

TO: Budget and Finance Committee
FROM: Lisa Parks, City Administrator
DATE: February 28, 2025
SUBJECT: Employment Agreements

1) Recommended Action:

Place the Department Director Employment Agreement Template on the March 4, 2025 City Council [consent / consideration] calendar with a recommendation to approve and authorize the Mayor to sign employment agreements with current and future directors in substantially similar form consistent with adopted city policies as approved by the City Attorney.

2) Background:

According to Washington State law, under the Mayor-Council (Strong Mayor) form of government, the Mayor is, "...*the chief executive and administrative officer of the city, in charge of all departments and employees, with authority to designate assistants and department heads...*" Additionally, the mayor, "...*shall see that all contracts and agreements made with the city...are faithfully kept and performed...subject to approval by majority vote of all members of the council.*" (RCW 35A.12.100 and TMC 2.08.010). In compliance with these provisions, in Tumwater, the Mayor selects and appoints Department Directors, and because the current practice is for those positions to also have employment agreements, a majority of Council approves the employment agreements. Additional TMC provisions specifically require "confirmation" by a majority of the Council of the Mayor's selection of a City Attorney, a Finance Director and the City Administrator, resulting in Council action for these three positions, regardless of whether there is an employment agreement or not.

There are ten City of Tumwater Department Directors (not including the City Administrator), and of those Directors, seven currently have employment agreements and three do not, as follows:

Existing Employment Agreements: Fire Chief, Transportation and Engineering Director, Administrative Services Director, Police Chief, Water Resources and Sustainability Director, City Attorney, and Finance Director.

Directors without existing Employment Agreements: Community Development Director, Parks and Recreation Director and Information Technology Director.

While all of the existing employment agreements have similar provisions, they also have a variety of differences, including in some sections that are common across all of them. These differences include those that are akin to sentence structure or grammatical variations, and in some cases the differences are more substantive and related to the actual terms of the agreements.

Predicated by a desire to ensure parity for all Directors, staff is proposing to standardize all of the Directors' employment agreements by creating a template that is approved by City Council and delegates to the Mayor the authority to negotiate and sign those agreements in substantially the form of the template.

The current request is for the Council to consider and approve the employment agreement template that will be used to replace the existing employment agreements for those that have them, and to put in place employment agreements for the three Department Directors who don't currently have employment agreements.

3) Policy Support:

Refine and Sustain a Great Organization.
Attract, retain, and promote a talented and diverse workforce.

4) Alternatives:

Do not approve the template

5) Fiscal Notes:

The proposed template will not impact the currently approved biennial budget.

6) Attachments:

Employment Agreement Template