



## Legislation Passed February 26, 2019

The Tacoma City Council, at its regular City Council meeting of February 26, 2019, 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.

---

### **Resolution No. 40237**

A resolution authorizing the execution of an amendment to the Interlocal Agreement with the City of Fircrest, to extend certain Fire Department fees and penalty charges to Fircrest, effective March 1, 2019.

[Michael Fitzgerald, Assistant to the Chief; James P. Duggan, Fire Chief]

### **Resolution No. 40238**

A resolution authorizing the execution of an amendment to the Interlocal Agreement with Pierce County Fire District 10, to extend certain Fire Department fees and penalty charges to the Fire District, effective March 1, 2019.

[Michael Fitzgerald, Assistant to the Chief; James P. Duggan, Fire Chief]

### **Resolution No. 40239**

A resolution appointing individuals to the Human Rights Commission and Tacoma Community Redevelopment Authority Board.

[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]

### **Resolution No. 40240**

A resolution authorizing an increase to the contract with Stergion Group, Inc., in the amount of \$232,764, plus applicable taxes, for a total of \$832,899, budgeted from the Information Systems Fund, for continued technical project management services - Specification No. PS14-0295F.

[Michelle Lewis-Hodges, Information Technology Manager;  
Daniel Key, Director, Information Technology]

### **Resolution No. 40241**

A resolution authorizing the use of \$20,000 of City Council Contingency Funds to support tenant outreach and education services; and directing the City Manager to negotiate and execute an agreement with the Tenants Union of Washington outlining the scope of work and deliverables for said funding.

[Council Member Beale]

### **Resolution No. 40242**

A resolution authorizing the execution of a Collective Bargaining Agreement with the International Brotherhood of Electrical Workers, Local 483, Water Pollution Control Unit, which consists of approximately 50 budgeted full-time equivalent positions, retroactive to January 1, 2018, through December 31, 2019.

[Dylan Carlson, Senior Labor Relations Manager; Gary Buchanan, Director, Human Resources]

**Ordinance No. 28573**

An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to clarify leave deposits and remove language regarding a cash-out option, to align with the Voluntary Employee Beneficiary Association Plan document. [Kari Louie, Senior Compensation and Benefits Manager; Gary Buchanan, Director, Human Resources]



## RESOLUTION NO. 40237

1 A RESOLUTION relating to fire services; authorizing the execution of an  
2 amendment to the Interlocal Agreement with the City of Fircrest to extend  
3 certain Fire Department fees and penalty charges to Fircrest, effective  
4 March 1, 2019.

4 WHEREAS, on August 1, 1995, pursuant to Ordinance No. 25744, the  
5 City entered into a consolidated fire services agreement with the City of  
6 Fircrest ("Fircrest") to have the Tacoma Fire Department ("TFD") provide fire,  
7 rescue, and emergency medical services in Fircrest, and  
8

9 WHEREAS, as part of its approved 2019-2020 biennial budget, TFD  
10 included the extension of certain fees and penalty charges to Fircrest  
11 consistent with the implementation of said fees and penalties in the City, as  
12 follows: Commercial Fire Protection Systems Compliance Fee (Tacoma  
13 Municipal Code ("TMC") 3.09.040); Fire False Alarm Fine (TMC 3.06.005); and  
14 the Non-Emergency Lift Assistance Fine (TMC 6B.50.070), and  
15

16 WHEREAS, based on historical information for Fircrest, TFD expects  
17 approximately 21 fire false alarms in 2019; no lift assists, as the department  
18 has not received these type of calls from the two licensed care facilities which  
19 operate in Fircrest; and approximately 53 commercial fire protections systems  
20 which need to be tracked for testing and maintenance records compliance,  
21 and  
22

23 WHEREAS, pursuant to the intent of the original agreement, the  
24 proposed amendment excludes the extension of fees for building/business  
25 inspections in Fircrest, as the cost of such inspections is understood to be  
26



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

covered by the existing contract fee; as a result, no additional fees will be charged for 56 buildings and 138 business inspections completed annually in Fircrest, and

WHEREAS the Fircrest City Council approved the proposed contract amendments through adoption of Resolution No. 1572, on January 8, 2019;

Now, Therefore,

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

That the proper officers of the City are hereby authorized to enter into an amendment to the Interlocal Agreement with the City of Fircrest to extend certain Fire Department fees and penalty charges to Fircrest, effective March 1, 2019, said document to be substantially in the form of the amendment on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## RESOLUTION NO. 40238

1 A RESOLUTION relating to fire services; authorizing the execution of an  
2 amendment to the Interlocal Agreement with Pierce County Fire District  
3 No. 10 (“Fire District”) to extend certain Fire Department fees and penalty  
4 charges to the Fire District, effective March 1, 2019.

4 WHEREAS, on July 12, 1994, pursuant to Resolution No. 32639, the City  
5 entered into a consolidated fire services agreement with Pierce County Fire District  
6 No. 10 (“Fire District”) to have the Tacoma Fire Department (“TFD”) provide fire,  
7 rescue, and emergency medical services in the Fire District, and  
8

9 WHEREAS, as part of its approved 2019-2020 biennial budget, TFD  
10 included the extension of certain fees and penalty charges to the Fire District  
11 consistent with the implementation of said fees and penalties in the City, as  
12 follows: Building Inspection Program Fees (Tacoma Municipal Code (“TMC”)  
13 3.09.050); Commercial Fire Protection Systems Compliance Fee (TMC 3.09.040);  
14 Fire False Alarm Fine (TMC 3.06.005); and the Non-Emergency Lift Assistance  
15 Fine (TMC 6B.50.070), and  
16

17 WHEREAS, based on historical information for the Fire District, TFD  
18 expects approximately 105 fire false alarms in 2019; no lift assists, as the Fire  
19 District does not have any licensed care facilities, however, this amendment allows  
20 the fine to be imposed if a facility opens in the future; 660 building and business  
21 inspections to be completed annually; and 627 commercial fire protections systems  
22 which need to be tracked for testing and maintenance records compliance, and  
23

24 WHEREAS, at its meeting of February 12, 2019, the Fire District Board of  
25 Commissioners approved the proposed contract amendments; Now, Therefore,  
26



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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

That the proper officers of the City are hereby authorized to enter into an amendment to the Interlocal Agreement with Pierce County Fire District No. 10 ("Fire District") to extend certain Fire Department fees and penalty charges to the Fire District, effective March 1, 2019, said document to be substantially in the form of the amendment on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## RESOLUTION NO. 40239

1 BY REQUEST OF COUNCIL MEMBERS BEALE, BLOCKER, THOMS, AND  
2 USHKA

3 A RESOLUTION relating to committees, boards, and commissions; appointing  
4 individuals to the Human Rights Commission and the Tacoma Community  
5 Redevelopment Authority Board.

6 WHEREAS vacancies exist on the Human Rights Commission and the  
7 Tacoma Community Redevelopment Authority Board, and

8 WHEREAS, at its meeting of February 14, 2019, the Community Vitality  
9 and Safety Committee conducted interviews and recommended the appointment  
10 of individuals to the Human Rights Commission, and

11 WHEREAS, at its meeting of February 14, 2019, the Community Vitality  
12 and Safety Committee also conducted interviews and recommended the  
13 appointment of an individual to the Tacoma Community Redevelopment Authority  
14 Board, and

15 WHEREAS, pursuant to the City Charter Section 2.4 and the Rules,  
16 Regulations, and Procedures of the City Council, the persons named on  
17 Exhibit "A" have been nominated to serve on the Human Rights Commission and  
18 the Tacoma Community Redevelopment Authority Board; Now, Therefore,

19  
20  
21 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

22 That those nominees to the Human Rights Commission and the Tacoma  
23 Community Redevelopment Authority Board, listed on Exhibit "A," are hereby  
24  
25  
26



1 confirmed and appointed as members of such commission and board for such  
2 terms as are set forth on the attached Exhibit "A."

3  
4 Adopted \_\_\_\_\_

5

6

\_\_\_\_\_  
Mayor

7 Attest:

8

9

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

10

11

Approved as to form:

12

13

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

14

15

16

17

18

19

20

21

22

23

24

25

26





## EXHIBIT "A"

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

### HUMAN RIGHTS COMMISSION

Appointing **Taniesha Lyons** to a three-year term to expire February 28, 2022.

Appointing **Carol Mitchell** to a three-year term to expire February 28, 2022.

Appointing **Sarah Nunez** to a three-year term to expire February 28, 2022.

Appointing **Sarah Rumbaugh** to a three-year term to expire February 28, 2022.

Appointing **Julie Tran** to a three-year term to expire February 28, 2022.

Appointing **Rosita Castellano** to fill an unexpired term to expire February 29, 2020.

Appointing **Ronita Boult** to fill an unexpired term to expire February 28, 2021.

### TACOMA COMMUNITY REDEVELOPMENT AUTHORITY BOARD

Appointing **Tera Williams** to the "At-Large" designation for a two-year term to expire February 28, 2021.



## RESOLUTION NO. 40240

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and  
2 the furnishing of services; authorizing the increase of Contract No. C12 with  
3 Stergion Group, Inc., in the amount of \$232,764, plus applicable taxes, for a  
4 cumulative total of \$832,899, budgeted from the Information Systems Fund,  
for continued technical project management services, pursuant to  
Specification No. PS14-0295F.

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 the attached 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 Board of  
14 Contracts and Awards to adopt the recommendation for award as set forth in the  
15 attached Exhibit "A."  
16

17 Section 2. That the proper officers of the City are hereby authorized to  
18 increase Contract No. C12 with Stergion Group, Inc., in the amount of \$232,764,  
19 plus applicable taxes, for a cumulative total of \$832,899, budgeted from the  
20  
21  
22  
23  
24  
25  
26



1 Information Systems Fund, for continued technical project management services,  
2 pursuant to Specification No. PS14-0295F, consistent with Exhibit "A."

3  
4 Adopted \_\_\_\_\_

5

6 \_\_\_\_\_  
Mayor

7 Attest:

8

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

10 Approved as to form:

11

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

13

14

15

16

17

18

19

20

21

22

23

24

25

26



## RESOLUTION NO. 40241

1 BY REQUEST OF MAYOR WOODARDS AND COUNCIL MEMBERS BEALE AND  
2 IBSEN

3 A RESOLUTION authorizing the one-time use of Council Contingency Funds, in the  
4 amount of \$20,000, for the purpose of supporting tenant outreach and  
5 education services; and directing the City Manager to negotiate and execute  
6 an agreement with the Tenants Union of Washington, outlining the scope of  
7 work and deliverables for said funding.

8 WHEREAS, on November 20, 2018, the City enacted Tacoma Municipal  
9 Code 1.95, "Rental Housing Code," to provide better protections for tenants and  
10 provide specific guidance to landlords, and

11 WHEREAS the City's Office of Equity and Human Rights has budgeted  
12 \$26,000 for public outreach to educate tenants and landlords on the new laws and  
13 their rights under the laws, and

14 WHEREAS this public outreach will take place in each district of the City,  
15 and will provide translation and other accessibility options, as necessary, to allow  
16 for equitable outreach to as many tenants as possible, and

17 WHEREAS, at the February 5, 2019, Study Session, Council Member Beale  
18 shared a Council Consideration Request to authorize the one-time use of Council  
19 Contingency Funds, in the amount of \$20,000, for tenant outreach and education  
20 services, and

21 WHEREAS the proposed funding will allow for additional public outreach  
22 services by the Tenants Union of Washington, through the Tacoma Tenants  
23 Organizing Committee, to supplement existing efforts to connect tenants to  
24 resources and advocate for their interests, and  
25  
26



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

WHEREAS this proposal is aligned with the City’s Affordable Housing Action Strategy, which includes a strategic objective to “help people stay in their homes and communities,” and

WHEREAS the proposed outreach efforts will occur in 2019, and the deliverables, as identified by the Tacoma Tenants Organizing Committee, include: (1) eight tenant-led public meetings in central, south, and east Tacoma, with 50 attendees per meeting; (2) “train the trainer” training for community groups and direct service providers who work with tenants, with a goal of reaching ten groups and at least 50 direct service providers; and (3) outreach to 5,000 tenants through 25 volunteers, and

WHEREAS the Tacoma Tenants Organizing Committee is not able to directly contract with the City, and requires that the City contract with the Tenants Union of Washington for these services, and

WHEREAS the Tacoma Tenants Organizing Committee has worked closely with the Tenants Union of Washington, and the committee would provide technical support and assistance for the project, and

WHEREAS City staff will negotiate and execute an agreement for services with the Tenants Union of Washington, outlining the scope of work and deliverables for said funding, and

WHEREAS RCW 35.33.145 and 35.34.250 authorize a withdrawal from the Council Contingency fund for any municipal expense, the necessity or extent of which could not have been foreseen or reasonably evaluated at the time of adopting the budget, and



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

WHEREAS the need for additional tenant outreach and education services could not have been foreseen or reasonably evaluated at the time the City adopted its biennial budget, and

WHEREAS Ordinance No. 22569 requires an affirmative vote of not less than six members of the Council in order to withdraw moneys from this fund; Now, Therefore,

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

Section 1. That one-time funding in the amount of \$20,000, budgeted from the Council Contingency Fund, is hereby approved for the purpose of supporting tenant outreach and education services.

Section 2. That the City Manager is hereby directed to negotiate and execute an agreement with the Tenants Union of Washington, outlining the scope of work and deliverables outlined in Section 1.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## RESOLUTION NO. 40242

1 A RESOLUTION related to collective bargaining; authorizing the execution of a  
2 two-year Collective Bargaining Agreement between the City and the  
3 International Brotherhood of Electrical Workers, Local 483, Water Pollution  
4 Control Unit, effective retroactive to January 1, 2018, through December 31,  
5 2019.

6 WHEREAS the City has, for years, adopted the policy of collective  
7 bargaining between the various labor organizations representing employees and  
8 the administration, and

9 WHEREAS this resolution allows for the execution of a two-year Collective  
10 Bargaining Agreement (“CBA”) between the City and the International Brotherhood  
11 of Electrical Workers, Local 483, Water Pollution Control Unit (“Union”), on behalf  
12 of the employees represented by said Union, and

13 WHEREAS the bargaining unit consists of approximately 50 budgeted,  
14 full-time equivalent (“FTE”) positions, and

15 WHEREAS the CBA will provide for a wage increase of 2.5 percent  
16 retroactive to January 1, 2018; and a wage increase of 3 percent, retroactive to  
17 January 1, 2019, and

18 WHEREAS other changes include the following: (1) an increase to the  
19 annual safety footwear allowance, from \$250 to \$300; (2) amended language in  
20 the articles on Grievances and Discipline; (3) language that unused compensatory  
21 time off will be paid out at the end of the year in which it was earned; (4) language  
22 that employees must complete their probationary period to be eligible for standby  
23 assignments; (5) the addition of an application of rate of 2 percent for up to three  
24 employees in the classification of WWTP Electrical/Instrumentation Technician for  
25  
26



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

maintaining a valid Crane Operator certification; and (6) the addition of standard language regarding time off and benefits to Appendix B, and

WHEREAS it appears in the best interests of the City that the CBA negotiated by said Union and the City be approved; 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 the two-year Collective Bargaining Agreement between the City and the International Brotherhood of Electrical Workers, Local 483, Water Pollution Control Unit, effective retroactive to January 1, 2018, through December 31, 2019, said document to be substantially in the form of the agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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





## ORDINANCE NO. 28573

1 AN ORDINANCE relating to pay and compensation; amending Section  
2 1.12.229 of the Tacoma Municipal Code (“VEBA Accounts”) regarding  
3 leave deposits, and removing a cash-out option, to align with the VEBA  
4 Plan document.

5 WHEREAS Ordinance No. 26070, passed September 30, 1997,  
6 amended Chapter 1.12 of the Tacoma Municipal Code (“TMC”),  
7 “Compensation Plan,” to allow employee participation in a VEBA (Voluntary  
8 Employee Beneficiary Association) Account as an alternative to the incentive  
9 payment for non-use of sick leave, and

10 WHEREAS employees retiring from the City benefit from depositing  
11 untaxed severance pay into a VEBA Account and using the funds for post-  
12 retirement medical expenses, as authorized pursuant to Internal Revenue  
13 Code Section 501(c)(9), without any additional cost to the City, and

14 WHEREAS it is necessary to amend TMC 1.12.229 (“VEBA Accounts”)  
15 to clarify leave deposits and remove language that allows a retiring employee  
16 to apply for a cashout in lieu of a deposit to a VEBA Account, which is  
17 inconsistent with the VEBA Plan document; Now, Therefore,  
18  
19  
20  
21  
22  
23  
24  
25  
26



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Section 1.12.229 of the Tacoma Municipal Code (“VEBA Accounts”) is hereby amended as set forth in the attached Exhibit “A.”

Section 2. That Section 1 is effective as provided by law.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## EXHIBIT "A"

1  
2 **1.12.229 VEBA Accounts.**

3 A. The City shall deposit into a VEBA (Voluntary Employee Beneficiary Association) Account a sum  
4 equivalent to 25 percent of the sick leave accruals for a nonrepresented employee; or, if provided for in a  
5 collective bargaining agreement, 25 percent of the sick leave accruals, and 100 percent up to the amount  
6 provided in the specific collective bargaining agreement of Personal Time Off accruals for any employee  
7 who meets the following criteria:

- 8
- 9 1. The employee must qualify under subsection B of this section; and
  - 10 2. The employee must be separated from the City service due to (i) retirement for disability or length of  
11 service with attendant pension payments under any City employee pension system; or (ii) death.

12 The sum deposited into the VEBA Account shall be calculated at the employee's regular classification rate  
13 of pay effective at the time of retirement or death.

14 B. An employee shall qualify for a deposit into a VEBA Account pursuant to subsection A of this section if  
15 the following three criteria are met:

16 1. a. The employee is not a member of one of the City's collective bargaining units at the time of retirement  
17 or death, or

18 b. If the employee is a member of a duly selected collective bargaining unit at the time of his or her  
19 retirement or death, the employee shall qualify for a deposit into a VEBA Account only if, at the time of  
20 the employee's retirement or death, a valid collective bargaining agreement confers upon the employee the  
21 right to a VEBA account; and

22 2. The employee shall qualify for a deposit into a VEBA Account only if the VEBA Account deposit is a  
23 reasonable and equitable substitute for the cashout payment under Section 1.12.230D.1 which was in effect  
24 immediately prior to the effective date of the ordinance codified in this section: ~~and However, an~~  
25 ~~employee may apply for a cashout where the VEBA Account will be clearly detrimental when compared to~~  
26 ~~the preexisting benefit in the unusual circumstances of his or her particular case. The employee must prove~~  
~~he or she is not qualified under a preponderance of evidence standard for a VEBA Account due to one or~~  
~~more of the following circumstances: (a) the employee has access to alternative post retirement benefits~~  
~~and therefore will not use the VEBA Account in a reasonably foreseeable time or manner following~~  
~~separation from the City; (b) the employee, his or her spouse, and dependents have only nominal medical~~  
~~expenses and the panel is convinced that, due to the employee's circumstances, projected medical expenses~~  
~~will be substantially below what would normally be expected; (c) the employee possesses a compelling~~  
~~immediate need for cash to prevent a hardship to the employee or his or her dependents, such as loss of~~  
~~shelter or inability to obtain food; (d) a bona fide emergency need exists due to events beyond the control~~  
~~of the employee, such as for airfare to attend a seriously ill or incapacitated relative in the absence of other~~  
~~reasonable alternative methods of payment; or (e) such similar circumstance as the panel finds unique and~~  
~~compelling which would render the VEBA deposit an inequitable or unreasonable alternative to the cash~~  
~~out payment. An employee's desire for cash without any additional compelling factors set forth above shall~~  
~~not render the VEBA deposit an unreasonable or inequitable benefit; and~~

3. The total sum due to the employee is \$100.00 or greater.

23 C. ~~In the event an employee contends he or she is entitled to the cashout, upon application for retirement,~~  
24 ~~he or she shall submit to the Human Resources Department a written application on such form as the~~  
25 ~~Human Resources Department shall identify and require. The Human Resources Department shall then~~  
26 ~~convene a panel to consider such declaration. The panel shall be comprised of the Director or Acting~~  
~~Director of the Human Resources Department, the Manager or Acting Manager of the Risk Management~~  
~~Division of Human Resources, the City Treasurer or Acting City Treasurer, the City Attorney or his or her~~  
~~designee, and a representative appointed by the Joint Labor Council. Such panel shall convene within~~



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

~~14 days of receipt of the declaration and shall render its decision within 28 days of receipt of the declaration. Such panel shall receive evidence from the employee in a manner prescribed by the panel. In no case shall a cashout payment be made until the panel has issued its decision. The panel shall determine whether an employee is qualified for the VEBA deposit solely upon the criteria set forth in this section and such administrative guidelines as the Human Resources Director shall issue to aid in the interpretation of this section. The determination of the panel shall be binding.~~

DC. In addition to VEBA benefits for which an employee may be eligible under subsections A and B above, the City shall deposit \$250.00 per month into an individual VEBA Account for each employee represented by the Tacoma Police Management Association, Local 26, who is also an LEOFF II pension system member, per the collective bargaining agreement; provided, however, contributions for employees who become represented by said bargaining unit after May 21, 2001, will be made beginning the first full month following an employee's permanent appointment to a classification represented by the bargaining unit.