The Tacoma City Council, at its regular City Council meeting of February 7, 2017, 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. 39643**
A resolution awarding a contract to Coast Rail, Incorporated, in the amount of $383,712, plus sales tax, budgeted from the Tacoma Rail Mountain Division Fund, for on-call track and bridge maintenance, for an initial 24-month period, from March 1, 2017 through February 28, 2019 - Specification No. TR16-0425F.
[Alan Matheson, Assistant Superintendent; Dale King, Superintendent, Tacoma Rail]

**Resolution No. 39644**
A resolution awarding a contract to PetroCard, Inc., in the amount of $22,426,295, plus sales tax, budgeted from various departmental funds, for fueling services to be used by various departments, for an initial five-year period, with the option to renew for two additional one-year periods, for a projected contract total of $31,400,000 - Specification No. GF16-0258F.
[Justin E. Davis, Facilities Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 39645**
A resolution awarding a contract to U.S. Oil & Refining Co., in the amount of $63,750, plus sales tax, budgeted from the Asphalt Plant Fund, for MC cold mix oil on an as-needed basis, for an initial contract period of one year, with the option to renew for up to four additional one-year periods, for a projected contract total of $318,750 - Specification No. PW16-0570F.
[Rae Bailey, Street Operations Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 39646**
A resolution authorizing the purchase of a portion of Hood Street, lying between South 21st and South 23rd Streets, from BNSF Railway Company, in the amount of $250,000, plus closing costs, budgeted from the Paths and Trails Fund, for use in the construction of the Prairie Line Trail.
[Jennifer Hines, Assistant Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 39647**
A resolution authorizing the execution of an agreement with Pierce County, Department of Assigned Counsel, in the amount of $1,989,299, budgeted from the General Fund, to provide legal services for indigent defendants appearing in Tacoma Municipal Court, from January 1, 2017, through December 31, 2017.
[Tadd Wille, Director, Management and Budget]
RESOLUTION NO. 39643

A RESOLUTION related to the purchase of materials, supplies or equipment, and the furnishing of services; authorizing the execution of a contract with Coast Rail, Incorporated, in the amount of $383,712, plus sales tax, budgeted from the Tacoma Rail Mountain Division Fund, for on-call track and bridge maintenance, for an initial 24-month term, commencing on March 1, 2017, through February 28, 2019, pursuant to Specification No. TR16-0425F.

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 Coast Rail, Incorporated, in the amount of $383,712, plus sales tax, budgeted from the Tacoma Rail Mountain Division Fund, for on-call track and bridge maintenance, for an initial 24-month term, commencing
on March 1, 2017, through February 28, 2019, pursuant to Specification No. TR16-0425F, consistent with Exhibit “A.”

Adopted ______________________

________________________________
Mayor

Attest:

________________________________
City Clerk

Approved as to form:

________________________________
City Attorney
RESOLUTION NO. 39644

A RESOLUTION related to the purchase of materials, supplies or equipment, and the furnishing of services; authorizing the execution of a contract with PetroCard, Inc., in the amount of $22,426,295, plus sales tax, for fleet fueling services to be used by various general government departments, for an initial five-year term, with the option to renew for two additional one-year terms, for a projected contract total of $31,400,000, pursuant to Specification No. GF16-0258F.

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 PetroCard, Inc., in the amount of $22,426,295, plus sales tax, for fleet fueling services to be used by various general government departments, for an initial five-year term, with the option to renew for two
additional one-year terms, for a projected contract total of $31,400,000,
pursuant to Specification No. GF16-0258F, 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. 39645

A RESOLUTION related to the purchase of materials, supplies or equipment, and the furnishing of services; authorizing the execution of a contract with U.S. Oil & Refining Co., in the amount of $63,750, plus sales tax, budgeted from the Asphalt Plant Fund, for MC cold mix oil on an as-needed basis for an initial contract term of one year, with an option to renew for up to four additional one-year periods, for a projected contract amount of $318,750, pursuant to Specification No. PW16-0570F.

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 U.S. Oil & Refining Co., in the amount of $63,750, plus sales tax, budgeted from the Asphalt Plant Fund, for MC cold mix oil on an as-needed basis for an initial contract term of one year, with an option to renew for
up to four additional one-year periods, for a projected contract amount of
$318,750, pursuant to Specification No. PW16-0570F, 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. 39646

A RESOLUTION relating to real property; authorizing the purchase of a portion of Hood Street, lying between South 21st and South 23rd Streets, from BNSF Railway Company, in the amount of $250,000, plus closing costs, budgeted from Paths and Trails Fund 1140, for use in the construction of the Prairie Line Trail.

WHEREAS, on March 5, 2013, pursuant to Resolution No. 38638, the City began acquiring parcels along the Prairie Line right-of-way owned by BNSF Railway Company (“BNSF”), for the purpose of creating the Prairie Line Trail, and

WHEREAS the trail will enable a non-motorized trail link connecting Dock Street and Thea Foss Waterway, the University of Washington-Tacoma campus, and downtown amenities, and

WHEREAS the original property purchase agreed to by BNSF was 20 feet wide and centered on the track alignment, and

WHEREAS, in September 2015, the City and BNSF began discussions on a potential acquisition by the City of additional BNSF remnant parcels along the proposed trail between South 21st and South 23rd Streets, which are located adjacent to the Hood Street portions of the trail already acquired by the City, and

WHEREAS these remnant parcels will allow for further enhancements of the Prairie Line Trail, and

WHEREAS the appraised value of the parcels is $250,000, and BNSF has agreed to sell said parcels to the City for the purchase price of $250,000, plus closing costs, and

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WHEREAS, on December 7, 2016, the City executed a Purchase and Sale Agreement ("PSA") for the subject parcels, and REET Funds have been appropriated for this purchase, and

WHEREAS, in accordance with the PSA, the City forwarded earnest money in the amount of $15,000 to the Title Agent for BNSF, to be applied to the total purchase price at closing, and forwarded $2,000 to BNSF as a required processing fee, and

WHEREAS it appears to be in the best interest of the City to acquire said parcels for construction of the Prairie Line Trail; Now, Therefore,

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

Section 1. That the request of the City of Tacoma, Public Works Department, to purchase a portion of Hood Street, lying between South 21st and South 23rd Streets, from BNSF Railway Company, in the amount of $250,000, plus closing costs, budgeted from Paths and Trails Fund 1140, for use in the construction of the Prairie Line Trail, is hereby approved.

Section 2. That the proper officers of the City are hereby authorized to close on the purchase of the Property for the purposes hereinabove enumerated, as memorialized in that certain Purchase and Sale Agreement
with BNSF Railway Company dated December 7, 2016, a copy of which is 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
RESOLUTION NO. 39647

A RESOLUTION relating to public safety and human services; authorizing the execution of an agreement with Pierce County, Department of Assigned Counsel, in the amount of $1,989,299, budgeted from the General Fund, for the period of January 1, 2017, through December 31, 2017, for the purpose of providing legal services for indigent defendants appearing in Tacoma Municipal Court.

WHEREAS individuals accused of a crime have a right to legal representation, which is guaranteed by the constitutions of the United States and state of Washington, and

WHEREAS it is the obligation of the public to bear the cost of such legal defense for accused individuals who are determined by the court to be indigent, and

WHEREAS, pursuant to Resolution No. 35979, adopted on October, 14, 2003, the City entered into an Interlocal Agreement with Pierce County, Department of Assigned Counsel ("DAC"), for the provision of said services, which agreement has been renewed on a yearly basis since 2003, and

WHEREAS DAC has provided, and is able to continue providing, valuable legal services that are necessary to the proper disposition of the misdemeanor cases heard in Tacoma Municipal Court, and

WHEREAS, in an effort to standardize the City’s procurement process, staff desires to supplement the Interlocal Agreement with a professional services contract, which will allow for increased budget detail, workload measure data, and confirmation that both the City and DAC are meeting Washington State standards for providing indigent defense legal services, and
WHEREAS it is in the best interest of the City to enter into the proposed agreement with DAC, in the amount of $1,989,299, for the period of January 1, 2017, through December 31, 2017, for the purpose of providing legal services for indigent defendants appearing in Tacoma Municipal Court; 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 County, Department of Assigned Counsel, in the amount of $1,989,299, budgeted from the General Fund, for the period of January 1, 2017, through December 31, 2017, for the purpose of providing legal services for indigent defendants appearing in Tacoma Municipal Court, 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