



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

November 14, 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.)

- (3) 5. **PUBLIC HEARING:** Proposed Utility Rate Increases

6. **REPORTS**

- (21) A. Mayor
- (23) B. City Administrator
- (21) C. Community Services Report
- (23) D. Court
- 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)

7. **OLD BUSINESS**

- (25) A. **MOTION:** Approval of the Board of Park Commissioners July 2016 to June 2019 3-Year Work Plan

- (30) B. **Resolution No. 2016-383:** Authorizing the execution of an agreement with King County Water and Land Resources Division to provide support for Pacific to enhance its sandbag distribution efforts.
 - (37) C. **Ordinance No. 2016-1940:** Condemnation Ordinance regarding the Baguio Property located at 224 County Line Road SE, 646 Yakima Avenue, and 638 Yakima Avenue.
 - (43) D. **Resolution No. 2016-384:** Authorizing the execution of an amended Interlocal Agreement with the City of Sumner for the design, right-of-way, and construction of the 136th/Valentine Corridor improvements.
 - (50) E. **Ordinance No. 2016-1941:** Adopting the City of Pacific tax levy for the year 2017, effective January 1, 2017.
8. **NEW BUSINESS**
9. **CONSENT AGENDA**
- (55) A. Payroll and Voucher Approval
 - (63) B. Minutes of the meeting of September 12, 2016, and workshop of September 19, 2016.
10. **ADJOURN**

MEETING CALENDAR

Finance Committee Katie Garberding, Newlun, Oliveira Meets: 2 nd Wednesday	December 14, 2016 6:30 p.m.	City Hall
Governance Committee Kerry Garberding, Kave, Storaasli Meets 1 st Tuesday	December 6, 2016 6:30 p.m.	City Hall
Human Services Committee Katie Garberding, Oliveira, Newlun Meets 4 th Tuesday	CANCELLED November 22, 2016 6:30 p.m.	City Hall
Park Board Meets 3 rd Tuesday	CHANGE OF DATE November 29, 2016 6:30 p.m.	City Hall
Planning Commission Meets 4 th Tuesday	December 27, 2016 6:00 p.m.	City Hall
Public Safety Committee Katie Garberding, Kave, Steiger Meets 3 rd Wednesday	November 16, 2016 6:30 p.m.	City Hall
Public Works Committee Kerry Garberding, Kave, Steiger Meets 1 st Wednesday	December 7, 2016 6:30 p.m.	City Hall
Technology Committee Kerry Garberding, Newlun, Oliveira Meets: 3 rd Thursday	November 17, 2016 5:00 p.m.	City Hall

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.



NOTICE OF PUBLIC HEARING

October 14, 2016

NOTICE IS HEREBY GIVEN that on **MONDAY, NOVEMBER 14, 2016**, at approximately 6:30 p.m., the City Council will conduct a public hearing during the regular City Council meeting for the purpose of taking public testimony regarding proposed rate increases for the water, stormwater, and sewer utilities.

This hearing will take place in the City Council Chambers at Pacific City Hall, 100 3rd Avenue SE, Pacific, Washington. All persons will have an opportunity to present their oral comments at the meeting. Those wishing to submit written comments may do so at the public hearing or by submitting them to the City Clerk by 5:00 p.m. on Monday, November 14, 2016.

Amy Stevenson-Ness
City Clerk
City of Pacific

UTILITY RATES INTRODUCTION

- Utility payments are only used for utility O&M and CIP debt
- All payments are received into Operating Funds
 - Transfers into Capital Funds for system improvements and debt repayment
- Resolution No. 1015-1915 Established Water Rates 11/23/15
- Resolution No. 2015-1916 Established Sewer Rates 11/23/15
- Ordinance No. 2015-1914 Established Storm Water Rates 11/23/15
- Assumptions used in the calculation of Proposed Rates:
 - Required increases to meet existing debt obligations
 - Required increases to meet proposed debt obligations
 - 3.0% Growth in Expenditures
- Council Policy of Maintaining Operating Reserves

WATER UTILITY INTRODUCTION

- City Water System Improvements
 - New shop facilities
 - Meter Replacements
 - Will reduce time spent reading meters
 - Will alert staff of customer leaks to reduce waste
 - Will eliminate failing meters
- New Capital Projects
 - AC Main Replacement
 - Hydrant Repairs and Upgrades
 - Begin Thornton Avenue Water Main Replacement

WATER RATES

IN CITY BASE RATE CHARGES		
METER SIZE (Inches)	CURRENT	PROPOSED
5/8	\$12.24	\$17.75
1	\$24.48	\$29.64
1.5	\$52.02	\$59.11
2	\$80.58	\$94.61
3	\$149.94	\$177.50
4	\$253.47	\$295.89
6	\$506.94	\$591.61

IN CITY CONSUMPTION CHARGES		
TIER	CURRENT	PROPOSED
1	\$2.02/CCF	\$3.50/CCF
2	\$3.06/CCF	\$4.00/CCF
3	\$4.08/CCF	\$4.50/CCF

WATER

AVERAGE	2016	2017	2018
RESIDENTIAL CHARGE	\$26.52	\$42.25	\$42.75
COMMERCIAL CHARGE	\$46.88	\$64.64	\$65.48

SANITARY SEWER INTRODUCTION

- Metro Increase from \$ 42.03 to \$44.22 for conveyance and treatment charges
- City operates 4 pumping stations in need of significant investment (pumps, motors, seal lift station)
- Manhole Sealing Program
- New Shop Facilities

SANITARY SEWER RATES

	CURRENT 2016	PROPOSED 2017	PROPOSED 2018
METRO	\$42.03	\$44.22	\$44.22
CITY	\$21.22	\$26.00	\$35.25
RESIDENTIAL	\$63.25	\$70.22	\$79.47
COMMERCIAL *	\$9.04	\$10.03	\$11.35
	*\$63.25 + \$9.04/100CF > 7 00CF	*\$70.22 + \$10.03/100CF > 700CF	*\$79.47 + \$11.35/100C F > 700CF

AVERAGE 2017 USER INCREASE PER MONTH	
RESIDENTIAL	\$6.97
COMMERCIAL *	\$9.94
*\$ 70.22 + 3@ \$ 10.03	

STORM WATER

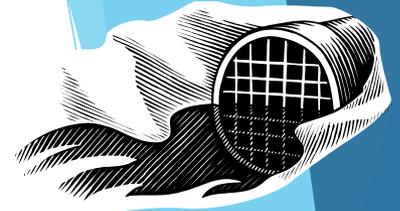
- INVESTMENTS

- Increased Catch Basin and Storm Pond Maintenance

- FUTURE INVESTMENTS

- Pump Station Design at Government Canal
- 5th Ave. SW

STORM WATER BUDGET OVERVIEW



CURRENT MONTHLY RATES

2016	2017	2018	
\$ 13.25	\$ 15.00	\$ 23.82	ERU Residential
\$ 5.87	\$ 6.75	\$ 8.60	ERU Commercial Approved Facility
\$ 16.00	\$ 18.0	\$ 23.82	ERU Commercial Non-Approved Facility
\$ 0.50	\$ 0.50	\$ 0.50	ERU P.E.D.A Rate

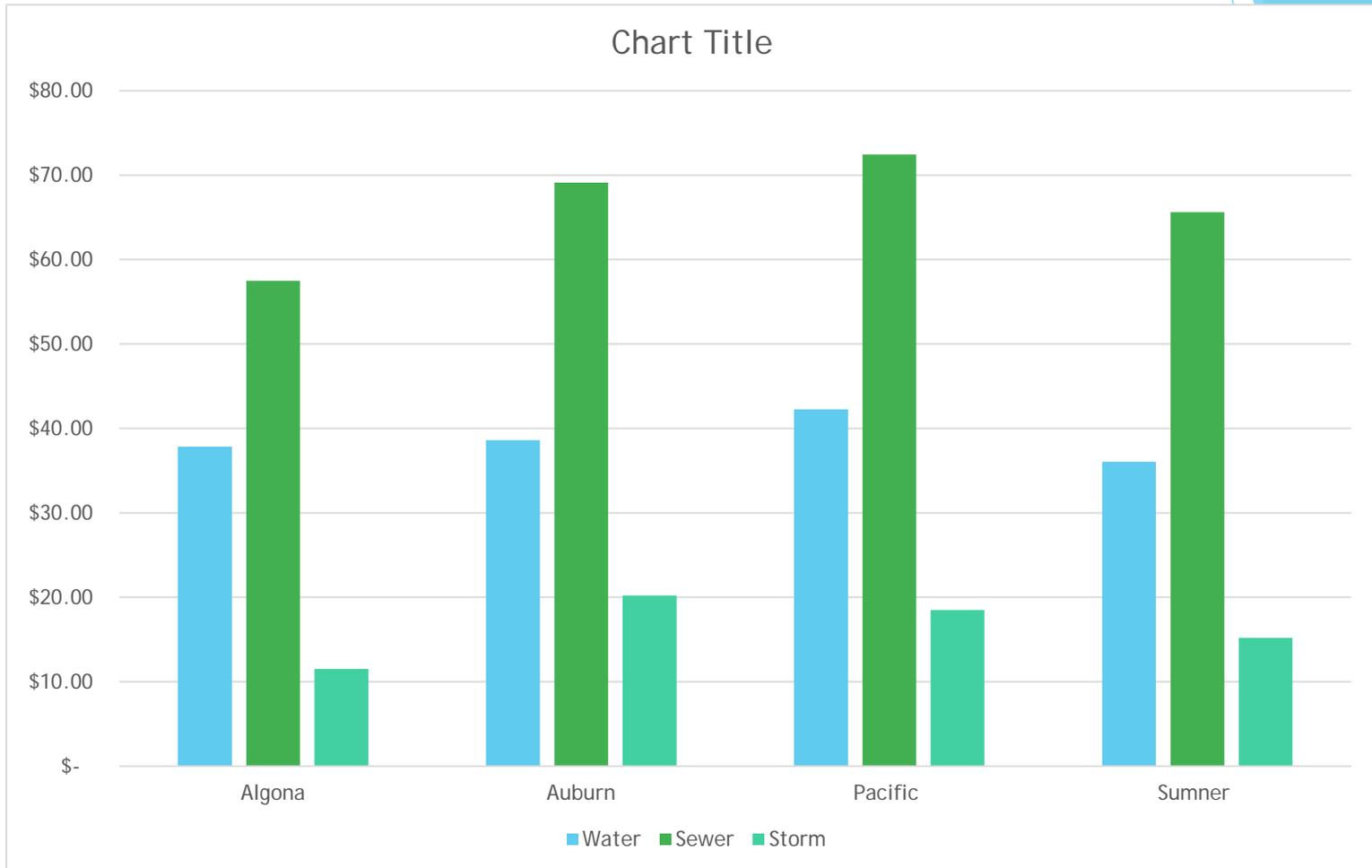
*Equivalent Residential Unit = 2,500 Square Feet of Impervious Surface

IMPACT PACIFIC RESIDENTS/BUSINESSES



	2016		2017	
	SFR	COMM	SFR	COMM
WATER	\$26.52	\$ 43.35	\$42.25	\$ 64.64
SANITARY SEWER	\$63.25	\$ 90.37	\$70.22	\$101.31
STORM WATER	\$13.25	\$127.53	\$15.00	\$150.00
TOTAL	\$103.02	\$261.25	\$127.47	\$315.95

PROPOSED RATES FOR 2017



CITY OF PACIFIC, WASHINGTON
ORDINANCE NO. 2016-_____

AN ORDINANCE OF THE CITY OF PACIFIC, WASHINGTON, RELATING TO UTILITY RATES, INCREASING THE RATES FOR WATER, SEWER AND STORMWATER FOR BOTH RESIDENTIAL AND NON-RESIDENTIAL USES OF PROPERTY, IN ORDER TO COVER INCREASES IN OPERATION AND MAINTENANCE COSTS, SUCH RATES TO BE EFFECTIVE JANUARY 1, 2017, AMENDING SECTIONS 14.48.015, 14.88.010 AND 24.16.050 OF THE PACIFIC MUNICIPAL CODE.

WHEREAS, the City of Pacific operates and maintains a potable water production, distribution, and treatment system; and

WHEREAS, the City also operates and maintains a wastewater collection system, which conveys wastewater to King County for treatment; and

WHEREAS, the City operates a stormwater utility, which imposes and enforces regulations on stormwater, as required by the State of Washington; and

WHEREAS, the City has hired a consultant to evaluate the costs associates with the City's water, sewer and stormwater utility, and if necessary, to make recommendations for increases or decreases to rates charged by the City for such service, in order for the City to cover the City's expenses for operation, maintenance and future capital improvements; and

WHEREAS, the City's consultant has recommended that the City increase all of the rates charged for such utility service; and

WHEREAS, the City Council held a public hearing on _____, 2016, on the proposed rate increase, for the presentation of information by the City's consultant, the acceptance of public testimony on such rate increases and discussion by the City Council of the need for rate increases; and

WHEREAS, the City Council considered this Ordinance at a regular meeting on _____, 2016; Now, Therefore,

IT IS HEREBY ORDAINED BY THE PACIFIC CITY COUNCIL AS FOLLOWS:

Section 1. Section 14.48.015 of the Pacific Municipal Code, as last amended in Section 2 of Ordinance 2015-19, is hereby amended to increase rates for sewer service as follows:

14.48.015 Rates Designated

2017

A. Single Family Residential: Single-Family Residences, Manufactured Homes, Mobile Homes:

\$70.22 ~~63.25~~ for each residential unit (\$44.22 ~~42.03~~ Metro Charge and \$26.00 ~~21.22~~ City of Pacific charge)

B. Non-Residential and Multiple Residential Uses:

Charges will be based on water usage as determined by water meter readings with a basic unit price of \$70.22 ~~63.25~~ charged for the first 700 cubic feet of water consumption. Fractions of cubic feet over 700 cubic feet will be charged at \$10.03 ~~9.04~~ per 100 cubic feet. A minimum \$70.22 ~~63.25~~ will be charged for non-residential and multi-family residential use (duplexes, apartments, mobile home parks, etc.).

C. Reduced Rates for Low Income Senior Citizens and/or Low Income Disabled Customers. Any full-time occupant responsible for the payment of a monthly sewer charge shall be granted a 15 percent discount from the otherwise applicable rate if the person is at least 62 years of age, and/or is 18 years of age or older and has been awarded in writing a 50 percent or higher disability rating from any state of Washington and/or federal agency/program, and meets the low-income guidelines as determined by the U.S. Department of Housing and Urban Development (HUD) for taxable household income and has properly filled out an application as required requesting such reduction. Staff is directed to establish and implement a review/re-application process to ensure the integrity of those accounts receiving the discount.

Section 2. Pacific Municipal Code Section 14.88.010 is hereby amended to increase rates for water service as follows:

2018

A. Single Family Residential: Single-Family Residences, Manufactured Homes, Mobile Homes:

\$79.47 ~~70.22~~ for each residential unit (\$44.22 ~~42.03~~ Metro Charge and \$35.25 ~~26.00~~ City of Pacific charge)

B. Non-Residential and Multiple Residential Uses:

Charges will be based on water usage as determined by water meter readings with a basic unit price of \$79.47 ~~70.22~~ charged for the first 700 cubic feet of water consumption. Fractions of cubic feet over 700 cubic feet will be charged at \$11.35 ~~10.03~~ per 100 cubic feet. A minimum \$79.47 ~~70.22~~ will be charged for non-residential and

multi-family residential use (duplexes, apartments, mobile home parks, etc.).

C. Reduced Rates for Low Income Senior Citizens and/or Low Income Disabled Customers. Any full-time occupant responsible for the payment of a monthly sewer charge shall be granted a 15 percent discount from the otherwise applicable rate if the person is at least 62 years of age, and/or is 18 years of age or older and has been awarded in writing a 50 percent or higher disability rating from any state of Washington and/or federal agency/program, and meets the low-income guidelines as determined by the U.S. Department of Housing and Urban Development (HUD) for taxable household income and has properly filled out an application as required requesting such reduction. Staff is directed to establish and implement a review/re-application process to ensure the integrity of those accounts receiving the discount.

Section 2. Pacific Municipal Code Section 14.88.010 is hereby amended to increase rates for water service as follows:

14.88.010 Water Rates.
2017

A. The monthly rate for water supplied by meter inside the City limits shall be as follows:

<u>Inside City</u>				
Meter Size	Base Rate	Tier 1	Tier 2	Tier 3
Base (Inches)		\$3.50 2.24	\$4.00 3.06	\$4.50 3.06
5/8"	\$17.75 12.24	1 - 7	7.1 - 14	14.1 -
1"	\$29.64 24.48	1 - 12 14	12.1 14.1 - 24 28	24.1 28.1 -
1.5"	\$59.11 52.02	1 - 23 32	23.1 32.1 - 47 73	47.1 73.1 -
2"	\$94.61 80.58	1 - 37 49	37.1 49.1 - 75	75.1 98.1 -
3"	\$177.50 149.94	1 - 70 91	70.1 91.1 - 140 182	140.1 182.1 -
4"	\$295.89 253.47	1 - 117 154	117.1 154.1 - 233 308	233.1 308.1 -
6"	\$591.61 506.94	1 - 233 308	233.1 308.1 - 467 616	467.1 616.1 -

Multi-family units are charged a base rate for each living unit on the receiving side of the meter. Tier rates are multiplied by the number of base units charged (*i.e.*, a triplex will be charged the first tier rate for 1-21 CCF, second tier rates for 21.1-42 CCF, etc.)

B. The monthly rates for water supplied outside the City limits shall be as follows:

<u>Outside City</u>				
Meter Size Base (Inches)	Base Rate	Tier 1	Tier 2	Tier 3
5/8"	\$19.53 13.46	\$3.85 2.24 1 - 7	\$4.40 3.37 7.1 - 14	\$4.95 4.49 14.1 -
1"	\$32.61 26.93	1 - 12 14	12.1 14.1 - 24 28	24.1 28.1 -
1.5"	\$65.02 57.22	1 - 23 32	23.1 32.1 - 47 73	47.1 73.1 -
2"	\$104.07 88.68	1 - 37 49	37.1 49.1 - 75	75.1 98.1 -
3"	\$195.25 164.93	1 - 70 91	70.1 91.1 - 140 182	140.1 182.1 -
4"	\$325.48 278.82	1 - 117 154	117.1 154.1 - 233 308	233.1 308.1 1 -
6"	\$650.77 557.63	1 - 233 308	233.1 308.1 - 467 616	467.1 616.1 -

C. The following surcharges shall continue in effect for those customers of the City formerly served by the Webstone Water District:

User Category	Base Charge	Use Charge
Residential (5/8" meter)	\$ 15.00 5.00	\$1.50 0.50
Commercial (5/8" meter)	\$ 15.00 5.00	\$1.50 0.50
Commercial (1" meter)	\$ 30.00 10.00	\$1.50 0.50
Commercial (1-1/2 meter)	\$250.00 75.00	\$1.50 0.50
Commercial (2" meter)	\$105.00 35.00	\$1.50 0.50
Commercial (3" meter)	\$195.00 65.00	\$1.50 0.50
Commercial (4" meter)	\$330.00 110.00	\$1.50 0.50
Commercial (6" meter)	\$660.00 220.00	\$1.50 0.50

2018

A. The monthly rate for water supplied by meter inside the City limits shall be as follows:

<u>Inside City</u>				
Meter Size Base (Inches)	Base Rate	Tier 1	Tier 2	Tier 3
5/8"	\$25.00 17.75	\$3.50 2.24 1 - 7	\$4.00 3.06 7.1 - 14	\$4.50 3.06 14.1 -
1"	\$41.75 29.64	1 - 12	12.1 - 24	24.1 -
1.5"	\$83.25 59.11	1 - 23	23.1 - 47	47.1 -
2"	\$133.25 94.61	1 - 37	37.1 - 75	75.1 -
3"	\$250.00 177.50	1 - 70	70.1 - 140	140.1 -
4"	\$416.75 295.89	1 - 117	117.1 - 233	233.1 -

6" \$833.25 ~~591.61~~ 1 - 233 233.1 - 467 467.1 -

Multi-family units are charged a base rate for each living unit on the receiving side of the meter. Tier rates are multiplied by the number of base units charged (*i.e.*, a triplex will be charged the first tier rate for 1-21 CCF, second tier rates for 21.1-42 CCF, etc.)

B. The monthly rates for water supplied outside the City limits shall be as follows:

<u>Outside City</u>				
Meter Size	Base Rate	Tier 1	Tier 2	Tier 3
Base (Inches)		\$3.85 2.24	\$4.40 3.37	\$4.95 4.49
5/8"	\$27.50 19.53	1 - 7	7.1 - 14	14.1 -
1"	\$45.93 32.61	1 - 12	12.1 - 24	24.1 -
1.5"	\$91.58 65.02	1 - 23	23.1 - 47	47.1 -
2"	\$146.58 104.07	1 - 37	37.1 - 75	75.1 -
3"	\$275.00 195.25	1 - 70	70.1 - 140	140.1 -
4"	\$458.43 325.48	1 - 117	117.1 - 233	233.1 -
6"	\$916.58 650.77	1 - 233	233.1 - 467	467.1 -

C. The following surcharges shall continue in effect for those customers of the City formerly served by the Webstone Water District:

User Category	Base Charge	Use
Charge		
Residential (5/8" meter)	\$ 15.00 5.00	\$1.50 0.50
Commercial (5/8" meter)	\$ 15.00 5.00	\$1.50 0.50
Commercial (1" meter)	\$ 30.00 10.00	\$1.50 0.50
Commercial (1-1/2 meter)	\$250.00 75.00	\$1.50 0.50
Commercial (2" meter)	\$105.00 35.00	\$1.50 0.50
Commercial (3" meter)	\$195.00 65.00	\$1.50 0.50
Commercial (4" meter)	\$330.00 110.00	\$1.50 0.50
Commercial (6" meter)	\$660.00 220.00	\$1.50 0.50

Section 3. Pacific Municipal Code Section 24.16.050, is hereby amended to increase storm water rates as follows:

24.16.050 Service charge rates. There is hereby levied upon all developed real property within the boundaries of the utility the following service charges, which shall be collected from the owners of such properties:

2017

A. For all detached single-family residences and mobile homes (One Equivalent Residential Unit), the monthly Service Charge shall be \$15.00 ~~13.25~~ per month.

B. For all other developed properties, the monthly Service Charge shall be \$18.50 ~~16.32~~ per month for the first Equivalent Residential Unit per account plus the number of additional Equivalent Residential Units determined by the Utility to be contained in such parcel pursuant to PMC 24.16.030 multiplied by \$6.75 ~~5.87~~ for those properties with approved storm water facilities or \$18.50 ~~13.25~~ for those properties without approved facilities.

C. Reduced Rates for Low Income Senior Citizens and/or Low Income Disabled Customers. Any full-time occupant responsible for the payment of a monthly storm water charge shall be granted a 15 percent discount from the otherwise applicable rate if the person is at least 62 years of age, and/or is 18 years of age or older and has been awarded in writing a 50 percent or higher disability rating from any state of Washington and/or federal agency/program, and meets the low-income guidelines as determined by the U.S. Department of Housing and Urban Development (HUD) for taxable household income and has properly filled out an application as required requesting such reduction. Staff is directed to establish and implement a review/re-application process to ensure the integrity of those accounts receiving the discount.

2018

A. For all detached single-family residences and mobile homes (One Equivalent Residential Unit), the monthly Service Charge shall be \$23.82 ~~15.00~~ per month.

B. For all other developed properties, the monthly Service Charge shall be \$23.82 ~~18.50~~ per month for the first Equivalent Residential Unit per account plus the number of additional Equivalent Residential Units determined by the Utility to be contained in such parcel pursuant to PMC 24.16.030 multiplied by 8.60 ~~6.75~~ for those properties with approved storm water facilities or \$23.82 ~~18.50~~ for those properties without approved facilities.

C. Reduced Rates for Low Income Senior Citizens and/or Low Income Disabled Customers. Any full-time occupant responsible for the payment of a monthly storm water charge shall be granted a 15 percent discount from the otherwise applicable rate if the person is at least 62 years of age, and/or is 18 years of age or older and has been awarded in writing a 50 percent or higher disability rating

from any state of Washington and/or federal agency/program, and meets the low-income guidelines as determined by the U.S. Department of Housing and Urban Development (HUD) for taxable household income and has properly filled out an application as required requesting such reduction. Staff is directed to establish and implement a review/re-application process to ensure the integrity of those accounts receiving the discount.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force January 1, 2017 which is at least five days after publication of this Ordinance.

PASSED BY THE CITY COUNCIL OF THE CITY OF PACIFIC AT A REGULAR MEETING THEREOF ON THE 28th DAY OF NOVEMBER, 2016.

Leanne Guier, Mayor

AUTHENTICATED:

Amy Stevenson-Ness, City Clerk.

APPROVED AS TO FORM:
Office of the City Attorney

Carol Morris, City Attorney

ORDINANCE NO.: 2016-_____
PUBLISHED: December __, 2016
EFFECTIVE DATE: January 1, 2017

Community Services Report

Mayor Guier and City Council

Human Services Committee Meetings

Meetings have been canceled for the months of November and December due to the holidays.

Community Bingo

Bingo is on Tuesday November 15 at 6:00PM. Come join the fun!

Taco Tuesday

At the Pacific Gym every Tuesday 11:30 AM to 1:00 PM JoAnne has Taco Tuesday. All the proceeds go to support the youth programs.

Mixed Fit and Kung Fu Class

Pacific Gym is offering Mixed Fit classes on Thursday evenings at 6:30PM and Kung Fu Class on Saturdays 11:00 to 1:30.

Youth Activities

On Wednesday in the gym there is the bounce house from 9:30 to 11:30 AM and on Thursdays, also in the gym, there is a Pinterest craft project and Lego building.

Pet Food Distribution

The senior center monthly pet food distribution for November will be on Thursday the 17th from 9:00AM to 4:00PM.

Thanksgiving Lunch

The Catholic Community Services (CCS) senior Thanksgiving lunch this year is Wednesday November 23 at noon with turkey and all the fixings.

Thursday Afternoon Walk

On Thursday our senior bus goes to the Mall for an afternoon walk since we now have fall weather. Just call the senior center to get your name on the list, the bus leaves at 1:30 PM.

Monthly Tea Social

This month the senior center's monthly tea social is on November 30 at 2:00 PM. Come and join your neighbors with a cup of tea.

Touch of Home

The Touch of Home senior program meets every Tuesday at 10:00AM they make blankets for babies and our Vets. Our seniors come for the morning knitting or crocheting and then stay for the noon lunch provided by Catholic Community Services

Statewide Health Insurance Benefits Advisors

With Medicare, open enrollment is upon us once again Statewide Health Insurance Benefits Advisors (S.H.I.B.A.) will be at the Senior Center this month on Tuesday the 22nd. This is a free and private consultation. Please call to make your reservation.

Jam Session

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

PACIFIC MUNICIPAL COURT
Memorandum

TO: Judge Rochon

CC: Mayor Guier, Pacific Council Members, Managers

From: Kelly Rydberg

Date: 11/10/16

Re: October 2016

The court:

- Held 392 hearings - 294 for Pacific and 98 for Algona.
- Collected Pacific monthly revenues of **\$41,709.00**; of which **\$31,547.85** is the local portion, \$175.74 is the County portion and **\$9985.41** is the State portion. Year to date revenues for the City of Pacific are **\$300,646.71**.
- Collected Algona monthly revenues of **\$18,516.46**; of which \$5929.02 is the local portion, \$4903.15 is the Pacific split for costs, \$103.41 is the County portion and \$7580.88 is the State portion. Year to date revenues for the City of Algona are **\$55,532.08**.

Pacific monthly filings:

Traffic infractions filed: 65	violations filed: 78
Criminal citations filed: 15	violations filed: 18

Algona monthly filings:

Traffic infractions filed: 65	violations filed: 96
Criminal citations filed: 26	violations filed: 29

GENERAL FUND/RECOUPMENT COLLECTED

	PACIFIC MONTH	PACIFIC YTD	ALGONA MONTH	ALGONA YTD
Warrant fees	1399.14	17,655.83	211.74	1063.93
Record Check Fees	9512.80	96,588.32	PACIFIC KEEPS	
Jail Recoupment	1295.62	22,391.68	319.99	4011.76
Insurance Fees	290.61	3327.11	PACIFIC KEEPS	
Parking Fees	125.00	4205.01	0	180.00
PD Recoupment	1039.79	12,833.72	221.42	1878.00
Interpreter Recoupment	954.55	7924.85	162.30	2857.46
Credit Card Convenience Fee	374.31	3230.12	PACIFIC KEEPS	
Interest/Bank Charges	1326.76	10,942.57	312.40	2989.68
Misc court fines and costs	5595.27	59,384.50	4701.17	42,488.46
Algona court costs **	8410.00	25,955.00	4903.15	44,823.65
Traffic school fee	1224.00	36,208.00	N/A	N/A
TOTAL	\$31,547.85	\$300,646.71	\$10,832.17	\$100,355.73

** The total in the Pacific column is for AUG / SEPT services; the total in the Algona column is costs split that Pacific keeps for October.

Cities of Pacific & Algona; Municipal Court
100 3rd AVE SE; Pacific WA 98047
(253) 929-1140; (253) 929-1195 fax

Thursday, November 10, 2016

City of Algona
Attention: Julie
402 Warde St
Algona WA 98001

Dear Julie,

Please submit for compensation to Pacific Municipal Court \$3385.00 for October 2016 filings and interpreter or detention billing reimbursement, as noted below.

Interpreter billing for this period is \$200.00.
Detention billing for this period is \$.
(Copies attached)

FILINGS:

65 Infractions @ 25.00	\$1625.00
26 Criminal Citations @ 60.00	\$1560.00
Total Due	\$3185.00

Monthly Revenues collected \$18,516.46.

COSTS RETAINED BY PACIFIC MUNICIPAL COURT FROM MONTHLY REVENUES:

Split of warrant fees	\$211.74
Monitoring / Record check fees	\$4540.99
Mandatory insurance costs	\$91.49
Credit card convenience fee	\$58.93
NSF fees	\$
Copy/CD fees	\$
Total	\$4903.15

Remittance check due Algona:
\$5929.02

Remittance check to King County paid:
\$103.41

Remittance check to State paid:
\$7580.88

Please contact us if you have any questions. Thank you.
Sincerely,

Kelly Rydberg
Court Administrator

CC: Algona Police Chief; month end file



AGENDA BILL NO. 16-111

TO: Pacific City Council
FROM: Jack Dodge, Community Development Manager
MEETING DATE: November 14, 2016
SUBJECT: Board of Park Commissioners 3-Year Work Plan

ATTACHMENTS:

1. PMC Chapter 2.38 – Board of Park Commissioners
2. Board of Park Commissioners July 2016 to June 2019 3-Year Work Plan

Previous Review Date/s: First Council Review

Summary:

For several months, the Board of Park Commissioners reviewed and updated their 2016-2019 3-Year Work Plan, as mandated by PMC 2.38.050. Their August 2016 monthly meeting was cancelled, so the Board approved the Plan at their September 20, 2016 meeting, after discussing the cost of vandalism, and adding Park security assessment and implementation as priorities.

The Board amended the Plan again at their October 18, 2016, meeting to recommend directing Impact Fees from two subdivisions on 1st Avenue E and Skinner Road (22 homes), toward developing a small park at City-owned property on nearby Alder Lane N.

Recommendation:

“I move to approve the Board of Park Commissioners July 2016 to June 2019 3-Year Work Plan.”

Chapter 2.38 BOARD OF PARK COMMISSIONERS

Sections:

- [2.38.010](#) Definitions.
- [2.38.020](#) Creation – Membership – Compensation.
- [2.38.030](#) Terms of commissioners – Attendance – Filling vacancies.
- [2.38.040](#) Officers – Meetings – Quorum.
- [2.38.050](#) Powers and duties.
- [2.38.060](#) Creation of rules and regulations.
- [2.38.070](#) Citizens' advisory group.
- [2.38.080](#) Park and recreation fund.
- [2.38.100](#) *Repealed.*

2.38.010 Definitions.

Words used in this chapter shall have the following meanings:

- A. "Board" means board of park commissioners.
- B. "Park" means an area of land, with or without water, developed and used for public recreational purposes, including landscaped tracts, picnic grounds, playgrounds, athletic fields, recreation centers, camps, foot, bicycle and bridle paths, motor vehicle drives, wild life sanctuaries, museums, zoological and botanical gardens, facilities for bathing, boating, hunting and fishing, as well as other recreational facilities owned by the city of Pacific and utilized for the benefit of the public. (Ord. 570 § 1, 1975).

2.38.020 Creation – Membership – Compensation.

There is created a board of park commissioners in and for the city, consisting of six members who shall be appointed by the mayor, with the consent of the city council, from citizens who reside in the city. One position shall be reserved for a Pacific youth, 16 to 18 years of age. Park commissioners shall not be compensated for their services. (Ord. 1663 § 1, 2007; Ord. 1217, 1994; Ord. 1192, 1993; Ord. 1071 § 1, 1989; Ord. 570 § 2, 1975).

2.38.030 Terms of commissioners – Attendance – Filling vacancies.

A. Commissioners will be appointed to three-year terms that are staggered by position. The exception will be the Pacific youth position which shall be a one-year appointment. The terms of office shall begin on the first Monday in January, and, at expiration of each commissioner's term, the mayor shall appoint, with the confirmation of the city council, one member for a three-year term.

B. Members of the board may be removed at any time by the mayor, with council approval, and vacancies for the remainder of unexpired terms shall be filled in the same manner in which original appointments are made.

C. If a member of the board absents himself, unless by permission of the board, from three consecutive regularly scheduled meetings, such absence shall be deemed cause for removal. (Ord. 1663 § 1, 2007; Ord. 968 § 1, 1985; Ord. 941 § 2, 1984; Ord. 570 § 3, 1975).

2.38.040 Officers – Meetings – Quorum.

Immediately after their appointment, the park commission shall meet and

organize by electing from the members of the board a chairperson, a secretary, and such other officers as may be necessary. It shall be the duty of the secretary to keep minutes of all meetings and of all proceedings of the board. A majority of the board shall constitute a quorum for the transaction of business, and two affirmative votes shall be necessary to carry any proposition. A regularly scheduled meeting of the board shall be held at least once a month. However, a meeting may be canceled if the board has no business to transact. A copy of the minutes of the meeting shall be filed with the city clerk, to be given to the park department and city council at the next scheduled council meeting. Each member of the board shall receive a copy of said minutes. (Ord. 1233 § 1, 1994; Ord. 968 § 2, 1985; Ord. 570 § 4, 1975).

2.38.050 Powers and duties.

A. The board shall have all the powers and perform all the duties provided by the laws of the state of Washington relating to board of park commissioners of code city.

B. The board shall advise the city council regarding planning, promotion, acquisition, construction and development of public recreational facilities.

C. The board shall make recommendations which it may deem advisable for the acquisition and development of future recreational facilities.

D. The board shall perform such other services and studies as may be requested by the city council.

E. The board shall review any applications that propose any kind of physical changes to the park, or any kind of temporary or permanent structure that may restrict the use of the park.

F. The board shall prepare a three-year park development plan. The board shall report to the city council annually prior to July 31st regarding an updated three-year park development plan with budget recommendations.

G. The board shall prepare a yearly budget for the special projects to be completed in the following year as outlined in their three-year park development plan. The budget to be submitted to the parks and recreation director by August 31st to allow for inclusion in the annual city budget. (Ord. 1233 § 2, 1994; Ord. 968 § 3, 1985; Ord. 570 § 5, 1975).

2.38.060 Creation of rules and regulations.

The board shall recommend rules and regulations for the government and management, including the fees charged for the use thereof, of any municipally owned or controlled park or recreation facility. All rules and regulations and use charges and amendments and changes adopted by the city council shall be promulgated by one posting in three public places in the city, and a copy thereof shall be filed in the office of the city clerk. These rules and regulations shall have full force and effect from and after the date of publication. This chapter and rules and regulations adopted pursuant thereto shall be enforced by the police department. Violations of rules and regulations so adopted shall be a violation of this chapter. (Ord. 1477 § 3, 2000; Ord. 968 § 4, 1985; Ord. 570 § 6, 1975).

2.38.070 Citizens' advisory group.

The mayor may appoint, with the city council approval, a citizens' advisory group, as necessary. This group shall consist of five members representing various

community, civic or religious organizations, and the populace at large, and shall include at least two persons under age 21. The duties of this group shall be to advise the mayor, board and city council regarding control and supervision of all parks and playgrounds, planning, promotion, management and acquisition, construction and development, maintenance and operation, including restrictions on and compensation to be paid for concessions or privileges in parks, playgrounds and recreational facilities within the city limits, as required. This group shall not be confused with the parks and recreation committee, which is the committee of council members appointed by the mayor as his advisory committee. (Ord. 570 § 7, 1975).

2.38.080 Park and recreation fund.

There is established a fund, to be known as the "park and recreation fund," and said fund shall receive all revenues created by all fees, fines and deposits established by this chapter. This fund shall be used for maintenance and operation of all city parks and recreational facilities and all related groups and organizations. These funds will be administered by the appropriate city departments, i.e., utilities, parks and recreation, or the city clerk's office depending upon the need. (Ord. 1233 § 3, 1994; Ord. 968 § 5, 1985; Ord. 570 § 8, 1975).

2.38.100 Penalty for violation.

Repealed by Ord. 1477. (Ord. 570 § 10, 1975).

**The Pacific Municipal Code is current through Ordinance
1892, passed January 26, 2015.**

Disclaimer: The City Clerk's Office has the official version of the Pacific Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City of Pacific Board of Park Commissioners 2016 - 2019 Work Plan

Note: Year cycles run from July 1st through June 30th of the following year

ACTIVITY	YEAR 1: 2016-2017	YEAR 2: 2017-2018	YEAR 3: 2018-2019	PROPOSED FOR YEARS 2018-2021
Community Awareness & Public Participation	Continue to seek Pacific residents' input and suggestions for park improvements: mention in Newsletter, Website, City property signage.	Continue to seek Pacific residents' input and suggestions for park improvements: mention in Newsletter, Website, City property signage.	Continue to seek Pacific residents' input and suggestions for future park improvements	Continue to seek Pacific residents' input and suggestions for future park improvements
Increase Volunteer Pool,	Participate in Earth Day, Pacific Days. Partner w/ AIPac PTA, High Schools.	Participate in Make a Difference Day, Earth Day, Pacific Days.	Participate in Make a Difference Day, Earth Day, Pacific Days.	Participate in Make a Difference Day, Earth Day, Pacific Days.
Create & Maintain Partnerships	College Intern 4-6 hrs/day.	Partner w/ AIPac PTA, High Schools.	Partner w/ AIPac PTA, High Schools.	Partner w/ AIPac PTA, High Schools.
Annual Report & Plan Update: Including Results of Annual Parks Tour, and a List of Park Deficiencies	October 18, 2016 Annual Tour: May 2017 Public Works Dept: Quarterly Parks Reports	July 31, 2017 Annual Tour: May 2018 Public Works Dept: Quarterly Parks Reports	July 31, 2018 Annual Tour: May 2017 Public Works Dept: Quarterly Parks Reports	
Review and propose updates to Pacific Municipal Code and Fee Schedules	PMC 2.38 - Board of Park Commissioners, Title 22 - Park Impact Fees, & Park Rental Fees			
Parks Funding Sources: City Budget, Park Impact Fees, King & Pierce Co. Tax Levies, Grants, Donations, Park Rental Fees Sale of surplus properties	2016 Budget, 2017 Request (9/20/16) Have signage at all City Parks Morgan Property CFT Grant purchase Milwaukee Creek Grant purchase Start Pacific Meadows Wetland Improvements Identify sites for ADA, dog, skate, water parks Identify surplus properties with City Staff	2017 Budget, 2018 Request (8/31/17) Hiranaka-Hatch: IU Trail mitigation design Morgan Property design (parking, trails, etc.) Milwaukee Creek Corridor enhancements Pacific Meadows Wetland Improvements Site & fund a multi-purpose sports field Recommend sale(s) to City Council Survey & Report of who is using City Park	2018 Budget, 2019 Request (8/31/18) Hiranaka-Hatch site improvements Morgan Property improvements Milwaukee Creek Corridor enhancements Pacific Meadows Wetland Improvements Construct a multi-purpose sports field	Milwaukee Creek Corridor enhancements Pacific Meadows Wetland Improvements
Development and Acquisition of Properties	Correct deficiencies in existing parks Consider New Hope, other properties Fund, apply for grants for property purchases	Correct deficiencies in existing parks Kiosks at Centennial Park, Interurban Trailhead	Correct deficiencies in existing parks	Correct deficiencies in existing parks
Capital Improvements Interurban Trail: Partnering with other cities/Agencies: Community/Civic Center Campus: City Park: Alder Lane N: Park Development	Parks Capital Improvement Plan Design 3rd SW Trailhead Fund design of N-S Trail from 3rd SW Build Trail from Stewart Rd to County Line Fund West Hill design with Edgewood Design Temporary Outdoor Facilities Install Temporary Outdoor Facilities Select consultant for Master Plan Community engagement Identify options and alternatives Park Security Assessment Use Impact Fees from 1st E & Skinner homes	Implement Parks CIP Fund physical improvements to 3rd Trailhead Design & begin building N-S Trail from 3rd SW Design from West Hill County Line to WV Hwy Complete Campus Master Plan Master Plan Design, Fund Site Development Identify options and alternatives Park Security implementation by 6/30/18	Implement Parks CIP Build 3rd SW Trailhead Complete N-S Trail from 3rd SW Construct WV Hwy to 3rd SW Move Public Works Shop and yard Fund Building improvements Fund Improvements to Grounds Identify options and alternatives	Update Parks CIP Begin Building Improvements Begin Improvements to grounds
Code Enforcement	3rd Ave. SW & 324 Butte Ave SE encroachments 5th Ave. SE / Valentine Ct. encroachments			



Agenda Bill No. 16-113

TO: Mayor Guier and City Council Members
FROM: Public Works
MEETING DATE: November 14, 2016
SUBJECT: King County Sand Bag Agreement

ATTACHMENTS:

- Resolution No. 2016-383
- King County Agreement of Support

Previous Council Review Date: N/A

Summary: The City recognizes that Public Works has the responsibility to maintain services and recover expeditiously from disasters and emergencies. Coordinating response and recovery efforts with other public works agencies can enhance the City's ability to better protect the public and property. King County Water and Land Resources Division has offered to provide assistance with sandbag distribution. The attached agreement would accept the services offered by King County.

Recommended Action: Staff recommends Council approve Resolution No. 2016-383 to accept the King County offer of support to provide sand bag supplies for flood protection.

Motion for Consideration: "I move to" approve Resolution No. 2016-383, A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH KING COUNTY WATER AND LAND RESOURCES DIVISION TO PROVIDE SUPPORT FOR PACIFIC TO ENHANCE ITS SANDBAG DISTRIBUTION EFFORTS.

Budget Impact: No impact unless services are used.

Alternatives: None recommended.

**CITY OF PACIFIC
WASHINGTON**

RESOLUTION NO. 2016-383

A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH KING COUNTY WATER AND LAND RESOURCES DIVISION TO PROVIDE SUPPORT FOR PACIFIC TO ENHANCE ITS SANDBAG DISTRIBUTUION EFFORTS.

WHEREAS, the City recognizes that Public Works has the responsibility to maintain services and recover expeditiously from disasters and emergencies, and;

WHEREAS, coordinating response and recovery efforts with other public works agencies can enhance the City's ability to better protect the public and property, and

WHEREAS, King County Water and Land Resources Division has offered to provide assistance with sandbag distribution;

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

Section 1. The Pacific City Council hereby authorizes the Mayor to execute the attached Agreement of Support with King County Water and Land Services, Exhibit A, to receive support during proclaimed flood disasters or emergencies.

Passed by the City Council at a Regular Meeting thereof on the 14th day of November, 2016.

CITY OF PACIFIC

LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

AMY STEVENSON NESS, CMC
CITY CLERK

APPROVED AS TO FORM:

CAROL MORRIS, CITY ATTORNEY

**Agreement of Support
Between King County and the City of Pacific
for Provision of Sandbag Supplies for Enhanced Flood Protection**

This Agreement of Support (“Agreement”) is made by and between King County, as represented by its Water and Land Resources Division (“WLRD”) and the City of Pacific (“City”) (collectively the “Parties,” or in the singular “Party”)

I. Purpose

This Agreement provides the mechanism whereby WLRD will provide support to the City in order to enhance and expand its sandbag distribution efforts to allow as potential recipients of sandbags all citizens residing in King County who request sandbags in order to protect their homes from flood damage.

In times of flooding the City distributes sand and sandbags to citizens on a first come first served basis in order to assist those citizens in protecting homes and property from flood damage. To date, the City's sandbag distribution program has been available only to residents residing within the municipal boundaries of the City. On March 17, 2009, the King County Council, in response to severe flooding in early 2009, adopted ordinance 16379. This ordinance directed WLRD to increase the availability of sandbags to citizens in flood prone areas by creating stockpiles of materials for sandbags that would be made available at multiple locations in each major watershed in King County free of charge during the flood season. WLRD was also directed to communicate this availability to the public. WLRD has determined that an efficient and effective way of meeting these directives is to augment efforts by cities with existing sandbag distribution programs by providing additional sand and sandbags to those programs so that the programs can be available to all citizens in King County, rather than to City residents only. Cities, including the City, have expressed their willingness to accept additional sandbag supplies from King County and distribute them, as long as supplies last, to all citizens residing in King County who request them.

II. Project Management and Administration

- A. The City and the WLRD will each appoint a representative to administer the terms of this Agreement.
- B. In the event that a dispute arises under this Agreement, it shall be referred for resolution to the Division Director of WLRD, or other representative as designated by WLRD, and a representative as designated by the City. This provision shall not be construed as prohibiting either Party from seeking enforcement of the terms of this Agreement, or relief or remedy from a breach of the terms of this Agreement, in law or in equity.

III. Responsibilities

A. WLRD:

- 1. By October 1 of each calendar year beginning in 2014, WLRD will provide the City with 1,000 sandbags and 30 yards of sand or the cash equivalent.
- 2. In a given calendar year, WLRD will provide additional supplies upon request by the City, subject to availability and funding, and the provisions of IV.G. below.

B. The City:

- 1. Upon execution of this Agreement, the City will designate a location for delivery supplies by WLRD and, if different, the location where citizens may pick up sandbag supplies.
- 2. Subject to availability and funding, the City agrees to distribute sandbag supplies while they last to the citizens residing within incorporated and unincorporated King County who request them, during the times the City operates its sandbag distribution program.
- 3. The City agrees to comply with all applicable regulations governing its sandbag distribution program.
- 4. The City agrees to acknowledge the King County Flood Control District as a source of funding for the sandbag distribution program on all literature, signage and press releases related to the distribution of sand and sandbags supplied or funded by King County.

IV. Effectiveness and Duration

A. This Agreement is effective upon signature by both Parties and shall remain in effect until May 31, 2019, unless terminated by either Party. Either Party may terminate this Agreement upon 60 days prior written notification to the other Party.

B. This Agreement may be amended, altered, clarified, or extended only by the written agreement of the Parties hereto.

C. This Agreement is not assignable by either Party, either in whole or in part.

D. To the extent that compliance with the terms of this Agreement requires future appropriations beyond current appropriation authority, each of the Parties' obligations are contingent upon the appropriation of sufficient funds by that Party's legislative authority to complete the activities described herein. If no such appropriation is made for either Party, this Agreement will terminate at the close of the appropriation year for which the last appropriation that funds these activities was made.

E. This Agreement is a complete expression of the intent of the Parties and any oral or written representations or understandings not incorporated herein are excluded. The parties recognize that time is of the essence in the performance of the provisions of this Agreement. Waiver of any default shall not be deemed to be waiver of any subsequent default. Waiver of breach of any provision of this Agreement shall not be deemed to be a waiver of any other or subsequent breach and shall not be construed to be a modification of the terms of the Agreement unless stated to be such through written approval by the Parties which shall be attached to the original Agreement.

F. WLRD's provision of funds or materials to the City is and will be construed by the Parties as a disbursement to the City to provide for measures that support King County's flood control and flood protection activities as Service Provider to the King County Flood Control Zone District ("District"), and as consistent with the purposes and mission of the District. This Agreement is not and will not be construed to be a contract for services between the City and WLRD. Neither Party is acting as the agent of the other under the terms of this Agreement. The employees or agents of each Party who are engaged in the performance of this Agreement shall continue to be employees or agents of that Party and shall not be considered for any purpose to be employees or agents of the other Party.

G. The Parties recognize that the County is entering into similar kinds of agreements with a number of municipalities, and the County's resources to provide materials and

funding in this sandbag protection program are limited. In the event that the requests from municipalities participating in this sandbag protection program, as provided for in III.A.2. above, exceed the capacity of the resources available to WLRD, the Parties recognize that WLRD will use best professional judgment in dispensing remaining materials and funds to the municipalities involved in this program.

V. Indemnification

The City shall protect, defend, indemnify, and save harmless WLRD, its officers, officials, employees, and agents, while acting within the scope of their employment, from any and all costs, claims, judgments, penalties, and/or awards of damages, arising out of or in any way resulting from the City's own negligent acts or omissions in connection with activities conducted under the term of this Agreement. WLRD shall protect, defend, indemnify, and save harmless the City, its officers, officials, employees, and agents, while acting within the scope of their employment, from any and all costs, claims, judgments, penalties, and/or awards of damages, arising out of or in any way resulting from WLRD's own negligent acts or omissions in connection with activities conducted under the terms of this Agreement. Each Party agrees that its obligations under this subparagraph extend to any claim, demand, and/or cause of action brought by, or on behalf of, any of its employees or agents. For this purpose, each Party, by mutual negotiation, hereby waives, with respect to the other Party only, any immunity

that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW. In the event that a Party incurs any judgment, award, and/or cost arising therefrom, including attorneys' fees, to enforce the provisions of this Article, all such fees, expenses, and costs shall be recoverable from the responsible Party to the extent of that Party's culpability. The indemnification provided for in this Article V. shall survive the termination of this Agreement.

VI. Counterparts

This Agreement may be executed in counterparts.

Approved as to Form

**Approved as to form by the King County
Prosecuting Attorney's Office
as of May 28, 2014**

King County

By: 
Title: Director, King County Department
of Natural Resources and Parks

Date: 6-17-14

By: _____

Title: _____

Date: _____

City of Pacific

By: _____

Title: _____

Date: _____



AGENDA BILL NO. 16-114

TO: Mayor Guier and City Council Members
FROM: Public Works and City Attorney's Office
MEETING DATE: November 14, 2016
SUBJECT: **Condemnation Ordinance -- Baguio Property
 224 County Line Road S.E., 646 Yakima Avenue, 638 Yakima Ave.**

ATTACHMENTS:

- Ordinance No. 2016-1940

Previous Council Review Date:
Background:

The City has developed a capital facilities plan (CFP) to determine the long term needs for the City to operate efficiently and serve the projected growth of the community. One of the projects in the CFP is the development of an expanded Public Works facility at or near the location of existing City facilities. The City has proposed to begin project design and construction in 2017.

The City has selected the property that will be most beneficial to the City (commonly known as 224 County Line Road S.E., 646 Yakima Avenue and 638 Yakima Avenue in Pacific). The owner of the property is deceased, so the City initiated negotiations with the sole heir of the owner of the property. The City Attorney and the attorney for the sole heir were not able to negotiate a purchase and sale agreement that would provide the City with the property rights desired by the City. Condemnation of the property would provide the City with clear title to the property.

Summary: This Ordinance will provide direction to the City attorney and staff to move forward with condemnation, allowing the City to acquire clear title. In addition, a condemnation action will ensure that anyone claiming under the deceased property owner can make a claim to the Superior Court for the compensation paid by the City for the property.

Recommendation/Action: Staff recommends Council approve Ordinance No. 2016-1940, which will permit the City to move forward on the acquisition of real property to expand the public work facilities.

Motion for Consideration: MOVE TO APPROVE ORDINANCE NO. 2016-1940, AN ORDINANCE OF THE CITY OF PACIFIC, WASHINGTON, RELATING TO THE ACQUISITION BY EMINENT DOMAIN OF CERTAIN REAL PROPERTY LOCATED IN PACIFIC, NECESSARY FOR THE CONSTRUCTION OF THE PUBLIC WORKS SHOP BUILDING, DIRECTING STAFF TO EXHAUST ALL REASONABLE NEGOTIATION EFFORTS TO PURCHASE THE PROPERTY NECESSARY FOR THE PROJECT, DESCRIBING THE PUBLIC CONVENIENCE, USE AND NECESSITY FOR SUCH PROPERTY; PROVIDING FOR THE CONDEMNATION, APPROPRIATION AND USE OF THE PROPERTY; DESCRIBING THE MODE OF PAYMENT OF COST OF ACQUISITION OF THE PROPERTY; AND DIRECTING THE CITY ATTORNEY TO PROSECUTE SUCH ACTION IN KING COUNTY SUPERIOR COURT IN THE EVENT DIRECT PURCHASE EFFORTS ARE NOT SUCCESSFUL.

Budget Impact: There will be a charge to publish a summary of the Condemnation Ordinance.

Alternatives: None recommended.

CITY OF PACIFIC, WASHINGTON

ORDINANCE NO. 2016-1940

AN ORDINANCE OF THE CITY OF PACIFIC, WASHINGTON, RELATING TO THE ACQUISITION BY EMINENT DOMAIN OF CERTAIN REAL PROPERTY LOCATED IN PACIFIC, NECESSARY FOR THE CONSTRUCTION OF THE PUBLIC WORKS SHOP BUILDING, DIRECTING STAFF TO EXHAUST ALL REASONABLE NEGOTIATION EFFORTS TO PURCHASE THE PROPERTY NECESSARY FOR THE PROJECT, DESCRIBING THE PUBLIC CONVENIENCE, USE AND NECESSITY FOR SUCH PROPERTY; PROVIDING FOR THE CONDEMNATION, APPROPRIATION AND USE OF THE PROPERTY; DESCRIBING THE MODE OF PAYMENT OF COST OF ACQUISITION OF THE PROPERTY; AND DIRECTING THE CITY ATTORNEY TO PROSECUTE SUCH ACTION IN KING COUNTY SUPERIOR COURT IN THE EVENT DIRECT PURCHASE EFFORTS ARE NOT SUCCESSFUL.

WHEREAS, the City of Pacific has a City Hall complex on the southeasterly corner of Milwaukee Boulevard S. and 3rd Avenue SE, which is composed of City Hall, the Community/Recreation Center, the Senior Center, the City Public Works Shop, a playground with ballfield and associated parking; and

WHEREAS, The Public Works tools and equipment are currently housed in the Shop and vehicles are staged in the yard; and

WHEREAS, the City's adopted Capital Facilities Plan element of the Comprehensive Plan (CAP) shows the City's plan to relocate City shops to a new shop building and to create a larger yard for storage of equipment and vehicles;

WHEREAS, the City has secured funding for the project, consistent with the CAP from bonds, the utility funds and the general fund; and

WHEREAS, the project design has not begun, but construction of the project is estimated to begin during 2017; and

WHEREAS, prior to commencement of construction, the City must acquire the property necessary for completion of the project, and must justly compensate affected property owners for the property rights and interests acquired; and

WHEREAS, the City selected three parcels of property for the New City Shop project, located at: (1) 224 County Line Road S.E.; (2) 646 Yakima Avenue, and (3) 638 Yakima Avenue, all located in the City of Pacific, and legally described in Section 1 of this Ordinance; and

WHEREAS, the properties were owned by Leonor F. Baguio, deceased; and

WHEREAS, the City selected these parcels because they are positioned immediately adjacent to critical infrastructure (water tank and pump station), and if an expansion of water storage is required in the future, this is the preferred location; and

WHEREAS, in addition, the City selected these parcels because they are centrally located to the City, allowing easy access to any point in the City for quickest response times (by Public Works personnel) in emergencies; and

WHEREAS, the City Council finds that acquisition of the property is critical to the Public Works Shop project and it is in the public interest to have such property for public health, safety and welfare; and

WHEREAS, the City has attempted to negotiate the purchase of all necessary property rights for the Public Works Shop Building project from a person claiming an interest in the property as Leonor Baguio's sole heir, but the parties have yet to agree upon the necessary property rights to be included in the purchase; and

WHEREAS, while the City prefers to acquire the necessary interest in the property through active negotiations with the owners of said property, it may not be possible in this case because the property owner is deceased, and the property rights desired by the City are not available from the owner's sole heir; Now, Therefore,

IT IS HEREBY ORDAINED BY THE PACIFIC CITY COUNCIL AS FOLLOWS:

Section 1. Legal Description. The real properties that are the subject of this ordinance is commonly known as: (1) 224 County Line Road S.E.; (2) 646 Yakima Avenue, and (3) 638 Yakima Avenue, all located in the City of Pacific, all of which are legally described as follows:

Lots 1, 2 and 3 of Pacific Short Plat No. 03-002 of the City of Pacific, recorded under King County Recording No. 200311199000003. Parcel Nos.: 3521049028, 3512049077 and 3521049078.

Section 2. Findings of Fact. Each and every one of the recitals contained in the preamble to this Ordinance are hereby adopted as findings of fact and incorporated herein by reference, supporting the action taken in this Ordinance.

Section 3. Public Use and Necessity. The public health, safety, necessity and convenience demand that the property described in Section 1 be condemned, appropriated, taken and damaged as provided by this Ordinance, for the purpose of designing, constructing, operating and maintaining the City Public Works Shop.

Section 4. Declaration of Necessity. The City Council of the City of Pacific, after hearing the report of City Staff and reviewing the plans for the improvement of the property, hereby declares that the properties identified in Section 1, and owned by Leonor Baguio, deceased, and anyone claiming under her, including but not limited to Leo Baguio, her sole heir, are necessary for the public use. The City intends to condemn

the property identified in Section 1 for the purpose described herein, after just compensation has been made, or paid into the court for the owner thereof, in the manner provided by law.

Section 5. Costs of Acquisition. The costs of the acquisition provided for by this Ordinance shall be paid by the General Fund of the City of Pacific, or from bonds, the utility funds or such other funds of the City of Pacific as may be provided by law.

Section 6. Direction to the City Attorney. The City Attorney or special legal counsel retained for prosecution of this condemnation action, are hereby directed to exhaust reasonable efforts through direct negotiations to acquire the necessary property. In the event that reasonable negotiation efforts are not successful with affected property owners, the City Attorney or special legal counsel are hereby authorized and directed to begin and prosecute actions and proceedings in a manner provided by law to condemn, take, damage and appropriate the real property necessary to carry out the provisions of this Ordinance, as the same is described in Section 1 herein. In conducting such condemnation proceedings, the City Attorney or special outside legal counsel are hereby authorized to enter into stipulations for the purpose of minimizing damages.

Section 7. Severability. If any sentence, clause or phrase of this Ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 8. Effective Date. This Ordinance shall take effect five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the City Council of Pacific this ____nd day of _____, 2016.

Leanne Guier
Mayor

AUTHENTICATED:

Amy Stevenson-Ness, CMC
City Clerk.

APPROVED AS TO FORM:

Office of the City Attorney

**Carol Morris
City Attorney**



Agenda Bill No. 16-115

TO: Mayor Guier and City Council Members
FROM: Public Works
MEETING DATE: November 14, 2016
SUBJECT: Pacific - Sumner ILA Amendment for Valentine Avenue

ATTACHMENTS:

- Resolution 2016-384
- ILA Amendment

Previous Council Review Date:

Summary: The City of Pacific and the City of Sumner entered into an Interlocal Agreements for the design and construction and corresponding financing of the 136th/Valentine Project (the “Project”). Pacific formed Local Improvement District No. 6 (“LID No. 6). Sumner was the lead agency for the Project and also initially administered LID No. 6 by providing funding and financing for that portion of the costs. The Project is nearly complete and the Parties desire to reallocate the LID funding responsibilities to each respective City and to further clarify other responsibilities.

Recommendation/Action: Staff recommends Council approve Resolution No. 2016-384 to authorize the mayor to execute the ILA Amendment.

Motion for Consideration: “I move to” approve Resolution No. 2016-384, A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE INTERLOCAL AGREEMENT WITH CITY OF SUMNER REGARDING FINANCIAL MANAGEMENT OF THE LOCAL IMPROVEMENT DISTRICT (LID) 6 FOR THE VALENTINE AVENUE PROJECT.

Budget Impact: None.

Alternatives: None.

**CITY OF PACIFIC
WASHINGTON**

RESOLUTION NO 2016-384

A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE INTERLOCAL AGREEMENT WITH CITY OF SUMNER REGARDING FINANCIAL MANAGEMENT OF THE LOCAL IMPROVEMENT DISTRICT (LID) 6 FOR THE VALENTINE AVENUE PROJECT

WHEREAS, the City of Pacific and the City of Sumner entered into an Interlocal Agreements for the design and construction and corresponding financing of the 136th/Valentine Project (the "Project"); and

WHEREAS, Pacific formed Local Improvement District No. 6 ("LID No. 6), pursuant to its Ordinance No. 1806, approved on August 11, 2011.

WHEREAS, the Interlocal Agreements were adopted by Sumner Resolution No. 1348 dated April 24, 2012 (corresponding Pacific Resolution No. 12-1171 dated April 23, 2012) and by Sumner Resolution No. 1370 dated December 17, 2012 (corresponding Pacific Resolution No. 12-1221 dated December 10, 2012) and

WHEREAS, Sumner was the lead agency for the Project and also initially administered LID No. 6 by providing funding and financing for that portion of the costs; and

WHEREAS, the Project is nearly complete and the Parties desire to reallocate the LID funding responsibilities and to further clarify other responsibilities.

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

Section 1. The Pacific City Council hereby authorizes the Mayor to execute the attached interlocal agreement (ILA) Amendment between the City of Pacific and the City of Sumner, Exhibit A, to reallocate the LID funding responsibilities.

Passed by the City Council at a Regular Meeting thereof on the 14th day of November, 2016.

CITY OF PACIFIC

LEANNE GUIER
MAYOR

ATTEST/AUTHENTICATED:

AMY STEVENSON NESS, CMC
CITY CLERK

APPROVED AS TO FORM:

CAROL MORRIS
CITY ATTORNEY

**FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT
BETWEEN THE
CITY OF SUMNER AND THE CITY OF PACIFIC FOR
DESIGN, RIGHT-OF-WAY AND CONSTRUCTION OF THE
136TH/VALENTINE CORRIDOR IMPROVEMENTS**

THIS AGREEMENT is entered into pursuant to RCW 39.34, the Interlocal Cooperation Act, between the **CITY OF SUMNER**, a Washington municipal corporation, located and doing business at 1104 Maple Street, Sumner, Washington 98390 (“Sumner”), and the **CITY OF PACIFIC**, a Washington municipal corporation, located and doing business at 100 3rd Avenue S.E., Pacific, Washington 98047 (“Pacific”), together referred to as the “Parties”, for the purpose of reconstructing 136th/Valentine Avenue from 24th Street in Sumner to County Line Rd in Pacific.

WHEREAS, the Parties entered into an Interlocal Agreements for the design and construction and corresponding financing of the 136th/Valentine Project (the “Project”); and

WHEREAS, Pacific formed Local Improvement District No. 6 (“LID No. 6), pursuant to its Ordinance No. 1806, approved on August 11, 2011.

WHEREAS, the Interlocal Agreements were adopted by Sumner Resolution No. 1348 dated April 24, 2012 (corresponding Pacific Resolution No. 12-1171 dated April 23, 2012) and by Sumner Resolution No. 1370 dated December 17, 2012 (corresponding Pacific Resolution No. 12-1221 dated December 10, 2012) and

WHEREAS, Sumner was the lead agency for the Project and also initially administered LID No. 6 by providing funding and financing for that portion of the costs; and

WHEREAS, the Project is nearly complete and the Parties desire to reallocate the LID funding responsibilities and to further clarify other responsibilities; NOW THEREFORE, the Parties agree as follows:

AGREEMENT

- A. **Pacific LID No. 6.** Pursuant to the Section B of the Interlocal Agreement authorized by Sumner Resolution No. 1370, Sumner was to assume all responsibility for the Administration of LID No. 6. The Parties agree that such Interlocal should be amended to reflect that Pacific is now (effective as of the effective date of this Agreement) assuming all responsibilities for the administration of LID No. 6. The Parties shall work cooperatively to exchange information and records regarding the Project and Project costs so that Pacific

obtain interim funding, finalize the LID No. 6 assessment roll and proceed to permanent financing. All other financing and/or funding responsibilities set forth in Section B and elsewhere in this or other related Interlocal Agreements shall remain in full force and effect.

B. **Outstanding Costs and Interim Financing.** Sumner submitted to Pacific an invoice reflecting the financial obligations to date for the Project which total approximately \$4.2 million. Pacific shall pay to Sumner said amount by December 31, 2016 by interim financing or by other means.

C. **Ongoing Costs and Expenses.** All Costs and expenses incurred between the date of substantial completion and when the final assessment roll is adopted that are attributable to both parties shall be split in the same manner as costs and expenses as set forth below.

D. **Miscellaneous.**

1. **Funding.**

(a) **Additional Funding.** Should additional funding be required, the Parties agree that each party is responsible for the additional funds required to perform the work falling within its corporate city limits; unless, however, if it is work necessary for the Project as a whole, then the costs for such work will be apportioned at a rate of 33.5% for the City of Sumner and 66.5% for the City of Pacific based upon the total length of the project and the proportional share.

(b) **Delay Costs.** Should additional costs be incurred due to delay of the project, the party to whom the delay is attributable shall be responsible for all costs associated to the delay. If any additional delay costs cannot be attributed to a specific party, then any such cost will be apportioned at a rate of 33.5% for the City of Sumner and 66.5% for the City of Pacific based upon the total length of the project and the proportional share.

2. **Modification.** No waiver, alteration, or modification of any of the provisions of this Agreement shall be binding unless in writing and signed by a duly authorized representative of each party.

3. **Severability.** If any one or more of the sections, subsections, clauses or sentences of this Agreement is/are held to be unconstitutional or invalid, that unconstitutionality or invalidity shall not affect the validity of the remaining sections, subsections, clauses or sentences of this agreement, and the remainder shall remain in full force and effect.

4. **Entire Agreement.** This Agreement and any attached exhibits hereto contain the entire agreement between the parties. Should any language in any exhibit to this Agreement conflict with any language contained in this agreement, the terms of this agreement shall prevail. Written provisions and terms of this

Agreement, together with any attached exhibits, supersede all prior verbal statements by any representative of either party, and those statements shall not be construed as forming a part of or altering in any manner this Agreement.

5. Indemnification. Sumner shall defend, indemnify and hold Pacific, its officers, employees, agents, and assigns harmless from any and all claims, injuries, damages, losses or suits, including all legal costs and reasonable attorney fees, arising from or in connection with the design or construction of the Project, but only to the extent of Sumner's negligence or comparative fault. Pacific shall defend, indemnify and hold Sumner, its officers, employees, agents, and assigns harmless from any and all claims, injuries, damages, losses or suits, including all legal costs and reasonable attorney fees, arising from or in connection with the design or construction of the Project, but only to the extent of Pacific's negligence or comparative fault.

6. Project Coordination, Dispute Resolution and Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. If a dispute arises from or relates to this Agreement or the breach thereof, resolution of the dispute shall be as follows:

(a) Attempted through direct discussions as follows: (1) Pacific's designated contact person and Sumner's designated Project Manager shall make every effort to identify the problem(s) and resolve issues at their level to the satisfaction of both parties; (2) Should they fail to resolve the disputed issue, then the Sumner Project Manager, in coordination with Pacific's designated contact person, shall attempt to narrow the issue in dispute for consideration by the Public Works Director of Sumner and the City Administrator for Pacific shall determine if the dispute can be resolved through negotiations; (3) If the Public Works Director of Sumner and the City Administrator for Pacific are unable to resolve the dispute, then they shall each select, in addition to Sumner's PM and Pacific's contact person, one additional representative from among its employees who, together shall form a dispute resolution panel to resolve the dispute. (4) Should the dispute resolution panel be unable to settle any difference or claim arising from the parties' performance of this Agreement or the breach thereof through direct discussions, then the procedures as set forth in the ensuing paragraph (b) shall be employed as the means for resolving the dispute.

(b) The parties agree to endeavor first to settle the dispute in an amicable manner by mediation administered by a mediator under JAMS Alternative Dispute Resolution service rules or policies. The mediator may be selected by agreement of the parties or through JAMS. All fees and expenses for mediation shall be borne by the parties equally. However, each party shall bear the expense of its own counsel, experts, witnesses, and preparation and presentation of evidence. Following mediation, or upon written agreement of the parties to waive mediation, any unresolved controversy or claim arising from or relating to this Agreement or breach thereof shall be resolved by filing suit exclusively under the venue, rules and jurisdiction of the Pierce County

Superior Court, Pierce County, Washington. In any claim or lawsuit for damages arising from the parties' performance of this Agreement, each party shall pay all its legal costs and attorney's fees incurred in defending or bringing such claim or lawsuit, including all appeals, in addition to any other recovery or award provided by law; provided, however, nothing in this paragraph shall be construed to limit the City's right to indemnification under Section 7 of this Agreement.

7. Review Committee. The Parties shall appoint a committee to review the progress of the Project and advise and make recommendations on design, functions and scope of the Project. The committee shall be made up of two representatives from Pacific (Richard Gould and Jim Morgan) and two representatives from Sumner (PM being one). The PM from Sumner shall be the chair person for this committee.

8. Written Notice. Unless notified to the contrary, all communications regarding this Contract shall be sent to the parties as follows:

<p>CITY OF SUMNER:</p> <p>Mike Dahlem, P.E. Interim Public Works Director City of Sumner 1104 Maple Street Sumner, WA 98390 253-299-5702 (telephone) 253-299-5539 (facsimile)</p>	<p>CITY OF PACIFIC:</p> <p>James Morgan, PE Public Works Manager City of Pacific 100 3rd Avenue S.E. Pacific, WA 98047 253- 253-929-1113(telephone) 253-939-6026(facsimile)</p>
--	---

Any written notice hereunder shall become effective three (3) business days after the date of mailing by registered or certified mail, and shall be deemed sufficiently given if sent to the addressee at the address stated in this Contract or such other address as may be hereafter specified in writing.

9. Full Force and Effect. Unless specifically amended by this First Amendment all other terms, conditions, and responsibilities of the Interlocal Agreements identified in the recitals above shall remain in full force and effect.

AGREED TO ON THIS _____ DAY OF _____ 2016.

[SIGNATURE PAGE FOLLOWS]

THE CITY OF SUMNER:

THE CITY OF PACIFIC:

David L. Enslow, Mayor

Leanne Guier, Mayor

APPROVED BY SUMNER CITY COUNCIL MOTION ON _____.

APPROVED BY PACIFIC CITY COUNCIL MOTION ON _____

ATTEST:

ATTEST:

_____(SEAL)
MICHELLE CONVERSE
SUMNER CITY CLERK

_____(SEAL)
AMY STEVENSON-NESS, CMC
PACIFIC CITY CLERK

APPROVED AS TO FORM:

APPROVED AS TO FORM:

BRETT C. VINSON
SUMNER CITY ATTORNEY

CYNTHIA WEED
SPECIAL COUNSEL FOR THE
CITY OF PACIFIC



Agenda Bill No. 16-115

TO: Mayor Guier and City Council Members**FROM:** Richard A. Gould, Finance Director**MEETING DATE:** November 14, 2016**SUBJECT:** Ordinance Tax Levy.

ATTACHMENTS:

- Ordinance No. 2016-1941
- Preliminary King/Pierce Counties Levy Limit Worksheet – 2017 Tax Roll

Previous Council Review Date: Various Meetings.

Summary: Every year the City must adopt an Ordinance identifying the Tax Levy for the New Year. Public Hearings must be held providing an opportunity for the public to comment on the Budget and on revenue sources including the potential for a Tax Levy increase. Last year the City did not take an increase in their tax levy.

The City Council held a public hearing on the potential tax levy increase on October 24, 2016.

The estimated valuation for the City of Pacific is \$640,989,858 including new construction. The statutory limit for the City of Pacific is \$2.10 per \$1,000/value. The limit on increasing without a vote of the public is 101%.

The rate for 2016 was \$1.50177/1,000, which calculated out to a Tax Levy of \$939,796.

Proposed for 2017 is \$1.46134/1,000, which calculates as \$936,703 a decrease of \$3,093 (\$10,707 with new construction \$7,478 & Refunds of \$136 factored out) other than new construction.

This ordinance includes the maximum allowable lid lift that is not voted upon of 101% to levy at the statutory limit. To ask for any other increases the City would have been required to put a lid lift to a vote of the public. \$2.27486/1,000 would be \$1,458,162 based upon the maximum statutory levy.

Recommendation/Action: Accept this as the second reading of Ordinance No. 2016-1941 adopting the tax levy for the year 2017 with the one percent additional rate increase, along with those due to increased assessed valuation and new construction.

Motion for Consideration: I move to accept this as the second reading of Ordinance No. 2016-1941, Adopting the City of Pacific tax levy for the year 2017, effective on January 1, 2017.

Budget Impact:

Revised 09/26/13

**CITY OF PACIFIC
WASHINGTON
ORDINANCE NO. 2016-1941**

**AN ORDINANCE OF THE CITY OF PACIFIC, KING COUNTY
AND PIERCE COUNTY, WASHINGTON, REDUCING THE
REGULAR PROPERTY TAX LEVY 1.14% FROM THE PREVIOUS
YEAR, IN THE AMOUNT OF \$936,703, TO BE IMPOSED ON
PROPERTY TAXES IN THE CITY OF PACIFIC FOR THE YEAR
2017; AND ESTABLISHING AN EFFECTIVE DATE; AND
ESTABLISHING SEVERABILITY.**

WHEREAS, the City Council of the City of Pacific attest that the population of Pacific is less than ten thousand (10,000) and;

WHEREAS, the City Council of the City of Pacific has properly given notice of the public hearing held October 24, 2016 to consider the City's General Fund revenue sources, including consideration of possible increases in property tax revenues for the 2017 calendar year, pursuant to RCW 84.55.120; and

WHEREAS, the statutory limit that the City may levy to raise funds from property taxes is \$2.27486 per \$1,000 of assessed value or 101% of the highest prior levy, not to exceed \$2.27486 per \$1,000 of assessed value.

WHEREAS, the City's actual levy amount from the previous year was \$939,796;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Levy adjustment Authorized. The City Council considered all relevant evidence and testimony presented at the public hearing, and determined that the City of Pacific requires a nonvoter allowed 101% adjustment to the regular levy in the amount of \$936,703 for the year 2017. This is a 1.14% decrease in property tax revenue from the previous year, to discharge the expected expenses and obligations of the City of Pacific and in its best interest. This decrease of \$10,707 is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed and wind turbines, any increase in the value of state-assessed property, any annexations that have occurred and refunds made.

Section 2. Notification. The Finance Director is directed to certify the dollar amount to be raised on real and personal property and to transmit the certification of same by certified mail to King County Council and to King County Assessor.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not

affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This ordinance shall be in full force and take effect five (5) days after its publication per law.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF
ON THE 14TH DAY OF NOVEMBER, 2016.**

CITY OF PACIFIC

Leanne Guier
Mayor

ATTEST:

Amy Stevenson-Ness, CMC
City Clerk

Approved as to form:

Carol Morris
City Attorney

PRELIMINARY
KING/PIERCE COUNTIES
LEVY LIMIT WORKSHEET – 2017 Tax Roll

TAXING DISTRICT: City of Pacific

The following determination of your regular levy limit for 2017 property taxes is provided by the King County Assessor pursuant to RCW 84.55.100.

Annexed to Fire District 61 Estimated Fire rate: 0.92345
 Annexed to Library District (Note 1) Estimated Library rate: 0.40169

Using Limit Factor For District	Calculation of Limit Factor Levy	Using Implicit Price Deflator
919,890	Levy basis for calculation: (2016 Limit Factor) (Note 2)	919,890
1.0100	x Limit Factor	1.0095
929,089	= Levy	928,657
4,848,638	Local new construction	4,848,638
0	+ Increase in utility value (Note 3)	0
4,848,638	= Total new construction	4,848,638
1.54223	x Last year's regular levy rate	1.54223
7,478	= New construction levy	7,478
936,567	Total Limit Factor Levy	936,135

Annexation Levy		
0	Omitted assessment levy (Note 4)	0
936,567	Total Limit Factor Levy + new lid lifts	936,135
640,989,858	÷ Regular levy assessed value less annexations	640,989,858
1.46113	= Annexation rate (cannot exceed statutory maximum rate)	1.46045
0	x Annexation assessed value	0
0	= Annexation Levy	0

Lid lifts, Refunds and Total		
0	+ First year lid lifts	0
936,567	+ Limit Factor Levy	936,135
936,567	= Total RCW 84.55 levy	936,135
136	+ Relevy for prior year refunds (Note 5)	136
936,703	= Total RCW 84.55 levy + refunds	936,271
	Levy Correction: Year of Error _____ (+or-)	

936,703	ALLOWABLE LEVY (Note 6)	936,271
----------------	--------------------------------	----------------

Increase Information (Note 7)		
1.46134	Levy rate based on allowable levy	1.46066
939,796	Last year's ACTUAL regular levy	939,796
-10,707	Dollar increase over last year other than N/C – Annex	-11,139
-1.14%	Percent increase over last year other than N/C – Annex	-1.19%

Calculation of statutory levy		
	Regular levy assessed value (Note 8)	640,989,858
	x Maximum statutory rate	2.27486
	= Maximum statutory levy	1,458,162
	+Omitted assessments levy	0
	=Maximum statutory levy	1,458,162
	Limit factor needed for statutory levy	Not usable

ALL YEARS SHOWN ON THIS FORM ARE THE YEARS IN WHICH THE TAX IS PAYABLE.
 Please read carefully the notes on the reverse side.

Notes:

- 1) Rates for fire districts and the library district are estimated at the time this worksheet is produced. Fire district and library district rates affect the maximum allowable rate for cities annexed to them. These rates *will* change, mainly in response to the actual levy requests from the fire and library districts. Hence, affected cities may have a higher or lower allowable levy rate than is shown here when final levy rates are calculated.
- 2) This figure shows the maximum *allowable levy*, which may differ from any actual prior levy if a district has levied less than its maximum in prior years. The maximum allowable levy excludes any allowable refund levy if the maximum was based on a limit factor. The maximum allowable levy excludes omitted assessments if the maximum was determined by your district's statutory rate limit. If your district passed a limit factor ordinance in the year indicated, that limit factor would help determine the highest allowable levy. However, if the statutory rate limit was more restrictive than your stated limit factor, the statutory rate limit is controlling.
- 3) Any increase in value in state-assessed property is considered to be new construction value for purposes of calculating the respective limits. State-assessed property is property belonging to inter-county utility and transportation companies (telephone, railroad, airline companies and the like).
- 4) An omitted assessment is property value that should have been included on a prior year's roll but will be included on the tax roll for which this worksheet has been prepared. Omits are assessed and taxed at the rate in effect for the year omitted (RCW 84.40.080-085). Omitted assessments tax is deducted from the levy maximum before calculating the levy rate for current assessments and added back in as a current year's receivable.
- 5) Administrative refunds under RCW 84.69.020 were removed from the levy lid by the 1981 legislature.
- 6) A district is entitled to the lesser of the maximum levies determined by application of the limit under RCW 84.55 and the statutory rate limit. Levies may be subject to further proration if aggregate rate limits set in Article VII of the state constitution and in RCW 84.52.043 are exceeded.
- 7) This section is provided for your information, and to assist in preparing any Increase Ordinance that may be required by RCW 84.55.120. The increase information compares the allowable levy for the next tax year with your ACTUAL levy being collected this year. The actual levy excludes any refund levy and expired temporary lid lifts, if applicable. New construction, annexation and refund levies, as well as temporary lid lifts in their initial year, are subtracted from this year's *allowable* levy before the comparison is made.
- 8) ***Assessed valuations shown are subject to change from error corrections and appeal board decisions recorded between the date of this worksheet and final levy rate determination.***

CITY OF PACIFIC

AGENDA BILLS

AGENDA ITEM NO. Consent Agenda 10A MEETING DATE: November 14, 2016
SUBJECT: Claim Voucher & Payroll Approval PREPARED BY: Richard Gould, Finance Director

SUMMARY:

Approval of Payroll for the period of October 16, 2016 through October 31, 2016; Claims Voucher for October 25, 2016 through November 14, 2016.

PAYROLL AUTO DEPOSIT		\$	76,553.70
PAYROLL CHECKS:	5020-5024	\$	1,748.06
EFT'S		\$	135,327.68
CLAIMS CHECKS:	47510-47643	\$	316,796.49
CLAIMS CHECKS VOIDED:	47509		

TOTAL EXPENDITURES: \$ 530,425.93

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

10/25/2016 To: 11/14/2016

Time: 14:06:11 Date: 11/10/2016
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
6983	11/04/2016	Payroll	1	EFT		143.24	10/16/16 - 10/31/16 Payroll
6984	11/04/2016	Payroll	1	EFT		2,621.55	10/16/16 - 10/31/16 Payroll
6985	11/04/2016	Payroll	1	EFT		1,325.57	10/16/16 - 10/31/16 Payroll
6986	11/04/2016	Payroll	1	EFT		2,241.80	10/16/16 - 10/31/16 Payroll
6987	11/04/2016	Payroll	1	EFT		4,051.91	10/16/16 - 10/31/16 Payroll
6988	11/04/2016	Payroll	1	EFT		2,410.82	10/16/16 - 10/31/16 Payroll
6989	11/04/2016	Payroll	1	EFT		776.34	10/16/16 - 10/31/16 Payroll
6990	11/04/2016	Payroll	1	EFT		2,309.51	10/16/16 - 10/31/16 Payroll
6991	11/04/2016	Payroll	1	EFT		243.02	10/16/16 - 10/31/16 Payroll
6993	11/04/2016	Payroll	1	EFT		1,571.22	10/16/16 - 10/31/16 Payroll
6994	11/04/2016	Payroll	1	EFT		1,350.33	10/16/16 - 10/31/16 Payroll
6995	11/04/2016	Payroll	1	EFT		2,201.43	10/16/16 - 10/31/16 Payroll
6996	11/04/2016	Payroll	1	EFT		92.05	10/16/16 - 10/31/16 Payroll
6998	11/04/2016	Payroll	1	EFT		3,343.95	10/16/16 - 10/31/16 Payroll
6999	11/04/2016	Payroll	1	EFT		317.91	10/16/16 - 10/31/16 Payroll
7000	11/04/2016	Payroll	1	EFT		876.18	10/16/16 - 10/31/16 Payroll
7001	11/04/2016	Payroll	1	EFT		2,662.70	10/16/16 - 10/31/16 Payroll
7002	11/04/2016	Payroll	1	EFT		1,106.31	10/16/16 - 10/31/16 Payroll
7003	11/04/2016	Payroll	1	EFT		3,002.55	10/16/16 - 10/31/16 Payroll
7005	11/04/2016	Payroll	1	EFT		2,294.03	10/16/16 - 10/31/16 Payroll
7006	11/04/2016	Payroll	1	EFT		1,868.03	10/16/16 - 10/31/16 Payroll
7007	11/04/2016	Payroll	1	EFT		1,341.41	10/16/16 - 10/31/16 Payroll
7008	11/04/2016	Payroll	1	EFT		1,086.40	10/16/16 - 10/31/16 Payroll
7009	11/04/2016	Payroll	1	EFT		1,953.74	10/16/16 - 10/31/16 Payroll
7010	11/04/2016	Payroll	1	EFT		2,370.90	10/16/16 - 10/31/16 Payroll
7011	11/04/2016	Payroll	1	EFT		85.31	10/16/16 - 10/31/16 Payroll
7012	11/04/2016	Payroll	1	EFT		2,302.02	10/16/16 - 10/31/16 Payroll
7013	11/04/2016	Payroll	1	EFT		82.05	10/16/16 - 10/31/16 Payroll
7014	11/04/2016	Payroll	1	EFT		1,599.69	10/16/16 - 10/31/16 Payroll
7015	11/04/2016	Payroll	1	EFT		1,650.84	10/16/16 - 10/31/16 Payroll
7016	11/04/2016	Payroll	1	EFT		1,221.03	10/16/16 - 10/31/16 Payroll
7017	11/04/2016	Payroll	1	EFT		1,744.32	10/16/16 - 10/31/16 Payroll
7018	11/04/2016	Payroll	1	EFT		1,793.64	10/16/16 - 10/31/16 Payroll
7019	11/04/2016	Payroll	1	EFT		1,740.46	10/16/16 - 10/31/16 Payroll
7020	11/04/2016	Payroll	1	EFT		1,959.26	10/16/16 - 10/31/16 Payroll
7021	11/04/2016	Payroll	1	EFT		1,106.76	10/16/16 - 10/31/16 Payroll
7022	11/04/2016	Payroll	1	EFT		2,220.54	10/16/16 - 10/31/16 Payroll
7023	11/04/2016	Payroll	1	EFT		1,718.79	10/16/16 - 10/31/16 Payroll
7025	11/04/2016	Payroll	1	EFT		2,676.64	10/16/16 - 10/31/16 Payroll
7026	11/04/2016	Payroll	1	EFT		1,941.47	10/16/16 - 10/31/16 Payroll
7028	11/04/2016	Payroll	1	EFT		1,182.83	10/16/16 - 10/31/16 Payroll
7029	11/04/2016	Payroll	1	EFT		1,801.80	10/16/16 - 10/31/16 Payroll
7030	11/04/2016	Payroll	1	EFT		1,387.45	10/16/16 - 10/31/16 Payroll
7031	11/04/2016	Payroll	1	EFT		1,459.87	10/16/16 - 10/31/16 Payroll
7032	11/04/2016	Payroll	1	EFT		670.60	10/16/16 - 10/31/16 Payroll
7033	11/04/2016	Payroll	1	EFT		2,645.43	10/16/16 - 10/31/16 Payroll
7034	11/04/2016	Payroll	1	EFT	INTERNAL REVENUE SERVICE	29,839.94	941 Deposit For 11/04/2016 - 11/04/2016
7123	11/10/2016	Payroll	1	EFT	WA ST DEPT RETIREMENT SYSTEM	675.00	11/04/2016 To 11/04/2016 - DCP - DRS
7125	11/10/2016	Payroll	1	EFT	WA ST DEPT RETIREMENT SYSTEM	23,506.41	10/20/2016 To 11/04/2016 - PERS 2; 10/20/2016 To 11/04/2016 - PERS 3
7128	11/10/2016	Payroll	1	EFT	NW ADMIN TRANSFER ACCOUNT	32,423.60	10/20/2016 To 11/04/2016 - Medical- Clerical Union

CHECK REGISTER

City Of Pacific
MCAG #: 0423

10/25/2016 To: 11/14/2016

Time: 14:06:11 Date: 11/10/2016
Page: 2

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
7129	11/10/2016	Payroll	1	EFT	NW ADMIN TRANSFER ACCOUNT	16,343.80	10/20/2016 To 11/04/2016 - Medical - Police
7130	11/10/2016	Payroll	1	EFT	ASSOC OF WASHINGTON CITIES	9,399.08	10/20/2016 To 11/04/2016 - Medical - Directors; 10/20/2016 To 11/04/2016 - LTD
7131	11/10/2016	Payroll	1	EFT	AFLAC	728.66	10/20/2016 To 11/04/2016 - AFLAC ACC Pre; 10/20/2016 To 11/04/2016 - AFLAC CAN Pre; 10/20/2016 To 11/04/2016 - AFLAC STD Post; 10/20/2016 To 11/04/2016 - AFLAC PSI Pre; 10/20/2016 To 11/04/2016 - AFL
7133	11/14/2016	Claims	1	EFT	WA ST DEPT OF REVENUE	11,759.29	Excise Tax And B & O For October 2016
7134	11/10/2016	Payroll	1	EFT	WA ST DEPT RETIREMENT SYSTEM	10,651.90	10/20/2016 To 11/04/2016 - LEOFF 2
6992	11/04/2016	Payroll	1	5020		1,393.28	10/16/16 - 10/31/16 Payroll
6997	11/04/2016	Payroll	1	5021		87.05	10/16/16 - 10/31/16 Payroll
7004	11/04/2016	Payroll	1	5022		92.05	10/16/16 - 10/31/16 Payroll
7024	11/04/2016	Payroll	1	5023		88.63	10/16/16 - 10/31/16 Payroll
7027	11/04/2016	Payroll	1	5024		87.05	10/16/16 - 10/31/16 Payroll
6809	10/26/2016	Claims	1	47509	WA ST DEPARTMENT OF REVENUE		Check for wrong amount. Should be less the savings bond amount.
6820	10/27/2016	Claims	1	47510	WA ST DEPARTMENT OF REVENUE	251.91	Unclaimed Funds For 2016
7135	11/08/2016	Payroll	1	47511	AMERICAN LEGAL SERVICES	43.44	10/20/2016 To 11/04/2016 - Legal Fee
7136	11/08/2016	Payroll	1	47512	D.R.I.V.E.	20.00	10/20/2016 To 11/04/2016 - DRIVE
7137	11/08/2016	Payroll	1	47513	TEAMSTERS LOCAL 117	2,232.68	10/20/2016 To 11/04/2016 - Union Dues; 10/20/2016 To 11/04/2016 - Initiation Fees
7138	11/08/2016	Payroll	1	47514	WESTERN CONFERENCE OF TEAMSTERS PENSION	5,689.02	10/20/2016 To 11/04/2016 - Union Pension
7163	11/14/2016	Claims	1	47515	ADAMSON POLICE PRODUCTS	269.37	POLICE: AMMUNITION
7164	11/14/2016	Claims	1	47516	AGRO TREE SERVICE, INC.	18,341.25	PW: TREE REMOVAL @ COBBLE COURT APT.; PW: TREE REMOVAL @ 514-518 MILWAUKEE BLVD. S
7165	11/14/2016	Claims	1	47517	AHBL INC	810.00	CD: PROJECT #2160111.14; CD: PROJECT #2160111.51 (SURVERY SERVICES_
7166	11/14/2016	Claims	1	47518	CUSTOM SECURITY ALARM CENTER	149.85	POLICE: 11/01/16 - 01/31/17 MONITORING FEES
7167	11/14/2016	Claims	1	47519	CHRISTOPHER L. ALDERMAN	119.81	Refund inactive customer credit balance
7168	11/14/2016	Claims	1	47520	ALGONA COURTS	5,929.04	Algona Court October2016
7169	11/14/2016	Claims	1	47521	DI ALLISON	158.45	Refund inactive customer credit balance
7170	11/14/2016	Claims	1	47522	ALP INDUSTRIES, INC.	565.21	PW: STORM SUPPLIES
7171	11/14/2016	Claims	1	47523	ALPINE PRODUCTS INC	516.84	PW: SUPPLIES
7172	11/14/2016	Claims	1	47524	ALTEP CALIFORNIA, LLC	376.85	ADMIN: IMAGING & DATA MGMT. FOR CITY OF PACIFIC VS SHERYL HOFFMAN-FINWALL

CHECK REGISTER

City Of Pacific
MCAG #: 0423

10/25/2016 To: 11/14/2016

Time: 14:06:11 Date: 11/10/2016
Page: 3

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
7173	11/14/2016	Claims	1	47525	ARTURO ALVAREZ	14.02	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7174	11/14/2016	Claims	1	47526	ASSOC WA CITIES	185.00	PW: J. MORGAN 2016 IACC CONFERENCE
7175	11/14/2016	Claims	1	47527	ATLAS CONSTRUCTION SPECIALTIES	79.97	PW: SUPPLIES
7176	11/14/2016	Claims	1	47528	AUS WEST LOCKBOX	161.46	POLICE: DOOR MATS; CITY HALL: DOOR MATS; CITY HALL & POLICE: DOOR MATS
7177	11/14/2016	Claims	1	47529	AUTO ADDITIONS, INC.	12,966.79	POLICE: NEW VEHICLE SET UP; POLICE: FREIGHT CHARGE
7178	11/14/2016	Claims	1	47530	AV CAPTURE ALL, INC.	3,271.86	ADMIN: LEGISLATIVE/JUDICIAL COMBO APPLICATION SOFTWARE SUBSCRIPTION
7179	11/14/2016	Claims	1	47531	CHARANJEET KAUR BAINS	54.14	Refund inactive customer credit balance
7180	11/14/2016	Claims	1	47532	CHINTANA BARDEN	124.95	COURT: INTERPRETER SERVICES
7181	11/14/2016	Claims	1	47533	BATTERIES PLUS	17.43	PW: STORM PUMP
7182	11/14/2016	Claims	1	47534	GAIL BENNETT	300.00	OCT. 2016 CIVIL SERVICE COMMISSION SECRETARY
7183	11/14/2016	Claims	1	47535	DAWN BETTINGER	300.00	COURT: CONFLICT PUBLIC DEFENSE
7184	11/14/2016	Claims	1	47536	BFH CONSULTING	570.00	POLICE: POLICY MANUAL UPDATES & EVIDENCE INVENTORY
7185	11/14/2016	Claims	1	47537	BLUMENTHAL UNIFORMS	623.24	POLICE: UNIFORMS; POLICE: UNIFORMS
7186	11/14/2016	Claims	1	47538	ROBERT BRETT	45.11	Refund inactive customer credit balance
7187	11/14/2016	Claims	1	47539	GARY CARNER	27.12	Refund inactive customer credit balance
7188	11/14/2016	Claims	1	47540	CENTURYLINK	1,227.82	ACCT: 206Z220482920B
7189	11/14/2016	Claims	1	47541	CENTURYLINK	43.52	ACCT: 79489727
7190	11/14/2016	Claims	1	47542	CITY OF AUBURN (UTILITIES)	1,448.33	PW: 2016 Q3 DECANT FACILITY DISPOSAL FEE & ADMIN FEE; OCT. 2016 UTILITIES
7191	11/14/2016	Claims	1	47543	CITY OF PACIFIC	501.62	FINANCE: OCT. 2016 UTILITIES
7192	11/14/2016	Claims	1	47544	COLUMBIA BANK CARDMEMBER SERVICE	2,652.72	ACCT. #4798510051132179
7193	11/14/2016	Claims	1	47545	CONFEDERATE TRIBES OF THE CHEHALIS RESER	300.00	POLICE: INMATE LODGING
7194	11/14/2016	Claims	1	47546	CONSOLIDATED SUPPLY CO	210.03	PW: WATER SUPPLIES
7195	11/14/2016	Claims	1	47547	COPIERS NORTHWEST INC	1,480.43	SENIOR: COPY MACHINE USE (09/20/16 - 10/19/16); COPY MACHINE LEASES (NOV. 2016), OVERAGES (OCT. 2016)
7196	11/14/2016	Claims	1	47548	DATABAR INCORPORATED	1,632.74	PW: OCT. 2016 UTILITY BILLING
7197	11/14/2016	Claims	1	47549	JANICE ANN DAVEY	18.34	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7198	11/14/2016	Claims	1	47550	MAJOR DHAMI	22.43	Refund inactive customer credit balance
7199	11/14/2016	Claims	1	47551	PENNY A. DYCUS	18.02	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7200	11/14/2016	Claims	1	47552	ECOSS	250.00	PW: STORMWATER PROGRAM OVERVIEW
7201	11/14/2016	Claims	1	47553	FERGUSON ENTERPRISES, INC.	2,124.30	PW: SUPPLIES

CHECK REGISTER

City Of Pacific
MCAG #: 0423

10/25/2016 To: 11/14/2016

Time: 14:06:11 Date: 11/10/2016
Page: 4

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
7202	11/14/2016	Claims	1	47554	CITY OF FIFE	1,480.00	POLICE: SEPT. 2016 INMATE LODGING
7203	11/14/2016	Claims	1	47555	FINISH LINE CLEANING	3,225.00	CITY HALL, REC & SR. CENTERS & POLICE: 11/2016 JANITORIAL SERVICES
7204	11/14/2016	Claims	1	47556	FIRESTONE COMPLETE AUTO CARE AUBURN	20.80	POLICE: FLAT TIRE REPAIR
7205	11/14/2016	Claims	1	47557	FORMSOURCE INC	312.96	FINANCE: WINDOW ENVELOPES
7206	11/14/2016	Claims	1	47558	JEFFREY ALAN GEHMAN	16.72	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7207	11/14/2016	Claims	1	47559	GENESYS TELECOMMUNICATIONS LAB, INC.	5.79	PW: ALERT CALLS
7208	11/14/2016	Claims	1	47560	STEVEN A. GHETIAN	24.16	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7209	11/14/2016	Claims	1	47561	USIEL GONZALEZ	19.42	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7210	11/14/2016	Claims	1	47562	H.D. FOWLER CO INC	1,884.08	PW: WATER SUPPLIES; PW: SUPPLIES; PW: SUPPLIES; PW: SUPPLIES
7211	11/14/2016	Claims	1	47563	NIKOLAOS HENDRICK	5.99	Refund inactive customer credit balance
7212	11/14/2016	Claims	1	47564	HONEY BUCKET	72.00	PW: HONEY BUCKET RENTAL
7213	11/14/2016	Claims	1	47565	MICHAEL A. HUGUENARD	31.50	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7214	11/14/2016	Claims	1	47566	ICON MATERIALS	6,562.92	PW: ROCK FOR BUTTE & WHITE RIVER; PW: STREETS ACCT. #60386
7215	11/14/2016	Claims	1	47567	JENKINS BLA	2,460.00	CD: ACCT. ADJ. (VALLEY RECYCLING BUYBACK); CD: PERMIT #4279 JENKINS BLA DEPOSIT ACCT. REFUND
7216	11/14/2016	Claims	1	47568	LEROY ARNOLD JOHN JONES	16.40	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7217	11/14/2016	Claims	1	47569	KATY ISAKSEN & ASSOC.	8,920.00	PW: UTILITY RATE STUDY
7218	11/14/2016	Claims	1	47570	KC DOT ROAD SRVC DIV	1,718.87	PW: PACIFIC DSC OVERLAY (**GRANT AWARD 115679 RSD**); PW: PROJECT #1128190 (**GRANT RSD PA-013 2016 O/L 3RD AVE.**); PW: **GRANT** 113860 RSD PACIFIC BSC TR
7219	11/14/2016	Claims	1	47571	KC FINANCE I-NET	439.00	ADMIN: OCT. 2016 INET CONTRACT
7220	11/14/2016	Claims	1	47572	ELENA KERRIGAN	300.00	COURT: INTERPRETER SERVICES
7221	11/14/2016	Claims	1	47573	KIMBALL MIDWEST	277.02	PW: SHOP SUPPLIES
7222	11/14/2016	Claims	1	47574	KING COUNTY DIRECTORS' ASSOC	370.26	CITY HALL: SUPPLIES; PW: SUPPLIES; POLICE: SUPPLIES; POLICE: OFFICE SUPPLIES
7223	11/14/2016	Claims	1	47575	KING COUNTY FINANCE	109,826.99	PW: WASTEWATER TREATMENT (ACCT. #1008)
7224	11/14/2016	Claims	1	47576	HARRY & CANDACE LAMMON	201.66	Refund inactive customer credit balance
7225	11/14/2016	Claims	1	47577	ANNA LARSEN	114.72	Refund inactive customer credit balance
7226	11/14/2016	Claims	1	47578	415 WEST VALLEY SD-09-002 LEENSTRA SITE DEVELOPMENT	900.00	FIRE HYDRANT DEPOSIT REFUND PERMIT

CHECK REGISTER

City Of Pacific
MCAG #: 0423

10/25/2016 To: 11/14/2016

Time: 14:06:11 Date: 11/10/2016
Page: 5

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
7227	11/14/2016	Claims	1	47579	LEGEND DATA SYSTEMS, INC.	12.05	POLICE: BREE COWDREY PHOTO IT
7228	11/14/2016	Claims	1	47580	MAIL FINANCE	180.52	ADMIN: POSTAGE MACHINE LEASE
7229	11/14/2016	Claims	1	47581	ALEKSEY MATVEYENKO	16.18	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7230	11/14/2016	Claims	1	47582	ROBERT MCBETH	70.00	COURT: PROTEM APPEARANCE
7231	11/14/2016	Claims	1	47583	MCLENDON HARDWARE	1,309.51	PW: STREET SUPPLIES; PW: SUPPLIES; PW: SUPPLIES
7232	11/14/2016	Claims	1	47584	PENA MIGUEL	14.46	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7233	11/14/2016	Claims	1	47585	MILES SAND & GRAVEL	306.32	PW: STREETS
7234	11/14/2016	Claims	1	47586	JAMES J MORGAN	488.84	PW: IACC CONFERENCE & SHELVING REIMBURSEMENTS
7235	11/14/2016	Claims	1	47587	MORRIS LAW P.C.	8,734.00	ADMIN: OCT. 2016 CITY ATTORNEY SERVICES
7236	11/14/2016	Claims	1	47588	MOUNTAIN MIST	156.17	BOTTLED WATER
7237	11/14/2016	Claims	1	47589	NORTHSTAR CHEMICAL INC.	2,464.50	PW: SODIUM HYDROXIDE
7238	11/14/2016	Claims	1	47590	O'REILLY AUTOMOTIVE, INC.	238.88	PW: SHOP SUPPLIES; PW: STORM SUPPLIES
7239	11/14/2016	Claims	1	47591	KAREN ANN OHMAN	39.28	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7240	11/14/2016	Claims	1	47592	OLYMPIC ENVIRONMENTAL RESOURCE	16,092.44	PW: 2016 PACIFIC RECYCLING PROGRAM
7241	11/14/2016	Claims	1	47593	BEVERLY ANNE PETCHONKA	11.86	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7242	11/14/2016	Claims	1	47594	PETROCARD SYSTEMS INC	2,145.05	ACCT. #: 00-0077308 INV. #C120291
7243	11/14/2016	Claims	1	47595	PLATT ELECTRIC SUPPLY	100.92	PW: SUPPLIES
7244	11/14/2016	Claims	1	47596	PRAXAIR DISTRIBUTION	69.89	PW: STORM SUPPLIES
7245	11/14/2016	Claims	1	47597	PREG O'DONNELL & GILLETT PLLC	3,261.29	ADMIN: FILE #M03.006787: CHERYL HOFFMAN-FINWALL VS. CITY OF PACIFIC
7246	11/14/2016	Claims	1	47598	PROSECUTING ATTORNEYS OFFICE	279.15	Algona Court From October 2016; Pacific Court October
7247	11/14/2016	Claims	1	47599	PUBLIC SAFETY CENTER INC	125.00	POLICE: 2016 Q3 SUBSCRIPTION FEES
7248	11/14/2016	Claims	1	47600	PUGET SOUND ENERGY	13,593.44	ACCT. #300000003594; ACCT. #: 220008362075
7249	11/14/2016	Claims	1	47601	RH2 ENGINEERING, INC.	2,089.18	ADMIN: CITY HALL CAMPUS STANDBY GENERATOR
7250	11/14/2016	Claims	1	47602	RHINE DEMOLITION, LLC	900.00	PW: REFUND FIRE HYDRANT DEPOSIT (FH-16-003)
7251	11/14/2016	Claims	1	47603	RICHARDS PIPE & STEEL	4,884.71	PW: STREETS; PW:
7252	11/14/2016	Claims	1	47604	RITE AID CORP. - 85838	894.94	PW: VACCINATIONS
7253	11/14/2016	Claims	1	47605	KELLY ANNE ROBERTSON	15.10	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7254	11/14/2016	Claims	1	47606	L STEPHEN ROCHON	3,960.00	COURT: OCT. 2016 JUDGE SERVICES
7255	11/14/2016	Claims	1	47607	SAM'S CLUB/GEMB	190.45	POLICE: SUPPLIES
7256	11/14/2016	Claims	1	47608	SHARON ANN SASSE	23.30	COURT: 10/31/16 & 11/01/16 JUROR SERVICES

CHECK REGISTER

City Of Pacific
MCAG #: 0423

10/25/2016 To: 11/14/2016

Time: 14:06:11 Date: 11/10/2016
Page: 6

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
7257	11/14/2016	Claims	1	47609	JEFF SAVAS	305.10	Refund inactive customer credit balance
7258	11/14/2016	Claims	1	47610	MARC C. SCHOENBERG	346.88	CD: REIMB. FOR MEALS & MILEAGE - WABO FALL MEETING
7259	11/14/2016	Claims	1	47611	SCORE	8,190.00	POLICE: SEPT. 2016 INMATE LODGING
7260	11/14/2016	Claims	1	47612	DANIEL SELIGER	78.19	Refund inactive customer credit balance
7261	11/14/2016	Claims	1	47613	SHRED-IT USA INC.	191.33	COURT & FINANCE: SHREDDING; POLICE: SHREDDING
7262	11/14/2016	Claims	1	47614	LYNN SIMMS	90.23	YOUTH: EASTROOM MOLDING
7263	11/14/2016	Claims	1	47615	SIX ROBBLEE'S, INC.	710.57	PW: STORM SUPPLIES; PW: STORM PUMP SUPPLIES
7264	11/14/2016	Claims	1	47616	AMBER LEE SNYDER	13.38	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7265	11/14/2016	Claims	1	47617	SOUND PUBLISHING INC	2,209.36	PW, CD & ADMIN: LEGAL AFFADAVITS
7266	11/14/2016	Claims	1	47618	SOUNDBUILT HOMES	151.03	Refund inactive customer credit balance
7267	11/14/2016	Claims	1	47619	SOUTHERN COMPUTER WAREHOUSE	7,217.70	POLICE: TOUGHBOOKS FOR PATROL CARS
7268	11/14/2016	Claims	1	47620	RONALD A. SPENCE	17.26	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7269	11/14/2016	Claims	1	47621	SPOK, INC.	25.20	PW: PAGER
7270	11/14/2016	Claims	1	47622	SPORTS SERVICE	349.86	POLICE: AMMUNITION
7271	11/14/2016	Claims	1	47623	SUMMIT LAW GROUP	798.00	ADMIN: TEAMSTERS & PERSONNEL LEGAL SERVICES
7272	11/14/2016	Claims	1	47624	TACOMA SCREW PRODUCTS INC	513.71	PW: STORM SUPPLIES
7273	11/14/2016	Claims	1	47625	TERMINIX PROCESSING CENTER	62.02	SENIOR: PEST CONTROL
7274	11/14/2016	Claims	1	47626	THE LOCK SHOP	235.43	POLICE: SERVICE CALL
7275	11/14/2016	Claims	1	47627	THE RENTON PRINTERY, INC.	2,072.84	ADMIN: FALL 2016 NEWSLETTER
7276	11/14/2016	Claims	1	47628	TOTAL AUTO CARE	1,195.05	POLICE: VEHICLE REPAIRS/MAINTENANCE; POLICE: VEHICLE REPAIRS
7277	11/14/2016	Claims	1	47629	UNITED PARCEL SERVICE	8.79	POLICE: SHIPPING
7278	11/14/2016	Claims	1	47630	UNITED RENTALS (NORTH AMERICA), INC.	2,499.04	PW: ROLLER RENTAL CUSTOMER #225859; PW: ROLLER RENTAL CUSTOMER #225859
7279	11/14/2016	Claims	1	47631	US BANK N.A. - CUSTODY TREASURY DIV.	32.00	FINANCE: OCT 2016 CUSTODY CHARGES
7280	11/14/2016	Claims	1	47632	UTILITIES SERVICE CO., INC.	616.49	PW: SEWER REPAIRS/MAINTENANCE (5TH & TACOMA)
7281	11/14/2016	Claims	1	47633	UTILITIES UNDERGROUND LOCATE	56.76	PW: OCT. 2016 EXCAVATION
7282	11/14/2016	Claims	1	47634	VALLEY COMMUNICATIONS	824.35	POLICE: OCT. 2016 800 MHz
7283	11/14/2016	Claims	1	47635	VERIZON WIRELESS	883.83	ACCT. #642048405-00001
7284	11/14/2016	Claims	1	47636	SAVANNY VILAVONG	29.34	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7285	11/14/2016	Claims	1	47637	WA ST DEPARTMENT OF REVENUE	276.91	Unclaimed Property For 2016
7286	11/14/2016	Claims	1	47638	WA ST TREASURER	17,588.77	Algona Court From October 2016; Pacific Court October

CHECK REGISTER

City Of Pacific
MCAG #: 0423

10/25/2016 To: 11/14/2016

Time: 14:06:11 Date: 11/10/2016
Page: 7

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
7287	11/14/2016	Claims	1	47639	WATER MANAGEMENT LAB INC	147.00	PW: TOTAL COLIFORM
7288	11/14/2016	Claims	1	47640	WELLS FARGO FINANCIAL LEASING	31.14	PW: PLOTTER LEASE (6030128228000)
7289	11/14/2016	Claims	1	47641	LAURIE ANNMARIE WENNEMAN	37.34	COURT: 10/31/16 & 11/01/16 JUROR SERVICES
7290	11/14/2016	Claims	1	47642	CORRINE J WILDONER	72.79	COURT: REIMB. FOR MEALS & MILEAGE - DMCMA CONFERENCE
7291	11/14/2016	Claims	1	47643	WISEMAN UTILITIES, INC.	900.00	PW: REFUND OF FIRE HYDRANT DEPOSIT (FH-16-004)
		001 General Fund				233,500.34	
		101 Street				36,441.82	
		401 Water				41,899.00	
		402 Sewer				140,213.66	
		403 Garbage				7,875.00	
		409 Storm				38,495.61	
		411 Pierce County Water Area				53.10	
		630 Developer Deposit				4,700.00	
		640 Algona Court				13,613.31	
		800 Payroll EE Benefit Clearing				13,634.09	
						Claims:	320,570.64
						Payroll:	209,855.29
		* Transaction Has Mixed Revenue And Expense Accounts				530,425.93	

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

Regular Meeting
September 12, 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 Katie Garberding, Kerry Garberding, Newlun, Oliveira, Storaasli, Mayor Pro Tem Steiger, and Mayor Guier

Absent: Council President Kave

COUNCIL MEMBER STEIGER MOVED to excuse Council President Kave.
Seconded by Council Member Storaasli.

STAFF PRESENT

City Administrator Richard Gould, Court Clerk Kelly Rydberg, Public Works Manager Jim Morgan, Public Safety Director John Calkins, City Attorney Carol Morris, Office Assistant Nicole Schunke, and City Clerk Amy Stevenson-Ness.

ADDITIONS TO/APPROVAL OF AGENDA

The agenda was approved unanimously by council.

AUDIENCE COMMENT

Speaking before Council:

<p>Don Blackwell 107 Eastgate Ave South</p>	<p>Talking on sign ordinance: Inquired how signs are affecting physical beauty. Would like to see what defines historic character. Regarding health and safety, inquired why this is mentioned since no one's been hurt by a sign. Changing of language in the</p>
---	--

	<p>sign ordinance, stated it be a team of people and not just one person. In reference to 20.84.110D in the ordinance, inquired why that was put in there.</p>
<p>Jon Welch Sr. 539 West Valley Highway</p>	<p>Thanked the Council for contributing their time.</p> <p>Talking on sign ordinance: No freeway signs doesn't leave wiggle room for business owners. You need to help the business community make a profit. Asked who is offended by the signs.</p>
<p>Kevin Bilbrey Norms Trucking Equipment</p>	<p>Speaking against the zoning change on Office Park code. The zoning is tight; the ground is almost worth nothing. Four lots are not developed at this time and this would affect those. Doesn't know what he can do on his property. Opinion is to try to find a way to work this out other than cutting his business off at the knees.</p>
<p>Jerry Eck 411 West Valley Highway S</p>	<p>Speaking against the zoning change on Office Park code:</p> <p>He stated it looks like Council is trying to tighten up zoning. Eliminating the possibility of a request for conditional use is more restrictive. Office Park zoning is very restrictive.</p> <p>Eliminating the possibility of a request of a meeting examiner is going in the wrong direction</p> <p>Talking on sign ordinance: This ordinance will make his business less lucrative.</p> <p>Thinks staff is manipulating Planning Commission. And would like a City Council member to attend Planning Commission meetings.</p>

With Council's approval members of the audience who have already spoken on an Agenda item will be allowed to speak again.

REPORTS

A. Mayor

Mayor Guier reported:

- Departments are working on getting the budget prepared and hope to have a draft to council on October 3, 2016;
- School's back in session so be mindful of kids on the road;
- Habitat for Humanity will be having their wall rising on September 13, 2016, and will be turning over the keys to the first home owners on October 28, 2016.

B. Finance/City Administrator

• August 2016 numbers have been reviewed. The cash position remains the same. Utility funds are still down but went up since last time. The general fund is up for the year.

• Trying to anticipate what December will look like so he can do only one budget amendment for 2016 in October.

• Upon Council approval tonight, Mr. Gould was assured AV CaptureAll will be online by October 3, 2016.

• Received the signed amended agreement from King County I-Net so Auburn IT will have the go-ahead to start working on a virtual server and should be complete in October.

• There is a garbage rate increase of 4.3% effective in October because of Waste Management's CPI adjustments.

• Mr. Gould met with a representative of the Port of Seattle. They are putting together an economic development partnership program and are offering a grant to the City.

• Finance Committee meeting will be postponed until September 21, 2016. There was a discussion about the conflict of meeting dates; the Public Safety Committee meeting had already been cancelled.

C. Court

The report was provided at the meeting

D. Community Services

No report.

E. Public Works Department

Public Works Manager Jim Morgan reported:

• Finalizing permit process for flood mitigation measures on the Government Canal. Currently working on the right of entry agreement with Boeing.

• The Hescos that the Core of Engineers provided the City where transferred to Pierce County and we have begun the process of installing those to protect the lower end of Butte

• The contractor working on Highway 167 completed the installation of the water line casing extension under the on-ramp at 8th Street.

• Found things that need to be fixed by the contractor on the Valentine Project before the project can be completed.

- Public Meeting on the master planning of City Hall Campus at 6:30 p.m., September 13, 2016, in the East Room.

F. Community Development Department

Community Development Manager Jack Dodge reported:

- Purchase and sales agreement for the Morgan properties on the West Hill was sent to the attorney for final review and will send them to Ms. Lane Morgan.
- Purchase and sales agreements are done for the Tacoma Boulevard property.
- Mr. Dodge will be meeting with Sumner and Pierce County to discuss employment forecast to see what the City can do to bring numbers up to meet requirements.

G. Public Safety Department

Mr. Calkins reported:

- Have received the final police car and it's now in service.
- New hires start training with Sergeant Hong on September 16, 2016, and will start the field training program on September 23, 2016.

H. City Council Members

No Reports

I. Boards and Committees

i. Finance Committee

Council Member Newlun reported the next scheduled meeting is moved to September 21, 2016, at 6:30 p.m.

ii. Governance Committee

Council Member Kerry Garberding reported the next meeting is October 4, 2016, at 6:30 p.m.

iii. Human Services Committee

Council Member Oliveira stated the next meeting is September 27, 2016, at 6:30 p.m.

- Family bingo night's year-to-date profit is \$556.54. Next bingo night will be held on September 20, 2016.
- An end of summer blast was held on August 26, 2016.
- They are looking at possibly holding a community painting night in October.
- Holiday Bazaar coming up in November.
- Talked about a Holiday Open House with a potluck and dance.
- Looking at possibly doing a quarterly community movie night.

iv. Public Safety Committee

Mayor Guier stated the meeting that was to be held on September 21, 2016 has been cancelled.

v. Public Works Committee

Council Member Steiger reported the meeting was held on September 7, 2016.

- Valentine Road project still has things that need to get done before it can be completed

- Generator construction contract will be going out to bid very soon.
- There will be possible tree removal at the park between Ellingson and Pacific Meadows.
- Reviewed the road improvement priority list for 2017.

vi. Technology Committee

Council Member Kerry Garberding reported the Technology Committee will meet on Thursday, September 15, 2016, at 5:00 p.m.

vii. Lodging Tax Advisory Committee

No meeting scheduled at this time.

viii. Park Board

No report

ix. Planning Commission

No report

x. Pierce County Regional Council (PCRC)

Council Member Storaasli stated they will be meeting Thursday, September 15, 2016.

xi. Sound Cities Association (SCA)

Mayor Guier stated they will be meeting Wednesday, September 14, 2016

xii. South County Area Transportation Board (SCATBd)

Mr. Morgan reported the next meeting will be on Tuesday September 20, 2016.

xiii. Valley Regional Fire Authority (VRFA)

Council Member Steiger reported the meeting will be held on September 13, 2016.

OLD BUSINESS

A. Resolution No. 2016-370: Authorizing the Mayor to issue a request for proposals for a public defender services contract.

Ms. Rydberg reported that upon review, the current public defender's contract has expired. It has become a priority to issue a Request for Proposals (RFP) to obtain responses from public defenders as well as establishing a new contract for services.

COUNCIL MEMBER NEWLUN MOVED to approve **Resolution No. 2016-370** authorizing the Mayor to issue a request for proposals for a public defender services contract. Seconded by Council Member Storaasli.

Roll call vote was taken resulting as follows:

Ayes: Katie Garberding, Kerry Garberding, Newlun, Oliveira, Steiger, Storaasli

Nays: None

Absent: Council President Kave

The motion carried 6-0.

B. Resolution No. 2016-367: Approval of the Administrative Sergeant Job Description.

Mr. Calkins stated this resolution is to approve the job description for the Police Administrative Sergeant.

COUNCIL MEMBER KATIE GARBERDING MOVED to approve **Resolution No. 2016-367** approving the Administrative Sergeant Job Description. Seconded by Council Member Oliveira.

Roll call vote was taken resulting as follows:

Ayes: Katie Garberding, Kerry Garberding, Newlun, Oliveira Steiger, Storaasli

Nays: None

Absent: Council President Kave

The motion carried 6-0.

C. Resolution No. 2016-368: Authorizing the surplus of a 2009 Dodge Charger previously utilized by the Police Department.

Mr. Calkins stated that this is different than what was brought to the workshop, the 2007 Dodge pickup was repurposed for the Public Works department, which is why they only have the 2009 Dodge Charger on this resolution.

COUNCIL MEMBER STORAASLI MOVED to approve **Resolution No. 2016-368** authorizing the surplus of a 2009 Dodge Charger previously utilized by the Police department. Seconded by Council Member Oliveira.

Roll call vote was taken resulting as follows:

Ayes: Katie Garberding, Kerry Garberding, Newlun, Oliveira, Steiger, Storaasli

Nays: None

Absent: Council President Kave

The motion carried 6-0.

D. Ordinance No. 2016-1936: Amending Pacific Municipal Code Chapter 20.60 Light Industrial District related to sewage treatment facilities.

Jack Dodge stated this is an ordinance amending the Light Industrial Zone to remove one use from that zone, related to the sewage treatment facilities. The purpose of removing this is to meet the intent purpose of this particular zoning classification. The other revision is

removing the clause that allows a person to request any type of conditional use in the I Light Industrial Zone, which is contrary to state law.

Ms. Morris outlined that every zone has a list of uses that are permitted outright. If a particular use that is in the code as a permitted use you don't need any additional approval, but when it's a conditional use then you have to get a conditional use permit. We have eliminated sewage facilities as well as the language that says any other buildings or uses determined to be similar to those in the list above.

<p>Kevin Bilbry 361 Roy Road</p>	<p>Stated that there was already a provision that allows interpreting what the City thinks is correct on the conditional use and inquired about the need to tighten it. Stated that as a neighbor who is 2 or 3 blocks away from the sewage facilities he has no issues with them. Inquired that the City talks about wanting to bring jobs to the area so why are they restricting job creators.</p>
<p>Jerry Eck 411 West Valley Highway South</p>	<p>Stated that he thinks that what is happening is that the Council is making the Community Development Manager the new Hearings Examiner and that is too much power for one person. Also stated that it's just making it tougher for new businesses to come into the city.</p>
<p>Jon Welch 539 West Valley Highway</p>	<p>Stated that the language is vague and unprofessional; thinks it should go back to planning commission to see if they can add more language.</p> <p>He also doesn't like the appeal process; it's up to one man and that gives too much power; he doesn't see an appeal process that sounds fair. You can't possibly have all the uses that you'd like in that zone, there has to be some dialog and wiggle room to get things that you want without making it hard.</p>

In response to Mr. Bilbry, Ms. Morris stated that the language he is referring to is not in any other city codes that she has reviewed and doesn't belong in any code. It is a wild card that allows anybody to come in and request anything even though it would have to go through the conditional use process. The reason it has been tightened is that it shouldn't even appear in any code.

In response to the comments about the appeal procedure, Ms. Morris stated that the appeal procedure is not in the ordinance but is in the code. The steps are if the use someone would like to make of the property is not listed as a conditional use and is not permitted as a permitted use then they can ask for a code interpretation which means that they would ask the Community Development Director to interpret the section of the code to determine if it is similar enough to any of the uses that are allowed as a conditional use and then the

Community Development Director would make a decision. That decision can be appealed to the Hearing Examiner and that decision can be appealed to court.

COUNCIL MEMBER NEWLUN MOVED to adopt Ordinance No. 2016-1936: Amending Pacific Municipal Code Chapter 20.60 Light Industrial District related to sewage treatment facilities. Seconded by Council Member Kerry Garberding.

Roll call vote was taken resulting as follows:

Ayes: Katie Garberding, Kerry Garberding, Newlun, Oliveira

Nays: Steiger, Storaasli

Absent: Council President Kave

The motion carried 4-2.

E. Ordinance No. 2016-1934: Amending Pacific Municipal Code Chapter 20.09 prohibiting medical marijuana cooperatives.

Mr. Dodge stated that this was related to medical marijuana cooperatives and amending Chapter 20.09 prohibiting medical marijuana cooperatives. This was already brought to Council earlier; questions were brought to the attorney and have since been answered. Recommendation from the Planning Commission and staff was to adopt the proposed changes that would prohibit medical marijuana cooperatives.

After discussion about the difference between a cooperative and a collective **COUNCIL MEMBER KATIE GARBERDING MOVED** to adopt Ordinance No. 2016-1934 amending Pacific Municipal Code Chapter 20.09 prohibiting medical marijuana cooperatives. Seconded by Council Member Kerry Garberding.

Roll call vote was taken resulting as follows:

Ayes: Katie Garberding, Kerry Garberding, Steiger, Mayor Guier

Nays: Oliveira, Storaasli, Newlun

Absent: Council President Kave

Due to a tie vote, Mayor Guier cast the deciding vote.

The motion carried 4-3.

F. Ordinance No. 2016-1937: Amending Pacific Municipal Code Chapter 20.54 – Office Park (OP) District related to storage and Design Standards.

Mr. Dodge stated that this is a proposed amendment to the Office Park Zone that would remove storage use as a potential conditional use within that particular zoning classification; it would add a new conditional use to replace a current use which is similar to

the other conditional uses. It would also remove the clause that the city removed out of the Light Industrial Zone. The purpose of changing this Code is that the Puget Sound Regional Council has conditionally certified the comprehensive plan based on the fact that we don't meet the employment forecast provided by Pierce County and changing this code would help meet those employment forecasts.

COUNCIL MEMBER KATIE GARBERDING MOVED to adopt Ordinance No. 2016-1937 amending Pacific Municipal Code Chapter 20.54 – Office Park (OP) District related to storage and Design Standards. Seconded by Council Member Newlun.

<p>Kevin Bilbry 361 Roy Road</p>	<p>Said his business has pieces connected to it, sitting on that property for four years, and is in the process of dealing with the city. Has had the building inspector come out and has spoken with him several times and has never been told that he had to apply for conditional use for the storage.</p>
<p>Jerry Eck 411 West Valley Highway South</p>	<p>Stated that Office Park zoning is not creating jobs, most of the buildings have windows taped up with paper and are being used for inside storage. Just wishing for jobs isn't going to make it happen. County Line Road is out of the way and Elise Park was supposed to be a buffer but it didn't work.</p> <p>If you pass this it will make Kevin Bilbry's property have no value.</p>

After discussion, Council Member Katie Garberding withdrew her motion and Council Member Newlun withdrew his second to the motion.

COUNCIL MEMBER NEWLUN MOVED to send the Ordinance to the workshop on October 3, 2016. Seconded by Council Member Storaasli.

Voice vote was taken and carried 6-0.

G. Ordinance No. 2016-1938: Repealing Pacific Municipal Code Chapter 20.84 Sign Code and adopting a new Chapter 20.84 Sign Code.

Mr. Dodge stated that this Ordinance was as a result of a US Supreme Court case *Reed v. Town of Gilbert* in Arizona stating that cities can't have content based codes and our current code is content based therefore we are not in compliance and leaves the city open to potential lawsuits in terms of the current code. The recommendation from the Planning Commission is to approve this Ordinance so we can meet the requirements of the Supreme Court decision.

Mr. Dodge went on to talk further about the freeway signs stating that it was the attorney's recommendation to leave that out of this code and save it for future conversation because of certain legal aspects.

Ms. Morris talked about the comments that she heard about freeway-oriented signs. The Code does not prohibit freeway-oriented signs but rather freeway-oriented signs are prohibited except in the following instances and then listed the situations as to which you can have freeway oriented signs. The reason we have sign codes is not only for health and safety but also for aesthetics. Public health and safety is not just signs falling on people but also how distracting they are for drivers.

After extensive discussion, the Council consensus was to send the Ordinance to the workshop on October 3, 2016.

H. Resolution No. 2016-369: Authorizing the execution of an agreement with AV CaptureAll, LLC, in the amount of \$5,976.00, for the legislative/judicial combination of recording for on-demand streaming and archiving.

And

Resolution No. 2016-372: Establishing the AV CaptureAll Software and Subscription Agreement to be a sole source contract under RCW 39-04-280(2)(A)

Mr. Gould reported that Resolution No. 2016-369 is the same Resolution that was discussed at the previous meeting

Ms. Morris added that Resolution No. 2016-372 was added because State Law requires that when you decide to only look at one vendor or sourced of materials you need to describe the circumstances why you are going sole source and not out to bid.

COUNCIL MEMBER NEWLUN MOVED to approve **Resolution No. 2016-369** authorizing the execution of an agreement with AV CaptureAll, LLC, in the amount of \$5,976.00, for the legislative/judicial combination of recording for on-demand streaming and archiving. Seconded by Council Member Oliveira.

Roll call vote was taken resulting as follows:

Ayes: Katie Garberding, Kerry Garberding, Newlun, Oliveira, Steiger, Storaasli

Nays: None

Absent: Council President Kave

The motion carried 6-0.

COUNCIL MEMBER OLIVEIRA MOVED to approve **Resolution No. 2016-372** Establishing the AV CaptureAll Software and Subscription Agreement to be a sole source contract under RCW 39-04-280(2)(A). Seconded by Council Member Kerry Garberding.

Roll call vote was taken resulting as follows:

Ayes: Katie Garberding, Kerry Garberding, Newlun, Oliveira, Steiger, Storaasli

Nays: None

Absent: Council President Kave

The motion carried 6-0.

I. Ordinance No. 2016-1939: Amending the 2016 FTE schedule

Mr. Gould stated that this is the last step to approving the addition of the administrative sergeant position to the budget. We need to add the position to the budget to legally pay the wages of the position.

COUNCIL MEMBER STEIGER MOVED to adopt **Ordinance No. 2016-1939** Amending the 2016 FTE schedule. Seconded by Council Member Katie Garberding.

Roll call vote was taken resulting as follows:

Ayes: Katie Garberding, Kerry Garberding, Newlun, Oliveira, Steiger, Storaasli

Nays: None

Absent: Council President Kave

The motion carried 6-0.

J. Resolution No. 2016-371: Authorizing the execution of Supplement No. 2 with KPG, Inc., in the amount of \$58,251.83, for construction management services for Stewart Road.

Mr. Morgan stated that this resolution is to amend the contract for KPG, who is the construction management firm on the Stewart Road Project, because additional services were required due to the delay caused by utility conflicts by Franchise Utilities.

COUNCIL MEMBER NEWLUN MOVED to approve **Resolution No. 2016-372** Authorizing the execution of Supplement No. 2 with KPG, Inc., in the amount of \$58,251.83, for construction management services for Stewart Road. Seconded by Council Member Storaasli.

Roll call vote was taken resulting as follows:

Ayes: Katie Garberding, Kerry Garberding, Newlun, Oliveira, Steiger, Storaasli

Nays: None

Absent: Council President Kave

The motion carried 6-0.

NEW BUSINESS

NONE

CONSENT AGENDA

- A. Payroll and Voucher Approval
- B. Approval of the minutes of the meetings of June 27 and July 25, 2016.

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

Voice vote was taken and carried 6-0.

EXECUTIVE SESSIONS

At 8:45 p.m., Mayor Guier announced two executive sessions for the following:

- A. RCW 42.30.110 (1)(i) regarding potential litigation for 15 minutes.

At 9:00, Mayor Guier announced a 5 minute recess.

- B. RCW 42.30.110 (1)(i) regarding potential litigation for 10 minutes.

At 9:07, Mayor Guier convened to the second executive session for 10 minutes.

At 9:17 p.m., Mayor Guier extended the executive session for 5 minutes.

At 9:22 p.m., Mayor Guier reconvened the meeting.

COUNCIL MEMBER STORAASLI MOVED to accept the terms of the Memorandum of Understanding with Teamsters Local 117 regarding Officer West and authorizing the mayor to sign the MOU. Seconded by Council Member Katie Garberding.

Roll call vote was taken resulting as follows:

Ayes: Katie Garberding, Kerry Garberding, Newlun, Oliveira Steiger, Storaasli

Nays: None

Absent: Council President Kave

The motion carried 6-0.

ADJOURN

Being no further business, Mayor Guier adjourned the meeting at 9:22 p.m.

Amy Stevenson-Ness, CMC, City Clerk



City Council Minutes

Workshop
September 19, 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 Newlun, Oliveira, Storaasli, Mayor Pro Tem Steiger, Mayor Guier

Absent Council Members Katie Garberding, Kerry Garberding, and Council President Kave

STAFF PRESENT

Public Works Manager Jim Morgan, City Administrator Richard Gould, Court Administrator Kelly Rydberg, and City Clerk Amy Stevenson-Ness

ADDITIONS TO/APPROVAL OF AGENDA

The agenda was approved unanimously by Council.

PRESENTATIONS

A. Department Of Corrections/King County Work Crew Presentation

Ms. Donna Waters provided an overview of the DOC/King County Work Crew as an alternate option to jail time. She outlined the program for Council and stated the cost will be he cost would be \$15/day per offender.

Council consensus is to bring back to later workshop, October 17, 2016.

B. Revenue Bonds and Engagement Letter Presentation

Ms. Cynthia Weed, K&L Gates, discussed the Local Improvement District implementation process for improvements that benefit a specific area of the city.

The consensus of Council is to keep the project moving forward.

Jim Nelson, DA Davidson, Bond Underwriter, walked Council through the bond process and provided them with an overview of the process. He provided examples of taxing options, including levy lid lift, EMS levy, voted bond, sales tax increase, utility tax increase, and a new taxing jurisdiction.

C. Rate Study Presentation

Katy Isaksen, Katy Isaksen & Associates, provided a Council update regarding the utility rate outlook. She provided a long-term view for financial planning with a six-year outlook for each utility. She provided scenarios for full funding for the long-term outlooks and showed rate comparisons to neighboring cities.

Council consensus is to bring this item back to a later workshop.

AGENDA ITEMS

A. AB 16-069: Appointment to Board of Park Commissioners

Mayor Guier stated she recommends Ms. Yolanda Williams for appointment to the Board of Park Commissioners.

Ms. Williams introduced herself to Council and expressed her desire to be on the Park Board and make changes in the trail from Rainier Vista.

On Council consensus, the item was moved forward to the meeting on September 26.

Council Member Oliveira reminded everyone that Family Bingo Night will be on September 20, 2016. There is a \$5 burger plate and \$3 hot dog plate for dinner.

ADJOURN

Mayor Pro Tem Steiger adjourned the workshop at 8:13 p.m.

Amy Stevenson-Ness, CMC, City Clerk