



RESOLUTION NO. 39779

1 A RESOLUTION relating to the Director of Utilities; approving the reappointment
2 of William A. Gaines to the position of Director of Utilities for the period of
3 September 22, 2017, through December 2, 2017; and approving a
4 Transition and Separation Agreement.

5 WHEREAS Tacoma City Charter § 4.18 states that the Public Utility
6 "Board shall appoint, subject to confirmation by the City Council, a Director of
7 Utilities . . . ,” and

8 WHEREAS the Public Utility Board conducted its annual performance
9 reviews, and on June 21, 2017, passed Amended Motion 17-04 to reappoint
10 William A. Gaines as Director of Utilities, and

11 WHEREAS the City Council has not yet reconfirmed the reappointment
12 of Mr. Gaines, and Mr. Gaines and the Public Utility Board have not agreed to
13 terms for a successor compensation agreement to go into effect beyond
14 December 31, 2017, and

15 WHEREAS, during July 2017, Mr. Gaines notified the Public Utility Board
16 of his consideration of retirement from his current position, pursuant to the
17 provisions of the Tacoma Employees' Retirement System, and the Public Utility
18 Board desires to ensure an orderly leadership transition for the Department of
19 Public Utilities according to the provisions of a Transition and Separation
20 Agreement, attached hereto as Exhibit "A," and

21 WHEREAS, at a Special Utility Board meeting held on August 7, 2017,
22 pursuant to Utility Board Resolution No. U-10949, the Public Utility Board
23 approved the reappointment of Mr. Gaines to the position of Director of Utilities
24 for the period of September 22, 2017, through December 2, 2017; approved a
25

26



1 Transition and Separation Agreement; and repealed Amended Motion 17-04, all
2 pending confirmation by the City Council; Now, Therefore,

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

4 Section 1. That the Transition and Separation Agreement between
5 William A. Gaines and the City is hereby approved.

6 Section 2. That, subject to the terms of the Transition and Separation
7 Agreement, the City Council hereby reconfirms the reappointment of William A.
8 Gaines to the at-will position of Director of Utilities for the period of September 22,
9 2017, through December 2, 2017, and the City Council withholds reconfirmation of
10 the reappointment following such period.

11 Section 3. That the proper officers of the City are authorized to execute
12 the Transition and Separation Agreement and other documents to affect the
13 intent of this resolution.

14 Section 4. That the Public Utility Board, as required by Tacoma City
15 Charter § 4.17, utilize the services of the City's Human Resources Department
16 to immediately seek, retain, and coordinate the services of an individual or
17 organization with the necessary expertise to assist the Public Utility Board in
18 developing and conducting a nationwide search for the appointment of a new
19 Director of Public Utilities, with such search to begin as soon as possible.
20

21 Section 5. That the Public Utility Board is requested to include input and
22 assistance from the Mayor and City Council, City Manager, Department of
23
24
25
26



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

Human Resources, utility customers, ratepayers, constituents, and other utility stakeholders in the City's recruiting and hiring process for the Director of Public Utilities position.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

Requested by Public Utility Board
Resolution No. U-10949