



Agenda Bill No. 14-098

TO: Mayor Guier and City Council Members
FROM: Public Works
MEETING DATE: May 27, 2014
SUBJECT: 6-Year Transportation Improvement Plan (STIP) 2015 – 2020 Public Hearing

ATTACHMENTS:

- Resolution 2014-169
- 6-Year Transportation Improvement Plan (STIP) 2015 – 2020 Public Hearing

Previous Council Review Date: N/A

Summary: Current state statutes require the City of Pacific to prepare a Six Year Transportation Improvement Plan (TIP) annually for submittal to Washington State Department of Transportation (WSDOT). Portions of the City's TIP which meet the criteria for regionally significant projects are then incorporated into the Statewide Transportation Improvement Program (STIP). The TIP is an important tool for local, state and federally funded projects, and is utilized by governmental and planning organizations at all levels. Projects must be identified on the TIP and/or the STIP to be eligible for funding from Federal and State sources. A Public Hearing is required.

Recommendation/Action: Staff recommends Council approve Resolution No. 2014-163.

Motion for Consideration: Move to approve Resolution No. 2014-163, SETTING THE TIME AND PLACE FOR A PUBLIC HEARING ON JUNE 9, 2014 AT 6:30 PM IN THE CITY OF PACIFIC COUNCIL CHAMBERS TO HEAR FROM THE PUBLIC ON THE DEVELOPMENT OF THE CITY'S 2015 – 2020 SIX YEAR TRANSPORTATION IMPROVEMENT PLAN.

Budget Impact: There is no immediate budget impact associated with the passage of this measure.

Alternatives: Deny the measure and re-structure the TIP. This action would require a new public hearing to be held.

**CITY OF PACIFIC
WASHINGTON**

RESOLUTION NO. 2014 -163

A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, setting the time and place for a public hearing on June 9, 2014 at 6:30 PM in the City of Pacific Council Chambers to hear from the public on the development of the City's 2015 – 2020 Six Year Transportation Improvement Plan.

WHEREAS, RCW 35.77.010 requires the legislative body of each city and town, pursuant to one or more public hearings thereon, shall prepare and adopt a comprehensive transportation program for the ensuing six calendar years. The program shall be filed with the secretary of transportation not more than thirty days after its adoption.

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

Section 1. That said 2015 – 2020 Six Year Transportation Improvement Plan shall be presented for hearing and determination on Monday, June 9, 2014, at the hour of 6:30 p.m. in the Council Chambers of the City of Pacific, at Pacific City Hall, Pacific, Washington, or as soon thereafter as the same may be heard, and that

Section 2. Notice of such hearing be given as approved by law.

ADOPTED BY THE CITY COUNCIL this 9th day of June, 2014.

CITY OF PACIFIC

LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

AMY STEVENSON-NESS, CITY CLERK

APPROVED AS TO FORM:

KENYON LUCE, CITY ATTORNEY



AGENDA BILL NO. 14-100

TO: Mayor Guier and City Council Members
FROM: Public Works
MEETING DATE: May 27, 2014
SUBJECT: Intolight (PSE) Lighting for Valentine Avenue

ATTACHMENTS: Agreement

Previous Council Review Date:

Summary: The City has completed the design of the Valentine venue project. A critical element of the project is street lighting. Intolight (an element of Puget Sound Energy (PSE)) is the proposed provider and installer of the street lighting equipment. Intolight has provided a quote to supply and install the street lighting.

Recommendation/Action: Staff recommends Council approve Resolution No. 2014-165.

Motion for Consideration: Move to approve Resolution No. 2014-165, A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF PACIFIC AND INTOLIGHT FOR VALENTINE AVENUE STREET LIGHTING SYSTEM.

Budget Impact: \$334,416.30. This will be a project cost.

Alternatives: None.

AGENDA ITEM NO. 6I

**CITY OF PACIFIC
WASHINGTON
RESOLUTION NO. 2014-165**

A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF PACIFIC AND INTOLIGHT FOR VALENTINE AVENUE STREET LIGHTING SYSTEM

WHEREAS, the City of Pacific is proposing the construction of improvement on Valentine; and

WHEREAS, these improvements include street lighting for public safety; and

WHEREAS, Puget Sound Energy, Inc. owns and operates Intolight for the purposes of designing and installing street lighting systems; and

WHEREAS, Intolight has provided a quote for costs to install the Valentine Avenue street lighting system..

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 a Custom Street Lighting Order with Intolight for \$334,416.30.

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

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 27th DAY OF MAY, 2014.

CITY OF PACIFIC

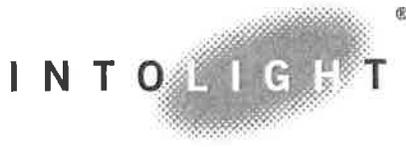
LEANNE GUIER, Mayor

ATTEST/AUTHENTICATED:

AMY STEVENSON-NESS, City Clerk

Approved as to form:

KENYON LUCE, City Attorney



355 110th Avenue NE
PO Box 90868, EST 9W
Bellevue, Washington 98009-0868
Lighting Services from Puget Sound Energy

T (425) 456-2496
F (425) 462-3149

**STREET LIGHTING
AUTHORIZATION LETTER**

May 9, 2014

Jim Morgan
City Engineer
City of Pacific
100 – 3rd Ave SE
Pacific, WA 98047

47 Street Lights – Valentine Improvement Project

Dear Jim:

The cost for the installation of 47-30' Mounting Height (MH) Green, Octagonal Concrete Poles, with 47-150 Watt LED, Green, King K803 Luminaires on 10' Aluminum "Z" arms and secondary circuitry is **\$334,416.30**. It is based on the description in the Custom Street Lighting Order enclosed. This estimate is valid for **90 days**.

After reviewing the enclosed please sign and return this Letter, Custom Street Lighting Order. **Return one copy in the self-address envelope provided, and retain the other copy** for your file. Upon receipt of the signed agreement there is a 10-week waiting period for us to procure the necessary materials. Payment of **\$ 334,416.30** will be requested upon completion.

The following are conditions that may be required before construction of this system:

1. In the area where we are placing our cables and equipment, it is assumed the area is at grade.
2. Locate and mark all privately owned underground facilities.
3. Right-of-way and/or Easements may also be required from you or adjacent property owners.
4. Customer is responsible for proper pole locations and pole and fixture type.
5. The developer is to provide trenching, back filling and pole hole to the depth of 5' lined with an 18" corrugated plastic culvert pipe or equivalent (no cardboard Sonotubes. please). PSE street light tube and cables for lighting will in the same trench as the other dry utilities.
6. The pricing does not include any applicable City taxes.

By signing this Letter, Custom Street Lighting Order and returning it, you are stating that you will comply with these requirements and authorize us to perform the work. When the contingencies have been met, this order will be released to construction for scheduling. If you have any questions, please call me at 206.604.3348.

Sincerely,

Jim Kennedy
Account Manager, Lighting Services

The above contingencies are accepted and authorization is given:

By: _____ Date _____



355 110th Avenue NE
 PO Box 90868, EST 9W
 Bellevue, Washington 98009-0868
Lighting Services from Puget Sound Energy

T (425) 456-2496
 F (425) 462-3149

PROJECT NAME: **Valentine Road Improvement**
 LOCATION: **City of Pacific**

Order #: _____

CUSTOM STREET LIGHTING ORDER

This order dated May 9, 2014 to PUGET SOUND ENERGY, Inc. (PSE) from Mr. Jim Morgan, City of Pacific (Customer) covers the installation of custom lighting authorized by this order. Billing will be on a Monthly basis and in accordance with the terms and conditions contained in PSE’s Schedule 51, and any future modifications of such Schedule as may be approved by the Washington Utilities and Transportation Commission. Ownership of all conductors, poles, fixtures, lamps and accessory equipment installed as a result of this order shall remain with PSE. The number, size and type of lights ordered are summarized below.

The installation charge of the listed lighting units was estimated to be \$ 334,416.30. Value of the system used to determine the monthly facilities charge is \$274,381.60

Description:

- (47) 150 Watt LED, Green, King K803 Luminaires on 10’ Aluminum “Z” arms
- (47) 30’ Mounting Height Green, Octagonal Concrete Poles plus circuitry.

Full payment of installation charge up front, paid by Customer. Payment will be requested upon completion. Monthly facilities charge is equal to 0.180% x value of the system.

$$0.00180 \times \$274,381.60 = \$493.89$$

The basis of the monthly energy charge under Rate Schedule 51 is as follows:

47 -150 watt LED units x \$5.84	=	<u>\$ 274.48</u>
Total monthly energy charge		\$ 274.48

The total monthly charge for this installation is

Monthly facilities charge	\$ 493.89
Monthly energy charge	<u>\$ 274.48</u>
Total monthly charge	\$ 768.37

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CUSTOM STREET LIGHTING ORDER (Continued)
PROJECT NAME: **Valentine Ave., Pacific**

Initially, Monthly Billing will be sent to the Mr Jim Morgan, City of Pacific.

Please write the name and address you want the monthly bill send to:

Pacific, WA 98047

This order, executed by customer's duly authorized representative as of the date first written above is for service, as described above, under PSE's Schedule 51.

Customer:

By: _____

Date: _____

Title: _____

Company: Puget Sound Energy

By:  _____

Date: May 9, 2014

Title: Account Manager



Agenda Bill No. 14-102

TO: Mayor Guier and City Council Members
FROM: Ken Barnett
MEETING DATE: 5-27-14
SUBJECT: Code Updates

ATTACHMENTS: Ordinance 2014-1862

Previous Council Review Date: PW Committee 5-7-14, Council Workshop 5-19-14

Summary: The City should adopt the 2012 codes to keep are building, fire, plumbing ext. current and consistent with Washington state and other jurisdictions.

Recommendation/Action: adopt Ordinance 2014-1862 adopting the most current IBC, IRC and Fire and the Uniform Plumbing Codes.

Motion for Consideration: Move to approve Ordinance 2014-1862 to adopt the 2012 IRC, IBC, IFC and the UPC.

Budget Impact: New code book updates 700.00

Alternatives: none

CITY OF PACIFIC

ORDINANCE NO. 2014-1862

AN ORDINANCE OF THE CITY OF PACIFIC, WASHINGTON, RELATING TO THE ADOPTION OF THE WASHINGTON STATE BUILDING CODE, ADOPTING THE 2012 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, UNIFORM PLUMBING CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, AND CERTAIN APPENDICES BY REFERENCE, AMENDING THE PENALTY SECTIONS IN THE CODES TO ESTABLISH THAT VIOLATIONS ARE SUBJECT TO CIVIL OR CRIMINAL PENALTIES, REPEALING CHAPTER 17.04, 17.08, 17.12, 17.50 SECTIONS 17.19.101 AND 17.22.010 OF THE PACIFIC MUNICIPAL CODE, ADOPTING A NEW CHAPTER 17.04 TO THE PACIFIC MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Washington State Building Code Council has adopted a number of the 2012 editions of the various International Building Codes for to be adopted and enforced by local jurisdictions after July 1, 2013; and

WHEREAS, in accordance with RCW 19.27.031, the City is required to adopt the state building code and the updated International Building Codes; and

WHEREAS, the SEPA Responsible Official has determined that adoption of this Ordinance is exempt from SEPA under WAC 197-11-800(2); and

WHEREAS, on May 27, 2014, the City Council considered this Ordinance during its workshop meeting and adopted it at the second reading; NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 17.04 of the Pacific Municipal Code is hereby repealed.

Section 2. Chapter 17.08 of the Pacific Municipal Code is hereby repealed.

Section 3. Chapter 17.12 of the Pacific Municipal Code is hereby repealed.

Section 4. Section 17.19.101 of the Pacific Municipal Code is hereby repealed.

Section 5. Section 17.22.010 of the Pacific Municipal Code is hereby repealed.

Section 6. Section 17.50 of the Pacific Municipal Code is hereby repealed.

Section 7. A new chapter 17.04 is hereby added to the Pacific Municipal Code, which shall read as follows:

CHAPTER 17.04 BUILDING CODE

Sections:

- 17.04.010** **Washington State Building Code Adopted.**
- 17.04.020** **Conflicts and Interpretations of Codes.**
- 17.04.030** **Fees.**
- 17.04.040** **Violations and Penalties.**

17.04.010 **Washington State Building Code Adopted.** The City adopts the Washington State Building Code as follows:

A. The *International Building Code* (2012 Edition), published by the International Code Council, and amended by the Washington State Building Code Council in WAC 51-51, to be known hereafter as the "International Building Code" or the "IBC," together with:

Appendix E, Supplemental Accessibility Requirements;
Appendix J, Grading;

B. The *International Residential Code* (2012 Edition), published by the International Code Council, and amended by the Washington State Building Code Council in WAC 51-51, to be known hereafter as the "International Residential Code" or the "IRC," together with:

Appendix E, Manufactured Housing Used As Dwellings;
Appendix F, Radon Control Methods;
Appendix G, Swimming Pools, Spas and Hot Tubs;
Appendix R, Dwelling Unit Fire Sprinkler Systems.

C. The *International Mechanical Code* (2012 Edition), published by the International Code Council, and amended by the Washington State Building Code Council in WAC 51-52. This shall be known hereafter as the "International Mechanical Code" or the "IMC."

D. The *International Fuel-Gas Code* (2012 Edition), published by the International Code Council.

E. The *International Fire Code* (2012 Edition), published by the International Code Council, and amended by the Washington State Building Code Council in WAC 51-54A, which shall be known hereafter as the "International Fire Code" or the "IFC," together with:

Appendix B, Fire-Flow Requirements for Buildings;
Appendix C, Fire-Hydrant Locations and Distribution;
Appendix D, Fire Apparatus Access Roads.

F. The *Uniform Plumbing Code* (2012 Edition), published by the International Association of Plumbing and Mechanical Officials, and amended by the Washington State Building Code Council in WAC 51-56, which shall be known hereafter as the "Uniform Plumbing Code" or the "UPC," together with:

Appendix A, Recommended Rules for Sizing the Water Supply System;
Appendix B, Explanatory Notes on Combination Waste and Vent Systems; and
Appendix I, Installation Standards; and
Excluding: Chapters 12 and 15; and
Those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel-fired appliances as found in Chapter 5; and
Those portions of the code addressing building sewers.

G. The *Washington State Energy Code* (2012 Edition) as amended and published by the Washington State Building Code Council, WAC Chapters 51-11C and 51-11R, which shall be known hereafter as the "WSEC."

H. The *Washington State Manufactured Homes Installation Requirements*, or *Mobile Homes Installation Requirements*. Pursuant to RCW 19.27 and RCW 43.22.440, the installation standards of WAC 296-150M together with the reference standards listed therein, are adopted as amended by the State of Washington.

I. The *Washington State Factory Built Housing and Commercial Structures Installation Requirements*, or *Modular Installation Requirements*. Pursuant to RCW 19.27 and RCW 43.22.455, the installation standards of WAC 296-150F together with the reference standards listed therein, are adopted as amended by the State of Washington.

17.04.020. Conflicts and Interpretation of Codes.

A. In case of conflict among the codes enumerated in Section 17.04.010(A) through (I) of this Chapter, the first named code shall govern over those following, except as specifically described in WAC 51-11R-10600.

B. Wherever the adopted codes reference the International Plumbing Code, it shall mean the Uniform Plumbing Code as adopted by the State of Washington. Wherever the adopted codes reference the International Electrical Code, ICC Electrical Code, or the Electrical Code, it shall mean the National Electrical Code (NFPA 70) as adopted by the State of Washington in accordance with RCW 19.28 and WAC 296-46B. Wherever the adopted codes reference the International Energy Conservation Code, it shall mean the Washington State Energy Code as adopted by the State of Washington.

17.04.030 Fees. A permit shall not be issued under the Building Code or any of the Codes identified in Section 17.04.010 until the fees established by the City have been paid, nor shall an amendment to a permit be released until the additional fee, if any, is paid. The City shall establish a fee schedule for permits for all of the Codes identified in Section 17.04.010 by Resolution.

17.04.040 Violations and Penalties.

A. Section 114.4 of the International Building Code is hereby amended to read as follows:

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to a civil penalty in the amount of \$ _____ per day for each violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense. (Civil Penalty – do you want to have a criminal penalty for IBC violations?)

B. Section R113.4 of the International Residential Code is hereby amended to read as follows:

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to a civil penalty in the amount of \$ _____ per day for each violation. Each day that a

violation continues after due notice has been served shall be deemed a separate offense. (Civil penalty – do you want to have a criminal penalty for IRC violations?)

C. Section 109.4 of the International Fire Code is hereby amended to read as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than Five Thousand Dollars (\$5,000.00) or by imprisonment not exceeding one year or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. (This is a criminal penalty. You cannot change it to a civil violation.)

D. Section ____ (I don't have a copy of the UPC) of the Uniform Plumbing Code is hereby amended to read as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than Five Thousand Dollars \$5,000.00 or by imprisonment not exceeding one year or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. (This is a criminal penalty. You cannot change it to a civil violation.)

E. Section 108.4 of the International Mechanical Code is hereby amended to read as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than Five Thousand Dollars (\$5,000.00) or by imprisonment not exceeding one year or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. (This is a criminal penalty. You cannot change it to a civil violation.)

F. Section 108.4 of the International Fuel Gas Code is hereby amended to read as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than Five Thousand Dollars (\$5,000.00) or by imprisonment not exceeding one year or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. (This is a criminal penalty. You cannot change it to a civil violation.)

Section 8. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be 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 9. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 10. Adopted Codes available to Public. Pursuant to RCW 35.21.180, one copy of all codes adopted by reference in this Chapter have been filed for use and examination by the public in the office of the City Clerk, prior to and after the adoption thereof.

Section 11. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Pacific and attested by the City Clerk in authentication of such passage on this ____ day of ____, 2014.

APPROVED by the Mayor this ____ day of ____, 2014.

Leanne Guier, Mayor

ATTEST/AUTHENTICATED:

Amy Stevenson-Ness, City Clerk

APPROVED AS TO FORM:

Office of the City Attorney

FILED WITH THE CITY CLERK: _____

PASSED BY THE CITY COUNCIL: _____

PUBLISHED: _____

EFFECTIVE DATE: _____

ORDINANCE NO: _____



Agenda Bill No. 14-103

TO: Mayor Guier and City Council Members
FROM: Public Works
MEETING DATE: May 27, 2014
SUBJECT: PSE Easement on Miles Sand and Gravel Company Property

ATTACHMENTS:

- Agreement
- Resolution No. 2014-167

Previous Council Review Date:

Summary: The City has completed the design of the Stewart Road project and received bids. The project requires the relocation of non-franchise Puget Sound Energy facilities.

Recommendation/Action: Staff recommends Council approve Resolution No. 2014-167.

Motion for Consideration: Move to approve Resolution No. 2014-167, A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING THE PAYMENT FOR A PUGET SOUND ENERGY EASEMENT ON PROPERTY OWNED BY MILES SAND & GRAVEL COMPANY.

Budget Impact: \$2,500 - Estimated. A portion of the funds may be paid by the TIB Grant.

Alternatives: The alternative is to redesign the facilities at a greater expense for design and construction.

**CITY OF PACIFIC
WASHINGTON
RESOLUTION NO. 2014 - 167**

**A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING
THE PAYMENT FOR A PUGET SOUND ENERGY EASEMENT ON PROPERTY
OWNED BY MILES SAND & GRAVEL COMPANY**

WHEREAS, the City of Pacific is proposing the construction of improvement on Stewart Road; and

WHEREAS, these improvements require the relocation of power facilities by Puget Sound Energy on property owned by Miles Sand & Gravel Company; and

WHEREAS, Puget Sound Energy requires easements that allow access to said facilities for initial construction and maintenance/improvement purposes; and

WHEREAS, Puget Sound Energy requires that a general easement be in place prior to construction of said facilities.

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

Section 1. The Pacific City Council hereby authorizes the payment of necessary easements between Miles Sand & Gravel Company and Puget Sound Energy, Inc., granting access to locations within Miles Sand & Gravel Company property as generally described and illustrated by Exhibit A and Exhibit B.

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

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 12th DAY OF MARCH, 2007.

CITY OF PACIFIC

LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

AMY STEVENSON-NESS, City Clerk

Approved as to form:

KENYON LUCE, City Attorney

RETURN ADDRESS:
Puget Sound Energy, Inc.
Attn: ROW Department

 **PUGET SOUND ENERGY** **EASEMENT**

REFERENCE #:
GRANTOR (Owner): **MILES SAND & GRAVEL COMPANY**
GRANTEE (PSE): **PUGET SOUND ENERGY, INC.**
SHORT LEGAL: **NE ¼ SE ¼ SECTION 2, T20N, R04E W.M.**
ASSESSOR'S PROPERTY TAX PARCEL: **0420024009**

For and in consideration of good and valuable consideration, the receipt and sufficiency of which are acknowledged, **MILES SAND & GRAVEL COMPANY** ("Owner" herein), hereby grants and conveys to **PUGET SOUND ENERGY, INC.**, a Washington corporation ("PSE" herein), for the purposes described below, a nonexclusive perpetual easement over, under, along across and through the following described real property (the "Property" herein) in «**COUNTY**» County, Washington:

THE SOUTH 330 FEET OF THE NORTH 360 FEET OF THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE W.M., LYING WEST OF THORNTON AVENUE.

EXCEPT THE WEST 297 FEET THEREOF. ALSO EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF PACIFIC BY STATUTORY WARRANTY DEED RECORDED FEBRUARY 28, 2006 UNDER RECORDING NUMBER 200602280557.

SITUATE IN THE CITY OF PACIFIC, COUNTY OF PIERCE, STATE OF WASHINGTON.

Except as may be otherwise set forth herein PSE's rights shall be exercised upon that portion of the Property ("Easement Area" herein) described as follows:

THE NORTH 25.00 FEET OF THE EAST 10.00 FEET OF THE WEST 117.00 FEET OF THE ABOVE DESCRIBED PARCEL.

SITUATE IN PIERCE COUNTY, WASHINGTON.

1. Purpose. PSE shall have the right to use the Easement Area to construct, operate, maintain, repair, replace, improve, remove, upgrade and extend one or more utility systems for purposes of transmission, distribution and sale of gas and electricity. Such systems may include, but are not limited to:

- a. Overhead facilities.** Poles and other support structures with crossarms, braces, guys and anchors; electric transmission and distribution lines; fiber optic cable and other lines, cables and facilities for communications; transformers, street lights, meters, fixtures, attachments and any and all other facilities or appurtenances necessary or convenient to any or all of the foregoing; and

b. Underground facilities. Conduits, lines, cables, vaults, switches and transformers for electricity; pipes, pipelines, mains, laterals, conduits, regulators, gauges and rectifiers for gas; fiber optic cable and other lines, cables and facilities for communications; semi-buried or ground-mounted facilities and pads, manholes, meters, fixtures, attachments and any and all other facilities or appurtenances necessary or convenient to any or all of the foregoing.

Following the initial construction of all or a portion of its systems, PSE may, from time to time, construct such additional facilities as it may require for such systems. PSE shall have the right of access to the Easement Area over and across the Property to enable PSE to exercise its rights granted in this easement.

2. Easement Area Clearing and Maintenance. PSE shall have the right, but not the obligation to cut, remove and dispose of any and all brush, trees or other vegetation in the Easement Area. PSE shall also have the right, but not the obligation, to control, on a continuing basis and by any prudent and reasonable means, the establishment and growth of brush, trees or other vegetation in the Easement Area.

3. Trees Outside Easement Area. PSE shall have the right to cut, trim remove and dispose of any trees located on the Property outside the Easement Area that could, in PSE's sole judgment, interfere with or create a hazard to PSE's systems. PSE shall, except in the event of an emergency, prior to the exercise of such right, identify such trees and make a reasonable effort to give Owner prior notice that such trees will be cut, trimmed, removed or disposed. Owner shall be entitled to compensation for the actual market value of merchantable timber (if any) cut and removed from the Property by PSE.

4. Restoration. Following initial installation, repair or extension of its facilities, PSE shall, to the extent reasonably practicable, restore landscaping and surfaces and portions of the Property affected by PSE's work to the condition existing immediately prior to such work. PSE shall use good faith efforts to perform its restoration obligations under this paragraph as soon as reasonably possible after the completion of PSE's work.

5. Owner's Use of Easement Area. Owner reserves the right to use the Easement Area for any purpose not inconsistent with the rights herein granted, provided, however, Owner shall not excavate within or otherwise change the grade of the Easement Area or construct or maintain any buildings or structures on the Easement Area and Owner shall do no blasting within 300 feet of PSE's facilities without PSE's prior written consent.

6. Indemnity. PSE agrees to indemnify Owner from and against liability incurred by Owner as a result of the negligence of PSE or its contractors in the exercise of the rights herein granted to PSE, but nothing herein shall require PSE to indemnify Owner for that portion of any such liability attributable to the negligence of Owner or the negligence of others.

7. Termination. The rights herein granted shall continue until such time as PSE terminates such right by written instrument. If terminated any improvements remaining in the Easement Area shall become the property of Owner. No termination shall be deemed to have occurred by PSE's failure to install its systems on the Easement Area.

8. Successors and Assigns. PSE shall have the right to assign, apportion or otherwise transfer any or all of its rights, benefits, privileges and interests arising in and under this easement. Without limiting the generality of the foregoing, the rights and obligations of the parties shall be binding upon their respective successors and assigns.

DATED this _____ day of May, 2014.

OWNER: **MILES SAND & GRAVEL COMPANY**

BY: _____

BY: _____

STATE OF WASHINGTON)
) SS
COUNTY OF)

On this _____ day of _____, 20__, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared «**HUSBAND**» and «**WIFE**», to me known to be the individual(s) who executed the within and foregoing instrument, and acknowledged that _____ signed the same as _____ free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN UNDER my hand and official seal hereto affixed the day and year in this certificate first above written.

(Signature of Notary)

(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State of
Washington, residing at _____
My Appointment Expires: _____

Notary seal, text and all notations must not be placed within 1" margins

EXHIBIT A

**MILES SAND & GRAVEL COMPANY
PARCEL NUMBER 0420024009**

PARCEL DESCRIPTION

THE SOUTH 330 FEET OF THE NORTH 360 FEET OF THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE W.M., LYING WEST OF THORNTON AVENUE.

EXCEPT THE WEST 297 FEET THEREOF.

ALSO EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF PACIFIC BY STATUTORY WARRANTY DEED RECORDED FEBRUARY 28, 2006 UNDER RECORDING NUMBER 200602280557.

SITUATE IN THE CITY OF PACIFIC, COUNTY OF PIERCE, STATE OF WASHINGTON.

PUGET SOUND ENERGY EASEMENT DESCRIPTION

THE NORTH 25.00 FEET OF THE EAST 10.00 FEET OF THE WEST 117.00 FEET OF THE ABOVE DESCRIBED PARCEL.

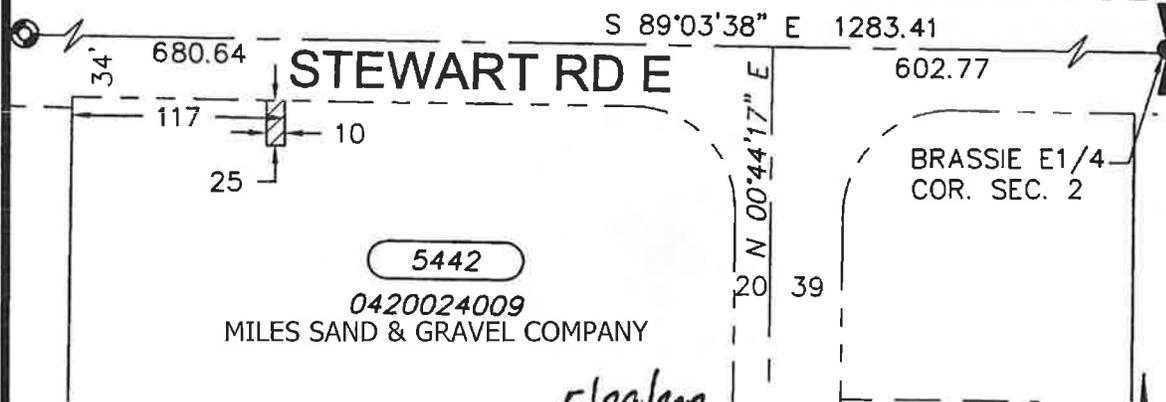
SITUATE IN PIERCE COUNTY, WASHINGTON.



5/29/2012

**EXHIBIT B
PUGET SOUND
ENERGY
EASEMENT**

CLASS "A" 2 1/2" IP
W/ COPPER NAIL IN CASE
1/16 COR.



5442

0420024009
MILES SAND & GRAVEL COMPANY

5/29/2012



BASIS OF BEARING
GRID INVERSE BETWEEN
HORIZONTAL CONTROL
STATIONS 2576 AND
GPS023 NAD 83/91
SOUTH ZONE

SCALE



**SKILLINGS
CONNOLLY**

5016 Lacey Boulevard SE, Lacey, Washington 98503
(360) 491-3399 (800) 454-7545 Fax (360) 491-3857

T. PATRICK FOX,
REGISTERED PROFESSIONAL
LAND SURVEYOR CERT. NO.
27192



Agenda Bill No. 14-104

TO: Mayor Guier and City Council Members
FROM: Public Works
MEETING DATE: May 27, 2014
SUBJECT: King County Solid Waste Reduction and Recycling Program Grant Agreement

ATTACHMENTS:

- Agreement
- Resolution No. 2014-168

Previous Council Review Date:

Summary: The City has applied for and received grants to host 2014 Recycling Collection Events. King County Solid Waste Management Program has provided a grant to assist with the costs of the program. The proposed resolution would accept the funding for these events.

Recommendation/Action: Staff recommends Council approve Resolution No. 2014-168.

Motion for Consideration: Move to approve Resolution No. 2014-168, A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE A 2014 KING COUNTY WASTE REDUCTION AND RECYCLING GRANT AGREEMENT.

Budget Impact: None.

Alternatives: The City has previously accepted other grants to operate this program and executed a contract with a vendor to manage the program.

AGENDA ITEM NO. 6L

**CITY OF PACIFIC
WASHINGTON**

RESOLUTION NO. 2014-168

**A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING THE
MAYOR TO EXECUTE A 2014 KING COUNTY WASTE REDUCTION AND RECYCLING
GRANT AGREEMENT**

WHEREAS, the City of Pacific applied to various agencies for small waste reduction and recycling grant that assist in paying the costs associated with holding an annual household hazardous wastes collection event; and

WHEREAS, the City of Pacific has been notified by King County Solid Waste Division that it is approved for a one year grant in the amount of \$10,000,

**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 a King County Waste Reduction and Recycling Grant Agreement (attached as Exhibit A) in the amount of \$10,000 for an annual waste reduction and recycling program.

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

CITY OF PACIFIC

LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

AMY STEVENSON-NESS, CITY CLERK

APPROVED AS TO FORM:

KENYON LUCE, CITY ATTORNEY

INTERAGENCY AGREEMENT FOR 2014

Between

KING COUNTY and the CITY OF PACIFIC

This one-year Interagency Agreement "Agreement" is executed between King County, a Charter County and political subdivision of the State of Washington, and the City of Pacific, a municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively. Collectively, the County and City will be referred to as "Party" or "Parties."

PREAMBLE

King County and the City of Pacific adopted the 2001 King County Comprehensive Solid Waste Management Plan, which includes waste reduction and recycling goals. In order to help meet these goals, the King County Solid Waste Division has established a waste reduction and recycling grant program for the cities that operate under the King County Comprehensive Solid Waste Management Plan. This program provides funding to further the development and/or enhancement of local waste reduction and recycling projects and for broader resource conservation projects that integrate with waste reduction and recycling programs and services. This grant program does not fund household hazardous waste collection activities. Program eligibility and grant administration terms are discussed in the Grant Guidelines, attached to this Agreement as Exhibit B. Grant funding for this program is subject to the yearly budget approval process of the King County Council.

Grant funding approved by the King County Council is available to all King County cities that operate under the King County Comprehensive Solid Waste Management Plan. The City will spend its grant funds to fulfill the terms and conditions set forth in the scope of work which is attached hereto as Exhibit A and incorporated herein by reference. The County expects that any information and/or experience gained through the grant program by the City will be shared with the County and other King County cities.

I. PURPOSE

The purpose of this Agreement is to define the terms and conditions for funding to be provided to the City of Pacific by the County for waste reduction and recycling programs and/or services as outlined in the scope of work and budget attached as Exhibit A.

II. RESPONSIBILITIES OF THE PARTIES

The responsibilities of the Parties to this Agreement shall be as follows:

A. The City

1. Funds provided to the City by the County pursuant to this Agreement shall be used to provide waste reduction and recycling programs and/or services as outlined in Exhibit A. The total amount of funds available from this grant in 2014 shall not exceed \$10,000.
2. This Agreement provides for distribution of 2014 grant funds to the City. However, 2014 funds are not available until January 1, 2014, and 2014 funding is contingent upon King County Council approval of the 2014 King County budget. The County shall notify the City in writing of the funding status.
3. During this one-year grant program, the City will submit a minimum of one, but no more than four, progress reports to the County in a form approved by the County. Reports must be signed by a City official. These reports will include:
 - a. a description of each activity accomplished pertaining to the scope of work; and
 - b. reimbursement requests with either copies of invoices for each expenditure for which reimbursement is requested or a financial statement, prepared by the City's finance department, that includes vendor name, description of service, date of service, date paid and check number.

If the City chooses to submit up to the maximum of four (4) progress reports and requests for reimbursement during the one-year grant program, they shall be due to the County on the last day of the month following the end of each quarter - April 30, July 30, October 31 - except for the final progress report and request for reimbursement which shall be due by March 31, 2015.

If the City chooses to submit the minimum of one progress report and request for reimbursement during the one-year grant program, it shall be due to the County by March 31, 2015.

Regardless of the number of progress reports the City chooses to submit, in order to secure reimbursement, the City must provide in writing to the County by the 5th working day of January 2015, the dollar amount of outstanding expenditures for which the City has not yet submitted a reimbursement request.

4. The City shall submit a final report to the County which summarizes the work completed under the grant program and evaluates the effectiveness of the projects for which grant funds were utilized, according to the evaluation methods specified in the scope of work. The final report is due within six months of completion of the project(s) outlined in the scope of work, but no later than June 30, 2015.

5. If the City accepts funding through this grant program for the provision of Waste Reduction and Recycling programs and projects for other incorporated areas of King County, the City shall explain the relationship with the affected adjacent city or cities that allows for acceptance of this funding and the specifics of the proposed programs and projects within the scope of work document related thereto.
6. The City shall be responsible for following all applicable Federal, State and local laws, ordinances, rules and regulations in the performance of work described herein. The City assures that its procedures are consistent with laws relating to public contract bidding procedures, and the County neither incurs nor assumes any responsibility for the City's bid, award or contracting process.
7. During the performance of this Agreement, neither the City nor any Party subcontracting under the authority of this Agreement shall discriminate on the basis of race, color, sex, religion, nationality, creed, marital status, sexual orientation, age, or presence of any sensory, mental, or physical handicap in the employment or application for employment or in the administration or delivery of or access to services or any other benefits under this Agreement as defined by King County Code, Chapter 12.16.
8. During the performance of this Agreement, neither the City nor any Party subcontracting under the authority of this Agreement shall engage in unfair employment practices as defined by King County Code, Chapter 12.18. The City shall comply fully with all applicable federal, state and local laws, ordinances, executive orders and regulations that prohibit such discrimination. These laws include, but are not limited to, RCW Chapter 49.60 and Titles VI and VII of the Civil Rights Act of 1964.
9. The City shall use recycled paper for the production of all printed and photocopied documents related to the fulfillment of this Agreement. The City shall use both sides of paper sheets for copying and printing and shall use recycled/recyclable products wherever practical.
10. The City shall maintain accounts and records, including personnel, financial, and programmatic records, and other such records as may be deemed necessary by the County, to ensure proper accounting for all project funds and compliance with this Agreement. All such records shall sufficiently and properly reflect all direct and indirect costs of any nature expended and service provided in the performance of this Agreement.

These records shall be maintained for a period of six (6) years after termination hereof unless permission to destroy them is granted by the Office of the State Archivist in accordance with RCW Chapter 40.14. These accounts shall be subject to inspection, review or audit by the County and/or by federal or state officials as so authorized by law.
11. The City shall maintain a record of the use of any equipment that costs more than \$1,000 and is purchased with grant funds from King County for a total period of three (3) years. The records shall be compiled into a yearly evaluation report, a copy of which shall be submitted to King County by March 31 of each year through the year 2017.

12. The City agrees to credit King County on all printed materials provided by the County, which the City is duplicating, for distribution. Either King County's name and logo must appear on King County materials (including fact sheets, case studies, etc.), or, at a minimum, the City will credit King County for artwork or text provided by the County as follows: "artwork provided courtesy of King County Solid Waste Division" and/or "text provided courtesy of King County Solid Waste Division."
13. The City agrees to submit to the County copies of all written materials which it produces and/or duplicates for local waste reduction and recycling projects which have been funded through the waste reduction and recycling grant program. Upon request, the City agrees to provide the County with a reproducible copy of any such written materials and authorizes the County to duplicate and distribute any written materials so produced, provided that the County credits the City for the piece.
14. The City will provide the King County Project Manager with the date and location of each Recycling Collection Event provided by the City, as well as copies of any printed materials used to publicize each event, as soon as they are available but no later than thirty (30) days prior to the event. If there is any change in the date or the location of an event, the City will notify the County a minimum of thirty (30) days prior to the event. If the event brochure is required for admission to the City's event, the City is exempt from having to provide the brochure to King County.
15. If the City accepts funding through this grant program for the provision of recycling collection events for adjacent areas of unincorporated King County, the City shall send announcements of the events to all residences listed in the carrier routes provided by King County. The announcements and all other printed materials related to these events shall acknowledge King County as the funding source.
16. The City understands that funding for recycling collection events for adjacent areas of unincorporated King County will be allocated on a yearly basis subject to the King County Council's yearly budget approval process.
17. This project shall be administered by the City's Recycling Coordinator at: 100 Third Avenue SE; Pacific, WA 98047; TEL – 253-929-1105; FAX - 253-887-9910, or designee.

B. The County:

1. The County shall administer funding for the waste reduction and recycling grant program. Funding is designated by city and is subject to the King County Council's yearly budget approval process. Provided that the funds are allocated through the King County Council's yearly budget approval process, grant funding to the City will include a base allocation of \$5,000 per year with the balance of funds to be allocated according to the City's percentage of King County's residential and employment population. However, if this population based allocation formula calculation would result in a city receiving less than \$10,000 per year, that city shall receive an additional allocation that would raise their total grant funding to \$10,000 per year.

2. The City of Pacific's budgeted grant funds for 2014 are \$10,000. Unspent 2014 funds will not carry over to 2015.
3. Within forty-five (45) days of receiving a request for reimbursement from the City, the County shall either notify the City of any exceptions to the request which have been identified or shall process the request for payment. If any exceptions to the request are made, this shall be done by written notification to the City providing the reason for such exception. The County will not authorize payment for activities and/or expenditures which are not included in the scope of work and budget attached as Exhibit A, unless the scope has been amended according to Section V of this Agreement. King County retains the right to withhold all or partial payment if the City's report(s) and reimbursement request(s) are incomplete (i.e., do not include proper documentation of expenditures and/or adequate description of each activity described in the scope of work for which reimbursement is being requested), and/or are not consistent with the scope of work and budget attached as Exhibit A.
4. The County agrees to credit the City on all printed materials provided by the City to the County, which the County duplicates, for distribution. Either the City's name and logo will appear on such materials (including fact sheets, case studies, etc.), or, at a minimum, the County will credit the City for artwork or text provided by the City as follows: "artwork provided courtesy of the City of Pacific" and/or "text provided courtesy of the City of Pacific."
5. The County retains the right to share the written material(s) produced by the City which have been funded through this program with other King County cities for them to duplicate and distribute. In so doing, the County will encourage other cities to credit the City on any pieces that were produced by the City.
6. The waste reduction and recycling grant program shall be administered by Morgan John, Project Manager of the King County Solid Waste Division.

III. DURATION OF AGREEMENT

This Agreement shall become effective on either January 1, 2014 or the date of execution of the Agreement by both the County and the City, if executed after January 1, 2014 and shall terminate on June 30, 2015. The City shall not incur any new charges after December 31, 2014. However, if execution by either Party does not occur until after January 1, 2014, this Agreement allows for disbursement of grant funds to the City for County-approved programs initiated between January 1, 2014 and the later execution of the Agreement provided that the City complies with the reporting requirements of Section II. A of the Agreement.

IV. TERMINATION

- A. This Agreement may be terminated by King County, in whole or in part, for convenience without cause prior to the termination date specified in Section III, upon thirty (30) days advance written notice.
- B. This Agreement may be terminated by either Party, in whole or in part, for cause prior to the termination date specified in Section III, upon thirty (30) days advance written notice. Reasons for termination for cause may include but not be limited to: nonperformance; misuse of funds; and/or failure to provide grant related reports/invoices/statements as specified in Section II.A.3. and Section II.A.4.
- C. If the Agreement is terminated as provided in this section: (1) the County will be liable only for payment in accordance with the terms of this Agreement for services rendered prior to the effective date of termination; and (2) the City shall be released from any obligation to provide further services pursuant to this Agreement.
- D. Nothing herein shall limit, waive, or extinguish any right or remedy provided by this Agreement or law that either Party may have in the event that the obligations, terms and conditions set forth in this Agreement are breached by the other Party.

V. AMENDMENTS

This Agreement may be amended only by written agreement of both Parties. Amendments to scopes of work will only be approved if the proposed amendment is consistent with the most recently adopted King County Comprehensive Solid Waste Management Plan. Funds may be moved between tasks in the scope of work, attached as Exhibit A, only upon written request by the City and written approval by King County. Such requests will only be approved if the proposed change(s) is (are) consistent with and/or achieves the goals stated in the scope and falls within the activities described in the scope.

VI. HOLD HARMLESS AND INDEMNIFICATION

The City shall protect, indemnify, and hold harmless the County, its officers, agents, and employees from and against any and all claims, costs, and/or issues whatsoever occurring from actions by the City and/or its subcontractors pursuant to this Agreement. The City shall defend at its own expense any and all claims, demands, suits, penalties, losses, damages, or costs of any kind whatsoever (hereinafter "claims") brought against the County arising out of or incident to the City's execution of, performance of or failure to perform this Agreement. Claims shall include but not be limited to assertions that the use or transfer of any software, book, document, report, film, tape, or sound reproduction or material of any kind, delivered hereunder, constitutes an infringement of any copyright, patent, trademark, trade name, and/or otherwise results in unfair trade practice.

VII. INSURANCE

- A. The City, at its own cost, shall procure by the date of execution of this Agreement and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damages to property which may arise from or in connection with performance of work pursuant to this Agreement by the City, its agents, representatives, employees, and/or subcontractors. The minimum limits of this insurance shall be \$1,000,000 general liability insurance combined single limit per occurrence for bodily injury, personal injury, and property damage. If the policy has an aggregate limit, a \$2,000,000 aggregate shall apply. Any deductible or self-insured retentions shall be the sole responsibility of the City. Such insurance shall cover the County, its officers, officials, employees, and agents as additional insureds against liability arising out of activities performed by or on behalf of the City pursuant to this Agreement. A valid Certificate of Insurance and additional insured endorsement is attached to this Agreement as Exhibit C, unless Section VII.B. applies.
- B. If the Agency is a Municipal Corporation or an agency of the State of Washington and is self-insured for any of the above insurance requirements, a written acknowledgement of self-insurance is attached to this Agreement as Exhibit C.
- C. If the Agency is a Municipal Corporation or an agency of the State of Washington and is a member of the Washington Cities Insurance Authority (WCIA), a written acknowledgement/certification of current membership is attached to this Agreement as Exhibit C.

VIII. ENTIRE CONTRACT/WAIVER OF DEFAULT

This Agreement is the complete expression of the agreement of the County and City hereto, and any oral or written representations or understandings not incorporated herein are excluded. Waiver of any default shall not be deemed to be a waiver of any subsequent default. Waiver of breach of any provision of this Agreement shall not be deemed to be waiver of any other or subsequent breach and shall not be construed to be a modification of the terms of this Agreement unless stated to be such through written approval by the County, which shall be attached to the original Agreement.

IX. TIME IS OF THE ESSENCE

The County and City recognize that time is of the essence in the performance of this Agreement.

X. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Agreement is, for any reason, found to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions.

XI. NOTICE

Any notice required or permitted under this Agreement shall be deemed sufficiently given or served if sent to the King County Solid Waste Division and the City at the addresses provided below:

Morgan John, Project Manager, or a provided designee,
King County Solid Waste Division
Department of Natural Resources and Parks
201 South Jackson Street, Suite 701
Seattle, WA 98104-3855

If to the City:

Jim Morgan
City Engineer
City of Pacific
100 Third Avenue SE
Pacific, WA 98047

IN WITNESS WHEREOF this Agreement has been executed by each Party on the date set forth below:

City

(Title)

Date

King County

BY _____
Pat D. McLaughlin, Director
Solid Waste Division

For Dow Constantine, King County Executive

Date

Exhibit A
King County Waste Reduction and Recycling Grant Program
City of Pacific
2014 Scope of Work

A. Basic Information

1. City of Pacific

2. Grant project manager: Jim Morgan
City Engineer
City of Pacific
100 Third Avenue SE
Pacific, WA 98047

TEL – 253-929-1115
FAX – 253-887-9910
Email – jmorgan@ci.pacific.wa.us

3. Consultant name: Paul Devine
Olympic Environmental Resources
4715 SW Walker Street
Seattle, WA 98116
TEL - (206) 938-8262
FAX - (206) 938-9873
Email – pauldevine@msn.com

4. 2014 Budget: \$10,000.00

Scope of Work

1. Task One: Recycling Collection Events

A. Schedule - Fall, 2014

B. Task Activities

- Number of Recycling Collection Event – One
- Materials to be collected:
 - Appliances
 - Refrigerators and Freezers+
 - Ferrous Metals
 - Non-ferrous Metals
 - Tires+
 - Lead Acid Batteries
 - Household Batteries

- Porcelain Toilets and Sinks+
- Propane Tanks+
- Mattresses+
- Cardboard
- Reusable Household Goods
- Textiles
- Used Motor Oil
- Used Motor Oil Filters
- Used Antifreeze
- Used Petroleum Based Products
- Bulky Yard Debris
- Clean Scrap Wood
- Electronic Equipment

+User fees may apply

- The following educational materials will be distributed:
 - Information on City Recycling Programs.
 - Educational Materials produced by King County Department of Natural Resources and Local Hazardous Waste Management Plan.
 - Other educational materials as appropriate.
- Event promotional methods
 - This event will be coordinated with King County and flyers will be sent to King County Solid Waste Division and Pacific and Algona households.
 - By distributing a promotional flyer through direct mailings.
 - By notices in City newsletters (whenever possible).
 - By posting a notice at City Hall and on the City cable channel and City web site (if available).
 - By publicizing the event through the King County Solid Waste Division Promotional Activities.

C) Task evaluation. Event reports will include:

- Number of vehicles attending
- Volume of each material collected
- Event cost by budget category
- Event comments
- Graphic or tabular comparison of 2014 volumes and vehicles with prior year's events

D) Task Budget: \$7,250.00

Estimated Costs	2014	2014	2014	TOTAL
	WRR	LHWMP	CPG	
City Staff Costs	\$400.00	\$200.00	\$0.00	\$600.00
Management/Staffing/Admin/Graphic	\$2,520.00	\$4,009.67	\$1,658.00	\$8,187.67
Event Staff Costs	\$880.00	\$0.00	\$1,760.00	\$2,640.00
Collection/Hauling Costs				
Wood Waste	\$200.00	\$0.00	\$300.00	\$500.00
Scrap Metal, Appliances, etc.	\$1,100.00	\$0.00	\$700.00	\$1,800.00
Tires	\$600.00	\$0.00	\$0.00	\$600.00
Used Oil/Antifreeze/Filters	\$0.00	\$1,250.00	\$0.00	\$1,250.00
Batteries	\$0.00	\$250.00	\$0.00	\$250.00
Other materials	\$600.00	\$250.00	\$1,000.00	\$1,850.00
Printing/Mailing	\$400.00	\$350.00	\$500.00	\$1,250.00
Event Supplies	\$250.00	\$250.00	\$0.00	\$500.00
Other Expenses - rentals, etc	\$300.00	\$220.66	\$400.00	\$920.66
TOTALS	\$7,250.00	\$6,780.33	\$6,318.00	\$20,348.33

NOTE: Hourly rates for City staff are \$50.00 per hour. Hourly rates for consultants are as follows: Project Manager - \$70.00 and Event Staff - \$55.00.

E) Task Performance Objectives:

The City plans to send out approximately 3,100 promotional flyers to Pacific and Algona households per event and publicize the event through King County promotional activities, including County websites and telephone assistance. The City anticipates collecting 10-20 tons of material from the local waste stream per event.

The benefits expected by the collection of these materials will be to divert them from the waste stream and process them for recycling. The event will also provide an opportunity to recycle moderate risk waste. The King County Health Department and Washington State Department of Ecology may pay for event expenses as well.

F) Task Impact Objectives:

By hosting Recycling Collection Events, Pacific can reduce the amount of recyclable material finding their way to the local landfill. The City of Pacific has a population of roughly 6,600. The City expects, based on past events, that 200–250 households will actively participate each year by bringing recyclable materials to the event for proper disposal and recycling. This will result in 10-20 tons of material diverted from the local waste stream for recycling per event.

In addition to diverting materials from the City waste stream, attracting residents to events provides an opportunity to distribute educational material on City and King County recycling programs. The educational materials can enhance the knowledge of residents and improve behavior in purchase, handling, and disposal of recyclable materials.

Task Two: Purchase Products Made From Recycled Materials

A) Task Schedule: Fall, 2014

B) Task Activities:

In order to support the recycling industry and close the recycling loop, the City would like to purchase products made from recycled materials. Doing so will support recycling collection programs and help ensure the success of the recycling industry. The City will support recycling programs by distributing recycle content rain barrels to City residents. The rain barrels weight approximately 40-50 pounds each and divert roughly twice that amount of plastic material from the waste stream when produced. The number of rain barrels distributed will be based on the size and quality of the barrel selected. The City will work to promote rain barrel distribution to City residents and distribute the rain barrels at City Recycling Collection Events. Residents will be charged a user fee of \$20-\$25 for each barrel.

C) Task Budget: \$2,750.00

Recycled Product Purchase	2014 Cost	2014 Total
Distribute Rain Barrels	\$2,750.00	\$2,750.00
TOTAL	\$2,750.00	\$2,750.00

Hourly rates for consultants are as follows: Project Manager - \$70.00 and event staff -

\$55.00.

D) Task Performance and Impact Objectives:

The goal of this program is to help ensure the success of the recycling industry by adding to the demand for products made from recycled materials. By distributing recycle content rain barrels, the City will divert recyclable materials from the waste stream. The City will distribute recycled content rain barrels to City residents, which will help promote recycled products. The City will work to promote the rain pails to City residents for installation and use at resident households. The additional benefits of the rain pails are that they will help reduce household water consumption and reuse natural rainwater. It is expected that after installation the rain pails will continue to conserve water resources for many years.

2014 Grant Guidelines

Program Eligibility:

Grant funds may be used for a variety of Waste Reduction & Recycling-related programs including residential and commercial waste reduction and recycling education programs, business assistance programs, and special recycling events. Cities may also use their funds on broader resource conservation programs, as long as they are part of an overall waste reduction/recycling program. Cities may choose to use their funding on one program or a combination of programs. For WR/R program ideas, please refer to the Program Eligibility section below.

Please note these lists are not exhaustive, but merely intended to provide some guidance on what is/isn't eligible. Cities may also refer to the currently adopted Comprehensive Solid Waste Management Plan for direction in program development. If you are unsure if your proposed program is eligible for funding, please call Morgan John (206-477-4624).

Eligible for funding:

- School WR/R education/implementation programs
- Kitchen food waste composting programs
- Reusable bag promotions
- Yard waste subscription promotions
- Outreach at community events
- Promoting new and existing WR/R programs through media, mail, and social networking
- Business recognition programs
- Recycling Collection Events, including collection of tires and mattresses
- Business and residential WR/R education and communications
- Product stewardship initiatives - could be education programs or working with other agencies/organizations/businesses to implement programs
- City recycling programs and facilities
- Videos promoting WR/R programs

The following are eligible for funding on a case-by-case basis, as long as part of an overall WR/R Program. However, the County would not provide reimbursement if, for example, all of a city's grant dollars were used to sell/give away rain barrels or distribute compact fluorescent light bulbs.

- Water Conservation - i.e. Rain Barrels
- Energy Conservation
- Water Quality: integrated pest management; catch basin filters
- Demonstration gardens; interpretive signage; recycled-content park furnishings

The following are not eligible for funding:

- Collection of garbage, except for residual garbage related to the collection of recyclables.
- Collection of any household hazardous waste items including, but not limited to:
 - > Treated wood
 - > Paint
 - > Lead acid batteries
 - > Oil, gasoline, and antifreeze
 - > Florescent lights
- Household Hazardous Waste Education Programs

Cities should pursue funding through LHWMP or CPG for Household Hazardous Waste collection or education programs.

Grant Administration:

Requests for Reimbursement:

Cities may choose to submit only one request for reimbursement during the funding cycle, due no later than March 15, 2015. However, cities may submit requests for reimbursement as frequently as quarterly. Quarterly requests should be submitted on April 30, July 31, and Oct. 31, 2013 with the final request for reimbursement due no later than March 15, 2015. The Budget Summary Report Form (Attachment 4) must be used when submitting requests for reimbursement.

By December 31st, 2014, cities must notify SWD of their total expenditures for work that has been completed to-date, but for which requests for reimbursement have not yet been submitted.

Progress and Final Reports:

Progress reports describing program activities, accomplishments and evaluation results need to accompany each request for reimbursement. A final report describing the outcome of grant-funded activities is due with the final request for reimbursement. If, however, the city does not have the results of its program evaluation by the end of the grant cycle, the final narrative report may be submitted no later than six months after the end of the grant cycle on June 30, 2015. (Note: The final request for reimbursement would still need to be submitted by March 15, 2015.) All Progress and Final Reports need to be signed by a city official. Signed reports may be scanned and emailed.

Amendments:

Formal amendments to grant ILAs are not necessary unless the city wishes to make significant changes to its scope of work and/or budget. In general, a significant change would be one in which the city wishes to add or delete a task from their scope of work. A minor change, such as moving dollars between tasks, would only require written notification, which may be submitted via e-mail. However, the city should contact the Division when considering changes to their scopes and budgets to determine if a formal amendment is needed.



Agenda Bill No. 14-105

TO: Mayor Guier and City Council Members
FROM: Public Works
MEETING DATE: May 27, 2014
SUBJECT: PSE Consent Agreement

ATTACHMENTS:

- Agreement
- Resolution No. 2014-169

Previous Council Review Date:

Summary: The City has completed the design of the Stewart Road project and received bids. The project is acquiring real property from private owners that contain critical Puget Sound Energy (PSE) equipment and facilities. PSE needs to maintain these facilities and will need permanent access to the facilities after change of ownership.

Recommendation/Action: Staff recommends Council approve Resolution No. 2014-169.

Motion for Consideration: Move to approve Resolution No. 2014-169, A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING THE EXECUTION OF A CONSENT AGREEMENT BETWEEN THE CITY OF PACIFIC AND PUGET SOUND ENERGY, INC. FOR STEWART ROAD.

Budget Impact: None.

Alternatives: None.

**CITY OF PACIFIC
WASHINGTON**

RESOLUTION NO. 2014 - 169

**A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON,
AUTHORIZING THE EXECUTION OF A CONSENT AGREEMENT
BETWEEN THE CITY OF PACIFIC AND PUGET SOUND ENERGY,
INC. FOR STEWART ROAD**

WHEREAS, the City of Pacific is proposing the construction of improvement on Stewart Road; and

WHEREAS, these improvements require the purchase of real property from private property owners; and

WHEREAS, Puget Sound Energy, Inc. owns easements and rights on the real property to be acquired for the purposes of operating and maintaining their power transmission and other utility facilities; and

WHEREAS, Puget Sound Energy requires that a Consent Agreement be obtained from the City prior to approving the sale of the real property to the City for the Stewart Road construction.

**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 a Consent Agreement between the City of Pacific and Puget Sound Energy, Inc. (PSE), granting PSE certain rights on property to be purchased for the Stewart Road project, which contains power transmission and other PSE facilities, as generally described and illustrated by Exhibit A and Exhibit B.

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

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 27th DAY OF MAY, 2014.

CITY OF PACIFIC

LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

AMY STEVENSON-NESS, City Clerk

Approved as to form:

KENYON LUCE, City Attorney

RETURN ADDRESS:
Puget Sound Energy, Inc.
Attn: ROW Department

 **PUGET SOUND ENERGY** **CONSENT FOR USE**
OF PUGET SOUND ENERGY RIGHT-OF-WAY

This Agreement is made between **Puget Sound Energy, Inc.**, "PSE" herein, and **City of Pacific** "Owner/Requestor" herein:

PSE operates and maintains utility facilities in an easement on property located at 221 and 277 Stewart Road SW, more particularly described as SE NE SECTION 2, T20N, R04E W.M.. The location and extent of PSE's easement rights and its Easement Area are more specifically described in the easement document(s) recorded under Auditor's File Number(s) _____ (the "Easement").

Owner/Requestor desires the consent of PSE to utilize portions of the Easement Area for the following described uses:

- A. Multi-Purpose Pedestrian / Bicycle Trail
- B. Stormwater Pond
- C. Stormwater Conveyance System

As shown on the drawing [marked Exhibit "A" attached hereto][or on file with PSE].

PSE and Owner/Requestor agree that Owner/Requestor may utilize the Easement Area for the above described uses, subject to the following terms and conditions:

1. Owner/Requestor shall not interfere with PSE's rights under the Easement. If Owner/Requestor's use of the Easement Area interferes with or becomes a hazard to PSE's ability to access, construct, operate, inspect, maintain or repair PSE's facilities within the Easement Area, as determined by PSE in its sole discretion, Owner/Requestor will be required to immediately correct such interference or hazard at Owner/Requestor's sole cost and expense. If Owner/Requestor fails to correct such interference or hazard, then PSE may remove the interference or hazard and Owner/Requestor shall reimburse PSE for its incurred costs.
2. No filling and/or grading is allowed within the Easement Area without PSE's prior written consent. Owner/Requestor shall be responsible for all costs associated with adjusting or modifying PSE's facilities to accommodate the uses approved by this consent Agreement.
3. All persons, equipment and activities must stay at least twenty (20) feet away from all power lines.
4. Flammable and/or volatile materials may not be stored on the Easement Area.
5. PSE's access to its facilities within the Easement Area shall not be permanently blocked off or unduly restricted. Fences constructed within the Easement Area shall have removable sections and/or gates to facilitate vehicular access at all times. Landscaping must not interfere with such access. Any construction within the Easement Area must be consistent with the above-mentioned restrictions. PSE shall not be responsible for any damage or costs

relating to PSE's removal of unauthorized fences, materials or other items or structures, nor shall PSE be responsible for replacing such unauthorized uses.

6. All shrubs and trees to be situated in the Easement Area must be of low growing varieties which do not exceed fifteen (15) feet in height at maturity.

7. Owner/Requestor assumes all risk of loss, damage, or injury which may result from Owner/Requestor's use of the Easement Area. Owner/Requestor shall indemnify PSE from and against any liability or damage incurred by PSE as a result of (i) the negligence or willful misconduct of Owner/Requestor, or its employees, agents or contractors (collectively, the "Indemnifying Parties"); (ii) the exercise by Indemnifying Parties of the rights granted under this Agreement; or (iii) resulting from Owner/Requestor's breach of this Agreement, but nothing herein shall require Owner/Requestor to indemnify PSE for that portion of any such liability attributable to the negligence of PSE, its employees, agents or contractors. Any damage to or impairment of PSE's facilities caused by or resulting from Owner/Requestor's use may be repaired or remedied by PSE at PSE's option, and PSE shall be entitled to recover from Owner/Requestor all costs incurred by PSE related to such repair or remedy.

8. The provisions of this Agreement shall not modify or amend any terms of the Easement. In the event of any conflict between the terms of this Agreement and the Easement, this Agreement shall prevail.

9. PSE does not own the land within the Easement Area. If you are not the Owner of such lands, you must acquire rights for such use from the landowner.

10. Owner/Requestor must notify PSE's First Response Engineer at 1-888-225-5773 at least 48 hours prior to beginning any construction activities.

11. The terms and conditions herein shall be binding upon the parties and their respective successors and assigns.

Approved:

PUGET SOUND ENERGY, INC.

By: _____
Supervisor Real Estate

Date: _____

Agreed to and Accepted:

City of Pacific _____

By: _____
Leanne Guier, Mayor

Date: _____



Agenda Bill No. 14-106

TO: Mayor Guier and City Council Members
FROM: Public Works
MEETING DATE: May 27, 2014
SUBJECT: Contract with Parametrix – 51st Ave S Survey

ATTACHMENTS: Resolution 2014-170
Scope of Work and Budget (email)

Previous Council Review Date: N/A

Summary: The property owners along 51st Avenue S have experienced significant storm water intrusion onto their property as a result of in-sufficient City storm water facilities. The City Engineer is prepared to begin design of improvements that would correct the system deficiencies. As an entry to this effort, the Engineer will need accurate survey data of the area. Parametrix has submitted a price for the survey work, as a part of our on-call agreement.

Recommendation/Action: Staff recommends Council approve Resolution No. 2014-170.

Motion for Consideration: Move to approve Resolution No. 2014-170, A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, EXPENDITURE WITH PARAMETRIX FOR SURVEY WORK ASSOCIATED WITH THE 51ST AVENUE S STORMWATER PROJECT.

Budget Impact: The cost for this service is \$10,000 and shall be paid from the Stormwater Professional Services Funds.

Alternatives: None.

**CITY OF PACIFIC
WASHINGTON**

RESOLUTION NO. 2014 -170

**A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING
EXPENDITURE WITH PARAMETRIX FOR SURVEY WORK ASSOCIATED WITH THE
51ST AVENUE S STORMWATER PROJECT**

WHEREAS the City of Pacific is responsible for the operations and maintenance of stormwater facilities within the corporate limits; and

WHEREAS some of the property owners on the West Hill adjacent to 51st Avenue S have expressed concerns about the encroachment of stormwater on to their property; and

WHEREAS prior to initiating the engineering work, it is imperative to obtain an accurate survey of the right of way; and

WHEREAS the City Engineer has solicited quotes and is recommending an expenditure with Parametrix for completion of this project at \$10,000,

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

Section 1. The Pacific City Council hereby authorizes expenditure with Parametrix, Inc. for survey work on 51st Avenue S in the amount of \$10,000.

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

CITY OF PACIFIC

LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

AMY STEVENSON NESS, CITY CLERK

APPROVED AS TO FORM:

KENYON LUCE, CITY ATTORNEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO:



Agenda Bill No. 14-107

TO: Mayor Guier and City Council Members
FROM: Public Works
MEETING DATE: May 27, 2014
SUBJECT: Puget Sound Energy Relocation Agreement

ATTACHMENTS: Resolution

Previous Council Review Date: Public Works Committee

Summary: The City has been working to construct needed improvements to the Valentine Avenue corridor. A critical element of the project is the relocation of PSE power lines in the corridor. This agreement approves the payment to PSE for costs associated with the design and construction of the necessary power line relocation.

Recommendation/Action: Staff recommends Council approve Resolution No. 2014-171.

Motion for Consideration: Move to approve Resolution No. 2014-171, A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, APPROVING A THE PUGET SOUND ENERGY FACILITY RELOCATION AGREEMENT FOR THE VALENTINE AVENUE CORRIDOR.

Budget Impact: The City will receive a pro rata share of the funds from a variety of funding sources for the project.

Alternatives: This agreement is one more element allowing the City to finalize the Valentine Avenue project.

AGENDA ITEM NO. 60

**CITY OF PACIFIC
WASHINGTON**

RESOLUTION NO. 2014 - 171

**A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, APPROVING A
THE PUGET SOUND ENERGY FACILITY RELOCATION AGREEMENT FOR
THE VALENTINE AVENUE CORRIDOR.**

WHEREAS, Puget Sound Energy (PSE) owns and operates overhead distribution power lines in easements in the Valentine Avenue corridor on property owned by numerous property owners, and

WHEREAS, the City of Pacific is acquiring a portion of the properties encumbered by the operational easements where the PSE distribution lines and operational rights exist for the purposes of widening Valentine Avenue, and

WHEREAS, Puget Sound Energy will need to design and relocate their existing distribution lines to other areas within the new rights-of-ways and easements, at a cost which is to be borne by the City,

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

Section 1. The Pacific City Council hereby authorizes the expenditure and appropriation of funds in the total amount of approximately \$175,000 which constitutes reimbursement of funds for the implementation of the Facilities Relocation Agreement. A copy of said contract is attached and incorporated hereto and designated Exhibit "A" and incorporated by reference herein.

Section 2. The Mayor of the City of Pacific is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this resolution.

CITY OF PACIFIC

LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

AMY STEVENSON-NESS, CITY CLERK

APPROVED AS TO FORM:

KENYON LUCE, CITY ATTORNEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
RESOLUTION NO:



Agenda Bill No. 14-084

TO: Mayor Guier and City Council Members
FROM: Public Works
MEETING DATE: May 27, 2014
SUBJECT: Gordon Pacific, LLC Developer Agreement

ATTACHMENTS: Resolution 2014-154

Previous Council Review Date: Public Works Committee 12/4/13

Summary: The City has been working to construct needed improvements to the Stewart Road corridor. A critical element of the project was the acquisition of a portion of the Gordon Pacific property. This agreement approves the long term development plans for Gordon Pacific and purchase of the needed right-of-way.

Recommendation/Action: Staff recommends Council approve Resolution No. 2014-154.

Motion for Consideration: Move to approve Resolution No. 2014-154, A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, APPROVING A DEVELOPMENT AGREEMENT FOR PROPERTY OWNED BY GORDON PACIFIC, LLC AND L&V GORDON, LLC NORTH OF STEWART ROAD AT THORNTON AVENUE SW.

Budget Impact: The City will receive a pro rata share of the Stewart Thornton Signal project and The City will pay for the right-of-way required for the Stewart Road Project.

Alternatives: This agreement allows the City to finalize the right-of-way acquisition for the Stewart Road project.

**CITY OF PACIFIC
WASHINGTON**

RESOLUTION NO. 2014 - 154

**A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, APPROVING A
DEVELOPMENT AGREEMENT FOR PROPERTY OWNED BY GORDON PACIFIC,
LLC AND L&V GORDON, LLC NORTH OF STEWART ROAD AT THORNTON
AVENUE SW.**

WHEREAS, Gordon Pacific, LLC and L&V Gordon LLC own an approximately 45.3-acre site north of Stewart Road SW at Thornton Avenue SW in Pacific, and

WHEREAS, Gordon Pacific, LLC and L&V Gordon LLC has requested that the City and Gordon Pacific, LLC enter into a development agreement in order to set forth the development standards and other provisions that will govern and vest the development, use, and mitigation of more than 26 acres of anticipated new development on the aforementioned Gordon Pacific, LLC property, and

WHEREAS, pursuant to RCW 36.70B.200, the Pacific City Council held a public hearing on the proposed agreement on January 27, 2014, and after considering all testimony presented at the public hearing, determined that a development agreement for the aforementioned Gordon Pacific, LLC and L&V Gordon LLC property should be approved, now, therefore,

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

Section 1. Development Agreement Approved. That certain agreement entitled, " Gordon Pacific, LLC and L&V Gordon LLC Development Agreement" attached hereto as Exhibit A and incorporated herein by this reference as if set forth in full, is hereby approved and shall govern development of the aforementioned Microsoft property described in said agreement. The Mayor is hereby authorized to execute the development agreement on behalf of the City.

Section 2. Recording. As provided in RCW 36.70B.190, a signed original of the agreement shall be recorded with the real property records of Pierce County, Washington and shall be binding on the parties and their successors and assigns.

CITY OF PACIFIC

LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

AMY STEVENSON-NESS, CITY CLERK

APPROVED AS TO FORM:

KEN LUCE, CITY ATTORNEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
RESOLUTION NO:



Agenda Bill No. 14-108

TO: Mayor Guier and City Council Members
FROM: Public Works
MEETING DATE: May 27, 2014
SUBJECT: Contract with ICON Materials – Stewart Road Construction

ATTACHMENTS: Resolution 2014-173
Public Works Contract

Previous Council Review Date: N/A

Summary: The City has received funding for the construction of improvements for Stewart Road. The design was complete and the City solicited bids for construction. The City received seven bids. The engineers estimate for the project was \$3.6 M. The lowest responsible bidder was ICON Materials at \$2.9M.

Recommendation/Action: Staff recommends Council approve Resolution No. 2014-173.

Motion for Consideration: Move to approve Resolution No. 2014-173, A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING EXPENDITURE OF FUNDS WITH ICON MATERIALS FOR THE CONSTRUCTION OF STEWART ROAD/THORNTON AVENUE IMPROVEMENTS.

Budget Impact: The cost for this service is \$2,941,126.61 and shall be paid from the TIB Grant Funds, Public Works Trust Fund Loans, and City Enterprise Funds.

Alternatives: None.

**CITY OF PACIFIC
WASHINGTON**

RESOLUTION NO. 2014-173

**A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING
EXPENDITURE OF FUNDS WITH ICON MATERIALS FOR THE CONSTRUCTION
OF STEWART ROAD/THORNTON AVENUE IMPROVEMENTS**

WHEREAS, the City has received funding from TIB, Public Works Trust Fund and Pierce County for the Construction of improvements on Stewart Road; and

WHEREAS, the project was recently advertised for bids; and

WHEREAS, the lowest responsive bidder was ICON Materials.

**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 award a contract to the lowest and best bidder, and expend funds in the estimated amount of \$2,941,126.61 for the Stewart Road/Thornton Avenue Improvements Project.

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

Passed by the City Council at a regular meeting thereof on the 27th day of May, 2014.

CITY OF PACIFIC

LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

AMY STEVENSON NESS, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

FILED WITH THE CITY CLERK: 05.14.14
PASSED BY THE CITY COUNCIL: 05.27.14
EFFECTIVE DATE: 05.27.14
RESOLUTION NO:

43460
CITY OF PACIFIC

Agenda Bills

Agenda Item No.	<u>Consent Agenda 10A</u>	Meeting Date:	<u>May 27, 2014</u>
	<u>Claim Voucher & Payroll</u>		<u>Richard Gould</u>
<u>Subject:</u>	<u>Approval</u>	Prepared by:	<u>Finance Director</u>

Summary:

Approval of Payroll for the period of May 1, 2014 through May 15, 2014; Claims Vouchers for May 13 2014 through May 27, 2014.

Payroll Auto Deposit	\$ 58,871.99
Payroll Ch#'s 4784 - 4785	\$ 1,259.46
Claim Checks: #43461– 43519	56,691.09
Voided Claim Ch# 43235	-5,282.21
EFT's	30,686.95
Total Expenditures	<u>\$ 142,227.28</u>

Recommendation: Approval of payment for Payroll and Claims

Motion: move to approve the Consent Agenda including approval of Payroll and Claims Vouchers.

Attachments:

Check Registers and Payroll Expense itemization.

CHECK REGISTER

City Of Pacific
MCAG #: 0423

05/13/2014 To: 05/27/2014

Time: 16:16:19 Date: 05/21/2014

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
3062	05/19/2014	Claims	1	EFT	WA ST DEPT OF REVENUE	8,112.07	April 2014 Excise Tax
3113	05/20/2014	Payroll	1	EFT		1,885.98	May 1 - 15 Payroll
3114	05/20/2014	Payroll	1	EFT		2,476.31	May 1 - 15 Payroll
3115	05/20/2014	Payroll	1	EFT		291.92	May 1 - 15 Payroll
3116	05/20/2014	Payroll	1	EFT		4,043.68	May 1 - 15 Payroll
3117	05/20/2014	Payroll	1	EFT		677.83	May 1 - 15 Payroll
3118	05/20/2014	Payroll	1	EFT		373.59	May 1 - 15 Payroll
3120	05/20/2014	Payroll	1	EFT		1,163.47	May 1 - 15 Payroll
3121	05/20/2014	Payroll	1	EFT		2,439.08	May 1 - 15 Payroll
3122	05/20/2014	Payroll	1	EFT		2,622.13	May 1 - 15 Payroll
3123	05/20/2014	Payroll	1	EFT		338.55	May 1 - 15 Payroll
3124	05/20/2014	Payroll	1	EFT		830.77	May 1 - 15 Payroll
3125	05/20/2014	Payroll	1	EFT		2,405.50	May 1 - 15 Payroll
3126	05/20/2014	Payroll	1	EFT		46.04	May 1 - 15 Payroll
3127	05/20/2014	Payroll	1	EFT		92.10	May 1 - 15 Payroll
3128	05/20/2014	Payroll	1	EFT		2,197.69	May 1 - 15 Payroll
3129	05/20/2014	Payroll	1	EFT		81.50	May 1 - 15 Payroll
3130	05/20/2014	Payroll	1	EFT		296.31	May 1 - 15 Payroll
3131	05/20/2014	Payroll	1	EFT		1,836.87	May 1 - 15 Payroll
3132	05/20/2014	Payroll	1	EFT		2,997.58	May 1 - 15 Payroll
3133	05/20/2014	Payroll	1	EFT		1,553.06	May 1 - 15 Payroll
3134	05/20/2014	Payroll	1	EFT		1,814.98	May 1 - 15 Payroll
3135	05/20/2014	Payroll	1	EFT		2,478.64	May 1 - 15 Payroll
3136	05/20/2014	Payroll	1	EFT		1,505.57	May 1 - 15 Payroll
3137	05/20/2014	Payroll	1	EFT		92.10	May 1 - 15 Payroll
3138	05/20/2014	Payroll	1	EFT		216.46	May 1 - 15 Payroll
3139	05/20/2014	Payroll	1	EFT		1,890.58	May 1 - 15 Payroll
3140	05/20/2014	Payroll	1	EFT		1,669.84	May 1 - 15 Payroll
3141	05/20/2014	Payroll	1	EFT		2,228.29	May 1 - 15 Payroll
3142	05/20/2014	Payroll	1	EFT		336.27	May 1 - 15 Payroll
3143	05/20/2014	Payroll	1	EFT		1,406.83	May 1 - 15 Payroll
3144	05/20/2014	Payroll	1	EFT		1,703.55	May 1 - 15 Payroll
3145	05/20/2014	Payroll	1	EFT		1,527.43	May 1 - 15 Payroll
3147	05/20/2014	Payroll	1	EFT		2,260.58	May 1 - 15 Payroll
3148	05/20/2014	Payroll	1	EFT		1,697.21	May 1 - 15 Payroll
3149	05/20/2014	Payroll	1	EFT		1,296.29	May 1 - 15 Payroll
3150	05/20/2014	Payroll	1	EFT		1,833.92	May 1 - 15 Payroll
3151	05/20/2014	Payroll	1	EFT		92.10	May 1 - 15 Payroll
3152	05/20/2014	Payroll	1	EFT		2,208.61	May 1 - 15 Payroll
3153	05/20/2014	Payroll	1	EFT		1,305.89	May 1 - 15 Payroll
3154	05/20/2014	Payroll	1	EFT		1,354.52	May 1 - 15 Payroll
3155	05/20/2014	Payroll	1	EFT		1,302.37	May 1 - 15 Payroll
3205	05/21/2014	Claims	1	EFT	WA ST DEPT OF LICENSING	108.00	Processing Payment For CPL's Originated 4/30/14 Thru 5/21/14.
3119	05/20/2014	Payroll	1	4784		1,213.42	May 1 - 15 Payroll
3146	05/20/2014	Payroll	1	4785		46.04	May 1 - 15 Payroll
3156	05/16/2014	Payroll	1	43461	DAVID M. HOWE, TRUSTEE	1,347.94	05/20/2014 To 05/20/2014 - Garnish
3157	05/16/2014	Claims	1	43462	KELLY RYDBERG	164.64	MILEAGE FOR TRAVEL TO CONFERENCE IN VANCOUVER
3158	05/16/2014	Payroll	1	43463	WA ST DEPT RETIREMENT SYSTEM	625.00	05/20/2014 To 05/20/2014 - DCP - DRS
3159	05/16/2014	Payroll	1	43464	WA STATE SUPPORT REGISTRY	125.00	05/20/2014 To 05/20/2014 - Child Support
3180	05/20/2014	Claims	1	43465	ALGONA COURTS	5,282.21	-185-

CHECK REGISTER

City Of Pacific
MCAG #: 0423

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
3192	05/20/2014	Claims	1	43466	MARTY MOORE	12,000.00	PURCHASE OF PW SHOr BUILDING
3206	05/27/2014	Claims	1	43467	ACCO ENGINEERED SYSTEMS	304.41	HVAC MAINTENANCE
3207	05/27/2014	Claims	1	43468	AMERICAN HOSE & FITTINGS INC	78.59	FOUNTAIN; FOUNTAIN
3208	05/27/2014	Claims	1	43469	ARTHUR J. GALLAGHER RISK MGMT SVCS INC	45.00	STEPHANIE SHOOK NOTARY BOND
3209	05/27/2014	Claims	1	43470	AUBURN CHEVROLET INC	801.42	TRAILER HITCH FOR TAHOE
3210	05/27/2014	Claims	1	43471	CITY OF AUBURN	3,225.00	APRIL 2014 IT SERVICES
3211	05/27/2014	Claims	1	43472	BFH CONSULTING	3,100.00	ACCREDITATION PROGRAM, APRIL 2014
3212	05/27/2014	Claims	1	43473	BLACKPOINT	378.52	XTM 26 1YR UTM RENEWAL (SECURITY SUITE LICENSE) - EXPR 06/28/15
3213	05/27/2014	Claims	1	43474	BUILDERS EXCHANGE OF WASHINGTON	115.00	PUBLISH PROJECTS ONLINE
3214	05/27/2014	Claims	1	43475	CENTURYLINK	89.79	POLICE LOBBY PHONE: 253-887-9643
3215	05/27/2014	Claims	1	43476	CHEHALIS TRIBAL POLICE DEPARTMENT	1,912.86	INMATE HOUSING
3216	05/27/2014	Claims	1	43477	CITY OF AUBURN	136.94	ACCT #034198-000 (INTER TIE); ACCT. #034098-000 (521 ELLINGSON RD.)
3217	05/27/2014	Claims	1	43478	DATABAR INCORPORATED	1,802.46	04/2014 BILLING + RATE INCREASE INSERT
3218	05/27/2014	Claims	1	43479	DELL MARKETING LP	3,633.37	3 DESKTOP COMPUTE 2 8 MONITORS; 8 MONITORS
3219	05/27/2014	Claims	1	43480	FERGUSON ENTERPRISES, INC.	77.20	AUTOGUN WALL MOUNT CHARGER
3220	05/27/2014	Claims	1	43481	FINISH LINE CLEANING	2,200.00	CITY HALL: MAY 2014 JANITORIAL SERVICES
3221	05/27/2014	Claims	1	43482	FIRE SYSTEMS WEST INC	323.03	FIRE ALARM SERVICE
3222	05/27/2014	Claims	1	43483	GENERATOR SERVICES NW LLC	1,844.96	FULL SERVICE, MAINTENANCE INSPECTION CITY HALL
3223	05/27/2014	Claims	1	43484	GEORGIA S. GUSE	4.08	MILEAGE REIMB FOR RENEWING DISABLED PLACARD FOR BUS
3224	05/27/2014	Claims	1	43485	HONEY BUCKET	519.85	CITY PARK HONEY BUCKET RENTAL; HONEY BUCKET RENTAL
3225	05/27/2014	Claims	1	43486	HYDRAULIC INSTALL REPAIR INC	266.91	CHARLYNN WATER MOTOR - DISASSEMBLE, CLEAN, REASSEMBLE & TEST
3226	05/27/2014	Claims	1	43487	IMAGE MASTERS INC	55.02	8X10 BARRELL PLAQUE - GARY HULSEY
3227	05/27/2014	Claims	1	43488	INTERCOM LANGUAGE SERVICES	330.00	INTERPRETER SERVICES
3228	05/27/2014	Claims	1	43489	JENKINS PIPELINE SERVICES	5,768.86	SEWER CLEANING/MAINTENANCE
3229	05/27/2014	Claims	1	43490	STEPHEN G JOHNSON	300.00	CONFLICT PUBLIC DL SE
3230	05/27/2014	Claims	1	43491	KC DOT ROAD SRVC DIV	5,835.18	PROJECT #: 1123386 (RSD PA-010 2014 OVERLAY 3RD AVE. S); AWARD #: 113860 (RSD PACIFIC BSC TRF) 04/07/14 - 04/30/14

CHECK REGISTER

City Of Pacific
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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
3231	05/27/2014	Claims	1	43492	KC FINANCE LIQUOR EXCISE	300.59	2014 Q1 LIQUOR EXCISE TAX
3232	05/27/2014	Claims	1	43493	KING COUNTY DIRECTORS' ASSOC	1,121.99	POLICE OFFICE SUPPLIES; POLICE DEPT. FORMS; POLICE: PEEL N SEAL ENVELOPES; POLICE: 6X9 ENVELOPES
3233	05/27/2014	Claims	1	43494	LEGEND DATA SYSTEMS, INC.	8.21	PHOTO ID PRINTED CARDS (FARHNER)
3234	05/27/2014	Claims	1	43495	LES SCHWAB TIRE CENTER	168.59	2007 GMC CANYON BATTERY
3235	05/27/2014	Claims	1	43496	LUCE LINEBERRY & KENNEY PS	4,175.80	LEGAL SERVICES
3236	05/27/2014	Claims	1	43497	EDWIN MASSEY JR	52.86	REIMB. FOR BATTERY FOR FLASHLIGHT ISSUED TO R. GALE
3237	05/27/2014	Claims	1	43498	MCLENDON HARDWARE	515.59	SHOP: BATTERIES (AA); POLICE STATION GATE & PW SHOP SOAP DISH; FOUNTAIN; CITY HALL: EDGER; LIGHT BULBS FOR CITY HALL & FURNACE SUPPLIES
3238	05/27/2014	Claims	1	43499	MORRIS LAW P.C.	4,920.00	STEWART ROAD PROPERTY PURCHASE; LAND USE ATTORNEY FEES
3239	05/27/2014	Claims	1	43500	PACIFIC OFFICE AUTOMATION	164.29	COPY MACHINE
3240	05/27/2014	Claims	1	43501	PETROCARD SYSTEMS INC	2,602.44	FUEL CHARGES
3241	05/27/2014	Claims	1	43502	PRAXAIR DISTRIBUTION INC	36.09	21" PIGSKIN SLEEVES
3242	05/27/2014	Claims	1	43503	PUBLIC SAFETY TESTING	125.00	OFFICER TESTING: 2014 Q1
3243	05/27/2014	Claims	1	43504	STEPHANIE SHOOK	123.62	REIMB. FOR OSO SUPPLIES
3244	05/27/2014	Claims	1	43505	SOUND PUBLISHING INC	1,448.80	LEGAL AFFIDAVITS
3245	05/27/2014	Claims	1	43506	SPRINT	1,457.10	POLICE PHONE SERVICES
3246	05/27/2014	Claims	1	43507	STAPLES BUSINESS ADVANTAGE	53.93	POLICE: OFFICE SUPPLIES
3247	05/27/2014	Claims	1	43508	ROBERT STEPHENS	44.89	REIMB FOR OUT OF TOWN TRAINING (SFST CONFERENCE)
3248	05/27/2014	Claims	1	43509	SUMNER LAWN 'N SAW	37.39	SHOP: WEED EATER
3249	05/27/2014	Claims	1	43510	CITY OF SUMNER	1,774.50	METRO ANIMAL SERVICES, 05/2014
3250	05/27/2014	Claims	1	43511	USAMOBILITY	100.80	PUBLIC WORKS PAGER
3251	05/27/2014	Claims	1	43512	UTILITIES UNDERGROUND LOCATE	36.12	EVACUATION NOTIFICATION FOR THE MONTH: 28
3252	05/27/2014	Claims	1	43513	VALLEY COMMUNICATIONS	679.15	APRIL 2014 - 800 MHz
3253	05/27/2014	Claims	1	43514	WA STATE DEPT OF TRANSPORTATION	242.68	SR 167/STEWART RD INTERSECTION IMPROVEMENTS
3254	05/27/2014	Claims	1	43515	WASHINGTON STATE PATROL	66.00	BACKGROUND CHECKS
3255	05/27/2014	Claims	1	43516	WASHINGTON TRACTOR	215.89	BRUSHER: HAMMER FLAIL; EXCAVATOR PARTS
3256	05/27/2014	Claims	1	43517	WATER MANAGEMENT LAB INC	147.00	COLIFORM

CHECK REGISTER

City Of Pacific
MCAG #: 0423

05/13/2014 To: 05/27/2014

Time: 16:16:19 Date: 05/21/2014
Page: 4

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
3257	05/27/2014	Claims	1	43518	WELLS FARGO FINANCIAL LEASING	3.20	CANON COPY MACHINE RENTAL
3258	05/27/2014	Claims	1	43519	WIDENER & ASSOCIATES	560.00	STEWART RD. PERMITTING
						75,192.82	
001 General Fund						3,970.06	
003 Community Services Senior						2,123.67	
004 Youth Services/Center						2,037.69	
005 Parks						9,183.44	
022 Criminal Justice						2,450.86	
098 General Fund Equipment Reserve						8,431.40	
101 Street						5,298.08	
301 Stewart/8th St Corridor						560.00	
310 Stewart/Thornton Ave Rd Projec						16,197.75	
401 Water						17,521.33	
402 Sewer						6,130.57	
409 Storm						12,000.00	
499 Utilities Equipment Reserve						5,282.21	
640 Algona Court						-24,152.60	
800 Payroll EE Benefit Clearing						<u>142,227.28</u>	
						Claims:	79,997.89
						Payroll:	62,229.39

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: _____



City Council Minutes

Regular Meeting
Monday, April 28, 2014
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 Hulsey, Kave, Knudtson, Steiger, Council President Putnam, Mayor Pro Tem Jones, and Mayor Guier

STAFF PRESENT

Public Safety Director Calkins, Acting Public Works Director Ken Barnett, Assistant Director Senior Center Darcie Thach, Engineer Jim Morgan, Court Administrator Kelly Rydberg, Finance Director Richard Gould, City Clerk Amy Stevenson-Ness

ADDITIONS TO/APPROVAL OF AGENDA

Council Member Kave added an item regarding the marijuana work group report. Mayor Guier added the item under Old Business

Council Member Jones requested clarification regarding a payment to Ogden Murphy Wallace for investigation services. Mayor Guier advised it was for a final payment. Council Member Jones stated it didn't need to be added for discussion.

The amended agenda was approved by the consensus of Council.

AUDIENCE COMMENT

Speaking before Council:

Kate Hull Pease, Alder Lane South	Distributed park impact fee information from 2012; Inquired when public will have clear access to City Park; 42 people attended Earth Day event; Had 5 vendors, good turnout; Inquired about an ordinance regarding park impact fees and where the money is being spent; Mayor Guier referred Ms. Pease to the Finance Committee
Barbara Lourdes, 4 th Ave NE	Congratulated Council Member Hulsey on his retirement; Inquired if the playground equipment at City Park could be moved;

	Inquired if there is money available for beauty bark for city hall to improve the appearance; Reported that on Ellingson Road, trucks from gravel pit are hard on the road, causing water to bubble up through road during rains; Mayor Guier referred Ms. Lourdes concerns to the Public Works Committee.
Michael Hollenbeck, 2 nd Place SE	Requesting police presence at his apartment complex due to drug dealing/felons. Mayor Guier referred the item to the Public Safety Committee and added to the workshop agenda for May 19 th to advise Council of the results of the committee meeting.
Katie Garberding, White River Drive	Hang Always Brothers poster in City Hall; fundraising dinner for Always Brothers run will be held on July 26 th on the night of run; Requested to bring a fee waiver before council for fundraising dinner.

REPORTS

A. Mayor

Mayor Guier reported:

-Thanked the Park Board and participants for their efforts for Earth Day on April 26th.

-City Park is now open. The maintenance crew needed to get in and clean up before officially opening to the public.

-Attended the Chamber of Commerce Elected official dinner.

-Attended the Cities and Schools Board dinner that was held at Auburn School District. The City of Pacific will host the meeting in October.

-Attended SCA Elected Women’s Breakfast

-A Council retreat will be held on May 3 and training will be provided by AWC.

-Thanked Council Member Gary Hulse for his service with the Council and stated he will be missed.

B. Finance

Finance Director Richard Gould reported:

-The city’s new website should be up by April 30th.

-Auburn’s City Council approved the Interlocal agreement with changes including a minor increase of \$140 year. The ILA will be brought back to Council for approval.

C. Court

No report

D. Public Safety Department.

Public Safety Director Calkins reported:

-Provided a handout regarding crime and traffic statistics and accreditation.

E. Public Works/Community Development Departments

Acting Public Works Director Ken Barnett reported:

-City Park is open but the crew is still doing some cleaning. The portable toilets have been delivered.

-The crew has been out doing some ditching with the new excavator.

-Thanked Council Member Hulsey and said he will be missed on the Public Works Committee.

F. Community/Senior/Youth/Services

Assistant Director Darcie Thach reported:

-She attended a Meals on Wheels meeting and learned only three citizens of Pacific are receiving Meals on Wheels. She asked for people to let her know if there is anyone that might need this service.

-Passed along a message from Joanne Futch to thank Council Member Knudtson for a super clean kitchen after the Earth Day event.

-Thanked Mayor Guier and Council Member Hulsey for attending Taco Tuesday.

G. City Council Members

Council Member Steiger thanked everyone who participated in Earth Days. He stated he would like to see better council member participation at these events.

Council Member Kave announced that the Marijuana Advisory Work Group report has been finalized and the group was dismissed on April 22.

Council Member Jones said he attended the VRFA class Fire 101 on April 26. He would like to see more council members attend that as well.

Council Member Hulsey apologized for not attending the Earth Day event. He attended a ceremony to recognize a police officer from Enumclaw and presented their detective with national recognition from a veteran's organization on that day. He thanked Council and the community for their dedication to him and stated Pacific is a great place to live.

H. Boards and Committees

i. Finance Committee:

Council Member Kave reported that the Shawgo late fees and waiver issue has been settled. The city will waive the late fees and Mr. Shawgo will pay the late charges.

The committee was updated on the quarterly reports.

The next meeting is tentatively scheduled for May 20.

ii. Governance Committee

Council Member Knudtson advised that the city received 3 RFPS for legal services. Two RFPs will be brought forward council review and will be discussed at the May 5 workshop.

iii. Human Services Committee

Council Member Jones reported the next Human Services meeting will be held on May 6.

iv. Public Safety Committee
Mayor Guier requested a meeting be scheduled soon to address the issue brought forward by a citizen.

v. Public Works Committee
Mayor Guier advised a meeting will be held the following week.

vi. Technology Committee
None

vii. Civil Service Commission
None

viii. Park Board
None

ix. Planning Commission
None

x. Pierce County Regional Council (PCRC)
None

xi. Sound Cities Association (SCA)
Mayor Guier reported there would be no meeting in April.

xii. South County Area Transportation Board (SCATBd)
None

xiii. Valley Regional Fire Association (VRFA)
None

PUBLIC HEARING:

Seeking public input regarding changes to Pacific Municipal Code 20.72.050(F), concerning pervious parking in the City of Pacific.

Mayor Guier opened the public hearing at 7:13 p.m.

Engineer Jim Morgan provided information regarding revision to the PMC parking code 20.070.50(F). A public hearing is being held because this changes development regulations. No ordinance will be brought forward at the evening's meeting.

Speaking before Council:

Jeanne Fancher, 37248 55 th Avenue South	Changing to pervious parking is a good idea to help keep water clean and would help keep the water table from going higher.
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Mayor Guier closed the public hearing at 7:23 p.m.

OLD BUSINESS

A. Resolution No. 2014-150: Declaring the month of May 2014 as Bicycle Month.

Council President Joshua Putnam advised May is recognized as National Bicycle Month.

COUNCIL MEMBER PUTNAM MOVED to approve Resolution No. 2014-150 declaring the month of May 2014 as Bicycle Month. Seconded by Council Member Walker.

Roll Call vote was taken resulting as follows:

Ayes: Hulseley, Jones, Kave, Knudtson Putnam, Steiger, Walker

The motion carried 7-0.

B. Resolution No. 2014-141: Authorizing an amendment to the agreement with AHBL regarding the Milwaukee Boulevard Stormwater Improvements.

Acting Public Works Director Ken Barnett advised this is a change in scope to finalize project resulting in a reduction of \$13,000 from the original contract amount and will result in 100% design of the project.

COUNCIL MEMBER HULSEY MOVED to approve Resolution No. 2014-141 authorizing an amendment to the agreement with AHBL regarding the Milwaukee Boulevard Stormwater improvements. Seconded by Council Member Steiger.

Roll Call vote was taken resulting as follows:

Ayes: Hulseley, Jones, Kave, Knudtson Putnam, Steiger, Walker

The motion carried 7-0.

C. Resolution No. 2014-142: Amendment to the agreement with AHBL regarding engineering design services for the Stormwater Outfall Treatment Project.

Director Barnett advised Council that the reduction to the Milwaukee project will be rolled into the outfall project and will result in 100% design of the project.

COUNCIL MEMBER STEIGER MOVED to approve Resolution No. 2014-142 authorizing an amendment to the agreement with AHBL regarding engineering design services for the stormwater outfall treatment project. Seconded by Council Member Kave.

Roll Call vote was taken resulting as follows:

Ayes: Hulseley, Jones, Kave, Knudtson Putnam, Steiger, Walker

The motion carried 7-0.

D. Resolution No. 2014-143: Amendment to the agreement with Parametrix for pre-design engineering services for the Valentine/136th project.

Director Barnett advised there is a change in design for the Valentine project. The amendment is for complete design for "wetlands in a box" and will be able to keep the Department of Ecology grant.

COUNCIL MEMBER STEIGER MOVED to approve Resolution No. 2014-143 authorizing an amendment to the agreement with Parametrix for pre-design engineering services for the Valentine/136th Project. Seconded by Council Member Hulsey.

Roll Call vote was taken resulting as follows:

Ayes: Hulsey, Jones, Kave, Knudtson Putnam, Steiger, Walker

The motion carried 7-0.

E. Direction to Planning Commission

COUNCIL MEMBER KAVE MOVED to direct the Planning Commission to continue work on the proposed marijuana businesses zoning ordinance. Seconded by Council Member Putnam. Voice vote was taken and carried 7-0.

NEW BUSINESS

NONE

CONSENT AGENDA

- A. Resolution No. 2014-144:** Authorizing the submittal of a grant application to the King County Project Evaluation Committee for federal funding assistance for the Interurban Trail from 3rd Avenue to County Line Road.
- B. Resolution No 2014-145:** Authorizing the submittal of a grant application to the King County Project Evaluation Committee for federal funding assistance for Milwaukee Boulevard between Ellingson Road and 5th Avenue South.
- C. Resolution No. 2014-146:** Authorizing the submittal of a grant application to PCRC for federal funding assistance for the Interurban Trail from Pacific to Edgewood.
- D. Resolution No 2014-147:** Authorizing the submittal of a grant application to PCRC for Stewart Road between Valentine Avenue and the White River Bridge.
- E. Resolution No. 2014-148:** Authorizing the submittal of a Pedestrian Bicycle Grant Application to WSDOT for construction of the Interurban Trail from 3rd Avenue South to Roy Road.
- F. Resolution No. 2014-149:** Authorizing the submittal of a Safe Routes to Schools Grant Application to WSDOT for sidewalks on 2nd Avenue SW.
- G. AB 14-076:** First Quarter Financial Reports
- H.** Payroll and Voucher Approval
- I.** Approval of the minutes from the April 7 and April 21, 2014 workshops and March 24 and April 14, 2014 meetings.

COUNCIL MEMBER PUTNAM MOVED to approve the consent agenda. Seconded by - Council Member Walker. Voice vote was taken and carried 7-0.

EXECUTIVE SESSION: Per RCW 42.30.140(4)(a): Contract Negotiations for Uniformed Employees

Mayor Guier announced a ten minute executive session at 7:34 P.M. At 7:44, Mayor Guier extended the executive session for 5 minutes.

Mayor Guier reconvened the meeting at 7:49 p.m.

ADJOURN

There being no further business, Mayor Guier adjourned the meeting at 7:49 p.m.

Amy Stevenson-Ness, City Clerk



City Council Minutes

Regular Meeting
Monday, May 12, 2014
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 Kave, Knudtson, Council President Putnam, and Mayor Guier
Absent: Mayor Pro Tem Jones and Council Member Steiger

COUNCIL MEMBER WALKER MOVED to excuse Council Member Steiger and Mayor Pro Tem Jones. Seconded by Council Member Knudtson. Voice vote was taken and carried 4-0.

STAFF PRESENT

Public Safety Director Calkins, Acting Public Works Director Ken Barnett, Assistant Director Senior Center Darcie Thach, Engineer Jim Morgan, Court Administrator Kelly Rydberg, Finance Director Richard Gould, City Clerk Amy Stevenson-Ness

ADDITIONS TO/APPROVAL OF AGENDA

The agenda was approved by the consensus of Council.

STATEMENT OF CITY COUNCIL CANDIDATES

Each Council candidate in attendance was asked to provide any final comments they may have.

Katie Garberding stated she looks forward to working with everyone and moving the city forward.

Howard Gustafson said he is a 40 year resident of Pacific, has 14 years' experience on the Planning Commission and is involved in the workings of the city. He has more time now than before to be able to serve and would like very much to represent the citizens.

Michael Hollenbeck thanked Council for their consideration and looks forward to helping move the city forward any way he can.

Mayor Guier thanked each of the candidates.

EXECUTIVE SESSION

At 6:36 p.m., Mayor Guier announced an executive session per RCW 42.30.110(1)(h) to evaluate the qualifications of a candidate for appointment to elective office for 10 minutes.

Mayor Guier reconvened the meeting at 6:46 p.m.

APPOINTMENT OF NEW CITY COUNCIL MEMBER

COUNCIL MEMBER KNUDTSON MOVED to appoint Katherine Garberding to fill the vacancy of Council Position #1 for the remainder of the unexpired term. Seconded by Council Member Walker.

Speaking before Council:

Gary Nitschke	Supports the motion to appoint Katie Garberding. Stated she and her husband are very active around town.
Jeanne Fancher	Would like to have seen someone from the West Hill volunteering.

Roll Call vote was taken resulting as follows:

Ayes: Kave, Knudtson Putnam, Walker

Absent: Jones, Steiger

The motion carried 4-0.

OATH OF OFFICE

Municipal Court Judge L. Stephen Rochon administered the oath of office to Katie Garberding.

Mayor Guier recessed the Council meeting at 6:55 p.m. for 5 minutes and called the meeting back to order at 7:00 p.m.

RECOGNITION OF SERVICE

Mayor Guier recognized Council Member Gary Hulseby for his time on the City Council and for his service to the citizens of the City of Pacific and presented him with a plaque.

Mr. Hulseby thanked Council and the Mayor for their support. He stated it has been an honor and a pleasure to be on the Council. He stated the City needs a central business district to continue to grow.

AUDIENCE COMMENT

Speaking before Council:

None	
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REPORTS

A. Mayor

Mayor Guier reported:

-Council Retreat was held on May 3. There was good conversation with good goals set. Training for council roles and responsibilities was held as well.

-She welcomed new council member Katie Garberding.

-She will have a meeting with residents at Rainier Vista on May 22 at 6:00 p.m.

-Will attend the SCA networking dinner on May 28; Governor Inslee will be attending. Mayor Guier invited Council to attend.

B. Finance

Finance Director Richard Gould reported:

-Auburn IT is working with the City Clerk to update the website.

-Met with the Hensleys regarding the lien on their property. Carol Morris advised we can waive certain fees but a resolution needs to be brought forward to council on May 19. The City cannot waive utility fees but it is possible to waive late fees.

-Bringing amendment to ordinance to remove the meter after a lien has been filed to prohibit further exceptionally large fees.

-He is working on park impact fees and will bring it back to council to review the status.

C. Court

Court Administrator Kelly Rydberg advised that April's stats are in the council packet.

D. Public Safety Department.

Public Safety Director Calkins advised their monthly report is attached to the agenda and there is nothing further to bring forward.

E. Public Works/Community Development Departments

Ted Hill, City of Sumner, provided information on the Valentine project.

He advised all the right-of-way has been acquired and we have received WSDOT authority to go to bid for the project. We are looking at opening bids at the end of the month with construction starting by the end of July and running through the end of next summer. The Stewart bid opening will be next week and the bid award will be brought to Council for approval on May 27.

F. Community/Senior/Youth/Services

Assistant Director Darcie Thach reported:

-She is still doing stone soup on Mondays. All are welcome to attend.

-A volunteer appreciation tea was held on Thursday May 8.

G. City Council Members

Council Member Walker stated the Farmer's Market is in need of volunteers for set up and tear down. The opening date will be the first Sunday in June.

H. Boards and Committees

i. Finance Committee:

Council Member Kave advised the committee met last month to address waivers. There are concerns regarding providing a waiver on the Gupta property and setting precedents regarding bank properties.

ii. Governance Committee

Council Member Knudtson advised Council will be deciding on a new attorney at the Evening's meeting. She also stated a new committee member is needed.

iii. Human Services Committee

No Report

iv. Public Safety Committee
No Report

v. Public Works Committee
No Report

vi. Technology Committee
No Report

vii. Civil Service Commission
No Report

viii. Park Board
No Report

ix. Planning Commission
A meeting and public hearing regarding marijuana will be held on May 27.

x. Pierce County Regional Council (PCRC)
No Report

xi. Sound Cities Association (SCA)
No Report

xii. South County Area Transportation Board (SCATBd)
No Report

xiii. Valley Regional Fire Association (VRFA)
No Report

OLD BUSINESS

- A. AB 14-078:** Appointment of Terry Robinson to the City of Pacific Civil Service Commission.

Mayor Guier stated she recommends the appointment of Terry Robinson to the Civil Service Commission.

COUNCIL MEMBER KAVE MOVED to confirm the appointment of Terry Robinson to the Civil Service Commission to fill a six-year term ending December 31, 2018. Seconded by Council Member Walker.

Roll Call vote was taken resulting as follows:

Ayes: Garberding, Kave, Knudtson Putnam, Walker

Absent: Jones, Steiger

The motion carried 5-0.

- B. AB 14-080 Selection of a new City Attorney**

COUNCIL MEMBER KAVE MOVED to negotiate a contract with Morris Law, PC and Summit Law group for legal services for the City of Pacific. Seconded by Council Member Walker.

Speaking before Council:

Jeanne Fancher	Inquired if Council will send items to the attorney to review for content as well as to form.
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Roll Call vote was taken resulting as follows:

Ayes: Garberding, Kave, Knudtson Putnam, Walker

Absent: Jones, Steiger

The motion carried 5-0.

C. Resolution No. 2014-151: Authorizing the execution of an agreement with Catholic Community Services to continue to provide the senior lunch program.

Assistant Director Darcie Thach stated she is requesting authorization for renewal of the current agreement.

COUNCIL MEMBER WALKER MOVED to approve Resolution No. 2014-151 approving the renewal of the contract with Catholic Community Services for the senior lunch program for the year 2014. Seconded by Council Member Putnam.

Roll Call vote was taken resulting as follows:

Ayes: Kave, Knudtson Putnam, Walker

Absent: Jones, Steiger

The motion carried 5-0.

D. Resolution No. 2014-152: Authorizing the surplus of the ice machine located in the Senior Center.

Assistant Director Darcie Thach advised it was cost prohibitive to repair the broken machine and is seeking to surplus it.

COUNCIL MEMBER KNUDTSON MOVED to approve Resolution No. 2014-152 surplus the old counter top ice maker in the Pacific Algona Senior Center. Seconded by Council Member Walker.

Roll Call vote was taken resulting as follows:

Ayes: Garberding, Kave, Knudtson Putnam, Walker

Absent: Jones, Steiger

The motion carried 5-0.

E. AB 14-086 Approval of the Victory of Life Church Tent Revival

Acting Director Ken Barnett advised the group is seeking approval for their tent revival and this is the third year it has been held.

COUNCIL MEMBER KAVE MOVED to approve the Life of Victory Church 2014 Tent Revival. Seconded by Council Member Walker.

Roll Call vote was taken resulting as follows:

Ayes: Garberding, Kave, Knudtson Putnam, Walker

Absent: Jones, Steiger

The motion carried 5-0.

F. Ordinance No. 2014-1861 Revision of Pacific Municipal Code 20.72.050(F) regarding pervious pavement

Acting Director Ken Barnett advised there has been a public hearing regarding this item and that passage of the ordinance will result in the correction of a discrepancy in the municipal code.

COUNCIL MEMBER PUTNAM MOVED to approve Ordinance No. 2014-1861 Revision of Pacific Municipal Code 20.72.050(F) regarding pervious pavement. Seconded by Council Member Walker.

Roll Call vote was taken resulting as follows:

Ayes: Garberding, Kave, Knudtson Putnam, Walker

Absent: Jones, Steiger

The motion carried 5-0.

G. Resolution No. 2014-155: Authorizing the execution of an agreement with KPG, Inc. for construction management services for the Stewart Road Project.

Acting Director Ken Barnett advised

COUNCIL MEMBER PUTNAM MOVED to approve Resolution No 2014-155 authorizing the execution of an agreement with KPG, Inc. for construction management services for the Stewart Road Project. Seconded by Council Member Knudtson.

Roll Call vote was taken resulting as follows:

Ayes: Garberding, Kave, Knudtson Putnam, Walker

Absent: Jones, Steiger

The motion carried 5-0.

H. Resolution No 2014-153: Authorizing the execution of an amended Interlocal Agreement with the City of Auburn for Information Services Technology.

Finance Director Richard Gould presented the amended Interlocal agreement and advised that the changes made were minor but included an increase of \$140.

COUNCIL MEMBER WALKER MOVED to approve Resolution No. 2014-153 Authorizing the execution of an amended Interlocal Agreement with the City of Auburn for Information Services Technology. Seconded by Council Member Knudtson.

Roll Call vote was taken resulting as follows:

Ayes: Kave, Knudtson Putnam, Walker

Absent: Jones, Steiger

The motion carried 5-0.

NEW BUSINESS

NONE

CONSENT AGENDA

- A. Payroll and Voucher Approval
- B. Approval of the minutes from the May 5, 2014 workshop

COUNCIL MEMBER PUTNAM MOVED to approve the consent agenda. Seconded by Council Member Kave. Voice vote was taken and carried 5-0.

ADJOURN

There being no further business, Mayor Guier adjourned the meeting at 8:00 p.m.

Amy Stevenson-Ness, City Clerk

