ORDINANCE NO. 28535

AN ORDINANCE relating to City real property and right-of-way; approving the renewal and extension of the Right of Use Agreement and Non-Exclusive Franchise between the City of Tacoma and Pierce Transit for a five-year period, from January 1, 2019, to January 1, 2024, for transit-related infrastructure within City rights-of-way.

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

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

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

WHEREAS the agreement includes an option to renew for an additional five-year period, which Pierce Transit has requested to exercise, and

WHEREAS during the five-year renewal period, staff from the City and Pierce Transit will work toward an amendment to the agreement, with the intent to establish an extended term and to consider any other adjustments to current language that either party feels are necessary; Now, Therefore,
BE IT ORDAINED BY THE CITY OF TACOMA:

That the renewal and extension of the Right of Use Agreement and Non-Exclusive Franchise between the City of Tacoma and Pierce Transit for a five-year period, from January 1, 2019, to January 1, 2024, for transit-related infrastructure within City rights-of-way, is hereby approved.

Passed __________________________

NOV 20 2018

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney