



## Legislation Passed October 13, 2015

The Tacoma City Council, at its regular City Council meeting of October 13, 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. 39284**

A resolution authorizing the execution of Amendment No. 3 to the grant agreement with the Washington State Department of Ecology, in the amount of \$131,101.00; accepting and depositing said sum into the Solid Waste Fund; and authorizing the expenditure of \$43,700.33 in matching funds, for a total of \$174,801.33, and a cumulative total of \$1,046,633.33, to promote waste prevention and recycling activities.

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

### **Resolution No. 39285**

A resolution setting Tuesday, October 27, 2015, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the 2015 Annual Amendment to the Comprehensive Plan and Land Use Regulatory Code.

[Brian Boudet, Planning Division Manager; Peter Huffman, Director, Planning and Development Services]

### **Resolution No. 39286**

A resolution awarding a contract to Frontier Communications, in the amount of \$408,355.89, plus a contingency of \$60,714.00, for a cumulative total of \$469,069.89, plus sales tax, budgeted from the Information System Fund, for hardware equipment including one-year SMARTnet maintenance and professional services to complete a multi-site data network infrastructure update - State of Washington Contract No. 01114.

[Kipling Morris, Infrastructure and Operations Manager; Jack Kelanic, Director, Information Technology]

### **Resolution No. 39287**

A resolution designating the Mead-Keyser Residence, located at 2702 North Puget Sound Avenue, as a historic landmark and placing said property on the Tacoma Register of Historic Places.

[Reuben McKnight, Historic Preservation Officer; Peter Huffman, Director, Planning and Development Services]

### **Resolution No. 39288**

A resolution authorizing the execution of an agreement with Yakima County, for prisoner housing and transportation services, effective November 1, 2015 through December 31, 2016, with an automatic renewal of one-year terms, for a maximum of five years.

[Mark Lauzier, Assistant City Manager; T.C. Broadnax, City Manager]

**Ordinance No. 28323**

An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for employees represented by the Tacoma Fire Fighters Union, Local 31, and the Tacoma Police Management Association, Local 26, I.U.P.A.  
[Joy St. Germain, Director, Human Resources]

**Ordinance No. 28324**

An ordinance amending Section 1.06.075 of the Municipal Code, relating to Police Department Citizen-Initiated Complaint Oversight, to reinstate staggered terms of one, two, or three years, and establish a term limit of ten years for the Citizen Police Advisory Committee.  
[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]



## RESOLUTION NO. 39284

1 A RESOLUTION relating to solid waste management; authorizing the execution of  
2 Amendment No. 3 to the grant agreement with the Washington State  
3 Department of Ecology, in the amount of \$131,101; accepting and depositing  
4 said sum into the Environmental Services (“ES”) Solid Waste Fund; and  
5 authorizing the expenditure of \$43,700.33 as a required City match for said  
6 funds, budgeted from the ES Solid Waste Fund, for a total amount of  
7 \$174,801.33, and a cumulative total of \$1,046,633.33, for the purpose of  
8 promoting waste prevention and recycling activities.

9 WHEREAS the City has applied for and received Washington State  
10 Department of Ecology (“DOE”) Coordinated Prevention Grant (“CPG”) funds since  
11 the early 1990s, and

12 WHEREAS CPG funds are made available bi-annually to cities and local  
13 planning agencies to promote waste prevention and recycling activities, and

14 WHEREAS Resolution No. 38787, adopted December 3, 2013, authorized  
15 the execution of a grant agreement with the DOE in the amount of \$653,874, and  
16 authorized the expenditure of \$217,958 as a required City match, for a cumulative  
17 amount of \$871,832, and

18 WHEREAS Amendment Nos. 1 and 2 to said grant agreement were internal  
19 DOE budget adjustments, and did not require City signatures, and

20 WHEREAS proposed Amendment No. 3 will increase the grant award in the  
21 total amount of \$174,801.33, for a cumulative grant total of \$1,046,633.33, for the  
22 purpose of promoting waste prevention and recycling activities for the 2013-2015  
23 CPG grant cycle, and

24 WHEREAS the grant requires that the City spend \$43,700.33 in matching  
25 funds, and  
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WHEREAS, under DOE grant approval process guidelines, City Council  
action is needed to accept the grant funding; Now, Therefore,

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

Section 1. That the proper officers of the City are authorized to execute  
Amendment No. 3 to the grant agreement with the Washington State Department of  
Ecology, in the amount of \$131,101, for the purpose of promoting waste prevention  
and recycling activities, said document to be substantially in the form of the  
proposed grant agreement on file in the office of the City Clerk.

Section 2. That the proper officers of the City are authorized to accept the  
sum of \$131,101, and deposit said grant funds into the Environmental  
Services ("ES") Solid Waste Fund; and are further authorized to contribute a  
required match for said grant in the amount of \$43,700.33, budgeted from the  
ES Solid Waste Fund, for a total amount of \$174,801.33, and a cumulative total of  
\$1,046,633.33, for the purpose of promoting waste prevention and recycling  
activities.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

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



## RESOLUTION NO. 39285

1 A RESOLUTION relating to the 2015 Annual Amendment to the Comprehensive  
2 Plan and Land Use Regulatory Code; setting Tuesday, October 27, 2015,  
3 as the date for a public hearing on proposed amendments recommended  
4 by the Planning Commission for the year 2015.

4 WHEREAS, each year, the City Council considers revisions to the  
5 Comprehensive Plan ("Plan") and development regulations contained in the Land  
6 Use Regulatory Code ("Code"), pursuant to the Growth Management Act, and  
7

8 WHEREAS the Planning Commission ("Commission") generated  
9 proposed Plan and Code amendments based on community needs and input  
10 from members of the public, City Council, and City staff, and then evaluated  
11 those proposed amendments for potential benefits and impacts, alternatives, and  
12 consistency with existing plans and laws, and  
13

14 WHEREAS the Commission, after completion of its review process,  
15 including a hearing to receive public testimony on the proposed amendments on  
16 August 19, 2015, finalized the proposed 2015 Annual Amendment and  
17 recommended it to the City Council on October 7, 2015, and  
18

19 WHEREAS the proposed 2015 Annual Amendment includes proposed  
20 revisions and/or updates in the following areas: Comprehensive Plan Updates;  
21 Mixed-Use Centers Review; Affordable Housing Regulations; Tacoma Municipal  
22 Code updates; and Narrowmoor Addition Conservation District designation, and  
23

24 WHEREAS Chapter 13.02 of the TMC requires the City Council to conduct  
25 a public hearing before amending the Plan or Code; Now, Therefore,  
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

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Section 1. That a public hearing on the proposed amendments to the Comprehensive Plan and Land Use Regulatory Code, as contained in the proposed 2015 Annual Amendment, shall be held before the City Council in the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, on Tuesday, October 27, 2015, at approximately 5:30 p.m. or as soon thereafter as the same may be heard.

Section 2. That the Clerk of the City of Tacoma shall give proper notice of the time and place of said hearing.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## RESOLUTION NO. 39286

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the execution of a contract with  
3 Frontier Communications, in the amount of \$408,355.89, plus a  
4 contingency of \$60,714.00, to facilitate the purchase of additional  
5 hardware or professional services identified during the execution of the  
6 project, for a cumulative total of \$469,069.89, plus sales tax, budgeted  
7 from the Information Systems Fund, for the purchase of hardware  
8 equipment including one-year SMARTnet maintenance and professional  
9 services to complete a multi-site data network infrastructure  
10 modernization, pursuant to State of Washington Contract No. 01114.

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

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

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

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

21 Section 2. That the proper officers of the City are hereby authorized to  
22 enter into a contract with Frontier Communications, in the amount of  
23 \$408,355.89, plus a contingency of \$60,714.00, to facilitate the purchase of  
24 additional hardware or professional services identified during the execution of  
25 the project, for a cumulative total of \$469,069.89, plus sales tax, budgeted from  
26 the Information Systems Fund, for the purchase of hardware equipment



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including one-year SMARTnet maintenance and professional services to complete a multi-site data network infrastructure modernization, pursuant to State of Washington Contract No. 01114, consistent with Exhibit "A."

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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





## RESOLUTION NO. 39287

1 A RESOLUTION relating to historic preservation; adding the proposed landmark  
2 to the Tacoma Register of Historic Places and imposing controls for the  
3 following property: Mead-Keyser Residence, located at 2702 North Puget  
4 Sound Avenue; said landmark designated by the Landmarks Preservation  
5 Commission under Chapter 13.07 of the Tacoma Municipal Code.

6 WHEREAS the Tacoma Landmarks and Historic Districts Code,  
7 Chapter 13.07 of the Tacoma Municipal Code ("TMC"), establishes a procedure  
8 for the designation and preservation of structures and areas having historical,  
9 cultural, architectural, archaeological, engineering, or geographic importance,  
10 and

11 WHEREAS, pursuant to TMC 13.07.050, the nomination of the Mead-  
12 Keyser Residence, located at 2702 North Puget Sound Avenue ("Property"), was  
13 submitted by the property owner for inclusion on the Tacoma Register of Historic  
14 Places, along with the requisite application materials, and

15 WHEREAS the Landmarks Preservation Commission ("Commission")  
16 reviewed the request on July 9, 2015, and held a public hearing on August 26,  
17 2015, to receive public comment on the historic significance of the Property, and

18 WHEREAS, according to TMC 13.07.040, the Commission found that the  
19 Property meets the eligibility requirements for listing on the Tacoma Register of  
20 Historic Places, and

21 WHEREAS, based upon said findings, the City Council believes that it  
22 would be in the best interest of the City to designate the Property described  
23 below as a historic landmark and place it on the Tacoma Register of Historic  
24 Places; Now, Therefore,  
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

1 Section 1. Designation. That, pursuant to the provisions of Chapter 13.07  
2 of the Tacoma Municipal Code ("TMC"), the City Council of Tacoma approves the  
3 designation of the following Property as a historic landmark and places said  
4 property on the Tacoma Register of Historic Places:  
5

6 **(1) Mead-Keyser Residence**

7 More particularly described as: 2702 North Puget Sound Avenue,  
8 Tacoma, WA 98407

9 Parcel No.: 7040000760

10 Legal Description:

11 That portion of the Northwest quarter of the Northwest quarter of  
12 Section 31, Township 21 North, Range 03 East, W.M. more  
13 particularly described as follows:

14 The South 10 feet of Lot 8, all of Lots 9 and 10, Block 18, Puget  
15 Park Addition to Tacoma, W.T. according to the Plat recorded in  
16 Book 2 of Plats at Page 67 records of Pierce County Auditor.

17 Situate in the City of Tacoma, County of Pierce, State of  
18 Washington;

19 based upon satisfaction of the following standards of TMC 13.07.040:

20 C. Embodies the distinctive characteristics of a type, period, or method of  
21 construction, or represents the work of a master, or possesses high  
22 artistic values, or represents a significant and distinguishable entity  
23 whose components may lack individual distinction.

24 Section 2. Controls. A Certificate of Approval must be obtained from the  
25 Landmarks Preservation Commission pursuant to TMC 13.05.047 et seq., or the  
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time for denying an application for a Certificate of Approval must have expired before the owners may make alterations or changes to the following property:

- 1. **Mead-Keyser Residence:** Changes to exterior of the principle structure of the streetcar station, but excluding any changes to the surrounding landscaping or site.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

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

Legal Description Approved:  
  
\_\_\_\_\_  
Chief Surveyor  
Public Works Department



## RESOLUTION NO. 39288

1 BY REQUEST OF COUNCIL MEMBERS CAMPBELL, LONERGAN, AND  
2 WOODARDS

3 A RESOLUTION relating to public safety and human services; authorizing the  
4 execution of an incarceration services agreement with Yakima County,  
5 effective November 1, 2015, through December 31, 2016, with an automatic  
6 renewal upon the same terms and conditions for successive one-year  
7 renewal terms, for a maximum of five years, for prisoner housing and  
8 transportation services for the City of Tacoma.

9 WHEREAS, in June 2015, the City Council approved incarceration services  
10 agreements with Pierce County, the Nisqually Tribe, and the South Correctional  
11 Entity ("SCORE"), and

12 WHEREAS the City of Fife ("Fife") was responsible for coordinating jail  
13 services for the City's inmates and managing inmate housing needs, and

14 WHEREAS, prior to July, Yakima County was a key provider of jail  
15 services to the City through the Fife jail services contract, and

16 WHEREAS, in a letter dated July 15, 2015, the Director of the Yakima  
17 County Department of Corrections ("YCDOC") expressed interest in continuing  
18 to house the City's inmates through a direct contract with the YCDOC, and

19 WHEREAS the YCDOC's service reliability and responsiveness to the  
20 needs of the City have been favorable, and

21 WHEREAS a team of representatives from the City Manager's Office,  
22 City Attorney's Office, and Tacoma Municipal Court recently toured jail buildings  
23 managed by the YCDOC and conducted detailed interviews with the Director,  
24 Chief of Operations, and the medical/mental health services team, relating to the  
25 direction of the jail system and level of care provided to inmates, and  
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WHEREAS the YCDOC has sufficient capacity to handle the City's inmate overflow from the Pierce County and Nisqually jails, and has a number of contracts in place with other entities which will make transportation services readily available, and

WHEREAS an agreement with YCDOC for prisoner housing and transportation would provide sufficient space for current and anticipated needs, flexibility for future growth, and cost-effectiveness of services, and

WHEREAS staff recommends that the City enter into an agreement with YCDOC in order to address the reduced jail bed capacity when the SCORE agreement expires at the end of 2015, and

WHEREAS, at its meeting of September 24, 2015, the Public Safety, Human Services and Education ("PSHSE") Committee considered the proposed agreement and recommended it for consideration by the City Council; Now, Therefore,

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

That the proper officers are hereby authorized to execute an incarceration services agreement with Yakima County, effective November 1, 2015, through December 31, 2016, with an automatic renewal upon the same terms and conditions for successive one-year renewal terms, for a maximum of



1 five years, for prisoner housing and transportation services for the City of  
2 Tacoma, said agreement to be substantially in the form of the agreement on file  
3 in the office of the City Clerk.  
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5 Adopted \_\_\_\_\_  
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8 Mayor

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11 City Clerk

12 Approved as to form:  
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14 \_\_\_\_\_  
15 Deputy City Attorney

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# ORDINANCE NO. 28323

1 AN ORDINANCE relating to the Compensation Plan; amending Chapter 1.12 of  
 2 the Municipal Code, relating to the Compensation Plan, to implement rates  
 3 of pay and compensation and reflect changes in the organizational structure  
 4 for employees represented by Tacoma Fire Fighters Union, Local 31, and  
 5 Tacoma Police Management Association, Local 26, I.U.P.A.

6 BE IT ORDAINED BY THE CITY OF TACOMA:

7 Section 1. That Section 1.12.355 of the Tacoma Municipal Code is hereby  
 8 amended effective retroactive to January 1, 2015, to read as follows:

Code	A	Title	1	2	3	4	5	6
4001		Firefighter	<del>23.47</del>	<del>24.58</del>	<del>27.99</del>	<del>29.36</del>	<del>30.83</del>	<del>32.34</del>
4002		Fire Lieutenant	<del>37.29</del>	<del>39.14</del>				
4003		Fire Captain	<del>42.87</del>	<del>45.01</del>				
4004		Fire Chief Battalion	<del>49.28</del>	<del>51.79</del>				
4005		Fire Battalion Chief Aide	<del>37.29</del>	<del>39.14</del>				
4006		Firefighter-Paramedic	<del>35.49</del>	<del>37.30</del>				
4007		Firefighter Paramedic Supervisor	<del>40.84</del>	<del>42.86</del>				
4008	A	Fire Medical Services Officer	<del>61.12</del>	<del>64.18</del>				
4011		Fire Boat Pilot	<del>37.29</del>	<del>39.14</del>				
4015		Fire Inspector	<del>42.98</del>	<del>45.16</del>				
4016		Fire Marshal Deputy	<del>49.45</del>	<del>51.94</del>				
4022		Harbor Master Deputy	<del>50.67</del>	<del>53.13</del>				
4101		Fire Communications Center Lieutenant	<del>45.18</del>	<del>47.44</del>				
4102		Fire Captain Dispatcher	<del>50.69</del>	<del>53.22</del>				
4103	A	Fire Communications Center Supervisor	<del>54.46</del>	<del>57.21</del>				

Code	A	Title	1	2	3	4	5	6
4001		Firefighter	<u>24.48</u>	<u>25.64</u>	<u>29.19</u>	<u>30.62</u>	<u>32.12</u>	<u>33.73</u>
4002		Fire Lieutenant	<u>38.89</u>	<u>40.82</u>				
4003		Fire Captain	<u>44.71</u>	<u>46.95</u>				
4004		Fire Chief Battalion	<u>51.40</u>	<u>54.02</u>				
4005		Fire Battalion Chief Aide	<u>38.89</u>	<u>40.82</u>				
4006		Firefighter-Paramedic	<u>37.02</u>	<u>38.90</u>				
4007		Firefighter Paramedic Supervisor	<u>42.60</u>	<u>44.70</u>				
4008	A	Fire Medical Services Officer	<u>63.75</u>	<u>66.94</u>				
4011		Fire Boat Pilot	<u>38.89</u>	<u>40.82</u>				



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Code	A	Title	1	2	3	4	5	6
4015		Fire Inspector	<a href="#">44.83</a>	<a href="#">47.10</a>				
4016		Fire Marshal Deputy	<a href="#">51.58</a>	<a href="#">54.17</a>				
4022		Harbor Master Deputy	<a href="#">52.85</a>	<a href="#">55.41</a>				
4101		Fire Communications Center Lieutenant	<a href="#">47.12</a>	<a href="#">49.48</a>				
4102		Fire Captain Dispatcher	<a href="#">52.87</a>	<a href="#">55.51</a>				
4103	A	Fire Communications Center Supervisor	<a href="#">56.80</a>	<a href="#">59.67</a>				

Section 2. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended effective January 1, 2016, to read as follows:

Code	A	Title	1	2	3	4	5	6
4001		Firefighter	<a href="#">24.48</a>	<a href="#">25.64</a>	<a href="#">29.19</a>	<a href="#">30.62</a>	<a href="#">32.12</a>	<a href="#">33.73</a>
4002		Fire Lieutenant	<a href="#">38.89</a>	<a href="#">40.82</a>				
4003		Fire Captain	<a href="#">44.74</a>	<a href="#">46.95</a>				
4004		Fire Chief Battalion	<a href="#">51.40</a>	<a href="#">54.02</a>				
4005		Fire Battalion Chief Aide	<a href="#">38.89</a>	<a href="#">40.82</a>				
4006		Firefighter-Paramedic	<a href="#">37.02</a>	<a href="#">38.90</a>				
4007		Firefighter Paramedic Supervisor	<a href="#">42.60</a>	<a href="#">44.70</a>				
4008	A	Fire Medical Services Officer	<a href="#">63.75</a>	<a href="#">66.94</a>				
4011		Fire Boat Pilot	<a href="#">38.89</a>	<a href="#">40.82</a>				
4015		Fire Inspector	<a href="#">44.83</a>	<a href="#">47.10</a>				
4016		Fire Marshal Deputy	<a href="#">51.58</a>	<a href="#">54.17</a>				
4022		Harbor Master Deputy	<a href="#">52.85</a>	<a href="#">55.41</a>				
4101		Fire Communications Center Lieutenant	<a href="#">47.12</a>	<a href="#">49.48</a>				
4102		Fire Captain Dispatcher	<a href="#">52.87</a>	<a href="#">55.51</a>				
4103	A	Fire Communications Center Supervisor	<a href="#">56.80</a>	<a href="#">59.67</a>				

Code	A	Title	1	2	3	4	5	6
4001		Firefighter	<a href="#">24.75</a>	<a href="#">25.92</a>	<a href="#">29.51</a>	<a href="#">30.96</a>	<a href="#">32.47</a>	<a href="#">34.10</a>
4002		Fire Lieutenant	<a href="#">39.32</a>	<a href="#">41.27</a>				
4003		Fire Captain	<a href="#">45.20</a>	<a href="#">47.47</a>				
4004		Fire Chief Battalion	<a href="#">51.97</a>	<a href="#">54.61</a>				
4005		Fire Battalion Chief Aide	<a href="#">39.32</a>	<a href="#">41.27</a>				
4006		Firefighter-Paramedic	<a href="#">37.43</a>	<a href="#">39.33</a>				
4007		Firefighter Paramedic Supervisor	<a href="#">43.07</a>	<a href="#">45.19</a>				
4008	A	Fire Medical Services Officer	<a href="#">64.45</a>	<a href="#">67.68</a>				
4011		Fire Boat Pilot	<a href="#">39.32</a>	<a href="#">41.27</a>				





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Code	A	Title	1	2	3	4	5	6
4015		Fire Inspector	<a href="#">45.32</a>	<a href="#">47.62</a>				
4016		Fire Marshal Deputy	<a href="#">52.15</a>	<a href="#">54.77</a>				
4022		Harbor Master Deputy	<a href="#">53.43</a>	<a href="#">56.02</a>				
4101		Fire Communications Center Lieutenant	<a href="#">47.64</a>	<a href="#">50.02</a>				
4102		Fire Captain Dispatcher	<a href="#">53.45</a>	<a href="#">56.12</a>				
4103	A	Fire Communications Center Supervisor	<a href="#">57.42</a>	<a href="#">60.33</a>				

Section 3. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended effective retroactive to January 1, 2015, to read as follows:

Code	A	Title	1	2
4206		Police Captain	<a href="#">63.84</a>	<a href="#">67.00</a>
4205		Police Lieutenant	<a href="#">55.49</a>	<a href="#">58.26</a>

Code	A	Title	1	2
4206		Police Captain	<a href="#">64.45</a>	<a href="#">67.67</a>
4205		Police Lieutenant	<a href="#">56.04</a>	<a href="#">58.84</a>

Section 4. That Section 1.12.230 of the Tacoma Municipal Code is hereby amended effective as provided by law, to read as follows:

**1.12.230 Sick allowance with pay.**

\* \* \*

**B. Requirements for All Paid Sick Leave.**

1. Every employee must report to the designated representative of his or her department head the reason for an absence prior to the beginning of his or her scheduled workday or such earlier time as required by his or her department or division head.
2. An employee must keep his or her department head informed of his or her condition if an absence is of more than four working days in duration.
3. For each absence an employee may be required to submit an explanation of the reason for such absence. A statement by the attending physician attesting to the nature and seriousness of said injury or illness shall be required if requested by the department head.
4. Employee must permit home visits or medical examinations at the expense and convenience of the City.
5. a. Upon approval by the department head, a maximum of four days' sick leave may be granted for the death of spouse, father, mother, foster parent, brother, sister, child, or foster child of the employee.  
b. For the purpose of attending the funeral, upon approval by the department head, a maximum of one day's sick leave may be granted for the death of grandparent, grandchild, son-in-law, daughter-in-law, brother-in-law, or sister-in-law of the employee or the death of a father, mother, foster parent, brother, brother-in-law, sister, sister-in-law, child, foster child, grandparent, or grandchild of the spouse of the employee.



1 i. An employee in a classification represented by the Tacoma Firefighters Union, Local 31, will be allowed to  
take up to two full shifts (or 4 eight-hour days) of City paid leave in order to attend a funeral of a family  
member, as defined in subsection [a or b](#) above.

2 6. An employee shall be paid for sick leave at the rate he or she was receiving the day before the sick leave  
was taken.

3 7. Employees shall accrue sick leave according to the provisions of this section; provided, however, that any  
employee who leaves the City service during the first six months of employment shall not be compensated  
4 for any accrued sick leave.

5 C. Enforcement of Sick Leave Provisions.

6 1. Misrepresentation of any material facts in connection with paid sick leave by any employee shall constitute  
grounds for suspension or discharge.

7 2. It shall be the responsibility of the department head or his or her designated representative to:

8 a. Review all applications for sick leave and approve those which are bona fide and comply with the  
provisions of this section. Employees still absent at the end of a pay period may be certified for payment of  
sick leave by the department head by his or her signing the payroll timecards, subject to department head's  
9 approval for sick leave pay immediately upon the employee's return to work.

10 b. Investigate any suspected abuse of sick leave.

11 c. Withhold approval of sick leave pay in the event of unauthorized use.

12 d. Initiate disciplinary action if, as a result of investigation, it is determined that an employee has been guilty  
of willful misrepresentation in a request for sick leave pay.

13 D. Incentive Payments for Nonuse of Sick Leave Accruals.

14 1. An employee separated from the City service due to death or retirement for disability or length of service  
with attendant pension payments under any City employee pension system who does not qualify for a VEBA  
deposit under TMC Section 1.12.229 shall be compensated at a rate for the classification in which he or she  
15 was working on the date of separation to the extent of 25 percent of his or her sick leave accruals.

16 [a. An employee separated from the City service due to retirement, and represented by the Tacoma Fire Fighters  
Union, Local 31, shall receive a contribution into the Washington State Council of Fire Fighters \(WSCFF\)  
Employee Benefit Trust in the amount of the sick leave payment as defined in TMC Section 1.12.230.D.1 in  
17 lieu of a cash payment, when properly authorized annually by Local 31.](#)

18 2. A regular, project, temporary pending exam, or appointive employee separated in good standing from the  
City service for any other reason than death or retirement due to disability or length of service with attendant  
pension payments under any City employee pension system pursuant to Section 1.12.229 who has  
19 a minimum of 10 days accrual shall be compensated at a rate for the classification in which he or she was  
working on the date of separation to the extent of 10 percent of his or her sick leave accruals up to a  
20 maximum accrual of 120 days. An employee separated from the City service due to layoff may, upon  
reemployment from the eligible list or departmental reemployment list upon which placed as provided in  
21 Section 1.24.900, have his or her sick leave accrual restored upon repayment to the City of the 10 percent  
22 payment as herein provided. If appointed from other employment lists within the two-year period of  
eligibility, such repayment may also apply.

23 E. Authorization – Police and Fire Disability Payments. Certification for payment for absences due to injury  
or illness covered by the State of Washington Police or Fire Pension Acts shall not be made by the Human  
24 Resources Director until authorization is received from the appropriate Pension Board.

25 \* \* \*

26



Section 5. That Section 1.12.640 of the Tacoma Municipal Code is hereby

amended effective as provided by law, to read as follows:

**1.12.640 Application of additional rates.**

\* \* \*

4001 A Firefighter (CSC 4001) assigned as a Tiller Operator shall receive an additional ~~4.5~~ 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.~~

\* \* \*

4001 ~~Effective March 8, 2004, e~~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.

\* \* \*

L31 ~~Effective January 1, 2010, a~~An employee represented by Tacoma Firefighters Union, Local 31, assigned to the Technical Rescue Team shall be eligible for an applied rate of ~~2.5~~ percent above his or her base rate of pay. ~~Effective January 1, 2011, the applied rate of 2.5 percent will increase to 5 percent for the members of the Technical Rescue Team.~~

L31 An active employee represented by Tacoma Firefighters Union, Local 31, will receive a flat rate, one-time lump sum payment of unused VEBA funds, in the first full pay period following City Council approval of the 2015-2018 collective bargaining agreement, per the terms of the Letter of Agreement revised July 2015.

Section 6. That Sections 1 and 3 of this ordinance shall become effective retroactive to January 1, 2015. That Section 2 of this ordinance shall become effective January 1, 2016. That Sections 4 and 5 shall become effective as provided by law.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

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



## ORDINANCE NO. 28324

1 AN ORDINANCE relating to the Citizen Police Advisory Committee; amending  
2 Section 1.06.075 of the Tacoma Municipal Code, relating to Police  
3 Department Citizen-Initiated Complaint Oversight, to reinstate staggered  
4 terms of one, two, or three years, and establish a term limit of ten years for  
5 the Citizen Police Advisory Committee.

6 WHEREAS, on August 4, 2015, pursuant to Ordinance No. 28310, the City  
7 Council approved amendments to Tacoma Municipal Code (“TMC”) 1.06.075,  
8 relating to Police Department Citizen-Initiated Complaint Oversight, which  
9 amendments included removing staggered terms and limiting members of the  
10 Citizen Police Advisory Committee to two consecutive three-year terms, and

11 WHEREAS, at its meeting of September 24, 2015, the PSHSE Committee  
12 recommended that TMC 1.06.075 be amended to (1) reinstate staggered terms  
13 of one, two, or three years for the Citizen Police Advisory Committee; and  
14 (2) establish a term limit of ten years for Committee members, and has forwarded  
15 the proposed amendments to the City Council for its consideration; Now,

16 Therefore,  
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BE IT ORDAINED BY THE CITY OF TACOMA:

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That Section 1.06.075 of the Tacoma Municipal Code is hereby amended  
as set forth in the attached Exhibit "A."

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## EXHIBIT "A"

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### **1.06.075 Police Department Citizen-Initiated Complaint Oversight.**

A. Citizen-Initiated Conduct Complaint System. The City Manager shall appoint a City employee who does not work for the Tacoma Police Department, and who reports directly to the City Manager, to perform the following functions:

1. Receive and forward citizen-initiated conduct complaints to the Police Department;
2. Ensure complainants are notified that their complaint has been received and forwarded and that they are informed of all findings;
3. Produce statistical reports;
4. Serve as a liaison to the Citizen Police Advisory Committee;
5. Other duties related to implementation of this section, as may be assigned by the City Manager.

Citizen Police Advisory Committee

B. Creation of the Committee.

1. There is created a Citizen Police Advisory Committee ("Committee"), consisting of 11 members, one member from each City Council District and five members from the general community; and one designated youth seat, with a minimum of 40 percent of the members from traditionally underrepresented communities or groups that reflect and represent the diverse communities in the City of Tacoma. Members must be residents of Tacoma. Commissioned law enforcement professionals and their family members are eligible to serve, provided that no current member of the Tacoma Police Department or his or her immediate family may serve. However, the Committee will consist of no more than three members that are commissioned law enforcement professionals or retired commissioned law enforcement professionals.

2. Members shall be appointed by the City Council. Members shall serve ~~for staggered one-, two-, or three-~~ year terms. No member shall serve more than ~~ten years~~~~two consecutive three-year terms~~. The youth seat designation shall be for a one-year term.

C. Duties of the Committee.

The Committee shall perform the following duties:

1. Foster understanding and communication between the citizens of Tacoma and the Tacoma Police Department and review and advise the Chief of Police on community relations between the Police Department and the community.
2. Hold regular public meetings to promote awareness of the citizen complaint process, solicit input from the community, and convene community conversations regarding police services, programs, and issues of public safety to encourage and develop an active citizen-police partnership with an emphasis on improving relations between the Police Department and citizens in Tacoma. The Committee shall forward citizen complaints to the citizen-initiated conduct complaint system.
3. Work to strengthen and ensure the application of equal protection under the law throughout the community.
4. Review the investigative process and results of completed administrative investigations of complaints, such as alleged excessive use of force or police brutality, for discussion purposes with regard to what processes may be considered in preventing the occurrences of future activities.
5. Generate community interest and involvement, and promote public awareness of the City's police services and programs, including, but not limited to, business and residential crime prevention programs, safety training, domestic violence intervention, community-oriented policing, and other areas of community relations.



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6. Review, develop, and recommend strategies to the City Council, City Manager, and Chief of Police concerning Police Department policies, procedures, rules, training, and programs. Examples of potential areas that may be reviewed or studied include such areas as police misconduct investigation procedures, in-service training in human relations, Citywide crime prevention efforts, citizen participation and education on rights and responsibilities and community-oriented policing. The specific study or review areas set forth above are to be considered as examples of the areas to be studied and reviewed and are not intended to be limitations.

7. Notwithstanding the duties of the Committee as described above, the Committee shall have no power or authority to investigate, review, or otherwise participate in matters involving specific police personnel or specific police-related incidents. Should any concern raised by the Committee remain unresolved after receiving a response from the Chief of Police, the Committee may request the matter be referred to the City Manager.

D. The Committee may adopt by-laws and processes for its internal organization.

E. The City Manager's Office will appoint staff to support the Committee.