



Legislation Passed April 15, 2008

The Tacoma City Council, at its regular City Council meeting of April 15, 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.

Resolution No. 37449

Setting Tuesday, April 29, 2008, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the recommendations of the Human Rights and Human Services Department regarding proposed revisions associated with the City of Tacoma's Americans with Disabilities Act Self-Evaluation and Transition Plan.

Purchase Resolution No. 37450

Awarding contracts to:

1. Papé Material Handling, on its bid of \$65,923.90, plus sales tax, budgeted from the Nuisance Code Enforcement Fund, for one – 2008 Bobcat loader – Specification No. GF08-0146F;
2. Kar-Gor, Inc., in the amount of \$50,434.00, plus sales tax, budgeted from the Streets Special Revenue Fund, for traffic signal video detection equipment to be installed at the intersections of South 64th Street and Yakima Avenue, South M Street and Center Street, East 56th Street and McKinley Avenue, and South 56th Street and Montgomery Street – Washington State Contract No. 03502;
3. MidMountain Contractors, Inc., in the amount of \$1,500,000.00, plus sales tax, for a cumulative total of \$15,713,428.41, budgeted from the Capital Projects Fund, to increase the contract for additional work and revisions on the construction of the East D Street Grade Separation project – Specification No. PW05-0447F;
4. Associated Petroleum Products, Inc., in the amount of \$606,000.00, plus sales tax, for a cumulative total of \$1,136,000.00, budgeted from various funds, to increase the contract for bulk fuel on an as-needed basis through April 12, 2010 – Washington State Contract No. 07705;
5. Northrop Grumman Information Technology, Inc., in the amount of \$284,745.00, plus sales tax, budgeted from the Fire Special Revenue Fund, for hardware and software maintenance and repair services for the Fire Department's Computer Aided Dispatch System, for a four-year period beginning March 1, 2008 – Sole source;
6. Medtronic Physio-Control, in the amount of \$97,323.75, plus sales tax, budgeted from the Emergency Medical Services Special Revenue Fund, for maintenance and repair services for 31 Automatic External Defibrillators for a four-year period, and 14 Twelve-Lead Monitor/Defibrillators and accessories for a five year period – Sole source; and
7. Woodland Industries, in the amount of \$78,980.58, plus sales tax; MidMountain Contractors, Inc., in the amount of \$13,156.65, plus sales tax; Wm. Dickson Company, in the amount of \$104,513.62, plus sales tax; and Site Development, Inc., in the amount of \$152,864.53, plus sales tax, for a cumulative total of \$349,515.38, budgeted from various funds, for emergency repair and clean up at various locations within City limits as a result of the 2006 November storm – Emergency contract.

Resolution No. 37451

Removing the High-Occupancy Vehicle restriction from the Jackson Avenue on ramp to westbound State Route 16.

Amended Resolution No. 37452

Approving the Purchase and Sale Agreement between the Foss Waterway Development Authority and Martinac Shipbuilding for the sale of approximately 0.8 acres of upland and 0.6 acres of tideland, located at 402 East 15th Street, in the amount of \$350,000.

Ordinance No. 27695

Amending Chapter 13.06 of the Municipal Code to reclassify the property located at 4640 North Pearl Street, from an "R-2" One-Family Dwelling District to an "R 3" Two-Family Dwelling District, to build a two-family dwelling on the site. (Michael Knecht; File No. REZ2007-40000100664)

RESOLUTION NO. 37449

A RESOLUTION setting April 29, 2008, as the date for a public hearing on the recommendations of the Human Rights and Human Services Department for proposed revisions associated with the City of Tacoma's Americans with Disabilities Act Self-Evaluation and Transition Plan.

WHEREAS, in 1995, the City of Tacoma's ("City") American with Disabilities Act (ADA) Self-Evaluation and Transition Plan became outdated as technologies, case law around the ADA implementation and City facilities and programs evolved over the past decade, and

WHEREAS the City undertook an evaluation of the compliance of City-owned facilities with the ADA, and

WHEREAS, after the evaluation, a work group of representatives of every City department that operates facilities accessible to the public and the Tacoma Area on Disabilities developed this update, which was presented at a series of community meetings for public comment, and

WHEREAS the Tacoma Municipal Code requires the City Council to conduct a public hearing prior to the adoption of the amendments to the regulatory code; Now, Therefore,

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

Section 1. That Tuesday, April 29, 2008, at 5:30 p.m., or as soon afterwards as is practicable, is hereby fixed as the date and time, and the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, in the City of Tacoma, as the place when and where a public hearing shall be held on the recommendations of the of the Human Rights and Human Services

Department for proposed revisions associated with the City of Tacoma's
Americans with Disabilities Act Self-Evaluation and Transition Plan.

Section 2. That the Clerk of the City of Tacoma shall give proper notice of
the time and place of said hearing.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney



RESOLUTION NO. 37450

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";
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

() 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;

(X) 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
Public Works Department

EXHIBIT "A"
RESOLUTION NO.: 37450
ITEM NO.: 1
MEETING DATE: APRIL 15, 2008

DATE: March 19, 2008
TO: Board of Contracts and Awards
SUBJECT: Purchase Compact Track Loader
Budgeted from the SWU Nuisance Code Enforcement Fund
Bid Specification No. GF08-0146F

Recommendation: The Public Works/Administration Division – Fleet Services, on behalf of the Streets and Grounds and Solid Waste Divisions, recommends that a contract in the amount of **\$65,923.90**, plus applicable sales tax, be awarded to low bidder **Pape' Material Handling, Inc., Fife, WA**, for the purchase of one (1) 2008 Bobcat compact track loader with attachments.

Explanation: The loader is additional to the fleet and will be used by Streets and Grounds for the Nuisance Code Enforcement program.

Competitive Bidding: Bid specification GF08-0146F opened March 18, 2008. 12 vendors were notified of the opportunity to bid and two bids were received.

Bidders	Location	Bid Amount Plus Tax
Pape' Material Handling, Inc.	Fife, WA	\$65,923.90
Sumner Tractor and Equipment	Sumner, WA	\$72,212.07
	Pre-bid Estimate	\$67,000.00

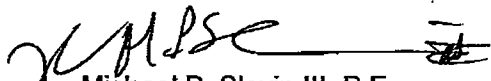
The recommended award is 1% below the pre-bid estimate.

Contract History: New contract.

Funding: Funds for this purchase are available in the 2008 SWU Nuisance Code Enforcement Fund 4200-NCE.

HUB/LEAP Compliance: Not applicable.

Project Engineer/Coordinator: Fred Chun, Fleet Manager, 591-5553.


Michael P. Slevin III, P.E.
Interim Public Works Director

- cc: Beth Brooks, Public Works
- Director's Intern, Public Works
- John Gaddis, PW/Streets & Grounds
- Ken Tross, PW/Solid Waste
- Dave Scott, TMB/Finance
- Louis Nguyen, TPU/Utilities Accounting
- Sheri Hayes, TPU/Utilities Accounting
- Amy Palmer, Finance/Budget & Research
- Jayne McCartney, TPU/Purchasing
- Fleet Operations



City of Tacoma
Public Works Department

EXHIBIT "A"

RESOLUTION NO.: 37450
ITEM NO.: 2
MEETING DATE: APRIL 15, 2008

DATE: April 4, 2008

TO: Board of Contracts and Awards

SUBJECT: Purchase of Traffic Signal Video Detection Equipment
Budgeted from 1060 Fund, PW Streets Special Revenue
Washington State Contract No. 03502

RECOMMENDATION: The Public Works Department recommends that a contract in the amount of \$50,434.00, plus sales tax, be awarded to **Kar-Gor, Inc., Salem, Oregon** for the purchase of traffic signal video detection equipment.

EXPLANATION: The traffic signal video detection equipment will be installed at the following intersections; South 64th & Yakima, South 'M' & Center, East 56th & McKinley, and South 56th & Montgomery. The equipment will be used in the operation of the new or upgraded traffic signals to detect the presence of vehicles.

COMPETITIVE BIDDING: State of Washington Contract No. 03502 is a competitively bid contract valid until January 31, 2009, and includes the specified traffic signal video detection equipment. Kar-Gor Inc., Salem, Oregon provided prices for the video detection equipment operated by Public Works. Through an inter-local cooperative purchasing agreement, the City of Tacoma purchase will be at the state contract prices, terms and conditions, and meets competitive bidding requirements.

CONTRACT HISTORY: New contract.

FUNDING: Funds for this are available in the 1060 Fund, PW Streets Special Revenue appropriated through adoption of the 2007/2008 budget.

HUB/LEAP COMPLIANCE: N/A

PROJECT ENGINEER/COORDINATOR: Chris Larson, Engineering Division, 591-5538.

James G. Parvey, P.E.
Interim Asst. P.W. Director/City Engineer

JGP:cl

cc: Jim Wilkerson, Purchasing Analyst
Intern, Public Works Department
Chris Larson, Engineering Division



City of Tacoma
Public Works Department

EXHIBIT "A"

RESOLUTION NO.:

37450

ITEM NO.:

3

MEETING DATE:

APRIL 15, 2008

DATE: March 20, 2008

TO: Board of Contracts and Awards

SUBJECT: East "D" Street Grade Separation; Federal Aid Project No. DEMO-STPUL-3101(001), State Contract No. TA-1442, EDA Project No. 070105328, TIB Project No. 9-P-128(017)-1 Budgeted from Capital Projects Fund 3211 Specification No. PW05-0447F, Contract No. 4600003124

RECOMMENDATION: The Public Works Department requests approval to increase Contract No. 4600003124 to **MidMountain Contractors, Inc., Kirkland, WA** by \$1,500,000, plus sales tax, for additional services.

EXPLANATION: This increase to the contract is for additional work and revisions required due to items and issues that arose during the project which were not included as part of the original scope of work. A contract increase is required for the following additional work:

1. Latent unforeseen conditions: underground storage tank; contaminated soils (increased quantities); conflicts with existing utilities; dewatering of excavations and abandoned utilities; and additional excavation requirements (Dock Street Bridge)
2. Underground utility alignment revisions
3. Electrical revision (power supply and illumination)
4. Traffic barrier design revisions
5. Dock Street Bridge seismic restraint design revision
6. BNSF Railway: existing utilities conflicts; new utility requirements; underground storage tanks; and contaminated soils and subsurface debris

COMPETITIVE BIDDING: This contract was originally awarded to MidMountain Contractors, Inc., as a result of Bid Specification No. PW05-0447F in January 2006. MidMountain Contractors, Inc. has agreed to increase the contract at the same terms and conditions set forth in the original contract.

CONTRACT HISTORY: The original contract for \$14,213,428.41, plus sales tax, was approved by City Council Resolution #36780 on February 14, 2006. This increase of \$1,500,000 will result in a cumulative contract amount of \$15,713,428.41, plus sales tax.

FUNDING: Funds are available in the Capital Projects Fund 3211, WBS No. PWK-00143.

PROJECT ENGINEER/COORDINATOR: Mark Henry, Construction Division, 591-5771.

James G. Parvey, P.E.
Interim Asst. P.W. Director/City Engineer

cc: Rae Bailey/Michael Hale/Mark Henry/Sherry Loseke, Construction Division
Percy Jones, HALO
Chris Storey/Mike Waits, Engineering Division
Intern, PWD
Jim Wilkerson, Purchasing Analyst



City of Tacoma
Public Works Department

EXHIBIT "A"

RESOLUTION NO.: 37450

ITEM NO.: 4

MEETING DATE: APRIL 15, 2008

DATE: March 21, 2008

TO: Board of Contracts and Awards

SUBJECT: Increase and Renewal Bulk Fuel Contract
Budgeted from Various Individual Department Funds
State of Washington Contract #07705 – SAP Contract 4600003269

Recommendation: The Public Works/Administration Division – Fleet Services, on behalf of various departments and divisions, requests approval to increase the contract with **Associated Petroleum Products, Inc., Tacoma, WA**, for bulk fuel on an as-needed basis by **\$606,000**, plus applicable sales tax, and to renew the contract for the period April 13, 2008, through April 12, 2010.


Explanation: The renewal of the contract with Associated Petroleum Products will continue to provide bulk tank wagon deliveries of gasoline and diesel fuels to various City storage tanks for use by the Fire Department, Fire Emergency Medical Services, Wastewater, Solid Waste, and Streets and Grounds as heating, equipment, or vehicle fuel.

Competitive Bidding: State of Washington Contract #07705 is a competitively bid contract, awarded in April 2006 with the ability to renew for a maximum period not to exceed 5 years. It is valid through April 12, 2010, and includes the fuel types to be purchased. Through an interlocal cooperative purchasing agreement, the City of Tacoma purchases will be at state contract multipliers, terms, and conditions, and meets competitive bidding requirements. Prices are based on firm multipliers over the OPIS Tacoma rack price.

Contract History: City contract 4600003269 was originated in May 2006 in the amount of \$50,000 and was increased by \$150,000 by Council Resolution 36963 #7 on September 12, 2006. The contract was administratively increased by \$50,000 in March 2007. It was increased by \$230,000 and renewed through April 12, 2008, by Council Resolution 37164 #4 on April 17, 2007. The contract was administratively increased by \$50,000 in February 2008. This increase and renewal will bring the contract to a cumulative total of \$1,136,000 through April 12, 2010. This increase is based on estimated future costs and usage figures from May 2006 through March 2008.

Funding: Funds for this contract are available in the Funds of the individual departments using the contract.

Project Engineer/Coordinator: Fred Chun, Fleet Manager, 591-5553.

EG

Michael P. Stevin III, P.E.
Interim Public Works Director

cc: Beth Brooks, Public Works
Director's Intern, Public Works
Sheri Hayes, TPU/Utilities Accounting
Amy Palmer, Finance/Budget & Research
Jayne McCartney, TPU/Purchasing
Fleet Operations



City of Tacoma
Fire Department

EXHIBIT "A"

RESOLUTION NO.: 37450

ITEM NO.: 5

MEETING DATE: APRIL 15, 2008

DATE: March 27, 2008

TO: Board of Contracts and Awards

SUBJECT: Waiver of Competitive Bidding Request - Sole Source
COMPUTER AIDED DISPATCH MAINTENANCE & REPAIR AGREEMENT
Budgeted from the Fire Special Revenue Fund 1090

RECOMMENDATION: The Tacoma Fire Department requests a waiver of competitive procurement procedures and recommends that a contract in the amount of \$284,745.00, plus sales tax, be awarded to **Northrop Grumman Information Technology, Inc., Chantilly, Virginia**, for hardware and software maintenance and repair services for the Fire Department's Computer Aided Dispatch System (CADS) for a four-year period.

EXPLANATION: The proposed agreement provides maintenance and repair services for the Fire Department's CADS for a four-year period commencing March 1, 2008. The CADS is a proprietary custom computer application. Northrop Grumman has licensed the use of the software to the City of Tacoma. Northrop Grumman is the sole source manufacturer and software maintenance provider.

COMPETITIVE BIDDING: Waiver of competitive bidding requested due to sole source. To ensure that any maintenance and repair work performed to the application works correctly and appropriately with the existing software code and to ensure that any work done will work with any future product upgrades or improvements, the work must be performed by Northrop Grumman. To avoid any confusion over responsibility for support of the application, the Fire Department also has assigned responsibility for hardware maintenance and repair to Northrop Grumman through this agreement.

CONTRACT HISTORY: New contract.

FUNDING: Funds for this are available in the 2007-2008 Fire Special Revenue Fund 1090 budget, Cost Center 668500, Cost Element 5310100.

HUB/LEAP COMPLIANCE: Not applicable.

PROJECT ENGINEER/COORDINATOR: Michael Fitzgerald, (253) 591-5157

RONALD W. STEPHENS
Fire Chief

RWS:MF:mw

cc: Jayne McCartney, Finance/Purchasing



City of Tacoma
Fire Department

EXHIBIT "A"

RESOLUTION NO.:

37450

ITEM NO.:

6

MEETING DATE:

APRIL 15, 2008

DATE: April 1, 2008

TO: Board of Contracts and Awards

SUBJECT: Waiver of Competitive Bidding Request - Sole Source
Maintenance Service Agreements for Automatic External Defibrillators and Twelve-Lead
Monitor/Defibrillators – Medtronic Physio-Control, Redmond, Washington
Budgeted from EMS Special Revenue Fund 1155

RECOMMENDATION: The Tacoma Fire Department requests a waiver of competitive procurement procedures and recommends that a contract in the amount of \$97,323.75 plus sales tax, be awarded to **Medtronic Physio-Control, Redmond, Washington**, for maintenance and repair services for 31 Automatic External Defibrillators (AED) for a four-year period (totaling \$31,000.00 plus tax) and 14 Twelve-Lead Monitor/Defibrillators and accessories for a five-year period (totaling \$66,323.75 plus tax).

EXPLANATION: The proposed service agreements provide on site maintenance and repair services for all of the Fire Department's AED and Twelve- Lead Monitor/Defibrillators until their anticipated replacement. The agreements include regular scheduled and emergency maintenance and repair services. Maintenance agreements are necessary for this equipment to control costs, ensure equipment is operating properly and to protect product performance warranties.

COMPETITIVE BIDDING: Waiver of competitive bidding is requested due to sole source. Following an extended technical review, the Fire Department awarded a contract to Medtronic Physio-Control to provide emergency defibrillating equipment to all of its emergency response units for emergency cardiac care. Since then, for training, continuity of operational use and to minimize the cost of repair and inventory, the Department has continued to purchase Medtronic Physio-Control units as its equipment standard. The City cannot award maintenance and repair services to parties other than the manufacturer of this equipment without threatening equipment warranties. Given the importance of this equipment, the department believes it is not in the public interest to consider awarding the work to a party other than the manufacturer and risk a problem with its warranty or operation.

CONTRACT HISTORY: In 1998, after evaluation, the City awarded a contract to Physio-Control (now dba Medtronic Physio-Control) for purchase of AED, Twelve-Lead Advanced Life Support Monitor/Defibrillator units and other accessory equipment. The order was sufficient to equip all of the department's engines, aerial ladders and medic rescue units with new equipment. After expiration of initial new equipment warranties, follow-on sole source maintenance agreements were executed with the vendor to provide maintenance and repair services. Those agreements have now expired and new agreements are necessary.

FUNDING: Funds for this purchase are available in the 2007-2008 EMS Special Revenue Fund 1155 budget.

HUB/LEAP COMPLIANCE: Not applicable.

PROJECT COORDINATOR: Medical Services Officer Faith Mueller, (253) 573-2333.

RONALD W. STEPHENS
Fire Chief

RWS:MF:mw

cc: Jayne McCartney, Finance/Purchasing



City of Tacoma
Public Works Department

EXHIBIT "A"

RESOLUTION NO.: 37450

ITEM NO.: 7

MEETING DATE: APRIL 15, 2008

DATE: March 20, 2008

TO: Board of Contracts and Awards

SUBJECT: Waiver of Competitive Bidding Request - Emergency
2006 November Storm Event - Repair and Cleanup
Contract Nos: 4600003657, 4600003630, 4600003629 & 4600003771

RECOMMENDATION: The Public Works Department requested waiver of the formal bidding procedures for the emergency repair and clean up at various locations within the City as a result of the 2006 November Storm Event. The Public Works Department recommends that contracts for **various contractors**, in the total amount of \$349,515.38, plus sales tax, be approved, The following contractors were utilized in the repair and cleanup:

	<u>Contractor / Work Description</u>	<u>Amount</u>
1.	Woodland Industries, Puyallup WA - #4600003657 Removal of Logs & Debris at Four Bridges - Puyallup River	\$78,980.58
2.	MidMountain Contractors, Inc., Kirkland WA - #4600003630 Removal of Logs & Debris at Tacoma Rail Trestle – Puyallup River	\$13,156.65
3.	Wm. Dickson Co., Tacoma WA - #4600003629 Removal of Log Debris at Lincoln Ave Bridge: (\$7,914.00) Storm Sewer Repair at Fairbanks St. & T Street Gulch: (\$47,683.47) Sanitary Sewer Repairs at N. 23 rd & Yakima St. Bridge (\$48,916.15)	\$104,513.62
4.	Site Development, Inc. Tacoma WA - #4600003771 Sidewalk Repair and Tree Removal at N. 9 th & Sheridan: (\$21,924.15) Wall & Roadway Collapse Repair at 13 th & Court E: (\$130,940.38)	\$152,864.53
	TOTAL:	\$349,515.38

EXPLANATION: In accordance with Tacoma Municipal Code 1.06.245 D, on November 9, 2006, the Public Works department requested and was approved a waiver of competitive bidding due to emergency. The needed cleanup and repairs as a result of the 2006 November Storm Event required the immediate hiring of several contractors to minimize the damage sustained and to prevent future damage. A major rain storm occurred from November 3 to November 7, 2006 in the Puget Sound area. A 'State of Emergency' was declared by Governor Gregoire in 18 counties as result of the rain storm, including the Pierce County – Tacoma area. The rain storm caused sewer system overflows; collapse and damage to sewer pipes; sewage backup and overflows into properties; erosion along embankments and gulches; buildup of logs and debris around bridge piers in the Puyallup River; pavement and roadway failures; and other damage.

COMPETITIVE BIDDING: Waiver of competitive bidding requested due to emergency.

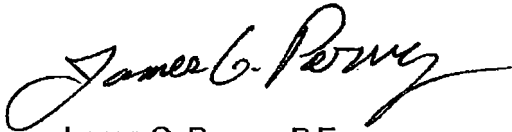
CONTRACT HISTORY: New contract.

FUNDING: Funds for these contracts are.

	<u>Contractor Name</u>	<u>Name, Fund No.</u>
1.	Woodland Industries, Puyallup WA	Street Special Revenue, Fund 1060
2.	MidMountain Contractors, Inc., Kirkland, WA	Tacoma Rail Mt Division, Fund 4120
3.	Wm. Dickson Co., Tacoma WA	Street Special Revenue, Fund 1060 Surface Water, Fund 4301 Wastewater, Fund 4300
4.	Site Development, Inc. Tacoma WA	Street Special Revenue, Fund 1060

HUB/LEAP COMPLIANCE: Not applicable.

PROJECT ENGINEER: R. Michael Hale, PW Construction Division, (253) 591-5766



James G. Parvey, P.E.
Interim Asst. P.W. Director/City Engineer

cc: Rae Bailey/Michael Hale/Sherry Loseke, Construction Division
Chris Storey/Dan Soderlind/Mike Waits, Engineering Division
John Gaddis, Streets & Grounds
Kari Prussen, ESSE
Mike Fitzgerald, Fire
Intern, PWD
Jim Wilkerson, Purchasing Analyst
Percy Jones, HALO

RESOLUTION NO. 37451

A RESOLUTION related to traffic management; removing a High-Occupancy Vehicle restriction from the Jackson Avenue on-ramp to westbound State Route 16.

WHEREAS RCW 47.52.025 grants highway authorities, including the City, the authority to restrict lanes or ramps associated with limited access facilities to high-occupancy vehicles; and

WHEREAS on October 31, 1995, the City Council adopted Resolution 33197, which asked the Washington State Department of Transportation ("WSDOT") to impose a High-Occupancy Vehicle restriction from the Jackson Avenue on-ramp to westbound State Route 16 in order to alleviate severe traffic congestion on Jackson Avenue that resulted from single-occupancy vehicles waiting to turn onto the on-ramp, and

WHEREAS the City, with the concurrence of WSDOT did impose the requested restriction, thereby alleviating, in part, the traffic congestion at that intersection, and

WHEREAS the construction of the second Narrows Bridge and new vehicle capacity on State Route 16 have so improved traffic flow at this intersection that the restriction is no longer necessary, and

WHEREAS the City Council has determined it is in the best interests of the City to provide more efficient access to the State Route 16 at Jackson Avenue; Now, Therefore,

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

That the High-Occupancy Vehicle restriction from the Jackson Avenue on-ramp to westbound State Route 16 is hereby removed, and the proper officers of the City are authorized and directed to remove all signs and markings limiting access thereto.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

RESOLUTION NO. 37452

A RESOLUTION relating to Community and Economic Development; authorizing the approval of Foss Waterway Development Authority's sale of approximately .23 acres of upland and .55 acres of tideland to Martinac Shipbuilding for \$350,000.

WHEREAS, in 1996, the City created the Thea Foss Waterway Development Authority ("FWDA"), which is a public corporation chartered by the City, pursuant to Chapter 35.21 of the Revised Code of Washington ("RCW") and Chapter 1.60 of the Tacoma Municipal Code, to assist the City in redeveloping properties along and within the Waterway for public and private uses and to contribute to the economic, cultural, and recreational revitalization and further enhancement of the Waterway, and

WHEREAS, in 1997, the First Operating Agreement between the City and the FWDA was executed; and, in 1999, the Second Operating Agreement was executed and subsequently amended, and

WHEREAS the Second Operating Agreement, as amended and extended, requires that the specific terms and conditions of any development agreements, purchase and sale agreements, and other related documents relative to the transaction, must be reviewed and approved by the Tacoma City Attorney, which review and approval has occurred, and

WHEREAS property previously purchased by the Metropolitan Park District was transferred to the FWDA, said property being generally located at 402 East 15th Street, Tacoma, Washington, and

WHEREAS Martinac Shipbuilding has continuously leased this property for many years, and

WHEREAS the FWDA has entered into an agreement with Martinac Shipbuilding to sell the property in the amount of \$350,000; Now, Therefore,

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

Section 1. That the City Council, pursuant to Section 3(b) of the Second Operating Agreement between the City of Tacoma and the Foss Waterway Development Authority, as amended and extended, hereby approves the Purchase and Sale Agreement between FWDA and Martinac Shipbuilding, which document is on file with the office of the City Clerk.

Section 2. The proper officers of the City are authorized to execute all other documents that are necessary or incidental to this transaction.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

ORDINANCE NO. 27695

AN ORDINANCE relating to zoning; amending Chapter 13.06 of the Tacoma Municipal Code by deleting certain described property from Section 13.06.110; and adding a new section to be known as Section 13.06.120(78).

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Hearing Examiner's Findings, Conclusions, and Recommendation contained in the Hearing Examiner's Report dated January 3, 2008, bearing File No.: REZ2007-40000100664, SEP2007-40000100665, and filed in the office of the City Clerk.

Section 2. That Chapter 13.06 of the Tacoma Municipal Code is hereby amended by adding thereto a new section to be known as Section 13.06.120(78), to read as follows:

13.06.120(78) ADDED TO "R-3 TWO-FAMILY DWELLING DISTRICT." The following property shall be included in the R-3

Two-Family Dwelling District:

Lots 11 and 12, Block 8, BRETTONWOOD'S ADDITION TO TACOMA, WASHINGTON according to the Plat thereof recorded in Volume 8 of Plats at Page 64, records of Pierce County, Washington.

Situate in the Northeast quarter of the Southwest quarter of Section 23, Township 21 North, Range 02 East, W.M.

Parcel No. 2620000790

Section 3. That the above-described property be and is hereby deleted from Section 13.06.110, "R-2 One-Family Dwelling District," of the Tacoma Municipal Code.

Passed _____

Mayor

Attest:

City Clerk

Location: 4640 North Pearl Street
Tacoma, Washington
Applicant: Michael Knecht
Rezone No.: 40000100664

Approved as to form:

Property description approved:

Assistant City Attorney

Chief Surveyor
Public Works Department