



## ORDINANCE NO. 28824

1 AN ORDINANCE relating to pay and compensation; amending Section 1.12.110  
2 of the Tacoma Municipal Code, entitled “Other official expenditures,” to  
3 provide additional compensation authorization to the City Manager and/or  
4 Director of Utilities to facilitate the successful recruitment and retention of  
key unrepresented employees; and providing for the sunset of the force  
and effect of this ordinance.

5 WHEREAS the City of Tacoma, like many employers, is being impacted  
6 by a tight labor market and is competing for talent from both a recruitment and  
7 retention standpoint, both in its General Government and Tacoma Public Utilities  
8 departments, and  
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10 WHEREAS the labor market has been influenced by the special  
11 circumstances of our current economy and post COVID-19 emergency, and  
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13 WHEREAS Subsection 1.12.110.H of the Tacoma Municipal Code (“TMC”),  
14 entitled “Other official expenditures,” provides compensation authority to the City  
15 Manager and/or Director of Utilities of up to \$15,000 per employee, per year, for  
16 an annual total of up to \$100,000, for the purpose of securing or retaining key  
17 qualified personnel possessing specialized technical or professional skills for  
18 unrepresented positions, and  
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20 WHEREAS a report is provided to the City Council in December of each  
21 year, showing the recipients of such compensation and benefits provided, and  
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23 WHEREAS Human Resources staff is proposing an amendment to  
24 Subsection 1.12.110.H of the TMC to provide additional compensation  
25 authorization to the City Manager and/or Director of Utilities through the end of  
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2023, to facilitate the successful recruitment and retention of key unrepresented employees, and

WHEREAS the proposed TMC amendment would increase the total authorization of the City Manager and/or Director of Utilities from \$100,000 to \$200,000 each, to allow for additional compensation, benefits, or both, to secure or retain key qualified personnel possessing specialized technical or professional skills in an unrepresented position, and

WHEREAS payments are limited to a maximum of \$15,000 per employee, per year; provided that payment can lawfully be made from funds appropriated in the current biennial budget of the employing department, and

WHEREAS the increased maximum allowed amount of \$200,000 will be reviewed in the last quarter of 2023 to determine if there is a need to renew this provision; otherwise, the proposed increase will sunset on December 31, 2023;

Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Section 1.12.110 of the Tacoma Municipal Code, entitled "Other official expenditures," is hereby amended as set forth in the attached Exhibit "A."

Section 2. That this ordinance shall sunset and no longer be in force or effect at 11:59 p.m. on December 31, 2023.

Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not



1 limited to, the correction of scrivener's/clerical errors, references, ordinance  
2 numbering, section/subsection numbers, and any references thereto.

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4 Passed \_\_\_\_\_

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Mayor

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Attest:

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

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Approved as to form:

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Deputy City Attorney

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**EXHIBIT "A"**

**CHAPTER 1.12  
COMPENSATION PLAN**

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**1.12.110 Other official expenditures.**

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H. Whenever the City Manager, the Director of Utilities, or the Public Utility Board determines that, in order to secure or retain key qualified personnel possessing specialized technical or professional skills for unrepresented positions, it is necessary to offer said individuals additional compensation, benefits, or both, then the City Manager, the Director of Utilities, and the Public Utility Board shall each have discretion to authorize the payment of up to an annual total of \$~~1~~200,000 in additional compensation, benefits, or both. Such compensation, benefits, or both under this provision of this paragraph shall be limited to a maximum of \$15,000 per employee per year; provided, that payment can lawfully be made from funds appropriated in the current biennial budget of the employing department. In addition, the City Council and Public Utility Board shall each have discretion to authorize the payment of severance benefits associated with an employment agreement in the event of termination without cause, in order to secure or retain the City Manager and Director of Utilities positions up to an amount corresponding to one year of salary. If the Public Utility Board determines that payment of severance benefits should be authorized as part of an agreement to secure or retain the services of the Director of Utilities, then such agreement shall be initiated by the Public Utility Board, subject to approval by the City Council. All agreements authorizing severance benefits shall include, at a minimum, language that prohibits payment of such benefits when the event of termination is the result of gross negligence, intentional acts which are not in the best interests of the City or interfere with the employee's ability to perform the duties of the position, acceptance of another position while still employed with the City, or conviction of a gross misdemeanor or felony offense. An annual report showing the recipients of all severance, compensation, and benefits granted under this provision shall be submitted to the City Council in the month of December of each year.

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