



## *Legal Department*

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April 25, 2007

TO: Doug Baker, City Administrator  
FROM: Karen Kirkpatrick, City Attorney  
RE: Quarterly Report – for First Quarter Ending March 31, 2007

Attached is a list of new projects that came into the City Attorney's office during the 1st quarter of 2007.

I'd like to highlight some of those projects, as well as some of the projects that have been carried over from earlier reports. The bulleted list below also describes some of the other activities that I have completed during the past quarter.

- Continued to stay in contact with outside counsel in the City's efforts to settle property acquisitions for the Littlerock Road widening project.
- Continued to monitor issues in the Pilot Travel Center appeal matter.
- Appeared in a lawsuit brought jointly against the City and the Port and assisted WCIA-assigned counsel. This was the third suit brought by the same plaintiffs. The City was dismissed out of this case as well.
- Participated in telephone conference calls with the City Attorneys from Olympia and Lacey and our joint outside counsel on issues in the All American Bottled Water case.
- Obtained final settlement orders on the Harborside matter, including a check in the amount of \$52,750.00, representing our negotiated settlement with Harborside's surety.
- Researched right-of-way construction standards, specifically time and date restrictions.
- Met with staff regarding the Deschutes River Highlands appeal.
- Researched and reviewed a funding issue with a human services contract.
- Researched a fire impact fee.
- Attended training opportunities regarding the Endangered Species Act.
- Worked with outside counsel and attended depositions and filed briefs in the suit against Puget Sound Energy. A decision from the WUTC is expected soon.
- Researched nonconforming setback issue for Development Services.
- Provided research regarding bonding for plats.

- Met with staff and provided review of modified standards concerning the Tree Ordinance.
- Reviewed contracts for various departments.
- Reviewed and commented on the Pipeline Bill No. 1478.
- Obtained, reviewed and revised a number of forms used by the Development Services Department.
- Prepared a draft interlocal agreement with the Port of Olympia.
- The Legal Department also handled 699 court matters during the quarter. The contract prosecutor gave notice that March 31, 2007 would be his last day. His firm has been providing some coverage and a Request for Qualifications is currently being advertised with a closing date of April 30th.

Attachment

# LEGAL DEPARTMENT REPORT ON NEW PROJECTS/REQUESTS

For Period of January - March, 2007

To: Doug Baker, City Administrator  
From: Karen Kirkpatrick, City Attorney  
Date: April 25, 2007  
RE: Report for First Quarter, Ending March 31, 2007

The following is a listing of the new projects received by this office during the period of January through March, 2007:

Department	Proj #	Project Type	Description
<b>Development Services</b>			
	2007-020	Agreement	The Latimore Company
	<i>Total for Development Services</i>		1

#### Finance

	2007-013	Ordinance	O2007-003 Amending petty cash
	2007-014	Claim	Cheryl Dale / Richard Scott - Sewer backup on 1/9/07

Department	Proj #	Project Type	Description
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**Finance**

2007-017	PDA Request	Arthur West
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<i>Total for Finance</i>			3
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**Legal**

2007-001	Review/Opinion	HSRC Funding question
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2007-003	Opinion	AGO informal opinion - leave pay if health emergency (i.e., pandemic flu)
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2007-004	Information	AWC information on NPDES stormwater permit update and issues
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2007-007	Information	Cost Allocation for Fire Hydrants - Information from Will Patton of Foster Pepper
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2007-008	Review/Issue	Overlapping annexation - Hoadly Street boundary issue
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2007-009	Issue	Tent City
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2007-012	Review/Research	Non-smoking policy
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2007-015	Issue	Dealing with graffiti (proposal by Marysville)
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2007-024	Violation	Paradise Video - Opening hours
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Department	Proj #	Project Type	Description
<b>Legal</b>			
<i>Total for Legal</i>			9
<b>Parks</b>			
	2007-006	Lease Review	Golf Course restaurant (Tumwater Valley Bar & Grill)
<i>Total for Parks</i>			1
<b>Planning &amp; Facilities</b>			
	2007-002	Ordinance	O2006-026 - Amendments to Fish & Wildlife Protection (TMC 16.32) and Wetlands (TMC 16.28)
	2007-005	Agreement	2007 TRPC for Historic Preservation
	2007-010	Annexation	Resolution R2007-001 - Annexation Doelman property to Trosper Rd, (including Black Lake Fire Department)
	2007-011	Ordinance	Warehouse distribution centers - Amending Title 18 (Ordinance O2006-037)
	2007-021	Agreement	Ambia - Crosby House repairs
<i>Total for Planning &amp; Facilities</i>			5
<b>Police</b>			
	2007-016	Agreement	ATIMS (police access to Thurston County booking and photo montage info.)

Department	Proj #	Project Type	Description
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**Police**

	2007-019	PDA Request	Personnel files of police and Internal reports (from law office of Cathy Gormley)
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*Total for Police* 2

**Public Works**

	2007-022	Issue	Construction in City Right-of-Way
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*Total for Public Works* 1