

**AMENDMENT XX**

**CURRENT CHARTER LANGUAGE:**

**Section 4.14** – The Board shall maintain such billing, cost and general accounting records as maybe necessary for effective utility management or required by state law. Expenditure documents shall be subject to pre-audit by the central fiscal agency of city government. The City Treasurer shall be responsible for receipt, custody, and disbursement of all utility funds. The Board shall submit such financial and other reports as may be required by the Council.

**RECOMMENDED LANGUAGE:**

**Section 4.14**

**Section 4.14** – The Board shall maintain such billing, cost and general accounting records as maybe necessary for effective utility management or required by state law. Expenditure documents shall be subject to pre-audit by the central fiscal agency of city government. The City Treasurer shall be responsible for receipt, custody, and disbursement of all utility funds. The Board shall submit such financial and other reports as may be required by the Council. The Council may submit to the Board project or program proposals related to the operations of the utilities under the control of the Board, and upon submittal the Board shall (1) consider such proposals, (2) report to Council how such proposals can be implemented, and (3) execute any such proposals approved by Council.

**RATIONALE FOR CHANGE:**

The City Council has ultimate jurisdiction over the utilities of this city; those include the three under the general direction of the utility board. Often times the city may take on initiatives that benefit the city residents and it is incumbent on all of the city departments to be brought into certain programs or project. The examples here are Water Conservation program and non-attainment air quality issues. Additionally, Tacoma and the south sound have been for many years out of compliance for air quality known as the non-attainment issues. The City council may desire to take initiatives and offer programs for people in the city limits to convert wood burning stoves to a more efficient stove to help mitigate the problem and produce a better air quality for Tacoma.

Recommendation by State Representative, Former City Council Member and TPU board member Jake Fey

**Against:**

**AMENDMENT XX**

**CURRENT CHARTER LANGUAGE:**

Section 4.18 – The Board shall appoint a Director of Utilities who shall:

- (a) Be selected on the basis of his executive and administrative qualifications;
- (b) Be appointed for an indefinite period and subject to removal by the Board;
- (c) Serve as the chief executive officer of the Department of Public Utilities, responsible directly to the Board.

**RECOMMENDED LANGUAGE:**

Section 4.18 – The Board shall appoint subject to confirmation by the City Council, a Director of Utilities who shall:

- (a) Be selected on the basis of his executive and administrative qualifications;
- (b) Be appointed though an indefinite period and subject to removal by the Board;
- (c) Serve as the chief executive officer of the Department of Public Utilities, responsible directly to the Board, subject to review and reconfirmation as follows.

The Utility Board shall review the Director of Utilities' performance annually and every two years shall vote on whether to reconfirm the appointment of the Director of Utilities, with the affirmative vote of at least three members of the Board in a public meeting necessary to effect such reconfirmation. The first review and vote on whether to reconfirm the Director shall be in 2015.

Every four years, the City Council shall review the Director of Utilities' performance and shall vote on whether to reconfirm the appointment of the Director of Utilities, with the affirmative vote of a majority of the Council in a public meeting necessary to effect such reconfirmation. The first review and vote on whether to reconfirm the Director shall be set for ~~2018~~ 2017, city council has fined determination.

**RATIONALE FOR CHANGE:**

The Tacoma Public Utilities is a multi billion dollar asset managed by a board. Unlike other areas in the charter that mandate annual performance review as well as re-confirmation it is incumbent on this review committee to recommend that such standard be carried over to the TPU Director and the board.

Additionally, because ultimate reasonability falls on the council this appointment will allow for more accountability on the TPU board, it would be prudent to allow for the council to do an performance audit every four year. This helps build transparency, and accountability for our government.

The effective date needs to be set indicating a first review – this shall be set for 2015.

**Against:**

**Article 1**  
**New Section**

**Current Charter Language**

None

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**Recommended Language:**

**Article 1x – New Section**

Appointed members of citizen boards, commissions, committees, and City of Tacoma employees given the delegation of authority to sign contracts, must annually file an F-1 Personal Financial Affairs Statement with the Public Disclosure Commission and with the City Clerk. This information will be made available on the City's website.

**Rationale for Change:**

City employees manage a great deal of public money. Citizen board members recommend policies that involve the expenditure of taxpayer dollars. This amendment ensures more transparency and accountability that those managing tax dollars are not engaged in activities that may conflict with their duties as employees or board members.

The "delegation of authority" language is directly from the TMC 1.06.268 and the City's Purchasing Manual.

**Rationale against Change:**

The requirement may have a chilling effect on citizens wanting to serve on City boards and commissions but object to the public disclosure of their financial affairs.

City Council Retention of Management Consultant for TPO

utilities

**Current Charter Language:**

None

**Recommended Language:**

**Article ?? – New Section**

The City Council shall, every 10 years, retain a management consulting firm to analyze all the City's utilities, and to recommend changes in assets, management, ownership, organization, lines of business, strategic direction and other relevant topics. The first year for such a review shall be 2015.

Passed by verbal motion at the April 3 committee meeting.

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