Legislation Passed October 4, 2016

The Tacoma City Council, at its regular City Council meeting of October 4, 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. 39550**
A resolution awarding a contract to Western Peterbilt, LLC, in the amount of $981,709, plus sales tax, budgeted from the Solid Waste Fund, for six Peterbilt Transfer Tractors with automatic transmissions - Washington State Contract No. 01513.

[Gary Kato, Solid Waste Management Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

**Resolution No. 39551**
A resolution awarding a contract to R. L. Alia Company, in the amount of $518,516.50, excluding sales tax, plus a 15 percent contingency, for a total of $596,293.98, budgeted from the Wastewater Fund, for the removal and construction of approximately 2,200 linear feet of underground wastewater mains, and roadway surface restoration in various locations within the City - Specification No. ES16-0281F.

[Geoffrey M. Smyth, P.E., Science and Engineering Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

**Resolution No. 39552**
A resolution awarding a contract to Republic Parking Northwest, Inc., in the amount of $671,574, plus sales tax, budgeted from the Tacoma Dome Enterprise Fund, for parking services, for an initial contract period of four years, with the option to renew for one additional two-year period, for a projected contract total of $1,007,360 - Specification No. PF16-0327F.

[Jon Houg, Deputy Director; Kim Bedier, Director, Public Assembly Facilities]

**Resolution No. 39553**
A resolution declaring surplus and approving the sale of approximately 35 miles of property, related railroad infrastructure, and personal property associated with the Western Junction Facility, owned by the Public Works Department - Tacoma Rail Mountain Division, located between Rainier and Chehalis, to WRL, LLC, for the amount of $2,801,000; and depositing said sum into the Tacoma Rail Mountain Division Fund.

[Alan Matheson, Assistant Rail Superintendent; Kurtis D. Kingsolver, P.E., Director, Public Works]
Resolution No. 39555
A resolution authorizing the execution of an amendment to the agreement with Comprehensive Life Resources, in the amount of $254,400.00, budgeted from the Mental Health Substance Use Disorder Fund, for a total of $1,434,227.28, for the period of January 1, 2015, through December 31, 2016, to continue the Positive Interactions Program. [Pamela Duncan, Human Services Division Manager, Nadia Chandler Hardy, Director, Neighborhood and Community Services]

Resolution No. 39556
A resolution expressing support for the Center for Popular Democracy’s Anti-Hate Campaign, which condemns violence and hate speech and expresses solidarity with the campaign for Muslims and all those targeted for their ethnicity, race, or religion. [Council Member Woodards]

Resolution No. 39557
A resolution authorizing the execution of a Collective Bargaining Agreement with the Professional Public Safety Management Association, which consists of approximately eight budgeted full-time equivalent positions, retroactive to January 1, 2015, through December 31, 2018. [Joy St. Germain, Director, Human Resources]
RESOLUTION NO. 39550

A RESOLUTION related to the purchase of materials, supplies or equipment, and the furnishing of services; authorizing the execution of a contract with Western Peterbilt, LLC, in the amount of $981,709, plus sales tax, budgeted from the ES Solid Waste Fund, for six Peterbilt Transfer Tractors with automatic transmissions, pursuant to Washington State Contract No. 01513.

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 the attached 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 Western Peterbilt, LLC, in the amount of $981,709, plus sales tax, budgeted from the ES Solid Waste Fund, for six Peterbilt Transfer

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Tractors with automatic transmissions, pursuant to Washington State Contract No. 01513, consistent with Exhibit “A.”

Adopted ____________________

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Mayor

Attest:

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City Clerk

Approved as to form:

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City Attorney
RESOLUTION NO. 39551

A RESOLUTION related to the purchase of materials, supplies or equipment, and the furnishing of services; authorizing the execution of a contract with R. L. Alia Company, in the amount of $518,516.50, excluding sales tax, plus a 15 percent contingency, for a cumulative total of $596,293.98, budgeted from the ES Wastewater Fund, for the removal and construction of approximately 2,200 linear feet of 8-inch diameter underground wastewater mains and roadway surface restoration in various locations within the City, pursuant to Specification No. ES16-0281F.

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 the attached 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 R. L. Alia Company, in the amount of $518,516.50, excluding sales tax, plus a 15 percent contingency, for a cumulative total of $596,293.98, budgeted from the ES Wastewater Fund, for the removal and construction of approximately 2,200 linear feet of 8-inch diameter underground wastewater mains and roadway surface restoration in various locations within the City, pursuant to Specification No. ES16-0281F.
wastewater mains and roadway surface restoration in various locations within
the City, pursuant to Specification No. ES16-0281F, consistent with Exhibit “A.”

Adopted __________________________

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Mayor

Attest:

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City Clerk

Approved as to form:

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City Attorney
RESOLUTION NO. 39552

A RESOLUTION related to the purchase of materials, supplies or equipment, and the furnishing of services; authorizing the execution of a contract with Republic Parking Northwest, Inc., in the amount of $671,574, plus sales tax, budgeted from the Tacoma Dome Enterprise Fund, for professional parking services, for an initial contract term of four years, with the option to renew for one additional two-year period, for a projected contract total of $1,007,360, pursuant to Specification No. PF16-0327F.

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 the attached 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 Republic Parking Northwest, Inc., in the amount of $671,574, plus sales tax, budgeted from the Tacoma Dome Enterprise Fund, for professional parking services, for an initial contract term of four years, with the option to renew for one additional two-year period, for a projected contract
total of $1,007,360, pursuant to Specification No. PF16-0327F, consistent with Exhibit “A.”

Adopted ______________________

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Mayor

Attest:

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City Clerk

Approved as to form:

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City Attorney
RESOLUTION NO. 39553

A RESOLUTION relating to City-owned property; declaring surplus and approving the sale of approximately 35 miles of property, related railroad infrastructure, and personal property associated with the Western Junction Facility, owned by the Public Works Department - Tacoma Rail Mountain Division, located between Rainier and Chehalis, to WRL, LLC, for the amount of $2,801,000, less any associated closing/transaction costs, for deposit into the Tacoma Rail Mountain Division Fund.

WHEREAS the City of Tacoma, Public Works Department, has owned, operated, and/or maintained the rail line and right-of-way that runs between Tacoma and Chehalis known as the Tacoma Rail Mountain Division (“TRMW”) since it was acquired from the Weyerhaeuser Company in 1995, and

WHEREAS the 35-mile section of the TRMW beginning slightly northeast of Rainier, in Thurston County, and ending in Chehalis, in Lewis County (“Property”), is currently operated by a third party, Western Washington Railroad, LLC, under a short-term lease agreement, and

WHEREAS, in 2007, the City’s General Fund loaned TRMW approximately $6.2 million to provide interim financing for cash flow and grant match for capital projects, and

WHEREAS approximately $4 million of this loan was retired in 2015, upon the sale of a portion of track related to Sound Transit improvements, leaving a loan balance of approximately $2.2 million, and, additionally, approximately $89,000 in lease-related uncollectable lease debt and closing costs related to the sale, and

WHEREAS remaining funds from the proposed sale are anticipated to be used for required maintenance on other areas of track still under Public Works Department ownership, and
WHEREAS TRMW has determined that a divestiture of its assets within this area would be in the best interests of the City, as it would eliminate maintenance, operational, and capital costs, and

WHEREAS, in May 2016, the Public Works Department issued Bid Specification No. PW16-0285F, which called for bids for the approximately 35-mile section of Property, with a minimum price of $2,500,000, which was based on information received from a feasibility study and railroad industry experts, and

WHEREAS one bid was received, from WRL, LLC, a railroad operator, in the amount of $2,801,000, less any associated closing/transaction fees, and

WHEREAS this bid meets all of the required conditions and will allow for continued freight rail service through this area, and

WHEREAS proceeding with this transaction is consistent with the commitment to divest portions of TRMW assets when feasible; Now, Therefore,

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

Section 1. That continued ownership of approximately 35 miles (609 acres) of Tacoma Rail Mountain Division property located between Tacoma and Chehalis, legally described in Exhibit “A,” is not essential to the needs of the City and is hereby declared surplus pursuant to RCW 35.22.020 and Article I, Section 1.2, and Article IX of the Tacoma City Charter.

Section 2. That the sale of approximately 35 miles of said real property, related railroad infrastructure, and personal property associated with the Western Junction Facility to WRL, LLC, for the amount of $2,801,000, less any associated
closing/transaction costs, is hereby approved, said proceeds to be deposited into the Tacoma Rail Mountain Division Fund.

Adopted __________________________

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Mayor

Attest:

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City Clerk

Approved as to form: Legal Description Approved:

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Chief Deputy City Attorney Chief Surveyor

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Chief Surveyor
Public Works Department
EXHIBIT “A”

LEGAL DESCRIPTION

That portion of the Tacoma Rail Mountain Division right of way, extra width property and the improvements, track, and appurtenances located thereon, acquired from the Weyerhaeuser Company by Quit Claim Deed recorded under Thurston County Auditor’s File No. 9508140208 and Bargain and Sale Deed recorded under Thurston County Auditor’s File No. 9508140207, records of Thurston County, Washington and by Quit Claim Deed recorded under Lewis County Auditor’s File No. 9511613, records of Lewis County, Washington, lying between the East line of Section 2, Township 16 North, Range 1 East, W.M., in Thurston County, Washington (Railroad Engineering Station 270+77.7) and the Southerly terminus of said Tacoma Rail Mountain Division right of way located in the Southeast Quarter of Section 31, Township 14 North, Range 2 West, W.M, in Lewis County, Washington.

TOGETHER WITH those tracts of land acquired by Deeds recorded under Thurston County Auditor’s File No. 4190043, records of Thurston County, Washington and Lewis County Auditor’s File Nos. 3364589 and 3262870, records of Lewis County, Washington.

EXCEPT THOSE tracts of land conveyed by Deeds recorded under Thurston County Auditor’s File No. 4190041 records of Thurston County, Washington and Lewis County Auditor’s File Nos. 3346701, 3377947, 3377948 and 3262871, records of Lewis County, Washington.

SUBJECT TO the rights of the public in and to all existing public roads, trails, and utilities, all outstanding assessments, leases, licenses and permits, whether recorded or unrecorded, all matters which a prudent inspection of the premises would disclose, all matters of public record.

Situated in the Counties of Thurston and Lewis, State of Washington; and as further shown in Exhibit “A” attached hereto and by this reference incorporated herein.
EXHIBIT A
Property Depiction

Station 270+77.7

WESTERN JUNCTION FACILITY

BLAKESLEE JUNCTION

MILEPOST 67.5C

- Property
RESOLUTION NO. 39555

A RESOLUTION relating to human services; authorizing the execution of an amendment to the agreement with Comprehensive Life Resources, in the amount of $254,400.00, for a cumulative contract amount of $1,434,227.28, budgeted from the Mental Health Substance Use Disorder Fund, for the period of January 1, 2015, through December 31, 2016, to continue the Positive Interactions Program.

WHEREAS, on July 22, 2014, the City Council adopted the 2015-2019 Human Services Strategic Plan, and approved direct funding of programs that meet the criteria of (1) systems sustainability; (2) high-performing programs; and (3) address areas of critical need, and

WHEREAS, on February 24, 2015, the City Council approved direct funding to several agencies for human services programs, including Comprehensive Life Resources ("CLR"), for a variety of programs, including Positive Interactions, in the amount of $280,000, and

WHEREAS the Positive Interactions Program ("Program") provides businesses with a 24/7 response system that includes on-site response within two hours during traditional business hours, and individuals struggling with chronic and/or street homelessness are provided with peer support interventions encouraging and motivating client change, and

WHEREAS, in November 2015, the City Council approved an amendment to the agreement with CLR, in the amount of $121,719.28, to continue Program services; however, the amended budget did not anticipate the increased need for weekend support and community clean-ups, and
WHEREAS the City has seen an increased presence of street homelessness, which has created undue hardship for local businesses and increased risk for individuals living without shelter, and

WHEREAS it is necessary to expand the Program to ensure sufficient staffing for weekend and after-hours services, and

WHEREAS City staff is recommending an amendment to the agreement with CLR, in the amount of $254,400, for a cumulative contract total of $1,434,227.28, budgeted from the Mental Health Substance Use Disorder Fund, to allow CLR to continue Program services through December 31, 2016; Now,

Therefore,

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

That the proper officers of the City are hereby authorized to an amendment to the agreement with Comprehensive Life Resources, in the amount of $254,400, for a cumulative contract amount of $1,434,227.28, budgeted from the Mental Health Substance Use Disorder Fund, for the period of January 1, 2015, through December 31, 2016, to continue the Positive
Interaction Program, said document to be substantially in the form of the
proposed agreements on file in the office of the City Clerk.

Adopted ______________________

Attest:

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City Clerk

Approved as to form:

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Deputy City Attorney

Mayor
RESOLUTION NO. 39556

BY REQUEST OF DEPUTY MAYOR MELLO AND COUNCIL MEMBERS BLOCKER, IBSEN, AND WOODARDS

A RESOLUTION expressing support for the Center for Popular Democracy’s Anti-Hate Campaign, which condemns violence and hate speech and expresses solidarity with the campaign for Muslims and all those targeted for their ethnicity, race, or religion.

WHEREAS the City Council supports the rights and freedoms of all residents of the City and our nation to practice and embrace their heritage and religious traditions without fear of persecution, and

WHEREAS Tacoma’s diversity is one of its greatest strengths, and

WHEREAS the City is a member of the Welcoming Cities and Counties Initiative, and supports all efforts to make the City a more vibrant, inclusive, equitable, and welcoming place for all people to live, work, and play, and

WHEREAS the City continues to pledge its support as being a community that welcomes and values those of different faiths, ethnicities, and races; Now, Therefore,

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

That the City Council hereby expresses its support for the Center for Popular Democracy’s Anti-Hate Campaign, which condemns violence and hate
speech and expresses solidarity with the campaign for Muslims and all those targeted for their ethnicity, race, or religion.

Adopted ______________________

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Mayor

Attest:

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City Clerk

Approved as to form:

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City Attorney
RESOLUTION NO. 39557

A RESOLUTION related to collective bargaining; authorizing the execution of a four-year Collective Bargaining Agreement between the City and the Professional Public Safety Management Association, 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 a four-year Collective Bargaining Agreement ("CBA") between the City and the Professional Public Safety Management Association ("Union") on behalf of the employees represented by said Union, and

WHEREAS the bargaining unit consists of approximately eight budgeted, full-time equivalent ("FTE") positions, and

WHEREAS the proposed CBA will provide for a wage increase of 2.6 percent retroactive to January 1, 2015; a wage increase of 1.1 percent retroactive to January 1, 2016; a wage increase of 2 percent effective January 1, 2017; and for 2018, wages will be based on revised indexing/parity language, and

WHEREAS other changes include: (1) confirmation that the bargaining unit shall be covered by the health benefits plan negotiated between the City and a coalition of unions in the Joint Labor Committee for the term of the agreement; (2) a change to the deferred compensation provided by the employer from a matching amount to an employer contribution; and (3) a reduction in the amount of employee wages forgone toward the Voluntary Employee Beneficiary Association
(“VEBA”) program beginning in 2017, pursuant to a Letter of Agreement between
the parties, and

WHEREAS it appears in the best interests of the City that the 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 Professional
Public Safety Management Association, effective retroactive to January 1, 2015,
through December 31, 2018, said document to be substantially in the form of the
agreement on file in the office of the City Clerk.

Adopted ________________________

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Mayor

Attest:

________________________________
City Clerk

Approved as to form:

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Deputy City Attorney