



PACIFIC CITY COUNCIL MEETING AGENDA
Council Chambers - City Hall. 100 3rd Ave. SE

May 23, 2016
Monday

Regular Meeting
6:30 p.m.

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL OF COUNCIL MEMBERS**
- 3. ADDITIONS TO/APPROVAL OF AGENDA**
- 4. AUDIENCE COMMENT**
(Please limit your comments to 3 minutes for items not on the agenda. When recognized by the Mayor, please state your name and address for the official record. It is asked that you do not speak on the same matter twice.)
- 5. EXECUTIVE SESSION ON THREE MATTERS FOR POTENTIAL LITIGATION** per RCW 42.30.110 (1)(i) for approximately 30 minutes.
- 6. REPORTS**
 - A.** Mayor
 - B.** City Administrator
 - C.** City Attorney
 - D.** Community Services
 - E.** Public Works Department
 - F.** Community Development Department
 - G.** Public Safety Department
 - H.** City Council Members
 - I.** Boards and Committees
 - i. Finance Committee
 - ii. Governance Committee
 - iii. Human Services Committee
 - iv. Public Safety Committee
 - v. Public Works Committee
 - vi. Technology Committee
 - vii. Lodging Tax Advisory Committee
 - viii. Park Board
 - ix. Planning Commission
 - x. Pierce County Regional Council (PCRC)
 - xi. Sound Cities Association (SCA)
 - xii. South County Area Transportation Board (SCATBd)
 - xiii. Valley Regional Fire Association (VRFA)

(4)

7. OLD BUSINESS

- (5) A. **AB 16-056: Resolution No. 2016-345:** Agreeing to the conditional certification of the City of Pacific Comprehensive Plan and work plan addressing the conditions identified in the certification report.
- (17) B. **AB 16-044: Resolution No. 2016-336:** Authorizing the Mayor to sign a Release of Easement granted to the city, located at 405/411 W. Valley Hwy.
- (28) C. **AB 16-045: Resolution No. 2016-337:** Authorizing the mayor to accept a street frontage easement for public and private utilities and appurtenances granted to the city from Jerald Eck, 405/411 W. Valley Hwy. (Jim Morgan)
- (38) D. **AB 16-046: Resolution No. 2016-338:** Authorizing the mayor to accept two utilities easements for public utilities and appurtenances granted to the city from Jerald Eck, 405/411 West Valley Highway.

8. NEW BUSINESS

- A. Discussion of a budget amendment to staff the FTE for Police that was approved but not funded in the budget

9. CONSENT AGENDA

- (58) A. Payroll and Voucher Approval
- (63) B. Approval of the minutes from the workshop on May 2 and May 16, 2016, and the meeting on May 9, 2016.

10. ADJOURN

Council may add other items not listed on this agenda unless specific notification period is required.

Please turn off cell phones during meeting and hold your questions for staff until the meeting has been adjourned. Meeting materials are available on the City's website at: www.pacificwa.org or by contacting the City Clerk's office at (253) 929-1105.



For ADA accommodations, please contact City Hall at (253) 929-1105 prior to the meeting.

MEETING CALENDAR

Fifth Monday – Meet the Mayor Held on the fifth Tuesday this month due to Memorial Day.	<u>Tuesday, May 31, 2016</u> 6:30 p.m.	City Hall
Finance Committee Katie Garberding, Newlun, Oliveira Meets: 2 nd Wednesday	June 14, 2016 6:30 p.m.	City Hall
Governance Committee Kerry Garberding, Kave, Storaasli Meets 1st Tuesday	June 7, 2016 6:30 p.m.	City Hall
Human Services Committee Katie Garberding, Oliveira, Newlun Meets 4 th Tuesday	May 24, 2016 6:30 p.m.	City Hall
Park Board Meets 3 rd Tuesday	June 21, 2016 6:30 p.m.	City Hall
Planning Commission Meets 4th Tuesday	May 24, 2016 6:00 p.m.	City Hall
Public Safety Committee Katie Garberding, Kave, Steiger Meets 3 rd Wednesday	June 15, 2016 6:30 p.m.	City Hall
Public Works Committee Kerry Garberding, Kave, Steiger Meets 1 st Wednesday	June 1, 2016 6:30 p.m.	City Hall
Technology Committee Kerry Garberding, Newlun, Oliveira Meets: 3 rd Thursday	June 16, 2016 5:00 p.m.	City Hall

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CITY COUNCIL

May 23, 2016

Community Services Report

Mayor Guier and City Council

The next Human Services Committee Meeting is Tuesday May 24, 2016, at 6:30 in City Hall.

Please join us for free Family Community Bingo the 3rd Tuesday of the month. The snack bar is open 5:30 to 7:30 and Bingo 6:00 to 8:00 in the Pacific Gymnasium.

Free Stone Soup Lunch Mondays at the Senior Center from 11:00AM to 1:00PM. This lunch is free to all ages in our community, and after lunch; stay for our free bingo at 3:00 to 4:00.

We will be holding the Senior Center Yearly Volunteer Appreciation Tea on Wednesday May 25 at 2:00PM. We have over twenty people that we would like to recognize for all their hard work.

S.H.I.B.A. (Statewide Health Insurance Benefits Advisor) will at the Senior Center Tuesday the 24th at 9:00AM. Please call to schedule your confidential appointment with our advisor.

What a wonderful season for a walk at our local parks! On Thursday our senior bus is now going to our local parks for the walking event. Just call the senior center to get your name on the list; the bus leaves at 1:30.

Our Senior Bus goes to many places: we have shopping trips, lunch, and snack outings. For our Thursday afternoon walks we go to the Auburn Environmental Park, and the Federal Way West Hylebos Wetlands.

JAM Session is held every Wednesday in the East Room 5:00PM to 8:00PM. Come and enjoy music with your friends.

Youth Gym is now offering kung fu classes, Saturdays from 11:00 AM – 1:30PM. For more information please contact 253-244-1677 Hiddenlakekungfu.com

At the Youth Gym on Friday May 13, 10:00AM to 10:45AM is Story Time with Debbie. This event is sponsored by King County Library System and hosted by the City of Pacific.

The Youth Gym has a computer lab that is open for use.

Ziggles Riding Toys Session is Friday mornings 9:30AM to 12:00PM noon. The Tiny Tot Program really loves this activity. It is so nice to see them ride around the gym with these riding toys.



Agenda Bill No. 16-056

TO: Mayor Guier and City Council Members

FROM: Jack Dodge, Community Development Manager

MEETING DATE: May 23, 2016

**SUBJECT: Resolution adopting the Puget Sound Regional Council's (PSRC)
Conditional Certification for the Comprehensive Plan**

ATTACHMENTS:

1. Resolution 2016-345 Adopting the PSRC's Conditional Certification
2. Exhibit A – PSRC Plan Review Report & Certification Recommendation

Previous Review Date/s: CC 5/16/16

Summary: As required in the PSRC Review Report & Certification Recommendation, the proposed Resolution adopts the PSRC's conditions for Conditional Certification of the Pacific Comprehensive Plan.

Background

The Puget Sound Regional Council (PSRC) Executive Board conditionally certified the City's Comprehensive Plan at their April 28, 2016 meeting. The conditional certification allows the City to be eligible to apply for Regional Transportation Improvement Program funds. The conditional certification requires that the City complete the following by December 31, 2017.

1. Council adoption of a plan of work that addresses the conditions identified in the certification report by May 31, 2016.
2. Submission of a draft amended comprehensive plan and supporting documents that address the conditions to PSRC for review and comment in advance of adoption.
3. Once the conditions are adequately addressed, submission of the adopted amended comprehensive plan and supporting documents by December 31, 2017 for review and certification by PSRC.

Recommended Action: Adopt Resolution 2016-345.

Recommended Motion: I move that the Council adopt Resolution 2016-345.

**CITY OF PACIFIC
WASHINGTON**

RESOLUTION NO. 2016 – 345

A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, STATING THE CITY'S INTENT TO UPDATE THE TRANSPORTATION-RELATED PROVISIONS IN THE CITY'S 2015 COMPREHENSIVE PLAN UPDATE IN ORDER TO MEET THE COMPLIANCE REQUIREMENTS OF THE PUGET SOUND REGIONAL COUNCIL AND RESOLVING THE EMPLOYMENT FORCASTS WITH PIERCE COUNTY.

WHEREAS, the City of Pacific completed its 2015 Comprehensive Plan Update (Update), pursuant to the Washington State Growth Management Act; and

WHEREAS, the Update was reviewed by state agencies and the Puget Sound Regional Council (PSRC); and

WHEREAS, on April 28, 2016, the PSRC issued a "Plan Review Report and Certification Recommendation", attached hereto as Exhibit A; and

WHEREAS, PSRC conditionally certified the City's comprehensive plan with a requirement to bring the plan into full compliance with the regional employment growth strategy through revisions to the Comprehensive Plan or through collaboration with Pierce County and other cities to adjust the growth target; and

WHEREAS, PSRC conditionally certified the City's comprehensive plan with a requirement to amend the Transportation Element to include a complete pedestrian and bicycle plan and a multiyear transportation finance plan for the 20-year planning period; and

WHEREAS, the conditional certification allows the City to participate in the PSRC funding process and program projects into the Regional Transportation Improvement Program while the City works to address the issues raised in the conditional certification; and

WHEREAS, in exchange, the City commits to resolving the issues raised in the PSRC conditional certification, and establish a work plan, scope of work and schedule for completion of the work.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City Council directs the staff to work with Pierce County to revise the adopted growth targets for the City of Pacific to be consistent with the growth projections in the City's comprehensive plan. If the growth targets are modified by Pierce County, City staff will provide documentation to PSRC that the targets have been modified to be consistent with the City's comprehensive plan.

Section 2. If Pierce County and City staff is unable to revise the adopted growth targets, staff will amend the City's comprehensive plan to address the inconsistencies between land use assumptions utilized in the Plan and employment growth targets adopted by Pierce County. The City staff will submit any draft amendments to the comprehensive plan to PSRC for review and comment in advance of adoption.

Section 3. The City is committed to resolving the inconsistency between the adopted growth targets and the City's comprehensive plan by December 31, 2017.

Section 4. The City will amend the Transportation Element of the Comprehensive Plan to include a complete pedestrian and bicycle plan and multiyear transportation finance plan for the 20-year planning period. This will be completed by December 31, 2017

Section 5. This Resolution is effective immediately upon execution.

PASSED BY THE CITY COUNCIL this _____ day of May, 2016.

CITY OF PACIFIC

LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

AMY STEVENSON-NESS, CITY CLERK

APPROVED AS TO FORM:

CAROL MORRIS, CITY ATTORNEY

PSRC PLAN REVIEW REPORT & CERTIFICATION RECOMMENDATION

CITY OF PACIFIC COMPREHENSIVE PLAN

March 31, 2016



BACKGROUND

The Washington State Growth Management Act calls for coordination between local, regional, and state planning efforts. To advance this coordination, state law requires PSRC to certify that regional transit plans, countywide planning policies, and local comprehensive plans within the central Puget Sound region conform to: (1) established regional guidelines and principles, (2) the adopted long-range regional transportation plan, and (3) transportation planning requirements in the Growth Management Act. Within the central Puget Sound region, the multicounty planning policies in VISION 2040 have been established as the regional guidelines and principles under Revised Code of Washington (RCW) 47.80.026. Certification of local comprehensive plans is also a requirement for jurisdictions and agencies that intend to apply for PSRC funding or proceed with any project submitted into the Regional Transportation Improvement Program, regardless of funding source.

Within the central Puget Sound region, local governments and PSRC have worked together to develop an overall process ([Adopted Policy and Plan Review Process](#), Revised September 2003) for reviewing and certifying local, countywide, regional, and transit agency policies and plans.¹ This process also provides an opportunity to coordinate and share information related to local and regional planning. A set of materials, compiled in a [Plan Review Manual](#), provides details on the review and certification process, background, and framework. The manual also provides guidance and checklists for aligning plans and policies with [VISION 2040](#), [Transportation 2040](#), and [Growth Management Act](#) requirements.

DISCUSSION

This report summarizes the findings and recommendations regarding the periodic update to the comprehensive plan for the City of Pacific, adopted by the city on March 28, 2016. PSRC last certified the City of Pacific's comprehensive plan in 2004. PSRC staff reviewed the updated 2015 comprehensive plan and coordinated with city staff in the development of this report.

CERTIFICATION RECOMMENDATION

Based on the review of the City of Pacific comprehensive plan, the following action is recommended to the PSRC Growth Management Policy Board, Transportation Policy Board, and Executive Board:

The Puget Sound Regional Council conditionally certifies that the transportation-related provisions in the City of Pacific 2015 comprehensive plan update conform to the Growth Management Act and are consistent with the multicounty planning policies and the regional transportation plan.

Conditional status is in place until the City of Pacific addresses the following issues. The plan will be amended to demonstrate alignment between the employment target for the city

¹ The certification requirement in the Growth Management Act is described in RCW 47.80. The specific requirements for transportation elements in local comprehensive plans are spelled out in RCW 36.70A.070. PSRC's Interlocal Agreement, Section VII, also provides direction for the review of local comprehensive plans and countywide policies (Resolution A-91-01, amended March 1998). The Council's Executive Board last updated its process for Policy and Plan Review in September 2003. The process is also described in VISION 2040, Part IV: Implementation.

adopted by Pierce County and sufficient capacity for commercial and industrial development. Resolution of this inconsistency should be accomplished, as appropriate, through revisions to the comprehensive plan and through collaboration with Pierce County and other cities to adjust the growth target. The transportation element of the plan will also be amended to include a complete pedestrian and bicycle plan and multiyear transportation finance plan for the 20-year planning period. These conditions are described in more detail in the body of this report.

The city acknowledges this and commits to addressing the conditions according to the following schedule:

- 1. Council adoption of a plan of work that addresses the conditions identified in the certification report by May 31, 2016.**
- 2. Submission of a draft amended comprehensive plan and supporting documents that address the conditions to PSRC for review and comment in advance of adoption.**
- 3. Once the conditions are adequately addressed, submission of the adopted amended comprehensive plan and supporting documents by December 31, 2017 for review and certification by PSRC.**

The remainder of this report contains a summary of the PSRC review of the City of Pacific comprehensive plan update. Under each heading, the scope of the certification review, as guided by the [Plan Review Manual](#) and Local Comprehensive Plan Checklist, is listed in high-level bullets. Discussion in each topic area highlights exemplary provisions of the plan, as well as issues identified through the certification review where future work on the part of the city is needed to more fully address VISION 2040, Transportation 2040, and Growth Management Act planning requirements. PSRC recognizes that the timing and mechanism for addressing each of the comments will vary based on the jurisdiction, its resources and plan update process, and the nature of the comment.

Part I: Conformity with Growth Management Act Transportation Planning Requirements

SCOPE OF REVIEW

The Growth Management Act (RCW 36.70A.070(6)) includes several requirements related to transportation elements in local comprehensive plans. These requirements are summarized as follows:

Land use assumptions and forecasts of travel demand that are internally consistent and consistent with growth targets.

Service and facility needs, including inventories of existing facilities, and level-of-service standards and concurrency provisions that address multiple modes of travel, planned land uses and densities, and state highways.

Financing and investments, including a multiyear financing plan and reassessment strategy to address potential funding shortfalls.

Intergovernmental coordination with neighboring cities, counties, and regional and state agencies.

Demand management, including programs to implement the Commute Trip Reduction Act.

Pedestrian and bicycle planning, including project funding and capital investments, education, and safety.

Land uses adjacent to airports, identifying relevant facilities, existing and planned uses, and policies that discourage incompatible uses.

Air quality is largely an interjurisdictional issue in which each jurisdiction's travel behaviors, measured through vehicle emissions, affect the regional airshed. The Washington Administrative Code (WAC) requires local transportation elements and plans to include "policies and provisions that promote the reduction of criteria pollutants" for mobile sources (WAC 173-420-080). When PSRC reviews plans, it also certifies that the comprehensive plans include air quality policies and provisions, including a commitment to meeting the requirements of applicable federal and state air quality legislation.

DISCUSSION: EXEMPLARY PLAN PROVISIONS

The City of Pacific's comprehensive plan effectively addresses many of the transportation planning requirements of the Growth Management Act and includes adequate air quality policies and provisions. Highlights include:

- ☑ Future land use and travel demand assumptions are projected out to a plan horizon year of 2035, several years beyond the target horizon years in King and Pierce counties, in order to address a full 20-year planning period.
- ☑ Goal T5 seeks to minimize the environmental impacts of new transportation infrastructure with policies that promote enhanced environmental review, best practices in stormwater management, and locating facilities away from environmentally sensitive areas.
- ☑ Multipronged strategy to identify and secure additional funding resources for transportation projects, including Policy T 14.4 positioning the city to capture future grants opportunities, Policy T 14.5 encouraging interjurisdictional cooperation to fund projects, and Policy T 15.4 calling for consideration of impact fees as a new funding source within the city.

DISCUSSION: CONDITIONS FOR CERTIFICATION

The City of Pacific must address the following provision of the Growth Management Act and VISION 2040 in order to maintain certified status:

- ☐ The Growth Management Act (see RCW 36.70A.070(6)) requires that the transportation element include a multiyear financing plan that addresses:
 - Cost estimates for roadway, pedestrian, and bicycle improvements identified in the plan as needed over the 20-year planning period.
 - An estimate of revenue available for transportation over the 20-year planning period.
 - A reassessment strategy to document steps the city could take to close the gap, if any, between costs and revenues, such as additional demand management strategies, pursuing new revenues, reducing level-of-service standards, and land use changes.

The transportation element includes several important components of a multiyear financing plan and provides strong policy guidance for future decisions in policies T-14.1 to T-14.8, but lacks sufficient detail on planned projects and cost and revenue estimates for the 20-year planning period. The element should be further revised to fully address these issues. Further guidance on how to address the financial analysis in the plan can be found in the Department of Commerce's Transportation Element Guidebook, pages 202 - 212.

- ☐ The plan includes notable policies that address pedestrian and bicycle facilities. For example, Policy T 13.3 calls for pedestrian improvements focused in the Neighborhood Center, Policy T 13.4 furthers planning for a Linear Park Trails network, and Policy T 13.5 provides guidance on priority improvements. However, additional work is needed to complete the pedestrian and bicycle component of the transportation element (RCW 36.70A.070(6)(a)(vii), WAC 365-196-430(2)(j)). Policy T 6.6 identifies a bicycle and pedestrian plan as a future work item for the city. Specifically, the plan should provide a more complete inventory of existing and future bicycle and pedestrian facilities and should also address the costs and potential funding sources for additional facilities in the multiyear financing plan.

For more information about developing a pedestrian and bicycle component see the Commerce [Transportation Element Guidebook](#) (pages 115-139), the PSRC [Active Transportation Plan](#), and other helpful resources on PSRC's [plan review resources webpage](#).

DISCUSSION: AREAS FOR FURTHER WORK

The certification review did not identify any major areas for improvement of the plan to better align with state requirements for transportation planning (see comments addressing consistency with regional guidelines and principles on transportation and Transportation 2040 on page 8).

Part II: Consistency with Regional Plans and Policies

OVERVIEW

This section discusses consistency with the multicounty planning policies (established regional guidelines and principles under RCW 47.80.026) adopted in VISION 2040, and Transportation 2040, the region's long-range transportation plan. In addition to the multicounty planning policies, VISION 2040 contains a regional growth strategy with a preferred distribution of the region's residential and employment growth, as well as a number of implementation actions for local governments to carry out. Each policy area addressed in VISION 2040 is discussed in turn below.

VISION 2040 Context Statement

VISION 2040 calls for local plans to include a context statement that describes how the comprehensive plan addresses regional policies and provisions adopted in VISION 2040. The plan contains a very comprehensive VISION 2040 context statement.

Environment

SCOPE OF REVIEW

VISION 2040 calls for local comprehensive plans to address the following environmental policy topics:

Stewardship, including addressing the natural environment throughout the plan, decisions based on best-available science, and regional environmental initiatives.

Earth and habitat, including open space protection, restoration and protection of native vegetation, and coordination with adjacent jurisdictions.

Water quality, including actions that maintain hydrologic functions and reduce water pollution in ecosystems, watersheds, shorelines, and estuaries.

Air quality and climate change, addressing federal and state laws, reduction of pollutants, Puget Sound Clean Air Agency policies, and reduction of greenhouse gas emissions and adaptation to climate change.

DISCUSSION: EXEMPLARY PLAN PROVISIONS

The Pacific comprehensive plan addresses the environmental policy topics in VISION 2040. Highlights include:

- ☑ The plan promotes environmentally sensitive development practices. For example, LU-16.5 promotes low-impact development techniques to protect groundwater. NE-2.3 calls for the city to provide incentives for development that is designed, sited, and constructed with minimal environmental impact. Policy H 4.3 encourages energy efficient housing.
- ☑ The plan includes policies that address efforts to mitigate greenhouse gas emissions and climate change. Policy LU-16.7 supports broad local and regional efforts to help King County achieve its emissions goals. Multiple policies in the transportation element promote alternatives to travel by single-occupant automobile. Goal LU-17 furthers energy efficiency with policies that promote alternative sources of

energy in public and private development and development of a city energy conservation plan and consideration of an energy audit.

- ☑ The plan encourages interjurisdictional coordination on protecting the environment. For example, Policy NE-4.1 calls for working with neighboring jurisdictions to develop common definitions and standards for wetlands.
- ☑ Goal NE-10 providing direction on implementation of the Lower White River BMA Stewardship Plan including next steps coordinated with subregional partners within the watershed.

DISCUSSION: AREAS FOR FURTHER WORK

The certification review did not identify any major areas for improvement of the plan to better align with regional guidelines and principles on the environment.

Development Patterns – Including the Regional Growth Strategy

SCOPE OF REVIEW

VISION 2040 calls for local comprehensive plans to address the following development patterns policy topics:

Urban areas, including targets for housing and employment growth, compact communities that support transit and walking, and provisions for redevelopment of underused land.

Centers, including planning for one or more central places as locations for compact, mixed-use development, with policies that prioritize funding to centers to advance development.

Unincorporated urban areas, including policies that advance annexation and orderly transition of governance.

Resource lands, including identification of steps to limit development.

Regional design, addressing local provisions that apply the Transportation 2040 Physical Design Guidelines, energy efficient building, historic preservation, and enhanced sense of community.

Health and active living, addressing healthy environment, physical activity and well-being, and safety.

DISCUSSION: EXEMPLARY PLAN PROVISIONS

The city's comprehensive plan effectively addresses many of the development patterns policies in VISION 2040. Highlights include:

- ☑ The land use element calls for the city to establish minimum densities for development in key residential land use designations (HDR, HDRL, and MC).
- ☑ Pacific is planning to focus development, including compact mixed-uses and civic uses, along with public improvements, in its city center. See Policy LU-4.2.12 on the Neighborhood Center plan designation.
- ☑ Policy LU-6.2 encourages innovative residential design, compact development, and low-impact development.
- ☑ LU-5.4 promotes development patterns, including compact mixed-use development with pedestrian-friendly design that encourages physical activity and public health.
- ☑ Policies LU-7.2 and LU-7.5 direct multifamily housing development to transit served locations (Special Planning Areas).
- ☑ The plan identifies the proposed Sumner-Pacific Manufacturing and Industrial Center and includes many policies that support existing and expanded industrial activities in this subarea. For example, Policy LU-12.6 calls for protecting the MIC from encroachment by non-industrial uses, and Policy LU-12.7 prioritizes infrastructure funding to the center. The city is also pursuing innovative concepts, such as creation of a Special Manufacturing Artisan district.

DISCUSSION: CONDITIONS FOR CERTIFICATION

The City of Pacific must address the following provision of the Growth Management Act and VISION 2040 in order to maintain certified status:

- The Growth Management Act requires local comprehensive plans to provide sufficient capacity to accommodate growth that is anticipated during the 20-year planning period. The growth targets adopted by Pierce County show that Pacific is expected to plan for an additional 4,434 jobs by 2030. If extended to a plan horizon year of 2035, the targets increase to 5,156 additional jobs. The 2014 Pierce County Buildable Lands report found that the Pierce County portion of the city currently has capacity to accommodate only 1,631 additional jobs, leaving an employment capacity shortfall of 3,525.

The plan documents several steps that the city is undertaking to address the gap in employment capacity in Pierce County. These include a re-estimation of employment capacity based on assumptions and data from the Buildable Lands work in the King County portion of the city, as well as a proposed shifting of employment target from the Pacific to the Sumner portion of the MIC. In preliminary discussions, the City of Sumner and Pierce County have indicated willingness to reallocate the remaining employment target to the Sumner portion of the MIC. This would allow the proposed MIC to maintain sufficient capacity for regional designation.

Options to resolve the capacity shortfall include the following:

- The city could work with Pierce County and, potentially, the City of Sumner, to adjust the growth targets, consistent with the Regional Growth Strategy, to reflect future growth in Pacific that can be accommodated by the land use plan over the planning period. Once the shift in target has been resolved, the plan should be amended to reflect the new planning numbers, demonstrating sufficient capacity in the city to accommodate its targets.
- Alternatively, the city could amend the plan, including land use, transportation, and other relevant elements, to reflect and affirmatively plan for the targeted growth, including through provision of sufficient land uses and densities.

DISCUSSION: AREAS FOR FURTHER WORK

The certification review did not identify any major areas for improvement of the plan to better align with regional guidelines and principles on development patterns.

Housing

SCOPE OF REVIEW

VISION 2040 calls for local comprehensive plans to address the following housing policy topics:

Increased housing production opportunities, including diverse types and styles for all income levels and demographic groups.

Affordable housing needs, including an assessment of existing and future housing needs based on regional and local factors, including household income, demographics, special needs populations, and adequacy of existing housing stocks.

Regional housing objectives in VISION 2040, including promotion of housing diversity and affordability, jobs-housing balance, housing in centers, and flexible standards and innovative techniques.

DISCUSSION: EXEMPLARY PLAN PROVISIONS

The city's comprehensive plan effectively addresses the housing provisions contained in VISION 2040. Highlights include:

- ☑ Policy LU-5.3 promotes an increased variety of housing types, densities, and affordability levels in the city through new development. The plan encourages innovative housing types, such as cottage housing (see Policy H-1.2).
- ☑ Policy H-8.6 encourages rehabilitation of existing affordable housing stock for long-term affordability. Policy H-10.4 supports actively working with affordable housing developers to obtain funding for new affordable housing in the city.

DISCUSSION: AREAS FOR FURTHER WORK

The city should address the following comment at the earliest opportunity through future amendments to the comprehensive plan, subarea plans, or functional plans:

- ☐ MPP-H-9 calls for interjurisdictional cooperation to advance affordable housing. The WAC (365-196-410(2)(c)(ii)) recommends that jurisdictions define and address housing need in a regional context. The plan should reference King County CPP-H-1 to address countywide need for affordable housing to households with moderate, low and very low incomes, as well as Pierce County CPP-AH-3.3, to plan for the goal for a minimum of 25% of new housing to be affordable.

Economy

SCOPE OF REVIEW

VISION 2040 calls for local comprehensive plans to address the following economic development policy topics:

Include an **economic development element** that addresses: business, people, and places.

Retention and recruitment efforts that support family wage jobs, industry clusters that export goods and services, and small businesses that are locally owned.

Equitable benefits and impacts, including provisions and programs that promote economic vitality in distressed areas or areas with disadvantaged populations.

Adequate housing growth in centers through collaboration with the private sector and provision of infrastructure.

DISCUSSION: AREAS FOR FURTHER WORK

The city should address the following comment at the earliest opportunity through future amendments to the comprehensive plan, subarea plans, or functional plans:

- ☐ Consistent with VISION Ec-Action-6, the city should develop an economic development element that addresses the city’s local circumstances, as well as multicounty planning policies on family-wage jobs, industry clusters, distressed areas, and disadvantaged populations (MPP-Ec-1, 3, 11, 12). PSRC’s [Planning for Whole Communities Toolkit](#) offers resources on enhancing economic opportunity.

Transportation

SCOPE OF REVIEW

VISION 2040 and Transportation 2040 call for local comprehensive plans to address the following transportation policy topics:

Maintenance, management, and safety, including clean transportation with reductions in pollution and greenhouse gas emissions, environmental factors, health and safety, stable and predictable funding sources, system and demand management strategies, and security and emergency response.

Support for the regional growth strategy, including system improvements that align with planned growth, prioritized investments that support compact development in centers, joint- and mixed-use development, complete streets and improvements to promote biking and walking, and context-sensitive design.

Improved transportation options and mobility, including alternatives to driving alone, facilities and services for special needs transportation, avoidance of new or expanded facilities in rural areas, and financing methods.

Linking land use and transportation, including integrating Transportation 2040 physical design guidelines in planning for centers and transit station areas, and land development tools that promote transportation alternatives.

DISCUSSION: EXEMPLARY PLAN PROVISIONS

The Pacific comprehensive plan addresses the major transportation emphases in VISION 2040 and Transportation 2040, including maintenance, management, and safety. It supports the regional growth strategy and provides greater options and mobility. Highlights include:

- ☑ Goal T-2 calls for adequate facilities to meet the needs of pedestrian travel in the city with policies that further extend sidewalks and other infrastructure throughout the city, especially in high-priority areas, such as around parks, schools, and transit stops.
- ☑ Goal T-3 promotes freight mobility in the city with policies that address regional coordination, the Sumner-Pacific MIC, and mitigation of potential impacts on existing neighborhoods. The city is urged to continue to develop more specific policies and actions on meeting freight mobility needs in a forthcoming subarea plan for the MIC.
- ☑ Goal T-7 calls for expanded transit service and transit use in the city. Policy T-7.3 encourages better coordination among the multiple transit agencies serving the area. Other policies promote more attractive transit options, such as expanded commuter or frequent all-day service, targeted to higher densities areas, and provided with pedestrian improvements at transit stops.

DISCUSSION: AREAS FOR FURTHER WORK

The city should address the following comments at the earliest opportunity through future amendments to the comprehensive plan, subarea plans, or functional plans:

- ☐ The Growth Management Act requires level-of-service standards for all locally owned arterials and transit routes, and the multicounty planning policies (MPPs) call for other modes, such as biking and walking, to be addressed as well (MPP-DP-54-56). While there are many challenges involved in implementing multimodal level-of-service standards and concurrency, adoption of levels of service and a concurrency approach that includes multiple modes would strengthen and reinforce the many plan policies that support walking, biking and transit. One strategy is tailoring a concurrency program to encourage development in centers where it can be supported by transit, nonmotorized infrastructure, and mixed land uses. The plan could also support transit, pedestrian, and bicycle projects as mitigation for development impacts. The Washington State Department of Commerce's [Transportation Element Guidebook](#) has information on how to set level-of-service standards and identify system needs (pages 143-150 and 183-189). PSRC also has [resources on multimodal concurrency](#).

Public Services

SCOPE OF REVIEW

VISION 2040 calls for local comprehensive plans to address the following public services policy topics:

Promote more efficient use of existing services, such as waste management, energy, and water supply, through conservation – including demand management programs and strategies.

Promote renewable energy and alternative energy sources.

Plan for long-term water needs, including conservation, reclamation and reuse.

DISCUSSION: EXEMPLARY PLAN PROVISIONS

The Pacific comprehensive plan update contains policies that address many of the public services provisions of VISION 2040. Highlights include:

- ☑ Goal U-2 encourages energy conservation and conversion to alternative energy sources. Implementing policies call for efficiency steps in management of city facilities and incentives for efficiency in private development. Policy C-2.1 furthers the concept of energy efficiency in the management of a full range of the city's facilities.
- ☑ Policy C-2.2 requires that all new development be served with sanitary sewer or fitted with dry sewer lines in anticipation of future sewer service extension.

DISCUSSION: AREAS FOR FURTHER WORK

The certification review did not identify any major areas for improvement of the plan to better align with regional guidelines and principles on public services.

Conclusion

PSRC staff thanks the city for working through the plan review and certification process. PSRC is available to provide assistance for future plan updates. Additional planning resources can also be found at <http://www.psrc.org/growth/planreview/resources/>. If the city has questions or needs additional information, please contact Michael Hubner at 206-971-3289 or mhubner@psrc.org.



Agenda Bill No. 16-044

TO: Mayor Guier and City Council Members
FROM: Public Works
MEETING DATE: May 23, 2016
SUBJECT: Easement Release

ATTACHMENTS:

- Resolution No. 2016-336
- Release of Easement Document
- Easement AFN 8011060589

Previous Council Review Date: N/A

Summary: In 1980, the City of Pacific approved a street vacation of a portion of Fourth Avenue S.W, and reserved an easement for public utilities over, across and under the vacated area. The current owner of the larger piece of property which encompasses the vacated area and reserved easement is Jerald D. Eck – 411 Real Estate LLC (successor in interest to Stephen C. Madsen and Earl and Verla Clark). The vacated right-of-way was 40.0 feet wide.

The City has stormwater pipelines and appurtenances on the property (outside of the vacated area) without benefit of a written easement. The property owner has agreed to provide the City with a written easements for the existing stormwater pipelines, 20.0 wide easement for the southerly stormwater line and 15.0 feet wide easement for the northerly stormwater pipeline in exchange for the City's release of the reserved easement.

Recommended Action: Staff recommends Council approve Resolution No. 2016-336, and authorize the Mayor to sign the Release of Easement.

Motion for Consideration: I move to approve Resolution No. 2016-336, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC AUTHORIZING THE MAYOR TO SIGN A RELEASE OF EASEMENT FOR UTILITIES RESERVED UNDER ORDINANCE NO. 193, IN EXCHANGE FOR A WRITTEN EASEMENT RELATING TO AN EXISTING STORMWATER PIPELINES AND APPURTENANCES, LOCATED AT 405 / 411 WEST VALLEY HIGHWAY, PACIFIC, WASHINGTON.

Budget Impact: The costs associated with this action are the recording fees, which shall be billed to the property owner.

Alternatives: None recommended

**CITY OF PACIFIC
WASHINGTON**

RESOLUTION NO. 2016-336

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC AUTHORIZING THE MAYOR TO SIGN A RELEASE OF EASEMENT RELATING TO AN EASEMENT THAT WAS RESERVED AS PART OF A STREET VACATION UNDER ORDINANCE NO. 193, IN EXCHANGE FOR THE PROPERTY OWNER'S GRANTING OF TWO WRITTEN EASEMENTS ON THE PROPERTY FOR EXISTING UTILITIES.

WHEREAS, the City of Pacific Public Works Department has found that the reserved utility easement from the 4th Avenue SW right-of-way vacation easement (between West Valley Highway and SR 167) recorded under King County Recording No. AFN 8011060589, and Ordinance No. 193, will no longer be needed as it has not been used for utilities and there are no plan to construct future utilities in that location; and

WHEREAS, the City owns an existing stormwater pipelines and appurtenances along the southerly property line and north of the vacated right of way, that were placed on the same property without benefit of a written easements; and

WHEREAS, the property owner, Jerald D. Eck 411 Real Estate, LLC, has agreed to grant the City two written easements for the existing stormwater pipelines and appurtenances in exchange for the City's release of the easement reserved under the street vacation;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON

Section 1. That the Mayor is hereby authorized to execute the Release of Easement of the reserved easement as shown in Exhibit "A", a copy of which is attached hereto and made a part hereof.

Section 2. This Resolution shall take effect and be in full force upon passage and signatures hereon.

APPROVED BY THE PACIFIC CITY COUNCIL on this 23rd day of May, 2016.

CITY OF PACIFIC

LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

AMY STEVENSON-NESS, CITY CLERK

APPROVED AS TO FORM:

CAROL MORRIS, CITY ATTORNEY

When recorded return to:

**City of Pacific
City Clerk
100 – 3rd Avenue S.E.
Pacific, WA 98047**

WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Document Title(s) (or transactions contained therein): RELEASE OF UTILITY EASEMENT
Reference Number(s) of Documents assigned or released: AFN 8011060589
Grantor(s) (property owner) Jerald D. Eck 411 Real Estate, LLC, a Washington Limited Liability Company
Grantee(s) (easement owner) THE CITY OF PACIFIC, a Washington municipal corporation
King County Parcel Legal Description (property where easement will exist): SW ¼ of Section 35, Township 21 North, Range 4 East, W.M. See attached Jerry Eck Property, Page 5
Assessor's Property Tax Parcel/Account Number: King County # 3353404200

**RELEASE OF
UTILITIES EASEMENT**

The City of Pacific, Washington (hereinafter the “City”) is the owner of a reserved Utilities Easement from the vacated right-of-way located on property now owned by Jerald D. Eck 411 Real Estate, LLC (successor in interest to Stephen C. Madsen and Earle Clark and Verla Clark), dated November 6, 1980, recorded under King County Auditor’s No. 8011060589 (hereinafter the “1980 Utilities Easement”), which property is commonly known as 405 / 411 West Valley Highway (hereinafter the “Property”) and legally described therein as follows:

See Attached Exhibit A

The City’s reserved utilities easement is within the vacated right-of-way, which is legally described as follows (hereinafter the “Reserved Easement”):

That portion of Fourth Avenue Southwest lying between West Valley Highway and that State owned channel change right-of-way and lying between Lot 36, Block 15, C.D. Hillman's Pacific Addition, Division 1 and Lots 17 and 18, Block 16, C.D. Hillman's Pacific City Addition, Division No. 1.

The City of does not own or operate any existing utilities under, on, or over the above-referenced Property or within the Reserved Utilities easement. However, the City does have two stormwater conveyance pipelines and appurtenances elsewhere under the Property. A utilities easement is required to accommodate the existing stormwater conveyance pipes on the Property.

The parties have agreed that the Reserved Utilities Easement shall be released, and in exchange, Jerald D. Eck 411 Real Estate LLC will grant the City of Pacific two new utilities easements on the Property to replace it and accommodate the existing stormwater conveyance pipes and appurtenances. The City of Pacific does hereby abandon and release all rights retained under the Reserved Utilities Easement. A diagram depicting the location of the abandoned and released easement is attached hereto as Exhibit B, and by this reference made a part hereof.

EXHIBIT A

Property owned by Jerald D. Eck 411 Real Estate LLC

PARCEL A:

THAT PORTION OF LOTS 29, 30, 31, AND 32, BLOCK 15, C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE DIVISION NO.1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 64, RECORDS OF KING COUNTY, WASHINGTON, LYING SOUTHWESTERLY OF A STRIGHT LINE DRAWN FROM A POINT OPPOSITE HIGHWAY ENGINEER'S STATION P.C. 377+36.87 ON THE CENTERLINE OF SR 167, PIERCE COUNTY LINE TO AUBURN: 17TH STREET S.W., AND 235 FEET SOUTHWESTERLY THEREFROM, TO A POINT OPPOSITE HIGHWAY ENGINEER'S STATION 380+00 ON SAID HIGHWAY PLAN AND 235 FEET SOUTHWESTERLY THEREFROM.

EXCEPT THAT PORTION LYING WITH DETROIT BOULEVARD SOUTH (WEST VALLEY HIGHWAY).

PARCELB:

LOTS 33, 34, 35 AND 36, BLOCK 15, C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE DIVISION NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 64, RECORDS OF KING COUNTY, WASHINGTON.

EXCEPT THAT PORTION LYING WITHIN DETROIT BOULEVARD SOUTH (WEST VALLEY HIGHWAY).

EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR HIGHWAY BE DEED UNDER RECORDING NO. 7101040147.

TOGETHER WITH THE NORTH HALF OF 4TH AVENUE SOUTHWEST VACATED BY ORDINANCE NO. 193 UNDER RECORDING NO. 80110600589 ADJACENT THERETO.

PARCELC:

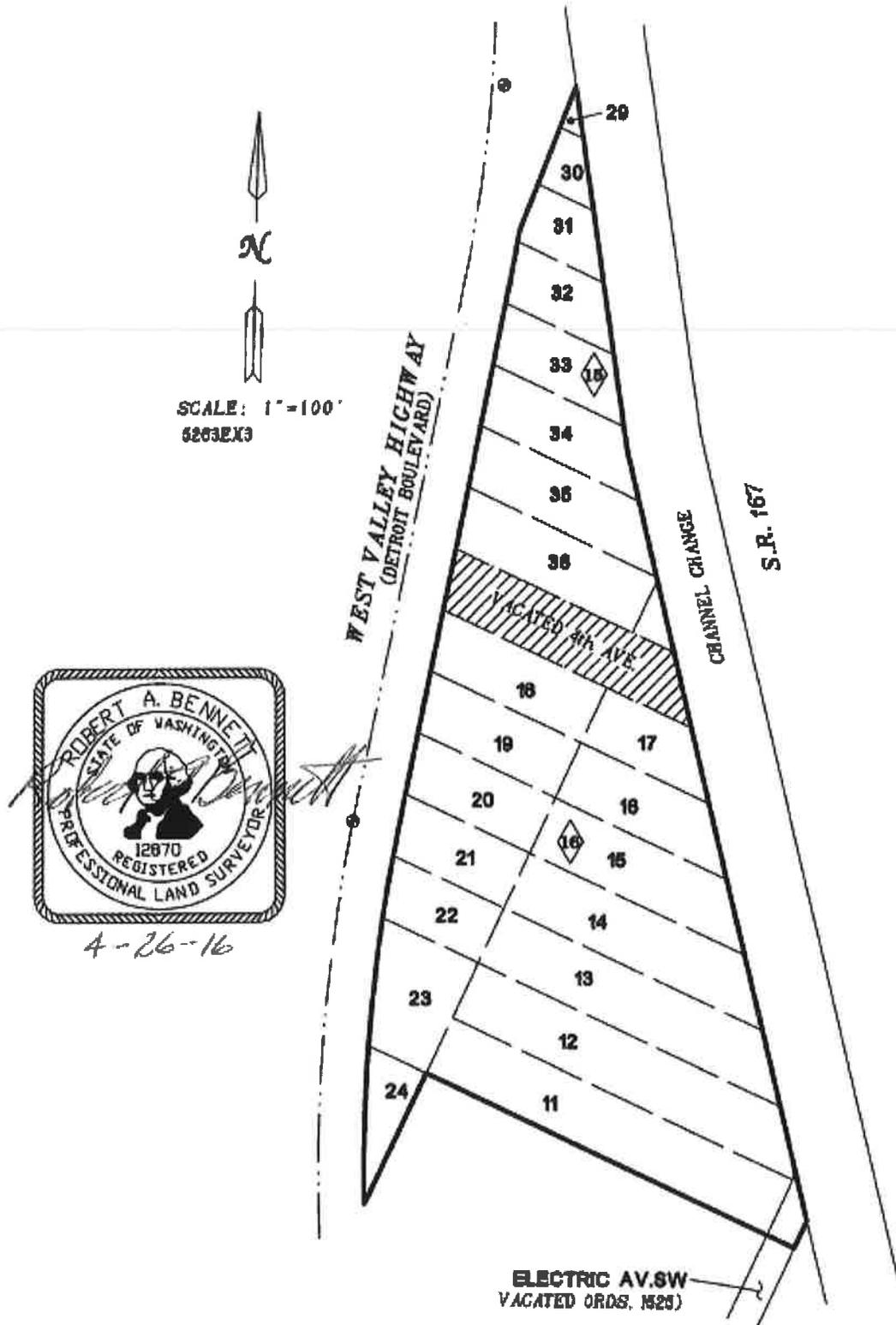
LOTS 11 THROUGH 24, INCLUSIVE, BLOCK 16, C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE DIVISION NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 64, RECORDS OF KING COUNTY, WASHINGTON.

EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR HIGHWAY BY DEED UNDER RECORDING NO. 6626445,

TOGETHER WITH THE SOUTH HALF OF 4TH AVENUE SOUTHWEST VACATED BY ORDINANCE NO. 193 UNDER RECORDING NO. 80110600589 ADJACENT THERETO.

ALSO TOGETHER WITH THAT PORTION OF VACATED ELECTRIC AVENUE SOUTHWEST (BY CITY OF PACIFIC ORDINANCE NO. 1525 DATED APRIL 8, 2002) ABUTTING SAID LOTS 11 AND 12 OF BLOCK 16, C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE DIVISION NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 64.

EXHIBIT B



8011060589

ORDINANCE NO. 193

AN ORDINANCE OF THE CITY OF PACIFIC, WASHINGTON, VACATING A PORTION OF FOURTH AVENUE SOUTHWEST.

WHEREAS, a petition for vacation of a portion of Fourth Avenue Southwest has been properly filed and approved under R.C.W. 35.79.010 and pursuant to Ordinance No. 658 of the City of Pacific, it is, therefore,

ORDAINED BY THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON AS FOLLOWS:

Section 1. Vacation of a portion of Fourth Avenue Southwest. That portion of Fourth Avenue Southwest described below be and is hereby vacated in its entirety and transferred to Stephen C. Madsen and VERLA Clark and Earl Clark

That portion of Fourth Avenue Southwest lying between West Valley Highway and that State owned channel change right-of-way and lying between Lot 36, Block 15, C.D. Hillman's Pacific City Addition, Division No. 1 and Lots 17 and 18, Block 16, C.D. Hillman's Pacific City Addition, Division No. 1.

Section 2. Reservation of Easement. The City of Pacific hereby reserves an easement for public utilities over and across and under said property.

Section 3. Condition Precedent. This ordinance and vacation shall have no effect until Stephen C. Madsen and Earl Clark and VERLA Clark have paid to the City of Pacific as compensation the sum of \$30.00 EACH.

Section 4. Effective Date. This ordinance shall take effect and be enforced five (5) days from and after its passage, approval and publication as provided by law.

INTRODUCED: 9-20-80
PASSED: 9-20-80
APPROVED: 9-20-80

ATTEST:
Margaret Dudley
City Clerk

Howard G. Erickson
Mayor

ATTEST:
[Signature]
City Attorney



Agenda Bill No. 16-045

TO: Mayor Guier and City Council Members
FROM: Public Works
MEETING DATE: May 23, 2016
SUBJECT: Street Frontage Easement Acceptance

ATTACHMENTS:

- Resolution No. 2016-337
- Easement Documents

Previous Council Review Date: N/A

Summary: Section 4 of the City's Development Guidelines require, as a condition of development, the dedication of a 10.0 feet wide Utilities Easement across the frontage of property for use by public utilities. Mr. Jerald D. Eck 411 Real Estate LLC, the owner of 405 / 411 West Valley Highway (King County Parcel Nos. 3353404200) has submitted plans for development of the property and has had prepared the required easement documents, which have been reviewed by the City consultant for accuracy.

Recommended Action: Staff recommends Council approve Resolution No. 2016-337

Motion for Consideration: "I move to" approve Resolution No. 2016-337, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC AUTHORIZING THE MAYOR TO ACCEPT A UTILITIES EASEMENT FOR PUBLIC UTILITIES AND APPURTENANCES GRANTED TO THE CITY FROM JERALD ECK 411 REAL ESTATE LLC, ON PROPERTY LOCATED AT 405 / 411 WEST VALLEY HIGHWAY, PACIFIC, WASHINGTON

Budget Impact: The costs associated with this action are the recording fees, which shall be billed to the property owner.

Alternatives: None recommended

**CITY OF PACIFIC
WASHINGTON**

RESOLUTION NO. 2016-337

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC
AUTHORIZING THE MAYOR TO EXECUTE AND ACCEPT A PROPERTY
FRONTAGE EASEMENT FOR UTILITIES AND APPURTENANCES GRANTED
TO THE CITY FROM JERALD D. ECK 411 REAL ESTATE, LLC, ON
PROPERTY LOCATED AT 405 / 411 WEST VALLEY HIGHWAY, PACIFIC,
WASHINGTON**

WHEREAS, pursuant to city Development Guidelines for Public Works Standards, Jerald D. Eck 411 Real Estate, LLC has, as evidenced by the attached document, granted a 10-foot easement across the property frontage to the City of Pacific on land described in Attachment A (405 / 411 West Valley Highway. King County #3353404200) for the purposes of allowing the City to operate and maintain the utilities and appurtenances existing on the property; and

WHEREAS, it is the desire of the Pacific City Council that the utility easement dedication be formally accepted and recorded;

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
PACIFIC, WASHINGTON**

Section 1. That the Mayor is hereby authorized to sign and accept the attached utility easement document, executed by a duly authorized representative of Jerald D. Eck 411 Real Estate, LLC, dedicating a certain easement to the City of Pacific.

Section 2. This Resolution shall take effect and be in full force upon passage and signatures hereon and the document is recorded with the King County Assessor.

APPROVED BY THE PACIFIC CITY COUNCIL on the 25th day of April, 2016.

CITY OF PACIFIC

LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

AMY STEVENSON-NESS, CITY CLERK

APPROVED AS TO FORM:

CAROL MORRIS, CITY ATTORNEY

When recorded return to:

**City of Pacific
City Clerk
100 – 3rd Avenue S.E.
Pacific, WA 98047**

WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

<p>Document Title(s) (or transactions contained therein): Street Frontage Utilities Easement</p>
<p>Reference Number(s) of Documents assigned or released: N/A Additional reference #'s on page _____ of document.</p>
<p>Grantor(s) Jerald D. Eck 411 Real Estate, LLC, a Washington Limited Liability Company <input type="checkbox"/> Additional names on page _____ of document.</p>
<p>Grantee(s) THE CITY OF PACIFIC, a Washington municipal corporation <input type="checkbox"/> Additional names on page _____ of document.</p>
<p>King County Parcel Legal Description (property where easement will exist): SW 1/4 OF SECTION 35, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M. <input type="checkbox"/> Additional legal is on page <u>6</u> of document.</p>
<p>Assessor's Property Tax Parcel/Account Number: King County #3353404200 <input type="checkbox"/> Assessor Tax # not yet assigned</p>

UTILITIES EASEMENT

This Utilities Easement ("Easement") is made as of the date set forth herein, by and between the City of Pacific, a Washington municipal corporation, ("Grantee") and Jerald D. Eck 411 Real Estate, LLC, ("Grantor"), referred to herein collectively as "the Parties" and individually as termed above or as "Party."

RECITALS

WHEREAS, Jerald D. Eck 411 Real Estate, LLC is the owner of the property legally described on Exhibit A, attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, the Grantor has submitted project plans for site development of property on West Valley Highway, a classified arterial; and

WHEREAS, the Section 4 of the Development Guidelines requires the dedication of a frontage utility easement on arterial streets as a condition of site development; and

WHEREAS, the Grantor agrees to dedicate an easement to the City on the Property to allow the City to install, operate and maintain future utilities;

NOW, THEREFORE, in furtherance of the recitals set forth above, which are incorporated herein by reference, and in consideration of the mutual obligations and benefits created by this Easement for utilities, the sufficiency and receipt of which is hereby acknowledged, the Parties agree to the following:

1. Grant of Perpetual Utilities Easement. Grantor hereby grants and conveys a perpetual, non-exclusive easement for utilities over, across, under, and upon the Property to the City of Pacific, its successors, and assigns. The Easement is required for sewer mains, water mains, and appurtenances. The Easement Area is legally described in Exhibit B and shown on the map in Exhibit C, both of which are attached hereto and incorporated herein by this reference. The Grantor shall bear all installation costs and expenses associated with the initial construction of the utility facilities to be installed in the Easement Area.

2. Benefit of Easement. The easement rights granted and conveyed hereunder shall be for the benefit of and use by the Grantee for the public purposes of perpetually conveying, storing, managing, operating, maintaining, constructing, improving, repairing, and facilitating the discharge of surface and storm water and other utilities and utility systems as reasonably necessary for the Grantee's development and use, together with the right for Grantee to access, ingress and egress, across, over, under and upon the Easement Area for said purposes. For the purpose of this Easement, "utilities" shall include, but not be limited to, water, sewer, stormwater.

3. **Easement Area.** Grantee shall have the right to utilize all the Easement Area as necessary to accommodate all of the above public purposes, including any operation, repair, maintenance, and reinstallation of any utility facilities.

4. **Conditions.**

A. *Maintenance and Repair.* Grantee shall be solely responsible for the maintenance, operation, repair and reinstallation of the utilities in the Easement Area. In the event of damage to the Easement Area as the result of construction, maintenance or use, of the Easement Area by Grantee, Grantee's agents or contractors, Grantee shall promptly restore the Easement Area, including any landscaping, to a condition equivalent to that in which it existed prior to the damage, at Grantee's sole cost, provided that Grantee shall not be responsible for any damage caused by the Grantor or its agents.

B. *Egress and Ingress.* This Easement includes a right of egress and ingress in reasonable locations, for the Grantee to access the Easement. The Grantee shall exercise its rights under this Agreement so as to minimize interference with the Grantor's use of his/her Property. The Grantee shall have all necessary access to the Easement Area without prior notification to the Grantor.

C. *Conflicts and Additional Easements.* The Grantor agrees that he/she shall not interfere with the Grantee's use of the Easement for the purposes described herein. Grantor agrees that the Grantor shall not grant any additional easements within the Easement area to any other party, without the prior written consent of the Grantee.

D. *Indemnity.* In the event of liability for damages arising out of bodily injury to persons or damages to property cause by or resulting from the actions of the Grantee, its officers, officials, employees or agents, the Grantee's liability shall be only to the extent of the Grantee's negligence.

5. **Attorneys' Fees.** In the event it is necessary for either party to initiate any legal proceeding to enforce any provision of this Easement agreement, the substantially prevailing party shall be entitled to an award of reasonable attorney fees, including costs and expert witness expenses.

6. **Termination.** This Easement agreement shall remain in effect perpetually unless a written termination agreement is executed by the Parties.

7. **Successors and Assigns.** This Easement agreement shall be recorded against the Property, and shall be a covenant running with the land, binding the heirs, successors and assigns of the Parties.

EXHIBIT A

PARCEL A:

THAT PORTION OF LOTS 29, 30, 31, AND 32, BLOCK 15, C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE DIVISION NO.1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 64, RECORDS OF KING COUNTY, WASHINGTON, LYING SOUTHWESTERLY OF A STRIGHT LINE DRAWN FROM A POINT OPPOSITE HIGHWAY ENGINEER'S STATION P.C. 377+36.87 ON THE CENTERLINE OF SR 167, PIERCE COUNTY LINE TO AUBURN: 17TH STREET S.W., AND 235 FEET SOUTHWESTERLY THEREFROM, TO A POINT OPPOSITE HIGHWAY ENGINEER'S STATION 380+00 ON SAID HIGHWAY PLAN AND 235 FEET SOUTHWESTERLY THEREFROM.

EXCEPT THAT PORTION LYING WITH DETROIT BOULEVARD SOUTH (WEST VALLEY HIGHWAY).

PARCELB:

LOTS 33, 34, 35 AND 36, BLOCK 15, C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE DIVISION NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 64, RECORDS OF KING COUNTY, WASHINGTON.

EXCEPT THAT PORTION LYING WITHIN DETROIT BOULEVARD SOUTH (WEST VALLEY HIGHWAY).

EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR HIGHWAY BE DEED UNDER RECORDING NO. 7101040147.

TOGETHER WITH THE NORTH HALF OF 4TH AVENUE SOUTHWEST VACATED BY ORDINANCE NO. 193 UNDER RECORDING NO. 80110600589 ADJACENT THERETO.

PARCELC:

LOTS 11 THROUGH 24, INCLUSIVE, BLOCK 16, C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE DIVISION NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 64, RECORDS OF KING COUNTY, WASHINGTON.

EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR HIGHWAY BY DEED UNDER RECORDING NO. 6626445,

TOGETHER WITH THE SOUTH HALF OF 4TH AVENUE SOUTHWEST VACATED BY ORDINANCE NO. 193 UNDER RECORDING NO. 80110600589 ADJACENT THERETO.

ALSO TOGETHER WITH THAT PORTION OF VACATED ELECTRIC AVENUE SOUTHWEST (BY CITY OF PACIFIC ORDINANCE NO. 1525 DATED APRIL 8, 2002) ABUTTING SAID LOTS 11 AND 12 OF BLOCK 16, C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE DIVISION NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 64.

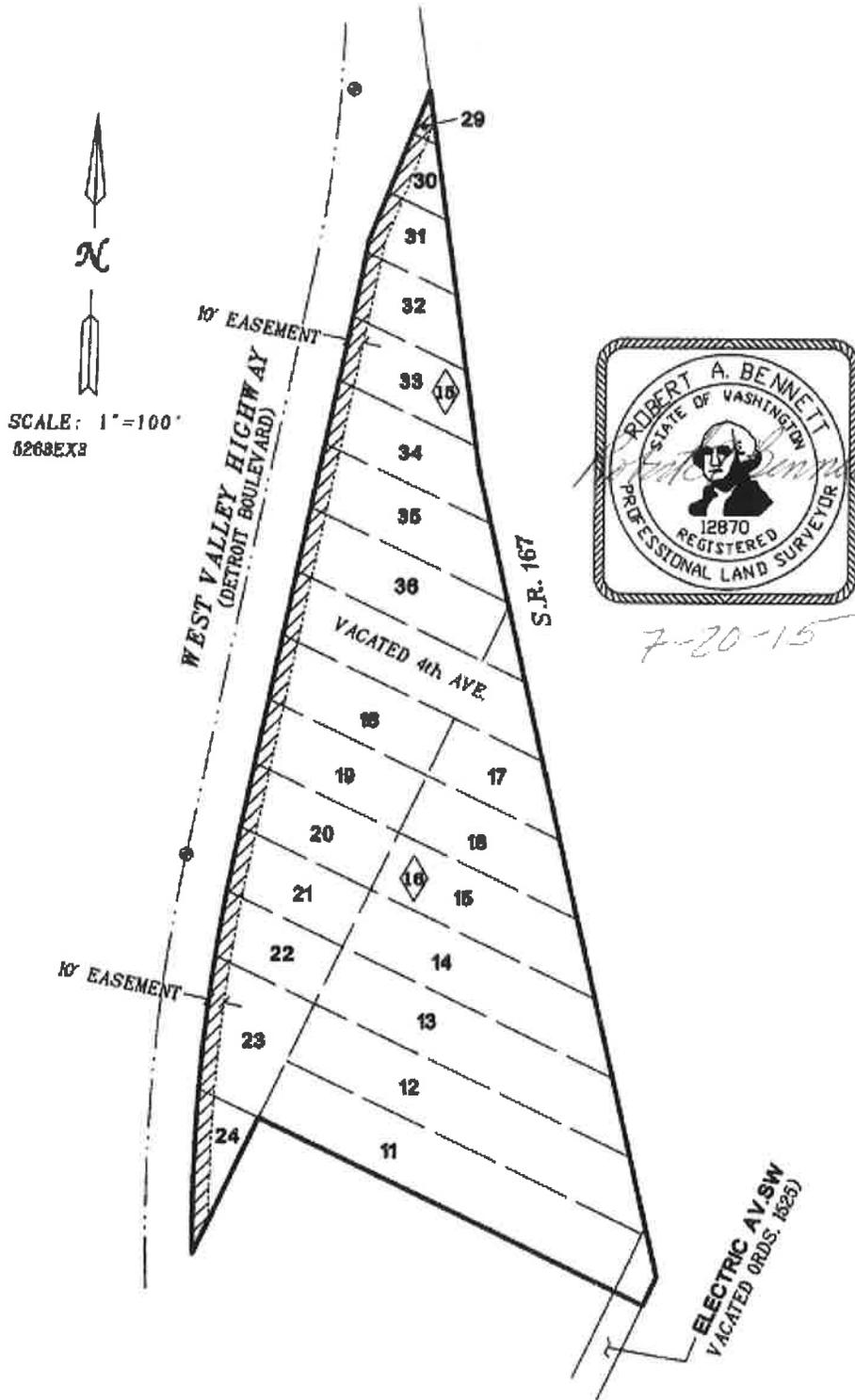
EXHIBIT B
LEGAL DESCRIPTION OF EASEMENT AREA

THE WESTERLY 10 FEET OF THE FOLLOWING DESCRIBED PARCEL SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M., KING COUNTY, WASHINGTON: THAT PORTION OF LOTS 29 THROUGH LOT 32, BLOCK 15, C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE, DIVISION N0.1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS AT PAGE 64, RECORDS OF KING COUNTY, WASHINGTON, LYING SOUTHWESTERLY OF A STRAIGHT LINE DRAWN FROM A POINT OPPOSITE HIGHWAY ENGINEER'S STATION P.C. 377+36.87 ON THE CENTERLINE OF S.R. 167, PIERCE COUNTY LINE TO AUBURN 17th STREET S.W. AND 236 FEET SOUTHWESTERLY THEREFROM TO A POINT OPPOSITE HIGHWAY ENGINEER'S STATION 380+00 ON SAID HIGHWAY PLAN AND 235 FEET SOUTHWESTERLY THEREFROM

EXCEPT THAT PORTION THEREOF CONVEYED TO KING COUNTY FOR DETROIT BOULEVARD BY DEED RECORDED UNDER RECORDING NO. 929853

TOGETHER WITH LOTS 33 THROUGH LOT 36, BLOCK 15, C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE, DIVISION N0.1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS AT PAGE 63, RECORDS OF KING COUNTY, WASHINGTON

EXHIBIT C
MAP OF EASEMENT AREA





Agenda Bill No. 16-046

TO: Mayor Guier and City Council Members
FROM: Public Works
MEETING DATE: May 23, 2016
SUBJECT: North and South Storm Drainage Easement Acceptance

ATTACHMENTS:

- Resolution No. 2016-338
- Easement Documents

Previous Council Review Date: N/A

Summary: The City of Pacific operates public utilities throughout the City including a stormwater collection and conveyance system. A component of this system is an 18-inch diameter storm pipe along the southerly portion and a 6-inch diameter pipe north of the vacated 4th Avenue SW right of way of 405 / 411 West Valley Highway (King County Parcel Nos. 3353404200) owned by Mr. Jerald Eck 411 Real Estate LLC. There are no records of easements for these pipelines, so we assume that the City has acquired a prescriptive easement for the placement of the pipeline and appurtenances.

1980, the City vacated a portion of Fourth Avenue Southwest, which lies within the property owned by Jerald Eck 411 Real Estate LLC. The vacation Ordinance No. 193 shows that the City reserved a utilities easement in the vacated area.

Recently, Mr. Eck has submitted plans for the development of this property. He has agreed to grant the City written easements in exchange for the City's release of the easement reserved under the vacation Ordinance No. 193. Mr. Eck has had prepared easement documents dedicating to the City a 20.0 feet wide utility easement for the stormwater pipeline along the southerly property line and a 10.0 feet wide easement north of the vacated 4th Avenue SW right-of-way. The documents have been reviewed by the City consultant for accuracy.

Recommended Action: Staff recommends Council approve Resolution No. 2016-338.

Motion for Consideration: “I move to” approve Resolution No. 2016-338, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC AUTHORIZING THE MAYOR TO ACCEPT TWO UTILITIES EASEMENTS FOR PUBLIC UTILITIES AND APPURTENANCES GRANTED TO THE CITY FROM JERALD ECK 411 REAL ESTATE LLC, ON PROPERTY LOCATED AT 405 / 411 WEST VALLEY HIGHWAY, PACIFIC, WASHINGTON

Budget Impact: The costs associated with this action are the recording fees, which shall be paid for by the City.

Alternatives: None recommended

**CITY OF PACIFIC
WASHINGTON**

RESOLUTION NO. 2016-338

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC
AUTHORIZING THE MAYOR TO EXECUTE AND ACCEPT TWO UTILITIES
EASEMENTS FOR STORM DRAINAGE AND APPURTENANCES GRANTED
TO THE CITY FROM JERALD D. ECK 411 REAL ESTATE, LLC, ON
PROPERTY LOCATED AT 405 / 411 WEST VALLEY HIGHWAY, PACIFIC,
WASHINGTON**

WHEREAS, pursuant to city utility requirements, Jerald D. Eck 411 Real Estate, LLC has, as evidenced by the attached documents, granted a 20.0-foot easement and a 10.0 foot easement to the City of Pacific on land described in Attachment A and B (405 / 411 West Valley Highway. King County #3353404200) for the purposes of allowing the City to operate and maintain the existing storm drain lines and appurtenances and dedicated to the City; and

WHEREAS, it is the desire of the Pacific City Council that the utility easement dedication be formally accepted and recorded;

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
PACIFIC, WASHINGTON**

Section 1. That the Mayor is hereby authorized to sign and accept the attached utility easement documents, executed by a duly authorized representative of Jerald D. Eck 411 Real Estate, LLC, dedicating a certain easement to the City of Pacific.

Section 2. This Resolution shall take effect and be in full force upon passage and signatures hereon and the document is recorded with the King County Assessor.

APPROVED BY THE PACIFIC CITY COUNCIL THIS 23rd day of May, 2016.

CITY OF PACIFIC

LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

AMY STEVENSON-NESS, CITY CLERK

APPROVED AS TO FORM:

CAROL MORRIS, CITY ATTORNEY

When recorded return to:

**City of Pacific
City Clerk
100 – 3rd Avenue S.E.
Pacific, WA 98047**

WASHINGTON STATE RECORDER’S Cover Sheet (RCW 65.04)

Document Title(s) (or transactions contained therein): Ingress, Egress, and Storm Easement
Reference Number(s) of Documents assigned or released: N/A Additional reference #'s on page _____ of document.
Grantor(s) Jerald D. Eck 411 Real Estate, LLC, a Washington Limited Liability Company <input type="checkbox"/> Additional names on page _____ of document.
Grantee(s) THE CITY OF PACIFIC, a Washington municipal corporation <input type="checkbox"/> Additional names on page _____ of document.
King County Parcel Legal Description (property where easement will exist): SW 1/4 OF SECTION 35, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M. <input type="checkbox"/> Additional legal is on page <u>6</u> of document.
Assessor’s Property Tax Parcel/Account Number: King County #3353404200 <input type="checkbox"/> Assessor Tax # not yet assigned

UTILITIES EASEMENT

This Ingress, Egress and Storm System Utilities Easement ("Easement") is made as of the date set forth herein, by and between the City of Pacific, a Washington municipal corporation, ("Grantee") and Jerald D. Eck 411 Real Estate, LLC, ("Grantor"), referred to herein collectively as "the Parties" and individually as termed above or as "Party."

RECITALS

WHEREAS, Jerald D. Eck 411 Real Estate, LLC is the owner of the property legally described on Exhibit A, attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, the Property had an existing utilities easement in favor of the City of Pacific; and

WHEREAS, the City of Pacific released the existing easement in the Release of Utilities Easement, dated _____ and recorded against the Property under AFN 8011060589; and

WHEREAS, the Grantor plans to grant the City a new utilities easement in order to allow for the operation of existing storm water pipeline and related facilities; and

WHEREAS, the Grantor agrees to dedicate an easement to the City on the Property to allow the City to operate and maintain the existing public utilities;

1. Grant of Perpetual Utilities Easement. Grantor hereby grants and conveys a perpetual, non-exclusive easement for a storm water pipeline and appurtenances, over, across, under, and upon the Property to the City of Pacific, its successors, and assigns. The Easement Area is legally described in Exhibit B and shown on the map in Exhibit C, both of which are attached hereto and incorporated herein by this reference.

2. Benefit of Easement. The easement rights granted and conveyed hereunder shall be for the benefit of and use by the Grantee for conveying, storing, managing, operating, maintaining, constructing, improving, repairing, facilitating the existing stormwater pipeline and appurtenances, together with the right for Grantee to access, ingress and egress, across, over, under and upon the Easement Area for said purposes. For the purpose of this Easement, "utilities" shall be limited to stormwater infrastructure

3. Easement Area. Grantee shall have the right to utilize all the Easement Area as necessary to accommodate all of the above public purposes, including any operation, repair, maintenance, and reinstallation of any utility facilities.

4. **Conditions.**

A. *Maintenance and Repair.* Grantee shall be solely responsible for the maintenance, operation, repair and reinstallation of the utilities in the Easement Area. In the event of damage to the Easement Area as the result of construction, maintenance or use, of the Easement Area by Grantee, Grantee's agents or contractors, Grantee shall promptly restore the Easement Area, including any landscaping, to a condition equivalent to that in which it existed prior to the damage, at Grantee's sole cost, provided that Grantee shall not be responsible for any damage caused by the Grantor or its agents.

B. *Egress and Ingress.* This Easement includes a right of egress and ingress in reasonable locations, for the Grantee to access the Easement. The Grantee shall exercise its rights under this Agreement so as to minimize interference with the Grantor's use of his/her Property. The Grantee shall have all necessary access to the Easement Area without prior notification to the Grantor.

C. *Conflicts and Additional Easements.* The Grantor agrees that he/she shall not interfere with the Grantee's use of the Easement for the purposes described herein. Grantor agrees that the Grantor shall not grant any additional easements within the Easement area to any other party, without the prior written consent of the Grantee.

D. *Indemnity.* In the event of liability for damages arising out of bodily injury to persons or damages to property cause by or resulting from the actions of the Grantee, its officers, officials, employees or agents, the Grantee's liability shall be only to the extent of the Grantee's negligence.

5. **Attorneys' Fees.** In the event it is necessary for either party to initiate any legal proceeding to enforce any provision of this Easement agreement, the substantially prevailing party shall be entitled to an award of reasonable attorney fees, including costs and expert witness expenses.

6. **Termination.** This Easement agreement shall remain in effect perpetually unless a written termination agreement is executed by the Parties.

7. **Successors and Assigns.** This Easement agreement shall be recorded against the Property, and shall be a covenant running with the land, binding the heirs, successors and assigns of the Parties.

8. **Governing Law and Venue.** This Easement agreement shall be governed by and interpreted in accordance with Washington law. Any litigation arising out of or in connection with this Agreement shall be conducted in Pierce County, Washington.

9. **Amendment.** This Easement agreement shall not be modified or amended except by written instrument executed by the duly authorized representatives of the Parties.

EXHIBIT A

PARCEL A:

THAT PORTION OF LOTS 29, 30, 31, AND 32, BLOCK 15, C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE DIVISION NO.1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 64, RECORDS OF KING COUNTY, WASHINGTON, LYING SOUTHWESTERLY OF A STRIGHT LINE DRAWN FROM A POINT OPPOSITE HIGHWAY ENGINEER'S STATION P.C. 377+36.87 ON THE CENTERLINE OF SR 167, PIERCE COUNTY LINE TO AUBURN: 17TH STREET S.W., AND 235 FEET SOUTHWESTERLY THEREFROM, TO A POINT OPPOSITE HIGHWAY ENGINEER'S STATION 380+00 ON SAID HIGHWAY PLAN AND 235 FEET SOUTHWESTERLY THEREFROM.

EXCEPT THAT PORTION LYING WITH DETROIT BOULEVARD SOUTH (WEST VALLEY HIGHWAY).

PARCELB:

LOTS 33, 34, 35 AND 36, BLOCK 15, C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE DIVISION NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 64, RECORDS OF KING COUNTY, WASHINGTON.

EXCEPT THAT PORTION LYING WITHIN DETROIT BOULEVARD SOUTH (WEST VALLEY HIGHWAY).

EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR HIGHWAY BE DEED UNDER RECORDING NO. 7101040147.

TOGETHER WITH THE NORTH HALF OF 4TH AVENUE SOUTHWEST VACATED BY ORDINANCE NO. 193 UNDER RECORDING NO. 80110600589 ADJACENT THERETO.

PARCELC:

LOTS 11 THROUGH 24, INCLUSIVE, BLOCK 16, C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE DIVISION NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 64, RECORDS OF KING COUNTY, WASHINGTON.

EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR HIGHWAY BY DEED UNDER RECORDING NO. 6626445,

TOGETHER WITH THE SOUTH HALF OF 4TH AVENUE SOUTHWEST VACATED BY ORDINANCE NO. 193 UNDER RECORDING NO. 80110600589 ADJACENT THERETO.

ALSO TOGETHER WITH THAT PORTION OF VACATED ELECTRIC AVENUE SOUTHWEST (BY CITY OF PACIFIC ORDINANCE NO. 1525 DATED APRIL 8, 2002) ABUTTING SAID LOTS 11 AND 12 OF BLOCK 16, C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE DIVISION NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 64.

EXHIBIT B
LEGAL DESCRIPTION OF EASEMENT AREA

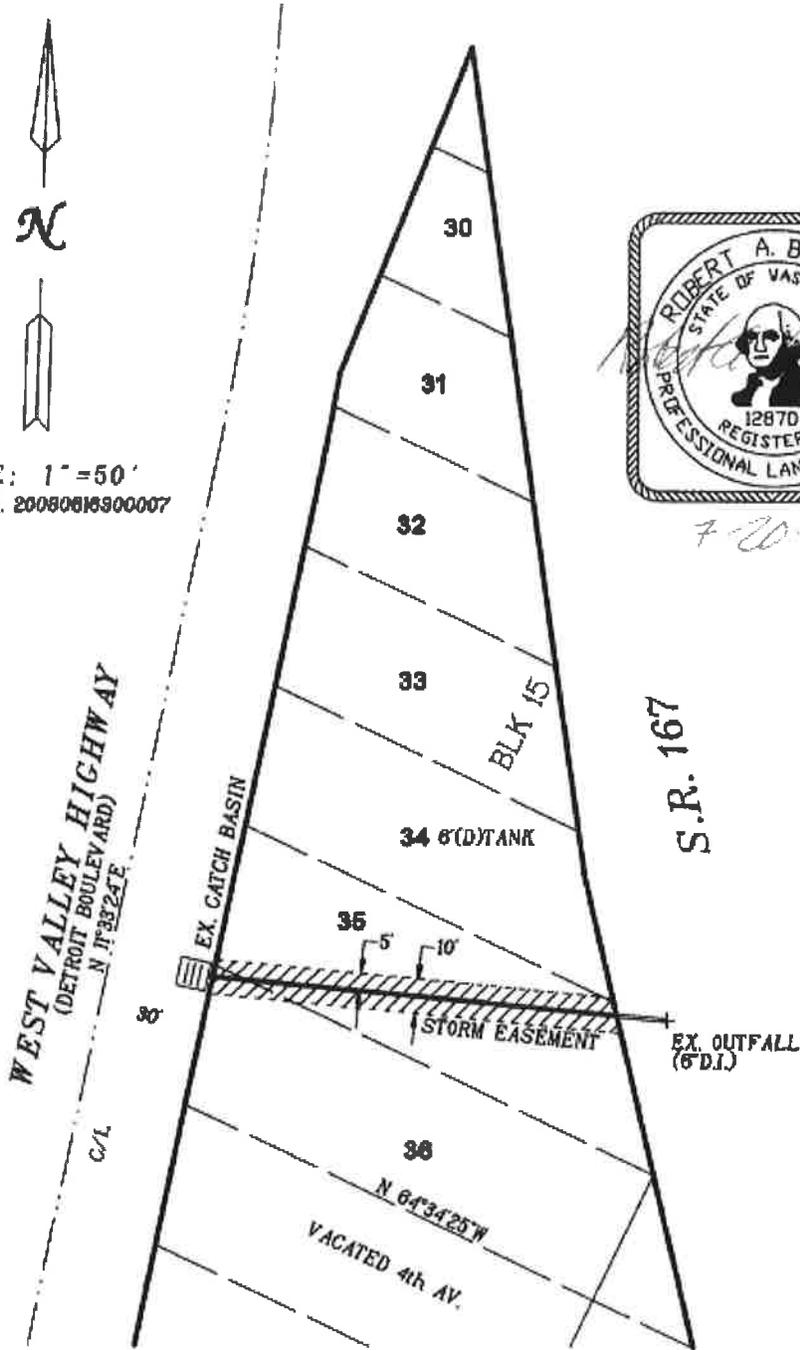
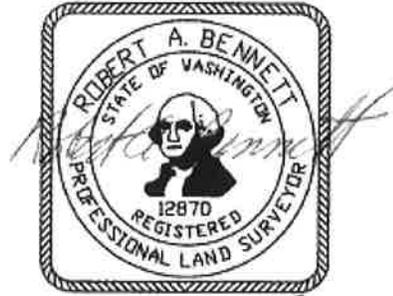
A 10 FOOT STORM EASEMENT 5 FOOT EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.

COMMENCING AT THE INTERSECTION OF THE EASTERLY MARGIN OF WEST VALLEY HIGHWAY (DETROIT BOULEVARD) WITH THE COMMON LOT LINE BETWEEN LOTS 35 AND 36, BLOCK 15, C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE, DIVISION NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS AT PAGE 64, AS SHOWN ON RECORD OF SURVEY RECORDED UNDER RECORDING NUMBER 20080616900007, RECORDS OF KING COUNTY RECORDER. SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M., KING COUNTY, WASHINGTON; THENCE SOUTH $11^{\circ}33'24''$ WEST ALONG SAID EASTERLY MARGIN A DISTANCE ON 3.41 FEET TO THE TRUE POINT OF BEGINNING OF SAID CENTERLINE OF EASEMENT; THENCE SOUTH $84^{\circ}42'46''$ EAST A DISTANCE OF 116.82 FEET TO THE WESTERLY MARGIN OF STATE HIGHWAY SR 167 AND THE TERMIUNUS OF SAID CENTERLINE.

EXHIBIT C
MAP OF EASEMENT AREA



SCALE: 1" = 50'
REF. REC. NO. 20090616900007



When recorded return to:

**City of Pacific
City Clerk
100 – 3rd Avenue S.E.
Pacific, WA 98047**

WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Document Title(s) (or transactions contained therein): Ingress, Egress, and Storm Easement
Reference Number(s) of Documents assigned or released: N/A Additional reference #'s on page _____ of document.
Grantor(s) Jerald D. Eck 411 Real Estate, LLC, a Washington Limited Liability Company <input type="checkbox"/> Additional names on page _____ of document.
Grantee(s) THE CITY OF PACIFIC, a Washington municipal corporation <input type="checkbox"/> Additional names on page _____ of document.
King County Parcel Legal Description (property where easement will exist): SW 1/4 OF SECTION 35, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M. <input type="checkbox"/> Additional legal is on page 6 of document.
Assessor's Property Tax Parcel/Account Number: King County #3353404200 <input type="checkbox"/> Assessor Tax # not yet assigned

UTILITIES EASEMENT

This Ingress, Egress and Storm System Utilities Easement ("Easement") is made as of the date set forth herein, by and between the City of Pacific, a Washington municipal corporation, ("Grantee") and Jerald D. Eck 411 Real Estate, LLC, ("Grantor"), referred to herein collectively as "the Parties" and individually as termed above or as "Party.".

RECITALS

WHEREAS, Jerald D. Eck 411 Real Estate, LLC is the owner of the property legally described on Exhibit A, attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, the Property had an existing utilities easement in favor of the City of Pacific; and

WHEREAS, the City of Pacific released the existing easement in the Release of Utilities Easement, dated _____ and recorded against the Property under AFN 8011060589; and

WHEREAS, the Grantor plans to grant the City a new utilities easement in order to allow for the operation of existing storm water pipeline and related facilities; and

WHEREAS, the Grantor agrees to dedicate an easement to the City on the Property to allow the City to operate and maintain the existing public utilities;

1. Grant of Perpetual Utilities Easement. Grantor hereby grants and conveys a perpetual, non-exclusive easement for utilities over, across, under, and upon the Property to the City of Pacific, its successors, and assigns. The Easement is required for an existing stormwater conveyance system, and future sewer mains, water mains, and appurtenances. The Easement Area is legally described in Exhibit B and shown on the map in Exhibit C, both of which are attached hereto and incorporated herein by this reference. The Grantor shall bear all installation costs and expenses associated with the initial construction of the utility facilities to be installed in the Easement Area.

2. Benefit of Easement. The easement rights granted and conveyed hereunder shall be for the benefit of and use by the Grantee for the public purposes of perpetually conveying, storing, managing, operating, maintaining, constructing, improving, repairing, and facilitating the discharge of surface and storm water and other utilities and utility systems as reasonably necessary, together with the right for Grantee to access, ingress and egress, across, over, under and upon the Easement Area for said purposes. For the purpose of this Easement, "utilities" shall include, but not be limited to, water, sewer, and stormwater.

3. Easement Area. Grantee shall have the right to utilize all the Easement Area as necessary to accommodate all of the above public purposes, including any operation, repair, maintenance, and reinstallation of any utility facilities.

4. Conditions.

A. *Maintenance and Repair.* Grantee shall be solely responsible for the maintenance, operation, repair and reinstallation of the utilities in the Easement Area. In the event of damage to the Easement Area as the result of construction, maintenance or use, of the Easement Area by Grantee, Grantee's agents or contractors, Grantee shall promptly restore the Easement Area, including any landscaping, to a condition equivalent to that in which it existed prior to the damage, at Grantee's sole cost, provided that Grantee shall not be responsible for any damage caused by the Grantor or its agents.

B. *Egress and Ingress.* This Easement includes a right of egress and ingress in reasonable locations, for the Grantee to access the Easement. The Grantee shall exercise its rights under this Agreement so as to minimize interference with the Grantor's use of his/her Property. The Grantee shall have all necessary access to the Easement Area without prior notification to the Grantor.

C. *Conflicts and Additional Easements.* The Grantor agrees that he/she shall not interfere with the Grantee's use of the Easement for the purposes described herein. Grantor agrees that the Grantor shall not grant any additional easements within the Easement area to any other party, without the prior written consent of the Grantee.

D. *Indemnity.* In the event of liability for damages arising out of bodily injury to persons or damages to property cause by or resulting from the actions of the Grantee, its officers, officials, employees or agents, the Grantee's liability shall be only to the extent of the Grantee's negligence.

5. Attorneys' Fees. In the event it is necessary for either party to initiate any legal proceeding to enforce any provision of this Easement agreement, the substantially prevailing party shall be entitled to an award of reasonable attorney fees, including costs and expert witness expenses.

6. Termination. This Easement agreement shall remain in effect perpetually unless a written termination agreement is executed by the Parties.

7. Successors and Assigns. This Easement agreement shall be recorded against the Property, and shall be a covenant running with the land, binding the heirs, successors and assigns of the Parties.

GRANTOR:

JERALD D. ECK 411 REAL ESTATE, LLC

By: [Signature] [Jerald D. Eck]
Its: Managing Member

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

The undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, affirms that Jerald D. Eck personally appeared before me, is known to be the authorized agent of Jerald D. Eck 411 Real Estate, LLC, a Washington Limited Liability Company, who executed the foregoing instrument, and acknowledged this instrument to be the free and voluntary act and deed of said Limited Liability Company for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

Given under my hand and official seal this 5 day of May, 2016.

[Signature]
Notary Public in and for the State of Washington,
residing at Covington, WA
My appointment expires 2/28/18

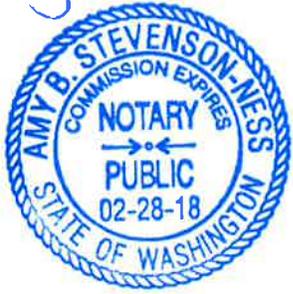


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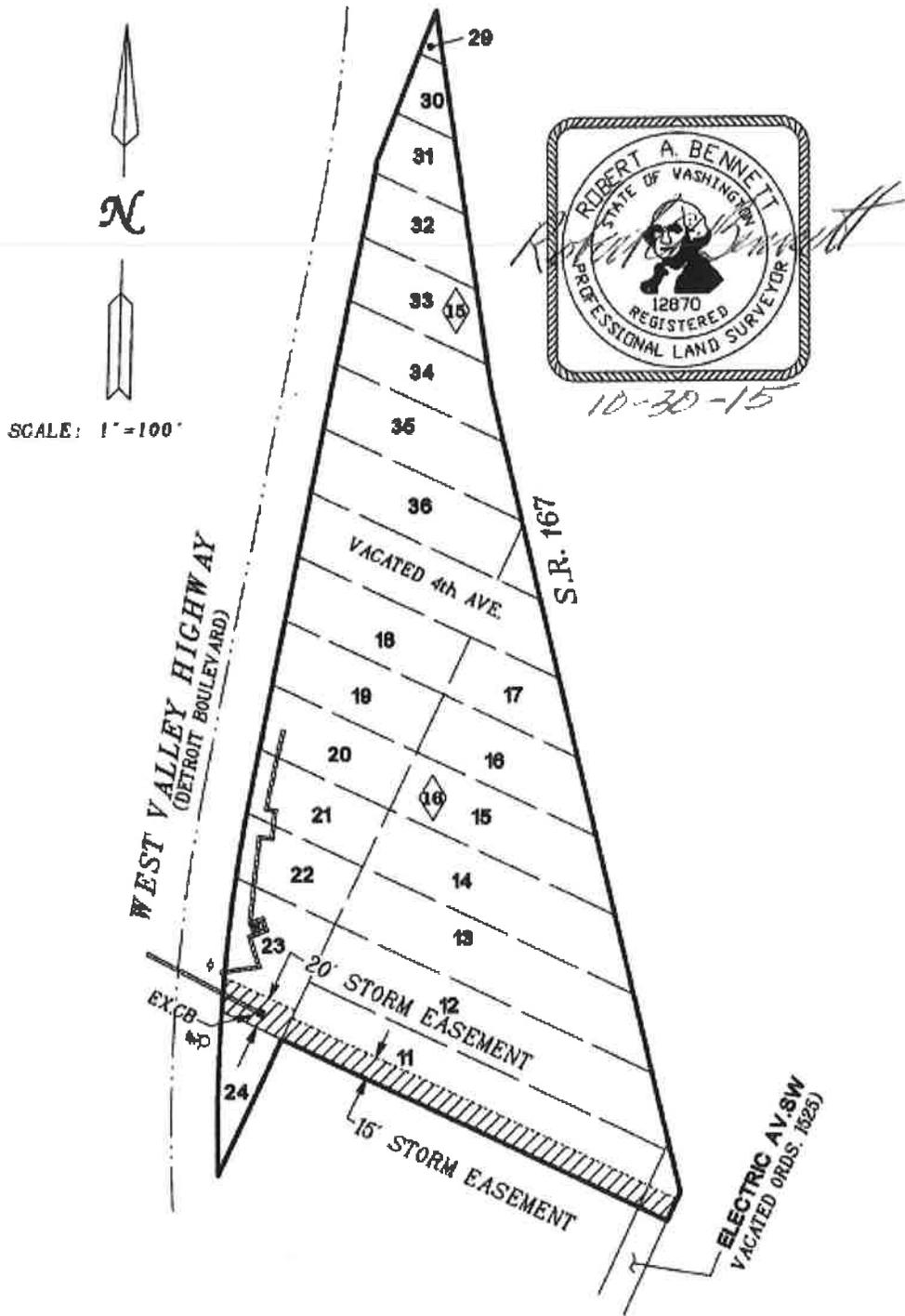
EXHIBIT B
LEGAL DESCRIPTION OF EASEMENT AREA

THE SOUTHERLY 15 FEET OF LOTS 11 AND THE SOUTHERLY 20 FEET OF LOT 23, BLOCK 16 OF C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE DIVISION NO.1. ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS OF PAGE 64, RECORDS OF KING COUNTY, WASHINGTON.

TOGETHER WITH THAT PORTION OF VACATED ELECTRIC AVENUE SOUTHWEST AS PER THE CITY OF PACIFIC ORDINANCE NO. 1525 DATED APRIL 8, 2002 ABUTTING SAID LOTS 11 AND 12 OF SAID BLOCK 16 OF C.D. HILLMAN'S PACIFIC CITY ADDITION TO THE CITY OF SEATTLE DIVISION NO. 1. ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS OF PAGE 64, RECORDS OF KING COUNTY, WASHINGTON.

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M.,

EXHIBIT C
MAP OF EASEMENT AREA



73,665.4260
CITY OF PACIFIC

AGENDA BILLS

AGENDA ITEM NO. Consent Agenda 10A MEETING DATE: May 23, 2016
SUBJECT: Claim Voucher & Payroll Approval PREPARED BY: Richard Gould, Finance Director

SUMMARY:

Approval of Payroll for the period of May 1, 2016 through May 15, 2016; Claims Voucher for May 10, 2016 through May 23, 2016.

PAYROLL AUTO DEPOSIT		\$ 67,528.20
PAYROLL CHECKS:	4958 - 4962	\$ 2,713.48
EFT'S		\$ 38,632.19
CLAIMS CHECKS:	46780 - 46823	\$ 349,922.99
CLAIMS CHECKS VOIDED:	46658,46662,46670,46779	
TOTAL EXPENDITURES:		<u><u>\$ 458,796.86</u></u>

RECOMMENDATION: Approval of payment for Payroll and Claims

MOTION: Move to approve the Consent Agenda including approval of Payroll and Claims Vouchers.

ATTACHMENTS: Check Registers and Payroll Expense itemization

CHECK REGISTER

City Of Pacific
MCAG #: 0423

05/10/2016 To: 05/23/2016

Time: 10:40:09 Date: 05/19/2016

Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
3251	05/23/2016	Claims	1	EFT	WA ST DEPT OF REVENUE	10,117.55	April's Excise And B & O Tax
3379	05/20/2016	Payroll	1	EFT		414.33	05/01/16 - 05/15/16 Payroll
3380	05/20/2016	Payroll	1	EFT		2,429.14	05/01/16 - 05/15/16 Payroll
3382	05/20/2016	Payroll	1	EFT		2,214.13	05/01/16 - 05/15/16 Payroll
3383	05/20/2016	Payroll	1	EFT		4,051.91	05/01/16 - 05/15/16 Payroll
3384	05/20/2016	Payroll	1	EFT		2,236.44	05/01/16 - 05/15/16 Payroll
3385	05/20/2016	Payroll	1	EFT		2,308.92	05/01/16 - 05/15/16 Payroll
3386	05/20/2016	Payroll	1	EFT		524.34	05/01/16 - 05/15/16 Payroll
3388	05/20/2016	Payroll	1	EFT		1,248.58	05/01/16 - 05/15/16 Payroll
3389	05/20/2016	Payroll	1	EFT		1,349.24	05/01/16 - 05/15/16 Payroll
3390	05/20/2016	Payroll	1	EFT		2,108.50	05/01/16 - 05/15/16 Payroll
3391	05/20/2016	Payroll	1	EFT		92.05	05/01/16 - 05/15/16 Payroll
3393	05/20/2016	Payroll	1	EFT		3,343.36	05/01/16 - 05/15/16 Payroll
3394	05/20/2016	Payroll	1	EFT		317.91	05/01/16 - 05/15/16 Payroll
3395	05/20/2016	Payroll	1	EFT		792.78	05/01/16 - 05/15/16 Payroll
3396	05/20/2016	Payroll	1	EFT		312.35	05/01/16 - 05/15/16 Payroll
3397	05/20/2016	Payroll	1	EFT		2,390.37	05/01/16 - 05/15/16 Payroll
3398	05/20/2016	Payroll	1	EFT		92.05	05/01/16 - 05/15/16 Payroll
3399	05/20/2016	Payroll	1	EFT		2,222.20	05/01/16 - 05/15/16 Payroll
3400	05/20/2016	Payroll	1	EFT		1,282.55	05/01/16 - 05/15/16 Payroll
3401	05/20/2016	Payroll	1	EFT		1,122.11	05/01/16 - 05/15/16 Payroll
3402	05/20/2016	Payroll	1	EFT		2,966.23	05/01/16 - 05/15/16 Payroll
3403	05/20/2016	Payroll	1	EFT		1,575.67	05/01/16 - 05/15/16 Payroll
3404	05/20/2016	Payroll	1	EFT		2,370.90	05/01/16 - 05/15/16 Payroll
3405	05/20/2016	Payroll	1	EFT		91.45	05/01/16 - 05/15/16 Payroll
3406	05/20/2016	Payroll	1	EFT		2,152.48	05/01/16 - 05/15/16 Payroll
3407	05/20/2016	Payroll	1	EFT		82.05	05/01/16 - 05/15/16 Payroll
3408	05/20/2016	Payroll	1	EFT		1,521.41	05/01/16 - 05/15/16 Payroll
3409	05/20/2016	Payroll	1	EFT		1,908.74	05/01/16 - 05/15/16 Payroll
3410	05/20/2016	Payroll	1	EFT		1,804.74	05/01/16 - 05/15/16 Payroll
3411	05/20/2016	Payroll	1	EFT		1,695.74	05/01/16 - 05/15/16 Payroll
3412	05/20/2016	Payroll	1	EFT		1,961.44	05/01/16 - 05/15/16 Payroll
3413	05/20/2016	Payroll	1	EFT		1,175.68	05/01/16 - 05/15/16 Payroll
3414	05/20/2016	Payroll	1	EFT		2,104.91	05/01/16 - 05/15/16 Payroll
3415	05/20/2016	Payroll	1	EFT		1,702.18	05/01/16 - 05/15/16 Payroll
3417	05/20/2016	Payroll	1	EFT		2,297.19	05/01/16 - 05/15/16 Payroll
3418	05/20/2016	Payroll	1	EFT		1,607.83	05/01/16 - 05/15/16 Payroll
3420	05/20/2016	Payroll	1	EFT		1,176.75	05/01/16 - 05/15/16 Payroll
3421	05/20/2016	Payroll	1	EFT		1,753.01	05/01/16 - 05/15/16 Payroll
3422	05/20/2016	Payroll	1	EFT		2,205.02	05/01/16 - 05/15/16 Payroll
3423	05/20/2016	Payroll	1	EFT		1,387.95	05/01/16 - 05/15/16 Payroll
3424	05/20/2016	Payroll	1	EFT		1,460.04	05/01/16 - 05/15/16 Payroll
3425	05/20/2016	Payroll	1	EFT		1,403.53	05/01/16 - 05/15/16 Payroll
3442	05/23/2016	Claims	1	EFT	COLUMBIA BANK CARDMEMBER SERVICE	941.91	ACCT. #: 4798510051132179
3491	05/20/2016	Payroll	1	EFT	INTERNAL REVENUE SERVICE	26,897.73	941 Deposit For 05/20/2016 - 05/20/2016
3492	05/20/2016	Payroll	1	EFT	WA ST DEPT RETIREMENT SYSTEM	675.00	05/20/2016 To 05/20/2016 - DCP - DRS
3381	05/20/2016	Payroll	1	4958		1,196.35	05/01/16 - 05/15/16 Payroll
3387	05/20/2016	Payroll	1	4959		1,250.98	05/01/16 - 05/15/16 Payroll
3392	05/20/2016	Payroll	1	4960		87.05	05/01/16 - 05/15/16 Payroll
3416	05/20/2016	Payroll	1	4961		92.05	05/01/16 - 05/15/16 Payroll
3419	05/20/2016	Payroll	1	4962		87.05	05/01/16 - 05/15/16 Payroll
3443	05/23/2016	Claims	1	46779	SUMMIT LAW GROUP		CHECK NOT PRINTED
3446	05/23/2016	Claims	1	46780	ALGONA COURTS	5,280.95	Algona Court From April 2016

CHECK REGISTER

City Of Pacific
MCAG #: 0423

05/10/2016 To: 05/23/2016

Time: 10:40:09 Date: 05/19/2016

Page: 2

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
3447	05/23/2016	Claims	1	46781	ALPINE PRODUCTS INC	580.35	PW: "THANK YOU FOR NOT FEEDING US" SIGN
3448	05/23/2016	Claims	1	46782	CITY OF AUBURN	4,215.83	APRIL 2016 IT SERVICES
3449	05/23/2016	Claims	1	46783	AUS WEST LOCKBOX	81.34	CITY HALL: DOOR MATS; POLICE: DOOR MATS
3450	05/23/2016	Claims	1	46784	BLUMENTHAL UNIFORMS	410.56	POLICE: T. CARTER DUTY JACKET; POLICE: T. CARTER UNIFORM
3451	05/23/2016	Claims	1	46785	CENTURYLINK	96.00	POLICE: LOBBY PHONE
3452	05/23/2016	Claims	1	46786	CHUCKALS OFFICE PRODUCTS INC	23.76	CD: SUPPLIES
3453	05/23/2016	Claims	1	46787	CITY OF AUBURN	176.68	APRIL 2016 UTILITIES
3454	05/23/2016	Claims	1	46788	ALEJANDRA CONTRERAS	122.68	COURT: INTERPRETER SERVICES
3455	05/23/2016	Claims	1	46789	COPIERS NORTHWEST INC	92.97	
3456	05/23/2016	Claims	1	46790	DATABAR INCORPORATED	1,629.11	FINANCE: APRIL 2016 UTILITY BILLING
3457	05/23/2016	Claims	1	46791	DEPARTMENT OF COMMERCE	174,660.33	CONTRACT #PR13-951-087 (STEWART RD./THORNTON AVE. IMPROVEMENTS); CONTRACT #PC13-961-053 (STEWART RD & VALENTINE AVE WATER MAIN REPLACE)
3458	05/23/2016	Claims	1	46792	SHARON EDIN	9.02	Refund inactive customer credit balance
3459	05/23/2016	Claims	1	46793	FINISH LINE CLEANING	3,020.00	CITY HALL, REC & SR. CENTER & POLICE: JANITORIAL SERVICES
3460	05/23/2016	Claims	1	46794	GENESYS TELECOMMUNICATIONS LAB, INC.	5.65	PW: SOUNDBITE
3461	05/23/2016	Claims	1	46795	JIREON JIMENEZ	250.00	YOUTH: RENTAL DEPOSIT REFUND
3462	05/23/2016	Claims	1	46796	KC FINANCE I-NET	375.00	APRIL 2016 INET CONTRACT
3463	05/23/2016	Claims	1	46797	KC FINANCE LIQUOR EXCISE	476.82	POLICE: 2016 Q1 LIQUOR PROFITS & EXCISE TAX
3464	05/23/2016	Claims	1	46798	KING COUNTY FINANCE	109,862.17	WASTEWATER TREATMENT
3465	05/23/2016	Claims	1	46799	KING COUNTY FINANCE	33.00	FINANCE: RELEASE OF LIEN (MENDOZA 103 MILWAUKEE BLVD. N - PACIFIC, WA 98047)
3466	05/23/2016	Claims	1	46800	NIKOLAY KVASNYUK	110.80	COURT: INTERPRETER SERVICES
3467	05/23/2016	Claims	1	46801	VANNARA LIM	150.00	COURT: INTERPRETER SERVICES
3468	05/23/2016	Claims	1	46802	CU-14-004 LITTLE ANGEL CHILDCARE CENTER	2,000.00	CD: DEVELOPMENT DEPOSIT REFUND
3469	05/23/2016	Claims	1	46803	MOUNTAIN MIST	143.71	BOTTLED WATER
3470	05/23/2016	Claims	1	46804	PACIFIC OFFICE AUTOMATION	291.18	POLICE: COPY MACHINE USAGE; POLICE: COPY MACHINE LEASE
3471	05/23/2016	Claims	1	46805	CITY OF PACIFIC PETTY CASH	264.96	FINANCE PETTY:CASH: 02/20/16 - 05/19/16
3472	05/23/2016	Claims	1	46806	CITY OF PACIFIC	1,413.20	APRIL 2016 UTILITIES
3473	05/23/2016	Claims	1	46807	PETROCARD SYSTEMS INC	1,721.88	ACCT #00-0077308 INV. #C062016

CHECK REGISTER

City Of Pacific
MCAG #: 0423

05/10/2016 To: 05/23/2016

Time: 10:40:09 Date: 05/19/2016
Page: 3

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
3474	05/23/2016	Claims	1	46808	PROSECUTING ATTORNEYS OFFICE	261.95	Algona Court's Crime Victim Fee For April 2016; Crime Victims From Pacific Court April 2016
3475	05/23/2016	Claims	1	46809	PUGET SOUND ENERGY	325.14	ACCT: 220010215238 (736 1ST AVE. E - STREET LIGHTS)
3476	05/23/2016	Claims	1	46810	BARBARA SAMPLE	408.99	Refund inactive customer credit balance
3477	05/23/2016	Claims	1	46811	SOUND PUBLISHING INC	1,820.58	ADMIN: LEGAL AFFADAVITS
3478	05/23/2016	Claims	1	46812	SPORTS SERVICE	349.86	POLICE: AMMUNITION
3479	05/23/2016	Claims	1	46813	STAPLES BUSINESS ADVANTAGE	70.29	PW: SUPPLIES
3480	05/23/2016	Claims	1	46814	SUMMIT LAW GROUP	1,824.00	ADMIN: PERSONNEL LEGAL SERVICES
3481	05/23/2016	Claims	1	46815	TOTAL AUTO CARE	76.48	POLICE: VEHICLE MAINTENANCE; POLICE: VEHICLE MAINTENANCE
3482	05/23/2016	Claims	1	46816	UNITED PARCEL SERVICE	6.98	POLICE: SHIPPING
3483	05/23/2016	Claims	1	46817	US BANK N.A. - CUSTODY TREASURY DIV.	72.00	FINANCE: CUSTODY CHARGES (APRIL 2016)
3484	05/23/2016	Claims	1	46818	VALLEY COMMUNICATIONS	16,564.88	POLICE: APRIL 2016 911 CALLS (407.5)
3485	05/23/2016	Claims	1	46819	VERIZON WIRELESS	2,063.94	POLICE: CELL PHONES; ACCT. #642048405 INV. #9764488137
3486	05/23/2016	Claims	1	46820	WA ST TREASURER	16,834.95	Pacific Court For April 2016; Algona Court For April 2016
3487	05/23/2016	Claims	1	46821	WASHINGTON STATE PATROL	118.00	POLICE: APRIL 2016 BACKGROUND CHECKS
3488	05/23/2016	Claims	1	46822	WATER MANAGEMENT LAB INC	147.00	PW: TOTAL COLIFORM
3489	05/23/2016	Claims	1	46823	WETRC / GREEN RIVER COMM. COLLEGE	400.00	PW: ASBESTOS CEMENT PIPE WORK PRACTICE PROCEDURES (L. BRIGHT & S. FRATELLA)
3490	05/23/2016	Claims	1	46824	KRISTA C WHITE-SWAIN	1,350.00	COURT: APRIL 2016

000	26.20
001 General Fund	124,790.37
101 Street	5,394.20
401 Water	192,175.48
402 Sewer	126,025.66
409 Storm	10,073.80
630 Developer Deposit	2,250.00
640 Algona Court	11,427.15
800 Payroll EE Benefit Clearing	-13,366.00

	Claims: 361,252.45
* Transaction Has Mixed Revenue And Expense Accounts	458,796.86 Payroll: 97,544.41

CHECK REGISTER

City Of Pacific
MCAG #: 0423

05/10/2016 To: 05/23/2016

Time: 10:40:09 Date: 05/19/2016

Page: 4

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
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Voucher Approval

We, the undersigned Council members of the City of Pacific, do hereby certify that the Vouchers specified were reviewed and were approved for payment at the Regular Council Meeting

on: _____.

Council Member: _____

Council Member: _____

Council Member: _____

Reviewed for Accuracy

Finance Director: _____



City Council Minutes

Workshop
May 2, 2016
Monday
6:30 p.m.

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Pro Tem Steiger called the regularly-scheduled meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

ROLL CALL

Present: Council Members Katie Garberding, Kerry Garberding, , Newlun, Oliveira, Storaasli, and Mayor Pro Tem Steiger

Absent Council President Kave

STAFF PRESENT

City Administrator Richard Gould, and City Clerk Amy Stevenson-Ness

ADDITIONS TO/APPROVAL OF AGENDA

Mr. Gould changed the order of the presentations.

The amended agenda was approved unanimously by Council.

AGENDA ITEMS

A. AB 16-054: Website update presentation from Civic Plus

Mr. Will Spicer, Business Development Representative, CivicPlus, and Ms. Jaime Shannon, CivicPlus provided a presentation to Council regarding their website redesign services, including information regarding redesign services every three years, upgrades and enhancements at no additional cost, support availability – 24 hours a day, 7 days a week; and how training would be provided to users.

They also provided the names of some cities that utilize their services, including Bremerton, Pierce County, Whatcom County, Everett, Issaquah, Kennewick, and Mount Lake Terrace

B. AB 16-055: Website update presentation from Civic Live

Mr. Dzmitry Lavrenov, account executive at CivicLive, provided a presentation to Council regarding their website redesign services, including updates and patches as part of the monthly maintenance; online training for employees but in person training can be provided at an addition cost; a redesign of the website every four years; and 24/7 support availability.

On council consensus, staff will do further investigation and reference checking and bring the item back to another workshop.

ADJOURN

Mayor Pro Tem Steiger adjourned the workshop at 7:35 p.m.

Amy Stevenson-Ness, City Clerk



City Council Minutes

Regular Meeting
May 9, 2016
6:30 p.m.

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Guier called the regularly-scheduled meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

ROLL CALL

Present: Council Members Garberding, Garberding, Newlun, Oliveira, Storaasli, Council President Kave, Mayor Pro Tem Steiger, and Mayor Guier

Absent: None

STAFF PRESENT

Community Development Manager Jack Dodge, Public Works Manager Jim Morgan, City Administrator Richard Gould, Public Safety Director John Calkins, and City Clerk Amy Stevenson-Ness.

ADDITIONS TO/APPROVAL OF AGENDA

Council Member Steiger added a discussion of the council retreat under old business. Council Member Oliveira added a discussion of homeless camps under new business.

The agenda was approved unanimously by Council.

AUDIENCE COMMENT

Speaking before Council:

Samantha Niemi	Nuisance complaint regarding Northwest Cascade Honeybucket; requesting closure of company due to terrible odor and health issues cause by chemicals; requesting letter of response from the city by May 16, 2016.
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Anna Stubring, Pacific Resident	Last year and a half, last two years; can't open window because smell is so bad; when odor is good, daughter has no cough, when odor is bad, daughter has cough; many children in neighborhood breathing fumes; has headache and cough, worse for children
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REPORTS

A. Mayor

Mayor Guier reported:

- Council retreat is scheduled for May 14 at 9:00 at VRFA, Station #31;
- Fifth Monday will be held on the Fifth Tuesday for May for Ask the Mayor, in the chambers at 6:30.

B. Finance/City Administrator

City Administrator Gould reported:

- Spoke to a representative from Jaymarc and addressed the problems with microphones. Jack Calderon, Jaymarc president, will attend a meeting for questions.
- Will take the City's website rebuild discussion back to the Technology Committee for further direction.

C. Community Services

The reports were provided in the packet.

D. Court

The reports were provided in the packet.

E. Public Works Department

Acting Public Works Manager Jim Morgan reported:

- Submitted final two transportation grant applications on May 6, 2016;
- Finalizing Transportation Plan RFP to go out; it is a needed element of the transportation plan for the comprehensive plan;
- Looking at potentially developing transportation impact fees to address funding sources to fill gaps that grants don't cover;
- Heard back from CDBG regarding replacement of gutters; they approved the replacement and he is getting a contract together, Bates Roofing is finishing up the awning in parking area.

F. Community Development Department

Community Development Manager Jack Dodge reported:

- Provided a presentation on April 28 to Puget Sound Regional Council regarding the Sumner Pacific Manufacturing Industrial Center (MIC); The executive board provisionally approved the MIC provided a sub-area plan is developed over the next two years.

- The Comprehensive Plan received unanimous approval of a conditionally certified plan, transpo plan and 20 year transpo and finance plan; resolve 6:41
- Council will need to pass a resolution to approve the conditions
- MJ – city attorney trying to serve summons and complaint on medical mj; owners regularly absent
- Morgan and Tacoma Blvd properties
- Governance Committee meeting

Sub-area plan covers specific portion of the city, in this case the MIC

G. Public Safety Department

Mr. Calkins reported:

- The monthly report is provided in the packet.

H. City Council Members

Council Member Steiger apologized to residents at WRE, had reaction to meds he's taking. Wanted to be there but was unable

CM Oliveira apologized for not attending

I. Boards and Committees

i. Finance Committee

Council Member Justin Newlun reported the next meeting will be held May 11, 2016, at 6:30 p.m.

ii. Governance Committee

Council Member Storaasli reported the next meeting will be held on May 11, 2016, at 6:30 p.m.

iii. Human Services Committee

Council Member Oliveira stated they met on April 26 to discuss the following:

- Discussed Family Bingo Night, over 60 people attended and had dinner;
- Discussed pancake breakfast during Pacific Days, July 10. Taking donations for pancake mix or sausage.
- Discussed activities for seniors at the center, including exercise programs and painting classes.

The next committee meeting will be held on May 24, 2016, at 6:30 p.m. in the Mayor's office. Family Bingo Night is on May 17 from 6:00 p.m. to 8:00 p.m. with dinner served at 5:30 p.m.

iv. Public Safety Committee

Council Member Kave stated they will be meeting on May 18 at 6:30 p.m.

v. Public Works Committee

Council Member Steiger reported

Met on May 4 at 6:30 to discuss the following:

- Trying to find alternative to relocating on West Valley Highway to eliminate as much property. Had meeting with landowners who objected amount of property they're losing due to construction.

- Decision has been made to repair the wiring in the park, at a cost of approximately \$7500, rather than alternative sources. Mr. Morgan has suggest to place ecology blocks on accesses to deter theft of wire.
- Lead and copper water testing will start in July; Auburn School District is aggressively testing schools.
- Hydrants are supposed to be repaired in Cobble Court but Council Member Kave stated they are not.

vi. Technology Committee

Council Member Kerry Garberding reported the next meeting will be held on May 19, 2016 at 5:00.

vii. Lodging Tax Advisory Committee

No meeting scheduled at this time.

viii. Park Board

No report

ix. Planning Commission

Mr. Dodge stated the next meeting will be on May 24, at 6:30 p.m. to discuss zoning code changes.

x. Pierce County Regional Council (PCRC)

Council Member Storaasli stated the next meeting has been cancelled.

xi. Sound Cities Association (SAC)

Mayor Guier stated the next meeting will be held on May 11, 2016. Ann McFarlane, Jurassic Parliament, will be presenting

xii. South County Area Transportation Board (SCATBd)

Acting Public Works Manager Jim Morgan reported the next meeting will be on May 17.

xiii. Valley Regional Fire Authority (VRFA)

Mayor Guier reported they meet on May 10, 2016. Finance Meeting at 5 p.m, and the Board Meeting at 5:45.

OLD BUSINESS

A. Council Retreat

Council Member Steiger inquired the retreat will be held at the Fire Station and not on-site.

Mayor Guier advised it's a good system to get out of the usual work space to break out of the usual way of thinking.

NEW BUSINESS

B. Homeless Camps

Mr. Morgan stated Mr. Calkins had come to him regarding an encampment on Frontage Road, just south of the hotel. The encampment was on County property and the county was alerted to the situation.

Council Member Katie Garberding said she thought Council Member Oliveira was referring to the encampment at the park.

Council Member Storaasli stated Pastor Gause spoke at the Flood Control District meeting and asked the county to not disrupt up to 100 homeless folks along the when the left bank project starts.

Council Member Kave stated he observed no visible encampments in Pacific during a recent fire training on the river.

Mr. Calkins stated they haven't located an encampment. He will have Lt. Massey talk with Pastor Gause to find out where the encampment is on 5/10/16

CONSENT AGENDA

A. Payroll and Voucher Approval

B. Approval of the minutes of the workshops of April 18, 2016, and meetings of April 11 and April 25, 2016.

Council Member Kave requested copies of the attorney bills be emailed to council.

Council Member Oliveira requested information on the Police copier charge and asked if the City can look into buying rather than leasing.

Council Member Kave inquired about a bill for tree removal. He was advised that this was for a tree on West Hill, 56th Avenue.

COUNCIL MEMBER STORAASLI MOVED to approve the Consent Agenda. Seconded by Council Member Katie Garberding.

Voice vote was taken and carried 7-0.

ADJOURN

Being no further business, Mayor Guier adjourned the meeting at 7:22 p.m.

Amy Stevenson-Ness, City Clerk



City Council Minutes

Workshop
May 16, 2016
Monday
6:30 p.m.

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Council President Kave called the regularly-scheduled meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

ROLL CALL

Present: Council Members Katie Garberding, Kerry Garberding, Newlun, Storaasli, Council President Kave, Mayor Pro Tem Steiger, and Mayor Guier

Absent Council Member Oliveira (arrived at 6:31 p.m.)

STAFF PRESENT

Community Development Manager Jack Dodge, Public Works Manager Jim Morgan, City Administrator Richard Gould, and City Clerk Amy Stevenson-Ness

ADDITIONS TO/APPROVAL OF AGENDA

Council Member Katie Garberding requested a discussion of the low income/senior citizen/disability discount for utilities added as Item F.

The amended agenda was approved unanimously by Council.

(Council Member Oliveira arrived here at 6:31 p.m.)

AGENDA ITEMS

A. AB 16-056: Resolution No. 2016-345: Agreeing to the Puget Sound Regional Council's conditional certification of the City of Pacific Comprehensive Plan and work plan addressing the conditions identified in the certification report.

Mr. Dodge stated he is recommending approval of the conditional certification.

On Council consensus, the item was moved forward to the meeting on May 23.

B. AB 16-044: Resolution No. 2016-336: Authorizing the Mayor to sign a Release of Easement granted to the city, located at 405/411 W. Valley Hwy.

Mr. Morgan advised this is a release of an easement because the city does not need it.

On Council consensus, the item was moved forward to the meeting on May 23.

C. AB 16-045: Resolution No. 2016-337: Authorizing the mayor to accept a street frontage easement for public and private utilities and appurtenances granted to the city from Jerald Eck, 405/411 W. Valley Hwy.

Mr. Morgan stated this easement is for construction improvements that Mr. Eck is performing.

On Council consensus, the item was moved forward to the meeting on May 23.

D. AB 16-046: Resolution No. 2016-338: Authorizing the mayor to accept two utilities easements for public utilities and appurtenances granted to the city from Jerald Eck, 405/411 West Valley Highway.

Mr. Morgan advised these easements are for construction improvements for West Valley Highway.

On Council consensus, the item was moved forward to the meeting on May 23.

E. AB 16-057: AWC Conference Discussion

Mayor Guier briefly discussed the per diem and travel policy for travel to the AWC Annual Conference.

F. Discussion of low income, senior citizen, and disability discount for utilities.

Council Member Katie Garberding stated she received a call from Gary Hulse who received a second notice from the city regarding the income, senior citizen, and disability discount for utilities.

Mr. Gould stated he would have further discussion with the city attorney about this issue.

ADJOURN

Council President Kave adjourned the workshop at 6:56 p.m.

Amy Stevenson-Ness, City Clerk