



Legislation Passed October 31, 2017

The Tacoma City Council, at its regular City Council meeting of October 31, 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. 39850

A resolution setting Tuesday, November 14, 2017, at approximately 5:15 p.m., as the date for a public hearing by the City Council, on the proposed amendments to Title 13 of the Municipal Code, relating to the billboard sign code.
[Peter Huffman, Director, Planning and Development Services]

Resolution No. 39851

A resolution setting Tuesday, November 21, 2017, at approximately 5:15 p.m., as the date for a public hearing by the City Council, on the proposed Tacoma Mall Neighborhood Subarea Plan and Environmental Impact Statement, as recommended by the Planning Commission.
[Elliott Barnett, Associate Planner; Peter Huffman, Director, Planning and Development Services]

Resolution No. 39852

A resolution setting Tuesday, November 28, 2017, at approximately 5:15 p.m., as the date for a public hearing by the City Council on the 2017-2018 Biennial Budget, 2017-2022 Capital Facilities Program, and 2017-2018 Capital Budget.
[Katie Johnston, Budget Manager; Andy Cherullo, Director, Finance]

Resolution No. 39853

A resolution reappointing Tom Pierson to the Greater Tacoma Regional Convention Center Public Facilities District Board for a four-year term to expire December 31, 2021.
[Mayor Strickland]

Resolution No. 39854

A resolution awarding a contract to RailWorks Track Systems, Inc., in the amount of \$311,135.64, plus applicable sales tax, budgeted from the Tacoma Rail Mountain Division Fund, for the replacement of approximately 1900 railroad ties - Specification No. PW17-0282F.
[Kyle Kelleem, Railroad Roadmaster; Dale King, Director, Tacoma Rail]

Resolution No. 39855

A resolution awarding a contract to Altec Industries, Inc., in the amount of \$209,419, plus applicable sales tax, budgeted from the Public Works Fleet Equipment Rental Fund, for one 2018 Freightliner cab and chassis with an Altec aerial body -

NJPA Contract No. 031014-ALT.

[Paul Hanna, Assistant Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 39856

A resolution awarding a contract to KPG, P.S., in an amount not to exceed \$767,000, budgeted from the Surface Water and Wastewater Funds, for engineering design services associated with surface water and wastewater underground collection system capital improvements, through December 31, 2019 - Specification No. CT12-0001F.

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

Resolution No. 39857

A resolution awarding a contract to KPFF, Inc., in an amount not to exceed \$375,684, budgeted from the Surface Water and Wastewater Funds, for engineering design services associated with surface water and wastewater underground collection system capital improvements - Specification No. CT12-0001F.

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

Resolution No. 39858

A resolution awarding a contract to Right! Systems, Inc., in the amount of \$325,964.50, plus applicable sales tax, budgeted from the Information Systems Fund, for cloud infrastructure hardware and software maintenance services, through December 31, 2018 - NASPO Master Agreement No. MNWNC-109,

State of Washington Participating Addendum No. 05815-004.

[Kipling Morris, Information Technology Manager; Paul Federighi, Interim Director, Information Technology]

Resolution No. 39859

A resolution authorizing an increase to the contract with Carahsoft Technology Corporation, in the amount of \$64,619.34, plus applicable sales tax, for a total of \$510,482.34, budgeted from the Information Systems Fund, for ServiceNow IT Service Management software subscription renewal, through December 31, 2018 -

GSA Schedule No. GS-35F-0119Y.

[Kipling Morris, Information Technology Manager; Paul Federighi, Interim Director, Information Technology]

Resolution No. 39860

A resolution authorizing the execution of an amendment to the Tacoma Link Expansion Memorandum of Agreement with Sound Transit, to modify the funding obligations for the Tacoma Link Expansion project.

[Kurtis D. Kingsolver, P.E., Director, Public Works]



RESOLUTION NO. 39850

1 A RESOLUTION setting Tuesday, November 14, 2017, as the date for a public
2 hearing on the proposed amendments to Title 13 of the Tacoma Municipal
Code, relating to the billboard sign code.

3 WHEREAS, in September 2014, the Tacoma Billboards Community
4 Working Group was convened to explore alternative options for billboard
5 regulations, and presented its recommendations to the City Council in March 2015,
6 and
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8 WHEREAS, at that time, the City Manager was directed to work with
9 billboard owners, community stakeholders, and the Planning Commission to
10 develop recommendations for removing and consolidating billboards, and
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12 WHEREAS these efforts have resulted in proposed amendments to Title 13
13 of Tacoma Municipal Code ("TMC"), relating to the billboard sign code, and

14 WHEREAS, pursuant to TMC 13.02, the City Council is required to conduct
15 a public hearing before enacting any amendments to the Land Use Regulatory
16 Code, and
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18 WHEREAS the City Council held a public hearing on proposed amendments
19 to TMC Title 13, relating to the billboard sign code, on November 17, 2015, but
20 recognizing the time that has passed and the differences between the current and
21 previous proposals, wants to ensure ample opportunity for public input, and
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23 WHEREAS the City desires to fix a time and date for public hearing for the
24 purpose of considering the proposed amendments to TMC Title 13, relating to the
25 billboard sign code; Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

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Section 1. That Tuesday, November 14, 2017, at approximately 5:15 p.m., is hereby fixed as the time, and the City Council Chambers on the First Floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, as the place when and where a public hearing shall be held on the proposed amendments to Title 13 of the Tacoma Municipal Code, relating to the billboard sign code.

Section 2. That the City Clerk shall give proper notice of the time and place of said hearing.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney



RESOLUTION NO. 39851

1 A RESOLUTION setting Tuesday, November 21, 2017, at approximately 5:15 p.m.,
2 as the date for a public hearing by the City Council on the proposed
3 Tacoma Mall Neighborhood Subarea Plan and Environmental Impact
4 Statement, including the proposed adoption of the Subarea Plan as an
5 element of the Comprehensive Plan and associated Land Use Regulatory
6 Code amendments, as recommended by the Planning Commission.

7 WHEREAS the purpose of the Tacoma Mall Neighborhood Subarea Plan
8 (“Subarea Plan”) is to anticipate, support, and guide long-term community
9 development in the Tacoma Mall Neighborhood Subarea, an approximately
10 601-acre area, including the current Tacoma Mall Regional Growth Center and an
11 approximately 116-acre expansion area, and to complete a pre-development
12 environmental review to identify how to address environmental and community
13 issues while reducing development uncertainty and risk, and

14 WHEREAS the Subarea Plan provides innovative planning and policy
15 strategies to help the Tacoma Mall Neighborhood Subarea achieve its potential as
16 a thriving, livable, walkable, and transit-ready urban neighborhood, an outcome
17 that will deliver a broad range of equitable social, economic, and environmental
18 benefits at both the local and regional levels, and

19 WHEREAS the Subarea Plan will serve as a statement of the City’s
20 commitment to and direction for future development in the Tacoma Mall
21 Neighborhood Subarea, in addition to serving as a resource for potential investors,
22 property owners, the community, and other public agencies, and

23 WHEREAS proposed implementation actions in the Subarea Plan apply to
24 urban form, land use, housing, transportation, environmental, parks and open
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space, community empowerment, economic development, and utilities and services, as well as funding and implementation of goals and actions, and

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2 WHEREAS key Subarea Plan actions include the following: (1) expansion
3 of the current Regional Growth Center to include an additional 116 acres of land;
4 (2) zoning and design standard changes to support urban form, walkability, and
5 other goals; (3) innovative, area-wide green stormwater strategy and a 25 percent
6 tree canopy target; (4) robust, area-wide transportation strategy, including a
7 prioritized capital projects list, expanded transit service, and new connectivity
8 requirements with major development; (5) parks and open space investments to
9 support urban form, livability, and environmental goals; (6) coordinated
10 infrastructure and services, improved transportation choices, and streamlined City
11 environmental review to support businesses and attract new development; (7) a
12 range of housing options, complete neighborhood amenities, improved safety, and
13 a vibrant local culture; and (8) an action plan for collaborative implementation and
14 funding action by the City, public agency partners, and the community, and

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18 WHEREAS the Subarea Plan, along with three Downtown Tacoma Subarea
19 Plans, helps set the stage for necessary federal, state, and regional funding and
20 implementation actions to promote growth within the City's two designated
21 Regional Growth Centers, and

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23 WHEREAS this community-based planning effort includes input from
24 residents, business and property owners, public agency partners, and the broader
25 community, and
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WHEREAS there has been significant community interest in many of the proposals of the Subarea Plan, in particular, the proposed future development of new pedestrian, bicycle, and vehicular connections across existing private property, and

WHEREAS, pursuant to TMC 13.02, the City Council is required to conduct a public hearing before enacting any amendments to the Land Use Regulatory Code, and

WHEREAS the City desires to fix a time and date for public hearing for the purpose of considering the proposed the proposed Subarea Plan and Environmental Impact Statement, as recommended by the Planning Commission; Now, Therefore,

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

Section 1. That Tuesday, November 21, 2017, at approximately 5:15 p.m., is hereby fixed as the time, and the City Council Chambers on the First Floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, as the place when and where a public hearing shall be held on the proposed Tacoma Mall Neighborhood Subarea Plan and Environmental Impact Statement, including the proposed adoption of the Subarea Plan as an element of the Comprehensive Plan and associated Land Use Regulatory Code amendments, as recommended by the Planning Commission.



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Section 2. That the City Clerk shall give proper notice of the time and place of said hearing.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 39852

1 A RESOLUTION relating to the Biennial Budget; setting November 28, 2017, as
2 the date for public hearings on proposed modifications to the City of
3 Tacoma's 2017-2018 Biennial Budget, 2017-2022 Capital Facilities
Program, and 2017-2018 Capital Budget.

4 WHEREAS RCW 35.34.130 provides that the legislative body of the City
5 will meet no sooner than eight months after the start nor later than the conclusion
6 of the first year of the fiscal biennium for the purpose of a mid-biennial review and
7 modification of the biennial budget, and
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9 WHEREAS RCW 35.34.130 also provides that a public hearing must be
10 held on the proposed budget modifications, and that copies shall be furnished to
11 the City's legislative authority and to any taxpayer who shall call and request the
12 same, and
13

14 WHEREAS proposed amendments to the Comprehensive Plan are
15 considered annually by the Planning Commission and City Council, and, with few
16 exceptions, RCW 36.70A.130(2)(a) requires that all proposed Plan amendments be
17 reviewed concurrently and no more frequently than once per year, and
18

19 WHEREAS state law provides an exception for an amendment to the Capital
20 Facilities Element of the Comprehensive Plan, which may be adopted separately
21 from other amendments to the Comprehensive Plan if adoption occurs concurrently
22 with the adoption or amendment of the City's budget; Now, Therefore,

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

24 Section 1. That a public hearing on the proposed amendments to the City
25 of Tacoma's 2017-2018 Biennial Budget shall be held before the City Council in
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the Council Chambers on the first floor of the Tacoma Municipal Building,
747 Market Street, Tacoma, Washington, on Tuesday, November 28, 2017, at
approximately 5:15 p.m. or as soon thereafter as the same may be heard.

Section 2. That a public hearing prescribed pursuant to RCW 36.70A.035,
for the purpose of considering proposed amendments to the 2017-2022 Capital
Facilities Program and 2017-2018 Capital Budget, shall commence on
November 28, 2017, at approximately 5:15 p.m., or as soon thereafter as the
same may be heard, in the City Council Chambers, First Floor, Tacoma Municipal
Building, 747 Market Street, Tacoma, Washington.

Section 3. That the City Clerk shall give proper notice of the time and
place of said hearings.

Adopted _____

Mayor

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 39853

1 BY REQUEST OF MAYOR STRICKLAND

2 A RESOLUTION relating to committees, boards, and commissions; reappointing
3 Tom Pierson to the Greater Tacoma Regional Convention Center Public
4 Facilities District Board.

5 WHEREAS, in April 2014, the Greater Tacoma Regional Convention
6 Center Public Facilities District Board ("Board") amended its Bylaws to align
7 Board member term expiration dates to expire on December 31, and

8 WHEREAS, as of October 31, 2017, a vacancy exists on the Board, and

9 WHEREAS, pursuant to RCW 35.57.010, vacancies to the Board shall
10 be filled by appointment by the legislative bodies of member cities, and
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12 WHEREAS, under Tacoma City Charter Section 2.4, appointments may
13 be made by a majority vote of the City Council from names presented in writing
14 to the City Council by the Mayor, and

15 WHEREAS the Mayor has requested the reappointment of Tom Pierson
16 to the Board for an additional four-year term, to expire December 31, 2021;

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

That Tom Pierson is hereby reappointed to serve on the Greater Tacoma Regional Convention Center Public Facilities District Board for a four-year term to expire December 31, 2021, and until a successor is appointed.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 39854

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A RESOLUTION awarding a contract to RailWorks Track Systems, Inc., in the amount of \$311,135.64, plus applicable sales tax, budgeted from the Tacoma Rail Mountain Division Fund, for the replacement of approximately 1,900 railroad ties pursuant to Specification No. PW17- 0282F.

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 RailWorks Track Systems, Inc., in the amount of \$311,135.64, plus applicable sales tax, budgeted from the Tacoma Rail



1 Mountain Division Fund, for the replacement of approximately 1,900 railroad
2 ties pursuant to Specification No. PW17-0282F, 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. 39855

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 Altec Industries, Inc., in the amount of \$209,419, plus applicable
4 sales tax, budgeted from the Public Works Fleet Equipment Rental
5 Fund, for the purchase of one 2018 Freightliner M2-106 cab and chassis
6 with an Altec aerial body to replace a truck that is beyond its useful life
7 and no longer cost effective to maintain, pursuant to NJPA Contract
8 No. 031014-ALT.

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 Board
18 of Contracts and Awards to adopt the recommendation for award as set forth in
19 the attached Exhibit "A."

20 Section 2. That the proper officers of the City are hereby authorized to
21 enter into a contract with Altec Industries, Inc., in the amount of \$209,419, plus
22 applicable sales tax, budgeted from the Public Works Fleet Equipment Rental
23 Fund, for the purchase of one 2018 Freightliner M2-106 cab and chassis with an
24 Altec aerial body to replace a truck that is beyond its useful life and no longer
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1 cost effective to maintain, pursuant to NJPA Contract No. 031014-ALT, consistent
2 with Exhibit "A."

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4 Adopted _____

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7 Mayor

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9 Attest: _____
10 City Clerk

11 Approved as to form:
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13 City Attorney

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RESOLUTION NO. 39856

1 A RESOLUTION awarding a contract to KPG, P.S., in an amount not to exceed
2 \$767,000, budgeted from the Surface Water and Wastewater Funds, for
3 engineering design services associated with surface water and
4 wastewater underground collection system capital improvements,
through December 31, 2019, pursuant to Specification No. CT12-0001F.

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

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

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

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

17 Section 2. That the proper officers of the City are hereby authorized to
18 enter into a contract with KPG, P.S. in an amount not to exceed \$767,000,
19 budgeted from the Surface Water and Wastewater Funds, for engineering
20 design services associated with surface water and wastewater underground
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1 collection system capital improvements, through December 31, 2019, pursuant
2 to Specification No. CT12-0001F, consistent with Exhibit "A."

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4 Adopted _____

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7 Mayor

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9 Attest: _____
10 City Clerk

11 Approved as to form:
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13 City Attorney

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RESOLUTION NO. 39857

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 KPFF, Inc., in an amount not to exceed \$375,684, budgeted from the
4 Surface Water and Wastewater Funds, for engineering design services
5 associated with surface water and wastewater underground collection
6 system capital improvements, pursuant to Specification No. CT12-0001F.

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 KPFF, Inc., in an amount not to exceed \$375,684,
20 budgeted from the Surface Water and Wastewater Funds, for engineering
21 design services associated with surface water and wastewater underground
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1 collection system capital improvements, pursuant to Specification
2 No. CT12-0001F, 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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Approved as to form:

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City Attorney

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RESOLUTION NO. 39858

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 Right! Systems, Inc., in the amount of \$325,964.50 plus applicable sales
4 tax, budgeted from the Information Systems Fund, for hardware and
5 software maintenance services through December 31, 2018, pursuant to
6 NASPO Master Agreement No. MNWNC-109, State of Washington
7 participating Addendum No. 05815-004.

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 Right! Systems, Inc., in the amount of \$325,964.50,
21 plus applicable sales tax, budgeted from the Information Systems Fund, for
22 hardware and software maintenance services through December 31, 2018,
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1 pursuant to NASPO Master Agreement No. MNWNC-109, State of Washington
2 participating Addendum No. 05815-004, consistent with Exhibit "A."

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4 Adopted _____

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7 Mayor

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10 City Clerk

11 Approved as to form:
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13 City Attorney

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RESOLUTION NO. 39859

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and
2 the furnishing of services; authorizing the increase of Contract
3 No. 4600011306 with Carahsoft Technology Corporation, in the amount of
4 \$64,619.34, plus applicable sales tax, for a total of \$510,482.34, budgeted
5 from the Information Systems Fund, for the subscription renewal of the
6 ServiceNow IT Service Management ("ITSM") software, pursuant to GSA
7 Schedule No. GS-35-0119Y.

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 increase Contract No. 4600011306 with Carahsoft Technology Corporation, in
21 the amount of \$64,619.34, plus applicable sales tax, for a total of \$510,482.34,
22 budgeted from the Information Systems Fund, for the subscription renewal of
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1 the ServiceNow IT Service Management ("ITSM") software, pursuant to GSA
2 Schedule No. GS-35-0119Y, 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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10 Approved as to form:

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City Attorney

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RESOLUTION NO. 39860

1 A RESOLUTION relating to transportation, authorizing the execution of the First
2 Amendment to the Tacoma Link Expansion Memorandum of Agreement
3 with Sound Transit, modifying the funding obligations of the City and Sound
4 Transit for the Tacoma Link Expansion project.

5 WHEREAS, in 2008, the Central Puget Sound region's voters approved the
6 Sound Transit 2 Plan ("ST2"), with substantial extensions of Link light rail throughout
7 the region, including funding for a partnership to expand Tacoma Link Light Rail
8 through construction of the Tacoma Link Expansion Project ("TLE Project"), and

9 WHEREAS the TLE Project will provide for a 2.4 mile expansion of the
10 existing 1.6 mile Tacoma Link that will continue service from the Theater District
11 Station to the North Downtown, Stadium, and Hilltop Districts with six new stations
12 and one relocated station, along with an expanded maintenance facility, and

13 WHEREAS the TLE Project is a partnership between Sound Transit, the
14 City, and the Federal Transit Administration for the purpose of the improving
15 mobility and access to the regional transit system for Tacoma residents,
16 employees, and visitors by connecting the existing Tacoma Link system with
17 additional major activity centers and destinations within the City, and

18 WHEREAS, on March 21, 2017, pursuant to Resolution No. 39682, the
19 City Council authorized the execution of a Memorandum of Agreement ("Funding
20 Agreement") establishing the funding commitments from Sound Transit and the
21 City for the TLE Project, and

22 WHEREAS, at the time the Funding Agreement was executed, the
23 estimated cost of the TLE Project was \$175 million and the City's base funding
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obligation for the TLE Project was \$43.3 million, to be adjusted by 4/9 of any
1 increase or decrease in the TLE Project cost, and

2 WHEREAS, at baselining of the TLE Project, Sound Transit established a
3 project budget of \$217,346,000, and
4

5 WHEREAS the Funding Agreement provides that, in the event the TLE
6 Project cost determined at 60 percent design exceeds \$185 million, the City and
7 Sound Transit would meet and discuss decreasing the scope or lowering the cost
8 of, or increasing funding for, the TLE Project, and
9

10 WHEREAS the City and Sound Transit have decreased the scope and
11 lowered the estimated cost of the TLE Project, however, the estimated cost
12 remains above \$185 million, and

13 WHEREAS Sound Transit has agreed, as set forth in the proposed First
14 Amendment to the Funding Agreement, to increase Sound Transit's funding
15 obligation for the TLE Project; provided that, the City agrees that its share of the
16 Project cost will be fixed at \$47,744,444, which share cannot be increased, but can
17 be decreased in the event that TLE Project costs are less than \$185 million, and
18

19 WHEREAS the City Council finds that it is in the best interest of the public
20 that the First Amendment to the Funding Agreement be approved; Now Therefore,

21 **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:**
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23 That the proper officers of the City are hereby authorized to execute the
24 First Amendment to the Memorandum of Agreement with Sound Transit, relating to
25 the Joint City and Sound Transit Tacoma Link Expansion project for light rail,
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1 amending and establishing the funding obligations of the City and Sound Transit
2 for the Tacoma Link Expansion project, said document to be substantially in the
3 form of the amendment on file in the office of the City Clerk.
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5 Adopted _____
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8 Mayor

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11 City Clerk

12 Approved as to form:
13 _____
14 Chief Deputy City Attorney
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