



TO: T.C. Broadnax, City Manager
FROM: Kurtis D. Kingsolver, P.E., Public Works Director/City Engineer /142K
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COPY: City Council and City Clerk
SUBJECT: Ordinance – Pierce County Public Transportation Benefit Area Corporation Agreement – June 14, 2016
DATE: April 25, 2016

SUMMARY:

An ordinance approving an agreement, including a general Right-of-Use and a renewal Franchise, between the City of Tacoma and Pierce County Public Transportation Benefit Area Corporation for transit-related infrastructure within City rights-of-way.

STRATEGIC POLICY PRIORITY:

- Ensure all Tacoma residents are valued and have access to resources to meet their needs.
- Assure outstanding stewardship of the natural and built environment.

Approving the agreement allows Pierce County Public Transportation Benefit Area Corporation (Pierce Transit) to continue to serve citizens and businesses within the City of Tacoma. The agreement also serves to protect City infrastructure.

BACKGROUND:

On July 17, 2001, the City Council passed Ordinance No. 26829, which granted a non-exclusive Franchise to Pierce Transit for advertising shelters within City rights-of-way. This franchise term expired in 2012, and has been in holdover status since that time. Prior to the expiration, the City and Pierce Transit began negotiating terms for a renewal franchise for existing and future advertising shelters.

In 2014, City staff made the decision to broaden the scope of the agreement to include a general Right-of-Use for all Pierce Transit infrastructure within City rights-of-way. The agreement included specific processes for gaining City approval for new and relocated bus stops, requirements for repairs, maintenance and construction within City rights-of-way and ADA compliance as well as roles and responsibilities at bus stop locations.

Negotiations have concluded and both parties have agreed to all terms as presented. Real Property Services and City Attorney's Office staff presented this agreement to the Government Performance and Finance Committee on April 20, 2016, and received authorization to forward the agreement to the full Council for consideration.

ISSUE:

Pursuant to Tacoma Municipal Code Section 12.02 Franchises, City Council approval is required before the City can proceed with the franchise renewal with Pierce Transit.

ALTERNATIVES:

City Council could elect to not approve the agreement and instead require Pierce Transit to go through standard City work order processes and obtain Street Occupancy Permits for all work and facilities within the City rights-of-way. This alternative would increase timelines and costs to Pierce Transit and would substantially increase City staff workloads.



RECOMMENDATION:

The Public Works Department recommends City Council approve the agreement, including a general Right-of-Use and a renewal Franchise, between the City of Tacoma and Pierce County Public Transportation Benefit Area Corporation for transit-related infrastructure within City rights-of-way.

FISCAL IMPACT:

This will be the first time these funds are received by the City on a regular basis. The amounts received will vary, based upon the monthly gross revenues received by Pierce Transit from their third party advertising broker. Due to the lack of historical data, the fiscal impact is unknown at this time.