



ORDINANCE NO. 28921

1 AN ORDINANCE amending the renewal period of the current non-exclusive Right
2 of Use Agreement and non-exclusive Franchise between the City of Tacoma
3 and Pierce Transit, extending the renewal term an additional five-years and
4 amending the current expiration from January 1, 2024, to January 1, 2029,
5 for transit-related infrastructure within City rights-of-way.

6 WHEREAS the Pierce County Public Transportation Benefit Area Corporation
7 (“Pierce Transit”) was established under RCW 36.57A and is vested with the powers
8 necessary to construct and operate a public transportation system benefitting Pierce
9 County residents, and

10 WHEREAS, pursuant to Ordinance No. 28365, passed July 12, 2016, the
11 City entered into a non-exclusive Right-of-Use Agreement and non-exclusive
12 Franchise with Pierce Transit, retroactive to January 1, 2014, to construct, install,
13 operate, own, control, repair, and maintain bus stops, shelters, amenities, and
14 advertising shelters within the public right-of-way areas, and

15 WHEREAS the initial term of the agreement was for a five-year period, which
16 expired on January 1, 2019, and

17 WHEREAS the agreement included an option to renew for an additional
18 five-year period, expiring January 1, 2024, which Pierce Transit requested to
19 exercise, and which the City Council approved per Ordinance No. 28535 on
20 November 20, 2018, and

21 WHEREAS during this additional five-year renewal extension, staff from
22 the City and Pierce Transit will work toward an amendment to the agreement,
23 with the intent to establish an extended term and to consider any other
24 adjustments to current language that either party feels are necessary, and

25 WHEREAS, all remaining terms and provisions shall remain unchanged;

26 Now, Therefore,



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BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the extension of the renewal term of the non-exclusive Right-of-Use Agreement and non-exclusive Franchise between the City of Tacoma and Pierce Transit for an additional five-year period, from January 1, 2024, to January 1, 2029, for transit-related infrastructure within City rights-of-way, said document to be substantially in the form of the proposed amendment on file in the office of the City Clerk, is hereby approved.

Section 2. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney