Legislation Passed June 4, 2019

The Tacoma City Council, at its regular City Council meeting of June 4, 2019, 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. 40334**
A resolution authorizing the execution of an Interlocal Agreement with the Port of Tacoma in the amount of $500,000, accepting and depositing said sum into the Transportation Capital Fund, for the replacement of a portion of the Fishing Wars Memorial Bridge.
[Chris Storey, Project Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 40335**
A resolution appointing and reappointing individuals to the City Events and Recognitions Committee.
[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]

**Resolution No. 40336**
A resolution appointing and reappointing individuals to the Human Services Commission.
[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]

**Resolution No. 40337**
A resolution appointing and reappointing individuals to the Planning Commission.
[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]

**Resolution No. 40338**
A resolution awarding a contract to R.L. Alia Company, in the amount of $1,560,162.40, plus applicable taxes, plus a 15 percent contingency, for a total of $1,794,186.76, budgeted from various departmental funds, to replace aging water distribution, wastewater, and surface water pipes, and install new street improvements along South Puget Sound Avenue between South 50th and 54th Streets - Specification No. ES18-0163F.
[Eric Johnson, P.E., Assistant Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]
Resolution No. 40339
A resolution authorizing an increase to the contract with Best Parking Lot Cleaning, Inc., in the amount of $175,000, plus applicable taxes, for a total of $407,535, budgeted from the Solid Waste Fund, for continued vactor truck and cleaning services for the oil/water separators, sumps, vaults, and catch basins at the Tacoma Recovery and Transfer Center, through May 31, 2020 - Specification No. ES14-0646F.
[Shane Pettit, Assistant Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 40340
A resolution authorizing an increase to the contract with RailPros Field Services Inc., in the amount of $250,000, plus applicable taxes, for a total of $450,000, budgeted from the Transportation Capital Fund, for continued railroad inspection and flagging services for the Fishing Wars Memorial Bridge project - Direct Negotiation.
[Chris Storey, Project Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 40341
A resolution authorizing an increase to the contract with Comprehensive Life Resources, in the amount of $80,000.00, plus applicable taxes, for a total of $2,869,176.85, budgeted from the Mental Health Fund, for youth and young adult shelter services - Direct Negotiation.
[Erica Azcueta, Homelessness and Household Stability Program Manager; Linda Stewart, Director, Neighborhood and Community Services]

Resolution No. 40342
A resolution authorizing an amendment to the agreement with EarthCorps, in an amount not to exceed $247,240.97, for a total of $440,524.97, budgeted from the Surface Water Fund, to continue to manage volunteers who assist in the restoration and care of the City’s passive open spaces, through December 31, 2021.
[Eric Johnson, P.E., Assistant Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 40343
A resolution approving a change order to complete renovations and repairs to the Pantages Theater and Jones Building; approving agreements to fund a portion of the project costs in return for Federal Historic Tax Credits; and directing the City Manager, or her designee, authority to approve final forms of the agreements and related documents.
[Teresa Sedmak, City Treasurer; Andy Cherullo, Director, Finance]

Ordinance No. 28586
An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for the position of City Manager, retroactive to May 16, 2019.
[Kari L. Louie, Senior Compensation and Benefits Manager; Gary Buchanan, Director, Human Resources]
RESOLUTION NO. 40334

A RESOLUTION relating to public works; authorizing the execution of an Interlocal Agreement with the Port of Tacoma, in the amount of $500,000, budgeted from the Transportation Capital Fund, for the replacement of a portion of the Fishing Wars Memorial Bridge.

WHEREAS on January 6, 2009, the City Council adopted Resolution No. 37693, authorizing an amendment to an existing 2004 Alexander Avenue Interlocal Agreement (“Agreement”) with the Port of Tacoma (“Port”) to cooperatively seek full funding for the Hylebos Bridge Project (“Hylebos”), and

WHEREAS in this agreement the Port committed to an additional $9.97 million in future right-of-way vacation funding to fill the funding gap for the Hylebos project, and

WHEREAS in the first quarter of 2012 it appeared that the Port’s commitment to the Hylebos project would be $1.8 to $2.3 million less than the $11.97 million total contribution, and the City asked the Port Commission to consider a $500,000 contribution toward the rehabilitation of the three westerly bridge sections of the Fishing Wars Memorial Bridge (“Bridge”), and

WHEREAS it was the City’s hope to leverage the Port’s commitment for additional grants to fill a multi-million dollar funding gap for the estimated $42 million bridge project, and

WHEREAS the funding partnership request for the bridge project was based on the following: (1) a 2006 study showed approximately five percent of the bridge traffic was destined for or departing from Port facilities; (2) the bridge is located at an approximate central point on the Puyallup Avenue/Pacific Highway

-1-
corridor, which serves over 100 manufacturing businesses, and a major
corporate sector in the Tacoma/Fife/Port region; (3) few alternative routes with
sufficient volume and weight capacity are available that serve Port facilities;
(4) the Port’s commitment may leverage partnership dollars with the City of Fife
and Burlington Northern Santa Fe Railroad; and, (5) the proposed bridge design
provides for requirements mandated by the Federal Railroad Administration to
allow for future rail tracks to be constructed under the bridge, and

WHEREAS a Letter of Intent was sent to former Mayor Strickland from the
Port conveying the Port’s agreement to re-direct $500,000 of the expected savings
from the Hylebos project contribution as a partial match for additional City grant
applications for the bridge reconstruction, and in 2016 the City obtained sufficient
funding to finalize the project budget and advance the design build option, and

WHEREAS during a financial review of the bridge project and subsequent
discussions with the Port, it was determined that the agreement to re-direct
$500,000 was never finalized in an interlocal agreement (“ILA”), and on May 9,
2019, the Port authorized execution of the ILA with the City, for an amount not to
exceed $500,000, to replace a portion of the bridge; Now, Therefore,
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute an Interlocal Agreement with the Port of Tacoma to accept the amount of $500,000 for the replacement of a portion of the Fishing Wars Memorial Bridge.

Adopted ______________________

______________________________ Mayor

Attest:

______________________________ City Clerk

Approved as to form:

______________________________ Deputy City Attorney
RESOLUTION NO. 40335

BY REQUEST OF DEPUTY MAYOR McCARTHY AND COUNCIL MEMBERS HUNTER, THOMS, AND USHKA

A RESOLUTION relating to committees, boards, and commissions; appointing and reappointing individuals to the City Events and Recognitions Committee.

WHEREAS vacancies exist on the City Events and Recognitions Committee, and

WHEREAS, at its meeting of May 14, 2019, the Economic Development Committee conducted interviews and recommended the appointment and reappointment of individuals to said committee, and

WHEREAS, pursuant to the City Charter Section 2.4 and the Rules, Regulations, and Procedures of the City Council, the persons named on Exhibit “A” have been nominated to serve on the City Events and Recognitions Committee;

Now, Therefore,

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

That those nominees to the City Events and Recognitions Committee, listed on Exhibit “A,” are hereby confirmed and appointed or reappointed as members of such committee for such terms as are set forth on the attached Exhibit “A.”

Adopted ____________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
City Attorney

-1-
EXHIBIT “A”

CITY EVENTS AND RECOGNITIONS COMMITTEE

Appointing Adela Schoolderman to the “At-Large No. 1” position to fill an unexpired term to expire June 30, 2020, followed by a three-year term to expire June 30, 2023.

Reappointing Ashley Jones to the “Council District No. 4” position to serve a three-year term, effective July 1, 2019, to expire June 30, 2022.
RESOLUTION NO. 40336

BY REQUEST OF COUNCIL MEMBERS BLOCKER, THOMS, AND USHKA

A RESOLUTION relating to committees, boards, and commissions; appointing and reappointing individuals to the Human Services Commission.

WHEREAS vacancies exist on the Human Services Commission, and

WHEREAS, at its meeting of May 23, 2019, the Community Vitality and Safety Committee conducted interviews and recommended the appointment and reappointment of individuals to said commission, and

WHEREAS, pursuant to the City Charter Section 2.4 and the Rules, Regulations, and Procedures of the City Council, the persons named on Exhibit “A” have been nominated to serve on the Human Services Commission; Now,

Therefore,

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

That those nominees to the Human Services Commission, listed on Exhibit “A,” are hereby confirmed and appointed or reappointed as members of such commission for such terms as are set forth on the attached Exhibit “A.”

Adopted ____________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
City Attorney
EXHIBIT “A”

HUMAN SERVICES COMMISSION

Appointing Uhmavateykalyaney Chim to serve a three-year term to expire May 31, 2022.

Appointing Rebecca Stith to serve a three-year term to expire May 31, 2022.

Appointing Magdalena Stickel to fill an unexpired term to expire May 31, 2021.

Appointing Luis Beltran to fill an unexpired term to expire May 31, 2020, followed by a three-year term to expire May 31, 2023.

Reappointing Rahn Clayton to serve a three-year term to expire May 31, 2022.

Reappointing Jason Grube to serve a three-year term to expire May 31, 2022.

Reappointing Elizabeth Pebley to serve a three-year term to expire May 31, 2022.
RESOLUTION NO. 40337

BY REQUEST OF DEPUTY MAYOR McCARTHY AND COUNCIL MEMBERS BEALE, IBSEN, AND MELLO

A RESOLUTION relating to committees, boards, and commissions; appointing and reappointing individuals to the Planning Commission.

WHEREAS vacancies exist on the Planning Commission, and

WHEREAS, at its meeting of May 22, 2019, the Infrastructure, Planning, and Sustainability Committee conducted interviews and recommended the appointment and reappointment of individuals to said commission, and

WHEREAS, pursuant to the City Charter Section 2.4 and the Rules, Regulations, and Procedures of the City Council, the persons named on Exhibit “A” have been nominated to serve on the Planning Commission; Now, Therefore,

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

That those nominees to the Planning Commission, listed on Exhibit “A,” are hereby confirmed and appointed or reappointed as members of such commission for such terms as are set forth on the attached Exhibit “A.”

Adopted ____________________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
City Attorney
EXHIBIT “A”

PLANNING COMMISSION

Appointing Alyssa Torrez to the “Council District No. 4” position to serve a three-year term, effective July 1, 2019, to expire June 30, 2022.

Reappointing Ryan Givens to the “Architecture, Historic Preservation, and/or Urban Design” position to serve a three-year term, effective July 1, 2019, to expire June 30, 2022.

Reappointing Anna Petersen to the “Environmental Community” position to serve a three-year term, effective July 1, 2019, to expire June 30, 2022.
RESOLUTION NO. 40338

A RESOLUTION related to the purchase of materials, supplies or equipment, and the furnishing of services; authorizing the execution of a contract with R.L. Alia Company, in the amount of $1,560,162.40, plus a 15 percent contingency, for a cumulative total of $1,794,186.76, plus applicable taxes, budgeted from various departmental funds, to replace aging water distribution, wastewater, and surface water pipes, and install new street improvements along South Puget Sound Avenue between South 50th and 54th Streets, pursuant to Specification No. ES18-0163F.

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 R.L. Alia Company, in the amount of $1,560,162.40, plus a 15 percent contingency, for a cumulative total of $1,794,186.76, plus applicable taxes, budgeted from various departmental funds, to replace aging water distribution, wastewater, and surface water pipes, and install new street
improvements along South Puget Sound Avenue between South 50th and 54th Streets, pursuant to Specification No. ES18-0163F, consistent with Exhibit “A.”

Adopted ______________________

________________________________
Mayor

Attest:

________________________________
City Clerk

Approved as to form:

________________________________
City Attorney
RESOLUTION NO. 40339

A RESOLUTION related to the purchase of materials, supplies or equipment, and the furnishing of services; authorizing the increase of Contract No. 4600010919 with Best Parking Lot Cleaning, Inc., in the amount of $175,000, for a cumulative total of $407,535, plus applicable taxes, budgeted from the Solid Waste Fund, for continued vactor truck and cleaning services for the oil/water separators, sumps, vaults, and catch basins at the Tacoma Recovery and Transfer Center, through May 31, 2020, pursuant to Specification No. ES14-0646F.

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 increase Contract No. 4600010919 with Best Parking Lot Cleaning, Inc., in the amount of $175,000, for a cumulative total of $407,535, plus applicable taxes, budgeted from the Solid Waste Fund, for continued vactor truck and cleaning services for the oil/water separators, sumps, vaults, and catch basins at the
Tacoma Recovery and Transfer Center, through May 31, 2020, pursuant to Specification No. ES14-0646F, consistent with Exhibit “A.”

Adopted ________________________

_____________________________
Mayor

Attest:

_____________________________
City Clerk

Approved as to form:

_____________________________
City Attorney
RESOLUTION NO. 40340

A RESOLUTION related to the purchase of materials, supplies or equipment, and the furnishing of services; authorizing the waiver of competitive procurement procedures due to direct negotiation; and authorizing the execution of a contract with RailPros Field Services Inc, in the amount of $250,000, for a cumulative total of $450,000, plus applicable taxes, budgeted from the Transportation Capital Fund, for continued railroad inspection and flagging services for the Fishing Wars Memorial Bridge project.

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,” and authorizes the waiver of competitive procurement procedures due to direct negotiation.

Section 2. That the proper officers of the City are hereby authorized to enter into a contract with RailPros Field Services Inc, in the amount of $250,000, for a cumulative total of $450,000, plus applicable taxes, budgeted from the Transportation Capital Fund, for continued railroad inspection and
flagging services for the Fishing Wars Memorial Bridge project, consistent
with Exhibit “A.”

Adopted _______________________

____________________________________
Mayor

Attest:

____________________________________
City Clerk

Approved as to form:

____________________________________
City Attorney
RESOLUTION NO. 40341

A RESOLUTION related to the purchase of materials, supplies or equipment, and the furnishing of services; authorizing the increase of Contract No. CW2227270/C574 with Comprehensive Life Resources, pursuant to Direct Negotiation, in the amount of $80,000.00, for a cumulative total of $2,869,176.85, plus applicable taxes, budgeted from the Mental Health Fund, for youth and young adult shelter services.

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 increase Contract No. CW2227270/C574 with Comprehensive Life Resources, pursuant to Direct Negotiation, in the amount of $80,000.00, for a cumulative total of
$2,869,176.85, plus applicable taxes, budgeted from the Mental Health Fund, for youth and young adult shelter services, consistent with Exhibit “A.”

Adopted _________________

__________________________
Mayor

Attest:

__________________________
City Clerk

Approved as to form:

__________________________
City Attorney
A RESOLUTION relating to management of passive open space volunteers; authorizing the increase and extension of Contract No. CW2221052 with EarthCorps, not to exceed $247,240.97, for a cumulative contract amount of $440,524.97, budgeted from the Environmental Services Surface Water Fund, to continue to manage volunteers who assist in the restoration and care of the City’s passive open spaces, through December 31, 2021.

WHEREAS, in 2016, the City of Tacoma (“City”) developed a Passive Open Space 20-Year Restoration Plan, and

WHEREAS, the City has contracted with EarthCorps on August 1, 2017 to manage passive open space volunteers, and

WHEREAS, EarthCorps developed a robust volunteer training program and tripled the number of volunteer hours in one year resulting in 1,016 volunteer hours in 2018, and

WHEREAS, EarthCorps is currently managing volunteers working on seven open space sites and have 61 volunteer events scheduled in 2019, and

WHEREAS, the City’s current contract with EarthCorps was for a two-year period in the amount of $193,284 and a termination date of July 31, 2019, and

WHEREAS, the City would like to continue to work with EarthCorps to continue the momentum it has created, and

WHEREAS, it is in the best interests of the City to enter into the proposed amendment with EarthCorps to extend the existing contract for a two year and five month period with a new termination date December 31, 2021 and increase compensation in the amount of $247,240.97 raising the previous to not exceed the total amount of $440,524.97; Now, Therefore,
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute an amendment to extend Contract No. CW22221052 with EarthCorps to a new termination date of December 31, 2021 and increase compensation in the amount of $247,240.97 raising the previous do not exceed amount to a total amount of $440,524.97, budgeted from the Environmental Services Surface Water Fund, to continue to manage volunteers who assist in the restoration and care of the City’s passive open spaces, said agreement to be substantially in the form of the agreement on file in the office of the City Clerk.

Adopted ________________

________________________________________
Mayor

Attest:

________________________________________
City Clerk

Approved as to form:

________________________________________
City Attorney
RESOLUTION NO. 40343

A RESOLUTION relating to renovations and repairs to the Pantages Theater and Jones Building; approving a change order to complete the renovations and repairs; approving agreements to fund a portion of the project costs in return for Federal Historic Tax Credits; and delegating to the City Manager or her designee authority to approve final forms of the agreements and related documents.

WHEREAS Tacoma Arts Live (formerly the Broadway Center for the Performing Arts or “BCPA”) operates the Pantages Theater, Jones Building (“Pantages Theater”), and adjacent Rialto for the City, and

WHEREAS, Tacoma Arts Live makes the Theaters available to various community performing arts groups in furtherance of the City’s desire to provide a performing arts center for the benefit of the public, and

WHEREAS the Pantages Theater had not been updated since 1982 and requires repair and renovation to restore the historic interior and other areas within the Pantages Theater, including to meet current code requirements, and

WHEREAS, the repair and renovation project will enhance operations, long-range marketability of the facility, and patrons’ experiences, and

WHEREAS, on December 17, 2017, the City Council approved Resolution No. 39899 consenting to TCRA leasing the Pantages Building to a tax credit entity to be in a position to access Federal Historic Tax Credits (“FHTC”) and New Markets Tax Credits to enable renovations to the Pantages Building, and

WHEREAS, on December 30, 2017, TCRA entered into the necessary leases, and
WHEREAS, on May 8, 2018, the City Council approved Resolution No. 40006 authorizing the City’s assumption and execution of design and construction agreements previously contracted by the BCPA, including a contract with John Korsmo Construction, Inc., d.b.a. Korsmo Construction, for first phase construction including renovations and repairs to the Pantages Theater, Jones Building, and

WHEREAS, the City has been provided with a Letter of Interest outlining the general terms and conditions of a proposed FHTC investment, and

WHEREAS the City now desires to enter into one or more agreements under which the City will take responsibility for the timely completion of the project, the operation of the project once complete, and completion of other prerequisites for the FHTC, and enter into related agreements with other parties, and

WHEREAS, in order to provide for timely completion and provide for the utilization of the proceeds of the Historic Tax Credits, it is necessary to approve change orders with Korsmo Construction pertaining to the remaining work, including doors, brick and sidewalk repairs, elevator work, and a related outside staircase for the adjacent Rialto Theater; Now, Therefore,

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

That the City of Tacoma authorizes and directs the City Manager or her designee(s) to undertake all actions necessary for the prompt execution and delivery of the agreements necessary for the FHTC transaction, which may include,
but is not limited to, agreements with John Korsmo Construction, Inc., Tacoma Arts Live and/or any other entities necessary to effectuate the Federal Historic Tax Credits ("FHTC") transaction, and further to execute all closing certificates and documents required to effect the closing and delivery of the FHTC transaction, and complete the projects in accordance with the terms of this resolution.

This resolution shall become effective immediately upon its adoption.

Adopted ______________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Deputy City Attorney
ORDINANCE NO. 28586

AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of the Tacoma Municipal Code to implement rates of pay and compensation for the position of City Manager, and declaring the effective dates thereof.

WHEREAS Ordinance No. 28567 provided a general wage increase of 3 percent effective January 1, 2019, for all non-represented classifications excluding the City Manager, and

WHEREAS the City Manager Performance Review Committee recommended a 3 percent general wage increase effective May 16, 2019, to the City Manager's salary schedule and paying the City Manager at step 5B on the new schedule, which is equal to $264,638.40 annually, constituting a $10,899 increase above her current salary, which was approved by the City Council at its regular meeting on May 14, 2019, as Motion 19-0505; Now,

Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended, effective retroactive to May 16, 2019, to read as follows:

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Passed __________________________

Attest: __________________________

Mayor

______________________________
City Clerk

Approved as to form:

______________________________
Deputy City Attorney