



Legislation Passed May 25, 2010

The Tacoma City Council, at its regular City Council meeting of May 25, 2010, 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.

Amended Resolution No. 38035

Opposing Arizona State Senate Bill 1070; and urging the Federal government to adopt comprehensive immigration reform.

Resolution No. 38036

Approving the final plat of "Salishan Division 4," a 119-lot and 11 tract subdivision located from East 46th Street to East 51st Street, between Portland Avenue and East R Street. (Tacoma Housing Authority; File No. PLT2009-40000140089)

Purchase Resolution No. 38037

Awarding a contract to:

Integra Telecom of Washington, Inc., in the amount of \$194,319, plus sales tax, for a cumulative total of \$608,605, budgeted from the Communications Systems Fund, to increase and extend the contract for local and long distance telecommunications services through June 12, 2011 – Specification No. IT08-0133F.

Resolution No. 38038

Authorizing the execution of a Letter of Agreement with the International Federation of Professional and Technical Engineers, Local 17, which covers approximately 296 budgeted, full-time positions, and provides in part for wage increases to reflect the 70th percentile of the market, and a lump sum payment for employees receiving additional pay for specialized certifications which will be eliminated, retroactive to January 4, 2010.

Ordinance No. 27887

Approving the Public Utility Board's selection of the filtration alternative for treatment of the Green River water supply and committing to the inclusion of the costs of filtration in Tacoma Water's budgets and rates.

RESOLUTION NO. 38035

BY REQUEST OF COUNCIL MEMBERS MELLO AND WALKER

A RESOLUTION calling for federal-level immigration reform; and opposing state of Arizona Senate Bill 1070.

WHEREAS the City of Tacoma wishes to be recognized as a livable and progressive international city, regarded for the richness of its diverse population and its natural setting, and

WHEREAS the Tacoma City Council recognizes that the immigration system is broken and supports comprehensive federal immigration reform that, among many other values, respects the due process protections of all individuals in the United States, and

WHEREAS meaningful, comprehensive immigration reform would improve enforcement and provide a path so people have the opportunity to become citizens, and

WHEREAS frustration with the slow pace of federal reform has driven some heavily affected communities to take action, and

WHEREAS the Tacoma City Council believes in the dignity of all City of Tacoma residents, regardless of immigration status, and recognizes the importance of their many contributions to the social, religious, cultural and economic life of the City, and

WHEREAS the Arizona State Legislature passed Arizona Senate Bill 1070 (“Arizona SB 1070”), which Arizona Governor Jan Brewer signed in to law on April 23, 2010, and

WHEREAS Arizona SB 1070 requires police, “when practicable,” to detain people they “reasonably suspect” are in the country without authorization; allows the police to charge and arrest a person with a state crime for not carrying immigration documents; creates a private right of action to sue cities upon belief that the government has a policy or practice that restricts immigration law enforcement; makes it a crime to stop on a public street to attempt to hire temporary work; and defines presence in the state of Arizona without required papers as a criminal act, and

WHEREAS Arizona SB 1070 encourages racial profiling and violates the Fourteenth Amendment’s guarantee of due process and equal protection for U.S. citizens, legal residents, and visitors who are detained for suspicion of being in the country unlawfully, and

WHEREAS Arizona SB 1070 seriously undermines the U.S. Constitution, which grants Congress the exclusive power over immigration matters, and

WHEREAS Arizona SB 1070 will jeopardize public safety and drive a wedge between law enforcement and ethnic communities, and the City of Tacoma wishes to not replicate this, and

WHEREAS President Barack Obama has stated that Arizona SB 1070 threatens “to undermine the basic notions of fairness that we cherish as Americans, as well as the trust between police and their communities that is so crucial to keeping us safe,” and

WHEREAS civil rights leaders, constitutional rights scholars, government officials, and police chiefs across the country have raised significant concerns with Arizona SB 1070, and

WHEREAS the City of Tacoma Police Department has made great strides towards building positive relationships with communities of color and should not be put in the position of racial profiling, and

WHEREAS the Tacoma City Council will oppose any efforts to introduce local legislation similar to Arizona SB 1070; Now, Therefore,

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

Section 1. That the City of Tacoma hereby urges the state of Arizona to rescind or significantly amend Arizona Senate Bill 1070.

Section 2. That the City of Tacoma hereby urges the federal government to adopt comprehensive immigration reform.

Section 3. That the City Council requests that the City Manager forward a copy of this resolution to President Barack Obama, Senators Maria Cantwell and Patty Murray, Representatives Norman Dicks and Adam Smith, and Arizona Governor Jan Brewer.

Section 4. That the City of Tacoma continue to support community organizations, programs, and events that honor diversity, promote inclusion, and celebrate the richness of its diverse population.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

Req. #12585

RESOLUTION NO. 38036

A RESOLUTION relating to platting and subdivision; approving the final plat of SALISHAN DIVISION 4.

WHEREAS the owners of property located in Pierce County have joined in plats of the property to be known and designated as SALISHAN DIVISION 4, and

WHEREAS the preliminary plat of SALISHAN DIVISION 4 was tentatively approved by the Hearing Examiner, subject to the conditions contained in the Hearing Examiner's Report and Decision, dated March 25, 2004, 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 SALISHAN DIVISION 4 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 SALISHAN DIVISION 4, described as follows:

CITY OF TACOMA BOUNDARY LINE ADJUSTMENT
NO. MPD 2008-40000123133, ACCORDING TO THE SURVEY
THEREOF RECORDED APRIL 15, 2009 UNDER RECORDING
NUMBER 200904155003, RECORDS OF PIERCE COUNTY
AUDITOR.

TOGETHER WITH A VACATED ALLEY ABUTTING THEREON
AND ATTACHED THERETO BY OPERATION OF LAW, AS
VACATED BY CITY OF TACOMA ORDINANCE NO. 27808 AND
RECORDED UNDER RECORDING NUMBER 200907090559,
RECORDS OF PIERCE COUNTY AUDITOR.

EXCEPT ANY PORTION THEREOF LYING WITHIN THE PLAT
OF SALISHAN DIVISION 2, ACCORDING TO THE PLAT
THEREOF RECORDED JUNE 24, 2008 UNDER RECORDING
NUMBER 200806245003, RECORDS OF PIERCE COUNTY
AUDITOR.

SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE,
STATE OF WASHINGTON.

PIERCE COUNTY ASSESSOR'S PARCEL NOS.
6950000271, 6950000276, 6950000281, 6950000286,
6950000291, 6950000296, 6950000272, 6950000277,
6950000282, 6950000287, 6950000292, 6950000297,
6950000273, 6950000278, 6950000283, 6950000288,
6950000293, 6950000298, 6950000274, 6950000279,
6950000284, 6950000289, 6950000294, 6950000299,
6950000275, 6950000280, 6950000285, 6950000290,
6950000295, 6950000300, 6950000301, 6950000302

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: Salishan Division 4 is bounded by Portland Avenue to the west, East 46th Street to the north, East "R" Street to the east, and East 51st Street to the south.
Applicant: Tacoma Housing Authority
File No.: 40000140089 (Division 4)

Approved as to form:

Legal description approved:

Deputy City Attorney

Chief Surveyor
Public Works Dept.



RESOLUTION NO. 38037

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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() 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
Information Technology Department

EXHIBIT "A"

RESOLUTION NO.: 38037

ITEM NO.: 1

MEETING DATE: May 25, 2010

DATE: May 4, 2010

TO: Board of Contracts and Awards

SUBJECT: Local and Long Distance Telecommunications Services
Budgeted from Communications Sys Fund 5700-COSYS
Request for Proposals Specification No. IT08-0133F
Contract No. SAP Contract No. 4600004832

RECOMMENDATION: The Information Technology Department, Infrastructure Support Division requests approval to renew and increase SAP Contract No. 4600004832 to **Integra Telecom of Washington, Inc.**, by \$194,319.00, plus sales tax, for local dial tone, long distance, point-to-point circuits, and other voice and data communications for the period June 13, 2010 through June 12, 2011. This increase will bring the contract to a cumulative aggregate total of \$608,605.00, plus sales tax.

EXPLANATION: The Information Technology Department, Infrastructure Support Division oversees local dial tone and long distance services from the public network to the main telephone systems located at the Tacoma Municipal Building, Tacoma Police Department Headquarters, Tacoma Fire Department Emergency Operations center, and the Greater Tacoma Convention and Trade Center. In addition, these services are extended to City and non-City customers supported off the General Government voice communications network.

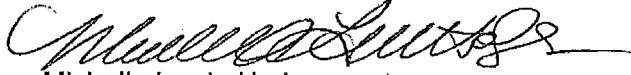
COMPETITIVE BIDDING: This contract was originally awarded to Integra Telecom of Washington, Inc., as a result of Request for Proposals Specification No. IT08-0133F in July 2008. The contractor has agreed to renew the contract at the same prices, terms, and conditions as the original contract.

CONTRACT HISTORY: The original contract for \$179,286.00, plus applicable sales tax, was approved by City Council Resolution 37535 on July 8, 2008. This increase will bring the contract to a cumulative aggregate total of \$608,605.00, plus sales tax, for services through June 12, 2011. This is the second amendment to the contract. This is the second of three one-year renewals allowed under this contract.

The original contract for \$179,286.00, plus sales tax, was approved by City Council Resolution 37535 on July 8, 2008 for services from June 13, 2008 through June 12, 2009. The first of three one-year renewals was approved by City Council Purchase Resolution 37795 on May 19, 2009, for services from June 13, 2009 through June 12, 2010, in the amount of \$235,000.00 plus sales tax for a cumulative total of \$414,286.00. This is the second of three one-year renewal options with an increase of \$194,319.00 for a cumulative total of \$608,605.00 for services from June 13, 2008 through June 12, 2011.

FUNDING: Funds for this are available in the Communications Sys 5700-COSYS Fund.

PROJECT ENGINEER/COORDINATOR: Linda D. Trehuba, Infrastructure Support Division,
Telecommunications, 253-591-5291.



Michelle Lewis-Hodges
Information Technology Director

ST

Insert Initials (WLP:mr)

cc: Jayne McCartney, Purchasing Analyst, Finance/Purchasing
Percy Jones, HUB
Peter Guzman, LEAP

RESOLUTION NO. 38038

A RESOLUTION related to collective bargaining; authorizing the execution of a Letter of Agreement between the City and the International Federation of Professional and Technical Engineers, Local 17.

WHEREAS the City's Human Resources Department is proposing a Letter of Agreement ("Agreement") with the International Federation of Professional and Technical Engineers, Local 17 ("Union"), on behalf of employees represented by said Union, which was approved by the Tacoma Public Utility Board through Resolution No. U-10379 on May 12, 2010, and

WHEREAS the bargaining unit consists of approximately 296 budgeted, full-time positions, with 41 of those positions vacant, and

WHEREAS the Agreement provides for increases in wages to reflect the 70th percentile of the market based on the results of the City's Classification and Compensations Study, and

WHEREAS the Agreement covers the calendar year 2010 and provides wage retroactive to January 4, 2010, except for the classification of WWTP Operations Supervisor, which will be retroactive to July 1, 2009, and

WHEREAS the Human Resources Department is proposing to (1) add the following six new classified titles: Chief of Party, PLS; Assistant Chief Surveyor, PLS; Parking Enforcement Officer, Lead; Road Use Compliance Officer Supervisor; Sewer Transmission Systems Maintenance Supervisor, and Source Control Representative, Senior; (2) delete the following four unused classified titles: Distribution Engineering Technician II; Residential Plans Examiner; Survey Technician I; and Water Quality Technician; and (3) retitle

the following two classifications: WWTP Lab Analyst to Environmental Lab Analyst and WWTP Lab Analyst, Senior, to Environmental Lab Analyst, Senior, and

WHEREAS the Agreement also provides a lump sum payment for employees currently receiving additional pay in the form of application of rates for specialized certifications that will be eliminated, based on the percentage of premium they currently receive; an employee holding 2.5 percent in certification premiums will receive a lump sum payment of \$1,000; an employee holding 5 percent in certification premiums will receive a lump sum payment of \$1,500; 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 Letter of Agreement between the City of Tacoma and the International Federation of Professional and Technical Engineers, Local 17, 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

Requested by Public Utility Board
Resolution No. U-10379

ORDINANCE NO. 27887

AN ORDINANCE relating to the Department of Public Utilities, Water Division (d.b.a. "Tacoma Water"); approving the Public Utility Board selection of the filtration alternative for treatment of the Green River water supply; and committing to the inclusion of the costs of filtration in Tacoma Water's budgets and rates.

WHEREAS the City owns and operates a municipal water system through its Department of Public Utilities, Water Division (d.b.a. "Tacoma Water"), and

WHEREAS Tacoma Water provides direct service to over 300,000 people in the City, and in King and Pierce Counties, and wholesale service to several other municipal water suppliers, and

WHEREAS Tacoma Water is also the owner and operator of shared water supply facilities with its partners, to wit, the Covington Water District, the City of Kent, and Lakehaven Utility District, through the Regional Water Supply System, whose primary water supply is the unfiltered Green River, and

WHEREAS Tacoma Water's Green River water supply is one of the few remaining major unfiltered surface water supplies in the U.S. and has provided high-quality drinking water for many years and should continue to do so for the foreseeable future, and

WHEREAS, over the past 25 years, the U.S. Environmental Protection Agency ("EPA") has developed stringent regulations for drinking water supplies that include, as of January 2006, a regulation called Long Term 2 Enhanced

Surface Water Treatment Rule (“LT2”), requiring that water utilities provide treatment for the inactivation or removal of *cryptosporidium*, a pathogen that can cause disease in humans, and

WHEREAS LT2 requires Tacoma Water to install treatment for the Green River supply by the year 2014 to meet the new national standards for public health protection, and

WHEREAS, during 2009-2010, Tacoma Water and its partners have met to analyze a wide range of potential strategies for LT2 compliance that included a structured analytical process that considered 13 different alternatives eventually narrowed to two primary alternatives for consideration: (1) Hybrid Winter/Summer Filtration and (2) Ultraviolet Light Disinfection with Clearwell Storage. Both alternatives involve known, cost-effective proven technology used by many other U.S. drinking water utilities to meet the LT2 requirements, and

WHEREAS the criteria used to evaluate the two primary alternatives included: (1) water quality and public health; (2) regulatory uncertainty, including the need to remove turbidity from the supply; (3) yield and reliability; (4) operational flexibility; and (5) capital and operating costs, and

WHEREAS Tacoma Water hired two professional consulting firms (1) HDR Inc. and (2) CH2MHill that specialize in evaluating advantages of treatment alternatives to prepare a report on the advantages and disadvantages of each alternative, and

WHEREAS, since 2008, Tacoma Water has conducted 9 Public Utility Board presentations and 18 public meetings, along with numerous customer mailings, news releases, and media articles, on the need to choose and implement a treatment option, and

WHEREAS Tacoma Water has also met with key stakeholders and customers, including all of its major industrial customers, MetroParks Tacoma, Neighborhood Councils, the Pierce County Council, and the Tacoma-Pierce County Chamber of Commerce, seeking input on the issues and the available treatment options, and

WHEREAS, on July 14, 2009, and March 9, 2010, the City Council heard from Tacoma Water staff on water treatment options Tacoma Water was considering in order to meet new federal requirements, and

WHEREAS, on November 19, 2009, February 24, 2010, and March 10, 2010, Tacoma Water staff presented more detail on these treatment options to the Environment and Public Works Committee (“Committee”), and

WHEREAS Tacoma City Charter § 4.11 states that “All matters relating to system expansion and the making of additions and betterments thereto or extensions thereof, the incurring of indebtedness, the issuance of bonds, and the fixing of rates and charges for utility services under the jurisdiction of the Board shall be initiated by the Board, subject to approval by the Council, and executed by the Board,” and

WHEREAS the Director of Utilities and Tacoma Water have recommended to the Public Utility Board that the filtration alternative option be selected, and

WHEREAS, based on careful review of all of the evaluation criteria and feedback from the public and its customers, the Public Utility Board, at its meeting on March 24, 2010, approved the Director of Utilities' and Tacoma Water's recommendation and selected the filtration alternative option for treating the Green River water supply with a presently estimated capital cost range of \$169,000,000 to \$217,000,000 to design and construct, and

WHEREAS the Committee met on April 14, 2010, and voted to recommend to the full City Council that an ordinance concurring in the Public Utility Board's recommendation of the filtration alternative option be approved and that the City Council should commit to inclusion in the Tacoma Water budgets and rates the costs of the filtration alternative, and

WHEREAS the Committee also recommends that the City Council use the funding of this investment as an opportunity to consider the appropriateness of redistributing costs through rate schedules recommended by the Public Utility Board in order to recognize the ongoing investment of citizens of the City and ensure a reasonable distribution of costs within and between rate classes, and

WHEREAS Tacoma Water's financial advisors have determined that it may be advisable to reduce the cost of the filtration alternative through

presently advantageous financing opportunities by issuing bonds early in 2010 and before the December 31, 2010, expiration of the Build America Bonds program, and

WHEREAS Tacoma Water's 2011-2012 biennium and ongoing budgets and rates would not normally be approved until late in 2010, and

WHEREAS, to facilitate the issuance of bonds early in 2010, it is necessary to have assurance now that sufficient rate revenue will be available to pay the debt service on such bonds; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the Public Utility Board's decision to build a new water treatment facility for the Green River water supply using the Hybrid Winter/Summer Filtration treatment option with a presently estimated capital cost range of \$169,000,000 to \$217,000,000 to design and construct is approved.

Section 2. That, in addition to its existing and ongoing costs, Tacoma Water shall include in its budgets and rates the costs of the filtration alternative.

Section 3. That it is recommended that when initiating changes to the water rate schedules, the City Council and the Public Utility Board collaboratively evaluate the appropriateness of redistributing costs through the

rate schedules to recognize the ongoing investment of the citizens of the City of Tacoma and ensure an equitable sharing of these costs within and between rate classes.

Passed _____

Mayor

Attest:

City Clerk

Approved as to Form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-10373