



Legislation Passed September 1, 2009

The Tacoma City Council, at its regular City Council meeting of September 1, 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. 37855

Authorizing the execution of an interlocal agreement with Metro Parks Tacoma and Tacoma School District No. 10, allowing for the creation and operation of Tacoma 360.

Purchase Resolution No. 37860

Awarding contracts to:

1. Donovan Excavating Inc., on its bid of \$890,954.75, including sales tax, plus a ten percent contingency, for a projected total of \$980,050.23, budgeted from the Solid Waste 2001 Bond Construction Fund, for construction of a soil preload at the Tacoma Landfill – Specification No. PW09-0458F; and
2. Accrete Construction, LLC dba BPCI, in the amount of \$900,000, including sales tax, budgeted from the Capital Projects-REET Fund, for the construction and installation of ADA compliance upgrades in City-owned facilities, with the option to renew for three additional one-year periods, for a projected contract total of \$3,600,000 – Specification No. PW09-0396F.

Resolution No. 37861

Declaring surplus a ten-foot strip of Tacoma Power property located along 180th Street East at the Canyon Substation; and authorizing the execution of a Quit Claim Deed, granting and conveying the surplus property to Pierce County Public Works and Utility Department as a predevelopment condition for approval of a necessary building permit.

Resolution No. 37862

Authorizing the execution of an Assignment of Contract Rights and Agreement and a Stewardship Agreement and Restrictive Covenant with Pierce County related to the acquisition of an approximate 8 acre parcel within Mason Gulch for open space conservation purposes; executing a Statutory Warranty Deed with the owners of the property to acquire such parcel; and executing a Deed and Agreement relating to Development Rights limiting further development on the 1 acre residential parcel.

Resolution No. 37863

Authorizing the execution of an agreement with Catholic Community Services of Northwest Washington, in the amount of \$290,609, and with Pierce County Housing Authority, in the amount of \$248,077, as part of the American Recovery and Reinvestment Act of 2009, budgeted from the Community and Economic Development Special Revenue Fund, for Homelessness Prevention and Rapid Re-Housing services for the period of September 1, 2009 through July 27, 2012.

Resolution No. 37864

Authorizing the execution of an agreement with the University of Washington Tacoma, in the amount of \$205,549, budgeted from the Surface Water Fund, together with providing \$146,185 of in-kind sampling and lab work services, for the purpose of developing key scientific elements to support a long term surface water management plan for the Wapato Watershed.

Ordinance No. 27831

Authorizing Tacoma Rail to issue a new switching tariff to cover freight rates on the Mountain Division, effective September 1, 2009.

Ordinance No. 27832

Amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation negotiated with the United Transportation Union, Yardmasters Unit, which consists of four budgeted, full time positions, effective July 1, 2007 through December 31, 2011.

RESOLUTION NO. 37855

BY REQUEST OF COUNCIL MEMBERS LADENBURG AND STRICKLAND

A RESOLUTION relating to education services; authorizing the execution of an interlocal agreement with Metro Parks Tacoma and Tacoma School District No. 10, allowing for the creation and operation of Tacoma 360.

WHEREAS, in 2006, the Joint Municipal Action Committee, a joint committee representing the City, Metro Parks Tacoma (“Metro Parks”), and Tacoma School District No. 10 (“Tacoma Schools”), began discussing how the three organizations could work more effectively together to build an educated and successful community, and

WHEREAS these discussions resulted in a series of community conversations and a summit around the topic, and

WHEREAS Tacoma Schools had a group emerge with recommendations based on research from Harvard University, whose advice was to find an opportunity to provide aligned service and support for students through collaboration between Tacoma Schools and nonschool district efforts, and

WHEREAS the group recommended the formation of Tacoma 360 whose function will be to advocate and create conditions for increased collaboration of school and community services around the needs of children and families in Tacoma, and

WHEREAS, in order to do this, program services will include, but not be limited to, (1) facilitation of communication, coordination, and collaboration among Tacoma 360 government-funding partners and service providers;

(2) advice to help frame and refine services; (3) assistance with service placement; and (4) community capacity building, and

WHEREAS a steering committee of community organizations, elected officials, and staff from each of the governmental organizations has worked to create an interlocal agreement that would allow Tacoma 360 to be formed, and

WHEREAS this action would adopt the proposed interlocal agreement, and

WHEREAS the interlocal agreement outlines the authority and responsibility of the executive board, advisory board, and executive director and provides the organization the authority to contract with an external agency to provide fiscal and administrative services, and

WHEREAS the City has budgeted \$100,000 in support for the years 2009-2010 and will consider future budget requests, as outlined in the interlocal agreement, and

WHEREAS, given that this is a new program, the interlocal agreement identifies a three-year pilot period for program assessment; 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 interlocal agreement with Metro Parks Tacoma and Tacoma School District

No. 10, allowing for the creation and operation of Tacoma 360, said document to be substantially in the form of the proposed interlocal agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 37860

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

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

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

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

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

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

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

() B. Rejection of those bids and/or proposals that are recommended for rejection in the attached Exhibit "A";



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() 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.

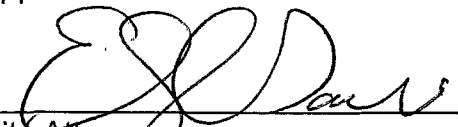
Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:



City Attorney



City of Tacoma
Public Works Department

EXHIBIT "A"

RESOLUTION NO.: 37860
ITEM NO.: 1
MEETING DATE: September 1, 2009

DATE: August 10, 2009
TO: Board of Contracts and Awards
SUBJECT: Landfill Preload
Budgeted from Public Works Solid Waste 2001 Bond Construction Fund
Request for Bids Specification No. PW09-0458F

RECOMMENDATION: Public Works - Environmental Services/Science and Engineering Division recommends that a contract be awarded to second low bidder **Donovan Excavating, Inc., Sumner, WA**, for construction of a soil preload at the Tacoma Landfill. The contract amount reflects a base award of \$890,954.75, including sales tax, plus a 10% contingency, for an aggregate total of \$980,050.23.

EXPLANATION: This contract will construct a soil preload at the Tacoma Landfill. The preload consists of a large mass of soil constructed over a portion of the landfill that is designed to consolidate the buried garbage and prevent settlement of future infrastructure. This soil preload will prepare the site for development of a facility that will allow for recovery of recyclable materials and more efficient transfer of municipal solid waste.

COMPETITIVE BIDDING: Request for Bids Specification No. PW09-0458F was opened August 4, 2009. Fifteen submittals were received. The Historically Under-Utilized Business (HUB) participation level proposed by the bidder(s) are reflected as a credit (maximum applies) against the submitted base bid to arrive at an "evaluated bid" for ranking purposes. Donovan Excavating, Inc. submitted a bid that resulted in the lowest evaluated submittal after consideration of HUB participation goals. The table below reflects the amount of the base award.

<u>Respondent</u>	<u>Location</u> <i>(city and state)</i>	<u>Submittal Amount</u> Including sales tax	<u>Evaluated Submittal</u>
Lloyd Enterprises, Inc.	Federal Way, WA	\$ 882,534.51	\$ 761,696.72
Donovan Excavating, Inc.	Sumner, WA	\$ 890,954.75	\$ 731,315.66
E.J.Rody & Sons, Inc.	Puyallup, WA	\$ 933,144.00	\$ 769,915.16
Northwest Construction, Inc.	Bellevue, WA	\$ 948,872.27	\$ 784,305.16
SCI Infrastructure, LLC	Pacific, WA	\$ 954,457.50	\$ 789,415.16
Ceccanti, Inc.	Tacoma, WA	\$1,012,532.96	\$ 842,549.16
Site Development, Inc.	Lakewood, WA	\$1,019,190.43	\$ 848,640.16
Interwest Development NW, Inc.	Buckley, WA	\$1,068,069.39	\$ 893,360.16
J. R. Hayes & Sons, Inc.	Maple Valley, WA	\$1,089,754.65	\$ 913,200.29
Scarsella Bros, Inc.	Seattle, WA	\$1,110,707.32	\$ 932,370.16
Webber Construction, Inc.	Snoqualmie, WA	\$1,156,808.36	\$ 974,548.61
Gary Merlino Construction Co., Inc.	Seattle, WA	\$1,237,539.04	\$1,048,410.16
Construct Company, LLC	Sumner, WA	\$1,270,819.79	\$1,078,859.16
Woodworth & Company, Inc.	Tacoma, WA	\$1,293,074.37	\$1,099,220.16
Harlow Construction Co., Inc.	Lakewood, WA	\$1,358,692.62	\$1,159,255.16
	Pre-bid Estimate	\$1,350,000.00	

The recommended award is 34 percent below the pre-bid estimate.

CONTRACT HISTORY: New contract.

FUNDING: Funds for this are available in the Public Works Solid Waste 2001 Bond Construction Fund 4200-01CON.

HUB/LEAP COMPLIANCE: The recommended contractor is in compliance with the Historically Under-Utilized Business (HUB) Regulation requirements per memorandum dated August 6, 2009. The HUB goal for this project is 8 percent. The HUB participation level of the recommended contractor is 9.43 percent. Donovan Excavating, Inc. submitted the lowest evaluated bid per the HUB Regulation requirements. The Local Employment and Apprenticeship Training Program (LEAP) goal is 840 hours.

PROJECT ENGINEER/COORDINATOR: Lewis Griffith, P.E., Public Works / Environmental Services / Science and Engineering Division, (253)573-2420.



hr Richard E. McKinley
Public Works Director

cc: James Wilkerson, Purchasing Analyst
Percy Jones, HALO
Peter Guzman, HALO
Lewis Griffith, PW-ESSE

File: ENV-00208 -Recovery and Transfer Center



City of Tacoma
Public Works Department

EXHIBIT "A"

RESOLUTION NO.: 37860

ITEM NO.: 2

MEETING DATE: September 1, 2009

DATE: August 12, 2009

TO: Board of Contracts and Awards

SUBJECT: **Construction and Installation of ADA Compliance Upgrades in City Owned Facilities**
Budgeted from Capital Projects-REET Fund, 3211-REET
Request for Proposals Specification No. PW09-0396F

RECOMMENDATION: The Public Works Engineering Division recommends a contract be awarded to **Accrete Construction, LLC dba BPCI, Puyallup, WA** for the construction of ADA compliance upgrades in City owned facilities. The recommendation is for an initial one-year contract term in the estimated amount of \$900,000, plus the option for three additional one-year renewal periods, for an estimated aggregate total of \$3,600,000 including sales tax. These costs do not include the construction of ADA upgrades external to the buildings (e.g. - regrading parking lots, paving, curb ramp construction, etc.) which will be advertised and awarded separately.

EXPLANATION: Physical barriers exist in City facilities that limit the accessibility of its programs, activities, and services to individuals with disabilities. City facilities and their associated barriers have been documented in the City's ADA Master Survey Report, and subsequently prioritized in the City's ADA Facility Transition Plan. This project will upgrade the identified facilities to meet current ADA standards. It is anticipated that 15-19 facilities will be upgraded in the first year. The remaining facilities will be upgraded in the order they were prioritized in the contract's three one-year renewal periods.

COMPETITIVE SOLICITATION: Request for Proposals Specification No. PW09-0396F was opened July 28, 2009. Four companies were invited to submit proposals in addition to normal advertising of the project. Two proposals were received. Each proposal was evaluated based on pricing/contractor mark-ups, ADA construction and regulatory experience, team and management approach, capacity to perform, and identified HUB participation.

<u>Respondent</u>	<u>Location</u>	<u>Select Rank or Score</u>
Accrete Construction, LLC dba BPCI	Puyallup, WA	1
Lincoln Construction Inc.	Spanaway, WA	2

CONTRACT HISTORY: New contract.

FUNDING: Funds for this contract are available in the Capital Projects-REET Fund, 3211-REET. Funding beyond the current biennium is subject to future availability of funds.

HUB/LEAP COMPLIANCE: The recommended contractor is in compliance with the Historically Under-utilized Business (HUB) Regulation requirements per memorandum dated August 3, 2009. The HUB goal for this project is to have two HUB certified contractors associated with the Work. The HUB participation level of the recommended contractor met the HUB requirement. Accrete Construction, LLC dba BPCI submitted the lowest evaluated proposal per the HUB Regulation requirements. The Local Employment and Apprenticeship Training Program (LEAP) goal is 700 hours.

PROJECT ENGINEER/COORDINATOR: Mark D'Andrea, P.E., PW/Engineering, 253-591-5518.

Richard E. McKinley
Public Works Director

cc: Chuck Blankenship, Purchasing

Percy Jones, Peter Guzman HALO

RESOLUTION NO. 37861

A RESOLUTION related to surplus property; declaring certain property owned by the Department of Public Utilities, Light Division, to be surplus; and authorizing the execution of a Quit Claim Deed, granting and conveying the surplus property to Pierce County Public Works and Utility Department for road right-of-way along 180th Street East, as a predevelopment condition for approval of a necessary building permit.

WHEREAS the Department of Public Utilities, Light Division (d.b.a. “Tacoma Power”), owns approximately 22 acres of property located in the Frederickson Industrial area (“Property”), and

WHEREAS the Property was originally acquired in 2002 at a cost of \$2,100,000 for the development and construction of a new transmission switching substation to serve the southern part of Tacoma Power’s service area, known as the proposed Canyon Substation development, and

WHEREAS a 10-foot-wide strip of land along the frontage of 180th Street East is required by Pierce County Public Works and Utility Department in order to provide the minimum standard right-of-way along 180th Street East, as prescribed by code and to partially mitigate for transportation impacts to the roadway, and

WHEREAS the 10-foot-wide, 8,761-square-foot strip of frontage land is to be dedicated to Pierce County (“County”) as a predevelopment requirement and must be submitted to the County for approval and recording prior to the County’s approval of the building permit for the Canyon Substation, and

WHEREAS Tacoma Power has determined that the Property is surplus to its needs and is not required for providing continued public utility service; Now, Therefore,

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

Section 1. That the 10-foot-wide, 8,761-square-foot strip of frontage land, located along 180th Street East, Tacoma, Washington, is not essential to the needs of the City, is not required for providing continued public utility service, and is hereby declared surplus property pursuant to RCW 35.94.040.

Section 2. That the proposed dedication of the surplus property, located along 180th Street East in Tacoma, is hereby approved in accordance with the terms of Quit Claim Deed No. 6687.

Section 3. That the proper officers of the City are authorized to execute the necessary documents for this transaction, said documents to be substantially in the form of the proposed documents on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

Requested by Public Utility Board
Resolution No. U-9731

RESOLUTION NO. 37862

A RESOLUTION relating to open space; authorizing the execution of an Assignment of Contract Rights and Agreement and a Stewardship Agreement and Restrictive Covenant with Pierce County related to the acquisition of an approximate 8-acre parcel within Mason Gulch for open space conservation purposes; executing a Statutory Warranty Deed with the owners of the property to acquire such parcel; and executing a Deed and Agreement Relating to Development Rights limiting further development on the 1-acre residential parcel.

WHEREAS the aim of the Pierce County Conservation Futures Program (“Conservation Futures Program”) is to preserve and protect threatened areas of open space, timberlands, wetland, habitat areas, and agricultural and farm lands within the boundaries of Pierce County (“County”), and

WHEREAS the County, through its Conservation Futures Program, has entered into a Purchase and Sale Agreement (“PSA”) with the owners of a 9.4-acre parcel of property (“Property”) with a residence located adjacent to and within Mason Gulch in North Tacoma, and

WHEREAS the Property has high habitat and aesthetic value and is part of a highly recognizable forested corridor extending along the gulches and slopes above Ruston Way, which is known for its open space value, and

WHEREAS, in 2007, Cascade Land Conservancy and the City jointly sponsored the Property for funding under the Conservation Futures Program, and

WHEREAS the PSA contemplates that the property owners will subdivide the Property into a conservation parcel of approximately 8.4 acres and a residential parcel of 1 acre, and

WHEREAS the City is working with the Conservation Futures Program and the Property owners to subdivide such Property, and

WHEREAS the PSA obligates the County to pay the owners \$955,000 to acquire not only the conservation parcel but also the development rights on the residential parcel of the Property, subject to and conditioned upon the subdivision of the Property, and

WHEREAS the County's obligation to purchase the Property under the PSA is subject to the County and the City executing a Pierce County Conservation Futures Assignment of Contract Rights and Agreement ("Assignment Agreement") and a Pierce County Conservation Futures Stewardship Agreement and Restrictive Covenant ("Stewardship Agreement and Restrictive Covenant"), and

WHEREAS the Assignment Agreement would require the County to assign its right to receive title to the Property to the City at closing and obligate the City to contribute \$76,520, to be budgeted from the Open Space Fund (which is 10 percent of the assessed value of the conservation Parcel), toward the \$955,000 purchase price of the Property, and

WHEREAS a portion of the City's contribution would be paid through in-kind services related to the subdivision of the Property, estimated to cost approximately \$15,000, and

WHEREAS the County would remain obligated under the PSA to pay the remainder of the purchase price of the Property at closing, and

WHEREAS the City would acquire the conservation parcel by Statutory Warranty Deed, and

WHEREAS the Stewardship Agreement and Restrictive Covenant would require the City to manage the conservation parcel as “open space” in perpetuity and restrict future uses of the Property to those that protect, preserve, maintain, conserve, enhance and improve the Property’s conservation characteristics, and

WHEREAS, additionally, the City would execute a Development Rights Deed with the property owners, which would allow the continued residential use of the residential parcel while restricting further development upon the Property; 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 Assignment of Contract Rights and Agreement and a Stewardship Agreement and Restrictive Covenant with Pierce County related to the acquisition of an approximate 8-acre parcel within Mason Gulch for open space conservation purposes; executing a Statutory Warranty Deed with the owners of the property to acquire such parcel; and executing a Deed and Agreement Relating to

Development Rights limiting further development on the 1-acre residential parcel, said documents to be substantially in the form of the proposed agreements on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

RESOLUTION NO. 37863

A RESOLUTION relating to human services; authorizing the execution of an agreement with the Catholic Community Services of Northwest Washington, in the amount of \$290,609, and with the Pierce County Housing Authority, in the amount of \$248,077, for the delivery of Homelessness Prevention and Rapid Re-Housing services for the period of September 1, 2009, through July 27, 2012.

WHEREAS the City received \$1,182,824 from the U.S. Department of Housing and Urban Development for Homelessness Prevention and Rapid Re-Housing services through the Federal American Recovery and Reinvestment Act of 2009, and

WHEREAS, on May 12, 2009, the City Council adopted Resolution No. 37793, adopting and authorizing the submittal of the 2009 Substantial Amendment to the 2008-2009 Annual Action Plan of the Consolidated Plan that allowed the City to receive these funds, and

WHEREAS the City distributed a Request for Proposals for Homelessness Prevention, which would serve households currently housed but in need of temporary assistance to prevent them from becoming homeless, and distributed a Request for Proposals for Rapid Re-Housing, which would provide temporary assistance to help homeless households to quickly obtain housing, and

WHEREAS a review panel consisting of three Human Services Commission members and two subject matter experts reviewed the proposals and developed recommendations for funding, and

WHEREAS, on August 25, 2009, the City Council adopted the recommendations thoroughly reviewed and forwarded to it by the full Human Services Commission, and

WHEREAS only those agencies with contract budgets totaling over \$200,000 are effectively a part of this resolution, and

WHEREAS programs with contracts under \$200,000 are being contracted administratively; Now, Therefore,

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

That the proper officers of the City are authorized to execute an agreement with the Catholic Community Services of Northwest Washington, in the amount of \$290,609, and with the Pierce County Housing Authority, in the amount of \$248,077, for the delivery of Homelessness Prevention and Rapid Re-Housing services for the period of September 1, 2009, through July 27, 2012, said documents to be substantially in the form of the proposed agreements on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

RESOLUTION NO. 37864

A RESOLUTION relating to environmental services; authorizing the execution of an agreement with the University of Washington Tacoma, requiring the City to pay the amount of \$205,549, budgeted from the PW Surface Water Fund, together with providing \$146,185 in in-kind sampling and lab work services, for the purpose of developing key scientific elements to support a long-term surface water management plan for the Wapato Watershed.

WHEREAS Wapato Lake is the receiving water body for a 1,000-acre watershed, and

WHEREAS Wapato Lake exceeds Washington State lake action levels for nutrients, which are the food that supports algae growth, and

WHEREAS studying the sources of nutrients and how they can be reduced will produce the most cost-effective remedy for the watershed, and

WHEREAS this project will allow the City to generate viable alternatives for managing the watershed, and

WHEREAS proceeding without this study could lead the City to costly and unsuccessful management efforts, and

WHEREAS the University of Washington Tacoma has been involved in developing 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 an agreement with the University of Washington Tacoma, requiring the City to pay the amount of \$205,549, budgeted from the PW Surface Water Fund, together with providing \$146,185 in in-kind sampling and lab work services, for the purpose of developing key scientific elements to support a long-term surface

water management plan for the Wapato Watershed, 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:

Deputy City Attorney

ORDINANCE NO. 27831

AN ORDINANCE relating to the Department of Public Works, Tacoma Rail Mountain Division (“TRMW”); authorizing its operator, Department of Public Utilities, Beltline Division (d.b.a. “Tacoma Rail”), to issue a new switching tariff to cover freight rates on the TRMW; and authorizing the appropriate officers of the City to take all steps necessary to publish and/or file said railway rate tariff and any other necessary actions required to impose said rates to take effect September 1, 2009.

WHEREAS, in March 2000, City of Tacoma, Department of Public Works (“Public Works”), through its operator, Department of Public Utilities, Beltline Division (d.b.a. “Tacoma Rail”), entered into a Cooperative Marketing Agreement with the Union Pacific Railroad (“UP”) to cover revenue-sharing arrangements on freight moving between the UP and Public Works’ Tacoma Rail Mountain Division (“TRMW”), and

WHEREAS the Cooperative Marketing Agreement is set to expire August 31, 2009, and

WHEREAS Tacoma Rail requests approval of a proposed Freight Tariff TRMW 8000 to assist in the uniform recovery of costs associated with providing services on the TRMW, and

WHEREAS it is necessary to authorize the publication of the revised tariff by the appropriate officers or agents of the City, and said revisions are in the best interests of the City; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the rates for railway switching services incidental to the movement of railway cars performed by the Department of Public Works, through its operator, Department of Public Utilities, Beltline Division (d.b.a. “Tacoma

Rail”), on the Tacoma Rail Mountain Division, as provided in Freight Tariff TRMW 8000, are established, ratified, and confirmed.

Section 2. That the proper officers of the City are hereby authorized to take all steps necessary and to perform any actions required to cause the new rates and charges in Section 1 of this ordinance to be appropriately published and numbered for federal rail tariff purposes and said rates shall take effect September 1, 2009.

Passed _____

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

ORDINANCE NO. 27832

AN ORDINANCE relating to the Compensation Plan; amending Sections 1.12.355 and 1.12.640 of the Tacoma Municipal Code; and declaring the effective dates thereof to implement rates of pay and compensation for employees represented by the United Transportation Union, Yardmasters Unit.

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Section 1.12.355 of the Tacoma Municipal Code is amended, effective retroactive to January 1, 2009, to read as follows:

Code	Job Title	1	2	3	4
7115	Railway Yardmaster	27.03	28.83	32.44	36.04

Code	Job Title	1	2	3	4
7115	Railway Yardmaster	<u>28.95</u>	<u>30.88</u>	<u>34.74</u>	<u>38.60</u>

Section 2. That Section 1.12.640 of the Tacoma Municipal Code is amended, effective retroactive to January 1, 2009, to read as follows:

* * *

UTU – Yardmasters. In lieu of retroactivity, a one-time lump sum payment, based on the actual service performed during the time period of July 1, 2007, through December 31, 2008, shall be paid to all regular Yardmasters (CSC 7115). For purposes of the calculation, the following adjustments shall apply: Effective July 1, 2007, through June 30, 2008, a 3 percent increase over the 2006 base wage; and effective July 1, 2008, through December 31, 2008, a 4 percent increase over the 2007 base wage. The one-time lump sum payment shall have the employee health insurance premium contributions, as provided in Article 3.2 of the collective bargaining agreement, deducted from the gross total before the payment is made.

UTU – Yardmasters. Effective the first pay period in January 2010, a one-time lump sum payment in the amount of \$4,000 shall be paid to regular Yardmasters (CSC 7115).

* * *

Section 3. That Sections 1 and 2 of this ordinance shall become effective retroactive to January 1, 2009.

Passed _____

Mayor

Attest:

City Clerk

Approved as to Form:

Deputy City Attorney