



Charter Review Committee Minutes

February 26, 2014

Chair Baarsma called the meeting to order at 7:06 p.m.

Committee Members Present: 14 Baker, Brackett, Edmonds, Hahn, Horne, Leighton, Martinez, Merritt, Messina, Miller, Talton, Ushka, Van Dyk and Chair Baarsma.

Committee Members Absent: 1 Farrell (arrived at 7:10 p.m.)

Approval of the February 24, 2014 Minutes

Committee Member Leighton moved that the minutes of February 24, 2014 meeting be approved. The motion was seconded by Committee Member Ushka. Voice vote was taken and carried. The minutes were approved.

Testimony from Former Tacoma Public Utilities Board Members

At approximately 7:09 p.m., Laura Fox and Tom Hilyard, former Tacoma Public Utilities Board Members were introduced by Chair Baarsma.

Committee Member Farrell arrived at 7:10 p.m.

At approximately 7:10 p.m., Laura Fox made remarks. Ms. Fox agreed with an ex officio on the board from an outside the jurisdiction and did not recommend the utility director be appointed by the city council. She recommended no change to the structure and balance between the utility board and the city council.

At approximately 7:16 p.m., Tom Hilyard made remarks. He recommended no outside jurisdictions should be represented on the board, he would support an ex officio from the areas outside the City of Tacoma on the board and he did not recommend the TPU Director be approved by City Council. He does not recommend any changes to the structure or relationship between TPU and the City of Tacoma.

At approximately 7:26 p.m., Robert Mack, Deputy Director of Public Affairs, joined the panel to discuss the rate structure for power and explained how rates are set.

At approximately 7:29 p.m., Bill Gaines, CEO/Director of Tacoma Public Utilities (TPU) joined the speakers to explain rate structure relating to Revised Code of Washington (RCW) 80 restricting TPU from charging more than cost. Discussion ensued. There was a request from Chair Baarsma for legal analysis of which RCW Titles pertain to rate structure. Chair Baarsma asked for the TPU attorney opinions regarding Section 4.12 and the inclusion of the city council in working with the TPU board in budget making. Does the city council have veto power of the TPU budget?

At approximately 8:01 p.m., State Representative Jake Fey was asked to speak to this Committee as a former City employee, Council Member, Deputy Mayor, and Public Utility Board Member. Representative Fey outlined the following recommendations relative to

Check and balances in power, accountability, transparency, creating an environment of city government cooperation and efficiency. The City Attorney and independent staff should be appointed by the city council.

He also recommended the TPU department directors should be confirmed by Tacoma City Council and that

Department managers that could approve up to \$200,000 should also have to complete a financial disclosure (F-1). The two year annual review of the city manager should stay in place. And he recommended expanding the number of district elected councilmembers to six or seven. The districts for council members should be equalized without at-large council members.

The City Manager's contract should continue to be approved by City Council every two years, and retain the annual review. The director of TPU should be confirmed by the City Council. The director of TPU should be reviewed every two years by the utility board and every four years reconfirmed by City Council. The City Council should be able to send a proposal with a super majority vote to TPU and have TPU consider the proposal and the City Council should be able to amend a TPU proposal with a super majority of the council.

Representative Fey also recommended the ten year management review should be changed to a performance review by the state auditor on specific issues of interest by the City Council and the five year term for the utility board should be shortened.

There were clean-ups suggested including the emergency clause, the ability for City Council to amend citizen initiatives with a 2/3 majority, strike the required number of council meetings in the Charter residency requirements should be reviewed and the limitation on utility taxes could be changed to follow state law.

Committee Member Horne noted that the City Charter calls out an indefinite number of years for an agreement for City Managers and Representative Fey noted a customary two year review. The TPU has a five year contract but the charter says an indefinite agreement. Discussion ensued regarding the City Council Member term limits, the recommendation is to let a councilmember serve three terms, full time verses part time, and the prohibition of city employees as elected officials in other jurisdictions.

Communications

At approximately 8:50 p.m., Chair Baarsma announced his speaking engagements and others reported on meetings they had attended.

Committee Member Miller made a motion to ask the News Tribune to use their database of contacts for outreach to the community regarding the City Charter review. Seconded by Committee Member Leighton. Voice vote was taken and carried. The motion was adopted.

At approximately 9:02 p.m., discussion ensued regarding the outreach process for the Neighborhood Councils and deciding the members that attend should bring the information back to the committee.

Committee Member Ushka requested talking points and a fact sheet be ready for Monday, March 3, 2014 to be used for outreach to the neighborhood councils.

Subcommittees

At approximately 9:10 p.m., Chair Baarsma announced the names of the members of the subcommittees. Convener Terri Baker announced the Human Resources Subcommittee will meet Tuesday, March 4, 2014 in Room 12 at 5:30 p.m. Discussion ensued regarding the Public Utilities Subcommittee and Committee Member Talton agreed to be removed from the Public Utilities Subcommittee. Dr. Horne agreed to be on the Human Resources Subcommittee.

Committee Member Ushka made a motion to accept the subcommittee assignments. It was seconded by Committee Member Brackett. Voice vote was taken and carried. The motion was adopted.

At approximately 9:14 p.m., Committee Member Merritt reported the results of the meeting of the Criteria Subcommittee of Committee Members Baarsma, Ushka and Merritt. Discussion ensued.

Other Business/Unfinished Business

None.

Public Comment

None.

Committee Comments

At approximately 9:25 p.m., Committee Member Van Dyk asked about concerns regarding personal agendas. Discussion ensued.

Adjournment

Committee Member Leighton moved to adjourn the meeting. The motion was seconded by Committee Member Farrell. On proper motion, the meeting was adjourned at 9:25 p.m.

Bill Baarsma, Chair

Jeanne Harris, Charter Review Liaison