



## Legislation Passed March 18, 2008

The Tacoma City Council, at its regular City Council meeting of March 18, 2008, 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.

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### **Resolution No. 37414**

Approving the final plat of "Aspen Court", a 10-lot single-family residential subdivision located at 412 East 48th Street. (E. Street Properties; File No. PLT2007-40000102524)

### **Resolution No. 37415**

Authorizing the execution of a professional services agreement with Exeltech Consulting, Inc., in the amount of \$785,125.71, budgeted from the Tacoma Rail Mountain Division Capital Projects Fund, for permitting, design, bid, and construction support services related to the Nisqually River trestle near Elbe, Washington.

### **Resolution No. 37416**

Authorizing the execution of Supplement No. 3 to the agreement with Berger/ABAM Engineers, Inc., in the amount of \$1,430,990, for a cumulative total of \$2,532,857, budgeted from the Public Works Airport Fund, for professional services related to the design and construction of the Tacoma Narrows Runway Safety Improvements project.

### **Resolution No. 37417**

Authorizing the execution of an agreement with Arnerich Massena & Associates, Inc., in the amount of \$180,000, budgeted from the Deferred Compensation Fund, for consulting services to the Deferred Compensation Administrative Committee for a three-year period through December 31, 2010.

### **Resolution No. 37418**

Approving the final plat of "Woody Estates", a 5-lot single-family residential subdivision located at 120-136 East 91st Street.  
(Sager Construction, Inc.; File No. PLT2008-40000109410)

### **Resolution No. 37419**

Appointing or reappointing individuals to the Board of Ethics, Tacoma Area Commission on Disabilities, Tacoma Arts Commission, and the Landmarks Preservation Commission.

**Purchase Resolution No. 37420**

Awarding contracts to:

1. Corporate Express, in the estimated amounts of \$598,500, plus sales tax, for General Government, and \$351,500, plus sales tax, for Tacoma Public Utilities, for an estimated total of \$950,000, for a three-year cumulative total of \$3,250,000, budgeted from various funds, to increase and renew the contract for office supplies through March 31, 2009 – Specification No. CT04-0652F; and
2. Authorizing the execution of an interlocal agreement with Clark Public Utilities, for cooperative purchasing.

**Resolution No. 37421**

Authorizing the execution of an agreement with Nickerson Corporation, in the amount of \$544,877, budgeted from the Tacoma Dome Operations Fund, to provide and install a curtaining system to the Tacoma Dome.

**Resolution No. 37422**

Amending Resolution No. 37114 by increasing the amount payable under the existing agreements with Barclays Global Investors, in the amount of \$434,000, for a cumulative total of \$623,000; and with Janus Capital Management, LLC, in the amount of \$447,000, for a cumulative total of \$642,000, budgeted from the Retirement Fund, for investment management services for the period of March 1, 2008 through February 28, 2010.

**Resolution No. 37423**

Authorizing the execution of the Sixth Amendment to a Consulting Agreement with J.A. Brennan Associates, PLLC, in the amount of \$182,860, for a cumulative total of \$749,019, budgeted from the Capital Projects Fund, for the design, engineering and preparation of bid documents for Phase II of the Tacoma Chinese Garden and Reconciliation Park Project.

**Amended Ordinance No. 27675**

Amending Chapter 1.19 of the Municipal Code relating to benefits; providing that Council Members be eligible to participate in the City's health benefits system.

Req. #11715

## **RESOLUTION NO. 37414**

WHEREAS the owners of all of the property situate in Pierce County, Washington, described as follows:

The West 200 Feet of the North Half of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 21, Township 20 North, Range 3 East of the W.M.

Situate in the City of Tacoma, County of Pierce, State of Washington.

have joined in a plat of the property to be known and designated as ASPEN COURT, and

WHEREAS the preliminary plat of ASPEN COURT was tentatively approved by the Hearing Examiner, subject to the conditions contained in the Hearing Examiner's Report and Decision, dated January 10, 2006, and the conditions have now been fully complied with by the owners of the property, and

WHEREAS the plat, evidenced by the official drawing thereof, has been approved by the Director of Public Works, the City Engineer, the Land Use Administrator, and the City Attorney, and the requirements of Chapter 13.04 of the Tacoma Municipal Code have been fully complied with, and

WHEREAS the ASPEN COURT plat is hereby submitted to the City Council for acceptance and approval; Now, Therefore,

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

That the final plat of ASPEN COURT is hereby accepted and approved.

BE IT FURTHER RESOLVED that the Mayor and the proper City officers are hereby authorized to indicate upon the original tracing(s) of the plat the acceptance by the City Council of the same as provided in Chapter 13.04 of the Tacoma Municipal Code.

Adopted \_\_\_\_\_

Attest:

\_\_\_\_\_  
Mayor

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

Location: 412 East 48th Street  
Applicant: E. Street Properties  
File No.: PLT2007-40000102524

Approved as to form:

Legal description approved:

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Chief Surveyor  
Public Works Dept.

## **RESOLUTION NO. 37415**

A RESOLUTION related to the Tacoma Rail Mountain Division; authorizing the execution of a professional services agreement with Exeltech Consulting, Inc., in the amount of \$785,125.71, budgeted from the Tacoma Rail Mountain Division Capital Project Fund, for permitting, design, bid support, and construction support services.

WHEREAS in November, 2006, a flood event washed out the bridge approaches to the Nisqually River Trestle near Elbe, Washington, cutting off rail service to Morton and separating the Washington Forest Industry Museum excursion train from its passenger depot in Elbe, and

WHEREAS the bridge approaches need replacing with two ballasted deck spans to restore rail service, and

WHEREAS it is in the City's best interest to enter into an agreement with a consulting firm to assist with the permitting, design, bid support and construction support services related to the project, and

WHEREAS Exeltech Consulting, Inc. was selected through an open qualification-based consultant selection process; Now, Therefore,

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

That the proper officers of the City are hereby authorized to execute a professional services agreement with Exeltech Consulting, Inc., in the amount of \$785,125.71, budgeted from the 4120-CAPTL, PW TRMD Capital Project Fund, to assist with the permitting, design, bid support and construction support services related to the Tacoma Rail Mountain Division's Nisqually River trestle

near Elbe, Washington, said document to be substantially in the form of the proposed professional services agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney

## **RESOLUTION NO. 37416**

A RESOLUTION related to the Runway Safety Improvement Project; authorizing the execution of Supplement No. 3 to an agreement with Berger/ABAM Engineers, Inc., in the amount of \$1,430,990, for a cumulative contract total of \$2,532,857, budgeted from the Public Works Airport Fund, for professional services related to design and construction management for the Tacoma Narrows Airport.

WHEREAS, the Tacoma Narrow Airport Runway Safety Improvement project ("Project") is a priority for the Federal Aviation Administration ("FAA"), and will provide FAA-mandated safety improvements to facilitate the safe movement of traffic, and

WHEREAS, on July 13, 2004, the City Council adopted Resolution No. 36232, initiating phase two of the Project and authorizing City officials to select and negotiate a consultant for the provision of engineering and design services for the Project, and

WHEREAS on August 24, 2004, the City Council adopted Resolution No. 36291, authorizing acceptance of grant funds from the FAA in an amount not to exceed \$4.8 million, to cover 95 percent of the costs associated with completion of phases two and three of the Project, and

WHEREAS, on June 6, 2005, the City Council adopted Resolution No. 36533, authorizing the execution of the Local Agency Standard Consultant Agreement ("Agreement") with Berger/ABAM Engineers, Inc., in the amount of \$1,057,807, for professional design and construction management services related to the Project, and

WHEREAS, Supplement No. 1 to the Agreement increased the contract amount by \$44,060, which did not require City Council approval, pursuant to Section 1.06.262.A.1 of the Tacoma Municipal Code ("TMC"), and

WHEREAS Supplement No. 2 to the Agreement extended the contract end-date and did not increase the contract amount, and

WHEREAS the City desires to enter Supplement No. 3 to the Agreement in order to obtain additional construction support, design work, and permit administration; Now, Therefore,

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

That the proper officers of the City are hereby authorized to execute Supplement No. 3 to the Berger/ABAM Engineers, Inc. , Agreement, in the amount of \$1,430,990, for a cumulative contract amount of \$2,532,857, budgeted from the Public Works Airport Fund, for professional services related to the design and construction of the Tacoma Narrows Airport Runway Safety Improvements project, said document to be substantially in the form of the proposed Supplement No. 3 to the Local Agency Standard Consultant Agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney

## **RESOLUTION NO. 37417**

A RESOLUTION relating to Deferred Compensation; authorizing the execution of an agreement with Arnerich Massena & Associates, Inc., in the amount of \$180,000, for consulting services to the Deferred Compensation Administrative Committee, budgeted from the Deferred Compensation Fund.

WHEREAS the City of Tacoma Deferred Compensation Administrative Committee ("Committee") is seeking the services of a consultant to advise the Committee on the City's Deferred Compensation Plan ("Plan"), and

WHEREAS, following a competitive Request for Proposal process, the City and Arnerich Massena & Associates, Inc., ("Arnerich") previously contracted for specialized consulting services to aid the Committee in maximizing the effectiveness of the Plan and the benefits available to employees electing to participate therein, and

WHEREAS the City's previous agreement with Arnerich expired on December 31, 2007, and the Committee and Plan have need for continued specialized consulting services, and

WHEREAS, in the fall of 2007, the City conducted another competitive Request for Proposal process, and selected Arnerich as the firm most qualified to assist the Committee with maximizing the benefits of Plan participants, Now,  
Therefore

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

That the proper officers of the City are hereby authorized to execute a three-year agreement with Arnerich Massena & Associates, Inc., with two additional one-year renewal options, budgeted through the Deferred Compensation Fund, in the amount of \$180,000, for the purposes hereinabove enumerated, said agreement to be substantially in the form of the proposed amendment on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney

Req. #11727

## **RESOLUTION NO. 37418**

A RESOLUTION approving the final plat known as Woody Estates, a 5-lot single-family residential subdivision, located at 120 through 136 East 91st Street.

WHEREAS the owners of all of the property situate in Pierce County,

Washington, described as follows:

BEGINNING ON THE EAST LINE OF "A" STREET, BEING A LINE PARALLEL WITH AND 30 FEET EAST OF THE WEST LINE OF GOVERNMENT LOT 1, IN SECTION 33, TOWNSHIP 20 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON, AT A POINT ON SAID LINE 792 FEET SOUTH THE NORTH LINE OF SAID LOT 1; THENCE PARALLEL WITH SAID NORTH LINE, EAST 623.09 FEET TO THE EAST LINE OF THE WEST HALF OF SAID LOT 1; THENCE ON SAID EAST LINE, SOUTH 132 FEET; THENCE PARALLEL WITH SAID NORTH LINE, WEST 623.11 FEET TO SAID EAST LINE OF "A" STREET; THENCE ON SAID STREET LINE NORTH 132 FEET TO THE POINT OF BEGINNING.

EXCEPT EAST "B" STREET;

ALSO EXCEPT THE WEST 295 FEET;

ALSO EXCEPT THE NORTH 27 FEET DEDICATED TO THE CITY OF TACOMA, UNDER PIERCE COUNTY AUDITOR'S NUMBER 200605040122.

SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON.

have joined in a plat of the property to be known and designated as WOODY ESTATES, and

WHEREAS the preliminary plat of WOODY ESTATES was tentatively approved by the Hearing Examiner, subject to the conditions contained in the Hearing Examiner's Report and Decision, October 4, 2005, and the conditions have now been fully complied with by the owners of the property, and

WHEREAS the plat, evidenced by the official drawing thereof, has been approved by the Director of Public Works, the City Engineer, the Land Use Administrator, and the City Attorney, and the requirements of Chapter 13.04 of the Tacoma Municipal Code have been fully complied with, and

WHEREAS the WOODY ESTATES plat is hereby submitted to the City Council for acceptance and approval; Now, Therefore,

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

Section 1. That the final plat of WOODY ESTATES is hereby accepted and approved.

Section 2. That the Mayor and the proper City officers are hereby authorized to indicate upon the original tracing(s) of the plat the acceptance by the City Council of the same as provided in Chapter 13.04 of the Tacoma Municipal Code.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Location: 120 through 136 East 91st Street  
Applicant: Sager Construction, Inc.  
File No.: PLT2008-40000109410

Approved as to form:

Legal description approved:

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Chief Surveyor  
Public Works Dept.

## RESOLUTION NO. 37419

BY REQUEST OF MAYOR BAARSMA, DEPUTY MAYOR MANTHOU, AND COUNCIL MEMBERS ANDERSON AND LONERGAN

A RESOLUTION relating to committees, boards, and commissions; appointing or reappointing citizens to vacancies on the Board of Ethics, Tacoma Area Commission on Disabilities, Tacoma Arts Commission and Landmarks Preservation Commission.

WHEREAS there exists in the City of Tacoma a number of committees, boards, and commissions, and

WHEREAS vacancies presently exist on certain committees, boards, and commissions, and

WHEREAS, pursuant to the City Charter and the Rules, Regulations, and Procedures of the City Council, the persons named on Exhibit "A" have been nominated to serve on the committees, boards, and commissions listed; Now, Therefore,

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

That those nominees to the committees, boards, and commissions, listed on Exhibit "A" are hereby confirmed and appointed or reappointed as members of such committees, boards, and commissions, for such terms as are set forth on Exhibit "A."

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney

## EXHIBIT A

### Board of Ethics

Reappointing **Stan Betts** to a term expiring on January 1, 2011.

### Tacoma Area Commission on Disabilities

Reappointing **Stan Smith** to a term expiring on January 5, 2011.

### Tacoma Arts Commission

Appointing **Michael Reynolds** (At-large designation) to a term expiring on November 5, 2011; appointing **Rachel Cardwell** (At-large designation) to a term expiring on November 5, 2011; appointing **Jan Karroll**, (At-large designation) to a term expiring on December 16, 2011; and appointing **Jan F. Brazzell, PhD, CFRE** (At-large designation) to a term expiring on December 16, 2011.

Appointing **Robin Echtle** (At-large designation) to a term expiring on October 6, 2008, and then, at the expiration of the term, extending the appointment for four years to a term expiring on October 6, 2012.

### Landmarks Preservation Commission

Appointing **Fred King** (At-large position 2) to a term expiring on December 31, 2010;  
appointing **Caroline Swope** (At-large position 3) to a term expiring on December 31, 2009;  
appointing **Imad Janabi, PhD** (Professional position 3) to a term expiring on December 31, 2009; appointing **Megan Luce** (Professional position 2) to a term expiring on December 31, 2010; reappointing **Ross Buffington** (Professional position 1) to a term expiring on December 31, 2010; and reappointing **Phillip Hill** (Architect position 2) to a term expiring on December 31, 2010.



## RESOLUTION NO. 37420

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the appropriate City officials to  
3 enter into contracts and, where specified, waiving competitive bidding  
4 requirements, authorizing sales of surplus property, or increasing or  
5 extending existing agreements.

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

10 WHEREAS the Board of Contracts and Awards has reviewed the  
11 proposals and bids received by the City, and the Board has made its  
12 recommendation as set forth in Exhibit "A," and

13 WHEREAS the Board of Contracts and Awards has also made its  
14 recommendations as to entering into purchasing agreements with those  
15 governmental entities identified in Exhibit "A"; Now, Therefore,

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

17 That the Council of the City of Tacoma does hereby concur in the  
18 findings and recommendations of the Board of Contracts and Awards set forth  
19 in the attached Exhibit "A," and does hereby approve and authorize the:

20 (X) A. Procurement of those supplies, services, and public works  
21 recommended for acceptance in the attached Exhibit "A";

22 ( ) B. Rejection of those bids and/or proposals that are recommended  
23 for rejection in the attached Exhibit "A";  
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(X) C. Entry into the proposed purchasing agreement with those governmental entities identified in the attached Exhibit "A," which proposed agreement is on file in the office of the City Clerk;

( ) D. Waiver of competitive bidding procedures in those instances, as set forth in Exhibit "A," in which it is impracticable to obtain supplies or public works improvements by competitive bid, or in those instances in which supplies and/or public works are available from a single source.


Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

  
\_\_\_\_\_  
Assistant City Attorney



City of Tacoma  
Finance Department

EXHIBIT "A"

RESOLUTION NO.: 37420

ITEM NO.: 1

MEETING DATE: March 18, 2008

DATE: February 27, 2008

TO: Board of Contracts and Awards

SUBJECT: Office Supplies Contract  
Budgeted from various funds as needed by using departments  
Specification No. CT04-0652F, SAP Contract No. 46-2517

**RECOMMENDATION:** The Finance Department, Purchasing Division, requests City Council and Utility Board approval to increase SAP contract no. 46-2517 awarded to **Corporate Express, Renton, WA** by \$950,000, plus sales tax, for office supplies, and to renew the contract for the second renewal period of April 1, 2008 through March 31, 2009. The increase is estimated at \$598,500 for General Government and \$351,500 for Tacoma Public Utility departments based on usage.

**EXPLANATION:** The increase and renewal of this citywide convenience contract will assure the continuation of next-day delivery service of as needed office supplies to various locations within the City. Current usage remains approximately 37% for Public Utility and 63% for General Government departments

**COMPETITIVE BIDDING:** This contract was originally awarded to Corporate Express, Renton, WA, by City Council resolution no. 36449 dated March 15, 2005, and Utility Board resolution no. U-9950 dated March 9, 2005, as a result of Request for Proposal specification no. CT04-0652F in the amount of \$1,400,000, plus sales tax. The contract includes provisions for three (3) one-year renewals, with a maximum escalation of 1% per period. Corporate Express has agreed to renew the contract for the second one-year renewal period, including a 1% price increase on the Core Contract items. The percent discounts by categories will remain the same.

**CONTRACT HISTORY:** This contract was first renewed and increased by \$900,000 by Utility Board resolution no. U-10083 dated November 15, 2006 and City Council resolution no. 37041 dated November 28, 2006. This second increase represents estimated usage through March 31, 2009. This contract has one remaining one year renewal option. The increase will bring the contract to a cumulative total of \$3,250,000, plus sales tax through March 31, 2009.

**FUNDING:** Funds for this are provided by the individual departments ordering supplies. Departments using the contract will be billed directly for the purchases.

**PROJECT ENGINEER/COORDINATOR:** Jayne McCartney, Purchasing Analyst, 502-8249

Helen Small  
Purchasing Manager

cc: Jayne McCartney, Purchasing Analyst  
Bob Biles, Finance Director



City of Tacoma  
Finance Department

EXHIBIT "A"

RESOLUTION NO.: 37420

ITEM NO.: 2

MEETING DATE: MARCH 18, 2008

**DATE:** March 4, 2008

**TO:** Board of Contracts and Awards

**SUBJECT:** Approval to Enter into an Interlocal Agreement

**RECOMMENDATION:** The Finance Department/Purchasing Division requests approval to enter into an interlocal cooperative purchasing agreement with Clark Public Utilities.

**EXPLANATION:** The City of Tacoma has requested to have an interlocal cooperative purchasing agreement set up with Clark Public Utilities. Interlocal cooperative purchasing agreements enable one public agency to purchase materials and equipment based on another agency's competitive bids/contracts in accordance with Chapter 39.34 RCW and Tacoma Municipal Code Section 1.06.246. The agreement is reciprocal, allowing Clark Public Utilities to access the City of Tacoma's contracts. Clark Public Utilities has already executed the agreement.

**COMPETITIVE BIDDING:** Competitive bidding is not applicable to entering into the proposed Interlocal agreement. Subsequent purchases by the City of Tacoma departments will be from competitively bid contracts only.

**CONTRACT HISTORY:** Not applicable.

**FUNDING:** Not applicable

**HUB/LEAP COMPLIANCE:** Not applicable

Sincerely,

Helen Small  
Purchasing Manager

cc: Bob Biles

## RESOLUTION NO. 37421

A RESOLUTION related to Public Assembly Facilities; authorizing the execution of an agreement with Nickerson Corporation, in the amount of \$544,877, budgeted from the Tacoma Dome Operations Fund, to provide and install a curtaining system to the Tacoma Dome.

WHEREAS, in order for the Tacoma Dome to stay competitive and provide the highest customer service to its clients, the City's Public Assembly Facilities decided to purchase a curtaining system that would provide for a theatre set up, close the upper level of the Tacoma Dome, and provide a concert backdrop, thereby enabling the Tacoma Dome to reconfigure itself for smaller events, and

WHEREAS The City issued a Request for Proposals. Nickerson Corporation submitted the only proposal, and a Selection Advisory Committee determined that Nickerson was fully qualified to act on the City's behalf in providing a curtaining system; Now, Therefore,

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

That the proper officers of the City are hereby authorized to execute an agreement with Nickerson Corporation, in the amount of \$544,877, to be budgeted from the Tacoma Dome Operations Fund, for the purposes hereinabove enumerated, 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:

\_\_\_\_\_  
Assistant City Attorney

## **RESOLUTION NO. 37422**

A RESOLUTION relating to Tacoma Employees' Retirement System ("TERS"); increasing the amount payable under an existing agreement for investment management services with Barclays Global Investors, in the amount of \$434,000, for a cumulative amount of \$623,000, and Janus Capital Management, LLC, in the amount of \$447,000, for a cumulative contract amount of \$642,000, to be budgeted from the Retirement Fund, for investment management services.

WHEREAS, in February, 2007, the City Council adopted Resolution No. 37114, approving the contract for Barclays Global Investors ("Barclay"), for a three-year period for an estimated amount of \$189,000, for investment management services, which amount was only for the first year of the contract; and

WHEREAS, in February, 2007, the City Council adopted Resolution No. 37114, approving the contract for Janus Capital Management , LLC ("INTECH"), for a three-year period for an estimated amount of \$195,000, for investment management services, which amount was only for the first year of the contract; and

WHEREAS, at the Tacoma Employees' Retirement System's Board of Administration's ("Board") February 21, 2008, meeting, the Board moved to seek approval to amend the current contracts for Barclays and INTECH to cover the estimated fees for the second and third years of the contracts, to include the period March 1, 2008 through February 28, 2010, for an estimated amount of \$434,000 and \$447,000, respectively; Now, Therefore,

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

Section 2: That Resolution No. 37114, page 1, lines 11-12, are amended by striking "\$189,000" and inserting "\$623,000," for a cumulative contract amount of \$623,000, to be budgeted from the Retirement Fund, for investment management services, in accordance with the agreement currently on file in the office of the City Clerk.

Section 2: That Resolution No. 37114, page 1, lines 13-14, are amended by striking "\$195,000" and inserting "\$642,000," for a cumulative contract amount of \$642,000, to be budgeted from the Retirement Fund, for investment management services, in accordance with the agreement currently on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney

## **RESOLUTION NO. 37423**

A RESOLUTION relating to Phase II of the Chinese Reconciliation Park; authorizing the execution of the Sixth Amendment to a Consulting Agreement with J.A. Brennan Associates, PLLC, for the design, engineering and preparation of bid documents, in the amount of \$182,860, for a cumulative contract total \$749,019, budgeted from the Capital Projects Fund.

WHEREAS on November 30, 1993, the City Council adopted Resolution No. 32415, supporting the efforts of the Chinese Reconciliation Foundation to reconcile the Tacoma Chinese expulsion and promote cultural diversity and harmony by constructing the Tacoma Chinese Garden and Reconciliation Park, and

WHEREAS, on March 29, 2001, pursuant to Resolution No. 35082, the City entered into an agreement ("Agreement"), with J.A. Brennan Associates, PLLC ("Consultant"), in the amount of \$393,403, for architectural Consultant services to produce design documents for the Tacoma Chinese Garden and Reconciliation Park--Phase I Construction Project, and

WHEREAS, on or about December 3, 2001, the City and the Consultant entered into the First Amendment to the Agreement, extending the contract completion date from March 29, 2001, to March 31, 2002, and

WHEREAS, on or about March 3, 2004, the City and the Consultant entered into a separate agreement, in the amount of \$43,868, in order to provide shoreline construction feasibility analysis, construction drawings, bid documentation, and permit support, and

WHEREAS, on or about August 29, 2005, the City and the Consultant entered into the Second Amendment to the Agreement, in the amount of \$4,552, in order to modify the design drawings, and

WHEREAS, on or about October 31, 2005, pursuant to Resolution No. 36679, the City and the Consultant entered into the Third Amendment to the Agreement, in the amount of \$82,000, in order to supplement the Scope of Work with project coordination, bid support, and construction administration, and

WHEREAS on or about June 27, 2006, the City and Consultant entered into a Fourth Amendment to the Agreement, in the amount of \$5,302, in order to modify the Scope of Work for the purpose of developing a storm water site plan and storm water pollution prevention plan, and

WHEREAS on or about February 2, 2007, the City and Consultant entered into a Fifth Amendment to the Agreement, in the amount of \$37,034, in order to include additional construction support and inspection work, revise the park site plan, and provide structural analysis to incorporate a future pavilion gifted by the Chinese Government, and

WHEREAS the City and Consultant desire to enter into this Sixth Amendment to the Agreement in order to modify the scope of work and payment terms to initiate Phase II of this project; Now, Therefore,

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

That the proper officers of the City are hereby authorized to execute the Sixth Amendment to a Consulting Agreement with J.A. Brennan Associates, PLLC, for the design and engineering and preparation of bid documents, in the amount of \$182,860, for a cumulative contract total \$749,019, budgeted from Capital Projects Fund, said document to be substantially in the form on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney

## **ORDINANCE NO. 27675**

BY REQUEST OF COUNCIL MEMBER EVANS

AN ORDINANCE relating to compensation and benefits; providing that Council members may participate in the City's health benefits system; and amending Section 1.19.010 of the Tacoma Municipal Code.

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Section 1.19.010 of the Tacoma Municipal Code is hereby amended to read as follows:

1.19.010 Salary of Council member.

A. Base compensation. Each Council member of the City of Tacoma shall receive as compensation for the carrying on and performance of the functions of said office of Council member the sum of \$18,000 annually; provided, that for all Council members elected in 1999 and thereafter, each such Council member shall receive as compensation for the carrying on and performance of the functions of said office of Council member the sum of \$29,000, annually, as adjusted pursuant to subsection B below, and further, that Council members shall, at their option, be eligible to participate in the City's medical and dental program on the same terms as full-time City employees.

B. Annual adjustment. Commencing January 1, 2001, and thereafter on the first day of January of each successive year, the base compensation paid a

Council member shall be automatically adjusted by an amount equal to 2.75 percent of the Council member's annual compensation for the preceding year.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

\_\_\_\_\_  
City Attorney