Legislation Passed October 13, 2020

The Tacoma City Council, at its regular City Council meeting of October 13, 2020, 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. 40669**
A resolution authorizing the submittal of a grant application through the United States Department of the Interior, Bureau of Reclamation’s WaterSMART Grants: Water and Energy Efficiency Grants Program, in the amount of $2 million, for the deployment of approximately 107,000 advanced water meters and radio modules; and authorizing the Director of Utilities to enter into an agreement for the requested grant.
[Corey Bedient, Assistant Water Division Manager; Scott Dewhirst, Water Superintendent]

**Resolution No. 40670**
A resolution declaring surplus and authorizing the sale of approximately 31.5 acres of Tacoma Power property, located in the Frederickson vicinity of unincorporated Pierce County, to Exeter Canyon Land, LLC, for the amount of $10,600,000.
[Greg Muller, Real Estate Officer; Chris Robinson, Power Superintendent]

**Resolution No. 40671**
A resolution authorizing the execution of a Letter of Agreement with the Teamsters Local Union No. 117, Tacoma Venues and Events Unit, regarding alternate work schedules to address budget constraints.
[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

**Resolution No. 40672**
[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

**Ordinance No. 28692**
An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for the position of City Manager, retroactive to May 16, 2020.
[Kari L. Louie, Senior Compensation and Benefits Manager; Gary Buchanan, Director, Human Resources]
RESOLUTION NO. 40669

A RESOLUTION relating to the Department of Public Utilities, Water Division, d.b.a. Tacoma Water; authorizing the City of Tacoma, Department of Public Utilities, to apply for $2 million in grant funds through the United States Department of the Interior, Bureau of Reclamation’s WaterSMART Grants: Water and Energy Efficiency Grants Program, and authorizing the Director of Utilities to enter into an agreement for the requested grant.

WHEREAS the City of Tacoma, Department of Public Utilities (“TPU”), Water Division (d.b.a. “Tacoma Water”), plans to deploy Advanced Metering Infrastructure (“AMI”) across its entire water and electric service territories that will modernize utility operations and improve services to customers, and

WHEREAS the AMI program will involve replacing or upgrading all non-communicating power and water meters with advanced two-way communicating technology, and

WHEREAS, to support this effort, TPU has applied for a $2 million grant from the United States Department of the Interior, Bureau of Reclamation’s (“Bureau of Reclamation”) WaterSMART Grants: Water and Energy Efficiency Grants Program specific to the deployment of approximately 107,000 advanced water meters and radio modules, and

WHEREAS the $2 million grant, when complemented with the planned utility investment of approximately $25 million for grant related meter/module deployment, will help provide more efficient service to drinking water customers served by TPU, and
WHEREAS the grant application must include a supporting Resolution adopted by the board of directors or governing body approving the grant application, and

WHEREAS the City Council has reviewed and supports the application and verifies that TPU/Tacoma Water has the capability to provide the amount of funding and/or in-kind contributions specified in the application funding plan, and

WHEREAS TPU/Tacoma Water will work with the Bureau of Reclamation to meet the established deadlines for entering into a grant or cooperative agreement, and

WHEREAS the City Council delegates to the Director of Utilities the authority to enter into a grant agreement with the Bureau of Reclamation, and

WHEREAS TPU/Tacoma Water has also received U.S. Congressional letters of support from Senator Patty Murray, Representative Derek Kilmer, Representative Denny Heck, and Representative Adam Smith, and

WHEREAS the completion of the AMI water meter/module installations is planned for late 2022, and will be coordinated with similar upgrades to TPU’s electric meters, and

WHEREAS the AMI Project supports TPU’s long-term goal of water supply and efficient water management by providing detection of leaks and providing customers with an action plan; a customer portal that will provide real-time information on their water usage; and a more accurate reading regarding usage, and

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WHEREAS this project will lead to a number of other measurable efficiency improvements such as a water savings estimate of 2,049.5 acre-feet per year; savings of nearly 24,000 gallons of gasoline per year in meter reading and maintenance vehicle consumption; and emission reduction estimated at 35.1 metric tons of CO$_2$ per year, and

WHEREAS these savings will also reduce the amount of water diverted and treated out of the Green River, TPU’s primary drinking water source, and provide energy savings associated with pumping reductions, and

WHEREAS these water usage reductions will provide flexibility for ongoing initiatives aimed at improving the health of several threatened species of fish; Now, Therefore,

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

Section 1. That the City Council approves the application by the City of Tacoma, Department of Public Utilities, for $2 million in grant funds through the United States Department of the Interior, Bureau of Reclamation’s WaterSMART Grants: Water and Energy Efficiency Grants Program, and verifies the application as set forth above and as on file in the office of the City Clerk.
Section 2. That the Director of Utilities is authorized to enter into an agreement for the requested grant as set forth in Section 1 above.

Adopted ______________________

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Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Chief Deputy City Attorney
RESOLUTION NO. 40670

A RESOLUTION relating to the Department of Public Utilities, Light Division (d.b.a. “Tacoma Power”); declaring surplus and authorizing the sale of approximately 31.5 acres of Tacoma Power property, located in the Frederickson vicinity of unincorporated Pierce County, to Exeter Canyon Land, LLC, for the amount of $10,600,000.

WHEREAS the City of Tacoma, through its Department of Public Utilities, Light Division (d.b.a. “Tacoma Power”), owns approximately 31.5 acres of unimproved real property located at 16515-16525 Canyon Road East, in the Frederickson vicinity of unincorporated Pierce County, Washington (the “Property”), and

WHEREAS the Property was expected to be the site of a new South Service Center for Tacoma Power, but that project was cancelled and Tacoma Power has determined that it does not need the Property for continued public utility service, and

WHEREAS the Property was declared surplus in November of 2018 by the Director of Utilities, and at the conclusion of marketing efforts, a purchase and sale agreement with Exeter Canyon Land, LLC (“Exeter”) was entered into in February of 2020, and

WHEREAS Exeter offered to purchase the Property for $10,600,000, which was deemed acceptable by Tacoma Power, and

WHEREAS Tacoma Power has agreed to credit to Exeter $235,000 toward the purchase price which was received as consideration from the Tacoma Sportsmen’s Club for an easement on the Property, resulting in a net consideration to be received from Exeter of $10,365,000, and
WHEREAS the Department of Public Works proceeded with the negotiated
disposition process pursuant to Tacoma Municipal Code (“TMC”) 1.06.280.F, and

WHEREAS, on September 9, 2020, by adoption of Public Utility Board
Resolution No. U-11195, the Property was determined not required for continued
public utility service and declared surplus to the needs of Tacoma Power and
Tacoma Public Utilities and approved for sale, pending confirmation from the City
Council, and

WHEREAS, pursuant to RCW 35.94.040 and TMC 1.06.280, a public
hearing was held before the City Council on October 6, 2020, and

WHEREAS, there being no foreseeable need for continued City ownership of
the Property, the sale of said Property appears to be in the best interests of the
City, pending final approval from the City Council; Now, Therefore,

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

Section 1. That the City Council does hereby find and concur with the
Tacoma Public Utility Board’s determination and declaration pursuant to
Public Utility Board Resolution No. U-11195 that the property located at
16515-16525 Canyon Road East, in the Frederickson vicinity of
unincorporated Pierce County (“Property”), is surplus to the needs of Tacoma
Power and Tacoma Public Utilities.

Section 2. That, consistent with RCW 35.94.040, RCW 35.22.020, and
Article I, Section 1.2 and Article IX, Section 9.1 of the City Charter, the City Council
does hereby find and determine that the Property is not required for, and is not
essential to, continued public utility service or continued effective utility service and,
pursuant to applicable law, is properly declared surplus property and excess to the
needs of Tacoma Power, Tacoma Public Utilities, and the City.

Section 3. That the request of the Department of Public Utilities, Light
Division (d.b.a. “Tacoma Power”), to sell the Property for $10,600,000 to Exeter
Canyon Land, LLC (“Exeter”), is hereby approved.

Section 4. That the proper officers of the City are hereby authorized to
execute all necessary documents to convey the Property to Exeter for the amount
of $10,600,000 (net consideration $10,365,000), said documents to be substantially
in the form of the deed on file in the office of the City Clerk.

Adopted __________________________

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Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-11195
RESOLUTION NO. 40671

A RESOLUTION relating to collective bargaining; authorizing the execution of a Letter of Agreement negotiated between the City of Tacoma and Teamsters Local Union No. 117, Tacoma Venues & Events Unit, regarding alternate work schedules to address budget constraints.

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

WHEREAS Resolution No. 40182, adopted December 11, 2018, authorized the execution of the two-year Collective Bargaining Agreement ("CBA") between the City of Tacoma and Teamsters Local Union No. 117, Tacoma Venues & Events Unit ("Union"), on behalf of the employees represented by said Union, and

WHEREAS the Covid-19 Pandemic has significantly impacted operations and revenues at the City of Tacoma and Tacoma Venues & Events, and in response to emergency proclamations, public health recommendations, financial shortfalls, and in order to better provide for employee social distancing in the workplace, the City has temporarily reduced or eliminated some services, and

WHEREAS the City and Union have negotiated a Letter of Agreement ("LOA") to the CBA which provides for the following: (1) a 50/50 alternative work schedule where employees will be subject to a schedule alternating between one week in full-time status, followed by a week with no scheduled hours, effective October 5, 2020, to address financial shortfalls, operational needs, and employee health, safety, and engagement; and (2) the City will continue to pay the employer’s share of health & welfare benefits, and employee benefit premium deductions will
continue via payroll deduction as if the employee were in a full-time status, and will be maintained through December 31, 2020, and employee leave accruals will be prorated based on the 50/50 schedule, and

WHEREAS it appears in the best interest of the City that the LOA 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 Letter of Agreement negotiated between the City of Tacoma and Teamsters Local Union 117, Tacoma Venues & Event Unit, said document to be substantially in the form of the document on file in the office of the City Clerk.

Adopted ____________________

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Mayor

Attest:

________________________________________

City Clerk

Approved as to form:

________________________________________

Deputy City Attorney
RESOLUTION NO. 40672

A RESOLUTION relating to collective bargaining; authorizing the execution of a Letter of Agreement negotiated between the City of Tacoma and Tacoma Police Union, Local 6, I.U.P.A. to extend the 2017-2019 Collective Bargaining Agreement through December 31, 2020, and the terms of a Body Worn Camera program, to be implemented January 1, 2021.

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

WHEREAS Resolution No. 39983, adopted April 10, 2018, authorized the execution of the three-year Collective Bargaining Agreement (“CBA”) between the City of Tacoma and Tacoma Police Union, Local 6, I.U.P.A. (“Union”), on behalf of the employees represented by said Union, and

WHEREAS the City and the Union have negotiated a Letter of Agreement (“LOA”) to the CBA which extends the terms of the 2017-2019 CBA through December 31, 2020, and provides for the following: (1) a general wage increase of 4 percent, retroactive to January 1, 2020; (2) changes to Article 3, Union Membership and Dues, and Article 23, Special Provisions, consistent with the parties' Letters of Agreement addressing impacts to Union Dues, Fees and Long Term Disability coverage; (3) changes to Article 4, Grievance Procedure, to allow that at any step of the grievance procedure, either party may request a
meeting to discuss the facts and potential resolution of the grievance, including how timelines may be affected; (4) changes to Article 8, Safety Standards, to update references to the Washington Administrative Code (WAC); (5) changes to Article 15, Hours of Work, to indicate that the monthly changeover of days off rotation will occur on the first Monday of every month; that employees on administrative leave, critical incident leave, or any other temporary assignment to another shift with a lesser rate shall not forfeit shift differential pay; that employees may utilize compensatory time in tenth of an hour increments; and that employees hired on or after January 1, 2012, may carry over up to 40 hours of compensatory time from one calendar year to the next, with the remainder cashed out at the end of each calendar year; and (6) changes to Article 20, Work Assignments, so that up to three months of temporary time worked shall be credited toward the required probationary period of six months for permanent promotions within the Local 6 bargaining unit, absent compelling, written justification from the Chief of Police, and

WHEREAS the LOA incorporates the terms of a Body Worn Camera program, to be implemented January 1, 2021, and

WHEREAS it appears in the best interest of the City that the LOA 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 Letter of Agreement negotiated between the City of Tacoma and Tacoma Police Union, Local 6, I.U.P.A., said document to be substantially in the form of the document on file in the office of the City Clerk.

Adopted ______________________

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Mayor

Attest:

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City Clerk

Approved as to form:

______________________________
Deputy City Attorney
ORDINANCE NO. 28692

AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of the Tacoma Municipal Code to implement rates of pay and compensation for the nonrepresented executive classification of City Manager, and declaring the effective dates thereof.

BE IT ORDAINED BY THE CITY OF TACOMA:

That Section 1.12.355 of the Tacoma Municipal Code is hereby amended, effective retroactive to May 16, 2020, to read as follows:

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Passed __________________________

______________________________________________________
Mayor

Attest:

______________________________________________________
City Clerk

Approved as to form:

______________________________________________________
Deputy City Attorney