Legislation Passed February 9, 2016

The Tacoma City Council, at its regular City Council meeting of February 9, 2016, 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. 39380**
A resolution authorizing the execution of an agreement with Pierce Transit, in the amount of $361,066.18, budgeted from the General Fund, for the purchase of One Regional Card for All (ORCA) business cards, and other ORCA services as part of the City’s Commute Trip Reduction Program for 2016.
[Joy St. Germain, Director, Human Resources]

**Resolution No. 39381**
A resolution authorizing the execution of a Collective Bargaining Agreement and a Letter of Agreement with the International Brotherhood of Electrical Workers, Local 483, Click! Unit, which consists of approximately 60 budgeted full-time equivalent positions, and provides for a wage increase of 1.1 percent, retroactive to January 1, 2016 through December 31, 2016.
[Joy St. Germain, Director, Human Resources]

**Resolution No. 39382**
A resolution authorizing the execution of a Collective Bargaining Agreement and a Letter of Agreement with the International Brotherhood of Electrical Workers, Local 483, Supervisors’ Unit, which consists of approximately 13 budgeted full-time equivalent positions, and provides for a wage increase of 1.1 percent, retroactive to January 1, 2016 through December 31, 2016.
[Joy St. Germain, Director, Human Resources]

**Resolution No. 39383**
A resolution authorizing the execution of a Collective Bargaining Agreement with the International Brotherhood of Electrical Workers, Local 483, Water Unit, which consists of approximately 121 budgeted full-time equivalent positions, retroactive to January 1, 2015 through December 31, 2018.
[Joy St. Germain, Director, Human Resources]

**Ordinance No. 28342**
An ordinance vacating the alley between East D and East E Streets, north of Puyallup Avenue and south of BNSF Railway Company property and the terminus of the City right-of-way, for use as a passenger drop-off and bus zone.
(PCSD Tacoma Facilities I, LLC; File No. 124.1353)
[Phyllis Macleod, Hearing Examiner]
Ordinance No. 28344
An ordinance creating a new fund, to be known and designated as the “2015 Voted Streets Initiative Fund,” for the dedication and segregation of any funds received related to voter-approved Proposition A and Proposition No. 3.
[Tadd Wille, Director, Office of Management and Budget]

Ordinance No. 28345
An ordinance amending the 2015-2016 Biennial Budget to accept revenues and appropriate funds the City will receive as a result of voter-approved Proposition A and Proposition No. 3.
[Tadd Wille, Director, Office of Management and Budget]
A RESOLUTION relating to the City’s Commute Trip Reduction Program; authorizing the execution of an agreement with Pierce Transit, in the net amount of $361,006.18, budgeted from the General Fund, for the purchase of One Regional Card for All (“ORCA”) Business Cards and other ORCA services as part of the City’s Commute Trip Reduction Program for 2016.

WHEREAS, since 1996, the City has provided bus pass/vanpool subsidies for its employees as part of the Commute Trip Reduction (“CTR”) Program, and

WHEREAS, in 2009, the City transitioned from providing these subsidies to providing City employees with One Regional Card for All (“ORCA”) Business Cards, and

WHEREAS the ORCA Business Cards, purchased under an agreement with Pierce Transit, provide employees access to Pierce, Metro, Kitsap, Everett Community, and Sound Transit systems, including the Sound Transit Link Light Rail, the Seattle Streetcar, and the Sounder, and also provide vanpool and vanshare services from these systems, and

WHEREAS, in 2014, there were approximately 1,127 employee transit program users per month, and in 2015, approximately 1,177 employee users per month, which represents approximately 33 percent of the City’s work force, and

WHEREAS the 2016 agreement, in the net amount of $361,006.18, includes a $390,761.74 annual fee for ORCA transit and vanpool and vanshare services and a credit of $29,755.56 for 100 ORCA cards as an offset for Pierce Transit rent, and

WHEREAS the 2016 agreement amount is a decrease of $23,970.02 over 2015 due to overall lower transit and vanpool usage by employees, and
WHEREAS Human Resources staff will continue the oversight of the CTR transit pass program, and

WHEREAS employees receiving an ORCA Business Card will be required to sign an agreement outlining use expectations and requirements, including that the ORCA card is for business use only; Now, Therefore,

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

That the proper officers of the City are hereby authorized to enter into an agreement with Pierce Transit, in the net amount of $361,006.18, budgeted from the General Fund, for ORCA Business Cards and vanpool and vanshare services that will be part of the City’s Commute Trip Reduction Program for 2016, said document to be substantially in the form of the proposed document on file in the office of the City Clerk.

Adopted ____________________

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Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Deputy City Attorney
RESOLUTION NO. 39381

A RESOLUTION related to collective bargaining; authorizing the execution of a proposed Collective Bargaining Agreement and Letter of Agreement between the City and the International Brotherhood of Electrical Workers, Local 483, Click! Unit, effective retroactive to January 1, 2016, through December 31, 2016.

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

WHEREAS this resolution allows for the execution of the proposed one-year (2016) Collective Bargaining Agreement (“CBA”) between the City and the International Brotherhood of Electrical Workers, Local 483, Click! Unit (“Union”), on behalf of the employees represented by said Union, and

WHEREAS the bargaining unit consists of approximately 60 budgeted, full-time equivalent positions within Tacoma Public Utilities, and

WHEREAS the proposed CBA includes a 1.1 percent wage increase, effective retroactive to January 1, 2016, and employees who remain redlined after the January 1, 2016, increase will receive a one-time, lump sum payment of $500, and

WHEREAS, additionally, the proposed Letter of Agreement provides for a one-time, lump sum payment of $1,000 for all employees covered by the CBA, and

WHEREAS it appears in the best interests of the City that the proposed CBA 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 the
Collective Bargaining Agreement and Letter of Agreement between the City and the
International Brotherhood of Electrical Workers, Local 483, Click! Unit, effective
retroactive to January 1, 2016, through December 31, 2016, said documents 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-10842
RESOLUTION NO. 39382

A RESOLUTION related to collective bargaining; authorizing the execution of a proposed Collective Bargaining Agreement and a Letter of Agreement between the City and the International Brotherhood of Electrical Workers, Local 483, Supervisors’ Unit, effective retroactive to January 1, 2016, through December 31, 2016.

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

WHEREAS this resolution allows for the execution of the proposed one-year (2016) Collective Bargaining Agreement ("CBA") between the City and the International Brotherhood of Electrical Workers, Local 483, Supervisors’ Unit ("Union"), on behalf of the employees represented by said Union, and

WHEREAS the bargaining unit consists of approximately 13 budgeted, full-time equivalent positions within General Government and Tacoma Public Utilities, and

WHEREAS the proposed CBA includes a 1.1 percent wage increase, effective retroactive to January 1, 2016, and

WHEREAS the proposed Letter of Agreement provides for a one-time, lump sum payment of $1,000 for three employees in the Assistant Telecommunications Supervisor classification covered by the CBA, and

WHEREAS it appears in the best interests of the City that the proposed CBA 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 the Collective Bargaining Agreement and Letter of Agreement between the City and the International Brotherhood of Electrical Workers, Local 483, Supervisors’ Unit, effective retroactive to January 1, 2016, through December 31, 2016, said documents to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted __________________________

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Mayor

Attest:

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City Clerk

Approved as to form:

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Deputy City Attorney

Requested by Public Utility Board Resolution No. U-10843
RESOLUTION NO. 39383

A RESOLUTION related to collective bargaining; authorizing the execution of a proposed four-year Collective Bargaining Agreement between the City and the International Brotherhood of Electrical Workers, Local 483, Water Unit, effective retroactive to January 1, 2015, through December 31, 2018.

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

WHEREAS this resolution allows for the execution of the proposed four-year Collective Bargaining Agreement ("CBA") between the City and the International Brotherhood of Electrical Workers, Local 483, Water Unit ("Union"), on behalf of the employees represented by said Union, and

WHEREAS the bargaining unit consists of approximately 121 budgeted, full-time equivalent positions within Tacoma Public Utilities, and

WHEREAS the proposed CBA will provide for a wage increase of 2 percent retroactive to January 1, 2015; a wage increase of 1.1 percent effective January 1, 2016; a wage increase of 2 percent effective January 1, 2017; and a wage increase of 2.5 percent effective January 1, 2018, and

WHEREAS other proposed changes are as follows: (1) changes to language in articles on Management Rights, Definitions, Grievance Procedure, Temporary Vacancies, Selection of Personnel and Hours of Work; (2) contract language related to time off and benefits was moved to Appendix B; and (3) the addition of an application of rate of 5 percent when an employee is working fully inside an installed pipe, and...
WHEREAS it appears in the best interests of the City that the proposed CBA 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 the four-year Collective Bargaining Agreement between the City and the International Brotherhood of Electrical Workers, Local 483, Water Unit, effective retroactive to January 1, 2015, through December 31, 2018, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted __________________________

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Mayor

Attest:

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City Clerk

Approved as to form:

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Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-10841
ORDINANCE NO. 28342

AN ORDINANCE related to the vacation of City right-of-way; vacating the alley between East D Street and East E Street, north of Puyallup Avenue and south of BNSF Railway Company property and the terminus of the City right-of-way, for use as a passenger drop-off and bus zone; and adopting the Hearing Examiner’s Findings, Conclusions, and Recommendations related thereto.

WHEREAS all steps and proceedings required by law and by resolution of the City Council to vacate the portion of the right-of-way hereinafter described have been duly taken and performed; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Hearing Examiner’s Findings, Conclusions, and Recommendations as contained in the Hearing Examiner’s Report and Recommendation to the City Council bearing File No. 124.1353 and dated November 10, 2015, which Report is on file in the office of the City Clerk.
Section 2. That the alley between East D Street and East E Street, north of Puyallup Avenue and south of BNSF Railway Company property and the terminus of the City right-of-way, legally described as follows:

A portion of 20-foot alley way lying between Blocks 7321 and 7322 of the Plat of TACOMA LAND COMPANY’S FIRST ADDITION TO TACOMA, W.T., recorded July 7, 1884, Pierce County, Washington, situated in the Northwest quarter of the Northeast quarter of Section 09, Township 20 North, Range 03 East, W.M., more particularly described as follows:

Commencing at the Northeast corner of said Block 7321 and the southerly margin of the Burlington Northern and Santa Fey Railway Company’s right of way; Thence South 07°32’17”, a distance of 121.12 feet to the Point of Beginning; Thence continuing South 07°32’17” East, a distance of 158.88 feet to the Southeast corner of said Block 7321; Thence North 82°37’19” East, a distance of 20.00 feet to the Southwest corner of said Block 7322; Thence North 07°32’17” West along the westerly margin of said Block 7322, a distance of 158.49 feet.

Thence South 83°43’54” West a distance of 20.00 feet to the Point of Beginning;

is hereby vacated, and the land so vacated is hereby surrendered and attached to the property bordering thereon, as a part thereof, and all right or title of the City in and to the portion of the right-of-way so vacated does hereby vest in the owners of the property abutting thereon, all in the manner

Req. #15-1249

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provided by law; provided, however, that there is hereby retained and
reserved, pursuant to the statutes of the state of Washington, the following
easements, to-wit:

City Easement:

A utility easement shall be reserved over the entire vacated area
for the City of Tacoma for maintenance, repair, construction, and
replacement of existing and future above-ground and
underground utilities.

Passed ____________________________

Attest:

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City Clerk

Approved as to form: Property description approved:

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Deputy City Attorney

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Chief Surveyor

Public Works Department

Location: The alley between East D and East E Streets, north of Puyallup
Avenue and south of BNSF Railway Company property and the
terminus of the City right-of-way

Petitioner: PCSD Tacoma Facilities I, LLC
Vacation Req. No. 124.1353

Req. #15-1249
ORDINANCE NO. 28344

AN ORDINANCE relating to the budget of the City of Tacoma; creating a new fund in the Treasury of the City of Tacoma, to be known and designated as the “2015 Voted Streets Initiative Fund,” for the dedication and segregation of any funds received related to voter-approved Proposition A and Proposition No. 3.

WHEREAS, on July 14, 2015, the Transportation Benefit District Board adopted Amended Resolution No. TBD 008 to place ballot measure Proposition No. 4, later referred to as Proposition A, authorizing a sales and use tax increase of one tenth of one percent (0.1%) to fund street improvements, on the November 3, 2015, General Election ballot, and

WHEREAS, on July 14, 2015, the City Council adopted Resolution No. 39236, to place ballot measure Proposition No. 3, authorizing a 1.5 percent increase in the earnings tax on utilities companies and a levy lid lift of $0.20/$1,000 in assessed value over a period of ten years, on the November 3, 2015 General Election ballot, and

WHEREAS, on July 28, 2015, the City Council passed Resolution No. 39249, and the Transportation Benefit District passed Resolution No. 010, both resolutions directing City staff to create a transparent fund structure to segregate and dedicate any monies received from Proposition A and Proposition No. 3, should they pass, and

WHEREAS voters approved Proposition A and Proposition No. 3, relating to funding street improvements, in the November 2015 General Election, and

WHEREAS it is the intent of the City to establish a new and separate fund, named the “2015 Voted Streets Initiative Fund,” to segregate the revenues -1-
collected as a result of Proposition A and Proposition No. 3, to be used for the repair and improvement of City streets, and, further, to provide transparency of revenues collection and expenditures related to the street initiatives; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That there is hereby created in the Treasury of the City of Tacoma a new fund, to be known and designated as the “2015 Voted Streets Initiative Fund,” for the dedication and segregation of any funds received related to voter-approved Proposition A and Proposition No. 3.

Passed ______________________

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Mayor

Attest:

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City Clerk

Approved as to form:

______________________________
Deputy City Attorney
ORDINANCE NO. 28345

AN ORDINANCE relating to the Biennial Budget; amending the Biennial Budget of the City for fiscal years 2015-2016, to accept revenues and appropriate funds the City will receive as a result of voter-approved Proposition A and Proposition No. 3.

WHEREAS, on July 14, 2015, the Transportation Benefit District Board adopted Amended Resolution No. TBD 008 to place ballot measure Proposition No. 4, later referred to as Proposition A, authorizing a sales and use tax increase of one tenth of one percent (0.1%) to fund street improvements, on the November 3, 2015 General Election ballot, and

WHEREAS, on July 14, 2015, the City Council adopted Resolution No. 39236, to place ballot measure Proposition No. 3, authorizing a 1.5 percent increase in the earnings tax on utilities companies and a levy lid lift of $0.20/$1,000 in assessed value over a period of ten years, on the November 3, 2015 General Election ballot, and

WHEREAS Proposition A and Proposition No. 3 were both passed by the voters, and

WHEREAS Proposition A is expected to generate an additional $2,380,000 in revenues for the 2015-2016 biennium and Proposition No. 3 is expected to generate an additional $9,890,000, and

WHEREAS this proposed budget modification will recognize these revenues, including additional City contributions, and increase appropriations for the purpose of street maintenance improvements and safety upgrades to the City's streets and transportation infrastructure, and
WHEREAS it is recommended that the Biennial Budget of the City of Tacoma for the fiscal years 2015-2016 be amended as set forth in Exhibit “A” and explained in narrative form in Exhibit “B,” attached hereto and incorporated herein as part of this ordinance; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

That the Biennial Budget of the City for fiscal years 2015-2016 is hereby amended to accept revenues and appropriate funds the City will receive as a result of voter-approved Proposition A and Proposition No. 3, as more specifically set out in Exhibit “A” and explained in narrative form in Exhibit “B,” attached hereto and incorporated herein as part of this ordinance.

Passed ______________________

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Mayor

Attest:

______________________________
City Clerk

Approved as to form:

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Deputy City Attorney