



Legislation Passed July 17, 2018

The Tacoma City Council, at its regular City Council meeting of July 17, 2018, 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. 40060

A resolution appointing Dean Burke to the Greater Tacoma Regional Convention Center Public Facilities District Board of Directors to fill an unexpired term to expire December 31, 2020, and until a successor is appointed.
[Mayor Woodards]

Resolution No. 40061

A resolution awarding a contract to American Restore Inc., in the amount of \$477,355.00, plus applicable sales tax, plus a 15 percent contingency, for a total of \$548,958.25, budgeted from the Solid Waste Fund, for improvements to the Solid Waste Main Receiving Building tipping floor - Specification No. ES18-0169F.
[Geoffrey M. Smyth, P.E., Science and Engineering Division Manager;
Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 40062

A resolution awarding a contract to Brown & Brown of Washington, Inc., in the amount of \$425,000, plus applicable sales tax, budgeted from the General Government and Tacoma Public Utilities Self Insurance Funds, for property and casualty insurance broker services, for a contract term of five years -
Specification No. DOC1217978510.
[Saada Gegoux, Risk Manager; Andy Cherullo, Director, Finance]

Resolution No. 40063

A resolution increasing the contracts with Apex, Avertra Corporation, Phoenix Business, Inc., and Sage Group Consulting, Inc., in the amount of \$2,000,000, plus applicable sales tax, for a total of \$3,900,000, budgeted from the Information Systems Fund, for supplemental SAP implementation and support services through 2020 -
Specification No. IT14-0576F.
[Kathy Vaughan, Information Technology Manager; Daniel Key, Director, Information Technology]

Resolution No. 40064

A resolution designating the SAP Accounting Policies and Procedures Project as a special project of limited duration, and designating general salary classification and benefits for the person employed on the project pursuant to Sections 1.12.155 and 1.24.187 of the Municipal Code and Section 6.1(h) of the City Charter, through December 31, 2018.
[Paula Barry, Accounting Services Division Manager; Andy Cherullo, Director, Finance]

Resolution No. 40065

A resolution ratifying the Annual Performance Review of the City Manager and authorizing the execution of an amendment to the employment compensation agreement with Elizabeth Pauli to serve as City Manager, retroactive to May 16, 2018 through May 15, 2019.

[Mayor Woodards and Council Members Hunter, Mello, and Ushka]

Resolution No. 40066

A resolution authorizing the use of \$25,000, budgeted from the City Council Contingency Fund, for expenses related to the 2018 Paddle to Puyallup Canoe Journey ceremonies and events hosted by the Puyallup Tribe of Indians; directing the City Manager to negotiate and execute an agreement outlining the scope of work and deliverables for the funding; with the Tribe's permission, recognizing the event by flying the Puyallup Nation flag at the Tacoma Municipal Complex; and at the conclusion of the event, put the Puyallup Nation flag on permanent display within the City Council Chambers.

[Mayor Woodards, Deputy Mayor Ibsen, and Council Members Camarata and Ushka]

Ordinance No. 28519

An ordinance vacating portions of the northwest intersection of South Tacoma Way and South "C" Street for parking and as a security buffer for its adjacent business.

(Chainring III LLC; File No. 124.1387)

[Jeff H. Capell, Hearing Examiner]

Ordinance No. 28520

An ordinance amending Chapter 1.90 of the Municipal Code, relating to the Local Employment and Apprenticeship Training Program, to improve program processes and outcomes and address compliance with current federal law.

[Clifford Armstrong III, Contract and Program Auditor; Kim Bedier, Acting Director, Community and Economic Development]



RESOLUTION NO. 40060

1 BY REQUEST OF MAYOR WOODARDS

2 A RESOLUTION relating to committees, boards, and commissions; appointing an
3 individual to the Greater Tacoma Regional Convention Center Public
4 Facilities District Board of Directors.

5 WHEREAS a vacancy exists on the Greater Tacoma Regional Convention
6 Center Public Facilities District Board of Directors, and

7 WHEREAS, under Tacoma City Charter Section 2.4, appointments may be
8 made by a majority vote of the City Council from names presented in writing to the
9 City Council by the Mayor, and

10 WHEREAS the Mayor has nominated Dean Burke to serve on the Greater
11 Tacoma Regional Convention Center Public Facilities District Board of Directors to
12 fill an unexpired term to expire on December 31, 2020; Now, Therefore,

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

14 That Dean Burke is hereby appointed to serve on the Greater Tacoma
15 Regional Convention Center Public Facilities District Board of Directors to fill an
16 unexpired term to expire on December 31, 2020, and until a successor is appointed.
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18 Adopted _____

19 _____
20 Mayor

21 Attest: _____

22 _____
23 City Clerk

24 Approved as to form: _____

25 _____
26 Chief Deputy City Attorney



RESOLUTION NO. 40061

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 American Restore Inc., in the amount of \$477,355.00, plus applicable sales
4 tax, plus a 15 percent contingency, for a total of \$548,958.25, budgeted
5 from the Solid Waste Fund, for improvements to the City's Solid Waste Main
6 Receiving Building tipping floor, pursuant to Specification No. ES18-0169F.

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, Therefore,

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

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

17 Section 2. That the proper officers of the City are hereby authorized to
18 enter into a contract with American Restore Inc., in the amount of \$477,355.00,
19 plus applicable sales tax, plus a 15 percent contingency, for a total of
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1 \$548,958.25, budgeted from the Solid Waste Fund, for improvements to the City's
2 Solid Waste Main Receiving Building tipping floor, pursuant to Specification
3 No. ES18-0169F, consistent with Exhibit "A."
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5 Adopted _____
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7 _____
8 Mayor

9 Attest:
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11 _____
12 City Clerk

13 Approved as to form:
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16 City Attorney
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RESOLUTION NO. 40062

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 Brown & Brown of Washington, Inc., in the amount of \$425,000,
4 plus applicable sales tax, budgeted from the General Government and
5 Tacoma Public Utilities Self Insurance Funds, for property and casualty
6 insurance broker services, for a contract term of five years, pursuant to
7 Specification No. DOC1217978510.

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, Therefore,

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

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16 Contracts and Awards to adopt the recommendation for award as set forth in the
17 attached Exhibit "A."

18 Section 2. That the proper officers of the City are hereby authorized to
19 enter into a contract with Brown & Brown of Washington, Inc., in the amount of
20 \$425,000, plus applicable sales tax, budgeted from the General Government and
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1 Tacoma Public Utilities Self Insurance Funds, for property and casualty insurance
2 broker services, for a contract term of five years, pursuant to Specification
3 No. DOC1217978510, consistent with Exhibit "A."
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5 Adopted _____
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8 Mayor

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11 City Clerk

12 Approved as to form:
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14 City Attorney

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RESOLUTION NO. 40063

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. 4600010811 with Apex, Contract No. 4600010861 with Avertra
4 Corporation, Contract No. 4600010810 to Phoenix Business, Inc., and
5 Contract No. 4600010812 to Sage Group Consulting, Inc., in the amount of
6 \$2,000,000, plus sales tax, for a cumulative total of \$3,900,000, budgeted
7 from the Information Systems Fund, for supplemental SAP implementation
8 and support services, pursuant to Specification No. IT14-0576F.

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

19 Section 2. That the proper officers of the City are hereby authorized to
20 increase Contract No. 4600010811 with Apex, Contract No. 4600010861 with
21 Avertra Corporation, Contract No. 4600010810 to Phoenix Business, Inc., and
22 Contract No. 4600010812 to Sage Group Consulting, Inc., in the amount of
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1 \$2,000,000, plus sales tax, for a cumulative total of \$3,900,000, budgeted from the
2 Information Systems Fund, for supplemental SAP implementation and support
3 services, pursuant to Specification No. IT14-0576F, consistent with Exhibit "A."
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5 Adopted _____
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7 _____
8 Mayor

9 Attest:
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11 _____
12 City Clerk

13 Approved as to form:
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16 Chief Deputy City Attorney
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RESOLUTION NO. 40064

1 A RESOLUTION relating to a Special Project; designating the SAP Accounting
2 Policies and Procedures Project as a special project of limited duration;
3 designating general salary classifications and benefits for persons employed
4 on the project pursuant to Tacoma Municipal Code 1.24.187, and Tacoma
City Charter Section 6.1(h); to be paid from the General Government
Internal Services Fund.

5 WHEREAS the SAP Accounting Policies and Procedures Project will focus
6 on the review and standardization of current financial practices within the
7 Accounting Services Division, which will provide useful tools for fund accountants,
8 as well as internal customers, and
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10 WHEREAS this effort will be designated as a special project of limited
11 duration, with one full-time employee anticipated to be employed through
12 December 31, 2018, and
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14 WHEREAS, pursuant to the provisions of TMC 1.24.187, and Tacoma City
15 Charter Section 6.1(h), employees who are not regular employees and are hired as
16 special project employees are unclassified and paid as provided for by ordinance
17 or resolution of the City Council; Now, Therefore,
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19 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

20 Section 1. That the SAP Accounting Policies and Procedures Project is
21 hereby designated as a special project of limited duration, ending December 31,
22 2018.

23 Section 2. That, in accordance with the provisions of TMC 1.24.187, and
24 Tacoma City Charter Section 6.1(h), employees who have been hired or may be
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1 hired for positions expected to be of limited duration shall be designated as
2 unclassified special project employees as of the date of hire.

3 Section 3. That the salaries and classifications set forth in the
4 Compensation Plan of the City of Tacoma for permanent employees, or the closest
5 classifications, shall be applied, contingent upon funding, to similar positions of the
6 special project. The Compensation Plan is incorporated herein by reference as if
7 fully set forth.
8

9 Section 4. That employees who have been hired or may be hired as special
10 project employees herein shall receive benefits in accordance with and pursuant to
11 the provisions of the Compensation Plan of the City of Tacoma. They shall be
12 given a one-time binding and irrevocable election to participate in the City's
13 Retirement System pursuant to TMC 1.30. Special project employees hired to
14 work on the identified special project shall not be eligible for longevity pay; and
15 further, that should any current regular employee eligible for longevity pay be
16 assigned to the special project, the employee so assigned shall continue to be
17 eligible for longevity pay and shall become or remain a member of the City's
18 Retirement System pursuant to any applicable provisions of TMC 1.30, and
19 contributions shall be paid therein by the City pursuant to TMC 1.30.360.
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22 Section 5. That, inasmuch as the positions to be filled pursuant to this
23 resolution are of a temporary nature and are unique in that they pertain only to the
24 aforementioned special project, they are deemed unclassified, temporary positions
25 of limited duration and persons so employed in such positions shall have no claim
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1 to further or continued employment with the City of Tacoma after cessation of such
 2 special project or after cessation of activities funded by said program, except
 3 pursuant to obtaining status as regular City of Tacoma employees under the
 4 provisions of the TMC or pursuant to further action of the City Council relating to
 5 this special project.
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7 Section 6. That all acts by agents or employees of the City consistent
 8 herewith are hereby ratified.

9 Section 7. That the City Manager is hereby authorized to direct the
 10 appropriate City officers to proceed with the necessary actions for the completion
 11 of this special project.
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13 Adopted _____
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 17 Mayor

17 Attest:
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 19 _____
 20 City Clerk

21 Approved as to form:
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 23 _____
 24 Deputy City Attorney

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RESOLUTION NO. 40065

1 BY REQUEST OF MAYOR WOODARDS AND COUNCIL MEMBERS HUNTER,
2 MELLO, AND USHKA

3 A RESOLUTION ratifying the Annual Performance Review of the City Manager,
4 and authorizing the execution of an amendment to the employment
5 compensation agreement with Elizabeth Pauli to serve as City Manager of
6 the City of Tacoma, retroactive to May 16, 2018.

7 WHEREAS Section 3.1 of the Tacoma City Charter requires the City
8 Council to review the City Manager's performance annually, and

9 WHEREAS, on May 23, 2017, the City Council approved a motion
10 authorizing the execution of an employment compensation agreement with
11 Elizabeth Pauli to serve as City Manager of the City of Tacoma for the period of
12 May 16, 2017, through May 15, 2019, and

13 WHEREAS the City Manager Performance Review Committee met on
14 June 13, 2018, and June 18, 2018, to review the City Manager's performance for
15 the period of May 16, 2017, through May 15, 2018, and rate her performance, and

16 WHEREAS the City Council met in Executive Sessions on June 19, 2018,
17 and July 10, 2018, to review the performance of the City Manager for said period,
18 and

19 WHEREAS the City Council has determined that Elizabeth Pauli has
20 achieved certain performance outcomes, and, pursuant to the current employment
21 compensation agreement, Section 5.A, she is entitled to an increase in
22 compensation, and

23 WHEREAS all non-represented City employee salary schedules were
24 increased by a 3 percent general wage adjustment in January 2018, and
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WHEREAS the City Manager’s salary schedule was not increased by the 3 percent general wage adjustment until after her annual performance review was conducted, and

WHEREAS the City Council now desires to approve the 3 percent general wage adjustment to City Manager’s salary schedule, and pay the City Manager at step 5A on the new schedule, which is equal to \$253,745.86 annually, constituting a \$16,397 increase above her current salary, and

WHEREAS the City Manager Performance Review Committee recommends ratification of the *2018 Annual Performance Review of the City Manager*, and further recommends amending the employment compensation agreement with Elizabeth Pauli, retroactive to May 16, 2018, to include the new annual salary;

Now, Therefore,

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

Section 1. That the City Council hereby ratifies the *2018 Annual Performance Review of the City Manager* for the period of May 16, 2017, through May 15, 2018.

Section 2. That the City Council hereby authorizes the execution of an amendment to the employment agreement with Elizabeth Pauli retroactive to May 16, 2018, to include a new annual salary of \$253,745.86, and to clarify that her annual performance review shall occur by May of each year to coincide with



1 her appointment date, said document to be substantially in the form of the
2 proposed agreement on 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

10 Approved as to form:
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13 City Attorney

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RESOLUTION NO. 40066

1 BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR IBSEN, AND
2 COUNCIL MEMBERS CAMARATA AND USHKA

3 A RESOLUTION authorizing the use of Council Contingency Funds, in the
4 amount of \$25,000, for expenses related to the 2018 Paddle to Puyallup
5 Canoe Journey ceremonies and events hosted by the Puyallup Tribe of
6 Indians; directing the City Manager to negotiate and execute an agreement
7 outlining the scope of work and deliverables for the funding; and, with the
8 Tribe's permission, recognizing the event by flying the Puyallup Nation flag
9 at the Tacoma Municipal Complex and, at the conclusion of the event,
10 putting the Puyallup Nation flag on permanent display within the City
11 Council Chambers.

12 WHEREAS, since 1989, the Indigenous peoples of the Pacific Northwest
13 hold an annual Canoe Journey, and

14 WHEREAS each year, a different Native Nation hosts canoe pullers,
15 support crews, and other visitors from Alaska, British Columbia, Oregon, and
16 Washington, and

17 WHEREAS, depending on distance, this trip can take up to a month; on
18 arrival, visiting canoe families ask permission to land, and the sharing of songs,
19 dances, and gifts lasts for a week, and is a significant spiritual and cultural event,
20 and

21 WHEREAS the Puyallup Nation has been chosen to host this year's event,
22 "Power Paddle to Puyallup, Honoring Our Medicine," and on July 28, 2018, over
23 125 canoes will land at 4224 Marine View Drive to begin this celebration of
24 Indigenous culture, and

25 WHEREAS, in order for the Puyallup Tribe to host the event, the Tribe will
26 need City assistance with in-kind services, such as traffic control and signage, and



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WHEREAS, at the July 10, 2018, Study Session, Mayor Woodards shared a Council Consideration Request to authorize the one-time use of \$25,000 from the City Council Contingency Fund to sponsor the Canoe Journey event, and

WHEREAS the City Council desires to use the sum of \$25,000, budgeted from the Council Contingency Fund, to support the costs of hosting an expected 12,000-15,000 visitors who will be coming to view the landing of the canoes and participating in the celebratory activities of the week, and

WHEREAS this sponsorship will further the City's partnership with the Puyallup Tribe to facilitate cultural engagement opportunities for Tacoma residents and visiting Native Nations participating in the Canoe Journey event, and

WHEREAS City staff will negotiate and execute an agreement for services, with terms and deliverables for the City's contribution, and

WHEREAS the City Council will further recognize and celebrate this important event by presenting the proclamation to the Puyallup Tribe of Indians for the Canoe Journey event; with the Tribe's permission, flying the Puyallup Nation flag at the Tacoma Municipal Complex and, at the conclusion of the event, putting the Puyallup Nation flag on permanent display within the City Council Chambers, and

WHEREAS RCW 35.33.145 and 35.34.250 authorize a withdrawal from the City Council Contingency fund for any municipal expense, the necessity or



1 extent of which could not have been foreseen or reasonably evaluated at the
2 time of adopting the budget, and

3 WHEREAS the need for funding to support the 2018 Paddle to Puyallup
4 Canoe Journey event could not have been foreseen or reasonably evaluated at
5 the time the City adopted its biennial budget, and

6 WHEREAS Ordinance No. 22569 requires an affirmative vote of not less
7 than six members of the City Council in order to withdraw moneys from this fund;

8 Now, Therefore,

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

10 Section 1. That one-time funding in the amount of \$25,000, budgeted
11 from the Council Contingency Fund, is hereby approved for expenses related to
12 the 2018 Paddle to Puyallup Canoe Journey event hosted by the Puyallup Tribe
13 of Indians.
14

15 Section 2. That the City Manager is directed to negotiate and execute an
16 agreement outlining the scope of work and deliverables for the funding outlined in
17 Section 1 above.
18

19 Section 3. That the City Council will recognize and celebrate this
20 important event by presenting the proclamation to the Puyallup Tribe of Indians
21 for the 2018 Paddle to Puyallup Canoe Journey event; with the Tribe's
22 permission, flying the Puyallup Nation flag at the Tacoma Municipal Complex
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1 and, at the conclusion of the event, putting the Puyallup Nation flag on permanent
2 display within the City Council Chambers.

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4 Adopted _____

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Mayor

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City Clerk

10 Approved as to form:
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12 _____
Chief Deputy City Attorney

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ORDINANCE NO. 28519

AN ORDINANCE related to the vacation of City right-of-way; vacating portions of the northwest intersection of South Tacoma Way and South "C" Street lying northerly and westerly of the improved portions of right-of-way, for parking and as a security buffer for its adjacent business; and adopting the Hearing Examiner's Findings, Conclusions, and Recommendations related thereto.

WHEREAS all steps and proceedings required by law and by resolution of the City Council to vacate the portion of the right-of-way hereinafter described have been duly taken and performed; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Hearing Examiner's Findings, Conclusions, and Recommendations as contained in the Hearing Examiner's Report and Recommendation to the City Council bearing File No. 124.1387 and dated June 5, 2018, which Report is on file in the office of the City Clerk.

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Section 2. That portion of the northwest intersection of South Tacoma Way and South "C" Street lying northerly and westerly of the improved portions of right-of-way, legally described as follows:

A portion of the Southwest Quarter of the Northwest Quarter of Section 9, Township 20 North, Range 3 East of the Willamette Meridian, City of Tacoma, County of Pierce, State of Washington, more specifically described as follows:

Commencing at the intersection of Holgate Street and South 25th Street, as shown on the Plat of Tacoma Land Company's First Addition to Tacoma, W.T., according to Plat filed for record July 7, 1884, in the Office of the Pierce County Auditor;

Thence North 82°35'31" East, along the centerline of said South 25th Street, 154.32 feet to the centerline of South "C" Street;

Thence South 07°21 '08" East, along the centerline of said South "C" Street, 455.04 feet to the intersection of the North line of Lot 17 in Block 2506 of aforementioned Plat of Tacoma Land Company's First Addition to Tacoma, extended Easterly;

Thence South 82°38'52" West, along said Easterly extension, 40.00 feet to the Northeast corner of said Lot 17 and the Point of Beginning;

Thence South 19°19'05" East 32.89 feet;

Thence South 10°59'38" East 59.11 feet to the beginning of a 40.00 foot radius curve, concave Northwest;

Thence, clockwise along the arc of said curve, through a central angle of 54°38'46" a distance of 38.15 feet;

Thence South 43°39'08" West 129.62 feet;

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Thence South 85°40'43" West 7.34 feet to the Northwesterly margin of South Tacoma Way;

Thence North 44°58'09" East, along said Northwesterly margin, 34.44 feet to the beginning of non-tangent curve, concave Northwesterly, from which point a radial center bears North 62°39'10" West 477.00 feet, said Point also being on the Westerly line of that certain area granted to the City of Tacoma and described in Deed filed under Pierce County Auditor Fee Number 1719873;

Thence, counter-clockwise, along the arc of said curve, through a central angle of 24°14'04 " , a distance of 201.76 feet to the North line of said Lot 17;

Thence North 82°35'31" East, along said North line, 8.08 feet to the Point of Beginning;

is hereby vacated, and the land so vacated is hereby surrendered and attached to the property bordering thereon, as a part thereof, and all right or title of the City in and to the portion of the right-of-way so vacated does hereby vest in the owners of the property abutting thereon, all in the manner provided by law; provided, however, that there is hereby retained and reserved, pursuant to the statutes of the state of Washington, the following easements, to-wit:

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Tacoma Water and Environmental Services

An easement shall be reserved over the petitioned-for vacation area for City of Tacoma utilities, including without limitation, water and stormwater/sewer.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Property description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department

Location: The portion of the northwest intersection of South Tacoma Way and South "C" Street lying northerly and westerly of the improved portions of right-of-way

Petitioner: Chainring III LLC
Vacation Req. No. 124.1387



ORDINANCE NO. 28520

1 AN ORDINANCE relating to apprenticeship training programs; amending
2 Chapter 1.90 of the Tacoma Municipal Code to improve the processes
3 and outcomes of the City's Local Employment and Apprenticeship
4 Training Program ("LEAP").

5 WHEREAS the Local Employment and Apprenticeship Training Program
6 ("LEAP") has been a City program since 1997, and requires prime contractors to
7 ensure a certain amount of labor hours on City-funded "public works" are
8 performed by local residents, and

9 WHEREAS Community and Economic Development staff have consulted
10 over the course of a year with internal and external stakeholders, including
11 establishing a LEAP Advisory Committee comprised of City residents, Tacoma
12 Public Utilities ("TPU") ratepayers, and contractors, to assess the effectiveness of
13 the LEAP program, and

14 WHEREAS as a result of the extensive consultation process, staff have
15 identified a number of proposed amendments to the LEAP code to improve its
16 processes and effectiveness, and

17 WHEREAS the proposed amendment addresses program compliance with
18 current federal law, amends threshold language that has resulted in lower
19 utilization of the program, adopts clearly defined apprenticeship utilization goals,
20 clarifies application of the program to Tacoma Public Utility projects, and
21 updates geographic emphasis areas to the contemporary terminology of
22 Economically Distressed Areas, and
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WHEREAS the amendments are intended to improve utilization of the LEAP program and promote more successful outcomes, and

WHEREAS if approved, the effectiveness of the proposed changes to the LEAP code will be reviewed by staff and community stakeholders by November of 2019, and as a result of that review, any necessary or desirable further amendments will be provided to the Council for consideration, and

WHEREAS the proposed changes have been approved by the Tacoma Public Utilities Board, and now may be considered by the Council; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

That Chapter 1.90 of the Tacoma Municipal Code is hereby amended substantially as set forth in the attached Exhibit "A."

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

Chapter 1.90
Local Employment and Apprenticeship Training Program

1.90.030 Definitions.

As used in this chapter, the following terms shall have the following meanings:

A. "Apprentice" shall mean a person enrolled in a course of training specific to a particular construction trade or craft, which training shall be approved by the Washington State Apprenticeship and Training Council established pursuant to RCW 49.04.010.

B. "Building Projects" shall mean all Public Works or Improvements having an Estimated Cost greater than \$750,000.00, and for which a building permit must be issued pursuant to Chapter 1 of the current edition of the state building code (Uniform Building Code).

C. "City" shall mean all divisions and departments of the City of Tacoma, and all affiliated agencies, provided, however, that the Tacoma Community Redevelopment Authority shall not be included within this definition.

D. "Civil Projects" shall mean all Public Works or Improvements that are not defined as a "Building Project," provided that those projects having an Estimated Cost of less than \$250,000.00 shall not be included in this definition.

~~E. "Community Empowerment Zone ("CEZ") shall mean that portion of those census tracts which are situated within the City of Tacoma and designated by the State of Washington as entitled to receive tax incentives because of high levels of poverty and unemployment."~~

F. "Contractor or Service Provider" means a person, corporation, partnership, or joint venture entering into a contract with the City to construct a Public Work or Improvement.

~~G.~~ "Director" shall mean the Director of Community and Economic Development, or the Director's Designee.

~~G.~~ "Economically Distressed ZIP Codes" shall mean ZIP codes in the Tacoma Public Utilities Service Area that meet two out of three (2/3) of the thresholds of:

1. High concentrations of residents living under 200% of the federal poverty line in terms of persons per acre (69th percentile)
2. High concentrations of unemployed people in terms of persons per acre (45th percentile)
3. High concentrations of people 25 years or older without a college degree in terms of persons per acre (75th percentile)

Said thresholds shall be updated within 30 days following any Prevailing Wage updates issued by the Washington State Labor and Industry. All updates are to be published on the first business day in August and in February of each calendar year.

H. "Electrical Utility" and "Water Utility" shall mean, respectively, the Light Division of the Department of Public Utilities of the City of Tacoma, and shall include the electrical and telecommunications services of that Division, and the Water Division of the Department of Public Utilities of the City of Tacoma.

I. "Estimated Cost" shall mean the anticipated cost of a Public Work or Improvement, as determined by the City, based upon the expected costs of materials, supplies, equipment, and labor, but excluding taxes and contingency funds.

J. "Estimated Labor Hours" shall mean the anticipated number of Labor Hours determined by the City to be necessary to construct a Public Work or Improvement and set forth in the specifications for the project,



or as may be subsequently revised due to contract or project adjustment, or pursuant to an agreed upon change order.

1 K. “Existing Employee” shall mean an employee whom the Contractor or Service Provider can
2 demonstrate was actively employed by the Contractor or Service Provider for at least 1000 hours in the
3 calendar year prior to bid opening plus one month following bid opening, and who was performing work
in the construction trades.

4 L. “Labor Hours” shall mean the actual number of hours worked by workers receiving an hourly wage
5 who are employed on the site of a Public Work or Improvement, and who are subject to state or federal
6 prevailing wage requirements. The term “Labor Hours” shall include hours performed by workers
7 employed by the Contractor or Service Provider and all Subcontractors, and shall include additional hours
8 worked as a result of a contract or project adjustment or pursuant to an agreed upon change order. The
9 term “Labor Hours” shall not include hours worked by workers who are not subject to the prevailing
10 wage requirements set forth in either RCW 39.12 or the Davis-Bacon Act - 40 U.S.C. 276 (a).

11 M. “LEAP Coordinator” shall mean the City of Tacoma staff member who administers LEAP.

12 ~~M~~N. “LEAP Program” or “Program” shall mean the City of Tacoma’s Local Employment and
13 Apprenticeship Training Program, as described in this chapter.

14 ~~N~~. “Pierce County Apprentice” shall mean any person, not defined as a Resident of the Community
15 Empowerment Zone or Resident of Tacoma, who continues to occupy a dwelling within the boundaries
16 of Pierce County, has a present intent to continue residency within the boundaries of Pierce County, who
17 demonstrates the genuineness of that intent by producing evidence that the person’s presence is more than
18 merely transitory in nature, and who is enrolled in a course of training specific to a particular construction
19 trade or craft, which training shall be approved by the Washington State Apprenticeship and Training
20 Council established pursuant to RCW 49.04.010.

21 ~~O~~. “Pierce County Veteran” shall mean any person, not defined as a Resident of the Community
22 Empowerment Zone, Tacoma Youth, or Pierce County Youth, who served for any length of time in any
23 military service branch and who continues to occupy a dwelling within the boundaries of Pierce County,
24 has a present intent to continue residency within the boundaries of Pierce County, and who demonstrates
25 the genuineness of that intent by producing evidence that the person’s presence is more than merely
26 transitory in nature.

“LEAP Regulations” or “Regulations” shall mean the rules and practices established in this document.

27 P. ~~“Pierce County Youth” shall mean any person, not defined as a Resident of the Community
28 Empowerment Zone or Tacoma Youth, between the ages of 18-24 who continues to occupy a dwelling
29 within the boundaries of Pierce County, has a present intent to continue residency within the boundaries
30 of Pierce County, and who demonstrates the genuineness of that intent by producing evidence that the
31 person’s presence is more than merely transitory in nature.~~

“LEAP Utilization Plan” shall mean the document submitted by the Contractor to the LEAP Coordinator
which outlines how the associated goals will be met on the project.

32 Q. “Priority Hire Resident” shall mean any resident within the Economically Distressed ZIP Codes.

33 R. “Project Engineer” shall mean the City employee who directly supervises the engineering or
34 administration of a particular construction project subject to this chapter.

35 S. “Public Work or Improvement” shall have the same meaning as provided in Section 39.04.010 RCW,
36 as that Section may now exist or hereafter be amended.

~~S~~. “Resident of the Community Empowerment Zone” (“CEZ Resident”) shall mean any person who
continues to occupy a dwelling within the boundaries of the Community Empowerment Zone, has a
present intent to continue residency within the boundaries of the Community Empowerment Zone, and
who demonstrates the genuineness of that intent by producing evidence that the person’s presence is more
than merely transitory in nature; provided, however, that an individual initially certified as a CEZ



1 Resident shall retain such certification status for a period of up to 2 years or 1,000 Labor Hours worked
2 from the date of initial certification, whichever is less, and such certification shall be recognized for any
3 Civil Project, Building Project, or Service Contract covered by this chapter for said certification period.
4 For example, if an individual initially certified as a CEZ Resident on January 1 of calendar year 1 on
5 project A works 900 hours in that calendar year on project A, and is thereafter hired to work 700 hours in
6 year 2 on project B, the individual will retain his or her CEZ status for all hours worked on project B;
7 provided, if the individual commences work on project C after he or she has worked 100 or more hours
8 on project B in year 2, and is no longer a CEZ Resident, the Contractor for project C will not be eligible
9 to count the hours worked by said individual as hours worked by a CEZ resident.

10 T. "Resident of Tacoma" shall mean any person, not defined as a Resident of the Economically
11 Distressed ZIP Codes within the Tacoma Public Utilities Service Area, who continues to occupy a
12 dwelling within the boundaries of the City of Tacoma, has a present intent to continue residency within
13 the boundaries of the City, and who demonstrates the genuineness of that intent by producing evidence
14 that the person's presence is more than merely transitory in nature.

15 U. "Resident of Tacoma Power Hydro Project Areas" shall mean any person who continues to occupy a
16 dwelling within the boundaries of the Cowlitz, Cushman, Wynoochee, and Nisqually Hydroelectric
17 projects which are located in Lewis, Mason, Grays Harbor, Pierce, and Thurston counties; has a present
18 intent to continue residency within the boundaries of the Tacoma Power Hydro Project Areas; and who
19 demonstrates the genuineness of that intent by producing evidence that the person's presence is more than
20 merely transitory in nature.

21 ~~V. "Seattle's (City of) Duwamish and White Center Community Empowerment Zone" ("CEZ") shall
22 mean that portion of those census tracts which are situated within the City of Seattle and designated by
23 the state of Washington as entitled to receive tax incentives because of the high levels of poverty and
24 unemployment. See Figure 1.~~

25 ~~W. "Service Area - Electrical" or "Electrical Service Area" shall mean that area served with retail sales
26 by the Electrical Utility of the City of Tacoma at the time a bid is published by the Electrical Utility for a
Public Work or Improvement to be performed primarily for the Electrical Utility.~~

~~XV. "Service Area - Water" or "Water Service Area" shall mean that area served with retail sales by the
water utility of the City of Tacoma at the time a bid is published by the water utility for a Public Work or
Improvement to be performed primarily for the water utility.~~

~~XW. "Service Contract" shall mean all City contracts relating to a Public Work or Improvement which
utilize labor at a City site and which are not within the exceptions to nor defined as "Building Projects" or
"Civil Projects."~~

~~ZX. "Subcontractor" means a person, corporation, partnership, or joint venture that has contracted with
the Contractor or Service Provider to perform all or part of the work to construct a Public Work or
Improvement by a Contractor.~~

~~AA.Y. "Tacoma Public Utilities" means the City of Tacoma, Department of Public Utilities.~~

~~YZ. "Tacoma Public Utilities Service Area" shall mean every ZIP code listed by Tacoma Public Utilities
as an area that either receives services or maintains infrastructure to provide services.~~

~~AA. "Tacoma Apprentice" shall mean any person who continues to occupy a dwelling within the
boundaries of the City of Tacoma, has a present intent to continue residency within the boundaries of the
City of Tacoma, who demonstrates the genuineness of that intent by producing evidence that the person's
presence is more than merely transitory in nature, and who is enrolled in a course of training specific to a
particular construction trade or craft, which training shall be approved by the Washington State
Apprenticeship and Training Council established pursuant to RCW 49.04.010.~~

~~BB. "Tacoma Power Hydro Project Areas" shall mean those areas within the boundaries of the Cowlitz,
Cushman, Wynoochee, and Nisqually Hydroelectric projects, which are located in Lewis, Mason, Grays
Harbor, Pierce, and Thurston counties.~~



1 CC. "Tacoma Veteran" shall mean any person, not defined as a Resident of the Community
 2 Empowerment Zone or Tacoma Youth, who served for any length of time in any military service branch
 and who continues to occupy a dwelling within the boundaries of the City of Tacoma, has a present intent
 to continue residency within the boundaries of the City, and who demonstrates the genuineness of that
 intent by producing evidence that the person's presence is more than merely transitory in nature.

3 DD. "Tacoma Water's Green River Headworks and Watershed Area" shall mean that area in King County
 4 that is served with retail sales by the water utility of the City of Tacoma at the time a bid is published by
 the water utility for a public work or improvement to be performed primarily for the water utility." See
 Figure 2.

5 EE. "Tacoma Youth Resident" shall mean any person, not defined as a Resident of the Community
 6 Empowerment Zone, between the ages of 18-24 who continues to occupy a dwelling within the
 boundaries of the City of Tacoma, has a present intent to continue residency within the boundaries of the
 City, and who demonstrates the genuineness of that intent by producing evidence that the person's
 7 presence is more than merely transitory in nature.

8 ZAA. Washington State Labor and Industry Prevailing Wage shall mean the hourly wage, usual benefits
 and overtime, paid in the largest city in each county, to the majority of workers, laborers, and mechanics.
 9 Prevailing wages are established, by the Department of Labor & Industries, for each trade and occupation
 employed in the performance of public work. They are established separately for each county, and are
 10 reflective of local wage conditions.

11 (Ord. 28147 Ex. B; passed May 7, 2013; Ord. 28110 Ex. C; passed Dec. 4, 2012; Ord. 27815 Ex. A;
 12 passed Jun. 30, 2009; Ord. 27368 § 1; passed Jun. 21, 2005; Ord. 26698 § 1; passed Sept. 12, 2000;
 Ord. 26301 § 1; passed Oct. 6, 1998)

13 **1.90.040 LEAP goals.**

14 A. Utilization Goals.

15 1. All Contractors constructing Civil Projects or Building Projects, and all Service Providers involved
 with the construction of a Public Work or Improvement, shall ensure that ~~the lesser of~~ at least 15 percent
 16 of the total Labor Hours actually worked on the Project, ~~or 15 percent of the Estimated Labor Hours,~~ are
 performed by persons having their residence within the boundaries of the City of Tacoma or
~~Economically Distressed ZIP Codes, whether or not any such person is an Apprentice, or by Apprentices
 who are residents of Pierce County, unless as adjusted per subsection B below.~~

17 a. The thresholds for this section shall be \$250,000.00 for Civil Projects and \$750,000.00 for Building
 18 Projects.

19 2. ~~Twenty five percent (25%) of the Labor Hours or Estimated Labor Hours identified as the LEAP
 Utilization Goal above shall have work performed by a CEZ Resident; provided, however, that the
 Utilization Goal Estimated Labor Hours are subject to adjustment as provided in subsection B below.~~

20 Fifteen percent (15%) of the Total Labor Hours on contracts above one-million dollars (\$1,000,000.00)
 21 shall have work performed by Apprentices who are residents of the Tacoma Public Utilities Service Area
 consistent with RCW 39.04.320(1)(a), subject to waiver based on exceptions as specified in RCW
 22 39.04.320(2)(a), (b), and (c).

23 3. ~~If the Project is located within the Tacoma Power Hydro Project Areas, then 25 percent of the Labor
 Hours or Estimated Labor Hours identified as the LEAP Utilization Goal above in subsection A.1 or A.2
 may be work performed by a Resident of the Tacoma Power Hydro Project Areas in which the Building
 24 Project, Civil Project, or Service Contract is located; provided however, that the Utilization Goal
 Estimated Labor Hours are subject to adjustment as provided in this section.~~

25 Labor Hours performed by non-residents of the State of Washington will be deducted from a project's
 26 total Labor Hours for purposes of determining compliance with the requirements of this chapter.



1 4. If the Project is within the Tacoma Water Green River Headworks and Watershed Area, then the
 2 25 percent requirement of the Labor Hours or Estimated Labor Hours identified in subsection A.1 or A.2
 3 above as the LEAP Utilization Goal may be work performed by Apprentices who reside in King County
 4 or by a Resident of the Duwamish and White Center CEZ or of Tacoma Water Green River Headworks
 5 and Watershed Area in which the Building Project, Civil Project, or Service Contract is located; provided
 6 however, that the Utilization Goal Estimated Labor Hours are subject to adjustment as provided in this
 7 section.

8 5. All Contractors and Service Providers shall submit a LEAP Utilization Plan as provided for in the
 9 regulations adopted under this chapter, and shall meet with the LEAP Coordinator to review said Plan
 10 prior to being issued a Notice to Proceed. Failure to submit a LEAP Utilization Plan may be grounds for
 11 the City to withhold remittance of a progress payment until such Plan is received from the responsible
 12 Contractor or Provider. A meeting with the LEAP Coordinator prior to issuance of a Notice to Proceed
 13 shall be excused only when the LEAP Coordinator is unavailable to meet prior to the scheduled date for
 14 issuance of the Notice to Proceed and the Contractor and the LEAP Coordinator have otherwise
 15 scheduled a meeting for the coordinator to review the Contractor's or Provider's plan.

16 The Contractor or Service Provider shall be responsible for meeting the LEAP utilization goal
 17 requirements of the contract, including all amendments and change orders thereto, and shall be
 18 responsible for overall compliance for all hours worked by Subcontractors. To the extent possible, the
 19 Contractor or Service Provider shall recruit Apprentices from multiple trades or crafts.

20 B. ~~Adjustments.~~

21 ~~Contractors and Service Providers may achieve compliance with their LEAP Utilization Goal obligation
 22 through any combination of the following:~~

- 23 1. ~~The number of hours worked by a Resident of the CEZ or Seattle's Duwamish and White Center CEZ
 24 shall be multiplied by two;~~
- 25 2. ~~The number of hours worked by a Tacoma Youth, Tacoma Veteran or Tacoma Apprentice shall be
 26 multiplied by 1.5;~~
- 27 3. ~~The number of hours worked by a Resident of Tacoma, Pierce County Youth, Pierce County Veteran
 28 or a Pierce or King County Apprentice shall be multiplied by 1;~~
- 29 4. ~~The number of hours worked by a Tacoma Power Hydro Project Areas Resident shall be multiplied by
 30 1.~~
- 31 5. ~~Should the Contractor or Service Provider be unable to satisfy the sub-utilization goal requirement that
 32 25 percent of the utilization goal hours be worked by CEZ Residents, the Contractor or Service Provider
 33 shall cure such deficiency by achieving a 2 for 1 ratio of hours worked by a Pierce County Apprentice,
 34 Pierce County Youth, Pierce County Veteran, Tacoma Power Hydro Project Areas Resident, or Resident
 35 of Tacoma for every unmet CEZ Resident labor hour until the CEZ deficiency is met. For example, if a
 36 Contractor has a total LEAP utilization goal of 20 hours, but is only able to achieve 4 of the 5 sub-goal
 labor hours, then the Contractor must achieve a total of 17 non-CEZ Resident labor hours to satisfy the
 deficiency (15 non-sub-goal hours plus 2 labor hours for the 1 missed sub-goal hour).~~
- 37 6. ~~For projects in the Tacoma Water Green River Headworks and Watershed Area, should the Contractor
 38 or Service Provider be unable to satisfy the subutilization goal requirement that 25 percent of the
 39 utilization goal hours be worked by CEZ Residents, the Contractor or Service Provider shall cure such
 40 deficiency by achieving a 2 for 1 ratio of hours worked by a King County Apprentice or Duwamish and
 41 White Center CEZ resident for every unmet CEZ Resident labor hour until the deficiency is met.~~

42 ~~C. Failure to Meet Utilization Goal.~~

43 1. Contracts for the construction of Building projects or Civil projects and Service Contracts shall provide
 44 that Contractors or Service Providers failing to meet the LEAP utilization goals shall be assessed an
 45 amount for each hour that is not achieved. The amount per hour shall be based on the extent the
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Contractor or Service Provider met its goal. The amount per hour that shall be assessed shall be as follows:

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Percent of Goal Met	Assessment per unmet hour
100%	\$ 0.00
90% - 99%	\$ 2.00
75% to 89%	\$ 3.50
50% to 74%	\$ 5.00
1% to 49%	\$ 7.50
0%	\$10.00

When determining the percent of goal that is met, all rounding shall be down to the nearest whole percent. No penalty shall be waived by the City unless it is determined by the Director to be in the best interests of the City, which determination shall be made after consultation with the LEAP Coordinator.

2. Deposit of Assessments. All assessments imposed pursuant to this section shall be deposited into a separate account and utilized to support the City’s pre-apprenticeship and training program. The policies and regulations adopted by the City Manager and Director of Utilities pursuant to this chapter shall address issues pertaining to a Contractor’s existing workforce. Contributions need not be made for Labor Hours that have been adjusted in accordance with Section 1.90.040(E).

DC. LEAP Reports. Notwithstanding the provisions of TMC 1.90.100, the Director shall, not less than annually, publish a LEAP report setting forth Contractor compliance with this chapter. Said report shall include information on all contracts and all Contractors to which this chapter applies, and shall detail the level and nature of LEAP participation by contract and by Contractor, The Director’s LEAP report may include such other information as may be helpful to assuring fair and accurate representation of the contracts, Contractors or projects covered in the report. The Director’s LEAP reports may be considered by the Board of Contracts and Awards in its determinations as to bidder responsibility.

ED. LEAP Goal Adjustments.

1. LEAP utilization goals may be adjusted prior to bid opening and/or as a result of a contract amendment or change order on a Building Project, Civil Project, or Service Contract.

a. If LEAP utilization goals are adjusted prior to bid opening, they shall be set forth in the bid or Request For Proposal advertisement and specification documents or in an addendum timely provided to prospective bidders, provided that such adjustment shall be based upon a finding by the Project Engineer that the reasonable and necessary requirements of the contract render LEAP utilization unfeasible at the required levels. The Director shall concur with the Project Engineer’s finding, provided that should the Project Engineer and the Director fail to reach agreement on the Project Engineer’s finding, then in that circumstance the matter shall be referred to the City Manager or the Director of Utilities, as appropriate, for ultimate resolution. Notwithstanding any other provision of this chapter to the contrary, the decision of the City Manager or the Director of Utilities with regard to LEAP goal adjustment may not be appealed.

b. If LEAP utilization goals are adjusted due to contract amendment or change order, the amount of adjustment shall be consistent with the utilization goals set forth in this chapter and shall be determined pursuant to regulations adopted pursuant to this chapter for administration of LEAP utilization goal adjustments.

2. The methodology of determining the appropriate adjustments to LEAP utilization goals shall be determined in consultation with the LEAP Advisory Committee, established pursuant to this ordinance for so long as the LEAP Advisory Committee remains in existence.



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3. LEAP utilization goals shall not apply to those portions of a project that are funded by sources other than (a) City funds, or (b) funds which the City expends or administers in accordance with the terms of a grant to the City, provided that the Project Engineer shall notify the Director of such non-application prior to bid advertisement. For the purposes of this paragraph, credits extended by another entity for the purpose of providing project funding shall not be considered to be City funds.

FE. Utilization - Electrical Projects Outside Electrical Service Area. Civil Projects or Building Projects that are constructed primarily for the benefit or use by the City’s Electrical Utility, which are wholly situated outside the Electrical Service Area, and for which the estimated cost is less than \$1,000,000.00, are exempt from the requirements of this chapter.

GF. Utilization - Water Projects Outside Water Service Area. Civil Projects or Building Projects that are constructed primarily for the benefit or use by the City’s water utility, which are wholly situated outside the Water Service Area, and for which the estimated cost is less than \$1,000,000.00 are exempt from the requirements of this chapter.

G. Utilization –Projects Outside Tacoma Public Utilities Service Area. Civil Projects or Building Projects that are constructed primarily for the benefit or use by Tacoma Public Utilities, which are wholly situated outside the retail service area of the Tacoma Public Utilities Service Area, and for which the estimated cost is less than \$1,000,000.00 are exempt from the requirements of this chapter. Projects wholly situated outside the Tacoma Public Utilities Service Area, and for which the estimated cost is more than \$1,000,000.00, shall be exempt from 15% utilization goal specified in subsection A1. of this section. The 15% utilization goal specified in subsection A2. of this section may be met if project work is performed by Apprentices who are enrolled in a course of training specific to a particular construction trade or craft, provided such training has been approved by the Washington State Apprenticeship and Training Council in accordance with Chapter 49.04, RCW.

H. Emergency. This chapter shall not apply in the event of an Emergency. For the purposes of this section, an “Emergency” means unforeseen circumstances beyond the control of the City that either: (a) present a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

I. Conflict with State or Federal Requirements. If any part of this chapter is found to be in conflict with federal or state requirements which are a prescribed condition to the allocation of federal or state funds to the City, then the conflicting part of this chapter is inoperative solely to the extent of the conflict and with respect to the City departments directly affected. This provision does not affect the operation of the remainder of this chapter. Administrative rules or regulations adopted under this chapter shall meet federal and state requirements which are a necessary condition to the receipt of federal or state funds by the City.

(Ord. 28147 Ex. B; passed May 7, 2013; Ord. 27815 Ex. A; passed Jun. 30, 2009; Ord. 27368 § 2; passed Jun. 21, 2005; Ord. 26992 § 1; passed Oct. 15, 2002; Ord. 26698 § 2; passed Sept. 12, 2000; Ord. 26301 § 1; passed Oct. 6, 1998)

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