

**City of Pacific Regular Council Meeting Agenda for December 10, 2012**  
**Continued to December 17, 2012**  
**6:30 p.m., at 100 3<sup>rd</sup> Ave SE, City Hall - Gym**

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**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

**2. ROLL CALL OF COUNCILMEMBERS**

**3. OLD BUSINESS**

- A. Adoption of Resolution No. 12-1217, Consenting to the Annexation of the Territory of the City of Pacific, Washington into the City of Auburn, Washington Simultaneous with the De-Annexation of the City of Pacific Pursuant to RCW 35.10.217(2) (City Clerk)

**4. NEW BUSINESS**

- A. Adoption of Resolution No. 12-1218, Calling for an Election on February 12, 2013, for the Question of Disincorporation of the City of Pacific (City Clerk)
- B. Adoption of Resolution No. 12-1219, Authorizing the Mayor to Execute Supplemental Agreement No. 10, with Skillings Connolly for Time Extension to December 31, 2013 (City Clerk)

**5. ADJOURN**

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Please turn off cell phones during meeting and hold your questions for staff until the meeting has been adjourned.

The Council may consider other ordinances and matters not listed on the Agenda, unless specific notification period is required. Meeting materials are available on the City's website at: [www.cityofpacific.com](http://www.cityofpacific.com) or by contacting the City Clerk's office at (253) 929-1105.

**CITY OF PACIFIC  
WASHINGTON**

**RESOLUTION NO. 12-1217**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON CONSENTING TO THE ANNEXATION OF THE TERRITORY OF THE CITY OF PACIFIC, WASHINGTON INTO THE CITY OF AUBURN, WASHINGTON SIMULTANEOUS WITH THE DE-ANNEXATION OF THE CITY OF PACIFIC, PURSUANT TO RCW 35.10.217(2)**

**WHEREAS**, RCW 35.10.217(2) authorizes the legislative body of a city or town on its own initiative by resolution to indicate its desire to annex property of another city or town in whole or in part, or to indicate its desire to be annexed to a city or town in whole or in part, which annexation shall become effective upon the adoption of a resolution by the other city or town concurring in the annexation; and

**WHEREAS**, after consultations between officials and representatives of the cities of Pacific and Auburn, it was determined that it would be advantageous to both cities for all of the territory within the corporate limits of the City of Pacific to be annexed to the City of Auburn, with the City of Pacific being de-annexed thereby; and

**WHEREAS**, in connection with such annexation/de-annexation, the cities of Auburn and Pacific have committed to coordinate and cooperate with respect to any financial, planning, property ownership, transportation or development issues that would affect the cities and the annexation/de-annexation; and

**WHEREAS**, contemporaneous with the consideration of this Resolution, the City of Pacific is considering this annexation/de-annexation action because of the issues facing its and mutual benefits to both cities and their citizens; and

**WHEREAS**, the annexation/de-annexation shall be effective following adoption of Resolutions by both cities of Auburn and Pacific in support of the annexation/de-annexation; and

**WHEREAS**, the requirements of the State Environmental Policy Act and applicable Environmental Procedures have been complied with; and

**WHEREAS**, this annexation/de-annexation is subject to review by the Washington State Boundary Review Boards for King County and Pierce County,

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Pacific, Washington as follows:

**Section 1.** The City Council of the City of Pacific indicates, pursuant to the provisions of RCW 35.10.217(2), its desire to annex into the City of Auburn the territory of the City of Pacific, with said annexation to occur contemporaneous with the de-annexation of the City of Pacific, which territory is legally described as follows:

Territory of the City of Pacific – to be annexed to the City of Auburn:

{ The legal description of the city is as set out in the Petition to Incorporate dated 24 August 1909 and Ordinances, 212, 223,225,226,279,319,1055,1256,1321, of the City of Pacific.}

**Section 2.** The Mayor is directed to implement such administrative procedures as may be necessary to carry out the directives of this legislation, including the steps necessary to transfer assets, property, and financial materials to the City of Auburn in connection with the annexation/de-annexation.

**Section 3.** The Mayor is also directed to transmit copies of this Resolution to the City Clerk of Auburn, and to take steps to assure that notices of the public hearing at which a second resolution is adopted are mailed to the owners of the property within the area proposed to be annexed, in accordance with Chapter 35.43 RCW and Section 35.10.217(2) RCW.

**Section 4.** City Staff are hereby authorized and directed to file the appropriate Notice of Intent to Annex with the Washington State Boundary Review Boards for King County and Peirce County.

**Section 5.** This Resolution shall be in full force an effect upon passage and signatures hereon.

**PASSED B THE CITY COUNCIL AT A SPECIAL MEETING THEREOF  
ON THE 10TH DAY OF DECEMBER 2012.**

CITY OF PACIFIC

By: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Patricia J. Kirkpatrick, MMC, City Clerk

Approved as to Form

\_\_\_\_\_  
City Attorney

FILED WITH THE CITY CLERK: 12.10.12  
PASSED BY THE CITY COUNCIL: 12.17.12  
EFFECTIVE DATE: 12.17.12  
RESOLUTION NO. 12-1217

**CITY OF PACIFIC  
WASHINGTON**

**RESOLUTION NO. 12-1218**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
PACIFIC, WASHINGTON, CALLING FOR A SPECIAL ELECTION  
ON FEBRUARY 12, 2013, CONCERNING THE  
DISINCORPORATION OF THE CITY OF PACIFIC**

WHEREAS, the City of Pacific has been notified by its insurer that the City's liability insurance policy will be cancelled effective December 31, 2012, and

WHEREAS, attempts by the City to find alternative liability coverage to replace its expiring policy have not been successful; and

WHEREAS, after review, the City Council has determined that the financial risks associated with the City's continued operation without liability insurance coverage for the City, its officers and employees, are too great; and

WHEREAS, RCW 35A.15.010 provides for the initiation of the disincorporation of a code City by the City Council's adoption of a resolution seeking an election to disincorporate,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, HEREBY RESOLVES:

Section 1: Pursuant to Chapter 35A.15.010 RCW, the City Council hereby requests that the Pierce and King County Auditors call a special election on February 12, 2013, to consider the question whether the City of Pacific should disincorporate.

Section 2: The City Clerk is hereby authorized and directed to certify to the Pierce and King County Auditors, not less than 52 days prior to the February 12, 2013, Special Election a proposition to disincorporate the City of Pacific in substantially the following form:

PROPOSITION;

**DISINCORPORATION OF THE CITY OF PACIFIC**

Shall the City of Pacific be disincorporated?

Support the disincorporation of the City of Pacific \_\_\_\_\_

Oppose the disincorporation of the City of Pacific \_\_\_\_\_

Section 3: The City Clerk is hereby authorized and directed to transmit to the Pierce and King County Auditors, not less than 52 days prior to the February 12, 2013 special election, an explanatory statement in substantially the following form:

The City of Pacific is classified as a non-charter municipal code City, operated under Title 35A RCW. The City has been notified that its liability insurance policy will be cancelled effective December 31, 2012, and the City has been unable to obtain replacement insurance coverage. Without insurance coverage, the Pacific City Council has determined that the City can no longer conduct business or provide services to its residents.

Section 4: The City Council hereby requests that the Pierce and King County Auditors conduct an all Vote-by-Mail special election for the ballot Proposition calling for the disincorporation of the City of Pacific.

Section 5: The City Council hereby requests that the Pierce and King County Auditors issue a Voters' Pamphlet for the all Vote-by-Mail special election for the ballot Proposition calling for the disincorporation of the City of Pacific.

Section 6: This Resolution shall be in full force an effect upon passage and signatures hereon.

**PASSED BY THE CITY COUNCIL AT ITS REGULAR MEETING THEREOF ON THE 10TH DAY OF DECEMBER 2012.**

CITY OF PACIFIC

\_\_\_\_\_  
By: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Patricia J. Kirkpatrick, MMC, City Clerk

Approved as to Form

\_\_\_\_\_  
City Attorney

FILED WITH THE CITY CLERK: 12.10.12  
PASSED BY THE CITY COUNCIL: 12.17.12  
EFFECTIVE DATE: 12.17.12  
RESOLUTION NO. 12-1218

**CITY OF PACIFIC**

**Agenda Item Cover Sheet**

**AMENDED**

Agenda Item No. New Business 9B Meeting Date: December 10, 2012, cont'd  
Adoption of Resolution No. 12-1219, Authorizing the Mayor to  
Execute Supplemental  
Agreement No. 10, with  
Skills Connolly for Time  
Subject: Extension Prepared by: Patti Kirkpatrick, MMC City Clerk

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**Summary:** Mr. Gary Richardson, Senior Project Manager has requested a time extension only in order to complete the project improvements. At the December 10, 2012, Council meeting, this item was continued to tonight's meeting. Mr. Richardson was asked to provide further information as to the need for another year time extension on this project. The current contract ends on December 31, 2012. The time extension is needed to keep Skillings Connolly continuously engaged. Time is of the essence in order to keep the Stewart Road project on schedule. Tasks requiring immediate attention include:

1. Completing the six steps required by TIB to continue funding support for the project, which includes modifying the STIP, completing the Pierce County/City of Pacific Inter-Local Agreement, securing right-of-way cost transfer to the Valentine project, completing the MOU with Gordon Trucking, preparing a balanced financial plan and establishing an ad date for construction;
2. Completing right-of-way negotiations with Gordon Trucking;
3. Completing design of the interurban trail from SR 167 to Valentine Ave; and
4. Completing design of the Stewart Road project.

Our intention remains to begin construction by April 1, 2013. Without continuous effort toward that end, a good portion of or the complete 2012 construction season may be missed.

**Recommendation:** Adopt the resolution as there are no additional costs associated with the time extension.

**Motion for Consideration:** I move adopt Resolution No. 12-1219, Authorizing the Mayor to execute Supplemental Agreement No. 10, for time extension only with Skillings Connolly for Stewart Road/Thornton Avenue Improvements Project to December 31, 2013.

**Budget:** Time extension only, no additional costs to the city in this request for this project.

**Attachments:** Resolution No. 12-1219  
Supplemental No. 10, Time Extension Only

**CITY OF PACIFIC, WASHINGTON**

**RESOLUTION NO. 12-1219**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 10 WITH SKILLINGS CONNOLLY FOR TIME EXTENSION**

**WHEREAS**, the City of Pacific entered into an agreement with Skillings Connolly, Inc. on February 14, 2011; and

**WHEREAS**, the City of Pacific and Skillings Connolly desire to extend the contract to December 31, 2013 to allow for the completion of the Stewart Road/Thornton Avenue Improvements project,

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

**Section 1.** That the Mayor Pro Tem is authorized to execute Supplemental Agreement No. 10, with Skillings Connolly for Stewart Road/Thornton Avenue Improvements Project for time extension to December 31, 2013.

**Section 2.** This Resolution shall take effect and be in force immediately upon its passage.

**PASSED BY THE CITY COUNCIL AT ITS REGULAR MEETING THEREOF ON THE 17TH DAY OF DECEMBER 2012.**

CITY OF PACIFIC

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Cy Sun, Mayor

ATTEST:

\_\_\_\_\_  
Patricia J. Kirkpatrick, MMC, City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney