



Legislation Passed April 28, 2009

The Tacoma City Council, at its regular City Council meeting of April 28, 2009, 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. 37782

Authorizing the execution of an interlocal agreement with Pierce County to amend the Countywide Planning Policies for Pierce County by modifying growth center policies.

Amended Purchase Resolution No. 37783

Awarding contracts to:

1. American Building Maintenance d.b.a. ABM Janitorial Services, in the amount of \$250,000.00, sales tax not applicable, for a cumulative total of \$3,651,052.32, budgeted from various departmental funds, to increase and extend the contract for janitorial services for City facilities through September 1, 2009 – Specification No. GS03-0919F; and
~~2. Bill's Towing and Garage, Inc., in the amount of \$8,000.00, plus sales tax, for a cumulative total of \$344,000.00, budgeted from the Fleet Equipment Rental Fund and the General Fund, to increase and extend the contract for vehicle towing services through July 31, 2009 – Specification No. G-022-02.~~ **Item No. 2 removed from**

Purchase Resolution No. 37783

Resolution No. 37784

Authorizing the submittal of an application to the United States Department of Housing and Urban Development for a \$3,500,000 Community Development Block Grant Section 108 Guarantee loan to assist with the development of Phase I of the Harold E. LeMay Museum.

Resolution No. 37785

Authorizing the execution of Supplement No. 7 to the agreement with David Evans and Associates, Inc., in the amount of \$75,000, for a cumulative total of \$292,404, budgeted from the Street Special Revenue Fund, for design and on-call engineering services for the East 34th Street Bridge rehabilitation project through December 31, 2010.

Resolution No. 37786

Authorizing the execution of a Collective Bargaining Agreement with the Tacoma Police Management Association, Local 26, I.U.P.A., which covers approximately 19 budgeted, full-time, commissioned positions and provides in part for a 6.2 percent wage increase retroactive to January 1, 2009, a 1 to 5 percent increase effective January 1, 2010, and January 1, 2011, and provides for standby pay of \$3 per hour for employees when assigned as Command Duty Officer, effective retroactive to January 1, 2009 through December 31, 2011.

Resolution No. 37787

Authorizing the execution of a Collective Bargaining Agreement with the Professional Public Safety Managers Association, which covers approximately 13 budgeted, full-time, commissioned positions and provides in part for a 6.2 percent wage increase retroactive to January 1, 2009, and a 1 to 5 percent increase effective January 1, 2010, and January 1, 2011, effective retroactive to January 1, 2009 through December 31, 2011.

RESOLUTION NO. 37782

BY REQUEST OF MAYOR BAARSMA AND COUNCIL MEMBERS LONERGAN
AND STRICKLAND

A RESOLUTION relating to growth center policies; authorizing the execution of an interlocal agreement with Pierce County to amend the Countywide Planning Policies for Pierce County by modifying growth center policies.

WHEREAS, in 1992, the Pierce County Regional Council ("PCRC") was created by an interlocal agreement among the cities and towns of Pierce County ("County") and Pierce County and the PCRC was charged with responsibilities which included (1) serving as a local link to the Puget Sound Regional Council ("PSRC"), (2) promoting intergovernmental cooperation, (3) facilitating compliance with the coordination and consistency requirements of the Growth Management Act and the Regional Transportation Planning Organization (Chapter 47.80 RCW), and (4) developing a consensus among jurisdictions regarding the development and modification of the Countywide Planning Policies ("CWPP") for Pierce County, and

WHEREAS, on January 31, 1995, the County Council passed Resolution R95-17, affirming the commitment of the County to continue discussions with other local jurisdictions to resolve implementation of the Growth Management Act, and

WHEREAS the PSRC has specific responsibilities under federal and state law for transportation and growth management planning, and

WHEREAS the PSRC has adopted VISION 2040 as the growth management, environmental, economic, and transportation vision for the central Puget Sound region, and

WHEREAS, VISION 2040 provides a common framework for the region's Metropolitan Transportation Plan and Regional Economic Strategy, as well as countywide planning policies and local comprehensive plans, and

WHEREAS the PSRC allocates federal transportation funding to Puget Sound counties, cities, and towns for projects that are consistent with the adopted regional plan, and

WHEREAS VISION 2040 identifies a set of regional growth and manufacturing/industrial centers, and the PSRC has identified criteria for designating regional centers, and

WHEREAS the regional centers are central to the policy framework that guides the distribution of federal transportation funding, and

WHEREAS the CWPPs address regional centers, and

WHEREAS a consistency review between the PSRC regional center criteria and the CWPP has been conducted, and

WHEREAS the proposed amendments ensure consistency between the PSRC regional center criteria and the CWPP, and

WHEREAS the proposed amendments to the CWPP are not subject to the State Environmental Policy Act review in accordance with WAC 197-11-800(20), procedural actions, and

WHEREAS, on February 21, 2008, the PCRC subsequently recommended adoption of the proposed amendments to the CWPP, which address policy updates, and

WHEREAS amendments to the CWPP must be adopted through amendment of the original interlocal agreement or by a new interlocal agreement ratified by 60 percent of member jurisdictions in the County representing 75 percent of the total population, and

WHEREAS the Interlocal Agreement entitled "Amendments to the Pierce County Countywide Planning Policies" was developed for this purpose and included the recommended amendments to the CWPP as an attachment, and

WHEREAS these revised and additional countywide planning policies should be incorporated into the next amendment of the CWPP by ordinance of the County Council, and

WHEREAS the grant-scoring system used for the selection of certain transportation projects within the County has been restructured *inter alia* to clarify that formal PCRC and PSRC centers designation is a prerequisite for allocation of maximum "center points," and

WHEREAS the Government Performance and Finance Committee has made a "do pass" recommendation to the City Council, and

WHEREAS the City Council finds that it is in the public interest to execute the interlocal agreement; Now, Therefore,

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

Section 1. That the proper officers of the City are authorized to execute an interlocal agreement with Pierce County to amend the Countywide Planning Policies ("CWPP") for Pierce County, attached hereto as Exhibit "A" and by this reference incorporated herein, by modifying growth center policies thereby

ratifying the attached amendments to the CWPP, as recommended by the
Pierce County Regional Council, said document to be substantially in the form
of the proposed CWPP on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 37783

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;

() 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:



City Attorney



City of Tacoma
Finance Department

EXHIBIT "A"

RESOLUTION NO.: 37783

ITEM NO.: 1

MEETING DATE: April 28, 2009

DATE: April 2, 2009

TO: Board of Contracts and Awards

SUBJECT: Janitorial Services for City Facilities
Contract No.46-00001887, Specification No. GS03-0919F

RECOMMENDATION: The Finance Department, Purchasing Division requests Public Utility Board and City Council approval to extend and increase the citywide SAP Contract No.46-00001887 to **American Building Maintenance, d.b.a. ABM Janitorial Services, Tacoma, WA** by \$250,000 sales tax not applicable, for janitorial services while a new competitive Request for Proposal process is coordinated with the facilities using the services and conducted. The extension period will be from May 19, 2009 through September 1, 2009.

EXPLANATION: The extension of the contract with ABM Janitorial Services will provide continued janitorial services for various City facilities while the client departments are assessing their janitorial requirements. The contract increase is requested for services at the following locations: Tacoma Fire Training Center, Tacoma Municipal Building/Municipal Building North, Municipal Services Center, Harrison Police Range, Police Operations Center, Police Sector 4 Substation, Police S.I.D., Police Sector 2, Police Substations Central, N. 26th, Wapato Point, NE Tacoma, Solid Waste Utility Administration, Fleet Operations, Radio Shop, Tacoma Rail Administration (TPU), and the South Sound Service Center (TPU). The \$250,000 increase represents an estimated allocation of \$20,000 for Tacoma Public Utilities and \$230,000 for General Government use. The estimates are based on the monthly usage invoiced over the prior contract years.

COMPETITIVE BIDDING: This contract was originally awarded to ABM Janitorial Services, Tacoma WA as a result of formal RFP Specification No.GS03-0919F in April 2004. ABM Janitorial Services has agreed to extend the contract at the current contract terms and conditions.

CONTRACT HISTORY: This contract was initially approved in April 2004 by City Council Resolution No. 36143 for \$471,634.32 for the period of May 20, 2004 through May 19, 2005. The initial TPU estimated usage was minimal and did not require Utility Board approval. May 13, 2005 the contract was administratively increased by \$50,000. This contract was increased by \$512,616 in June 2005 by City Council Resolution No.36531. On March 28, 2006 this contract was administratively increased by \$50,000. This contract was increased by \$740,000 per Resolution No. 36843, dated May 2, 2006. This contract was increased by \$776,802 per Resolution No.U-10131 dated April 25, 2007 and 37180 dated May 8, 2007. The contract was renewed using the fourth and final one-year option and increased by \$800,000 per Council Resolution # 37481 dated May 20, 2008 and U-Board Resolution # U-10205 dated May 14, 2008. The increase will bring the contract to a cumulative total of \$3,651,052.32, sales tax not applicable for the contract period of May 20, 2004 through September 1, 2009.

FUNDING: Various- Funds for this are provided by the individual departments using the contract..

PROJECT ENGINEER/COORDINATOR: Jayne McCartney, Purchasing Analyst,
253-502-8249



Larry Dardzinski, Purchasing Division
Purchasing Manager

cc:

Percy Jones, HALO
Peter Guzman, HALO
Justin Davis, Facilities Management



Tacoma

City of Tacoma
Public Works Department

EXHIBIT "A"

RESOLUTION NO.: 37783

ITEM NO.: 2

MEETING DATE: April 28, 2009

DATE: April 3, 2009

TO: Board of Contracts and Awards

SUBJECT: Increase and Extend Contract for Vehicle Towing Services
Budgeted from PW Fleet Equipment Rental Fund 5400 and General Fund 0010
RFP Specification No. G-022-02
SAP Contract No. 4600000697

RECOMMENDATION: Public Works - Fleet Services requests approval to increase SAP contract No. 4600000697 to **Bill's Towing and Garage, Inc., Tacoma, WA**, by \$8,000.00, plus sales tax, to a cumulative total of \$344,000.00, plus sales tax, and to extend it from May 29, 2009, through July 31, 2009, or until a new contract is in place, for vehicle towing and storage services.

EXPLANATION: This increase and extension will continue to provide vehicle towing for city-owned vehicles and vehicle towing and storage services for private vehicles held for investigation by the Police Department.

COMPETITIVE BIDDING: This contract was originally awarded to Bill's Towing and Garage, Inc., as a result of formal RFP Specification No. G-022-02 in April 2003. The contractor has agreed to increase and extend the contract at the current prices, terms, and conditions.

CONTRACT HISTORY: The contract was initially awarded in the amount of \$56,000.00 to Bill's Towing and Garage, Inc. by City Council Resolution No. 35806 in April 2003. It was administratively increased by \$25,000.00 in July 2004 and renewed and increased by \$56,000.00 by City Council Resolution No. 36547 in June 2005. The contract was administratively increased by \$49,000.00 in September 2005. It was increased by \$150,000.00 by City Council Resolution No. 36777 in February 2006 and administratively renewed through May 29, 2009, in June 2007. This is the sixth amendment to the contract. This increase will bring the contract to a cumulative total of \$344,000.00, plus sales tax, for the period June 1, 2003, through July 31, 2009.

FUNDING: Funds are available in the PW Fleet Equipment Rental Fund 5400 and the General Fund 0010.

PROJECT ENGINEER/COORDINATOR: Fred Chun, Fleet Services Manager, 253-591-5553.


Richard E. McKinley
Public Works Director

- cc. Jeffrey Jenkins/Angela Ballard, PW/Facilities
- Director's Intern, Public Works
- Chief Don Ramsdell, Police
- Becky Halkoski, TMB/Finance
- Michele Tuong, TPU/Utilities Accounting
- Jayne McCartney, TPU/Purchasing
- Fred Chun/Janis Pipal/Mary Emery, Fleet Operations

RESOLUTION NO. 37784

A RESOLUTION relating to the Harold E. LeMay Museum; authorizing the submittal of an application to the U.S. Department of Housing and Urban Development for a \$3.5 million Community Development Block Grant Section 108 Guarantee loan to assist with the development of Phase I of the Harold E. LeMay Museum.

WHEREAS, on April 21, 2008, a public hearing was held to consider the submittal of an application to the U.S. Department of Housing and Urban Development (“HUD”) to lend funds, in the amount of \$3.5 million, plus closing costs, to the Harold E. LeMay Museum, LLC, or to the American Car Museum, LLC (collectively “LeMay Museum”), to assist in the development of Phase I of the LeMay Museum, and

WHEREAS the loan proceeds will be leveraged with New Markets Tax Credits, a conventional bank loan and equity, to build Phase I of the LeMay Museum on a site provided by the City near the Tacoma Dome, and

WHEREAS the project cost is projected to be \$28.44 million; sources of funds are approximately \$16.6 million in LeMay Museum and investor equity, \$8.3 million in bank loans, and \$3.5 million in a Section 108 loan, and

WHEREAS the loan will be secured by a First Deed of Trust on the land and building, a subordinate interest in the pledging of capital campaign receipts, and the LeMay Museum’s collection, and

WHEREAS the implementation of the development of Phase I will result in the creation of approximately 90 direct jobs, and

WHEREAS, as per agreements, funds from HUD are submitted to a trustee and then disbursed directly to the LeMay Museum; Now, Therefore,

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

That the proper officers of the City are hereby authorized to submit an application to the U.S. Department of Housing and Urban Development for a \$3.5 million Community Development Block Grant Section 108 Guarantee loan to assist with the development of Phase I of the Harold E. LeMay Museum, said document to be substantially in the form of the proposed grant application on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

RESOLUTION NO. 37785

A RESOLUTION relating to the East 34th Street Bridge project; executing Supplement No. 7 to an agreement with David Evans and Associates, Inc., in the amount of \$75,000, for a cumulative contract total of \$292,404, budgeted from the Public Works Street Special Revenue Fund, to provide design and on-call engineering services through the period of December 31, 2010.

WHEREAS, on May 2, 2000, the City Council adopted Resolution No. 34759, authorizing the execution of an agreement (“Agreement”) with CES Consulting Engineers (“CES”), in the amount of \$167,404, to provide plans and specifications for the rehabilitation of the East 34th Street Bridge project (“Project”), and

WHEREAS, on six occasions, the Agreement has been supplemented in order to extend the contract end date, and

WHEREAS, in March 2007, the Agreement was administratively increased by \$50,000 in order to obtain additional design services, and

WHEREAS, in April 2007, the Agreement was assigned from CES to David Evans and Associates, Inc., and

WHEREAS it is necessary to execute Supplement No. 7 to the Agreement, increasing the compensation by \$75,000, for a cumulative total of \$292,404, to provide for minor design changes prior to advertisement and for on-call engineering services during the construction phase of the 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 Supplement No. 7 to an agreement with David Evans and Associates, Inc., in the amount of \$75,000, for a cumulative contract total of \$292,404, budgeted

from the Public Works Street Special Revenue Fund, to provide design and on-call engineering services through the period of December 31, 2010, said document to be substantially in the form of the proposed Supplement No. 7 on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

RESOLUTION NO. 37786

A RESOLUTION authorizing the execution of the proposed Collective Bargaining Agreement negotiated between the City and the Tacoma Police Management Association, Local 26, I.U.P.A., retroactive from January 1, 2009, through December 31, 2011.

WHEREAS the City has, for years, adopted the policy of collective bargaining between the various labor organizations representing employees and the administration, and

WHEREAS, pursuant to said policy, the Tacoma Police Management Association, Local 26, I.U.P.A. ("Union"), and representatives of the administration of the City have engaged in collective bargaining sessions and have reached an agreement relating to conditions of employment, and

WHEREAS the proposed Collective Bargaining Agreement ("Agreement") covers approximately 19 budgeted full-time commissioned positions and provides: (1) effective January 1, 2009, a wage increase of 6.2 percent equal to the change in the June-to-June Consumer Price Index for Urban Wage Earners and Clerical Workers ("CPI-W"); (2) for the years 2010 and 2011, the June-to-June CPI-W will be used, with a minimum of a 1 percent increase and a maximum of a 5 percent increase; (3) the addition of language for an indexing provision to prevent unreasonable compression between these employees and the employees that they supervise; (4) for the year 2009, an application of rate of 1 percent for employees working toward CALEA accreditation, which will increase to 2 percent in the year 2010 upon the department successfully attaining the accreditation; (5) an increase to the annual merit allowance for

employees meeting contractually stipulated goals; and (6) providing standby pay of \$3.00 per hour for employees, when assigned as Command Duty Officer, and

WHEREAS it now appears in the best interest of the City that the proposed Agreement negotiated by said Union and the City be approved;

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, for and on behalf of the City, an agreement between the City and the Tacoma Police Management Association, Local 26, I.U.P.A., said agreement to be substantially in the form of the proposed Collective Bargaining Agreement on file in the office of the City Clerk, and by its terms to remain in full force and effect upon adoption by the City Council retroactive from January 1, 2009, through December 31, 2011.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

RESOLUTION NO. 37787

A RESOLUTION authorizing the execution of the proposed Collective Bargaining Agreement negotiated between the City and the Professional Public Safety Managers Association, retroactive from January 1, 2009, through December 31, 2011.

WHEREAS the City has, for years, adopted the policy of collective bargaining between the various labor organizations representing employees and the administration, and

WHEREAS, pursuant to said policy, the Professional Public Safety Managers Association ("Union"), and representatives of the administration of the City have engaged in collective bargaining sessions and have reached an agreement relating to conditions of employment, and

WHEREAS the proposed Collective Bargaining Agreement ("Agreement") covers approximately 13 budgeted full-time commissioned positions and provides: (1) effective January 1, 2009, a wage increase of 6.2 percent equal to the change in the June-to June Consumer Price Index for Urban Wage Earners and clerical Workers ("CPI-W"); (2) for the years 2010 and 2011, the June-to-June CPI-W will be used, with a minimum of a 1 percent increase and a maximum of a 5 percent increase; and (3) the addition of language for an indexing provision to prevent unreasonable compression between these employees and the employees that they supervise, and

WHEREAS it now appears in the best interest of the City that the proposed Agreement negotiated by said Union and the City be approved;
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, for and on behalf of the City, an agreement between the City and the Professional Public Safety Managers Association, said agreement to be substantially in the form of the proposed Collective Bargaining Agreement on file in the office of the City Clerk, and by its terms to remain in full force and effect upon adoption by the City Council retroactive from January 1, 2009, through December 31, 2011.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney