

CITY OF TACOMA
DEFERRED COMPENSATION PLAN

Administrative Committee

BYLAWS

ARTICLE I – OBJECTIVE

The Deferred Compensation Administrative Committee shall, pursuant to Plan adopted by the City Council under the authority provided by TMC Section 1.12.115, administer the City’s voluntary deferred compensation Plan. Said Committee shall further administer the Plan, as a trust fund under applicable laws of the State of Washington and the United States.

The Administrative Committee of the City’s Deferred Compensation shall is hereafter referred to as the Committee.

ARTICLE II – MEMBERS

The administration of the Deferred Compensation Plan is vested in the Committee as provided by Article I of the Plan. The members are the Human Resources Director; Chief Deputy City Attorney; City Treasurer; Manager designated by the Director of Public Utilities; Human Resources Manager responsible for health and welfare benefit plans; and a Joint Labor Committee Representative, or their respective designees.

ARTICLE III – OFFICERS

Section 1. Committee – Officers. There shall be a Chair and Vice Chair. The Chair shall appoint an Ex-Officio Secretary (non-voting Committee Member).

Section 2. Election of Officers. The Chair and Vice-Chair are nominated and voted upon in a Committee meeting and elected by majority vote.

The regular terms of office of Chair and Vice Chair are three years and shall be staggered, with the regular election of only one of the two offices occurring at the Committee’s regular

December meeting in a given year. Provided, however, that in the first year immediately following the adoption of these By-Laws, the term of office for the Vice Chair shall be for two years, with three year terms following thereafter. In the case of death, resignation or removal of any officer, the Committee shall elect from among its member a person to serve the remaining term resulting from the vacancy.

In the event that a timely election does not take place, the term of an incumbent shall be extended until such time as the election is completed. The newly elected officer will fulfill the remainder of the term of office.

ARTICLE IV – DUTIES OF OFFICERS

Section 1. Presiding Officer – Chair. The Chair shall be the presiding officer, or in his or her absence, the Vice-Chair, shall conduct the business and deliberation of the Committee under these rules. If both Chair and Vice-Chair are absent and a quorum is present, a quorum may nominate a committee member to preside of the meeting in their absence.

Section 2. Duties of Chair. The Chair shall:

- 1) Conduct the meeting.
- 2) Preserve order and decorum in the meeting.
- 3) Decide all questions of order, subject to the appeal of the Committee
- 4) Recognize the members of the Committee in the order in which they request recognition.
No member shall be recognized and permitted to speak on the same matter more than once until after all other members of the Committee have had an opportunity to be recognized and heard.
- 5) Observe and enforce all rules adopted by the Committee.
- 6) Carry out actions approved by the Committee, which includes signing contracts, resolutions adopted by the Committee and other documents whose execution requires a signature on behalf of the Committee.

Section 3. Rights of the Chair. The Chair, as a member of the Committee, shall have the same rights and be governed by the same rules as other Committee members.

Section 4. Duties of the Secretary. The Secretary of the Committee shall:

- 1) Draft Committee meeting minutes, see to their formal approval, and mark them as such.
- 2) Upon proper request, certify copies of resolutions and other records of the Committee and Plan.
- 3) Properly maintain Committee records in the office of Human Resources.

Section 5. Appointment of Active Secretary. In the absence of the secretary, the Chair may assign responsibilities as necessary.

ARTICLE V – MEETINGS

Section 1. Open Public Meetings Act. All meetings shall comply with the Washington State Open Public Meetings Act (Revised Code of Washington, Chapter 42.30).

Section 2. Time and Location. The Committee meets quarterly, and in the preceding calendar year will establish and post a schedule for the Committee meeting dates for the next calendar year, which will include the time and location. Due to special circumstances, the regular meeting date and place may be changed or additional meetings may be scheduled as Special Meetings by the Committee. The times and dates of all meetings will be publicized as required by law and are open to the public. Copies of the annual schedule, agenda, and the Committee minutes will be available in the City Clerk’s and Human Resources’ Offices, and 733 and/or 747 Market Street, Tacoma, Washington.

Section 3. Quorum Required. A quorum for the transaction of business will consist of four members. The following items will require an affirmative vote of not less than four members of the Committee: matters relating to contracts with Third-Party Administrative Service Providers, consultant contract (except legal), Plan revisions, budget, By-Laws amendments, and the Statement of Investment Policy and Guidelines document.

Section 4. Special Meetings. Special meetings shall be held at the discretion of the Chair or Vice Chair in the absence of the chair, or at the request of two or more members of the Committee. All special meetings will be subject to the Washington State Open Public Meetings Act of 1971 (as amended by Chapter No. 69 and 366, Laws of 1985, and any further adopted amendments). The requesting party(ies) will submit in writing such request for special meeting and agenda item(s) to be covered at the time of such request.

Section 5. Order of Business. Except as may be otherwise directed by the Chair, or by action of the Committee, the order of business shall generally be as follows:

- 1) Call to Order
- 2) Roll Call
- 3) Adoption of the Agenda
- 4) Adoption of the Minutes
- 5) Third Party Administrator Activity and Reports
- 6) Other Items of Business
- 7) Good of the Order
- 8) Adjourn

Section 6. Rules of Order. Meeting shall be conducted formally in the manner common to like boards or committees. Robert’s Rules of Order shall be followed.

Section 7. Suspension of Rules. No rule shall be suspended except by a majority vote of Committee members present at the meeting, and a motion to suspend a rule is not debatable. Vote on the motion may be by voice vote, or by roll call if requested by a member. The Chair can adjust the order of the meeting agenda.

Section 8. Filing New Matter. No new agenda item, subject, communication, article, or material shall be placed before the Board for its comments thereon or consideration, or shall be discussed or read, unless it shall have been requested in writing and filed with the Human Resources’ Benefits Office overseeing the City’s Deferred Compensation Plan and copies thereof sent out to the members of the Committee with the Agenda at least one day prior to the day on which the meeting of the Committee is scheduled to be held. However, any new matter filed less than one week preceding the day on which the meeting of the Committee is schedule to be held, will be voted on at the start of the scheduled meeting to determine if the matter will be discussed at that meeting or if more time is needed for the Committee to review. If it is determined that more time is needed for review, the Committee will make a decision if the matter will be brought forward at the next regularly scheduled Committee meeting or at a special meeting.

ARTICLE VI – COMMITTEE

The Committee may appoint a sub-committee to review or research any pertinent information and provide the Committee with a recommendation. Once the recommendation has been made to the Committee, the sub-committee’s responsibilities shall cease unless they are a permanently assigned to a sub-committee. Sub-committee meetings will be posted and conducted as per the Open Public Meeting Act.

Sub-committees of the Committee may include the following:

Budget Committee: Three Committee members appointed by the Chair.

Ad-Hoc Committees may be appointed by the Chair of the Committee or Vice-Chair, as needed, to review items, which require attention before a Committee meeting is scheduled.

ARTICLE VII – STANDARD REPORTS

The plan participants shall be advised of the meeting by public notice. Copies of the approved minutes will be posted on the City of Tacoma internet and distributed to anyone who requests copies of the minutes.

The plan participants may further receive such reports from Third Party Administrators and Consultants as the Committee may require.

ARTICLE VIII – MISCELLANIOUS

Section 1. Request to be Heard. A participant in the City of Tacoma Deferred Compensation Plan, not satisfied with a decision and/or ruling of a Third Party Administrative Service Provider, may request to be heard by the Committee. The Committee, after reviewing the case and ruling, shall then grant or refuse a hearing on the matter.

Section 2. Committee Records. Records of the Committee shall be maintained in the Human Resources' Benefits Office. Records that may be lawfully destroyed, shall not be destroyed in the absence of approval by the Committee. All Committee decisions and/or rulings in the operation of the Plan shall be recorded in the Minutes.

Decisions may be made available to the participants and the public through other appropriate reports, as provided by law.

Section 3. Waiver of Notice. Any officer or Committee member may waive, in writing, any notice required to be given by the laws of the State of Washington or under these Bylaws, whether before or after the time stated therein.

Section 4. Amendments. These Bylaws may be altered, amended or repealed by resolution of the Committee members at any meeting consistent with the quorum provisions of these By-Laws. Any Committee member may submit a proposed amendment to the Bylaws.

Adopted: As Amended December 2, 2021