



Legal Department

TO: Doug Baker, City Administrator
FROM: Christy A. Todd, City Attorney ^{CA}
DATE: January 12, 2006
RE: Fourth Quarter Report ending December 31, 2005

Attached please find the Legal Department's Report on New Projects/Requests received during the fourth quarter of 2005.

Here is a listing of activities the Legal Department handled during the fourth quarter. Some of these are in addition to the new projects or are drawing your attention to new requests that stood out for me:

- Reviewed and/or drafted interlocal agreements for: the Thurston County Narcotics Task Force; Thurston County District Court Fees (for jury trials); Comcast consultant.
- Reviewed and/or drafted agreements for: stormwater maintenance; Puget Sound Energy; Parking (sharing of Facilities Division parking lot with a neighboring state office during construction of their new building); the new HRA/VEBA employee benefit; South Sound Green; an employment agreement; wellhead monitoring; Nisqually jail; Olympic pipeline.
- Reviewed lease agreements for CenturyTel, XM Satellite
- Prepared or reviewed requests for proposals (RFP) for: a contract prosecutor; cable franchise.
- Assisted the police department with a civil forfeiture hearing.
- Reviewed an ordinance prepared by the planning department on a zoning change.
- Prepared Council for an appeal by Tumwater Meadows regarding the South Hill Plat.
- Wrote a legal opinion regarding a gambling issue.
- Ongoing meetings with Public Works and Development Services regarding SEPA mitigation fees
- Provided review of CG Float Loan application.
- Presented amendments to Council on Council operating procedures at the December worksession.
- Continued discussions on code amendments with Animal Services and attorneys from Lacey and Olympia. This ordinance was presented to Council at the December worksession.

- Reviewed draft Charter of the Barnes Lake Management Steering Committee.
- Researched civil service question for the Civil Service Commission.
- Supervised research of a public disclosure request from The Olympian. This involved a request for review of records from 1972 to present.
- Prepared an ordinance to amend a provision of TMC 18.60.
- Assisted the Civil Service Commission with an appeal.
- Reviewed and assisted with the settlement of an appeal filed by Hearthstone LLC over Tumwater School District Impact fees
- The prosecutor was assigned approximately 256 new cases during the quarter and reviewed 1 case for sufficiency of charges. In December, the Legal Department sought applications from persons interested in the prosecution contract. The current prosecutor, Les Ching, did not submit an application. Eight applications were received and four applicants were interviewed. Two candidates were forwarded to a Mayor's interview. Harry Boesche was offered the position. He has signed a one-year contract beginning 1/3/06.

Attachment

LEGAL DEPARTMENT REPORT ON NEW PROJECTS/REQUESTS

For Period of October - December, 2005

To: Doug Baker, City Administrator

From: Christy Todd, City Attorney

Date: January 12, 2006

RE: Report for Fourth Quarter, Ending December 31, 2005

The following is a listing of the projects and requests for legal services received by this office during the period of October through December, 2005:

Department	Proj #	Project Type	Description
Administration			
	2005-079	Resolution	Resolution No. R2005-037 - Cardinal Glass Float Loan
	2005-082	PDA Request	PDA request from The Olympian regarding records of denial of records from 1972 to present
	2005-085	Agreement	City Administrator
<i>Total for Administration</i>			3

Development Services

Department	Proj #	Project Type	Description
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Development Services

2005-092	Internal Request	Memo on SEPA Mitigation Fees
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<i>Total for Development Services</i>			1
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Finance

2005-088	PDA Request	The Olympian - Information concerning warehouse moratorium and ProLogis
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<i>Total for Finance</i>			1
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General Services

2005-076	Review	RFP - Cable Franchise Consulting - (Comcast Interlocal Agreement)
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2005-080	Review	HRA VEBA benefit plan
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2005-091	Opinion	Civil Service Question
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<i>Total for General Services</i>			3
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Legal

2005-078	Opinion	Mitigation Issue - Trosper Road
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2005-083	Opinion	Cancellation of council meeting
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Department	Proj #	Project Type	Description
Legal			
	2005-084	Review	"H" Street Plat (Lee Ingram) - Utility/Road Maintenance Agreement and Letter of Credit
	2005-086	Ordinance	O2005-041- warehouse moratorium
<i>Total for Legal</i>			4
Parks & Rec			
	2005-093	Review	Triway Enterprises (Tri Vo) and Community Aquatic Center
<i>Total for Parks & Rec</i>			1
Planning			
	2005-074	Opinion	Churches and zoning - TMC 18.56.100
	2005-087	Ordinance	O2005-035 - Amendments to TMC 18.60 regarding changes to docketing of rezone applications
	2005-089	Review	BRB jurisdiction - 54th Ave. Annexation. Appeal by County
<i>Total for Planning</i>			3
Planning & Facilities			
	2005-075	Ordinance	Amending TMC 16.08 - Tree Protection

Department	Proj #	Project Type	Description
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Planning & Facilities

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Total for Planning & Facilities 1

Police

2005-072 Civil Forfeiture Rogers, Shannon - Vehicle seizure

2005-077 Agreement Towing contract for 2005-2007 - Jerry's

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Total for Police 2