baker moved to approve the proposed recommended amendments to Section 4.12 as written, to include “the Board shall submit an annual budget for approval by (insert date as required by State law)”. Seconded by Committee Member Farrell. Voice vote was taken and carried. Discussion ensued regarding the language of the motion. Chair Martinez called for the vote again. Voice vote was taken and carried. The motion was declared adopted.
Committee Member Baker moved to amend the language of the previous motion to include the word “biannual”. Seconded by Committee Member Brackett. Voice vote was taken and carried. The motion was declared adopted.

Accountability

At approximately 5:43 p.m., Chair Martinez shared proposed recommended language regarding Section 4.15.

Committee Member Leighton moved to approve the Section 4.15 language as proposed. Seconded by Committee Member Farrell. Discussion ensued regarding the proposed language. Committee Member Horne called for question. Voice vote was taken and carried. The motion was declared adopted.

Chair Martinez introduced the topic of Charter versus the employment agreement of the Utility Director. Discussion ensued regarding the previous motion. Chair Martinez stated the performance review as noted in the agenda was regarding a performance review of the Utility Director.

Committee Member Leighton reviewed proposed amendments to the language in Section 4.18 regarding a performance review for the Public Utilities Director. Discussion ensued regarding the proposed language.

Committee Member Leighton moved to adopt the proposed amendments to the language in Section 4.18. Seconded by Committee Member Miller. Committee Member Farrell asked for a roll call vote. Committee Member Leighton restated the motion, noting Section d would be added to Section 4.18 to read “The Utility Board shall review the Utility Directors performance annually, and every two years vote on whether to reconfirm the appointment of the Utility Director with an affirmative vote of at least three members of the Board in public meeting necessary to affect such affirmation”; and Section e would be added to read “Every four years the City Council shall review the Utility Directors performance and shall vote on whether to reconfirm the appointment of the Utility Director with the affirmative vote of at least five members of the Council, in a public meeting necessary to affect such reconfirmation”. Committee Member Miller suggested requiring a majority of the Council as opposed to requiring a specific number of votes.
Committee Member Miller moved to recommend amending the motion on the table to require a majority of the Council as opposed to requiring a specific number of votes. Seconded by Committee Member Brackett. Committee Member Leighton called for the vote. Voice vote was taken and carried. Roll call vote was requested and taken, resulting as follows:

Ayes: 7 – Baker, Brackett, Farrell, Horne, Leighton, Martinez and Miller
Nays: 0 – None

The motion was declared adopted.

Discussion ensued regarding how to submit these items to the full Charter Review Committee, as some of the amendments were similar in nature.

Committee Member Leighton stated the agenda item related to financial statements (F-1) should be moved to a miscellaneous section. He then stated Representative Jake Fey suggested all City employees and appointed officials file an F-1, which is a Public Disclosure Commission F-1 Personal Financial Affairs Statement, noting that would include any employees that signs a contract and any Boards that oversee the contracts. Discussion ensued regarding whether this item should be reviewed by a different Subcommittee. The Subcommittee decided the item should be reviewed by the Human Resources Subcommittee; and Committee Member Leighton will develop language and send it to Committee Member Baker, the Chair of the Human Resources Subcommittee.

Committee Member Miller moved to remove the subjects listed under agenda item number three from the table. Seconded by Committee Member Farrell. Voice vote was taken and carried with Committee Member Leighton voting in opposition. The motion was adopted.

Committee Member Miller moved to require that the City Council shall, every ten years, retain a consulting firm to analyze all the City’s utilities and recommend changes on assets, management, strategic direction, and other relevant topics, with the first year for such a review to begin in 2015. Committee Member Baker seconded the motion. Discussion ensued regarding the intent of the motion.

Committee Member Bracket moved to add the words “ownership” and “organization” to the motion on the table. Seconded by Committee Member Farrell.
Committee Member Miller restated the motion with amendments to read “the City Council shall, every ten years, retain a consulting firm to analyze all the City’s utilities and recommend any needed changes in assets, management, strategic direction, ownership, organization, and other relevant topics, with the first year for such a review to begin in 2015”. Roll call vote was requested and taken, resulting as follows:

Ayes: 5 – Baker, Brackett, Farrell, Leighton and Miller
Nays: 1 – Martinez
Abstain: 1 – Horne

The motion was declared adopted.

Public Comment
None.

Committee Comments
Committee Member Horne requested Mr. Fosbre provide a document that deals with at-will employment.

Adjournment
There being no further business, the special meeting was adjourned at 6:05 p.m.

Mark P. Martinez, Chair

Marisa Tetreault, Administrative Assistant, Public Works