



## Legislation Passed February 24, 2015

The Tacoma City Council, at its regular City Council meeting of February 24, 2015, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

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### **Resolution No. 39110**

A resolution acknowledging receipt of, accepting, and expressing receptiveness regarding a Notice of Intent to Petition for Annexation concerning the portion of the Point Ruston redevelopment site lying within the City of Ruston.

[John Harrington, Principal Planner; Peter Huffman, Director, Planning and Development Services]

### **Resolution No. 39119**

A resolution authorizing the execution of an Interlocal Agreement with the Port of Tacoma, for the design and future replacement of pavement surface on the Port of Tacoma Road.

[Tom Rutherford, P.E., Project Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

### **Resolution No. 39120**

A resolution awarding a contract to Cascadia Consulting Group, Inc., in the amount of \$511,625, sales tax not applicable, budgeted from the Environmental Services Solid Waste Fund, to develop a Sustainable Materials Management Plan - Specification No. ES14-0488F.

[James G. Parvey, Assistant Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

### **Resolution No. 39121**

A resolution designating the City of Hvar, Croatia, as a Sister City.

[Debbie Bingham, Program Development Specialist; Ricardo Noguera, Director, Community and Economic Development]

### **Resolution No. 39122**

A resolution authorizing the execution of a Water System Acquisition Agreement with the Andrain Road Water Association, to establish the terms and conditions to expand Tacoma Water's service area to include 59 residences, located in the vicinity of 128th Street East and 70th Avenue East in Pierce County.

[Tony Lindgren, Water Distribution Engineering Manager; Linda McCrea, Water Superintendent]

### **Resolution No. 39123**

A resolution authorizing the execution of an amendment to the agreement with RailWorks Track Systems, Inc., in the amount of \$150,000, for a cumulative total of \$520,712, plus sales tax, budgeted from the Tacoma Rail Mountain Division Fund, to extend the contract for on-call track and bridge maintenance, through December 31, 2016.

[Alan Matheson, Chief Mechanical Officer; Dale King, Rail Superintendent]

**Resolution No. 39124**

A resolution authorizing the execution of an agreement with the Tacoma-Pierce County Humane Society, in the amount of \$881,356, budgeted from the General Fund, for animal shelter, licensing, and related services through December 31, 2016.

[Shawn Stringer, Captain; Don Ramsdell, Police Chief]

**Resolution No. 39125**

A resolution accepting \$350,924 from Puget Sound Energy, and depositing said sum into the Permit Services Fund; and authorizing the execution of an agreement with Ecology and Environment, Inc., in the amount of \$350,924, budgeted from said fund, for preparation of a draft and final Environmental Impact Statement and related services for Puget Sound Energy's proposed Liquefied Natural Gas facility in the Tacoma Tideflats.

[Ian Munce, Special Assistant to the Director; Peter Huffman, Director, Planning and Development Services]

**Resolution No. 39126**

A resolution authorizing the allocation of \$2,600,538, budgeted from the Mental Health Fund, for human services programs from January 1, 2015 through December 31, 2016; and authorizing the execution of agreements with:

Catholic Community Services, in the amount of \$870,000;  
Comprehensive Life Resources, in the amount of \$1,058,108;  
Greater Lakes Mental Healthcare, in the amount of \$467,050; and  
Pierce County Alliance, in the amount of \$205,380.

[Pamela Duncan, Human Services Division Manager; Nadia Chandler Hardy, Director, Neighborhood and Community Services]

**Resolution No. 39127**

A resolution authorizing the allocation of \$2,016,128, budgeted from the General Fund, for human services programs from January 1, 2015 through December 31, 2016; and authorizing the execution of agreements with:

Associated Ministries, in the amount of \$268,500;  
Pierce County Aids Foundation, in the amount of \$254,132;  
Tacoma Community House, in the amount of \$355,436;  
Tacoma Housing Authority, in the amount of \$241,692;  
The Rescue Mission, in the amount of \$599,368; and  
YWCA of Pierce County, in the amount of \$297,000.

[Pamela Duncan, Human Services Division Manager; Nadia Chandler Hardy, Director, Neighborhood and Community Services]

**Resolution No. 39128**

A resolution authorizing the allocation of \$669,819, budgeted from the Mental Health Fund, for human services programs from January 1, 2015 through December 31, 2016; and authorizing the execution of agreements with:

Comprehensive Life Resources, in the amount of \$265,337; and  
Tacoma School District No. 10, in the amount of \$404,482.

[Pamela Duncan, Human Services Division Manager; Nadia Chandler Hardy, Director, Neighborhood and Community Services]

**Ordinance No. 28282**

An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement changes negotiated with the Tacoma Joint Labor Committee regarding vacation leave and holiday pay, and rates of pay and compensation for employees represented by the International Brotherhood of Electrical Workers, Local 483, Water Pollution Control Unit.

[Robin Koch, Labor Relations Manager; Joy St. Germain, Director, Human Resources]

**Ordinance No. 28283**

An ordinance amending Chapter 1.24 of the Municipal Code, relating to the Personnel Rules, to incorporate gender-neutral terminology and update City titles, policies, practices, and procedures, as approved by the Civil Service Board.

[Joy St. Germain, Director, Human Resources]



## RESOLUTION NO. 39110

1 A RESOLUTION acknowledging receipt of a Notice of Intent to Petition for  
2 Annexation concerning the portion of the Point Ruston redevelopment site  
3 lying within the City of Ruston, and accepting and expressing receptiveness  
4 regarding the same.

4 WHEREAS Point Ruston is an approximately 82-acre mixed-use,  
5 master-planned community located in the City of Tacoma and City of  
6 Ruston ("Ruston"), and

7 WHEREAS construction is anticipated to result in approximately  
8 228,000 square feet of retail/commercial space and 800-1,000 dwelling units  
9 contained within 30-35 buildings, totaling between 1 million to 1.5 million square  
10 feet, with parking for approximately 3,700 vehicles in buildings and on surface lots,  
11 and  
12

13 WHEREAS the project also includes publicly accessible park, recreation,  
14 and open space areas totaling approximately 50 acres, and

15 WHEREAS the City and Point Ruston have worked together to develop site  
16 infrastructure through a Local Improvement District ("LID"), and the City has  
17 committed significant public funds to purchase the public shoreline waterwalk  
18 associated with Point Ruston, and

19 WHEREAS, on January 22, 2015, the owners of Point Ruston submitted a  
20 Notice of Intent to Petition for Annexation to the City of Tacoma ("Notice of Intent")  
21 for the portion of the Point Ruston development site that lies within Ruston,  
22 consisting of approximately 43 acres, but does not include the Stack Hill residential  
23 development, and  
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1 WHEREAS, if approved, the annexed area would become part of the City  
2 and subject to all existing and future general financial obligations of the City,  
3 including existing indebtedness, and

4 WHEREAS the fiscal impact and impacts to the shoreline, recreation  
5 facilities, public works facilities, utilities and transportation routes, public services,  
6 and emergency services resulting from the annexation would need to be evaluated  
7 in more detail if the annexation request is approved by Ruston and moves forward  
8 through the annexation review process, and

9 WHEREAS, in accordance with RCW 35.13.125, upon receipt of a Notice of  
10 Intent, it is necessary to conduct a public meeting between the initiating party and  
11 the City Council regarding the proposed annexation to determine if the City will  
12 (1) accept the proposed annexation; (2) require the simultaneous revision of the  
13 comprehensive plan to include the area to be annexed; and (3) require the  
14 assumption by the area to be annexed of all or any portion of existing City  
15 indebtedness; Now, Therefore,  
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18 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA

19 That the City hereby acknowledges receipt of the Notice of Intent to Petition  
20 for Annexation concerning the portion of the Point Ruston redevelopment site lying  
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1 within the City of Ruston submitted to the City on January 22, 2015, and accepts,  
2 and expresses receptiveness regarding the same.

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4 Adopted \_\_\_\_\_

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Mayor

7 Attest:  
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9 City Clerk

10 Approved as to form:  
11 \_\_\_\_\_  
12 Deputy City Attorney

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## RESOLUTION NO. 39119

1 A RESOLUTION relating to the Port of Tacoma Road Design Project; authorizing  
2 the execution of an Interlocal Agreement with the Port of Tacoma, which  
3 supersedes and replaces an existing Interlocal Agreement between the  
4 parties approved pursuant to Resolution No. 38903, adopted May 13,  
2014, for the design and future replacement of pavement surface on the  
Port of Tacoma Road.

5 WHEREAS the Port of Tacoma Road is the major arterial and heavy haul  
6 corridor serving the Port of Tacoma (“Port”), and the road surface from  
7 East 11th Street to south of Marshall Avenue has deteriorated to the point that it  
8 needs to be replaced, and  
9

10 WHEREAS, in 2012, the City and the Port jointly submitted a Surface  
11 Transportation Program grant application, with the City and the Port agreeing to  
12 provide \$337,000 and \$500,000, respectively, as the local agency match, and  
13

14 WHEREAS, in 2013, the City and the Port were awarded partial grant  
15 funding for the design portion of the project, and subsequently entered into an  
16 Interlocal Agreement outlining the parties’ responsibilities and required grant  
17 match, which agreement was approved by the City Council pursuant to Resolution  
18 No. 38735, adopted September 24, 2013, and  
19

20 WHEREAS, subsequent to execution of the Interlocal Agreement, during  
21 the design of the rehabilitation project, additional scope was added to the project  
22 which, along with higher construction costs, increased the overall cost of the  
23 project, and  
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25 WHEREAS the City and Port entered into a second Interlocal Agreement to  
26 update the local match contribution of both parties to reflect the increased



1 construction costs, which agreement was approved by the City pursuant to  
2 Resolution No. 38903, adopted May 13, 2014, and

3 WHEREAS the City was awarded \$1,000,000 in construction grant funding  
4 from the Freight Mobility Strategic Investment Board ("FMSIB") in June 2014, and  
5 \$5,940,700 from the Washington Transportation Improvement Board ("WTIB") in  
6 November 2014, and,

7 WHEREAS, because both the FMSIB and WTIB require larger local  
8 matches than previously required, the current Interlocal Agreement needs to be  
9 revised to increase both the City and Port grant funding matches, and  
10

11 WHEREAS the proposed Interlocal Agreement between the parties  
12 increases the City's required grant match from \$581,000 to \$870,769, and the  
13 Port's required grant match from \$616,000 to \$865,969; Now, Therefore,

14 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

15 Section 1. That the proper officers of the City are hereby authorized to  
16 execute an Interlocal Agreement with the Port of Tacoma for the design and future  
17 replacement of pavement surface on the Port of Tacoma Road, said document to  
18 be substantially in the form of the proposed Interlocal Agreement on file in the  
19 office of the City Clerk.  
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Section 2. That this Interlocal Agreement supersedes and replaces the existing Interlocal Agreement between the City and the Port of Tacoma, approved by the City Council pursuant to Resolution No. 38903, adopted May 13, 2014.

Adopted \_\_\_\_\_

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Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



## RESOLUTION NO. 39120

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the execution of a contract  
3 with Cascadia Consulting Group, Inc., in the amount of \$511,625, sales  
4 tax not applicable, budgeted from the Environmental Services Solid  
Waste Fund, to develop a Sustainable Materials Management Plan  
pursuant to Specification No. ES14-0488F.

5 WHEREAS the City has complied with all applicable laws and processes  
6 governing the acquisition of those supplies, and/or the procurement of those  
7 services, inclusive of public works, as is shown by the attached Exhibit "A,"  
8 incorporated herein as though fully set forth, and  
9

10 WHEREAS the Board of Contracts and Awards has concurred with the  
11 recommendation for award as set forth in Exhibit "A"; Now, Therefore,

12 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

13 Section 1. That the Council of the City of Tacoma concurs with the  
14 Board of Contracts and Awards to adopt the recommendation for award as set  
15 forth in the attached Exhibit "A."  
16

17 Section 2. That the proper officers of the City are hereby authorized to  
18 enter into a contract with Cascadia Consulting Group, Inc., in the amount of  
19 \$511,625, sales tax not applicable, budgeted from the Environmental Services  
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1 Solid Waste Fund, to develop a Sustainable Materials Management Plan  
2 pursuant to Specification No. ES14-0488F, consistent with Exhibit "A."

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4 Adopted \_\_\_\_\_

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Mayor

7 Attest:

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City Clerk

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Approved as to form:

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City Attorney

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## RESOLUTION NO. 39121

1 A RESOLUTION related to economic development; designating the City of Hvar,  
2 Croatia, as a Sister City.

3 WHEREAS the City of Tacoma has been involved in the Sister City  
4 Program for over 55 years, and

5 WHEREAS the program's mission is to promote global community through  
6 citizen diplomacy, cultural education, and economic development, and

7 WHEREAS the City of Hvar, Croatia, expressed interest in developing a  
8 sister city relationship with Tacoma, and

9 WHEREAS a strong and diversified Tacoma-Hvar Sister City Committee  
10 was formed to explore establishment of a sister city relationship between the two  
11 cities, and, over the past six months, committee members have met, visited Hvar,  
12 and provided a letter to that city's mayor regarding the formation of a sister city  
13 relationship, and  
14

15 WHEREAS, since that time, the application process to add a new sister city  
16 has been completed; a full committee of community members has been formed;  
17 and a work plan for the next several years has been developed and will be  
18 enacted should Hvar and Tacoma become sister cities, and

19 WHEREAS the opportunity is present for this sister city relationship to  
20 increase economic development, promote cultural exchanges, promote ancestral  
21 tourism, and enhance educational opportunities for both cities, and

22 WHEREAS this relationship is supported by the Tacoma Sister Cities  
23 Council and the Economic Development Committee; Now, Therefore,  
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the City Council hereby designates the City of Hvar, Croatia, as a Sister City of the City of Tacoma.

Section 2. That, by this designation, the City indicates its intention to participate to the fullest extent possible with Hvar, Croatia, in carrying out the Sister City Program in accordance with the understandings, customs, and practices of said program.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

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Deputy City Attorney



## RESOLUTION NO. 39122

1 A RESOLUTION relating to the Department of Public Utilities, Water Division  
2 (d.b.a. "Tacoma Water"); approving service area expansion and  
3 authorizing the execution of a Water System Acquisition Agreement with  
4 the Andrain Road Water Association ("Andrain") to establish the terms  
5 and conditions under which Tacoma Water will acquire Andrain's service  
6 area and provide retail water service to its members.

7 WHEREAS the Andrain Road Water Association ("Andrain") serves  
8 59 residences in the vicinity of 128th Street East and 70th Avenue East in  
9 Pierce County, Washington, and receives all of its water through a wholesale  
10 connection with the City of Tacoma, Department of Public Utilities, Water  
11 Division (d.b.a. "Tacoma Water"), and

12 WHEREAS, due to the condition and limited capacity of its water system,  
13 Andrain has requested that Tacoma Water acquire its service area and provide  
14 direct retail service to its members, and

15 WHEREAS Revised Code of Washington ("RCW") 35.92.200 authorizes  
16 a city to provide water service outside its corporate limits, and

17 WHEREAS the proposed expansion satisfies the criteria set forth in the  
18 service expansion policy approved by the Public Utility Board and City Council,  
19 and

20 WHEREAS, pursuant to City of Tacoma Charter Section 4.11, the Public  
21 Utility Board may initiate system expansion, extensions, additions and  
22 betterments, subject to the approval of the City Council, and  
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WHEREAS the proposed agreement establishes the terms and conditions under which Tacoma Water will acquire Andrain's service area and provide retail water service to its members, and

WHEREAS, by adoption of Public Utility Board Resolution No. U-10752 on February 11, 2015, the proposed agreement was approved, pending confirmation from the City Council, and

WHEREAS it appears to be in the best interest of the public to approve the inclusion of the above-described area within Tacoma Water's service area and authorize the agreement with Andrain; Now, Therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:**

Section 1. That the request of the City of Tacoma, Department of Public Utilities, Water Division (d.b.a. "Tacoma Water"), to expand its service to include 59 residences in the vicinity of 128th Street East and 70th Avenue East in Pierce County, Washington, currently served by Andrain Road Water Association ("Andrain"), is hereby approved.

Section 2. That Tacoma Water is hereby authorized to enter into a Water System Acquisition Agreement with Andrain to establish the terms and conditions under which Tacoma Water will acquire Andrain's service area and



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provide retail water service to its members, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Chief Deputy City Attorney

Requested by Public Utility Board  
Resolution No. U-10752





## RESOLUTION NO. 39123

1 A RESOLUTION relating to Tacoma Rail; authorizing the execution of an  
2 amendment to Contract No. 4600008492 with RailWorks Track Systems,  
3 Inc., in the amount of \$150,000, for a cumulative total of \$520,712, plus  
4 sales tax, budgeted from the Tacoma Rail Mountain Division Fund; and  
5 authorizing the extension of said contract through December 31, 2016.

6 WHEREAS the City of Tacoma, Public Works Department (“Public Works”),  
7 owns 132 miles of railroad track that run from Tacoma to the Fredrickson Industrial  
8 Park and to Chehalis and Morton, known as the Mountain Division (“TRMW”),  
9 which is operated by the City of Tacoma, Department of Public Utilities, Beltline  
10 Division (d.b.a. “Tacoma Rail”) on behalf of Public Works, and

11 WHEREAS, pursuant to Request for Bids Specification TR12-0244F issued  
12 in October 2012, the City entered into a contract with RailWorks Track Systems,  
13 Inc., (“RailWorks”) in the amount of \$370,712, for railroad track and bridge  
14 maintenance through February 28, 2015, and

15 WHEREAS the contract is discretionary and intended as a “safety net” to  
16 ensure minimal disruption to freight rail operations by augmenting  
17 maintenance-of-way support with additional human and equipment resources, and

18 WHEREAS Tacoma Rail is seeking authorization to increase the contract  
19 with RailWorks in the amount of \$150,000, for a cumulative total of \$520,712, and  
20 to extend the contract for an additional 22 months, from February 28, 2015, to  
21 December 31, 2016, and

22 WHEREAS RailWorks has agreed to honor a quote submitted in April 2012  
23 for modifications to a TRMW bridge necessary to facilitate the Northbound  
24 Interstate 5 Puyallup River Bridge project set to begin next month, and  
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WHEREAS the direct costs associated with the modifications are fully reimbursable by Washington State Department of Transportation through a Construction and Maintenance Agreement, and

WHEREAS it appears to be in the best interest of the City to increase and extend said contract for the reasons set forth above; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the proper officers of the City are hereby authorized to enter into an amendment to Contract No. 4600008492 with RailWorks Track Systems, Inc., in the amount of \$150,000, for a cumulative total of \$520,712, plus sales tax, budgeted from the Tacoma Rail Mountain Division Fund, said document to be substantially in the form of the amendment on file in the office of the City Clerk

Section 2. That the effective date of said contract is hereby extended to December 31, 2016.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Chief Deputy City Attorney



## RESOLUTION NO. 39124

1 A RESOLUTION relating to animal control; authorizing the execution of a two-year  
2 agreement with the Tacoma-Pierce County Humane Society, in the amount  
3 of \$881,356, budgeted from the General Fund, for animal shelter, licensing,  
4 and related services for the City for years 2015-2016.

4 WHEREAS, from 1992 through 2005, the City contracted with the  
5 Tacoma-Pierce County Humane Society ("Humane Society") for animal shelter and  
6 animal control services, and

7 WHEREAS, beginning January 1, 2006, the City assumed responsibility for  
8 animal control services, and, since that time, has entered into yearly agreements  
9 with the Humane Society for animal shelter and related services, and

10 WHEREAS, while animal licensing services are available at City offices, such  
11 services have been provided on the City's behalf at Humane Society facilities under  
12 the yearly agreements since 2006, and

13 WHEREAS animal shelter and related services are vital to City residents and  
14 to the City's Animal Control staff for the boarding, keeping, and care of lost,  
15 abandoned, and injured animals, and the Humane Society possesses expertise in  
16 such areas, and

17 WHEREAS the City does not possess any animal shelter facilities, and the  
18 Humane Society's shelter is the only facility in the area adequately equipped to  
19 handle the City's animal sheltering needs, and

20 WHEREAS the Humane Society is willing to continue providing animal  
21 licensing, shelter, and related services to the City for said period, and

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WHEREAS the parties agreed that it would be mutually beneficial to transition to a two-year contract, in the amount of \$438,520 for 2015 and \$442,836 for 2016, for a cumulative contract amount of \$881,356 for the two-year period;

Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute a two-year agreement with the Tacoma-Pierce County Humane Society, in the amount of \$881,356, budgeted from the General Fund, for animal licensing, shelter, and related services for years 2015-2016, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



## RESOLUTION NO. 39125

1 A RESOLUTION related to the preparation of an Environmental Impact Statement  
2 for Puget Sound Energy’s proposed Liquefied Natural Gas facility in the  
3 Tacoma Tideflats; authorizing the execution of a contract with Ecology and  
4 Environment, Inc., in the amount of \$350,924, for the preparation of a Draft  
5 and Final Environmental Impact Statement and for related services; and  
6 accepting the sum of \$350,924 from Puget Sound Energy for deposit into  
7 the Permit Services Fund, for reimbursement of said services.

8 WHEREAS Puget Sound Energy (“PSE”) has proposed a \$275 million  
9 Liquefied Natural Gas (“LNG”) facility to be constructed at the corner of

10 11th Street and Taylor Way, on land leased from the Port of Tacoma, and

11 WHEREAS the facility would serve TOTE vessels as they convert from  
12 diesel fuel to LNG for Alaska-bound trips; would act as a “peak-shaving” facility,  
13 storing product for local use during times of high utility demand; and would  
14 potentially create capacity for new LNG customers, and

15 WHEREAS, in September 2014, PSE stipulated to an Environmental  
16 Determination of Significance, and the City entered into a cost-reimbursement  
17 agreement with PSE for completing the environmental review responsibilities  
18 under the State Environmental Policy Act (“SEPA”), and

19 WHEREAS the agreement provides that PSE will reimburse the City for  
20 the services related to preparation and issuance of a Draft and Final  
21 Environmental Impact Statement (“EIS”) for the PSE LNG facility, and the City  
22 will contract with and manage a third-party consultant to assist with the  
23 environmental review, and

24 WHEREAS the City conducted a competitive solicitation for said services  
25 and selected Ecology and Environment, Inc. as the successful proposer, and  
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WHEREAS the scope of work includes technical and peer review of PSE's environmental studies and documents, an analysis of historic environmental reviews in the area, a cumulative effects analysis, and,

WHEREAS, under the direction of City staff, the consultant will prepare a Draft EIS for public review, manage the commenting and response on the Draft EIS, and prepare a Final EIS for issuance; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the proper officers of the City are hereby authorized to enter into a contract with Ecology and Environment, Inc., in the amount of \$350,924, budgeted from the Permit Services Fund, for the preparation of a Draft and Final Environmental Impact Statement for Puget Sound Energy's proposed Liquefied Natural Gas facility in the Tacoma Tidelands, said agreement to be substantially in the form of the document on file in the office of the City Clerk.

Section 2. That the proper officers of the City are hereby authorized to accept the sum of \$350,924 from Puget Sound Energy for deposit into the Permit Services Fund, for reimbursement of said services.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
\_\_\_\_\_  
City Clerk

Approved as to form:  
\_\_\_\_\_  
Deputy City Attorney



## RESOLUTION NO. 39126

1 A RESOLUTION relating to human services; authorizing the allocation of  
2 \$2,600,538, budgeted from the Mental Health Fund, for human services  
3 programs; and authorizing the execution of agreements with Catholic  
4 Community Services, in the amount of \$870,000; Comprehensive Life  
5 Resources, in the amount of \$1,058,108; Greater Lakes Mental Healthcare,  
6 in the amount of \$467,050; and Pierce County Alliance, in the amount of  
7 \$205,380, for the period of January 1, 2015, through December 31, 2016.

8 WHEREAS, on July 22, 2014, the City Council adopted the 2015-2019  
9 Human Services Strategic Plan presented by the Neighborhood and Community  
10 Services Department, and approved direct funding of programs that meet the  
11 criteria of (1) systems sustainability; (2) high-performing programs; and (3) address  
12 areas of critical need, and

13 WHEREAS, on July 22, 2014, the City Council approved funding in the  
14 amount of \$3,888,390 under the City's .1% Mental Health Chemical Dependency  
15 ("MHCD") Revenue Fund, and

16 WHEREAS all contracts were identified as meeting the funding criteria and  
17 deemed critical to the City's pursuit of strategic funding goals under the Mental  
18 Health Substance Use Disorder ("MHSUD") Initiative, and

19 WHEREAS there are a total of four contracts, representing nine programs,  
20 that are over \$200,000: (1) Greater Lakes Mental Healthcare, for Housing First, in  
21 the amount of \$160,000; SCORE, in the amount of \$198,750; and Community  
22 Re-Entry, in the amount of \$108,300; (2) Comprehensive Life Resources, for  
23 Diversion Beds, in the amount of \$345,600; Positive Interactions, in the amount of  
24 \$280,000; New Beginnings, in the amount of \$138,344; and Life Connections, in the  
25 amount of \$294,164; (3) Pierce County Alliance, for Therapeutic Drug Court, in the  
26



amount of \$205,380; and (4) Catholic Community Services, for Shelter/COD  
1 Treatment, in the amount of \$870,000, and

2 WHEREAS the remainder of the Mental Health competitive funding  
3 allocations for human services programs under \$200,000 will be contracted  
4 administratively; Now, Therefore,  
5

6 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

7 Section 1. That the allocation of \$2,600,538, budgeted from the Mental  
8 Health Fund, for human services programs is hereby approved.

9 Section 2. That the proper officers of the City are hereby authorized to  
10 execute agreements with Greater Lakes Mental Healthcare, in the amount of  
11 \$467,050; Comprehensive Life Resources, in the amount of \$1,058,108; Pierce  
12 County Alliance, in the amount of \$205,380; and Catholic Community Services, for  
13 Shelter/COD Treatment, in the amount of \$870,000, for the period of January 1,  
14 2015, through December 31, 2016, said documents to be substantially in the form  
15 of the proposed agreements on file in the office of the City Clerk.  
16  
17

18 Adopted \_\_\_\_\_  
19

20 \_\_\_\_\_  
21 Mayor

22 Attest:

23 \_\_\_\_\_  
24 City Clerk

25 Approved as to form:

26 \_\_\_\_\_  
Deputy City Attorney





## RESOLUTION NO. 39127

1 A RESOLUTION relating to human services; authorizing the allocation of  
2 \$2,016,128, budgeted from the General Fund, for human services programs;  
3 and authorizing the execution of agreements with Associated Ministries, in  
4 the amount of \$268,500; Pierce County Aids Foundation, in the amount of  
5 \$254,132; Tacoma Community House, in the amount of \$355,436; Tacoma  
6 Housing Authority, in the amount of \$241,692; The Rescue Mission, in the  
7 amount of \$599,368; and YWCA of Pierce County, in the amount of  
8 \$297,000, for the period of January 1, 2015, through December 31, 2016.

9 WHEREAS, on July 22, 2014, the City Council adopted the 2015-2019  
10 Human Services Strategic Plan presented by the Neighborhood and Community  
11 Services Department, and

12 WHEREAS, on August 1, 2014, a competitive funding application addressing  
13 the identified funding priorities was released to the public, with applications due on  
14 September 5, 2014, and

15 WHEREAS the Community Services Initiative includes the following funding  
16 priorities: meet the basic needs of Tacoma residents; prepare children and youth  
17 for success; and employability, self-determination, and empowerment, and

18 WHEREAS, in the Community Services funding priority area, a total of  
19 106 applications were received, totaling \$11.7 million, and were forwarded to the  
20 Human Services Commission (“HSC”) for review, and

21 WHEREAS, on December 2, 2014, the City Council adopted Amended  
22 Resolution No. 39066, approving the HSC’s recommendations of competitive  
23 allocations, and

24 WHEREAS there are a total of six contracts, representing 17 programs, that  
25 are over \$200,000: (1) Associated Ministries, for Access Point for Housing, in the  
26



amount of \$268,500; (2) Pierce County Aids Foundation, for Medical Case Management, in the amount of \$123,632; and Oasis Youth Center, in the amount of \$130,500; (3) Tacoma Community House, for REACH Summer Jobs 4 Success, in the amount of \$40,000; Multilingual Immigration Program, in the amount of \$51,936; Adult Literacy & Employment, in the amount of \$77,500; and REACH Housing 4 Success, in the amount of \$186,000; (4) Tacoma Housing Authority, for Moving to Work, in the amount of \$91,500; and THA McCarver Program, in the amount of \$150,192; (5) The Rescue Mission, for Challenge Learning Services, in the amount of \$59,368; Emergency Services, in the amount of \$160,000; Good Neighbor Café, in the amount of \$160,000; and Family Shelter, in the amount of \$220,000; and (6) YWCA of Pierce County, for YWCA Children's Program, in the amount of \$40,000; Legal Services, in the amount of \$100,000; DV Shelter, in the amount of \$117,000; and Insights DV Prevention, in the amount of \$40,000, and

WHEREAS the remainder of the Community Services competitive allocations for human services programs under \$200,000 will be contracted administratively;

Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the allocation of \$2,016,128, budgeted from the General Fund, for human services programs is hereby approved.

Section 2. That the proper officers of the City are hereby authorized to execute agreements with Associated Ministries, in the amount of \$268,500; Pierce County Aids Foundation, in the amount of \$254,132; Tacoma Community House, in the amount of \$355,436; Tacoma Housing Authority, in the amount of \$241,692;



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The Rescue Mission, in the amount of \$599,368; and YWCA of Pierce County, in the amount of \$297,000, for the period of January 1, 2015, through December 31, 2016, said documents to be substantially in the form of the proposed agreements on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



## RESOLUTION NO. 39128

1 A RESOLUTION relating to human services; authorizing the allocation of \$669,819,  
2 budgeted from the Mental Health Fund, for human services programs; and  
3 authorizing the execution of agreements with Comprehensive Life  
4 Resources, in the amount of \$265,337, and Tacoma School District No. 10,  
5 in the amount of \$404,482, for the period of January 1, 2015, through  
6 December 31, 2016.

7 WHEREAS, on July 22, 2014, the City Council adopted the 2015-2019  
8 Human Services Strategic Plan presented by the Neighborhood and Community  
9 Services Department, and

10 WHEREAS, on August 1, 2014, a competitive funding application addressing  
11 the identified funding priorities was released to the public, with applications due on  
12 September 5, 2014, and

13 WHEREAS, in the Mental Health Substance Use Disorder (“MHSUD”)  
14 funding priority area, a total of 16 applications were received, totaling \$5 million,  
15 and were forwarded to the Human Services Commission (“HSC”) for review, and

16 WHEREAS the HSC’s funding recommendations for three strategic goals  
17 were presented to the City Council at its Study Session on December 2, 2014, and,  
18 at that time, the City Council directed staff to re-release a competitive process to  
19 solicit applications addressing the reduction of chronic homelessness, and

20 WHEREAS, on December 2, 2014, the City Council adopted Amended  
21 Resolution No. 39066, approving the recommendations of competitive applications  
22 under the .1% Mental Health Chemical Dependency Fund, and

23 WHEREAS two contracts, representing three programs, are over \$200,000:  
24 (1) Comprehensive Life Resources, for Social Skills Group Intervention (S.S. GRIN),  
25 in the amount of \$135,537; and New Beginnings, in the amount of \$129,800; and  
26



(2) Tacoma School District No. 10, for the Tacoma Whole Child Initiative, in the amount of \$404,482, and

WHEREAS the remainder of the Mental Health competitive funding allocations for human services programs under \$200,000 will be contracted administratively; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the allocation of \$669,819, budgeted from the Mental Health Fund, for human services programs is hereby approved.

Section 2. That the proper officers of the City are hereby authorized to execute agreements with Comprehensive Life Resources, in the amount of \$265,337, and Tacoma School District No. 10, in the amount of \$404,482, for the period of January 1, 2015, through December 31, 2016, said documents to be substantially in the form of the proposed agreements on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Deputy City Attorney



# ORDINANCE NO. 28282

1 AN ORDINANCE relating to the Compensation Plan; amending Chapter 1.12 of  
 2 the Tacoma Municipal Code by amending Sections 1.12.200, 1.12.220, and  
 3 1.12.640 thereof, to implement changes negotiated between the City and  
 4 the Tacoma Joint Labor Committee regarding vacation leave and holiday  
 5 pay; and amending Section 1.12.355 to implement rates of pay and  
 6 compensation for employees represented by the International Brotherhood  
 7 of Electrical Workers, Local 483, Water Pollution Control Unit.

BE IT ORDAINED BY THE CITY OF TACOMA:

8 Section 1. That Chapter 1.12 of the Tacoma Municipal Code is hereby  
 9 amended retroactive to January 1, 2015, by amending Sections 1.12.200, 1.12.220,  
 10 and 1.12.640 thereof, as set forth in the attached Exhibit "A."

11 Section 2. That Section 1.12.355 of the Tacoma Municipal Code is hereby  
 12 amended retroactive to January 1, 2015, to read as follows:

Code	A	Job Title	1	2	3	4	5
5100		Biosolids Coordinator	30.70	32.23	33.84	35.54	37.31
0629		Environmental Systems Technician	25.88	27.17	28.53	29.96	31.46
5036		Landfill Gas Systems Operator	29.75	31.24	32.80	34.45	36.17
5096		WWTP Electrician/Instrumentation Technician	31.69	33.27	34.94	36.68	38.52
5101		WWTP Operator	28.39	29.80	31.30	32.86	
5103		WWTP Operator, Senior	34.43	36.15			
5094		WWTP Operator-in-Training	24.13	25.55	26.97		

Code	A	Job Title	1	2	3	4	5
5100		Biosolids Coordinator	31.37	32.94	34.59	36.32	38.13
0629		Environmental Systems Technician	26.45	27.77	29.16	30.62	32.15
5036		Landfill Gas Systems Operator	30.41	31.93	33.53	35.21	36.97
5096		WWTP Electrician/Instrumentation Technician	32.39	34.01	35.71	37.49	39.37
5101		WWTP Operator	29.01	30.46	31.98	33.58	
5103		WWTP Operator, Senior	35.19	36.95			
5094		WWTP Operator-in-Training	25.00	26.25	27.56		



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Section 3. That Sections 1 and 2 of this ordinance shall become effective

retroactive to January 1, 2015.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



**EXHIBIT "A"**

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**1.12.200 Holidays with pay.**

\* \* \*

B. An employee shall receive pay for the holiday provided he or she is in a paid status for the entire shift on both the regular scheduled work day immediately preceding the holiday and the regular scheduled work day immediately following the holiday; provided, however, for commissioned Police Department and Fire Department personnel who are covered by a collective bargaining agreement, an employee shall receive pay for the holiday provided he or she is in a paid status for the entire shift on either the regular scheduled work day immediately preceding the holiday or the regular scheduled work day immediately following the holiday; provided, that employees hired into a part-time status after January 1, 1983, shall receive holiday pay or time off in lieu thereof prorated based on the hours the employee was hired to work.

\* \* \*

**1.12.220 Vacation allowance with pay.**

\* \* \*

B. Permissible Use of Vacation Accruals with Pay.

1. Vacation leave may not be taken without the prior approval of the appointing authority and may not be taken in the pay period in which it was earned. Vacation leave shall be scheduled so as to meet the operating requirements of the City and, as far as practicable, the preferences of the employees.

2. Pursuant to RCW 49.12.270, effective January 1, 2003, vacation accruals may be used to care for: (a) a child of the employee with a health condition that requires treatment or supervision; or (b) a spouse, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergency condition.

(1) "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is: (a) Under 18 years of age; or (b) 18 years of age or older and incapable of self-care because of a mental or physical disability.

(2) "Grandparent" means a parent of a parent of an employee.

(3) "Parent" means a biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child.

(4) "Parent-in-law" means a parent of the spouse of an employee.

(5) "Spouse" means a person legally married to a City employee and for purposes of this section includes an individual registered as the employee's domestic partner under state law or City policy.

For a period of illness or disability, employees who, at their option, elect to use vacation leave shall remain on vacation leave until exhausting such leave, returning to work, or being placed on leave without pay.

3. Vacation leave shall be taken in ~~full hourly~~ increments of one tenth (1/10) of an hour.

\* \* \*

**1.12.640 Application of additional rates.**

\* \* \*

~~4001, 4002, 4003, 4011 Fire personnel assigned to the Hazardous Materials Unit, Unit 44, shall receive an additional 15 percent of base pay.~~

4001 A Firefighter assigned as an Engineer/Apparatus Operator for an engine or truck company shall receive an additional 5 percent of base pay.





- 1 4001 A Firefighter (CSC 4001) assigned as a Tiller Operator shall receive an additional 1 percent of base pay, effective January 1, 2013. Effective January 1, 2014, the application of rate for Tiller Operator shall increase to 2.5 percent of base pay.
- 2 4001 Employees in the classifications of Firefighter (CSC 4001), Fire Lieutenant (CSC 4002), Fire Captain (CSC 4003), and Fire Boat Pilot (CSC 4011) assigned to "cross staff" Station 18 (work the boat and an engine) shall receive an additional 5 percent of base pay.
- 3 Uniformed fire personnel assigned to Mask Repair and related services shall receive an additional 5 percent of base pay.
- 4
- 5 4001 A Firefighter assigned to train at the Fire Communications Center (FCC) for a maximum of six months will receive an additional 5 percent of the top step of the Firefighter (CSC 4001) range. This excludes Firefighter personnel currently receiving specialty pay who may transfer to the Fire Communications Center; he or she would receive a maximum of 5 percent.
- 6
- 7 4001 A Firefighter fully trained and assigned at the Fire Communications Center (FCC) will receive an additional 7.5 percent above the top step of the Firefighter (CSC 4001) range.
- 8 4001 A regularly assigned Fire Communications Center Firefighter (CSC 4001) when temporarily upgraded to a Fire Communications Center Lieutenant (CSC 4101) shall receive an additional 7.5 percent above his or her current step of the Firefighter pay range for all hours so assigned.
- 9
- 10 4001 Effective March 8, 2004, employees assigned by management, per the collective bargaining agreement, to Advanced Life Support (ALS) assignments will receive a 15 percent application of rate above top step Firefighter.
- 11
- 12 4001, 4002, 4003, 4006 Effective March 8, 2004, employees represented by Tacoma Firefighters Union, Local 31, who have obtained and provided the Fire Department with documentation of successful paramedic certification will be eligible for certification pay, according to the provisions in the collective bargaining agreement. Beginning in the 4th continuous year that a Firefighter/Paramedic is eligible to work as a Tacoma Fire Department paramedic, the employee will receive an additional 3 percent of base pay. Beginning in the 7th continuous year that a Firefighter/Paramedic is eligible to work as a Tacoma Fire Department paramedic, the employee will receive an additional 5 percent of base pay.
- 13
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- 15
- 16 [4001, 4002, 4003, 4011 Fire personnel assigned to the Hazardous Materials Unit, Unit 44, shall receive an additional 5 percent of base pay.](#)
- 17 4002 See 4001, 4002, 4003, 4011.
- 18 4003 See 4001, 4002, 4003, 4011.
- 19 4004 employees in the classification of Fire Battalion Chief (CSC 4004) assigned as an Administrative or Operations Battalion Chief (4004 F or 4004 G) shall receive an additional 7.5 percent of base pay, and shall be salaried Class D employees under Section 1.12.080 of the Tacoma Municipal Code, and will not be eligible for overtime compensation or compensatory time off.
- 20
- 21 4006 Effective January 1, 2012, employees in the classification of Firefighter-Paramedic (CSC 4006) working in a Fire Lieutenant/Medic in charge position shall receive an additional 5 percent of base pay.
- 22 4006, 4007 Providing an eligible list exists with certifiable eligibles thereon, an employee who has 10 years of service as a Paramedic and/or Paramedic Supervisor shall be eligible to voluntarily demote to Firefighter. Employees who qualify shall have their pay frozen at the present rate of pay until such time as it is equal to the top step of Firefighter. In no case shall the employee's pay be greater than the rate received at the time of such demotion, unless the employee promotes to a higher classification.
- 23
- 24
- 25 4006 See 4001, 4002, 4003, 4006.
- 26 4007 See 4006, 4007.
- 4011 See 4001, 4002, 4003, 4011.



1 4102 Effective October 20, 2003, employees in the classification of Fire Captain Dispatcher, (CSC 4102) when assigned and performing some of the duties and responsibilities of a Fire Communications Center Supervisor (CSC 4103), as outlined in the collective bargaining agreement, shall receive an additional 2.5 percent application of rate.

2 4103 Effective October 20, 2003, employees in the classification of Fire Communications Center Supervisor (CSC 4103) shall be appointive, salaried Class D employees under Section 1.12.080 of the Tacoma Municipal Code and will not be eligible for overtime compensation or compensatory time off. Appointment to the classification of Fire Communications Center Supervisor shall come from the Tacoma Firefighters Local 31 bargaining unit and will require Fire Communications experience.

5 4201 A Police Officer Recruit (CSC 4201) is a non-represented classification; the compensation for the classification shall mirror the first three steps of Police Officer.

6 4202, 4204, 4207 A Police Officer shall receive 5 percent for those hours engaged in training as a Police Training Officer, effective retroactively to March 2006.

8 4202, 4204, 4207 A Police Officer, Police Detective, and Police Sergeant assigned to work the swing shift shall receive an applied rate of 3 percent above his/her regular rate of pay. A Police Officer, Police Detective, and Police Sergeant assigned to work the graveyard shift shall receive an applied rate of 5 percent above his/her regular rate of pay.

10 4202, 4204, 4207 A Police Officer, Police Detective, and Police Sergeant assigned as Bomb Technician shall receive an applied rate of 5 percent above his/her regular hourly rate for those hours so assigned.

12 4202, 4204, 4207 A Police Officer, Police Detective, and Police Sergeant assigned to the K-9 unit shall receive an applied rate of 5 percent above his/her hourly rate for those hours so assigned. One hour per shift shall be allocated for dog care and training. Such compensation shall be for all off duty hours spent for dog care and training.

14 4202, 4204, 4207 A Police Officer, Police Detective, and Police Sergeant assigned to the SWAT Team shall receive an applied rate of 5 percent above his/her regular hourly rate for those months so assigned.

15 4202, 4204, 4207 A Police Officer, Police Detective, and Police Sergeant assigned to the Meth Lab Team shall receive an applied rate of 5 percent above his or her regular hourly rate for those months so assigned.

17 4202, 4204, 4207 A Police Officer, Police Detective, and Police Sergeant assigned to the Search and Rescue Team shall receive an applied rate of 5 percent above his/her regular hourly rate for those months so assigned.

18 4202, 4204, 4207 A Police Officer, Police Detective, and Police Sergeant assigned as a Motorcycle Officer shall receive an application of rate of 5 percent above his or her regular hourly rate for those hours so assigned.

19 4202, 4204, 4207 A Police Officer, Police Detective, and Police Sergeant covered by the LEOFF II retirement system shall receive an additional 1 percent applied rate.

21 4202, 4204, 4207 In recognition of the fact that future technology creates needs which did not previously exist for internal training and mentoring, highly experienced employees shall be assigned additional duties and shall receive an applied rate of 2 percent. Highly experienced employees shall be defined as those with 25 years of service as a commissioned Tacoma police officer in the classifications of Police Officer, Police Detective, and Police Sergeant. These duties shall be assigned and this applied rate shall commence at the first of the calendar year in which an employee will complete the 25 years of service.

24 4202, 4204, 4207 Effective January 1, 2009, an applied rate of 1 percent shall be applied in recognition for working toward the attainment of accreditation under CALEA standards and additional criteria outlined in the collective bargaining agreement. Effective January 1, 2010, an additional 1 percent, or a total of 2 percent, shall be applied above the base rate of pay in recognition for being accredited and for the successful maintenance of the accreditation. The application of rate will remain in effect so long as the department remains accredited.



1 4202, 4204, 4207 Effective August 4, 2008, an employee assigned as a Tactical Officer to the Criminal Justice Training Commission (CJTC) shall receive a premium of 3 percent of his or her base hourly wage for those hours so assigned.

2 4202, 4204, 4207 Subject to the provisions of the applicable collective bargaining agreement, commissioned police officers who suffer a loss or damage to personal property and/or clothing (excluding normal wear and tear), which is reasonably carried and utilized in the line of duty, shall be reimbursed for such loss or damage by the City if the loss or damage did not occur as a result of negligence of the employee. Such claims will be processed through the Department, but in no case shall exceed \$250.00 per occurrence.

3  
4 4202, 4204, 4207 A Police Officer, Police Detective, and Police Sergeant shall be eligible for an application of rate of 2 percent according to the terms and conditions of a Bilingual Pay Program established by management.

5  
6 4202 A Police Officer assigned as a Patrol Specialist shall receive 5 percent above the top step rate of Police Officer.

7 4204 See 4202, 4204, ~~4205, 4206~~, 4207.

8 ~~4205 See 4202, 4204, 4205, 4206, 4207.~~

9 4204 A Police Sergeant assigned as a Specialist Sergeant shall receive an applied rate of 5 percent above the top step of Police Sergeant.

10 4205, 4206 An employee in the classification of Police Lieutenant (CSC 4205) or Police Captain (CSC 4206) shall receive an applied rate of 1 percent above their base wage in recognition for working toward the CALEA Accreditation as outlined in the Tacoma Police Management Association, Local 26, collective bargaining agreement. Effective when the Department receives CALEA Accreditation, and paid retroactively to January 1, 2010, the application of rate will increase to 2 percent for the successful accreditation and maintenance thereof as long as accreditation is in good standing. Retroactive pay to January 1, 2010, shall sunset with the expiration of the 2009-2011 contract.

11  
12 4206 See 4205, 4206

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14 ~~4206 See 4202, 4204, 4205, 4206, 4207.~~

15 4207 See 4202, 4204, ~~4205, 4206~~, 4207.

16 4208, 4209, ~~4211~~ A Forensic Specialist or Forensic Services Supervisor assigned to work the swing shift shall receive an application of rate of 3 percent above his/her base rate of pay. A Forensic Specialist or Forensic Services Supervisor assigned to work the graveyard shift shall receive an applied rate of 5 percent above his/her base rate.

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18 \* \* \*

19 NRE Classifications within the nonrepresented executive salary plan are not eligible for longevity pay and are comprised of all non-automatic steps, with progression based on market and/or an executive performance appraisal conducted by the appropriate hiring authority. The executive salary plan includes the  
20 classifications of Information Technology Director (CSC 0835); City Attorney (CSC 0715); City Manager (CSC 0747); City Manager, Deputy (CSC 0745); City Manager, Assistant (CSC 0746); Customer Services  
21 Manager (CSC 0616); Community and Economic Development Director (CSC 0750); Environmental  
22 Services Director (CSC 0758); Finance Director (CSC 0712); Fire Chief (CSC 0767); ~~Generation Manager (CSC 2080);~~ Hearing Examiner (CSC 0717); Human Resources Director (CSC 0735); ~~Human  
23 Rights/Human Services Director (CSC 0752);~~ Neighborhood & Community Services Director; (CSC 0759);  
24 PAF Director (CSC 0730); Police Chief (CSC 0772); Planning & Development Services Director  
(CSC 0719); ~~Power Division Superintendent, Deputy (CSC 2081); Power Manager (CSC 2075); Power  
25 Section Manager (CSC 0816);~~ Public Works Director (CSC 0757); Retirement Systems Director (CSC  
26 0560); Telecommunications Manager (CSC 5500); ~~Transmission & Distribution Manager (CSC 2079);~~  
Utilities Director (CSC 0822); Utilities Director, Deputy (CSC 0819); Utilities Director, Deputy Power



Superintendent (CSC 0825); Utilities Director, Deputy Rail Superintendent (CSC 0830); and Utilities Director, Deputy Water Superintendent (CSC 0823).

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# ORDINANCE NO. 28283

1 AN ORDINANCE relating to the Personnel Rules; amending Chapter 1.24 of the  
 2 Tacoma Municipal Code by amending Sections 1.24.020, 1.24.045,  
 3 1.24.061, 1.24.070, 1.24.075, 1.24.155, 1.24.160, 1.24.169, 1.24.225,  
 4 1.24.240, 1.24.250, 1.24.260, 1.24.270, 1.24.350, 1.24.360, 1.24.370,  
 5 1.24.410, 1.24.420, 1.24.430, 1.24.440, 1.24.450, 1.24.490, 1.24.510,  
 6 1.24.520, 1.24.540, 1.24.575, 1.24.580, 1.24.585, 1.24.590, 1.24.600,  
 7 1.24.620, 1.24.625, 1.24.630, 1.24.640, 1.24.650, 1.24.655, 1.24.710,  
 8 1.24.735, 1.24.750, 1.24.755, 1.24.760, 1.24.770, 1.24.780, 1.24.790,  
 9 1.24.800, 1.24.810, 1.24.820, 1.24.860, 1.24.870, 1.24.890, 1.24.900,  
 10 1.24.910, 1.24.930, 1.24.940, 1.24.950, 1.24.955, 1.24.960, 1.24.973,  
 11 1.24.975, 1.24.976, and 1.24.986 thereof to incorporate gender-neutral  
 12 terminology and update City titles, policies, practices, and procedures, as  
 13 approved by the Civil Service Board.

14 WHEREAS, at its meeting of November 6, 2014, the Civil Service Board  
 15 reviewed and affirmed its support of recommended changes to Chapter 1.24 of  
 16 the Tacoma Municipal Code, and

17 WHEREAS the proposed changes include updating references of  
 18 "Personnel Director" to "Human Resource Director"; incorporating gender-neutral  
 19 language to better align with the City's Equity and Empowerment Initiative and  
 20 the City Charter; and updating language to more accurately reflect current City  
 21 policies, practices, and procedures; Now, Therefore,

22 BE IT ORDAINED BY THE CITY OF TACOMA:

23 Section 1. That Chapter 1.24 of the Tacoma Municipal Code is hereby  
 24 amended by amending Sections 1.24.020, 1.24.045, 1.24.061, 1.24.070,  
 25 1.24.075, 1.24.155, 1.24.160, 1.24.169, 1.24.225, 1.24.240, 1.24.250, 1.24.260,  
 26 1.24.270, 1.24.350, 1.24.360, 1.24.370, 1.24.410, 1.24.420, 1.24.430, 1.24.440,  
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1.24.710, 1.24.735, 1.24.750, 1.24.755, 1.24.760, 1.24.770, 1.24.780, 1.24.790,  
1.24.800, 1.24.810, 1.24.820, 1.24.860, 1.24.870, 1.24.890, 1.24.900, 1.24.910,  
1.24.930, 1.24.940, 1.24.950, 1.24.955, 1.24.960, 1.24.973, 1.24.975, 1.24.976,  
and 1.24.986 thereof, as set forth in the attached Exhibit "A."

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



## EXHIBIT "A"

### Chapter 1.24 PERSONNEL RULES

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Sections:

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- 1.24.020 Purpose of Rules.
- 1.24.030 Positions covered.
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- 4 1.24.230 City Council – Duties.
- 1.24.240 City Manager – Duties.
- 5 1.24.250 Director of Utilities – Duties.
- 1.24.260 ~~Personnel~~[Human Resources](#) Director – Duties.
- 6 1.24.270 Civil Service Board – Powers and duties.
  
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- 8 1.24.290 Classified and Unclassified Service.
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- 9 1.24.310 Structure of Classification Plan.
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- 10 1.24.330 Class specifications.
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- 11 1.24.350 Maintenance of Classification Plan.
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\* \* \*

**1.24.020 Purpose of Rules.**

These Rules set forth the principles and procedures that are to be followed by the City administration in its personnel program, to the end that the City of Tacoma and its employees may have reasonable assurance that personnel problems will be dealt with on a uniform, equitable basis under a single personnel administrator and that the citizens of Tacoma may derive the benefits and advantages which can be expected to result from a competent staff of City employees.

These Rules have been prepared under the premise that it is the intent of the Charter that there should be a centralized, integrated program for personnel administration in all departments and divisions of the City, such program to be administered by the [Personnel/Human Resources](#) Director.

Should any problem arise in the implementation and administration of the personnel program outlined by these Rules which the [Personnel/Human Resources](#) Director is unable to resolve to the satisfaction of the City Manager and the Director of Utilities, such problem shall be resolved by the City Manager and the Director of Utilities, if possible. Whenever the City Manager and the Director of Utilities are unable to reach an accord concerning any matter involving the administration of these Rules, the matter shall be referred to the Civil Service Board, whose findings and determination shall be conclusive.

\* \* \*

**1.24.045 Administration of Rules.**

The [Personnel/Human Resources](#) Director ~~shall be charged with the responsibility~~ [is responsible](#) for the administration of ~~the provisions of~~ these Rules.

\* \* \*

**1.24.061 Appeal.**

“Appeal” shall mean a written communication to the Board from a permanent classified employee or [the employee’s](#) ~~his/her~~ designated representative appealing to the Board the following disciplinary actions: suspension for more than 30 days, reduction in rank or pay, or discharge of said employee; and any and all



1 other controversies or matters, arising out of or in connection with the Personnel Rules. "Appeal" shall not  
 2 include any matter jurisdiction over which rests with the City Council pursuant to Sections 6.9 and 6.10 of  
 3 the City Charter, nor with suspensions of 30 days or less, nor with matters which the Board ascertains must  
 4 be or have been adjudicated under the terms of an existing and applicable collective bargaining agreement.

5 \* \* \*

6 **1.24.070 Appointing authority.**

7 "Appointing authority" shall mean the City Manager or Director of Utilities or other delegated authority who  
 8 is empowered to appoint or remove employees of the department over which they have~~he/she has~~  
 9 jurisdiction, subject to these Rules.

10 \* \* \*

11 **1.24.075 Certify.**

12 To ~~certify~~ "Certify" shall mean the act of the ~~Personnel~~Human Resources Director in ~~supplying~~verifying to an  
 13 appointing authority ~~with~~ the names of applicants who are eligible for appointment to the class and positions  
 14 in the Classified City Service ~~for which certification is requested.~~

15 \* \* \*

16 **1.24.155 Probationary employee.**

17 "Probationary employee" shall mean any employee who is serving ahis/her probationary period prior to  
 18 being permanently appointed to a position.

19 \* \* \*

20 **1.24.160 Probationary period.**

21 "Probationary period" shall mean that period during which an appraisal of an employee's skills, aptitudes and  
 22 adjustments are made prior to his/her permanent appointment in that position.

23 \* \* \*

24 **1.24.169 Promotional examination.**

25 "Promotional examination" shall mean an examination open only to employees of such lower classifications  
 26 as determined by the ~~Personnel~~Human Resources Director.

\* \* \*

**1.24.225 Vacancy.**

"Vacancy" shall mean an existing position which is not occupied, and for which funds are available and a  
 valid requisition has been received by the ~~Personnel~~Human Resources Director.

\* \* \*

**1.24.240 City Manager – Duties.**

The City Manager shall:

- A. Be responsible for effective personnel administration in those departments under their/his/her jurisdiction.
- B. Appoint a ~~Personnel~~Human Resources Director who shall be the administrative head of the ~~Personnel~~Human Resources Department.
- C. Appoint, remove, suspend and discipline all officers and employees of the City under the/his/her jurisdiction of the City Manager, subject to the Civil Service provisions of the Charter and these Rules and



State law; or ~~he/she may, at his/her discretion,~~ authorize the head of the department or office responsible to ~~the City Manager~~~~him/her~~ to appoint and remove subordinates in such department or office.

1 D. Fix and establish the number of employees in the various City departments and offices under ~~his/her~~~~the~~  
2 jurisdiction ~~of the City Manager,~~ and determine their duties and compensation in accordance with the  
3 Personnel Rules and Salary Ordinance or Compensation Plan and subject to the approval of the City Council  
4 and provisions of the State Budget Law.

E. Perform such other duties and have and exercise such other powers in personnel administration as may be prescribed by law and these Rules.

#### 5 **1.24.250 Director of Utilities – Duties.**

The Director of Utilities shall:

6 A. Be responsible for effective personnel administration in those divisions under ~~their~~~~his/her~~ jurisdiction.

7 B. Appoint, remove, suspend and discipline all officers and employees of the City under ~~his/her~~~~the~~  
8 jurisdiction ~~of the Director of Utilities,~~ subject to the Civil Service provisions of the Charter and these Rules  
9 and State law; or ~~he/she may, at his/her discretion,~~ authorize the head of the division or office responsible to  
10 ~~him/her~~~~the Director of Utilities~~ to appoint and remove subordinates in such division or office.

11 C. Fix and establish the number of employees in the various divisions and offices under ~~his/her~~~~the~~  
12 jurisdiction ~~of the Director of Utilities,~~ and determine their duties and compensation in accordance with the  
13 Personnel Rules and Salary Ordinance or Compensation Plan and subject to the approval of the Public Utility  
14 Board, the City Council and provisions of the State Budget Law.

D. Perform such other duties and have and exercise such other powers in personnel administration as may be prescribed by law and these Rules.

#### 15 **1.24.260 ~~Personnel~~Human Resources Director – Duties.**

16 The City Manager shall appoint a ~~Personnel~~Human Resources Director who shall be responsible for the  
17 administrative and technical direction of the City Personnel Program. The ~~Personnel~~Human Resources  
18 Director shall:

19 A. Prepare such forms and initiate such procedures as ~~he/she may~~ ~~considered~~ necessary, appropriate, or  
20 desirable to carry out the City's Personnel Program.

21 B. Administer the system of position classification for positions within the City based on the duties,  
22 responsibilities and nature of work to be performed.

23 C. Administer the Compensation Plan including the periodic review of salary and wage levels in the area to  
24 the extent that such levels affect City employment and the periodic investigation of factors affecting the  
25 economic level of salaries as represented in cost of living and other indexes.

26 D. Provide for the establishment and maintenance of a roster of all employees in the City Service and such  
other personnel records as ~~he/she deems~~~~deemed~~ advisable or necessary.

E. Provide a system of checking payrolls, so as to determine that all persons in the City Service have been properly appointed and are being paid in accordance with these Rules.

F. Develop and administer training and educational programs for employees in the City Service and assist various departments and divisions of the City with such programs.

G. Develop and administer a centralized system for recruitment and selection and examination programs necessary to obtain adequate and competent applicants to meet the needs of the City.

H. Provide information and staff services as requested by the Civil Service Board.

I. Perform such other activities with reference to personnel administration not inconsistent with the City Charter or these Rules, as may be deemed necessary or desirable to enforce the provisions of these Rules, as the City Manager or the Director of Utilities may direct, or as the City Council may require by ordinance.



J. Establish and maintain a centralized personnel recordkeeping process for all employees.

**1.24.270 Civil Service Board – Powers and duties.**

A. The Civil Service Board shall make and promulgate all Civil Service and Personnel Rules and amendments thereto necessary to carry out and enforce the purpose of the Civil Service provisions of the City Charter, and shall file all such proposed rules and amendments with the City Clerk, who shall present the same to the City Council at its next regular meeting. Within 45 days after the filing thereof with the City Clerk, the Council shall by ordinance adopt such proposed rules or amendments; provided, however, that the Council by an affirmative vote of not less than two-thirds of its membership may change, alter, amend, add to, reject or repeal any such proposed Civil Service rules or amendments. In the event the City Council shall fail to adopt, change, alter, amend, add to, or reject any such rules or amendments within the 45 days time limit hereinabove provided for, then the City Clerk shall cause to be published such rules or amendments in the official newspaper of the City of Tacoma, and such rules or amendments shall 10 days thereafter become effective to all intents and purposes the same as if adopted by the Council and published as an ordinance.

B. The Civil Service Board shall have the following functions in the administration of the Personnel Program:

1. To advise the Council and administrative officials on all matters relating to Civil Service and personnel administration in the City service.

2. To investigate any or all matters relating to conditions of employment in the service of the City, either in response to employee complaints or on its own initiative.

3. To investigate and pass upon the claim of any person whose name appears on an eligible list that the person~~he/she~~ has been deprived of a position to which they are~~he/she is~~ entitled under the provisions of this chapter and the Civil Service and Personnel Rules governing the classified service, in which case the decision of the Board shall be binding on the appointing authority; provided, that such person shall not be entitled to any claim for salary from the City for the period prior to the date of filing such claim.

4. To hear appeals from any action suspending for more than 30 days, reducing in rank or pay, or discharging any employee in the classified service, and further to hear appeals on any and all other controversies or matters arising out of or in connection with the Civil Service and Personnel Rules. The findings and decisions of the Board shall be reduced to writing and shall be final and binding upon all parties concerned.

\* \* \*

**1.24.350 Maintenance of Classification Plan.**

The ~~Personnel~~Human Resources Director shall be responsible for the proper maintenance of the Classification Plan so that it will reflect continuously, on a current basis, the duties being performed by each employee in the City Service and the class to which each position is allocated.

The ~~Personnel~~Human Resources Director shall make necessary amendments to the Classification Plan including the addition of required new classes, revision of existing classes and deletion of obsolete classes. Changes and reallocations within the Classification Plan shall be made as follows:

A. The ~~Personnel~~Human Resources Director shall analyze the duties and responsibilities to be assumed by incumbents of proposed new positions and using such appraisal as a basis, assign the position to the appropriate class within the Classification Plan. A new class specification shall be prepared to cover each additional position which is created and for which the Classification Plan does not provide a satisfactory job description of the position.

B. Changes in the duties and responsibilities of a position involving either the addition, reduction or modification of assignments shall be reported to the ~~Personnel~~Human Resources Director by the department head concerned. If the changes are determined to be permanent and are sufficiently significant to justify reallocation to a different classification, the ~~Personnel~~Human Resources Director shall assign the position to the class which is appropriate under the modified circumstances.



C. The ~~Personnel~~Human Resources Director shall periodically review the classification of positions and audit duties and responsibilities, and on the basis of ~~such~~his/her reappraisal make such changes as are necessary to keep the Classification Plan up to date and in step with current conditions. Reallocations of positions under the provisions of this section shall be the responsibility of the ~~Personnel~~Human Resources Director, but ~~the Human Resources Director~~he/she shall give due consideration to the recommendations of the administrative officials concerned.

**1.24.360 Status of employees affected by reclassification.**

The status of permanent or probationary employees affected by reclassification or reallocation occurring in the administration of the Classification Plan shall be resolved in the following manner:

A. Any permanent employee whose position is allocated to a class in the Classification Plan which has a higher maximum salary than the class in which ~~he/she has~~ status is held shall be considered to be a temporary appointee to the higher class and shall be eligible to compete for the reallocated position, notwithstanding existing eligible lists for the higher class; provided, that an employee coming under this provision shall be certified, if successfully passing the examination, regardless of rank attained. The names of the eligible employees shall be certified in accordance with Sections 1.24.600 through 1.24.800 of these Rules. If the employee is appointed as a result of such examination and certification, ~~he/she~~the employee shall have probationary status in the class. If the employee is not appointed as a result of the examination, ~~he/she~~the employee shall be assigned or, upon the approval of the appointing authorities concerned, be transferred to a position in ~~his/her~~the old class, or demoted or laid off in accordance with the provisions of these Rules. In order for an employee to be reclassified under the provisions of this section, the following criteria must be satisfied:

1. The reason for the reclassification is the gradual accretion of new duties and responsibilities over a period of two years or more immediately preceding the effective date of such reclassification.
2. The accretion of duties has taken place during the incumbency of the present incumbent.
3. That the added duties and responsibilities upon which the reclassification is based have not been previously assigned to a class of the same or lower level.

B. Any employee with permanent Civil Service status whose position is allocated to a class which has a lower maximum salary shall be assigned or, upon approval of the appointing authorities concerned, be transferred to a vacant position having the same classification as that in which the employee has permanent Civil Service Status, or the employee shall be granted status in the lower class without further examination or loss in pay and ~~his/her~~the employee's name shall be placed on the appropriate eligible lists, until certified for appointment for the higher class in which ~~he/she holds~~ permanent Civil Service status is held.

C. Incumbents of positions which are reallocated to a class which the ~~Personnel~~Human Resources Director determines to be substantially equivalent to the positions occupied by such personnel at the time reallocation action is taken, shall be given permanent status in the classification to which they are allocated.

**1.24.370 Classification status of employees resulting from consolidation of classes.**

When the class of work of an employee is consolidated with another class, ~~he/she~~the employee shall be granted status in the consolidated class and also retain the classification status ~~he/she~~the employee possesses in ~~his/her~~the former class prior to said consolidation. ~~His/her~~The employee's name shall automatically be placed on the appropriate eligible lists for the former class and ~~he/she~~the employee shall be granted the right to be reinstated to a position in ~~his/her~~the former class should such class be reestablished.

\* \* \*

**1.24.410 Filing of applications.**

All applicants for positions in the Classified City Service must file ~~written~~an application on the form prescribed by the ~~Personnel~~Human Resources Director. All applications shall be filed ~~in the Personnel Office during office hours and~~ within the time limit fixed in the official announcement of examination. ~~On~~



~~promotional examinations the minimum requirements for eligibility shall be accumulated up to and inclusive of the date prior to the anticipated date of establishment of the new list.~~

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**1.24.420 General requirements for filing applications.**

A. No person shall be admitted to any examination for a position in the Classified City Service until ~~he/she~~the person shall have filed an application ~~upon a form provided~~as prescribed by the ~~Personnel~~Human Resources Director.

B. Every person making application must meet the requirements as shown in the announcement of examination for the particular position for which ~~he/she~~the person is applying.

C. The ~~Personnel~~Human Resources Director, after securing the recommendations of the appointing authorities concerned, may prescribe ~~such~~specific requirements ~~as in his/her judgment are required by the nature of necessary for~~ the work to be performed, except that the following ~~specific~~age requirement at the time of filing application is established:

Police Service 19 but must be at least 21 at time of appointment.

D. On promotional examinations, the minimum requirements for eligibility shall be accumulated up to and inclusive of the day prior to the anticipated date of the establishment of the new list.

**1.24.430 Rejection of application.**

The ~~Personnel~~Human Resources Director may reject any applicant:

A. Who lacks any of the minimum qualifications set forth in the examination announcement.

B. Who does not meet the medical or physical requirements of the position for which appointment is sought, with or without a reasonable accommodation.

C. Who has made false statement(s) in ~~their/his/her~~ application with regard to any material fact or has practiced or attempted to practice any deception or fraud in ~~their/his/her~~ application or examination, or in securing ~~their/his/her~~ eligibility, appointment or promotion.

D. Who was previously in the Classified City Service in the same or any other type of employment and was removed for cause or did not resign in good standing.

E. Who has used or attempted to use any political pressure to further ~~their/his/her~~ eligibility or appointment or promotion.

F. Who has been convicted of a felony or misdemeanor within the last seven years or admitted to criminal activity determined to have a direct relationship to the position for which application is made except that conviction of a felony shall automatically disqualify an applicant for any law enforcement officer position. The seven year limitation shall not apply to positions in the Police Department. Such rejection shall take into consideration the seriousness of the offense, its recency, and the age of the applicant at the time of the occurrence.

G. Who has been dismissed from previous employment for delinquency or misconduct.

**1.24.440 Postponement and cancellation of examinations.**

Any examination may be postponed or canceled at the discretion of the ~~Personnel~~Human Resources Director. ~~In either case, e~~Each applicant shall be notified of the postponement or cancellation.

**1.24.450 Residence.**

A. No person shall be eligible for employment in the Classified City Service who is not a resident of the City at the time of ~~their/his/her~~ original appointment; provided, that the Civil Service Board may waive such residence requirements for employees in the Classified City Service when such waiver is deemed to be for good and sufficient reason among which the following shall be sufficient:

1. Where the nature of the employment requires residence outside the City.



2. When it otherwise serves the best interests of the City.

\* \* \*

**1.24.490 Identity of examinees concealed.**

The identity of all persons taking a competitive written test shall be concealed from the examiners by the use of an identification number which shall be used on all examination papers. This number shall be used from the beginning of the examination until the papers have all been rated. Any written examination papers carrying the name of the applicant or any other identification mark, or any candidate who reveals ~~their~~his/her identification number to the ~~Personnel~~Human Resources Director or any member of ~~the Human Resources~~his/her staff, directly or indirectly, shall be disqualified and the candidate so notified.

\* \* \*

**1.24.510 Minimum grades on each section.**

The ~~Personnel~~Human Resources Director may determine the minimum grade for any part or parts of an examination. Any candidate who fails to attain at least this minimum grade shall be considered to have failed the examination and shall not be examined on any further parts, if any are planned.

**1.24.520 Review and notification of examination results.**

A. No later than the end of the next business day immediately following an open examination, a candidate may submit a written challenge regarding the content of the examination by obtaining a challenge form from the exam proctor or the Human Resources Department and returning it completed back to the exam proctor or Human Resources Department. Within three business days immediately following a promotional examination, a candidate may submit a written challenge regarding the content of the examination by completing a challenge form and returning it to the exam proctor or Human Resources Department.

B. If the candidate demonstrates that a question should be reviewed because it is flawed, the Human Resources Director, or ~~his or her~~ authorized representative, may eliminate the question or make such alterations in the answer key as ~~he or she~~deems appropriate, or, the Human Resources Director may appoint a review board of qualified experts to recommend to ~~the Human Resources Director~~him or her if a question should be eliminated or an alteration be made in the answer key.

C. Each candidate who takes an examination shall be given written notice of the results and, if successful, of ~~their~~his or her final earned score (grade plus any applicable credits) and ~~his or her~~ rank on the eligible list. Candidates shall have the right to inspect their examination papers within five business days of the postmark date of their notice of the establishment of the eligible list resulting from the examination. Such inspection shall be for the purpose of detecting errors in scoring only and shall be made in the presence of the Human Resources Director or ~~his or her~~ authorized representative, and no notes shall be made by the candidate. An error in scoring, if called to the attention of the Human Resources Director or ~~his or her~~ authorized representative within the inspection period, shall be corrected. Requests for inspections, corrections, or adjustments made after this five-business day period will not be considered. During said five-day period, no permanent appointments shall be made from any promotional eligible list.

\* \* \*

**1.24.540 Promotional examination.**

Vacancies in higher positions in the Classified City Service shall be filled insofar as practicable by the promotion of employees in the Service. The ~~Personnel~~Human Resources Director shall in each case determine whether an open, competitive examination shall be held or a promotional examination held among employees whose previous experience would be natural preparation for the higher position. ~~When the determination is made that there will be~~For a promotional examination, the ~~Personnel~~Human Resources Director shall establish ~~appropriate requirements as to~~previous service and other reasonable requirements for eligibility to take promotional examinations and shall publish ~~all~~such requirements in the ~~examination announcement~~of each examination.





\* \* \*

**1.24.575 Joint apprenticeship and training programs.**

Employees hired as apprentices or trainees into an approved, Federal, State, or joint labor/management training program will be subject to the following:

A. Apprentices or qualified trainees will be hired from Civil Service eligible lists and their probation shall be for a one year period, notwithstanding provisions to the contrary in Section 1.24.780 of this chapter.

B. Continued enrollment, advancement, and employment is subject to maintaining progress standards set by a joint labor/management apprenticeship and training committee, in accordance with the Standards of Apprenticeship registered with the Federal Bureau of Apprenticeship and Training, Washington State Apprenticeship and Training Council, or joint labor/management training committee.

C. Notwithstanding any other provisions in this chapter to the contrary, an apprentice or qualified trainee who fails for any reason (e.g., medical, performance, aptitude) to successfully complete any of the required steps of the program (in a probationary or nonprobationary status), or does not receive a permanent appointment to the target journey-level classification after three certifications, will be separated as follows:

1. An employee who previously held permanent Civil Service status in a lower classification prior to beginning the apprenticeship or training program shall be returned during ~~their~~<sup>his/her</sup> probationary period to a position in that classification, unless separated under Section 1.24.940, Disciplinary Action.

2. If no lower Civil Service classification was held at the time of enrollment into an apprenticeship or training program, the employee will be separated from City service.

\* \* \*

**1.24.580 Noncompetitive appointments for the severely disabled.**

The ~~Personnel~~Human Resources Director is authorized and empowered, subject to the approval of the Civil Service Board, to designate certain existing entry-level positions in the classified service as vacancies occur as noncompetitive training appointments for ~~the severely handicapped persons with severe disabilities~~. Each vacancy must be individually and separately ~~so~~ designated. After such designation, the specific vacancy may be filled by persons duly certified as eligible for such appointment to said training positions for which the Civil Service Board has waived competitive examinations. Upon the certification of the position and the granting of said waiver, the ~~Personnel~~Human Resources Director shall be authorized to recommend to the appointing authority the appointment of one or more designated ~~severely disabled~~ applicants with a severe disability. Such recommendations shall be based on an evaluation of the applicant's education, technical skills, aptitude, background, personality traits, necessary job accommodations, and such other factors as the ~~Personnel~~Human Resources Director deems appropriate.

Persons hired under these provisions shall serve a minimum of one calendar year probationary period. Upon successful completion of the probationary period, the ~~Personnel~~Human Resources Director shall be authorized and empowered subject to the approval of the Civil Service Board, to redesignate the trainee position as a regular classified position and to grant status in the classification and position to the ~~severely disabled~~ incumbent who held the trainee position.

For the purposes of this section "~~severely disabled~~ persons with a severe disability" are defined as persons with physical, sensory or mental impairments which would impede the person in performing a major life function. The impairments must be material rather than slight; static and permanent in that they are seldom fully corrected by medical replacement, therapy, medication, or surgical means.

**1.24.585 Noncompetitive training positions.**

The ~~Personnel~~Human Resources Director is authorized and empowered, subject to the approval of the Civil Service Board, to designate, for limited periods of time, certain existing entry-level positions in the classified service as trainee positions, and to reclassify the same to a specific trainee class.



1 After reclassification of such positions, vacancies occurring thereafter may be filled by trainees duly certified  
2 as eligible for appointment to said trainee positions. In certifying said positions as eligible, the Civil Service  
3 Board may, for good cause shown, waive competitive examinations. Upon granting of said waiver, the  
4 Personnel Human Resources Director shall be authorized to recommend to the appointing authority the  
5 appointment of one or more designated trainee applicants. Such recommendations shall be based on an  
6 evaluation of the applicants' education, technical skills, aptitude, background, personality traits, and such  
7 other factors as the Personnel Human Resources Director deems appropriate. All such appointees shall be  
8 considered probationary employees during their period of employment in the trainee position. Such  
9 probationary periods shall be for one year and may be extended by the Personnel Human Resources Director  
10 for the purpose of establishing an eligible list for a permanent appointment to the position. Such extensions  
11 shall not exceed a four month aggregate period of time.

12 **1.24.590 Time interval.**

13 Any person who competes in an examination for a particular class shall not be eligible to compete in another  
14 examination for the same class within six months of the establishment of the eligible list resulting from the  
15 first examination unless otherwise authorized by the Personnel Human Resources Director.

16 **1.24.600 Posting of eligible lists.**

17 The Human Resources Director shall establish and maintain such eligible lists for the various classifications  
18 and subclassifications of positions in the City Service as are necessary to meet the needs of the Service.  
19 Candidates receiving a passing grade on examinations shall be notified and take rank upon the proper eligible  
20 list in the order of their relative scores. On open lists, ties in score shall hold the same rank on the eligible  
21 list. Ties in grades shall be resolved in promotional examinations by length of continuous service. Whenever  
22 it becomes necessary to hold a subsequent examination for a classification where there is a continuous need  
23 for eligibles or when insufficient applicants are available to maintain an adequate eligible list, the Human  
24 Resources Director shall consolidate the lists as follows:

25 A. Open Lists. Such persons who attain a passing grade on the examination shall be inserted on the existing  
26 list in the order of their final score on the examination without respect to time of examinations. However,  
lateral-entry lists shall not be merged with other open lists.

B. Promotional Lists. Such persons as attain a passing grade on the examination will be placed in their final  
rank order at the bottom of the existing list.

C. Departmental Promotional Lists. Where the head of a department determines that the need of their/his or  
her department requires that eligibility for promotional examinations in the department be limited to persons  
regularly appointed in the department on the currently established lists, then such department head may make  
such limitation with the approval of the Civil Service Board. In such case, "Departmental Promotional List"  
shall mean an eligible list thus established. Persons attaining a passing grade in such examination shall be  
placed in their final rank order at the bottom of the existing list.

D. Reemployment Eligibles. Such persons shall be enrolled at the top of the list in order of seniority in the  
specific class.

\*\*\*

**1.24.620 Removal from eligible list.**

The Human Resources Director may at any time remove the name of an eligible from an eligible list for any  
one or more of the following causes:

A. A written request from the eligible that their/his or her name be removed.

B. Failure to respond to notice to appear for employment interview within the time limited in such notice  
unless said eligible is on the promotional list and shall have specifically waived their/his or her right to a  
promotional appointment.



1 C. Declination of permanent appointment; provided, however, that the number one eligible on any  
 2 promotional list shall have the right to waive a promotional appointment and the waiver of such appointment  
 shall not affect ~~their~~his or her status or standing on said list except as to the appointment, or appointments,  
 specifically waived. In the event of waiver by the number one eligible, then the number two eligible on a  
 promotional list shall be deemed, for the purposes of that appointment, the number one eligible on said list.

3 D. For attempted deception or fraud in connection with any application or test.

4 E. For willfully or corruptly making any false statement, certification, mark, grading, or report in regard to  
 any test for appointment held or made under the provisions of these Rules and the Charter.

5 F. In any case where the Human Resources Director finds that an eligible is or has in any manner become  
 6 disqualified for the position for which ~~they are~~he or she is listed, in accordance with Section 1.24.430 of  
 these Rules.

7 \* \* \*

7 **1.24.625 Waiver of certification.**

8 If, in ~~the~~his/her judgment ~~of the Human Resources Director~~, the best interests of the City would be served,  
 9 the ~~Personnel~~Human Resources Director may, at the request of an eligible, withhold or withdraw certification  
 of such eligible for a specific vacancy or for a specific period of time. ~~The~~This waiver of certification ~~as~~  
 10 ~~outlined herein~~ shall not otherwise affect the individual's eligibility for appointment.

11 **1.24.630 Restoration of names to eligible lists.**

12 Whenever ~~any~~ person's name is removed from an eligible list for any ~~one or more~~ of the causes mentioned in  
 the preceding ~~s~~Section 1.24.620, ~~he/she shall immediately be notified~~written notification shall be provided at  
 13 ~~his/her~~the last known address ~~thereof unless his/her whereabouts are unknown~~. Such person may, within five  
 business days from date of notice of removal, make a written request to the ~~Personnel~~Human Resources  
 14 Director for restoration of ~~his/her~~the person's name to such list for the duration of ~~his/her~~ eligibility. The  
 request shall set forth the reasons for the conduct resulting in removal of the name from the list, and shall  
 15 ~~further~~ specify the reasons ~~advanced~~ for restoration of the name. The ~~Personnel~~Human Resources Director,  
 after full consideration of the request, may restore the name to the eligible list or ~~may~~ refuse such request.  
 The person shall be notified of the ~~Personnel~~Human Resources Director's action.

16 **1.24.640 General provisions.**

17 A. Vacancies in the Classified City Service shall be filled by reemployment, promotional appointment,  
 18 original appointment, transfer, demotion, or reinstatement. Whenever an appointing authority wishes to fill a  
 vacancy, a requisition for an employee shall be submitted to the Human Resources Director, or ~~his or her~~  
 19 authorized representative, on the ~~prescribed~~ form ~~prescribed by him or her~~. Insofar as practicable, each  
 vacancy shall be anticipated sufficiently in advance to permit the Human Resources Director to determine  
 who may be available for appointment or, if necessary, to establish a class or list of eligibles.

20 \* \* \*

21 **1.24.650 Methods of filling vacancies.**

22 Upon receipt of a request from the City Manager or Director of Utilities, or their authorized representative,  
 for eligibles to consider to fill a vacant position, the Human Resources Director or ~~his or her~~ authorized  
 23 representative shall certify the proper number of names from the appropriate employment list or authorize  
 some other kind of appointment as provided in these Rules. No appointment, except an emergency  
 24 appointment, shall be made without such certification or prior authorization. Employment actions shall be  
 made in the following priority:

25 Reemployment Eligibles: If the position to be filled is a permanent one, the Human Resources Director shall  
 certify the one name highest of the reemployment eligibles.

26



1 Departmental Promotional List: If no reemployment eligibles exist, and in the absence of a request to fill the position by other authorized action, the Human Resources Director shall certify one name highest on the departmental promotional list.

2 Promotional List: If no reemployment eligibles exist, and in the absence of a request to fill the position by other authorized action, the Human Resources Director shall certify three names highest on the promotional list.

3 Open List: If no reemployment eligibles exist, and in the absence of a request to fill the position by other authorized action, the Human Resources Director shall certify to the department requesting certification, names from the appropriate open list of eligibles scoring in the top ten ranks. For each additional vacancy, the Human Resources Director shall certify names of eligibles in the next consecutive rank. (Section 1.24.640, subject to Section 1.24.665.)

6 \* \* \*

7 **1.24.655 Absence of eligible list.**

8 When an eligible list does not exist for a classification, eligibles may be certified, upon recommendation of the Human Resources Director and approval by the Civil Service Board, from a layoff or open eligible list for a classification which requires comparable knowledge, skills, and abilities as are required for the vacant position. Acceptance or refusal by an eligible for a position in a classification other than the classification the list was originally established for shall not affect the eligible person's ~~his or her~~ right to be certified for the classification for which they were ~~he or she was~~ originally eligible.

11 \* \* \*

12 **1.24.710 Temporary appointment.**

13 Temporary appointment may be made for a maximum period of six months with the approval of the ~~Personnel~~ Human Resources Director when services are required for a special job or project of limited duration or to fill a permanent position for which no eligible list exists. Temporary appointments may be extended by the appointing authority with the approval of the ~~Personnel~~ Human Resources Director to cover an additional six-month period. However, no position will be filled on a temporary basis or any individual employed on a temporary basis beyond 12 months aggregate time in any two-year period, unless approved by the Civil Service Board.

16 Unless a person or persons on an existing eligible list expresses an unwillingness to accept temporary employment for the class in which the appointment is desired, then appointment shall be made from the appropriate eligible list.

18 In the absence of eligible lists, temporary appointments of qualified persons may be made until such time as an eligible list is established. Within 45 calendar days from the establishment of an eligible list, the appointing authority shall terminate the services of any temporary employee hired and appointed pursuant to Personnel Rule 1.24.650.

21 Temporary appointments may also be made to fill vacancies resulting from permanent employees on authorized leave of absence. The duration of such temporary appointments shall be for the period of time such permanent employee is on such leave of absence.

22 \* \* \*

23 **1.24.735 Appointments to vacancies resulting from permanent or probationary employees on leave of absence without pay for one year.**

24 A position vacant as a result of a permanent or probationary employee being granted leave of absence without pay for a period of one year may be considered as a permanent position, if requested by the appointing authority and approved by the ~~Personnel~~ Human Resources Director, and be filled in the manner provided for in these Rules.

26 \* \* \*



**1.24.750 Reinstatement.**

1 A. At the request of the appointing authority and upon approval by the ~~Personnel~~Human Resources Director, any person who has resigned from the City Service in good standing or has taken a voluntary demotion, and  
2 who had attained permanent status prior to separation or demotion may, within two years from the effective  
3 date of ~~his/her~~ separation or demotion, be reinstated to a position in the same department and in the same  
4 class as the position ~~he/she~~ held at the time of ~~his/her~~ separation or demotion, provided there are no  
employees of the department who have been laid off and whose names appear on the reemployment list for  
the class.

5 B. An employee separated due to physical or mental incapacity may be reinstated to ~~his/her~~the former  
6 position if able to perform the duties as required, or to any classification for which ~~he/she~~the employee is  
7 qualified in the department in which ~~he/she~~the employee was formerly employed, subject to the approval of  
the appointing authority and the ~~Personnel~~Human Resources Director. If unable to perform the above duties,  
such reinstatement then may be to any position in any department within City Service for which said  
employee would be qualified.

8 \* \* \*

**1.24.755 Voluntary demotion.**

9 A permanent employee may upon written request and approval by the appointing authorities concerned, and  
10 the ~~Personnel~~Human Resources Director, be demoted and granted status to a position in a classification  
11 having a lower maximum rate of compensation, provided a vacancy exists and no reemployment list exists in  
that class. Seniority, if not otherwise established in the lower class, shall commence on the effective date of  
such demotion.

**1.24.760 Transfers.**

12 A position may be filled by transferring an employee. Transfers must be approved by the affected appointing  
13 authorities and the ~~Personnel~~Human Resources Director, after taking into consideration the affected  
14 employee's preference, as far as is practicable. Requests for transfer must be submitted in writing to the  
15 ~~Personnel~~Human Resources Director prior to the effective date of the transfer. Prior to certifying eligibles  
from the appropriate lists, the ~~Personnel~~Human Resources Director shall advise the appointing authorities  
concerned of the names of those employees who have requested transfer.

**1.24.770 Demotion for physical incapacity.**

16 When an employee becomes physically incapacitated for the performance of the duties of ~~his/her~~the  
17 ~~employee's~~ position, ~~he/she~~the employee may, upon request of the appointing authority or upon ~~his/her~~the  
18 ~~employee's~~ own initiative and with the approval of the ~~Human Resources Director~~Personnel Director, be  
19 given status and appointed to a position, the duties of which ~~he/she~~the employee is able to perform, in a class  
carrying a lower compensation, without regard to previous status in the lower class. Seniority, if not  
otherwise established in the lower class, shall commence on the effective date of the demotion.

**1.24.780 Probationary period.**

20 A. The probationary period shall be regarded as an integral part of the examination process and shall be  
21 utilized for closely observing the employee's work, for securing the most effective adjustment of the new  
22 employee to ~~their~~his or her position, and for rejecting any employee whose performance or adjustment is not  
23 satisfactory.

24 B. All original appointments, except those made from reemployment eligibles, shall be probationary for a  
period of nine months after appointment. However,

25 1. Permanent and probationary employees transferred to another department shall serve a probationary period  
of six months.

26 2. Appointments of reemployment eligibles shall be probationary for six months if hired into a department  
other than the department from which the layoff was initiated.



3. Appointments made of reemployment eligibles shall be probationary for the period of probation remaining unserved at the time of layoff if hired into the department from which the layoff was initiated.

1

4. All appointments made to entering positions in the Police Department, the class of Fire Fighter, and all appointments made pursuant to the provisions of Section 1.24.585 of these Rules shall be probationary for a one-year period.

2

5. All other appointments shall be probationary for a period of six months.

3

6. Employees enrolled in an approved Washington State apprentice program as approved by the Washington State Apprenticeship and Training Council and State Department of Labor and Industries, who are granted status in accordance with Section 1.24.570, shall serve their probation for the journey-level class during the last six months of the apprentice program.

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7. A Department Director may request that up to six months of the nine month probationary period be counted for a project employee appointed to a permanent classified position, provided there is no break in service. Such request is subject to the approval of the Human Resources Director and the Civil Service Board.

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C. Upon the request of the Department concerned and approval of the Human Resources Director, periods of leaves of absence without pay or sick leave with pay shall be included in computing the probationary period.

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D. The appointing authority shall make such periodic reports during the probationary period as the Human Resources Director requires and shall certify to the Human Resources Director on the prescribed form the name of each employee who satisfactorily completes the probationary period.

10

11

E. At any time during the probationary period, the appointing authority may remove or demote an employee whose performance or adjustment is not satisfactory; provided, that ~~he or she~~the appointing authority shall notify the employee and the Human Resources Director of the reasons for such action. The Human Resources Director, on the basis of this report, may reinstate the employee to the eligible list should such action appear to be in the best interests of the City. If an employee who is promoted to a higher class as a result of certification from an appropriate eligible list or who is transferred, voluntarily terminates ~~his or her~~the probation, or is found unsuited for work of the class during the probationary period, ~~he or she~~the employee shall be restored to a position in the department and class from which ~~he or she~~the employee was promoted or transferred. An employee promoted or transferred to a position may, at any time during ~~his or her~~the employee's probationary period, voluntarily terminate ~~his or her~~the probation.

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**1.24.790 Acceptance of temporary appointment.**

17

The acceptance by an eligible of an emergency or temporary appointment shall not affect ~~their~~his/her standing on the eligible list for permanent appointment. Such service shall not be counted as part of the probationary period unless such an appointment immediately precedes permanent appointment, in which case it may, at the discretion of the appointing authority, be counted towards the probationary period if such employment is in the same class in the same department and the employee is on an eligible list for such position.

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**1.24.800 Medical examination.**

21

Appointees to permanent positions in the City Service shall be required to satisfactorily complete a medical examination either prior to actual employment or during the probationary period, as determined by the appointing authority, to determine physical and mental fitness to perform work in the position to which they are appointed. Such medical examination shall be at the expense of the City; provided, that, in the event that there shall exist a contract under which the applicant or employee to be examined is entitled to such examination without the payment therefor of any fee, and any portion of the cost agreed to be paid under said contract shall be payable from funds received by the City from taxation or out of City revenues, then the City shall not be chargeable with the expense of such examination.

22

23

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25

All employees of the City during their period of employment may be required by the appointing authority with the approval of the ~~Personnel~~Human Resources Director, to undergo periodic medical examinations to

26



determine their physical and mental fitness to perform the work of the position in which they are employed. Such periodic medical examination shall be at no expense to the employee.

1 Determination of physical or mental fitness will be by a physician designated by the PersonnelHuman  
2 Resources Director. The physician will be provided a description of the work to be performed and its  
physical parameters.

3 Where an applicant or employee of the City shall be reported by the examining physician to be physically or  
4 mentally unfit to perform work in the position to which appointment is to be made or in which he/she/the  
employee is employed, such applicant or employee shall have a period of three working days from the date of  
5 his/her notification of such determination by the examining physician to indicate in writing to the  
PersonnelHuman Resources Director, his/her/the intention to submit the question of his/her/the physical or  
6 mental unfitness to a physician of his/her/their own choice at his/her/their own expense. In the event there is a  
7 difference of opinion relative to the diagnosis between the examining physician and the physician chosen by  
the applicant or employee, then a physician shall be mutually designated by the examining physician and the  
8 physician chosen by the applicant or employee, whose decision relative to the diagnosis shall be final and  
binding as to the physical or mental fitness of the applicant or employee to perform the work of the position  
to which appointment is to be made or in which he/she/the employee is employed. The costs incurred for such  
9 medical examinations shall be borne by the City, except as otherwise provided herein.

9 An applicant finally determined to be physically or mentally unfit shall not be considered for appointment.  
10 When an employee is finally determined to be physically or mentally unfit for service, such employee shall  
be demoted in accordance with these Rules or separated from the City Service. Such demotion or separation  
11 shall be within five days from the date of final determination of the physical or mental unfitness of the  
employee, subject, however, to provisions of Section 1.24.950 of these Rules. For the purposes of this  
12 section, the term physician shall also include licensed clinical psychologists in the determination of mental  
fitness for employment.

13 \* \* \*

14 **1.24.810 Employee training.**

15 In order that employees may perform their work more efficiently and that they may be able to qualify for  
positions of increasing difficulty and responsibility, the PersonnelHuman Resources Director may establish,  
16 direct, operate, and coordinate educational programs for employees in the City Service, and shall cooperate  
with and assist all departments in such programs. Employees' participation in training programs shall be on a  
17 voluntary basis and training meetings and courses may be held on employees' own time or, with the approval  
of the appointing authority, during official working hours.

18 **1.24.820 Employee complaints.**

19 STATEMENT OF POLICY:

20 It shall be the policy of the City of Tacoma to adjust complaints of employees promptly and fairly. Within  
the framework of existing laws and regulations, every effort shall be made to adjust complaints in a manner  
21 mutually satisfactory to employees and management without any interference or subsequent discrimination  
against employees who may seek to adjust a complaint.

22 It shall be the policy of the City to make every attempt to resolve complaints within the department at the  
lowest possible level. An employee is expected to discuss any complaint initially with his/her/the employee's  
23 immediate supervisor. If the informal answer given by the employee's supervisor is not satisfactory, the  
employee may appeal in the following manner:

24 Step 1. Within 10 days following the initial contact with his/her/the employee's supervisor the employee or  
his/her/the employee's designated representative will present his/her/the employee's specific complaint to  
25 his/her/the employee's supervisor in writing. The supervisor will, within five working days, render to the  
employee his/her/the decision and the reasons for it in writing. If the employee is not satisfied with the answer  
26 given, he/she/the employee may appeal as follows:



Step 2. Within five working days of receipt of the supervisor's answer, the employee (or designated representative) will forward the complaint in writing to ~~his/her~~the employee's division head or the head of the department. The division or department head will, within five working days, render to the employee ~~his/her~~the decision, and the reasons for it in writing. If the employee is not satisfied with the answer given, ~~he/she~~the employee may present the complaint to the Civil Service Board as follows:

Step 3. Within five working days of receipt of the division or department head's answer, the employee (or designated representative) will forward the complaint in writing to the ~~Personnel~~Human Resources Director who shall, within 10 working days, file a report with the Civil Service Board stating the nature of the complaint, the procedures utilized thus far in an attempt to resolve it and the issues unresolved. The Civil Service Board shall then act as a complaint board and in appropriate circumstances set a time and place for hearing such complaint.

At the conclusion of a hearing on a complaint, the Board shall render its findings.

GENERAL PROCEDURES:

A. The Board may call as witnesses at a complaint hearing any persons whose testimony will contribute to the adjustment of the complaint.

B. All parties to the complaint shall be notified and have the right to be heard at the hearing or to be represented by a person of their own choosing.

C. Hearings shall be held at such times and in such manner as may be determined by the Board.

D. Failure by management to reply to the employee's complaint within the time limits specified automatically processes the complaint to the next level.

E. If an employee fails to submit a complaint from one level to the next level within the time limits established in this complaint procedure, the complaint shall be considered settled on the basis of the last decision.

F. Any level of review or any time limits established in this procedure may be waived or extended by mutual agreement confirmed in writing or by action of the Civil Service Board.

G. A complaint must clearly state the basis thereof and the nature of the remedy sought by the employee or employee's representative. Complaints which the Board determines are without merit shall be rejected.

H. None of the above provisions are intended to prevent or dissuade an employee from processing a complaint which ~~he/she~~the employee believes to involve discrimination based on race, sex, religion, color, national origin, age, marital status or presence of a handicap through ~~his/her~~the employee's departmental Equal Employment Opportunity Representative or through the City Human Relations Department. The Board shall dismiss any complaint or portions of a complaint which has been filed with a city, state or federal agency or court having authority to order remedy in the case.

\* \* \*

**1.24.860 Residence in the Unclassified City Service.**

No person shall be eligible for employment in the Unclassified City Service who is not a resident of this City at the time of ~~his/her~~ appointment; provided, that the City Council may waive such residence requirements for appointive employees in the Unclassified City Service when such waiver is deemed to be for good and sufficient reason among which the following shall be sufficient:

A. Where the nature of the employment requires residence outside the City.

B. To assist in the recruitment of professional and technical personnel.

C. When it otherwise serves the best interests of the City.





**1.24.870 Leave of absence without pay.**

1 A. The appointing authority, with the approval of the ~~Personnel~~Human Resources Director, may grant a  
2 permanent or probationary employee leave of absence without pay not to exceed one year, except as provided  
3 herein in subsections B and C of this section, where granting such leave best serves the interests of the City.  
4 No such leave shall be granted except upon written request of the employee submitted in advance stating the  
5 reason therefor and the inclusive dates of such leave. Upon expiration of such regularly approved leave the  
6 employee shall report for duty in the position held at the time leave was granted. Failure on the part of the  
7 employee to report for duty promptly at the expiration of such leave shall be regarded as a voluntary  
8 resignation. A request for extension of such leave of absence without pay may be granted for a specific  
9 period not exceeding six months. Provided, however, an employee may submit additional written requests for  
10 extension of such leave of absence at the expiration of the six-month period. No such leave shall be granted  
11 except upon written request of the employee submitted in advance.

12 B. The appointing authority, with the approval of the ~~Personnel~~Human Resources Director, shall grant leave  
13 of absence without pay, to a permanent or probationary employee without limitation as to time to enable  
14 ~~them~~him/her to take an appointive position in the City Service or any quasi-governmental public agency  
15 created and funded jointly by the City and other public body rendering municipal services or while assigned  
16 to another governmental entity on an exchange program authorized by law. The appointing authority, with  
17 the approval of the ~~Personnel~~Human Resources Director, may grant leave of absence without pay to a  
18 permanent or probationary employee to enable ~~them~~him/her to serve as a representative with a labor or  
19 employee organization; provided, that the majority membership of such organization consists of employees  
20 of the City of Tacoma. A request for leave without pay by an employee in order to accept employment not in  
21 the City Service shall, except in unusual circumstances, be considered as insufficient reason for approval of  
22 such request.

23 C. The appointing authority, with the approval of the ~~Personnel~~Human Resources Director, shall grant leave  
24 of absence without pay to permanent or probationary employees for the purpose of service in the Armed  
25 Forces; provided, that such request for such leave shall be in writing and accompanied with validated copy of  
26 military orders ordering such employee into active service with the Armed Forces.

D. Where circumstances warrant, the appointing authority may grant an employee leave of absence without  
pay for a period not in excess of 15 calendar days in any one calendar year. The appointing authority shall  
immediately notify the ~~Personnel~~Human Resources Director of such action.

\* \* \*

**1.24.890 Resignation.**

Any employee wishing to leave the City Service in good standing shall file with ~~his~~her~~the~~ appointing  
authority at least two weeks before leaving, a written resignation stating the date the resignation shall become  
effective and the reason for leaving. Failure to comply with this procedure may be considered cause for  
denying such employee future employment by the City. Unauthorized absence from work for a period of five  
consecutive days may be considered by the appointing authority as a voluntary resignation, not in good  
standing. On all resignations, department heads shall forward notices thereof on the prescribed form to the  
~~Personnel~~Human Resources Director within 24 hours after receipt.

**1.24.900 Layoff and reemployment/recall.**

A. The appointing authority may lay off any employee in the City Service whenever such action is made  
necessary by reason of shortage of work or funds, the abolition of a position because of changes in  
organization, or other reasons outside the employee's control, which do not reflect discredit on the services of  
the employee; however, no permanent or probationary employee shall be laid off while there are temporary  
employees serving in the same department and in the same class or position for which the permanent or  
probationary employee is eligible and available.

B. Layoff of probationary or permanent employees shall be made in inverse order of seniority in the class of  
work in the department involved. Where seniority does not establish a definite seniority differential, the order



of layoff shall be determined by the relative standing on the eligible list from which appointed. A permanent or probationary employee, holding ~~their~~his or her position by virtue of promotional appointment, may request demotion to a position in the class from which ~~they were~~he or she was promoted in lieu of layoff. No employee so demoted shall displace a permanent or probationary employee except in order of seniority as determined in these Rules.

C. The names of permanent or probationary employees laid off or demoted in lieu of layoff shall be placed at the top of the eligible list in order of seniority for City-wide consideration for the specific classification from which the layoff took place. Laid off employees shall be eligible for reemployment for a period of two years from the actual date of layoff, except as provided herein.

D. In the event that any department within the City has a permanent vacancy in a classification for which the names of laid off employees are available, the person with the greatest seniority in that classification will be offered the position and will have three days from the date the offer is tendered to accept an offer of reinstatement. A laid off employee may waive three opportunities for reemployment, after which ~~their~~his or her name will be removed from the list.

E. Laid off employees who are rehired shall serve a probationary period of six months unless rehired into the same department from which they were laid off. Employees rehired into probationary status shall not be considered regular employees for any purpose for the duration of their probationary period.

F. In the event an employee fails probation for any reason other than misconduct during the reemployment probationary period, the name of the employee shall be reinstated at the bottom of the reemployment eligible list for the remainder of ~~their~~his or her two years' eligibility.

G. An employee who fails a reemployment probationary period and who is reinstated to the reemployment eligible list shall have no right to a vacancy in the department where ~~they~~he or she failed probation.

H. Any interruption of employment not in excess of 15 calendar days because of adverse weather conditions, shortage of materials or equipment or for other unexpected or unusual reasons shall not be considered a layoff.

**1.24.910 Voluntary layoff due to pregnancy.**

Any permanent or probationary employee may, for reasons of pregnancy, request separation from the City Service through layoff. The name of such employee shall be placed on the reemployment list for the class and department and the eligible list for the class in accordance with the provisions of Section 1.24.900. The name of such employee shall not be considered for reemployment or appointment until such time as ~~he/she~~the employee submits in writing to the ~~Personnel~~Human Resources Director notification of ~~his/her~~the availability for employment.

\* \* \*

**1.24.930 Suspension.**

The appointing authority may suspend a permanent employee without pay for disciplinary reasons including but not limited to those set forth in Rule 1.24.940. All suspensions shall be subject to review ~~and approval~~ by the City Manager or the Director of Utilities, ~~as the case may be, and shall require his/her approval~~. A written statement of the reason for the suspension shall be submitted to the ~~Personnel~~Human Resources Director and to the employee affected in each case, within five business days of the time the suspension becomes effective.

Suspensions of ~~30 days~~22 working days or less may be subject to review and recommendation to the proper officials by the Civil Service Board, upon request of the affected employee.

Any suspension in excess of ~~30 days~~(22 working days) may be appealed to the Civil Service Board. The Board shall hear such appeals and issue a decision which shall be final and binding on all parties.

No seniority shall be acquired during the approved period of suspension, except as provided in Section 1.24.085.



**1.24.940 Disciplinary action.**

1 Any permanent employee may be disciplined for cause by an appointing authority, with the approval of the  
2 City Manager or the Director of Utilities, as the case may be, but a written statement of reasons for the  
3 discipline and the effective date shall be submitted within five business days to the Personnel/Human  
4 Resources Director and a copy thereof personally delivered to or sent by certified mail to the employee  
5 affected at their/his/her last known address.

6 Although discipline may be based upon other causes, any one or more of the following shall be sufficient:

7 A. Conviction of a felony or a misdemeanor involving moral turpitude the nature of which demonstrates lack  
8 of fitness for the position held.

9 B. Willful violation of any of the provisions of the Charter, the Ethics Code, or these Rules.

10 C. Willful violation of any lawful and reasonable regulation, order or direction made or given by a superior  
11 officer where such violation has amounted to insubordination or serious breach of proper discipline or has  
12 resulted in loss or injury to the public.

13 D. Intoxication or drinking intoxicating liquor while on duty, or being addicted to the use of narcotics.

14 E. Incompetency or inefficiency in the performance of duties of the position to which they are/he/she is  
15 appointed.

16 F. Wantonly offensive conduct or language toward the public or fellow officers or employees.

17 G. Carelessness or negligence in the use of the property of the City.

18 H. Failure to comply with the lawful provisions of any approved collective bargaining agreements.

19 I. Aiding in assessment or collection from any officer or employee in the City Service for the purpose of  
20 securing the nomination or election of any person to municipal office or for the purpose of making a gift to  
21 any elective officer or superior officer in the City's employ.

22 J. An attempt to induce any officer or employee of the City to commit an illegal act or act in violation of any  
23 lawful or reasonable department regulation.

24 K. The taking or receiving of any fee, gift or other valuable thing in the course of their/his/her work or in  
25 connection with it for their/his/her personal gain from any person when such fee or gift is given by such  
26 person in the hope or expectation of receiving a favor or better treatment than that accorded to other persons.

L. Conduct unbecoming an officer or employee of the City, either while on or off duty.

M. Employment in gainful occupation in addition to regular City Service duties where such outside  
occupation substantially impairs their job performance.

N. Willful and wanton brutality or cruelty to a prisoner or one under arrest or sentence, provided the act  
committed was not necessarily and lawfully done in self-defense or to protect the lives of others or to prevent  
escape of a person lawfully in custody.

O. Absence without leave, including failure to report for employment on time without just cause.

**1.24.950 Employee rights of appeal.**

Any permanent employee in the Classified City Service who is aggrieved may submit written appeal to the  
Civil Service Board in case of suspension for more than 30 days, dismissal or disciplinary reduction in rank  
or pay, or from any and all other matters arising out of or in connection with the Civil Service and Personnel  
Rules. Such employee shall file a written appeal within 10 working days following the date of written notice  
of suspension, dismissal or the date of reduction in rank or pay. Appeals from any and all other matters  
arising out of or in connection with the Civil Service and Personnel Rules shall be submitted within such  
time limits as may be designated in other sections of these Rules. Any appeal submitted to the Board shall be  
in the form of a concise statement giving the reasons for the appeal. The Board shall dismiss any appeal, or



portions of an appeal, which has been filed with a city, state or federal agency or court having authority to order a remedy in the case.

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The Civil Service Board shall hear and/or investigate appeals with reasonable dispatch and shall give the appointing authority and the affected employee equal opportunity to be heard. Each party shall have an opportunity to call witnesses and present evidence. The hearing shall be held at such times and in such manners as may be determined by the Board. The appointing authority and the affected employee may be represented by counsel or ~~his/her~~ designated representative and the Board shall at such hearings have the power of subpoena and require the attendance of witnesses and the production thereby of books, papers and records pertinent thereto and to administer oaths to such witnesses. The Board shall submit a written report to the City Manager or Director of Utilities in which it shall report its findings and decisions. Such findings and decisions shall be final and binding on all parties concerned. (See also Section 1.24.820)

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**1.24.955 Predisciplinary procedure.**

A. The following steps shall be completed by the appointing authority prior to making a final decision to dismiss, suspend, or reduce in rank or pay for disciplinary reasons a permanent employee in the Classified City Service, except when the appointing authority deems immediate removal necessary in order to maintain the safety of the community, co-workers, or the reputation, morale or harmony of the organization. The employee must, at a minimum, be:

1. Given advance notice of the proposed action which includes a statement of the reasons for the action;
2. Provided with a copy of the proposed charges and, if practical, a copy of the materials or documents upon which the charges are based;
3. Prior to the proposed disciplinary action, the employee or ~~his/her~~ designated representative has the right to respond either orally or in writing to the authority imposing discipline.

B. If the appointing authority believes a situation exists requiring the immediate termination or suspension of an employee, the appointing authority should carefully document the reasons for such a decision. Such documentation should indicate that the employee's continued presence at the work site could have detrimental consequences or cause public harm. The appointing authority should utilize the predisciplinary procedure to the extent that such utilization is reasonable under the circumstances. In such a situation, the employee may be suspended with pay until the process is completed and a decision reached regarding the potential disciplinary action. In such situations, as described above, the City Attorney and Personnel/Labor Relations Director shall be contacted as soon as possible.

**1.24.960 Claim for position.**

Whenever any person entitled to certification for employment under the Charter of the City of Tacoma and under the Personnel Rules is deprived of a position to which ~~they are~~~~he/she is~~ entitled under the provisions of the Charter and the Personnel Rules for any reason whatsoever, ~~they~~~~he/she~~ shall file with the ~~Personnel~~Human Resources Director and with the Civil Service Board on a form to be provided by the ~~Personnel~~Human Resources Director, a claim in writing for such position. The Civil Service Board shall have 10 days to investigate and pass upon said claim and if it finds that said person is entitled to said position it shall forthwith certify said fact to the ~~Personnel~~Human Resources Director and to the appointing authority, who shall forthwith appoint such person to such position. Such person shall not be entitled to any claim for salary from the City for the period prior to the date of filing of such claim.

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**1.24.973 Extra and relief work.**

An extra employee or relief employee ~~shall mean those~~is a railway employees ~~who are~~ appointed from the eligible list and whose services are required only intermittently as ~~called~~determined by the Superintendent, ~~of the Belt Line Rail~~ Division. ~~Such e~~Extra and relief appointments shall be considered permanent appointments, and ~~an~~ employees appointed to such positions must hold himself/herself available and ready



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for work when called. The [PersonnelHuman Resources](#) Director shall remove from the eligible list the name of any eligible who fails or refuses to accept a position for extra or relief work. Failure of [an](#) employee to report for extra or relief work without good cause shown shall be grounds for dismissal ~~of such employee.~~

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**1.24.975 Leave of absence.**

Leave of absence for railway employees may be granted by the appointing authority for an aggregate of not to exceed 30 working days in any calendar year upon the oral request of the employee for such reason as the appointing authority may deem sufficient and whenever extra or relief employees are available. Such leaves of absence shall be promptly reported to the [PersonnelHuman Resources](#) Director and in the manner prescribed by ~~him/her~~[the Human Resources Director](#). A railway employee granted a leave of absence for 30 days or more may return to ~~theirhis/her~~ position prior to the expiration of such leave upon application to the Superintendent of the [Belt LineRail Division](#) and the remainder of such leave of absence shall thereupon be canceled. In all other respects relating to leave of absence, the provisions of this chapter shall govern.

**1.24.976 Certification of eligibles for Railroad Switching Supervisor, Locomotive Engineer and Railroad Yardmaster.**

Upon receipt of a request for Railroad Switching Supervisor, Locomotive Engineers or Railroad Yardmasters, the [PersonnelHuman Resources](#) Director shall certify all names on the appropriate lists.

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**1.24.986 Leave of absence for major independent construction or federal aid project appointment.**

Permanent employees of the Classified City Service may be appointed to positions on major independent construction projects or federal aid projects. For such employees, the [PersonnelHuman Resources](#) Director is authorized to grant a leave of absence for the period specified and for such time as may be required, up to and including the duration of the projects. Such employees shall continue to accrue seniority and other rights of the Classified Service in their permanent position.

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