



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

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

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

11 WHEREAS the Board of Contracts and Awards has concurred with the
12 recommendation for award as set forth in the attached Exhibit "A"; Now,

13 Therefore,

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

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

18 Section 2. That the proper officers of the City are hereby authorized to
19 enter into a contract with Western Peterbilt, LLC, in the amount of \$981,709, plus
20 sales tax, budgeted from the ES Solid Waste Fund, for six Peterbilt Transfer
21

22

23

24

25

26



1 Tractors with automatic transmissions, pursuant to Washington State Contract
2 No. 01513, consistent with Exhibit "A."

3
4 Adopted _____

5

6 _____
Mayor

7 Attest:

8

9 _____
City Clerk

10

11 Approved as to form:

12

13 _____
City Attorney

14

15

16

17

18

19

20

21

22

23

24

25

26



RESOLUTION NO. 39551

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

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

13 WHEREAS the Board of Contracts and Awards has concurred with the
14 recommendation for award as set forth in the attached Exhibit "A"; Now,
15 Therefore,

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

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

20 Section 2. That the proper officers of the City are hereby authorized to
21 enter into a contract with R. L. Alia Company, in the amount of \$518,516.50,
22 excluding sales tax, plus a 15 percent contingency, for a cumulative total of
23 \$596,293.98, budgeted from the ES Wastewater Fund, for the removal and
24 construction of approximately 2,200 linear feet of 8-inch diameter underground
25

26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

wastewater mains and roadway surface restoration in various locations within
the City, pursuant to Specification No. ES16-0281F, consistent with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 39552

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and
2 the furnishing of services; authorizing the execution of a contract with
3 Republic Parking Northwest, Inc., in the amount of \$671,574, plus sales
4 tax, budgeted from the Tacoma Dome Enterprise Fund, for professional
5 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.

6 WHEREAS the City has complied with all applicable laws and processes
7 governing the acquisition of those supplies, and/or the procurement of those
8 services, inclusive of public works, as is shown by the attached Exhibit "A,"
9 incorporated herein as though fully set forth, and
10

11 WHEREAS the Board of Contracts and Awards has concurred with the
12 recommendation for award as set forth in the attached Exhibit "A"; Now,
13 Therefore,

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

15 Section 1. That the Council of the City of Tacoma concurs with the
16 Board of Contracts and Awards to adopt the recommendation for award as set
17 forth in the attached Exhibit "A."
18

19 Section 2. That the proper officers of the City are hereby authorized to
20 enter into a contract with Republic Parking Northwest, Inc., in the amount of
21 \$671,574, plus sales tax, budgeted from the Tacoma Dome Enterprise Fund,
22 for professional parking services, for an initial contract term of four years, with
23 the option to renew for one additional two-year period, for a projected contract
24

25
26



1 total of \$1,007,360, pursuant to Specification No. PF16-0327F, consistent with
2 Exhibit "A."

3
4 Adopted _____

5

6

Mayor

7 Attest:

8

9

City Clerk

10

11 Approved as to form:

12

13

City Attorney

14

15

16

17

18

19

20

21

22

23

24

25

26



RESOLUTION NO. 39553

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

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

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

16 WHEREAS, in 2007, the City's General Fund loaned TRMW approximately
17 \$6.2 million to provide interim financing for cash flow and grant match for capital
18 projects, and

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

23 WHEREAS remaining funds from the proposed sale are anticipated to be
24 used for required maintenance on other areas of track still under Public Works
25 Department ownership, and
26



1 WHEREAS TRMW has determined that a divestiture of its assets within this
2 area would be in the best interests of the City, as it would eliminate maintenance,
3 operational, and capital costs, and

4 WHEREAS, in May 2016, the Public Works Department issued Bid
5 Specification No. PW16-0285F, which called for bids for the approximately 35-mile
6 section of Property, with a minimum price of \$2,500,000, which was based on
7 information received from a feasibility study and railroad industry experts, and
8

9 WHEREAS one bid was received, from WRL, LLC, a railroad operator, in
10 the amount of \$2,801,000, less any associated closing/transaction fees, and
11

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

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

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

17 Section 1. That continued ownership of approximately 35 miles (609 acres)
18 of Tacoma Rail Mountain Division property located between Tacoma and Chehalis,
19 legally described in Exhibit "A," is not essential to the needs of the City and is
20 hereby declared surplus pursuant to RCW 35.22.020 and Article I, Section 1.2,
21 and Article IX of the Tacoma City Charter.
22

23 Section 2. That the sale of approximately 35 miles of said real property,
24 related railroad infrastructure, and personal property associated with the Western
25 Junction Facility to WRL, LLC, for the amount of \$2,801,000, less any associated
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

closing/transaction costs, is hereby approved, said proceeds to be deposited into the Tacoma Rail Mountain Division Fund.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Legal Description Approved:

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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.

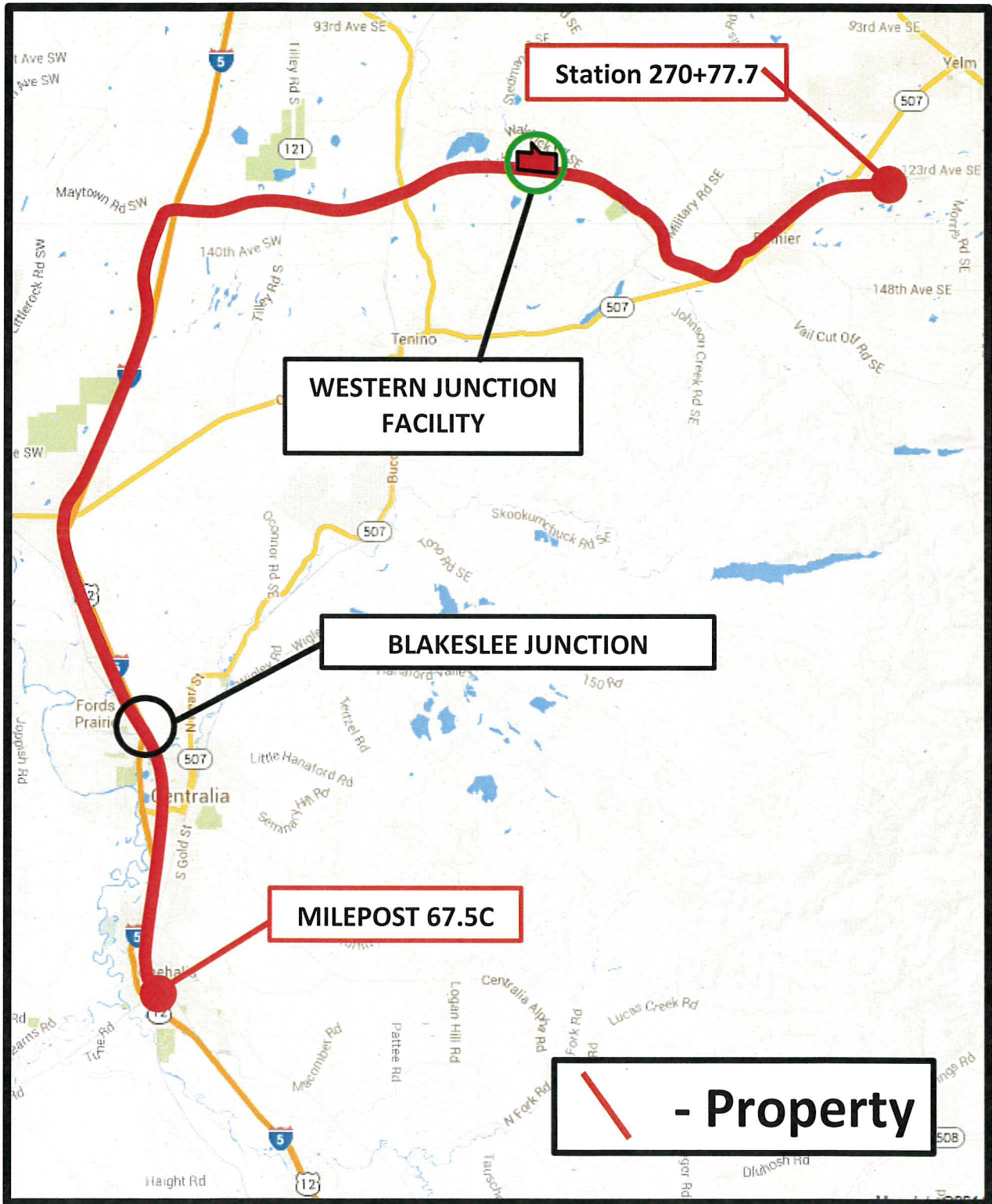
TOGETHER WITH those tracts of land acquired by Deeds recorded under Thurston County Auditor's File No. 4190043, records of Thurston County, Washington and Lewis County Auditor's File Nos. 3364589 and 3262870, records of Lewis County, Washington.

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





RESOLUTION NO. 39555

1 A RESOLUTION relating to human services; authorizing the execution of an
2 amendment to the agreement with Comprehensive Life Resources, in
3 the amount of \$254,400.00, for a cumulative contract amount of
4 \$1,434,227.28, budgeted from the Mental Health Substance Use
5 Disorder Fund, for the period of January 1, 2015, through December 31,
6 2016, to continue the Positive Interactions Program.

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

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

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

20 WHEREAS, in November 2015, the City Council approved an amendment
21 to the agreement with CLR, in the amount of \$121,719.28, to continue Program
22 services; however, the amended budget did not anticipate the increased need for
23 weekend support and community clean-ups, and
24
25
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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



1 Interaction Program, said document to be substantially in the form of the
2 proposed agreements on file in the office of the City Clerk.

3
4 Adopted _____

5

6 _____
Mayor

7 Attest:

8

9 _____
City Clerk

10 Approved as to form:

11

12 _____
Deputy City Attorney

13

14

15

16

17

18

19

20

21

22

23

24

25

26



RESOLUTION NO. 39556

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

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

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

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

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

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

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

18 That the City Council hereby expresses its support for the Center for
19 Popular Democracy's Anti-Hate Campaign, which condemns violence and hate
20

21

22

23

24

25

26



1 speech and expresses solidarity with the campaign for Muslims and all those
2 targeted for their ethnicity, race, or religion.

3
4 Adopted _____

5

6

Mayor

7 Attest:

8

9

City Clerk

10

11 Approved as to form:

12

13

City Attorney

14

15

16

17

18

19

20

21

22

23

24

25

26



RESOLUTION NO. 39557

1 A RESOLUTION related to collective bargaining; authorizing the execution of a
2 four-year Collective Bargaining Agreement between the City and the
3 Professional Public Safety Management Association, effective retroactive to
4 January 1, 2015, through December 31, 2018.

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

7
8 WHEREAS this resolution allows for the execution of a four-year Collective
9 Bargaining Agreement (“CBA”) between the City and the Professional Public Safety
10 Management Association (“Union”) on behalf of the employees represented by said
11 Union, and

12 WHEREAS the bargaining unit consists of approximately eight budgeted,
13 full-time equivalent (“FTE”) positions, and

14
15 WHEREAS the proposed CBA will provide for a wage increase of
16 2.6 percent retroactive to January 1, 2015; a wage increase of 1.1 percent
17 retroactive to January 1, 2016; a wage increase of 2 percent effective January 1,
18 2017; and for 2018, wages will be based on revised indexing/parity language, and

19
20 WHEREAS other changes include: (1) confirmation that the bargaining unit
21 shall be covered by the health benefits plan negotiated between the City and a
22 coalition of unions in the Joint Labor Committee for the term of the agreement;
23 (2) a change to the deferred compensation provided by the employer from a
24 matching amount to an employer contribution; and (3) a reduction in the amount of
25 employee wages forgone toward the Voluntary Employee Beneficiary Association
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

("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 _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney