



## Legislation Passed February 7, 2017

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.

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### **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

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

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

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

14 Therefore,

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

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

19 Section 2. That the proper officers of the City are hereby authorized to  
20 enter into a contract with Coast Rail, Incorporated, in the amount of \$383,712,  
21 plus sales tax, budgeted from the Tacoma Rail Mountain Division Fund, for  
22 on-call track and bridge maintenance, for an initial 24-month term, commencing  
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1 on March 1, 2017, through February 28, 2019, pursuant to Specification  
2 No. TR16-0425F, consistent with Exhibit "A."

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4 Adopted \_\_\_\_\_

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Mayor

7 Attest:

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City Clerk

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11 Approved as to form:

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City Attorney

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## RESOLUTION NO. 39644

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

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

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

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

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

19 Section 2. That the proper officers of the City are hereby authorized to  
20 enter into a contract with PetroCard, Inc., in the amount of \$22,426,295, plus  
21 sales tax, for fleet fueling services to be used by various general government  
22 departments, for an initial five-year term, with the option to renew for two  
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1 additional one-year terms, for a projected contract total of \$31,400,000,  
2 pursuant to Specification No. GF16-0258F, consistent with Exhibit "A."

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4 Adopted \_\_\_\_\_

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Mayor

7 Attest:

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City Clerk

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11 Approved as to form:

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City Attorney

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## RESOLUTION NO. 39645

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

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

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

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

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

19 Section 2. That the proper officers of the City are hereby authorized to  
20 enter into a contract with U.S. Oil & Refining Co., in the amount of \$63,750, plus  
21 sales tax, budgeted from the Asphalt Plant Fund, for MC cold mix oil on an as-  
22 needed basis for an initial contract term of one year, with an option to renew for  
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1 up to four additional one-year periods, for a projected contract amount of  
2 \$318,750, pursuant to Specification No. PW16-0570F, consistent with Exhibit "A."  
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4 Adopted \_\_\_\_\_  
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8 Attest:

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12 Approved as to form:  
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15 City Attorney  
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Mayor



## RESOLUTION NO. 39646

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

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

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

13 WHEREAS the original property purchase agreed to by BNSF was  
14 20 feet wide and centered on the track alignment, and

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

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

22 WHEREAS the appraised value of the parcels is \$250,000, and BNSF  
23 has agreed to sell said parcels to the City for the purchase price of \$250,000,  
24 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



1 with BNSF Railway Company dated December 7, 2016, a copy of which is on  
2 file in the office of the City Clerk.

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4 Adopted \_\_\_\_\_

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Mayor

7 Attest:

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City Clerk

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11 Approved as to form:

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Deputy City Attorney

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## RESOLUTION NO. 39647

1 A RESOLUTION relating to public safety and human services; authorizing the  
2 execution of an agreement with Pierce County, Department of Assigned  
3 Counsel, in the amount of \$1,989,299, budgeted from the General Fund, for  
4 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.

5 WHEREAS individuals accused of a crime have a right to legal  
6 representation, which is guaranteed by the constitutions of the United States and  
7 state of Washington, and  
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9 WHEREAS it is the obligation of the public to bear the cost of such legal  
10 defense for accused individuals who are determined by the court to be indigent,  
11 and  
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13 WHEREAS, pursuant to Resolution No. 35979, adopted on October, 14,  
14 2003, the City entered into an Interlocal Agreement with Pierce County,  
15 Department of Assigned Counsel ("DAC"), for the provision of said services, which  
16 agreement has been renewed on a yearly basis since 2003, and  
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18 WHEREAS DAC has provided, and is able to continue providing, valuable  
19 legal services that are necessary to the proper disposition of the misdemeanor  
20 cases heard in Tacoma Municipal Court, and  
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22 WHEREAS, in an effort to standardize the City's procurement process, staff  
23 desires to supplement the Interlocal Agreement with a professional services  
24 contract, which will allow for increased budget detail, workload measure data, and  
25 confirmation that both the City and DAC are meeting Washington State standards  
26 for providing indigent defense legal services, and



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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