



Legislation Passed July 15, 2014

The Tacoma City Council, at its regular City Council meeting of July 15, 2014, 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. 38946

A resolution awarding a contract to The CEI Group, Inc., in the amount of \$450,000, plus sales tax, budgeted from various departmental funds, for vehicle accident management services, for an initial contract term of three years, with the option to renew for two additional one-year terms, for a projected contract total of \$750,000 - Specification No. UF13-0744F.

[Justin Davis, Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 38947

A resolution relating to the Multi-Family Property Tax Exemption Program; authorizing the execution of a Multi-Family Housing 8-Year Limited Property Tax Exemption Agreement with Encompass Property Management, LLC, for the development of 35 market-rate rental housing units to be located at 219 and 223 North J Street in the Stadium Mixed-Use Center.

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

Resolution No. 38948

A resolution and proposition amending multiple sections of Articles II, III, V, and VI, of the City Charter to bring election-related provisions in conformance with state law and City practice.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Resolution No. 38949

A resolution and proposition amending multiple sections of Articles II, III, IV, V, VI, VII, IX, and X of the City Charter to replace gender-specific language with gender-neutral language, and deleting or replacing obsolete terms and provisions.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Resolution No. 38950

A resolution and proposition amending Article VI, Section 6.7, of the City Charter to add color, ancestry, gender-identity, sexual orientation, familial status, honorably discharged veteran, and military status to the list of classes protected from discrimination in City employment.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Resolution No. 38951

A resolution and proposition amending Article II, Section 2.13, of the City Charter to allow emergency ordinances to take effect immediately upon passage rather than after publication.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Amended Resolution No. 38952

A resolution and proposition amending Article III, Section 3.4, of the City Charter to require City Council confirmation for appointment of department heads.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Resolution No. 38953

A resolution and proposition amending Article IV, Section 4.18, of the City Charter to require City Council confirmation of the appointment of the Director of Utilities by the Public Utility Board, with reconfirmation by the City Council every two years following annual performance reviews by the Public Utility Board.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Amended Resolution No. 38954

A resolution and proposition amending Article III of the City Charter by adding a new Section 3.13, to require a Landmarks Preservation Commission.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Amended Resolution No. 38955

A resolution and proposition amending Article II, Section 2.35, of the City Charter regarding term limits, by allowing a person to serve two full consecutive terms as a Council Member and two full consecutive terms as Mayor.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Amended Resolution No. 38956

A resolution and proposition amending Article II, Section 2.3, of the City Charter to add a Citizen Commission on Elected Salaries to determine the compensation and salary of the Mayor and Council.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Resolution No. 38957

A resolution and proposition amending Article IX of the City Charter by removing the prohibition against new cemeteries, mausoleums, or crematories within the City of Tacoma.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Resolution No. 38958

A resolution and proposition amending Article VI, Section 6.6, of the City Charter to allow City employees to contract for utility services and participate in conservation, environmental, and other programs available to the public generally and as otherwise allowed by state law.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Resolution No. 38959

A resolution and proposition amending Article VI, Section 6.3, of the City Charter by removing citizenship and City residency as requirements of eligibility for City employment.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]



RESOLUTION NO. 38946

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and
2 the furnishing of services; authorizing the execution of a contract with The
3 CEI Group, Inc., in the amount of \$450,000, plus sales tax, budgeted from
4 various departmental funds, for vehicle accident management services, for
5 an initial contract term of three years, with the option to renew for two
6 additional one-year terms, for a projected contract total of \$750,000, plus
7 sales tax, pursuant to Specification No. UF13-0744F.

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

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

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

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

18 Section 2. That the proper officers of the City are hereby authorized to
19 enter into a contract with The CEI Group, Inc., in the amount of \$450,000, plus
20 sales tax, budgeted from various departmental funds, for vehicle accident
21 management services, for an initial contract term of three years, with the option
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to renew for two additional one-year terms, for a projected contract total of
\$750,000, plus sales tax, pursuant to Specification No. UF13-0744F, consistent
with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



TO: Board of Contracts and Awards
FROM: Kurtis D. Kingsolver, P.E., Public Works Director/City Engineer / *16012*
 Justin Davis, Facilities Division Manager
COPY: City Council, City Manager, City Clerk, SBE Coordinator, LEAP Coordinator, and
 Richelle Krienke, Finance/Purchasing
SUBJECT: Accident Management Services
 Request for Proposals Specification No. UF13-0744F – July 15, 2014
DATE: June 20, 2014

SUMMARY:

The Public Works Department recommends a contract be awarded to The CEI Group, Inc., Trevose, PA, in the amount of \$450,000.00, plus applicable sales tax, for vehicle accident management services, for an initial contract term of three years plus the option for two additional one-year renewal periods, for a projected award amount of \$750,000.00, plus applicable sales tax.

STRATEGIC POLICY PRIORITY:

- Strengthen and maintain a strong fiscal management position.
- Encourage and promote an open, effective, results-oriented organization.

This contract aligns with the City’s Loss Control Program established in September 2013 and will provide complete accident management services including a 24/7 toll free number at the time of the accident, vehicle repair estimates, repair of the vehicle, through return of the vehicle. These services are provided on an as-needed basis.

BACKGROUND:

This contract provides vehicle accident management services to General Government, Fleet Services. It includes auto repair estimates, independent appraisals, auto repairs, vendor monitoring, insurance recovery service, centralized billing for payment to one vendor, claims review and web-based reports in real time. General Government, Fleet Services partnered with Tacoma Public Utilities (TPU), Fleet Services on the request for proposal. TPU, Fleet Services will be establishing a separate contract through their board for similar services.

ALTERNATIVES:

The alternative to contracting with a vehicle accident management service would be to hire internal staff to manage vehicle accidents. This option is not recommended due to the fact that the numbers of auto accidents are not predictable or consistent in any given year. Having an as-needed contract is a more efficient use of City resources and aligns Fleet with the City’s Loss Control Program.

COMPETITIVE SOLICITATION: Request for Proposals Specification No. UF13-0744F was opened February 11, 2014. Two companies were invited to bid in addition to normal advertising of the project. Two submittals were received.

<u>Respondent</u>	<u>Location (city and state)</u>	<u>Rank or Score</u>
The CEI Group, Inc.	Trevose, PA	98%
Fleet Response	Cleveland, OH	60%



Pre-bid Estimate: \$150,000.00 annually

CONTRACT HISTORY: New contract.

SUSTAINABILITY: The CEI Group, Inc. is almost entirely paperless. Every action they make is done electronically via internal or web-based applications and customers can view all claims activity through the web-based claims application. CEI has also developed a portal for body shops to send estimates and photos direct to CEI’s system electronically.

SBE/LEAP COMPLIANCE: Not applicable.

RECOMMENDATION:

The Public Works Department recommends a contract be awarded to The CEI Group, Inc., Trevese, PA, in the amount of \$450,000.00, plus applicable sales tax, for vehicle accident management services, for an initial contract term of three years plus the option for two additional one-year renewal periods, for a projected award amount of \$750,000.00, plus applicable sales tax.

FISCAL IMPACT:

The fiscal impact for a three year contract term is estimated to be \$450,000.00, plus applicable sales tax. The full fiscal impact for a five year contract term is estimated to be \$750,000.00, plus applicable sales tax. The current biennial impact is estimated to be \$75,000.00, plus applicable sales tax. The expenditures and revenues are budgeted in various General Government funds, dependent upon which department owns the vehicle, and used on an as-needed basis per accident occurrence.

EXPENDITURES:

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
Various			\$750,000
TOTAL			\$750,000

* General Fund: Include Department

REVENUES:

FUNDING SOURCE	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
Various			\$750,000
TOTAL			\$750,000

FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$75,000.00 (six months)

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes

IF EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED.

Expenses are budgeted and covered.



RESOLUTION NO. 38947

1 A RESOLUTION relating to the multi-family property tax exemption program;
2 authorizing the execution of a Multi-Family Housing Eight-Year Limited
3 Property Tax Exemption Agreement with Encompass Property
4 Management, LLC, for the development of 35 market-rate, multi-family
rental housing units to be located at 219 and 223 North J Street in the
Stadium Mixed-Use Center.

5 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of
6 Washington, designated several Residential Target Areas for the allowance of a
7 limited property tax exemption for new multi-family residential housing, and
8

9 WHEREAS the City has, through Ordinance No. 25789, enacted a program
10 whereby property owners in Residential Target Areas may qualify for a Final
11 Certificate of Tax Exemption which certifies to the Pierce County
12 Assessor-Treasurer that the owner is eligible to receive a limited property tax
13 exemption, and
14

15 WHEREAS the Director of Community and Economic Development has
16 reviewed the proposed property tax exemption and recommends that a
17 conditional property tax exemption be awarded for the properties located at
18 219 and 223 North J Street, as more particularly described in the attached
19 Exhibit "A"; Now, Therefore,
20

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

22 Section 1. That the City Council does hereby approve and authorize a
23 conditional property tax exemption, for a period of eight years, to Encompass
24 Property Management, LLC, for the properties located at 219 and
25 223 North J Street, as more particularly described in the attached Exhibit "A."
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Section 2. That the proper officers of the City are authorized to execute a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with Encompass Property Management, LLC, 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

Legal description approved:

Chief Surveyor
Public Works Department



EXHIBIT "A"

Legal Description

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Tax Parcel Numbers: 2032190011, 2032190012

Lot 1 and 2, Block 3219, MAP OF NEW TACOMA, W.T., according to Plat recorded February 3, 1875, records of Pierce County Auditor;

TOGETHER WITH the Southwesterly 10 feet of alley abutting thereon, vacated by Ordinance No. 1889 of the City of Tacoma;

Situate in the County of Pierce, State of Washington.

Lots 3 and 4, Block 3219, MAP OF NEW TACOMA, W.T., according to Plat recorded February 3, 1875, records of Pierce County Auditor;

TOGETHER WITH the Southwesterly 10 feet of alley abutting thereon, vacated by Ordinance No. 1889 of the City of Tacoma;

Situate in the County of Pierce, State of Washington.



RESOLUTION NO. 38948

1 A RESOLUTION AND PROPOSITION to amend Article II, Sections 2.4, 2.7,
 2 2.19, 2.20; Article III, Section 3.7; Article V, Sections 5.1, 5.2, 5.3, 5.5, and
 3 5.6; and Article VI, Section 6.11(b), of the Tacoma City Charter to bring
 4 election-related provisions in conformance with state law and City
 5 practice.

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

7 Section 1. That Article II, Section 2.4, of the Tacoma City Charter be
 8 amended to read as follows:

9 **The Mayor**

10 **Section 2.4** – On the date prescribed by state law for the general municipal
 11 elections, commencing in the year 1973, the Mayor shall be elected for a term of
 12 four (4) years. The Mayor shall, by virtue of his/her election, become a member
 13 and presiding officer of the City Council with the right to speak and vote as any
 14 other ~~e~~Council ~~m~~Member. The Mayor shall be the official head of the ~~e~~City
 15 government for purposes of ceremony and military law and upon declaration of
 16 an emergency or disaster which constitutes an event or set of circumstances
 17 which demands immediate action to preserve public health, protect life, protect
 18 public property, or which reaches such a dimension or degree of destructiveness
 19 that exceeds the resources of the City of Tacoma to respond to the situation.¹

20 The Mayor shall authenticate by his/her signature such instruments as may be
 21 required by law, ordinance, or this charter. He/She shall have such appointive
 22 and other powers, duties, and authority as may be conferred upon him/her by
 23 law, ordinance, or this charter; provided, however, that all appointments where
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26 ¹ RCW 35.22.205 establishes the authority of the Mayor upon the declaration of an emergency or disaster when necessary to allow immediate action to preserve public health, protect life, and protect public property.



not in conflict with state law shall be made by majority vote of the eCouncil
1 mMembers from nominees whose names are presented in writing to the Council
2 by the Mayor or by any three members of the Council. This provision shall
3 supersede and prevail over any other provision or ordinance or of the charter
4 inconsistent with or in conflict herewith. A candidate for the office of Mayor shall
5 not be ineligible by reason of holding the office of eCouncil mMember; provided
6 that, if elected, the eCouncilmanic office of any such candidate shall, upon
7 his/her taking office as Mayor, be and become vacant. The compensation to be
8 paid to the Mayor for the performance of his/her duties as such shall be fixed by
9 ordinance, which sum shall be inclusive of his/her compensation as a eCouncil
10 mMember. Except as otherwise provided herein, all provisions relating to the
11 office of eCouncil mMember shall relate also to the office of Mayor. Vacancies in
12 the office of Mayor shall be filled by appointment by the City Council for a term
13 expiring at the time his/her successor has been elected and qualified as
14 hereinafter provided. In the event such a vacancy occurs during the first or
15 second year of the Mayor's term of office ~~and not less than five (5) days~~
16 ~~preceding the last day permitted for filing for office in the next primary election to~~
17 ~~be held for City Council positions~~, then the office of Mayor shall also be placed
18 upon the ballot for the primary and general elections. The Mayor elected at such
19 general election shall be elected for a full four-year term and shall take office at
20 the same time as eCity eCouncil members elected at said general election. In the
21 event that the vacancy occurs subsequent to such time for filing, the appointment
22 shall be for the unexpired term.



1 Section 2. That Article II, Section 2.7, of the Tacoma City Charter be
2 amended to read as follows:

3 **Councilmanic Vacancies**

4 **Section 2.7** – Whenever a vacancy occurs in the office of eCouncilman, the
5 Council shall fill such vacancy by appointment by a majority vote of its remaining
6 members until the commencement of the term of office of municipal officials
7 succeeding the next general municipal election occurring after the date of such
8 appointment, and if any unexpired term remains, it shall be filled by election;
9 ~~provided if such vacancy occurs when there remains less than five (5) full days~~
10 ~~for filing as a candidate at the primary election for such unexpired term, then the~~
11 ~~Council shall appoint a qualified person to fill the full unexpired term; provided,~~
12 however, that in the event a majority of the Council fails to make an appointment
13 to fill a vacancy on the Council within a period of sixty (60) days from the date the
14 vacancy occurs, then the Mayor shall make the appointment, subject to the
15 confirmation of the remaining members of the Council.
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18 Section 3. That Article II, Section 2.19, of the Tacoma City Charter be
19 amended to read as follows:

20 **Section 2.19** – Citizens of Tacoma may by initiative petition ask the voters to
21 approve or reject ordinances or amendments to existing ordinances, subject to
22 any limitation on topics in state law, by the following process:

- 23 (a) The petitioners shall file an Initiative Petition with the City Clerk.
24 (b) ~~Upon receipt, t~~he City Clerk shall forward the petition to the City Attorney
25 within one (1) working day of receipt.
26



1 (c) Within ten (10) working days of receipt, the City Attorney shall review the
2 petition and make contact with the petitioner as necessary, and if the petition
3 is proper in terms of form and style, the City Attorney will write a concise, true,
4 and impartial statement of the purpose of the measure, not to exceed ~~twenty-~~
5 five (25) the number of words ~~in length~~ as allowed under state law for local
6 initiatives. The statement will be phrased in the form of a positive question.

7 (d) The City Attorney shall transmit file this concise statement ~~to~~ with the City
8 Clerk as the official ballot title.

9 (e) The City Clerk shall assign an initiative number to the ballot title and notify the
10 petitioner that the ballot title becomes final and signature gathering may begin
11 in ~~five (5)~~ ten (10) working days if there is no judicial review. Notification of the
12 ballot title shall be posted at City Hall and on the City's web page.

13 (f) Persons dissatisfied with the ballot title prepared by the City Attorney may
14 seek judicial review by petitioning the Pierce County Superior Court within
15 ~~five (5)~~ ten (10) working days of the ~~City Attorney having transmitted the ballot~~
16 ~~title to the City Clerk~~ notification of the ballot title having been posted as
17 required under (e). The Court shall endeavor to promptly review the
18 statements and render a decision as expeditiously as possible. The decision
19 of the Court is final.

20 (g) Petitions must include the final, approved ballot title, initiative number, the full
21 text of the ordinance, or amendment to existing ordinance, that the petitioners
22 seek to refer to the voters, and all other text and warnings required by ~~S~~ sstate
23 Law.
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(h) Petitioners have one hundred and eighty (180) calendar days to collect signatures from registered voters.

(i) The number of valid signatures shall be equal to ten percent (10%) of the votes cast in the last election for the office of Mayor~~Mayoral election~~.

(j) The City Clerk shall ~~verify the sufficiency of the signatures on the petition~~ forward the signatures to the County Auditor to be verified. Based on the Auditor's review, the City Clerk shall determine the validity of the petition. If the petition is validated, the City Council may enact or reject the Initiative, but shall not modify it. If it rejects the Initiative or within thirty (30) calendar days fails to take final action on it, the City Council shall submit the proposal to the people at the next Municipal or General Election that is not less than ninety (90) days after the date on which the signatures on the petition are validated. If it rejects the Initiative or within thirty (30) calendar days fails to take final action on it, the City Council shall submit the proposal to the people at the next Municipal or General Election that is not less than ninety (90) days after the date on which the signatures on the petition are validated

Section 4. That Article II, Section 2.20, of the Tacoma City Charter be amended to read as follows:

Section 2.20 – Citizens of Tacoma may ask that ordinances passed by the City Council, except for ordinances which take effect immediately as allowed in Section 2.13 of the Charter, or as otherwise prohibited by Sstate Law, be referred to the voters for approval or rejection by the following process:



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- (a) The petitioners shall file a Referendum Petition with the City Clerk not later than ten (10) calendar days after the City Council approved the ordinance.
- (b) The filing of a Referendum Petition, and progression by the petitioners through the steps outlined as follows, causes the suspension of the effective date of the ordinance.
- (c) ~~Upon receipt, t~~The City Clerk shall forward the petition to the City Attorney within one (1) working day of receipt.
- (d) Within ~~five (5) ten (10)~~ working days of receipt, the City Attorney shall review the petition and make contact with the petitioner as necessary, and if the petition is proper in terms of form and style, the City Attorney will write a concise, true, and impartial statement of the purpose of the measure, not to exceed ~~twenty-five (25) the number of~~ words in length as allowed under state law for local referendums. The statement will be phrased in the form of a positive question.
- (e) The City Attorney shall ~~transmit file~~ this concise statement ~~to with~~ the City Clerk as the official ballot title.
- (f) The City Clerk shall assign a referendum number to the ballot title and ~~notifies~~ the petitioner that the ballot title becomes final and signature gathering may begin in ~~five (5) ten (10)~~ working days if there is no judicial review. Notification of the ballot title shall be posted at City Hall and on the City's web page.
- (g) Persons dissatisfied with the ballot title prepared by the City Attorney may seek judicial review by petitioning the Pierce County Superior Court within



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~~five (5) ten (10)~~ working days of the ~~City Attorney having transmitted the ballot title to the City Clerk~~ notification of the ballot title having been posted as required under (f). The Court shall endeavor to promptly review the statements and render a decision as expeditiously as possible. The decision of the Court is final.

(h) Petitions must include the final, approved ballot title, referendum number, the full text of the ordinance that the petitioners seek to refer to the voters, and all other text and warnings required by ~~S~~state ~~L~~aw.

(i) Petitioners have thirty (30) calendar days to collect signatures from registered voters.

(j) The number of valid signatures shall be equal to ten percent (10%) of the votes cast in the last ~~election for the office of Mayor~~ Mayoral election.

(k) The City Clerk shall ~~verify the sufficiency of the signatures on the petition~~ forward the signatures to the County Auditor to be verified. Based on the Auditor's review, the City Clerk shall determine the validity of the petition. If the petition is validated, the City Council shall immediately reconsider the ordinance, and if it does not repeal the ordinance, submit the proposal to the people at the next Municipal or General Election that is not less than ninety (90) days after the date on which the signatures on the petition are validated.

Section 5. That Article III, Section 3.7, of the Tacoma City Charter be amended to read as follows:



City Clerk

1 **Section 3.7** – The City Manager shall appoint a City Clerk who shall (a) attend all
2 meetings of the Council and keep a permanent journal of its proceedings,
3
4 (b) record and certify all ordinances and resolutions, (c) serve as custodian of the
5 eCity seal and official eCity records, (d) prescribe and furnish sample forms for
6 petitions provided for by this charter, and (e) ~~serve as registrar of voters for the~~
7 ~~city, and (f)~~ perform such other duties as may be prescribed by the Manager,
8 state law, this charter, or by ordinance. The City Clerk with the approval of the
9 City Manager may designate one clerk in his office as his deputy, who shall have
10 all the powers and perform all the duties of the City Clerk in his absence.
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12 Section 6. That Article V, Sections 5.1, 5.2, 5.3, 5.5, and 5.6, of the Tacoma
13 City Charter be amended to read as follows:

14 **Application of State Election Laws**

15 **Section 5.1** – At all municipal elections, general, special and primary, the
16 manner of electing officers and of submitting questions or propositions to the
17 qualified electors, conducting and voting at elections, ~~opening and closing of~~
18 ~~polls, keeping the poll lists, duties of election officers,~~ canvassing the votes,
19 declaring the results and certifying the returns, shall be in accordance with state
20 law, except as otherwise provided in this charter.
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23 ~~Types of Elections – When Held~~

24 ~~Section 5.2 – Except as otherwise provided in Section 10.6 of this charter,~~
25 ~~municipal general and primary elections shall be held biennially on the days~~
26 ~~provided by law in each even numbered year. All other municipal elections shall~~



~~be known as special municipal elections and shall be provided for by the Council, subject to the provisions of state law.² All municipal elections shall be non-partisan and by the qualified electors of the city at large.~~

Filing and Certification of Candidates

Section 5.3 – Any qualified elector eligible thereto may become a candidate for any elective ~~e~~City office by filing a declaration of candidacy with the ~~City Clerk~~ County Auditor in accordance with state law. ~~The City Clerk shall certify a list of the offices to be filled and candidates for nomination to such offices and transmit same to the county supervisor of elections as provided by law.~~²⁰

Election Contests

Section 5.5 – Certificates of election shall be prima facie evidence of the facts therein stated, but the Council shall decide all questions as to the qualifications and elections of its own members, and in all cases of contested election for any office, the contest shall be decided by the ~~Council~~ Superior Court according, as nearly as may be, to the laws of the state regulating proceedings in case of contested elections for county offices.

~~**Candidates Statement of Qualifications**~~

~~**Section 5.6** – At the time of filing as a candidate for the office of council member, each candidate may file with the City Clerk on a form prescribed by the City Clerk, a verified statement of his/her name, the office for which he/she is a candidate, his/her residence, place of birth, present occupation, public offices~~

² RCW 29.13.020 provides that municipal elections shall be held in odd numbered years with exceptions as noted in the statute.

²⁰ RCW 29.21.060 provides that candidates must file their declaration of candidacy with the County Auditor rather than the City Clerk.



1 ~~he/she has held, a summary of his/her experience and qualifications for office,~~
2 ~~and a recent photograph. Said statement shall not exceed two hundred words in~~
3 ~~length and shall be signed by ten residents of the city of Tacoma sponsoring said~~
4 ~~candidate. At the time of filing said statement, each candidate shall also pay to~~
5 ~~the City Clerk a printing fee which, until otherwise provided by ordinance, shall be~~
6 ~~the sum of fifty dollars. The City Clerk shall cause said candidates' statements to~~
7 ~~be printed in some convenient form and mailed to each individual place of~~
8 ~~residence in the city at least ten days prior to the date set for the primary~~
9 ~~municipal election.~~

10
11 Section 7. That Article VI, Section 6.11(b), of the Tacoma City Charter be
12 amended to read as follows:

13 **Civil Service Board**

14 **Section 6.11 –**

15 * * *

16
17 (b) Vacancies of the elected members shall be filled by the remaining members
18 of the Civil Service Board by appointment, and such appointed member shall
19 serve until the next general municipal election; ~~provided, that if such vacancy~~
20 ~~occurs when there remain less than five full days for filing as a candidate at the~~
21 ~~primary election for such unexpired term, the Board shall appoint a qualified~~
22 ~~person to fill the full unexpired term.~~ If the Board fails to make an appointment
23 within sixty (60) calendar days of when a vacancy occurs, the City Council shall
24 make the appointment.
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Vacancies of the appointed members shall be filled by the appointing authority by
appointment until the end of the four-year term.

* * *

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 38949

1 A RESOLUTION AND PROPOSITION to amend Article II, Sections 2.1, 2.2, 2.3,
 2 2.35, 2.4, 2.6, 2.7, 2.9, 2.10, and 2.12; Article III, Sections 3.1, 3.2, 3.3, 3.4,
 3 3.5, 3.6, 3.7, and 3.12; Article IV, Sections 4.9, 4.13, 4.18, and 4.21;
 4 Article V, Sections 5.4, and 5.6; Article VI, Sections 6.3, 6.4, 6.9, 6.11,
 5 6.12, 6.13, 6.14, and 6.15; Article VII, Sections 7.5, 7.7, 7.9, and 7.10;
 6 Article IX, Section 9.7; and Article X, Sections 10.2, 10.3, 10.4, and 10.6, of
 the Tacoma City Charter to replace gender-specific language with
 gender-neutral language, and deleting or replacing obsolete terms and
 provisions.

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

8 Section 1. That Article II, Sections 2.1, 2.2, 2.3, 2.35, 2.4, 2.6, 2.7, 2.9,
 9 2.10, and 2.12, of the Tacoma City Charter be amended to read as follows:

10 **Creation and Composition of City Council**

11 **Section 2.1** – The Council shall be composed of the Mayor and eight (8)
 12 ~~e~~Councilmen Members nominated and elected, as provided hereinafter. At the
 13 next general municipal election to be held in the year 1975 on the date prescribed
 14 by state law, there shall be elected eight (8) ~~e~~Councilmen Members for terms
 15 beginning on the second Monday in January 1976, as set out hereinafter in
 16 Section 5.4. Biennially thereafter, on the date prescribed by state law for general
 17 municipal elections, four (4) ~~e~~Councilmen Members shall be elected for like terms
 18 of four years. Councilmen Members shall continue in office until their successors
 19 are elected and qualified. The Council shall constitute the legislative and
 20 governing body of the City and shall have authority, except as otherwise provided
 21 in this Charter, to exercise all powers of the City.
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Qualifications and Compensation of Councilmen Members¹

1 **Section 2.2** – Councilmen Members shall be qualified electors and shall be
2 residents of the City for two years immediately preceding the time of filing as a
3 candidate and, if running for a district position, shall be residents of their districts
4 for one year immediately preceding the time of filing as candidate or, if appointed
5 to fill a vacancy, the time of appointment. No person shall be eligible for the office
6 of eCouncilman Member while holding any other elective public office.

8 **Section 2.3** – Each eCouncilman Member shall be paid the sum of twenty-five
9 dollars for each day’s attendance at council meetings, but not to exceed twelve
10 hundred dollars per year.²

12 **Section 2.35** – No person shall be allowed to serve on the Council for more than
13 ten (10) consecutive years, either as a Councilman Member, Mayor, or
14 combination thereof.

15 **The Mayor**

16 **Section 2.4** – On the date prescribed by state law for the general municipal
17 elections, commencing in the year 1973, the Mayor shall be elected for a term of
18 four (4) years. The Mayor shall, by virtue of his/her election, become a member
19 and presiding officer of the City Council with the right to speak and vote as any
20 other eCouncil Member. The Mayor shall be the official head of the eCity
21 government for purposes of ceremony and military law and upon declaration of an
22 emergency or disaster which constitutes an event or set of circumstances which
23

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25 _____
26 ¹ See RCW 35.22.205 - Providing that the compensation and time devoted to the performance of the duties of the Mayor and elected officials of all cities of the first class shall be as fixed by ordinance of said city, irrespective of any Charter provisions.

² The salaries of the Mayor and City Council members are set forth in Sections 1.18.040 and 1.19.010 of the City Code.



1 demands immediate action to preserve public health, protect life, protect public
2 property, or which reaches such a dimension or degree of destructiveness that
3 exceeds the resources of the City of Tacoma to respond to the situation.³ The
4 Mayor shall authenticate by ~~his/her~~ signature such instruments as may be
5 required by law, ordinance, or this charter. ~~He/She~~The Mayor shall have such
6 appointive and other powers, duties, and authority as may be conferred ~~upon~~
7 ~~him/her~~ by law, ordinance, or this charter; provided, however, that all
8 appointments where not in conflict with state law shall be made by majority vote of
9 the ~~e~~Council ~~m~~Members from nominees whose names are presented in writing to
10 the Council by the Mayor or by any three members of the Council. This provision
11 shall supersede and prevail over any other provision or ordinance or of the charter
12 inconsistent with or in conflict herewith. A candidate for the office of Mayor shall
13 not be ineligible by reason of holding the office of ~~e~~Council ~~m~~Member; provided
14 that, if elected, the ~~e~~Council~~man~~~~ie~~ office of any such candidate shall, upon ~~his/her~~
15 taking office as Mayor, be and become vacant. The compensation to be paid to
16 the Mayor for the performance of ~~his/her~~the Mayor's duties as such shall be fixed
17 by ordinance, which sum shall be inclusive of ~~his/her~~ compensation as a ~~e~~Council
18 ~~m~~Member. Except as otherwise provided herein, all provisions relating to the
19 office of ~~e~~Council ~~m~~Member shall relate also to the office of Mayor. Vacancies in
20 the office of Mayor shall be filled by appointment by the City Council for a term
21 expiring at the time ~~his/her~~a successor has been elected and qualified as
22 hereinafter provided. In the event such a vacancy occurs during the first or second
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³ RCW 35.22.205 establishes the authority of the Mayor upon the declaration of an emergency or disaster when necessary to allow immediate action to preserve public health, protect life, and protect public property.



1 year of the Mayor's term of office and not less than five (5) days preceding the last
2 day permitted for filing for office in the next primary election to be held for City
3 Council positions, then the office of Mayor shall also be placed upon the ballot for
4 the primary and general elections. The Mayor elected at such general election
5 shall be elected for a full four-year term and shall take office at the same time as
6 eCity eCouncil mMembers elected at said general election. In the event that the
7 vacancy occurs subsequent to such time for filing, the appointment shall be for the
8 unexpired term.

9 * * *

10
11 **Section 2.6** – Any eCouncilman Member who shall cease to possess any of the
12 qualifications herein required for eligibility for election to the eCouncil, or shall fail
13 to attend three consecutive meetings of the Council without being excused by the
14 Council, shall be deemed to have forfeited histheir office. The Council shall take
15 the necessary action to enforce this provision and shall cause such action to be
16 entered upon its journal.
17

18 **Councilmanic Vacancies**

19 **Section 2.7** – Whenever a vacancy occurs in the office of eCouncilman, the
20 Council shall fill such vacancy by appointment by a majority vote of its remaining
21 members until the commencement of the term of office of municipal officials
22 succeeding the next general municipal election occurring after the date of such
23 appointment, and if any unexpired term remains, it shall be filled by election;
24 provided if such vacancy occurs when there remains less than five (5) full days for
25 filing as a candidate at the primary election for such unexpired term, then the
26



1 Council shall appoint a qualified person to fill the full unexpired term; provided,
2 however, that in the event a majority of the Council fails to make an appointment
3 to fill a vacancy on the Council within a period of sixty (60) days from the date the
4 vacancy occurs, then the Mayor shall make the appointment, subject to the
5 confirmation of the remaining members of the Council.

6 * * *

7 **Section 2.9** – Subject to the limitations imposed by law and by this charter, the
8 Council shall establish its own rules and order of business. It shall keep a journal
9 of its proceedings which shall be a public record. Five eCouncilmen Members
10 shall be a quorum for the transaction of business, but in the absence of a quorum,
11 the members present may adjourn the meeting to a later date.⁴ The Council shall
12 have the authority to punish its members and others for disorderly or otherwise
13 contemptuous behavior in its presence and to compel the attendance of its
14 members and witnesses, and the production of papers and things, before the
15 eCouncil.
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18 **Section 2.10** – Every ordinance and resolution shall require an affirmative vote of
19 at least five (5) eCouncilmen Members for passage, and the ayes and nays shall
20 be taken and entered upon the journal. Upon the request of any member, the
21 ayes and nays shall be taken on any question and entered upon the journal.
22 Members present but not voting shall be recorded as abstaining from the vote.
23

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⁴ RCW 42.30.090 establishes the procedure for adjourning meetings pursuant to the Open Public Meetings Act.



1 **Section 2.12** – No ordinance shall be finally passed within five days of its
2 introduction, except when the Council declares in such ordinance that a public
3 emergency exists and therein states the facts constituting such emergency, and
4 except ordinances relating to local improvements and assessments and
5 authorization of bonds therefor. All ordinances passed as emergency measures
6 shall require an affirmative vote of at least six Councilmen Members. No
7 ordinance granting any franchise, right, or privilege shall ever be passed as an
8 emergency measure.

9
10 Section 2. That Article III, Sections 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, and
11 3.12, of the Tacoma City Charter be amended to read as follows:

12 **The City Manager**

13 **Section 3.1** - The Council shall appoint a chief administrative officer of the eCity
14 government who shall be entitled City Manager, and who shall serve at the
15 pleasure of the Council. Both his~~the~~ appointment and removal shall require the
16 affirmative vote of five members of the Council. The Manager shall be selected
17 on the basis of his training, experience, and other administrative qualifications for
18 the office and without regard to his place of residence at the time of appointment,
19 but during his tenure of office, he shall reside within the eCity limits. The Council
20 shall review the City Manager's performance annually and every two years shall
21 vote on whether to reconfirm the appointment of the City Manager, with the
22 affirmative vote of at least five members of the Council in a public meeting
23 necessary to effect such reconfirmation. Neither the Mayor nor any eCouncilman
24 Member shall be eligible for the position of City Manager within two years after the
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1 expiration of histheir latest term. The Council may directly retain the services of
2 an individual or organization to assist the Council in conducting a search for a City
3 Manager and conducting performance reviews of the City Manager.

4 **Council-Manager Relationships**

5 **Section 3.2** – The Manager shall be responsible to the Council for the
6 administration of all units of the cityCity government under histhe Manager's
7 jurisdiction. Except for the purpose of inquiry, the Council and its members shall
8 deal with administrative officers and employees under jurisdiction of the Manager
9 solely through the Manager. Neither the Council nor any member thereof shall
10 give orders to the Manager's subordinatess or otherwise interfere with managerial
11 functions through such means as directing or requesting the appointment or
12 removal of any of the Manager's subordinates, or the making of particular
13 purchases from or contracts with any specific individual or organization. The
14 Manager shall have the right to attend all meetings of the Council and to take part
15 in the discussion of matters coming before the Council, but not the right to vote.⁵

18 **Section 3.3** – The Manager shall supervise and be responsible for the effective
19 management of the administrative affairs of the City. HeThe Manager shall give
20 general direction to the programs and activities of all eCity departments and
21 offices, except those removed from histhe Manager's jurisdiction by this charter,
22 and shall be responsible for the proper execution of the policies set by the Council
23 and the enforcement of all laws and ordinances. HeThe Manager shall keep the
24 Council informed of the conditions and needs of the City and shall make such
25

26 ⁵ RCW 42.30.110(g) allows the Council to exclude the City Manager from executive sessions when the City Manager's performance is discussed.



1 reports and recommendations as he the Manager may deem desirable or as may
2 be requested by the Council.

3 **Section 3.4** – The Manager shall have the power to appoint and remove, subject
4 to the civil service provisions of this charter and except as otherwise provided in
5 this charter or by state law, all officers and employees of the eCity under his the
6 Manager's jurisdiction, or may at his the Manager's discretion authorize the head
7 of a department or office responsible to him the Manager to appoint and remove
8 subordinates in such department or office.

9 **City Attorney**

10 **Section 3.5** – The City Manager shall appoint a City Attorney, who shall be an
11 attorney admitted and qualified to practice in the Supreme Court of the State of
12 Washington and who shall have practiced his the profession within the State of
13 Washington for not less than five years next preceding his the appointment. The
14 City Attorney shall have power to appoint and remove, subject to the approval of
15 the Manager, his professional assistants who shall also be attorneys admitted and
16 qualified to practice in the Supreme Court of the State of Washington.

17 **Section 3.6** – The City Attorney shall be legal advisor to the City Council,
18 Manager, and all officers, departments, and boards of the eCity in matters relating
19 to city affairs. He The City Attorney shall represent the eCity in litigations in which
20 the eCity is interested; shall provide written legal opinion on official matters when
21 requested by the Council, Manager, commissions, boards, or other eCity officers;
22 shall review for legal correctness contracts, bonds, franchises, and other
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1 instruments in which the ~~e~~City is concerned; and perform such other duties as
2 may be prescribed ~~for him~~ by ordinance or otherwise by law.

3 **City Clerk**

4 **Section 3.7** – The City Manager shall appoint a City Clerk who shall (a) attend
5 all meetings of the Council and keep a permanent journal of its proceedings,
6 (b) record and certify all ordinances and resolutions, (c) serve as custodian of
7 the city seal and official city records, (d) prescribe and furnish sample forms for
8 petitions provided for by this charter, (e) serve as registrar of voters for the city,
9 and (f) perform such other duties as may be prescribed by the Manager, state
10 law, this charter, or by ordinance. The City Clerk with the approval of the City
11 Manager may designate one clerk ~~in his office~~ as ~~his~~ deputy, who shall have all
12 the powers and perform all the duties of the City Clerk in ~~his~~ the Clerk's
13 absence.
14

15 * * *

16
17 **Section 3.12** - The City Council may remove any appointed member of any City
18 board, commission, or board of trustees, for cause, after notice and public
19 hearing, if that member is found to have knowingly violated the oath of office ~~he or~~
20 ~~she took~~ under this charter (Section 6.4) or has committed any acts specified in
21 state law as grounds for the recall and discharge of an elective public officer. The
22 City Council, in its discretion, may allow a hearings examiner to hear such a
23 matter. Recommendation of a hearings examiner shall be subject to review by the
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City Council. The City Council's final decision shall be based on the evidence in the record. A record of the proceedings shall be made.⁶

Section 3. That Article IV, Sections 4.9, 4.13, 4.18, and 4.21, of the Tacoma City Charter be amended to read as follows:

* * *

Section 4.9 – Members of the Board shall have the same qualifications as provided in this charter for eCouncilmen Members. Members shall be entitled to reimbursement for expenses incurred in carrying out their official duties, other than those incident to attending board meetings held within the City of Tacoma.

* * *

Section 4.13 – The Board shall select from its own membership a chairman, vice-chairman, and secretary and shall determine its own rules and order of business. The time and place of all meetings shall be publicly announced, and all meetings shall be open to the public and a permanent record of proceedings maintained.⁷

* * *

Administrative Organization

Section 4.18 – The Board shall appoint a Director of Utilities who shall:

- (a) Be selected on the basis of his executive and administrative qualifications;
- (b) Be appointed for an indefinite period and subject to removal by the Board;
- (c) Serve as the chief executive officer of the Department of Public Utilities, responsible directly to the Board.

* * *

⁶ Section 3.12 renumbered November 2, 2004, to maintain consistency throughout the Charter.

⁷ Chapter 42.30 RCW establishes the rules of procedure for Board meetings pursuant to the Open Public Meetings Act.



1 **Section 4.21** – Subject to confirmation by the Board, the Director of Utilities shall
2 appoint a properly qualified superintendent for each utility system under [his](#)
3 [the](#)
4 [Director's](#) administrative control.

5 Section 4. That Article V, Sections 5.4, and 5.6, of the Tacoma City
6 Charter be amended to read as follows:

7 * * *

8 **Election of Councilmen [Members](#) – Numbered Positions**

9 **Section 5.4** – Before the general municipal election to be held in the year 1975,
10 the Council shall divide the city into five election districts so that each district shall
11 comprise as nearly as possible one-fifth of the population of the [e](#)City; provided,
12 that the territory comprised in any voting precinct of such district shall remain
13 compact and shall not be divided by the lines of said district. The Council shall
14 change the lines of the election districts, in the time and manner as prescribed by
15 state law.

16 The City Clerk shall designate, by consecutive numbers commencing with number
17 one and ending with number five, all positions on the Council to be nominated by
18 district and shall further designate, by consecutive numbers commencing with
19 number six and ending with number eight, all positions on the Council to be
20 elected at large, and all of such designations shall thereafter be permanent and
21 the positions so designated shall thereafter be considered as separate offices for
22 election purposes.
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1 The qualified electors of each election district, and they only, shall nominate from
2 among their number candidates for the office of eCouncil mMember of such
3 election district to be voted for at the following general election.

4 The qualified electors of the eCity shall nominate from among their number
5 candidates for the office of eCouncil mMember at large to be voted for at the
6 following general election.

7 The two candidates having the highest vote totals for each Council position shall
8 be certified as having been nominated and shall run for that position in the general
9 election. Council mMembers nominated by district shall be elected by all of the
10 qualified voters of the district, and the person receiving the highest number of
11 qualified voters of the district, and the person receiving the highest number of
12 votes for the office of eCouncil mMember for the position for which ~~he/she is~~ they
13 are a candidate shall be declared duly elected.

14 Council mMembers nominated at large shall be elected by all of the qualified
15 voters of the City. The person receiving the highest number of votes for the office
16 of eCouncil mMember for the position for which ~~he/she is~~ they are a candidate
17 shall be declared duly elected. On expiration of the present term of office,
18 eCouncil positions nominated by eCouncil district shall be elected by the qualified
19 voters in that district.

20 In the event any eCouncil mMember nominated from a district shall, after election,
21 move or reside outside the district from which ~~he/she~~ the Council Member was
22 nominated, he/she the Council Member shall, by virtue thereof, be deemed to have
23 forfeited ~~his/her~~ their office, and ~~his/her~~ their seat shall become vacant and shall be
24 filled in the manner provided herein for the filling of vacancies.
25
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* * *

1 **Candidates' Statements of Qualifications**

2 **Section 5.6** – At the time of filing as a candidate for the office of eCouncil
3 mMember, each candidate may file with the City Clerk on a form prescribed by the
4 City Clerk, a verified statement of his/her/their name, the office for which he/she
5 isthey are a candidate, his/her/their residence, place of birth, present occupation,
6 public offices he/she hasthey have held, a summary of his/her/their experience
7 and qualifications for office, and a recent photograph. Said statement shall not
8 exceed two hundred words in length and shall be signed by ten residents of the
9 eCity of Tacoma sponsoring said candidate. At the time of filing said statement,
10 each candidate shall also pay to the City Clerk a printing fee which, until otherwise
11 provided by ordinance, shall be the sum of fifty dollars. The City Clerk shall cause
12 said candidates' statements to be printed in some convenient form and mailed to
13 each individual place of residence in the eCity at least ten days prior to the date
14 set for the primary municipal election.

18 * * *

19 Section 5. That Article VI, Sections 6.3, 6.4, 6.9, 6.11, 6.12, 6.13, 6.14,
20 and 6.15, of the Tacoma City Charter be amended to read as follows:

21 * * *

22 **Eligibility for Employment**

23 **Section 6.3** – No person shall be eligible for employment in the eCity service who
24 is not a citizen of the United States; provided d that, as to laborers, this requirement
25 may be waived by the Personnel OfficerHuman Resources Director when laborers
26



1 who are citizens are not available. No person shall be eligible to employment in
2 the classified service who is not a resident of the eCity at the time of ~~his or her~~
3 appointment, and all officers and employees of the eCity appointed after this
4 charter takes effect shall reside within its corporate limits during their period of
5 employment in the eCity service; provided, that the Civil Service Board may waive
6 such residence requirements for employees in the classified service and the City
7 Council may waive such residence requirements for appointive employees in the
8 unclassified service when such waiver is deemed to be for the best interests of
9 the eCity for such reasons and under such conditions as may be prescribed in the
10 personnel rules.
11

12 **Oath of Office**

13 **Section 6.4** – Every elective or appointive officer shall, before entering upon the
14 performance of the duties of ~~his~~the office, take, subscribe, and file with the City
15 Clerk an oath or affirmation to support the constitution and laws of the United
16 States and the State of Washington and that ~~he~~they will comply with this charter
17 and all ordinances of the eCity and faithfully perform the duties of the office which
18 ~~he is~~they are about to enter.
19

20 * * *

21 **Compensation of Officers and Employees**

22 **Section 6.9** – Except as otherwise provided in this charter or by state law, the
23 compensation of all officers and employees of the city shall be fixed in accordance
24 with the pay plan and salary ordinance adopted by the Council and within the
25 limits of budget appropriations. No officer or employee shall receive any
26



compensation from any sources whatsoever for his service to the City other
1 than his salary.⁸

2 * * *

3 **Civil Service Board**

4 **Section 6.11** – (a) There shall be a Civil Service Board, consisting of five resident
5 and qualified voters, three to be elected from the City at large by the qualified
6 electors thereof, one to be appointed by the classified civil service employees of
7 the City in a manner of their choosing and one jointly by the City Manager and the
8 Director of Public Utilities, each for a term of four years.
9

10
11 When each of the current six-year terms expires, the term of that office will
12 convert to a four-year term, beginning in 1974, then to continue as a four-year
13 term. The initial appointee terms will be as follows: The appointee of the civil
14 service employees shall serve a four-year term beginning in 1974; the appointee
15 of the City Manager and Utilities Director shall initially be for two years beginning
16 in 1974 and will be four years with the second appointment.
17

18 (b) Vacancies of the elected members shall be filled by the remaining members of
19 the Civil Service Board by appointment, and such appointed member shall serve
20 until the next general municipal election; provided, that if such vacancy occurs
21 when there remains less than five full days for filing as a candidate at the primary
22 election for such unexpired term, the Board shall appoint a qualified person to fill
23 the full unexpired term. If the Board fails to make an appointment within sixty (60)
24

25
26 ⁸ Salaries of elective officers must be provided for in the charter and power to fix cannot be re-delegated to legislative body. *Taylor v Tacoma*, 8 W 174 (1894).



1 calendar days of when a vacancy occurs, the City Council shall make the
2 appointment.

3 Vacancies of the appointed members shall be filled by the appointing authority by
4 appointment until the end of the four-year term.

5 (c) The Board shall provide for its own organization and the rules of the conduct of
6 meetings; provided, that all meetings be public to the extent required by state law
7 and that three members shall constitute a quorum. Said Civil Service Board
8 members shall serve without pay. The Board, in its discretion, may allow a
9 hearings examiner to hear any adjudicatory matter which would be properly
10 presented to the Board. Recommendation of a hearings examiner may be
11 reviewed by the Board at the request of either party under rules adopted by the
12 Civil Service Board. The Board's final decision must be based on evidence in the
13 record. A record of the proceedings shall be made. Neither the ~~personnel~~
14 ~~Director of Human Resources~~ nor ~~his or her the Director's~~ staff shall serve as
15
16 hearings examiner.
17

18 (d) In the performance of its adjudicatory functions (Charter Section 6.12(c) and
19 (d)), the Board shall:

- 20 (1) adopt, and observe fair and reasonable rules for notice and evidence;
21
22 (2) maintain an appearance of fairness as has been otherwise applied in this
23 state to elected public bodies making quasi-judicial decisions;
24
25 (3) provide an electronically-recorded record, one copy of which shall be
26 available without cost to any party appealing a decision of the Board to the
superior court; and



(4) conduct hearings and render decisions on a timely basis.

1 (e) Any employee shall be entitled to appeal to the Civil Service Board those
2 matters which are authorized under this charter or the personnel ordinance or
3 ordinances adopted pursuant thereto; provided, however, that no person shall be
4 entitled to appeal to the Civil Service Board any matter that already has been the
5 subject of binding arbitration under a labor contract, or administrative complaint
6 hearing pursuant to equal employment opportunity governing statutes.
7

8 **Powers and Duties of the Civil Service Board**

9 **Section 6.12** – The Civil Service Board shall have the power and shall be
10 required:
11

12 (a) To advise the Council and administrative officials on all matters relating to
13 Civil Service and personnel administration in the City service.

14 (b) To investigate any or all matters relating to conditions of employment in the
15 service of the City, either in response to employee complaints or on its own
16 initiative.
17

18 (c) To investigate and pass upon the claim of any person whose name appears
19 on an eligible list, that ~~he~~ has been deprived of a position to which ~~he is~~they are
20 entitled under the provisions of this charter and the Civil Service and Personnel
21 Rules governing the classified service, in which case the decision of the Board
22 shall be binding on the appointing authority; provided, that such person shall not
23 be entitled to any claim for salary from the city for the period prior to the date of
24 filing such claim.
25
26



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

7 ~~Personnel Officer~~Human Resources Director

8 **Section 6.13** – There shall be a ~~Personnel Officer~~Human Resources Director,
9 appointed by the City Manager on the basis of ~~his~~ experience in and
10 demonstrated knowledge of modern personnel administration, who shall be the
11 administrative head of the ~~Personnel~~Human Resources Department. ~~He~~The
12 Human Resources Director shall be responsible for directing the personnel
13 program of the ~~e~~City in accordance with the provisions of this charter and
14 ordinances supplemental thereto.

16 **Personnel Rules**

17
18 **Section 6.14** – (a) It is the intention of this Article to provide for a merit system of
19 employment in the City service. The City Council shall establish and maintain a
20 comprehensive plan setting forth goals and policies regarding the employment
21 and personnel system in the City. The Civil Service Board, except as provided in
22 subsection (b) below, shall make and promulgate all Civil Service and Personnel
23 Rules, and amendments thereto, necessary to carry out and enforce the purpose
24 of this Article, and shall file all such proposed rules and amendments with the City
25 Clerk, who shall present the same to the City Council at its next regular meeting.
26



1 Within forty-five days after the filing thereof with the City Clerk, the Council shall
2 by ordinance adopt such proposed rules or amendments; provided, however, that
3 the Council, by an affirmative vote of not less than two-thirds of its membership,
4 may change, alter, amend, add to, reject or repeal any such proposed Civil
5 Service Rules or amendments. In the event the City Council shall fail to adopt,
6 change, alter, amend, add to or reject any such rules or amendments within the
7 forty-five days time limit herein above provided for, then and in that event the City
8 Clerk shall cause to be published such rules or amendments in the official
9 newspaper of the City of Tacoma, and such rules or amendments shall ten days
10 thereafter become effective to all intents and purposes the same as if adopted by
11 the Council and published as an ordinance.
12

13 (b) The City Council may propose civil service and personnel rule changes by
14 resolution, which shall include the specific language to be added, altered or
15 repealed. The City Clerk shall then present the proposal to the Civil Service Board
16 at its next meeting, from which time the Board shall have forty-five days to adopt,
17 change, alter, amend, add to, or reject the proposal. The City Clerk shall then
18 present the proposal to the Council at its next meeting, from which time the
19 proposal shall be treated in the same manner as if the Board initiated the proposal
20 under subsection (a) above, including the same required time limits and Council
21 majority to adopt, change, alter, amend, add to, or reject. If the Board does not act
22 upon the proposal or if the Board rejects the proposal within the forty-five days,
23 the Council may then enact its original proposal by regular ordinance.
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(c) Such civil service and personnel rules shall, among other things, provide:

1 (1) For the classification of all positions in the classified service.

2 (2) For open, free and competitive examinations to test the relative fitness of
3 applicants for such positions, and for reasonable publication and public
4 advertisement of all examinations.
5

6 (3) For the creation of eligible lists upon which shall be entered the names of
7 successful candidates in the order of their standing on the examination and for the
8 certification of those on the appropriate list to department heads for appointment
9 to fill vacancies and for the manner in which appointments shall be made from
10 such list; provided, that on original appointments in the classified service,
11 honorably discharged veterans of the armed forces who have served in time of
12 war and who receive a passing grade on such examinations shall have ten
13 percent of the grade attained added to such grade.
14

15 (4) For the period of time in which eligible lists shall continue in effect.

16 (5) For promotion based upon competitive examination and records of
17 efficiency, conduct and seniority.
18

19 (6) For a period of probation not to exceed one year, both on original and
20 promotional appointments, before the appointment is made permanent, during
21 which time, in the case of an original appointment, the probationer may be
22 discharged, or, in the case of a promotion, returned to a position in his/hert
23 their
24 former classification, by the head of the department, board or office in which
25 employed.
26



- 1 (7) For the establishing of reasonable requirements for the rejection of
2 candidates or eligibles.
- 3 (8) For temporary employment without examination in cases of emergency and
4 pending appointment from an eligible list, but no such temporary employment
5 shall continue after the establishment of an eligible list for the position held.
- 6 (9) For transfer from one position to a similar position in the same class and
7 grade, for reinstatement within two years of persons who without fault or
8 delinquency on their part are separated from the service or reduced in class or
9 grade, and for the reinstatement in a position of their former classification of
10 employees promoted to and later demoted from appointive positions in the
11 unclassified service.
- 12 (10) For the discipline of employees by suspension, demotion, discharge, or
13 other actions not inconsistent with the provisions of this article; provided, that no
14 employee in the classified service shall be suspended for more than thirty days,
15 demoted or discharged except for cause.
- 16 (11) For the certification to the Director of Finance of the names and
17 classifications of all persons legally employed in the City service, without which
18 certification the Director of Finance shall not authorize the issuance of salary
19 warrants.
- 20 (12) For the right of appeal by any employee to the Civil Service Board from any
21 action suspending for more than thirty days, reducing in rank or pay, or
22 discharging any employee in the classified service, and from any and all other
23 matters arising out of or in connection with the Civil Service and Personnel Rules.
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Special Provision Relating to Examinations

1 **Section 6.15** – All examinations shall be impartial and shall deal with the duties
2 and requirements of the positions to be filled; they may be oral, written, or based
3 on observed performance or educational and experience record, or any
4 combination thereof. Positions requiring unusual technical or professional
5 qualifications may be filled without competitive examination upon approval of the
6 Civil Service Board. Unskilled laborers may be appointed in the order of priority of
7 application, after such tests of fitness as the ~~Personnel Officer~~ Human Resources
8 Director may prescribe; provided, that preference in such employment shall be
9 given to honorably discharged veterans. The ~~Personnel Officer~~ Human Resources
10 Director may develop an apprenticeship program for the recruitment and
11 promotion of employees in the skilled trades.

12 * * *

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15
16 Section 6. That Article VII, Sections 7.5, 7.7, 7.9, and 7.10, of the Tacoma
17 City Charter be amended to read as follows:

18 * * *

19 Department of Finance

20 **Section 7.5** – There shall be a Department of Finance headed by a Director of
21 Finance, who shall be appointed by the City Manager on the basis of ~~his~~
22 administrative abilities and experience in accounting, budgeting, and financial
23 control. The Director of Finance, whose duties shall include those of a controller,
24 shall have charge of the administration of the financial affairs of the ~~e~~City and,
25 except as otherwise provided by law and by this charter, ~~he~~ shall:
26



- 1 (a) Compile for the City Manager and Council the estimates for the general
2 government budget and the budget for capital outlay.
- 3 (b) Maintain a general accounting system for the eCity government and its
4 departments and offices in conformity with the best recognized practices in
5 governmental accounting; keep records for and exercise financial budgetary
6 control over each such department, office or agency; keep separate accounts for
7 the items of appropriation contained in the budget and appropriation ordinance
8 and encumber such items of appropriation with the amount of each purchase
9 order, payroll, or contract approved by ~~him~~the Director, immediately upon such
10 approval; keep such records as shall show at all times for each account the
11 amount of the appropriation, the amounts paid therefrom and remaining unpaid,
12 all encumbrances thereof, and the unencumbered balance; require daily, or at
13 such other intervals as ~~he~~the Director may deem expedient, a report of receipts
14 and disbursements from each of the several departments and offices; prescribe
15 the form of receipts, vouchers, bills, or claims to be used and of accounts to be
16 kept by all departments and offices of the eCity government and provide suitable
17 instructions for the use thereof; examine all contracts, purchase orders, and other
18 documents which involve financial obligations against the eCity and approve the
19 same only upon ascertaining that moneys have been appropriated and that an
20 unexpended and unencumbered balance is available to meet the same; audit
21 before payment all bills, invoices, payrolls, and other evidences of claims,
22 demands, or charges against the eCity and approve the same of proper, legal,
23 and correct; inspect and audit the accounts or records of financial transactions as



1 maintained in each department and office of the eCity government apart from or
2 subsidiary to the accounts kept in ~~his~~the office of the Director.

3 (c) Submit to the Council not later than the 10th day of each month a report of
4 all receipts and disbursements for the preceding month, showing revenues and
5 expenditures for the month and the fiscal year to date and the unexpended
6 balances in all accounts; submit other reports, including a comprehensive annual
7 report, reflecting the financial condition of the eCity when and in such form as the
8 Council may require.

9 (d) Supervise the purchasing activities of all departments, except as otherwise
10 provided in this charter.

11 (e) Supervise the receipt, custody, and disbursement of all eCity funds and
12 moneys.

13 (f) Perform such other duties as may be required ~~of him~~ by law and by the
14 Manager and Council.

15 * * *

16 **Section 7.7** – The City Treasurer shall receive all moneys due and belonging to
17 the eCity, and all trust funds held by the eCity, and shall keep an accurate detailed
18 account of the same in a manner prescribed by the Director of Finance. The
19 Treasurer shall open and keep separate and distinct accounts for each fund as
20 required by law or this charter. ~~He~~The Treasurer shall also prescribe the times at
21 and manner in which moneys received by the several departments and offices
22 shall be paid to the Treasurer or deposited in a city bank account under the
23 Treasurer’s control.
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* * *

1 **Section 7.9** - Disbursements of eCity funds shall be by the Treasurer or ~~his or her~~
2 designee only based upon a voucher, payroll or other authorized obligation of the
3 eCity.
4

5 **Purchasing and Contracts**

6 **Section 7.10** – Except as otherwise provided in this charter, the City Manager
7 shall be responsible for all eCity purchasing, but ~~he~~ may delegate this
8 responsibility to any subordinate appointed by ~~him~~ the City Manager.
9

10 Section 7. That Article IX of the Tacoma City Charter be amended by
11 deleting Section 9.7, as follows:

12 **~~Gender Neutral Language~~**

13 ~~Section 9.7—Words importing the masculine gender shall be extended to the~~
14 ~~feminine gender.~~

15 Section 8. That Article X, Sections 10.2, 10.3, 10.4 and 10.6, of the
16 Tacoma City Charter be amended to read as follows:
17

18 * * *

19 **Continuance of Departments and Officers**

20 **Section 10.2** – The administrative organization in force at the time this charter
21 takes effect shall continue until changed in accordance with the provisions of this
22 charter. All persons holding appointive office at the time this charter takes effect
23 shall continue in office and in the performance of their duties until their successors
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1 have been appointed and qualified-confirmed as provided in this charter. Pending
2 the passage of an ordinance distributing the work of departments under the
3 supervision and control of the Manager among specific divisions thereof, the
4 Manager may establish temporary divisions.

5 **Transfer of Functions and Personnel**

6 **Section 10.3** – Whenever by provisions of this charter duties and functions
7 performed by, through, or under the supervision of any department, board, or
8 office have been transferred to some other department, board, or office, the
9 employees engaged in the performance of such duties and functions at the time
10 this charter shall go into effect shall be transferred accordingly and be deemed to
11 have been regularly appointed to the respective positions involved in the
12 performance of such duties and functions, until removed therefrom in accordance
13 with the provisions of this charter.

16 **Preliminary Meetings of the Council**

17 **Section 10.4** – On the third business day following the certification of the result of
18 the first election of eCouncilmen Members under this charter, the newly elected
19 members of the Council shall meet at 7:30 o'clock p.m. in the eCouncil
20 chambers of the eCity hall for the purpose of considering the appointment of a
21 City Manager and the preparation of such ordinances as may be necessary to
22 effectuate the transition from the present form of government to that established
23 by this charter. The Council-elect shall choose one of its number to be chairman
24 and the City Clerk shall act as its secretary. It shall at its first meeting fix the times
25 and places at which it will hold regular meetings for the above purposes and shall
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hold such adjourned and special meetings as it may determine by a majority vote of its members. The expenses of the Council-elect, including the expense of advertising for applicants for the position of City Manager and of interviewing and investigating such applicants in Tacoma or elsewhere, shall be paid from the eCity treasury on vouchers signed by the chairman of the Council-elect. If a Manager has not been appointed and taken office on the first Monday in June, 1953, the Council shall designate a city officer to serve as Acting City Manager and may provide for the filling of other positions in the unclassified service on a temporary basis, pending appointment in accordance with the provisions of this charter.

* * *

Effective Date of Charter

Section 10.6 – For the purpose of nominating and electing eCouncilmen Members, this charter shall take effect from the time of its approval by the electors of the eCity; for all other purposes this charter shall take effect on the first Monday of June, 1953, at 12:01 a.m., whereupon the present charter of the eCity shall be and is hereby repealed. The first election under this charter shall be held on the second Tuesday in March, 1953, preceded by a primary election held four weeks



1 prior to such date, and the second municipal general and primary elections shall
2 be held in the year 1956 on the dates prescribed for such elections by state law.

3
4 Adopted _____

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6 _____
7 Mayor

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9 Attest: _____
10 City Clerk

11 Approved as to form:
12 _____
13 City Attorney

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RESOLUTION NO. 38950

1 A RESOLUTION AND PROPOSITION to amend Article VI, Section 6.7, of the
 2 Tacoma City Charter to add color, ancestry, gender-identity, sexual
 3 orientation, familial status, honorably discharged veteran, and military status
 to the list of classes protected from discrimination in City employment.

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

5 Section 1. That Article VI, Section 6.7, of the Tacoma City Charter be
 6 amended to read as follows:

7 **Discriminatory Actions**

8 **Section 6.7** – No applicant for employment and no appointed officer or employee
 9 shall be discriminated against in any personnel decision on the basis of religion,
 10 race, color, national origin or ancestry, political affiliation, sex, gender identity,
 11 sexual orientation, age, familial status, honorably discharged veteran or military
 12 status, or the presence of any sensory, mental or physical handicap; provided,
 13 however, that affirmative action may be used to remedy prior discrimination in the
 14 employment and promotion of City appointed officers and employees.
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 16
 17

18 Adopted _____

19 _____
 Mayor

20 Attest:
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 22 _____
 City Clerk

23 Approved as to form:
 24
 25 _____
 City Attorney



RESOLUTION NO. 38951

1 A RESOLUTION AND PROPOSITION to amend Article II, Section 2.13, of the
2 Tacoma City Charter to allow emergency ordinances to take effect
immediately upon passage rather than after publication.

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

4 Section 1. That Article II, Section 2.13, of the Tacoma City Charter be
5 amended to read as follows:

6
7 **Section 2.13** - A summary of every ordinance shall, within ten days after its
8 passage, be published once in the official newspaper of the city. Ordinances
9 passed as emergency measures, or relating to local improvements and
10 assessments and authorization of bonds therefore, or adopting annual budgets,
11 or levying taxes, or making appropriations shall take effect immediately upon
12 passage~~after publication~~. Ordinances granting a franchise, right, or privilege, or
13 authorizing the issuance of revenue bonds in an amount exceeding five million
14 dollars, shall take effect at such time after publication as the City Council shall
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1 determine by ordinance. All other ordinances shall take effect only after the
2 expiration of ten days from publication, subject always to the provisions of this
3 charter concerning referendum.
4

5 Adopted _____
6

7 _____
8 Mayor

9 Attest:
10 _____
11 City Clerk

12 Approved as to form:
13 _____
14 City Attorney

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RESOLUTION NO. 38952

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A RESOLUTION AND PROPOSITION to amend Article III, Section 3.4, of the Tacoma City Charter to require City Council confirmation for appointment of department heads.

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

Section 1. That Article III, Section 3.4, of the Tacoma City Charter be amended to read as follows:

Section 3.4 – The Manager shall have the power to appoint and remove, subject to the civil service provisions of this charter and except as otherwise provided in this charter or by state law, all officers and employees of the eCity under histhe Manager’s jurisdiction, provided, appointments of department heads shall require confirmation by the City Council. or may at hisThe Manager’s discretion may authorize the head of a department or office responsible to himthe Manager to appoint and remove subordinates in such department or office.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 38953

1 A RESOLUTION AND PROPOSITION to amend Article IV, Section 4.18, of
2 the Tacoma City Charter to require City Council confirmation of the
3 appointment of the Director of Utilities by the Public Utility Board, with
4 reconfirmation by the City Council every two years following annual
5 performance reviews by the Public Utility Board.

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

7 Section 1. That Article IV, Section 4.18, of the Tacoma City Charter be
8 amended to read as follows:

9 **Administrative Organization**

10 **Section 4.18** – The Board shall appoint, subject to confirmation by the City
11 Council, a Director of Utilities who shall:

12 (a) Be selected on the basis of his executive and administrative
13 qualifications;

14 (b) Be appointed for an indefinite period and subject to removal by the
15 Board;

16 (c) Serve as the chief executive officer of the Department of Public Utilities,
17 responsible directly to the Board, subject to review and reconfirmation as
18 follows:

19 The Board shall review the Director's performance annually, and every two
20 years shall, by an affirmative vote of at least three members of the Board in a
21 public meeting, vote on whether to reconfirm the appointment, subject to
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1 reconfirmation by the City Council. The first review and vote on whether to
2 reconfirm the Director shall be in 2015.

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4 Adopted _____

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6 _____
7 Mayor

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9 Attest:

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11 _____
12 City Clerk

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14 Approved as to form:

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17 City Attorney

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RESOLUTION NO. 38954

1 A RESOLUTION AND PROPOSITION to amend Article III of the Tacoma City
2 Charter by adding a new Section 3.13, to require a Landmarks
3 Preservation Commission.

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

5 Section 1. That Article III of the Tacoma City Charter be amended to

6 add a new Section 3.13, to read as follows:

7 Section 3.13 – There shall be a Landmarks Preservation Commission,
8 composed of members with such powers and duties as are provided by
9 ordinance. The members shall be residents of the City of Tacoma and be
10 appointed and confirmed by the City Council.

11
12 Adopted _____

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14 _____
15 Mayor

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17 Attest: _____
18 City Clerk

19 Approved as to form:
20 _____
21 City Attorney

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RESOLUTION NO. 38955

1 A RESOLUTION AND PROPOSITION to amend Article II, Section 2.35, of the
 2 Tacoma City Charter dealing with term limits, by allowing a person to
 3 serve ten consecutive years as a Council Member and two full
 consecutive terms as Mayor.

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

5 Section 1. That Article II, Section 2.35, of the Tacoma City Charter be
 6 amended to read as follows:

7 **Section 2.35** – No person shall be allowed to serve on the Council for more
 8 than ten (10) consecutive years and two full consecutive terms, either as a
 9 Councilman, Mayor, or combination thereof.
 10

11 Adopted _____

12 _____
13 Mayor

14 Attest:
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 17 City Clerk

18 Approved as to form:
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 20 _____
 21 City Attorney

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RESOLUTION NO. 38956

1 A RESOLUTION AND PROPOSITION to amend Article II, Section 2.3, of the
2 Tacoma City Charter to add a Citizen Commission on Elected Salaries to
3 determine the compensation and salary of the Mayor and Council.

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

5 Section 1. That Article II, Section 2.3, of the Tacoma City Charter be
6 amended to read as follows:

7 **Section 2.3** – ~~Each councilman shall be paid the sum of twenty-five dollars for~~
8 ~~each day's attendance at council meetings, but not to exceed twelve hundred~~
9 ~~dollars per year. A Citizen Commission on Elected Salaries will determine the~~
10 ~~compensation and salary of the Mayor and each Council Member. The~~
11 ~~Commission shall set the salary and any salary changes for the Mayor and Council~~
12 ~~Members. The salary and any salary changes set by the Commission shall be~~
13 ~~adopted by the City Council.~~

14 (a) The Salary Commission shall consist of seven members appointed as follows:

15 (1) Five of the seven commission members shall be selected by lot by the
16 County Auditor from among those registered City of Tacoma voters eligible
17 to vote at the time the persons are selected for appointment to the
18 Commission. There shall be one member selected from each of the City's
19 Council districts. The Auditor shall establish policies and procedures for
20 conducting the selection by lot to be forwarded to the City Council for
21 appointment.

22 (2) The remaining two of the seven Commission members must be residents of
23 the City of Tacoma and shall be appointed by the Mayor and confirmed by
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the Council. One person shall have experience in human resource management. The second person shall have experience in the legal profession.

(b) Members of the Commission may not include any public office holder, filed candidate for public office, officer, official or employee of the City of Tacoma or any of their immediate family members. For the purpose of this section, the phrase "immediate family member" means the parents, spouse, siblings, children or dependent relative of any officer, official or employee whether or not living in the household of the officer, official or employee.

(c) The terms of the Commission shall be as follows:

1. The terms of office for the members shall be three years, except initial appointment to the Commission shall be for the following terms:
2. For the members selected by lot by the Auditor, two shall be appointed to serve a one-year term, two shall be appointed to a two-year term, and the remaining member shall be appointed to serve a three-year term.
3. For the members selected by the Mayor and confirmed by the Council, one shall serve a one-year term and one shall serve a three-year term.

(d) Upon a vacancy in any position on the Commission, a successor shall be selected and appointed to fill the unexpired term in the same manner as outlined in this section.

The Commission shall meet each year beginning in 2015 in one or more regular or special meetings to carry out its duties set forth in this section. Determinations for



1 any change in the salaries of these elected officials shall be filed with the City Clerk
2 and transmitted to the Council for adoption no later than September 1 of the
3 calendar year.

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5 Adopted _____

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7 _____
8 Mayor

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10 Attest: _____
11 City Clerk

12 Approved as to form:
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14 _____
15 City Attorney

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RESOLUTION NO. 38957

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A RESOLUTION AND PROPOSITION to amend Article IX of the Tacoma City Charter by deleting Section 9.4, removing the prohibition against new cemeteries, mausoleums, or crematories within the City of Tacoma.

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

Section 1. That Article IX of the Tacoma City Charter be amended by deleting Section 9.4, as follows:

Cemeteries, Mausoleums, and Crematories

~~Section 9.4 – The establishment or platting of new cemeteries and the establishment of mausoleums or crematories within the limits of the City is hereby prohibited; provide that mausoleums or crematories may be established within the limits of existing cemeteries.~~

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 38958

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A RESOLUTION AND PROPOSITION to amend Article VI, Section 6.6, of the Tacoma City Charter, to allow City employees to contract for utility services and participate in conservation, environmental, and other programs available to the public generally and as otherwise allowed by state law.

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

Section 1. That Article VI, Section 6.6, of the Tacoma City Charter be amended to read as follows:

Pecuniary Interest

Section 6.6 - No officer or employee of the City shall have a financial interest, directly or indirectly, in any contract, sale, lease, or purchase with or for the use of the City; or accept, directly or indirectly, any compensation, gratuity, or reward from any other person who is financially interested therein. Provided, however, an officer or employee does not have a prohibited interest if the officer or employee has a remote interest as defined by state law or if the contract with the City is for the furnishing of electrical, water, or other utility services and conservation measures at the same rates and on the same terms as are available to the public generally, or if the contract is otherwise allowed by the state law governing ethics for municipal officers. Violation of any provision of



1 this section may work a forfeiture of the office of the person violating the same
2 and the contract sale, lease, or purchase shall be void.

3
4 Adopted _____

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6 _____
Mayor

7 Attest:

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9 _____
City Clerk

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11 Approved as to form:

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13 _____
City Attorney

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RESOLUTION NO. 38959

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A RESOLUTION AND PROPOSITION to amend Article VI of the Tacoma City Charter by deleting Section 6.3, removing citizenship and City residency as requirements of eligibility for City employment.

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

Section 1. That Article VI of the Tacoma City Charter be amended by deleting Section 6.3, as follows:

Eligibility for Employment

~~Section 6.3 — No person shall be eligible for employment in the city service who is not a citizen of the United States; provide that as to laborers this requirement may be waived by the Personnel Officer when laborers who are citizens are not available. No person shall be eligible to employment in the classified service who is not a resident of the city at the time of his or her appointment, and all officers and employees of the city appointed after this charter takes effect shall reside within its corporate limits during their period of employment in the city service; provided, that the Civil Service Board may waive such residence requirements for employees in the classified service and the City Council may waive such residence requirements for appointive employees in the unclassified service when such waiver is deemed to be for the best interests of the city for~~



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~~such reasons and under such conditions as may be prescribed in the personnel rules.~~

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney