Legislation Passed March 24, 2015

The Tacoma City Council, at its regular City Council meeting of March 24, 2015, 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. 39142
A resolution appointing Lauren Flemister to the Landmarks Preservation Commission.
[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Resolution No. 39143
A resolution awarding a contract to Modern Machinery Co., Inc., in the amount of $207,399, plus sales tax, budgeted from the Wastewater Fund, for one Komatsu track mounted hydraulic excavator - Specification No. GF15-0059N.
[Judith Scott, Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 39144
A resolution awarding a contract to Tye Miller, Inc., dba T. Miller Construction, in the amount of $351,515.23, plus a 15 percent contingency, for a cumulative total of $404,242.51, plus sales tax, budgeted from the Capital Projects - REET Fund, for expansion of the existing parking lot at the Chinese Reconciliation Park, and installation of signage - Specification No. PW14-0675F.
[Chris E. Larson, P.E., Engineering Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 39145
A resolution acknowledging receipt of the Final Report of the Tacoma Billboards Community Working Group; expressing appreciation for their excellent work to develop regulatory alternatives for billboards; and directing staff to use this work to continue working with billboard owners, community stakeholders, and the Planning Commission for development of recommendations to the City Council.
[John Harrington, Principal Planner; Peter Huffman, Director, Planning and Development Services]

Resolution No. 39146
A resolution authorizing the execution of an agreement with the Tacoma-Pierce County Employment and Training Consortium, dba Workforce Central, in the amount of $325,000, budgeted from the Youth Build Tacoma Fund, for pre-approved training for the Youth Building Tacoma program for the period of January 1, 2015 through December 31, 2015.
[Pamela Duncan, Human Services Manager; Nadia Chandler Hardy, Director, Neighborhood and Community Services]
Substitute Ordinance No. 28287
An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for employees represented by the Tacoma Police Union, Local 6, IUPA, effective retroactive to January 1, 2015.
[Joy St. Germain, Director, Human Resources]

Ordinance No. 28288
An ordinance providing for the formation of Local Improvement District No. 8662, for pervious asphalt concrete paving, concrete banding, and modification of the existing storm drain lines and storm water catch basins on Bennett Street from North 35th to North 37th Streets.
[Ralph K. Rodriguez, LID Administrator; Phyllis P. Macleod, Hearing Examiner]
RESOLUTION NO. 39142

BY REQUEST OF DEPUTY MAYOR BOE AND COUNCIL MEMBERS LONERGAN AND WALKER

A RESOLUTION relating to committees, boards, and commissions; appointing an individual to the Landmarks Preservation Commission.

WHEREAS a vacancy exists on the Landmarks Preservation Commission, and

WHEREAS, at its meeting of March 2, 2015, the Neighborhoods and Housing Committee conducted interviews and recommended the appointment of Lauren Flemister to said commission, and

WHEREAS, pursuant to City Charter 2.4 and the Rules, Regulations, and Procedures of the City Council, Lauren Flemister has been nominated to serve on the Landmarks Preservation Commission; Now, Therefore,

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

That Lauren Flemister is hereby confirmed and appointed as a member of the Landmarks Preservation Commission, to the At-Large No. 1 position, for a three-year term to expire December 31, 2017.

Adopted ______________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
City Attorney
RESOLUTION NO. 39143

A RESOLUTION related to the purchase of materials, supplies or equipment, and the furnishing of services; authorizing the execution of a contract with Modern Machinery Co., Inc., in the amount of $207,399, plus sales tax, budgeted from the Wastewater Fund, for one Komatsu track mounted hydraulic excavator pursuant to Specification No. GF15-0059N.

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

WHEREAS the Board of Contracts and Awards has concurred with the recommendation for award as set forth in Exhibit “A”; Now, Therefore,

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

Section 1. That the Council of the City of Tacoma concurs with the Board of Contracts and Awards to adopt the recommendation for award as set forth in the attached Exhibit “A.”

Section 2. That the proper officers of the City are hereby authorized to enter into a contract with Modern Machinery Co., Inc., in the amount of $207,399, plus sales tax, budgeted from the Wastewater Fund, for one
Komatsu track mounted hydraulic excavator pursuant to Specification No. GF15-0059N, consistent with Exhibit “A.”

Adopted ______________________

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Mayor

Attest:

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City Clerk

Approved as to form:

______________________________
City Attorney
RESOLUTION NO. 39144

A RESOLUTION related to the purchase of materials, supplies or equipment, and the furnishing of services; authorizing the execution of a contract with Tye Miller, Inc., dba T. Miller Construction, in the amount of $351,515.23, plus a 15 percent contingency, for a cumulative total of $404,242.51, plus sales tax, budgeted from the Capital Projects - REET Fund, for expansion of the existing parking lot at the Chinese Reconciliation Park and installation of signage pursuant to Specification No. PW14-0675F.

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

WHEREAS the Board of Contracts and Awards has concurred with the recommendation for award as set forth in Exhibit “A”; Now, Therefore,

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

Section 1. That the Council of the City of Tacoma concurs with the Board of Contracts and Awards to adopt the recommendation for award as set forth in the attached Exhibit “A.”

Section 2. That the proper officers of the City are hereby authorized to enter into a contract with Tye Miller, Inc., dba T. Miller Construction, in the amount of $351,515.23, plus a 15 percent contingency, for a cumulative total of $404,242.51, plus sales tax, budgeted from the Capital Projects - REET Fund,
for expansion of the existing parking lot at the Chinese Reconciliation Park and
installation of signage pursuant to Specification No. PW14-0675F, consistent
with Exhibit “A.”

Adopted ____________________

__________________________
Mayor

Attest:

__________________________
City Clerk

Approved as to form:

__________________________
City Attorney
RESOLUTION NO. 39145

A RESOLUTION relating to planning and development, acknowledging receipt of the Final Report of the Tacoma Billboards Community Working Group, expressing appreciation for their excellent work to develop regulatory alternatives for billboards; and directing City staff to use this work as a foundation from which to continue to work with billboard owners, other community stakeholders, and the Planning Commission for development of recommendations to the City Council.

WHEREAS billboard regulation in Tacoma has historically been a controversial issue, and

WHEREAS the City has, in response to public concerns, adopted increasingly strict billboard regulations in recent decades, and

WHEREAS under the current City Code, all but 3 of the 311 existing billboard faces no longer conform to Code, and

WHEREAS, in 2012, the City and Clear Channel Outdoor entered into an agreement to forego litigation and to “meet and confer” to determine if a permanent solution to billboards could be reached, and

WHEREAS, to meet the terms of this agreement and satisfy the City’s desire for stakeholder input, the Tacoma Billboards Community Working Group (“CWG”) was convened in September 2014 and was tasked with exploring alternative options for billboard regulation in Tacoma, and

WHEREAS this 17 member group represented community stakeholders with diverse viewpoints in regard to regulatory alternatives for billboards, and

WHEREAS the CWG met 11 times from September through February and presented their final report to the City Council on Tuesday, March 3, 2015, and

WHEREAS the CWG focused on three basic questions: (1) in what zones of the City should billboards potentially be allowed; (2) what should billboards look
like in terms of design requirements, size, height, buffers and dispersal; and

(3) what transition mechanisms are likely to be most successful, and

WHEREAS the CWG report presents three options for consideration and
outlines a range of potential outcomes that substantially narrow the issues
impacting billboard regulation and creates a foundation on which the City and
Clear Channel can continue discussions, and

WHEREAS staff recommends the City Council accept the Tacoma
Billboards Community Working Group Report and recommendations and direct the
City Manager to work with staff, billboard owners, the community and the Planning
Commission to refine the regulatory concepts of the CWG, develop proposals for
transition mechanisms, and finalize recommended amendments to the billboard
regulations which achieve the goal of reducing the number of billboards in the City
by removing them from areas not desirable and consolidating them in more
acceptable areas; Now, Therefore,

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

Section 1. That City Council hereby acknowledges receipt of the Final
Report of the Tacoma Billboards Community Working Group and directs the City
Manager to use this work as a foundation from which to continue to work with
billboard owners, other community stakeholders, and the Planning Commission to
develop recommendations to the City Council for billboard regulation.

Adopted ____________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
City Attorney
RESOLUTION NO. 39146

A RESOLUTION relating to the Youth Building Tacoma Project; authorizing the extension of the Youth Building Tacoma program for the 2015-2016 biennium; and authorizing the execution of an agreement with the Tacoma-Pierce County Employment and Training Consortium, dba Workforce Central, in the amount of $325,000, budgeted from the Youth Build Tacoma Fund, for pre-apprenticeship training from January 1, 2015, through December 31, 2015.

WHEREAS, on September 16, 1997, the City Council passed Ordinance No. 26128, which established the Youth Building Tacoma Training and Employment Project ("Project") for the purpose of focusing resources to promote the development of a trained workforce, particularly in building and construction trades and technical and career fields, and

WHEREAS the Project trains, places, and supports young adults, ages 18 to 24 years, residing in the City of Tacoma, with an emphasis on participants from the Empowerment Zone, women, minorities, those transitioning from welfare, and those with limited English-speaking abilities, and

WHEREAS, since 1997, Youth Building Tacoma funding has been a sole source agreement with the Tacoma-Pierce County Employment and Training Consortium, dba Workforce Central ("TPCETC"), and approximately 1,200 young adults have been served using a case management/soft-skills model, and

WHEREAS, in 2014, the Youth Building Tacoma Advisory Committee implemented a pre-apprenticeship model (TOOL Center) to better serve the intent of the Project and meet the legal requirements for use of ratepayer funds, and
WHEREAS, under the current service-delivery model, participants are provided with work-readiness training, a multi-craft trades discovery curriculum, and math and reading instruction to meet a minimum ninth-grade skill level, and

WHEREAS participants are also offered space in the Tacoma Public Utilities’ (“TPU”) Water Division math courses, and driver’s license training is offered to alleviate one of the primary barriers to employment for the population served, and

WHEREAS the Project produces program graduates who are qualified for entry-level positions at the Water and Power Divisions of TPU, and

WHEREAS the 2015-2016 Biennial Budget contains funding sufficient to support the Project, which is jointly and equally funded by General Government and Tacoma Public Utilities, and

WHEREAS, on March 11, 2015, the Tacoma Public Utility Board approved a similar resolution to commit its resources to the Project, and

WHEREAS City staff recommends entering into an agreement with the TPCETC, in the amount of $325,000, for 2015 Project implementation, and

WHEREAS, under the recommended agreement, the TPCETC will contribute approximately $165,000 in in-kind services for 2015, and

WHEREAS City staff will issue a competitive Request for Proposals for the purpose of evaluating and selecting a provider for 2016 Project services; Now, Therefore,
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the Youth Building Tacoma Training and Employment Project, a comprehensive job-training and pre-apprenticeship program focused on the development of a trained workforce, is hereby authorized and extended for the 2015-2016 biennium.

Section 2. That the proper officers of the City are hereby authorized to execute an agreement with the Tacoma-Pierce County Employment and Training Consortium dba Workforce Central, in the amount of $325,000, budgeted from the Youth Build Tacoma Fund, for the Youth Building Tacoma program for the period of January 1, 2015, to December 31, 2015, 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. 28287

AN ORDINANCE relating to the Compensation Plan; amending Chapter 1.12 of the Tacoma Municipal Code to implement rates of pay and compensation for employees represented by Tacoma Police Union, Local 6, IUPA; provide for a salary adjustment for the classification of City Manager; and provide for the effective dates thereof.

WHEREAS, in 2011, the Tacoma Police Union, Local 6, agreed to a wage reduction of 1 percent for a VEBA program under the terms of a Memorandum of Agreement which expired December 31, 2014, requiring a wage adjustment retroactive to January 1, 2015, to restore the 1 percent wage reduction, and

WHEREAS Ordinance No. 28263, passed on December 9, 2014, provided for market and compression-based wage adjustments for non-represented classifications that were determined to be below market or determined to have compression issues, and

WHEREAS the salary range for the classification of City Manager (CSC 0747) has been identified as below market, with compression issues, requiring a wage adjustment up to a cap of 10 percent retroactive to February 13, 2015; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended retroactive to January 1, 2015, to read as follows:

<table>
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<th>Code</th>
<th>A</th>
<th>Job Title</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
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<tr>
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<td>Police Officer</td>
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<td>35.01</td>
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<td>Police Sergeant</td>
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<tr>
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<td></td>
<td>Police Detective</td>
<td>40.36</td>
<td>42.37</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Section 2. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended, effective retroactive to February 13, 2015, to read as follows:

Section 3. That Section 1 of this ordinance shall become effective retroactive to January 1, 2015. That Section 2 of this ordinance shall become effective retroactive to February 13, 2015.

Passed_____________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Deputy City Attorney
ORDINANCE NO. 28288

L.I.D. No. 8662

AN ORDINANCE providing for the construction of pervious asphalt concrete paving with a structural section and reservoir course, concrete banding along both sides of the pervious pavement and City sidewalks along the proposed meandering street surface or other green infrastructure options, modifying the existing storm drain lines, and storm water catch basins, where needed, on Bennett Street from North 35th Street to North 37th Street, which may include driveway entrances, sanitary sewer connections from the sewer main to the property line, the removal and planting of trees, together with all work necessary to complete the improvements in full accordance with the plans and specifications to be prepared by the City Engineer; creating Local Improvement District No. 8662; providing for a special fund for the payment of the improvement by special assessment upon the property within the district benefited thereby, for the issuance of warrants, installment notes, bond anticipation notes, or other short-term obligations to pay that part of the cost and expense of the improvement assessed against the property in the district, and for the payment of the remainder of the cost thereof.

WHEREAS all of the preliminary proceedings for the establishment of Local Improvement District ("L.I.D.") No. 8662 have been taken as provided by law, and

WHEREAS the Hearing Examiner of the City, after public hearing duly held, has recommended to the City Council the formation of L.I.D. No. 8662; Now,

Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That there shall be constructed pervious asphalt concrete paving with a structural section and reservoir course, concrete banding along both sides of the pervious pavement and City sidewalks along the proposed meandering street surface or other green infrastructure options, modifying the existing storm drain lines, and storm water catch basins, where needed, on Bennett Street from North 35th Street to North 37th Street, which may include driveway entrances, sanitary
sewer connections from the sewer main to the property line, the removal and
planting of trees, and all work necessary to complete the improvements in full
accordance with the plans and specifications to be prepared by the City Engineer,
together with all other work necessary to complete the project in accordance with
the maps, plans, and specifications prepared and now on file in the office of the
Director of the Department of Public Works, which maps, plans, and specifications
are hereby adopted.

Section 2. That there is hereby created a local improvement district, to be
known as L.I.D. No. 8662, which shall embrace as nearly as practicable all the
property specially benefited by the improvements described above, which property
is described as follows:

That portion of the Southeast Quarter of the Northeast
Quarter of Section 26, Township 21 North, Range 02
East, W.M., described as follows:

The West 1/2 of Lots 1 through 4, all of Lots 5 through
20, the West 1/2 of Lots 21 through 24, Block 6; Lots 6
through 22, the East 60 feet of Lots 23 and 24, Block 7;
Glenn’s Second Addition to Tacoma, W.T. as per plat
recorded in Volume 4, Page 10, filed November 8, 1889,
records of Pierce County Auditor.

Together with the portion of vacated North 35th Street
abutting the West 1/2 of Lot 24, of said Block 6.

Also, the portion of vacated North 35th Street abutting
the East 60 feet of Lot 24, of said Block 7.

Also, Parcel ‘B’ of DBLR 92-04-27-0465 described as
follows: commencing at the Southwest corner of Lot 5,
said Block 7, thence along the South line of said Lot 5,
North 89°56’34” East, 60.00 feet to the Point of
Beginning; thence North 00°00’04” East, 120.00 feet to
southerly Right-of-Way line of North 37th street according
to said Plat; thence along said Right-of-Way line
North 89°56’34” East, 60.00 feet to the West Right-of-
Way line of Bennett Street, thence along said Right-of-
Way line South 00°00’04” West, 120.00 feet, thence
South 89°56’34” West, 60.00 feet to the Point of
Beginning.

All land Situate in the City of Tacoma, County of Pierce,
state of Washington.

Section 3. That the estimated cost and expense of the improvement is
$482,891.70; that $300,000 of the cost thereof shall be contributed by the
Environmental Services Surface Water Utility Fund; and that the balance of
$182,891.70 shall be borne and assessed against the benefitted properties
included in the L.I.D.

The assessments levied against the property described above shall become
due and payable at the option of the benefitted property owners in cash, without
interest, within 30 days after publication of the notice of assessment, or in 15 equal
annual installments with interest on deferred payments at a rate to be hereafter
fixed, but in no event greater than .05 percent above the rate of interest fixed upon
sale of bonds for the district; and each year one of such installments, together with
interest due thereon and on all installments thereafter to become due, shall be
collected in the manner provided by law.

Section 4. That a special fund is hereby created, to be called Local
Improvement Fund, District No. 8662, which shall consist in the aggregate of the
several amounts assessed, levied, and collected upon the several lots and parcels
of land in the local improvement district for the purpose of defraying the cost and
expense of the improvement to be borne by the property within the district, and into
which fund shall be deposited the proceeds of the sale of warrants, installment
notes, bond anticipation notes, or other short-term obligations drawn against the
fund which may be sold by the City. Out of the fund shall be paid the warrants,
installment notes, bond anticipation notes, or other short-term obligations, interest
thereon, and the cost of the improvement to be borne by the property included in
the district.

   Section 5. The Director of the Department of Public Works is hereby ordered
to call for bids for said improvements, and to proceed and complete the
improvements and to make out and certify to the City Council an assessment roll,
all as provided by law.

   In case no bid is accepted, the Director of Public Works is hereby authorized
to proceed and complete the improvement by the method of day labor or force
account and by use of materials, supplies, and equipment, as authorized by the City
Charter and ordinances of the City. The Director of Public Works shall keep a
separate account of the expenditures as made and the exact cost of the
improvements separately computed. Upon certification by the Director of Public
Works that any sums are due to any person for labor or materials for the
improvements, the proper officers shall issue a warrant therefor drawn upon the
L.I.D. Fund, District No. 8662. The Director of Public Works shall certify to the City
Council the assessment roll on the property as provided by law.

   Section 6. Under the provisions of the laws of the state of Washington,
amendments thereto, and this ordinance, there shall be issued warrants, installment
notes, bond anticipation notes, or other short-term obligations, issued pursuant to
Ordinance No. 23412, as it may be amended, in payment of the cost and expense of the district, payable out of the Local Improvement District Fund. Such warrants, installment notes, bond anticipation notes, or other short-term obligations shall bear interest from the date of their issuance at a rate to be hereafter fixed by the Director of the Department of Finance in accordance with Ordinance No. 23412, and shall be redeemed from the Local Improvement District Fund or by other warrants, installment notes, bond anticipation notes, or other short-term obligations, or from the proceeds of local improvement bonds hereafter issued.

Section 7. Pursuant to the provisions of the laws of the state of Washington, the City Council hereby directs that the improvements be paid for by the City in cash and that the warrants, installment notes, bond anticipation notes, or other short-term obligations authorized to be issued under the provisions of this ordinance be sold by the proper officers of the City in accordance with Ordinance No. 23412, as it may be amended, and that the proceeds thereof shall be applied in payment of the cost and expense of the improvement.

Passed ________________

Attest: _______________________

City Clerk

Approved as to form: Property description approved

Deputy City Attorney Chief Surveyor

Public Works Department

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