



**PACIFIC CITY COUNCIL MEETING AGENDA**  
**Council Chambers - City Hall. 100 3<sup>rd</sup> Ave. SE**

**February 10, 2014**  
**Monday**

**Regular Meeting**  
**6:30 p.m.**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL OF COUNCIL MEMBERS**
- 3. ADDITIONS TO/APPROVAL OF AGENDA**
- 4. AUDIENCE COMMENT**

(Please limit your comments to 3 minutes for items not up for public hearing. When recognized by the Mayor, please state your name and address for the official record. It is asked that you do not speak on the same matter twice.)

**5. REPORTS**

- A. Mayor**
- B. Finance**
- C. Court – January report attached**
- D. Public Safety Department – January report attached**
- E. Public Works/Community Development Departments**
- F. Community/Senior/Youth/Services**
- G. City Council Members**
- H. Boards and Committees**
  - i. Finance Committee**
  - ii. Human Services Committee**
  - iii. Public Safety Committee**
  - iv. Public Works Committee**
  - v. Technology Committee**
  - vi. Park Board**
  - vii. Civil Service Commission**
  - viii. Planning Commission**
  - ix. Pierce County Regional Council (PCRC)**
  - x. Sound Cities Association (SCA)**
  - xi. South County Area Transportation Board (SCATBd)**
  - xii. Valley Regional Fire Association (VRFA)**

**6. PUBLIC HEARING**

- A. Regarding the formation of a Transportation Benefit District**

**7. OLD BUSINESS**

**8. NEW BUSINESS**

- A. Ordinance No. 14-1856: Amending Pacific Municipal Code 24.16 relating to the City's Stormwater utility rates.**

- B. Resolution No. 14-104:** Amending the Water Fee Schedule to establish new Water rates.
- C. Resolution No. 14-105:** Establishing new Sanitary Sewer Rates.
- D. Resolution No. 14-111:** Approving a contract with Tummy Yummies LLC, to locate vending machines in the Senior Center and in City Hall.
- E. Resolution No. 14-106:** Approving the Park Board's participation in the 2014 Earth Day event.
- F. Resolution No. 14-107:** Approving Park Board participation in Pacific Days events.
- G. Resolution No. 14-108:** Purchase of replacement Public Works vehicle in an amount up to \$15,000.
- H. Resolution No. 14-109:** Hiring of a temporary file clerk to assist filing for Public Works, Finance, and City Clerk Departments.
- I. Resolution No. 14-110:** Approving the Puget Sound Energy Facility Relocation Agreement for the Stewart Road Corridor.
- J. Discussion:** Sound Cities Association position on the formation of a Transportation Benefit District by the King County Council.

**9. CONSENT AGENDA**

*(The Mayor shall place matters on the Consent Calendar which are so routine or technical in nature that passage is likely.)*

- A. Payroll and Voucher Approval**
- B. Approval of the minutes from the January 21, 2014, workshop and special meeting; January 30, 2014, special meeting and February 3, 2014, workshop and special meeting.**

**10. ADJOURN**

Finance Committee Meets: 2 <sup>nd</sup> Tuesdays	February 11, 2014 6:30 p.m.	City Hall
Governance Committee	TBD 6:00 p.m.	City Hall
Human Services Committee Meets 1 <sup>st</sup> Tuesday	March 4, 2014 6:00 p.m.	City Hall
Park Board Meets 1 <sup>st</sup> Tuesday	March 4, 2014 6:30 p.m.	City Hall
Planning Commission Meets 4 <sup>th</sup> Tuesday	February 25, 2014 6:00 p.m.	City Hall
Public Safety Committee	TBD 6:00 p.m.	City Hall
Public Works Committee Meets 1 <sup>st</sup> Wednesday	March 4, 2014 7:00 p.m.	City Hall
Technology Committee Meets 3 <sup>rd</sup> Thursday	January 30, 2014 6:30 p.m.	City Hall



# NOTICE OF PUBLIC HEARING

January 27, 2014

**NOTICE IS HEREBY GIVEN** that on **MONDAY, FEBRUARY 10, 2014**, at approximately 6:30 p.m., the City Council will conduct a public hearing during a City Council meeting for the purpose of taking public testimony on the creation of a Transportation Benefit District, comprising the corporate limits of the City, to fund and complete projects listed in the City's Six Year Transportation Improvement Plan.

This hearing will take place in the City Council Chambers at Pacific City Hall, 100 3<sup>rd</sup> Avenue SE, Pacific, Washington. All persons will have an opportunity to present their oral comments at the meeting. Those wishing to submit written comments may do so at the public hearing or by submitting them to the City Clerk by 5:00 p.m. on Monday, February 10, 2014.

Amy Stevenson-Ness  
City Clerk  
City of Pacific



**Agenda Bill No. 14-018**

**TO:** Mayor Guier and City Council Members

**FROM:** Public Works

**MEETING DATE:** February 10, 2014

**SUBJECT:** Stormwater Rates

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**ATTACHMENTS:** Ordinance 14 - 1856

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**Summary:** The City Council last increased the Stormwater Rates effective January 1, 2009. Due to projected inflation of cost of expenditures, planned capital projects, it is necessary to raise the City stormwater rates. The proposed Ordinance would make the rates effective March 1, 2014.

**Recommendation/Action:** Staff recommends Council approve Ordinance No. 14-1856

**Motion for Consideration:** I move to waive first reading of Ordinance No. 14-1856.

**THEN**

I move to adopt Ordinance No. 14 - 1856, AN ORDINANCE OF THE CITY OF PACIFIC, WASHINGTON AMENDING PMC 24.16 RELATING TO STORMWATER UTILITY RATES.

**Budget Impact:** The proposed rate increase would increase the Stormwater Fund revenues by an estimated \$45,000 each year.

**Alternatives:** Modify the rates or deny the ordinance. City Council choosing either alternative will require scheduling special meetings to begin making decisions on modifications to the 2014 Budget.

**CITY OF PACIFIC  
WASHINGTON**

**ORDINANCE NO. 14-1856**

**AN ORDINANCE OF THE CITY OF PACIFIC, WASHINGTON AMENDING  
ORDINANCE NO. 1709 RELATING TO STORMWATER UTILITY RATES**

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**WHEREAS**, Ordinance No. 1527 amended Ordinance No. 1497, which amended Ordinance No. 1441, that established Pacific Municipal Code 24.16 Stormwater Utility Rates and Charges; and

**WHEREAS**, City of Pacific Storm Water rates were last adjusted by City Council in 2009; and

**WHEREAS**, the City of Pacific is now mandated by its Western Washington Phase II Storm Water Permit (issued by the WA Department of Ecology) to implement and demonstrate compliance with 14 Stormwater Program Elements; and

**WHEREAS**, the Pacific City Council recognizes that an increase of the Storm Water Utility rates are necessary to meet compliance with the permit and provide funding for operation and future capital improvements, based upon the results of the study and;

**WHEREAS**, a public hearing on the proposed rate increase was held before City Council on January 27, 2014,

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

Section 1. Pacific Municipal Code Section 24.16.050 is amended as follows:

A. For all detached single-family residences and mobile homes (One Equivalent Residential Unit), the monthly Service Charge shall be ~~\$10.71~~ **\$13.00** per month.

B. For all other developed properties, the monthly Service Charge shall be ~~\$10.71~~ **\$16.00** per month for the first Equivalent Residential Unit per account plus the number of additional Equivalent Residential Units determined by the Utility to be contained in such parcel pursuant to Section 3 hereof multiplied by ~~\$5.71~~ **\$5.75** for those properties with approved stormwater facilities or ~~\$10.71~~ **\$16.00** for those properties without approved facilities.

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

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five days after the date of publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF PACIFIC AT A REGULAR MEETING THEREOF ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

APPROVED:

\_\_\_\_\_  
LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
AMY STEVENSON-NESS, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
KEN LUCE, CITY ATTORNEY



**AGENDA ITEM NO. 8B**

**Agenda Bill No. 14-019**

**TO:** Mayor Guier and City Council Members  
**FROM:** Public Works  
**MEETING DATE:** February 10, 2014  
**SUBJECT:** Water Rates

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**ATTACHMENTS:** Resolution 14 - 104

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**Previous Council Review Date:** February 3, 2014

**Summary:** The City Council last increased the Water Rates effective January 1, 2011. Due to projected inflation of cost of expenditures, planned capital projects, and a projected slowdown in revenues it is necessary to raise the City water rates. The proposed Resolution would make the rates effective March 1, 2014

**Recommendation/Action:** Staff recommends Council approve Resolution No. 14-104

**Motion for Consideration:** Move to approve Resolution No.14 - 104, A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON ESTABLISHING NEW WATER RATES.

**Budget Impact:** The proposed rate increase would increase the Water Fund revenues by an estimated \$15,000 each year.

**Alternatives:** Modify the rates or deny the resolution. City Council choosing either alternative will require scheduling special meetings to begin making decisions on modifications to the 2014 Budget.

**CITY OF PACIFIC, WASHINGTON  
RESOLUTION NO. 14-104**

**A RESOLUTION OF CITY OF PACIFIC, WASHINGTON,  
ESTABLISHING NEW WATER RATES**

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**WHEREAS**, Ordinance No. 1528 established a water fee schedule and provided that the City Council may amend or replace the fee schedule included therein by means of Resolution; and

**WHEREAS**, it is necessary for the City to increase its water rates to cover future treatment, system maintenance and operations charges; and

**WHEREAS**, the Department of Health requires the City to promote water conservation. The City charges it's customers on an inclining block rate system in which, the amount paid per unit increases when larger amounts of water is consumed ; and

**WHEREAS**, a public hearing on the proposed rate increase was held before City Council on January 27, 2014,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, AS FOLLOWS:**

**Section 1.** A. The monthly rate for water supplied by meter inside the City Limits shall be as follows:

**IN CITY CHARGES**

<b>Meter Size (inches)</b>	<b>Base Rate</b>	<b>Tier 1</b>	<b>Tier 2</b>	<b>Tier 3</b>
5/8	\$ 12.00	\$2.00/CCF 1 - 7	\$3.00/CCF 7.1 - 14	\$4.00/CCF > 14.1
1	\$ 24.00	1 - 14	14.1 - 28	> 28.1
1.5	\$ 51.00	1 - 31	31.1 - 73	> 73.1
2	\$ 79.00	1 - 49	49.1 - 98	> 98.1
3	\$147.00	1 - 91	91.1 - 182	> 182.1
4	\$248.50	1 - 154	154.1 - 308	> 308.1
6	\$497.00	1 - 308	308.1 - 616	> 616.1

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

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

**OUTSIDE CITY CHARGES**

<b>Meter Size (inches)</b>	<b>Base Rate</b>	<b>Tier 1</b>	<b>Tier 2</b>	<b>Tier 3</b>
5/8	\$ 13.20	\$2.20/CCF 1 - 7	\$3.30/CCF 7.1 - 14	\$4.40/CCF > 14.1
1	\$ 26.40	1 - 14	14.1 - 28	> 28.1
1.5	\$ 56.10	1 - 31	31.1 - 73	> 73.1
2	\$ 86.90	1 - 49	49.1 - 98	> 98.1
3	\$161.70	1 - 91	91.1 - 182	> 182.1
4	\$273.35	1 - 154	154.1 - 308	> 308.1

6                    \$546.70    1 - 308            308.1 - 616    > 616.1

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

<b>USER CATEGORY</b>	<b>BASE CHARGE</b>	<b>USE CHARGE</b>
RESIDENTIAL (5/8"meter)	\$5.00	\$0.50
COMMERCIAL (5/8" meter)	\$5.00	\$0.50
COMMERCIAL (1" meter)	\$10.00	\$0.50
COMMERCIAL (1 1/2" meter)	\$25.00	\$0.50
COMMERCIAL (2" meter)	\$35.00	\$0.50
COMMERCIAL (3" meter)	\$65.00	\$0.50
COMMERCIAL (4" meter)	\$110.00	\$0.50
COMMERCIAL (6" meter)	\$220.00	\$0.50

**Section 2.** This Resolution shall be published in the official newspaper of the City and shall take effect March 1, 2014.

APPROVED BY THE CITY COUNCIL ON \_\_\_\_\_, 2014.

\_\_\_\_\_  
LEANNE GUIER, MAYOR

ATTEST:

\_\_\_\_\_  
AMY STEVENSON-NESS, CITY CLERK

Approved as to form:

\_\_\_\_\_  
KEN LUCE, CITY ATTORNEY

Filed with the City Clerk: January 29, 2014

Passed by the City Council:

Date Posted:



**AGENDA ITEM NO. 8C**

**Agenda Bill No. 14-019**

**TO:** Mayor Guier and City Council Members  
**FROM:** Public Works  
**MEETING DATE:** February 10, 2014  
**SUBJECT:** Sewer Rates

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**ATTACHMENTS:** Resolution 14 - 105

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**Summary:** The City Council last increased the Sewer Rates effective January 1, 2011. Due to an increase by King County on waste discharge fees, projected inflation of cost of expenditures, and planned capital projects, it is necessary to raise the City sewer rates. The proposed Resolution would make the rates effective March 1, 2014.

**Recommendation/Action:** Staff recommends Council approve Resolution No. 14-104

**Motion for Consideration:** Move to approve Resolution No.14 - 104, A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON ESTABLISHING NEW SEWER RATES.

**Budget Impact:** The proposed rate increase would increase the Sewer Fund revenues by an estimated \$50,000 each year.

**Alternatives:** Modify the rates or deny the resolution. City Council choosing either alternative will require scheduling special meetings to begin making decisions on modifications to the 2014 Budget.

**CITY OF PACIFIC, WASHINGTON  
RESOLUTION NO. 14-105**

**A RESOLUTION OF CITY OF PACIFIC, WASHINGTON,  
ESTABLISHING NEW SANITARY SEWER RATES**

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**WHEREAS**, The City of Pacific operates and maintains a wastewater collection system which is conveyed to King County for treatment; and

**WHEREAS**, King County has increased the rate it charges the City of Pacific for wastewater treatment; and

**WHEREAS**, it is necessary for the City to increase its sewer charges to cover King County's treatment charges and additional costs for system maintenance and operations; and

**WHEREAS**, a public hearing on the proposed rate increase was held before City Council on January 27, 2014; and

**WHEREAS**, Pacific Municipal Code Ordinance #1515 set forth the process for changing future sanitary sewer rates by resolution;

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, AS FOLLOWS:**

**Section 1.** Monthly Sanitary Sewer Rate

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

\$59.79 for each residential unit (\$39.79 Metro Charge and \$20.00 City of Pacific charge)

B. Non-Residential and Multiple Residential Uses:

Charges will be based on water usage as determined by water meter readings with a basic unit price of \$59.79 charged for the first 700 cubic feet of water consumption. Fractions of cubic feet over 700 cubic feet will be charged at \$8.54 per 100 cubic feet. A minimum \$59.79 will be charged for non-residential and multi-family residential use (duplexes, apartments, mobile home parks, etc.).

**Section 2.** This Resolution shall be published in the official newspaper of the City and shall take effect March 1, 2014.

APPROVED BY THE CITY COUNCIL ON \_\_\_\_\_, 2014.

\_\_\_\_\_  
LEANNE GUIER, MAYOR

ATTEST:

\_\_\_\_\_  
AMY STEVENSON-NESS, CITY CLERK

Approved as to form:

\_\_\_\_\_  
KEN LUCE, CITY ATTORNEY



**AGENDA ITEM NO. 8D**

**Agenda Bill No. 14-017**

**TO:** Mayor Guier and City Council Members

**FROM:** Darcie Thach, Assistant Director Community Services

**MEETING DATE:** February 10, 2014

**SUBJECT:** Tummy Yummies LLC. Vending Machines

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**ATTACHMENTS:** Resolution 14-111  
Contract with Tummy Yummies

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**Previous Council Review Date:** February 3, 2014

**Summary:** There is interest in placing vending machines in the Senior Center and in City Hall by the Council Chambers/Court. The contract will provide for 10% of the profits from sales to the City.

**Recommendation/Action:** Recommend to accept contract for Tummy Yummies LLC.

**Motion for Consideration:** I move to adopt Resolution 14-111 approving a contract with Tummy Yummies LLC, to locate vending machines in the Senior Center and in City Hall.

**Budget Impact:** Ten percent of profits will be provided to the City of Pacific

**Alternatives:**

**City of Pacific  
Washington**

**RESOLUTION NO. 14 – 111**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON APPROVING  
AN AGREEMENT WITH TUMMY YUMMIES, LLC, TO LOCATE VENDING MACHINES IN THE  
SENIOR CENTER AND IN CITY HALL**

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**WHEREAS**, there is interest in placing vending machines in the Senior Center and in City Hall, and

**WHEREAS**, Tummy Yummies, LLC, will pay 10% of the profits from sales to the City, and

**WHEREAS**, the City of Pacific encourages the promotion of resident-owned businesses ,

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

**Section 1.** The Pacific City Council hereby authorizes the Mayor to enter into an agreement with Tummy Yummies, LLC for placement of vending machines in the Senior Center and City Hall.

**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 10<sup>th</sup> DAY OF  
FEBRUARY, 2014.**

CITY OF PACIFIC

\_\_\_\_\_  
Leanne Guier, Mayor

Attest:

\_\_\_\_\_  
Amy Stevenson-Ness, City Clerk

Approved as to form:

\_\_\_\_\_  
Kenyon Luce, City Attorney

## Service Agreement

Date \_\_\_\_\_

Operator: Tummy Yummies LLC

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Service Address: \_\_\_\_\_

### Terms

1. Exclusive Vending Right

Company hereby grants, during the term hereof, including any extension terms, the right to Tummy Yummies LLC to sell and dispense, by coin-operated vending machines, or otherwise, food, candy, non-alcoholic beverages at Company's premises, identified above, or such other premises to which Company may subsequently move its business operations.

2. Terms/Extension of Term

a. The term of this Agreement shall be for a period of \_\_\_\_ years, beginning on the \_\_\_\_ day of \_\_\_\_, and ending on the \_\_\_\_ day of \_\_\_\_\_. However, the term shall automatically be extended for a similar period of time unless either party gives to the other party ninety (90) days written notice of intent to terminate prior to the end of the initial term or the end of an extended term, as the case may be.

b. Tummy Yummies LLC has agreed to pay 10% of profit from the vending machine installed at the Company premises to be made payable to the

\_\_\_\_\_  
This payment shall be made on a quarterly basis.

3. Obligation of Tummy Yummies LLC

As the vendor, Tummy Yummies LLC shall be responsible to:

a. Furnish vending machines and related apparatus, as Tummy Yummies LLC determines appropriate and necessary, to adequately and properly service the needs of the Company.

- b. Install, service and maintain the vending machines and apparatus and to regularly keep the machines stocked with current, fresh, and marketable products.
- c. Pay, when due, all governmental licenses fees or permits resulting from the placement or use of the vending machines or apparatus on Company's premises,

4. Obligation of Company

Company shall be responsible to:

- a. Allow the installation and placement of the vending machines and apparatus in prominent locations inside Company's premises, and further, to allow the replacement and removal of the said machines or apparatus as determined appropriate from time to time by Tummy Yummies, LLC.
- b. Provide utility services (electricity and/or water) connections to the place where the vending machines and/or apparatus is to be situated, and to pay current, all utility charges arising from the use and operation of the said machines and apparatus on Company's premises.

5. Ownership of Vending Machines and Apparatus

All vending machines, related apparatus, product, and coin/cash in the machines or apparatus shall be owned exclusively by Tummy Yummies LLC and the Company shall have no right of ownership, claim of lien, or other ownership right of the said machines and apparatus on Company's premises.

6. Default-Termination

If either party fails to perform its obligations under this contract, the other party shall have the right to give to the party who has failed to perform its obligations thirty (30) days written notice of the breach by registered mail. If the breach, as specified in the notice, is not cured within the said 30 day period, then the party sending the notice shall have the right to terminate this contract.

Tummy Yummies LLC

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

Title: \_\_\_\_\_

Company \_\_\_\_\_

Title \_\_\_\_\_



**Agenda Bill No. 14-021**

**TO:** Mayor Guier and City Council Members  
**FROM:** Paula Wiech, Planner  
**MEETING DATE:** February 10, 2014  
**SUBJECT:** **Park Board Earth Day and Pacific Days Events**

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**ATTACHMENTS:**

Resolution No. 14-106, Approving Park Board participation in 2014 Earth Day events.

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**Previous Council Review Date:**

**Summary:** Park Board duties are established by Pacific Municipal Code Chapter 2.38.050 Powers and Duties; and 2.38.050 (D) provides that the Board shall perform such other services and studies as may be requested by the City Council.

Earth Day Event, Resolution No. 14-106: To engage the community with their parks, open space and trails, the Park Board has co-sponsored (with other organizations such as Friends of the Lower White River and Pacific Partnerships) an annual "Earth Day" Clean Up for many years. This year's Earth Day event will be based on the Green Cities Campaign for Earth Day 2014, which is focused on three key elements: buildings, energy and transportation. No trash pickup contest will be held in Pacific. The Pacific event is planned to include an Informational Fair with vendor displays, recycling/trash drop off, a lunch, and other activities to involve all members of the community. It is scheduled for April 26, 2014.

**Recommendation/Action:**

Approve Resolution No 14-106: Pacific Park Board Participation in an April 26, 2014 Earth Day event.

**Motions for Consideration:** I move to approve Resolution No 14-106 authorizing Pacific Park Board Participation in an April 26, 2014, Earth Day event.

**Budget Impact:**

**Alternatives:**

**CITY OF PACIFIC  
WASHINGTON**

**RESOLUTION NO. 14-106**

**A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, APPROVING THE  
PARK BOARD'S PARTICIPATION IN THE 2014 EARTH DAY EVENT**

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**WHEREAS**, the Park Board duties are established by Pacific Municipal Code Chapter 2.38.050 Powers and duties; and

**WHEREAS**, 2.38.050 (D) provides that the Board shall perform such other services and studies as may be requested by the City Council; and

**WHEREAS**, as a mechanism to engage the community of Pacific to take pride in their city, the Park Board would like to co-sponsor (with other organizations such as Friends of the Lower White River and Pacific Partnerships) the annual "Earth Day" event. The event, which will include a lunch and other activities to educate and involve all members of the community, is slated to be held on April 26, 2014; and

**WHEREAS**, as a result of this "sponsorship" and the benefit to City facilities, fees associated with the use of the City Hall Campus facilities, will be gratis in accordance with the terms of the most recently adopted City Fee Schedule; and

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

**Section 1.** The Pacific City Council hereby requests the Park Board to co-sponsor, assist in the planning and to participate in the annual Earth Day event, to be held on April 26, 2014.

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

**PASSED BY THE CITY COUNCIL AT ITS REGULAR MEETING THEREOF  
ON THE 10th DAY OF FEBRUARY 2014.**

CITY OF PACIFIC

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Leanne Guier, Mayor

ATTEST:

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Amy Stevenson-Ness, City Clerk

Approved as to Form

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Kenyon Luce, City Attorney

FILED WITH THE CITY CLERK: 12.10.12  
PASSED BY THE CITY COUNCIL:  
EFFECTIVE DATE:  
RESOLUTION NO. 12-1222



**Agenda Bill No. 14-021**

**TO:** Mayor Guier and City Council Members  
**FROM:** Paula Wiech, Planner  
**MEETING DATE:** February 10, 2014  
**SUBJECT:** **Pacific Days Event**

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**ATTACHMENTS:**

Resolution No. 14-107, Approving Park Board participation in 2014 Pacific Days events.

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**Previous Council Review Date:**

**Summary:** Park Board duties are established by Pacific Municipal Code Chapter 2.38.050 Powers and Duties; and 2.38.050 (D) provides that the Board shall perform such other services and studies as may be requested by the City Council.

Pacific Days Event, Resolution No. 14-107: Pacific Partnerships has annually hosted "Pacific Days" for several years. This event provides community building, tourism and participation in the City Parks. The Park Board would like to co-sponsor 2014 events with Pacific Partnerships in Pacific City Park. The event is slated to be held July 11<sup>th</sup> – 13<sup>th</sup> 2014.

**Recommendation/Action:**

Approve Resolution No 14-107: Pacific Park Board Participation in the 2014 Pacific Days events.

**Motions for Consideration:** I move to approve Resolution No 14-107 authorizing Pacific Park Board Participation in the 2014 Pacific Days events.

**Budget Impact:**

**Alternatives:**

**CITY OF PACIFIC  
WASHINGTON**

**RESOLUTION NO. 14-107**

**A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, APPROVING  
THE PARK BOARD'S PARTICIPATION IN THE 2014 PACIFIC DAYS EVENT**

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**WHEREAS**, the Park Board duties are established by Pacific Municipal Code Chapter 2.38.050 Powers and duties; and

**WHEREAS**, 2.38.050 (D) provides that the Board shall perform such other services and studies as may be requested by the City Council; and

**WHEREAS**, Pacific Partnerships annually hosts "Pacific Days" that provides community building, tourism and participation in the City Parks; and

**WHEREAS**, the Park Board would like to co-sponsor with Pacific Partnerships the 2014 annual "Pacific Days" event, held in Pacific's River Park. The event is slated to be held July 11<sup>th</sup> – 13<sup>th</sup> 2014; and

**WHEREAS**, as a result of this "sponsorship" and the benefit to the City and its' facilities, fees associated with the use of the City facilities will be gratis in accordance with the terms of the most recently adopted City Fee Schedule; and

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

**Section 1.** The Pacific City Council hereby requests the Park Board to co-sponsor, assist in the planning and to participate in the annual Pacific Days event.

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

**PASSED BY THE CITY COUNCIL AT ITS REGULAR MEETING  
THEREOF ON THE 10TH DAY OF FEBRUARY 2014.**

CITY OF PACIFIC

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Leanne Guier, Mayor

ATTEST:

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Amy Stevenson-Ness, City Clerk

Approved as to Form

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Kenyon Luce, City Attorney

FILED WITH THE CITY CLERK: 12.10.12  
PASSED BY THE CITY COUNCIL:  
EFFECTIVE DATE:  
RESOLUTION NO. 12-1222



**Agenda Bill No. 14-022**

**TO:** Mayor Guier and City Council Members  
**FROM:** Ken Barnett  
**MEETING DATE:** February 10, 2014  
**SUBJECT:** Public Works Vehicle Purchase

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**ATTACHMENTS:**

Resolution Number 14- 108

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**Previous Council Review Date: February 3, 2014**

**Summary:**

The current Public Works staff vehicle is a 1998 Chevrolet Astro Van that is in poor condition with 90,977 miles. Public Works has not replaced any vehicles since 2007 and is in need of a safe and reliable vehicle for City staff. Staff is looking for a low mileage (under 40,000 miles) vehicle and requests up to \$15,000.00 for the purchase.

**Recommendation/Action:**

Authorize up to \$15,000.00 for purchase of a used Vehicle

**Motion for Consideration:**

I move to adopt Resolution No. 14-108 authorizing the Interim Public Works Director to purchase a used vehicle not to exceed \$15,000.00.

**Budget Impact:**

\$15,000.00 from Equipment Replacement. Water, and Stormwater Fund

**Alternatives:**

**City of Pacific  
Washington**

**RESOLUTION NO. 14 - 108**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON  
AUTHORIZING THE PURCHASE OF A NEW OR USED VEHICLE FOR PUBLIC WORKS.**

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**WHEREAS**, the Public Works Department does have an Equipment Replacement Fund, and

**WHEREAS**, the Public Works Department does have a need for a new vehicle, and

**WHEREAS**, the vehicle to be replaced is a 1998 Chevrolet Astro Van in poor condition with 90,977 miles, and

**WHEREAS**, City Public Works staff need authorization and a budget amount to negotiate, and

**WHEREAS**, funds are available in the 2014 budget in the Water and Stormwater fund to purchase the vehicle,

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

**Section 1.** The Pacific City Council hereby authorizes the purchase of a used vehicle not to exceed \$15,000.00, and to be of low mileage.

**Section 3.** 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 XX<sup>th</sup> DAY OF  
FEBRUARY, 2014.**

CITY OF PACIFIC

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Leanne Guier, Mayor

Attest:

---

Amy Stevenson-Ness, City Clerk

Approved as to form:

---

Kenyon Luce, City Attorney



**Agenda Bill No. 14-023**

**TO:** Mayor Guier and City Council Members  
**FROM:** Amy Stevenson-Ness, City Clerk/Personnel Manager  
**MEETING DATE:** February 10, 2014  
**SUBJECT:** Hiring of temporary file clerk

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**ATTACHMENTS:** Resolution No. 14-109  
LOA with Teamsters Local 117

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**Previous Council Review Date:** February 3, 2014

**Summary:** Due to the staff shortage over the past year, a backlog of items needing to be filed has occurred. Staff is requesting the hire of a temporary file clerk to assist in the reduction of a backlog of filing for Public Works, Finance, and City Clerk Departments.

The position will be for 20 hours per week for a total of three months and will pay \$10.00 per hour.

Mayor Guier has spoken with the union representative and a draft letter of agreement from the union has been received.

**Recommendation/Action:** Authorize the mayor to hire a temporary employee to assist with filing.

**Motion for Consideration:** I move to adopt Resolution No. 14-109, authorizing the mayor to hire a temporary employee to perform clerical duties under the direction of the City Clerk.

**Budget Impact:**

**Alternatives:**

**CITY OF PACIFIC, WASHINGTON**

**RESOLUTION NO. 14 – 109**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC,  
WASHINGTON, AUTHORIZING THE MAYOR TO HIRE A TEMPORARY  
EMPLOYEE TO PERFORM CLERICAL DUTIES UNDER THE DIRECTION  
OF THE CITY CLERK.**

**WHEREAS**, several departments in the City of Pacific have been understaffed for many months; and

**WHEREAS**, during that time a large backlog of paperwork and filing has accumulated; and

**WHEREAS**, it is vital that documents be filed to create easier accessibility and location of documents,

**WHEREAS**, staff finds they are unable to bring the existing files up to date while performing other essential functions of their jobs; and

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

**Section 1.** The Mayor is authorized to hire a file clerk to provide support to staff in the City Clerk, Finance, and Public Works Departments on a limited, temporary basis.

**Section 2.** The rate of pay for this temporary position will be \$10.00 per hour without insurance, retirement or the accrual of leave time due to the temporary status of the position.

**Section 3.** This temporary position is not expected to exceed 240 hours. The Mayor will provide a progress report at the regular council meeting on May 5, 2014.

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

**PASSED BY THE CITY COUNCIL AT ITS REGULAR MEETING THEREOF ON THE  
xTH DAY OF FEBRUARY 2014.**

CITY OF PACIFIC

\_\_\_\_\_  
Leanne Guier, Mayor

ATTEST:

\_\_\_\_\_  
Amy Stevenson-Ness, City Clerk

Approved as to Form

\_\_\_\_\_  
Kenyon Luce, City Attorney

# LETTER OF AGREEMENT

By and Between

**CITY OF PACIFIC**  
(Public Works and Clerical Employees)

And

**TEAMSTERS LOCAL UNION NO. 117**  
Affiliated with the  
International Brotherhood of Teamsters

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**Re: Temporary File Clerk**

The City and the Union agree to a "Temporary File Clerk" position that is intended to support the Clerical crew. The position shall be limited to file work and the duration shall be for no more than twenty (20) hours per week and shall last no longer than three (3) months, at which time it shall be eliminated.

However, if the City decides to continue the position beyond this duration it shall be accreted into the bargaining unit, and the employee shall become a member of the bargaining unit.

All current bargaining unit members shall not incur a reduction of hours and/or be laid off while this temporary employee is employed by the City.

The Parties shall meet and discuss the continuation of the temporary position if any issues arise during the term of this Letter of Agreement.

The City will notify the Union of the start and end date of this position.

All other terms and conditions of the Agreement will remain in full force and effect.

**CITY OF PACIFIC, WA**  
**PUBLIC WORKS &**  
**CLERICAL EMPLOYEES**

**TEAMSTERS LOCAL UNION**  
**NO. 117, IBT**

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**LEANNE GUIER**  
Mayor

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**TRACEY A. THOMPSON**  
Secretary-Treasurer

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Date

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Date



**Agenda Bill No. 14-024**

**Agenda Staff Report**

**TO:** Mayor Guier and City Council Members  
**FROM:** Public Works  
**MEETING DATE:** February 10, 2014  
**SUBJECT:** Puget Sound Energy Relocation Agreement

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**ATTACHMENTS:** Resolution 14-110  
Agreement

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**Previous Council Review Date:** Public Works Committee February 5, 2014 and City Council Workshop February 3, 2014

**Summary:** The City has been working to construct needed improvements to the Stewart Road 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. 14-110.

**Motion for Consideration:** Move to approve Resolution No. 14-110, A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, APPROVING A THE PUGET SOUND ENERGY FACILITY RELOCATION AGREEMENT FOR THE STEWART ROAD CORRIDOR.

**Budget Impact:** The City will receive a pro rata share of the funds from TIB for the project.

**Alternatives:** This agreement is one more element allowing the City to finalize the Stewart Road project.

**CITY OF PACIFIC  
WASHINGTON**

**RESOLUTION NO. 14 - 110**

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

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WHEREAS, Puget Sound Energy (PSE) owns and operates overhead transmission and distribution power lines in easements in the Stewart Road corridor on property owned by Gordon Pacific, LLC and L & V Gordon, LLC, and

WHEREAS, the City of Pacific is acquiring a portion of the Gordon Pacific, LLC and L & V Gordon, LLC property encumbered by the operational easements where the PSE transmission and distribution lines and operational rights exist for the purposes of widening Stewart Road, and

WHEREAS, Puget Sound Energy will need to design and relocate their existing transmission and distribution lines to other areas within the existing easements or new 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 \$241,834.26 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

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LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

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AMY STEVENSON-NESS, CITY CLERK

APPROVED AS TO FORM:

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KEN LUCE, CITY ATTORNEY

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

## FACILITY RELOCATION AGREEMENT

This Agreement, dated as of \_\_\_\_\_, 2014, is made and entered into by and between Puget Sound Energy, Inc., a Washington corporation (“PSE”), and the City of Pacific, (“Government Entity”). PSE and the Government Entity are sometimes referred to herein individually as a "Party" and collectively as the “Parties.”

### RECITALS

A. PSE owns and operates certain utility systems and facilities necessary and convenient to the transmission and distribution of electricity ("Facilities") that are located on or in relation to certain operating rights ("Existing Operating Rights"). The Facilities and Existing Operating Rights are more particularly described on Exhibit A attached hereto and incorporated herein by this reference.

B. The Government Entity plans to construct improvements to Stewart Road between S.R. 167 to Valentine Ave SE (“Improvements”).

C. In connection with the Improvements, the Government Entity has requested that PSE perform certain engineering design work and certain construction work relating to modification or relocation of its Facilities (the "Relocation Work"), all in accordance with and subject to the terms and conditions of this Agreement, and any applicable tariff on file with the Washington Utilities and Transportation Commission (the “WUTC”).

D. The Government Entity has provided to PSE a written plan for the Improvements (the “Improvement Plan”) which includes, among other things, (a) plans and specifications sufficient in detail, as reasonably determined by PSE, for PSE to design and perform the Relocation Work, including reasonably detailed drawings showing the planned Improvements, (b) a list of the key milestone dates for the Improvements, and (c) information concerning possible conflicts between PSE's Facilities and other utilities or facilities.

The Parties, therefore, agree as follows:

### AGREEMENT

#### Section 1. Relocation Work

**1.1 Relocation Work.** The Relocation Work is described in Exhibit B attached to this Agreement.

**1.2 Performance of Relocation Work.** Subject to the terms and conditions of this Agreement and any applicable tariffs on file with the WUTC, PSE shall use reasonable efforts to perform the Relocation Work. PSE shall perform the Relocation Work in accordance with the schedule provided in Exhibit B (the “Relocation Schedule”) with

reasonable diligence in the ordinary course of its business and in light of any operational issues as to the remainder of its utility systems that may be influenced by the Relocation Work. PSE shall have no liability to the Government Entity or any third party, nor shall the Government Entity be relieved or released from its obligations hereunder, in the event of any delay in the performance of the Relocation Work due to any (a) repair, maintenance, improvement, renewal or replacement work on PSE's utility systems, which work is necessary or prudent as determined by PSE in its sole discretion; or (b) actions taken by PSE which are necessary or consistent with prudent utility practices to protect the performance, integrity, reliability or stability of PSE's utility systems or any systems to which such systems are connected.

**1.3 Adjustments to the Relocation Work.** PSE shall notify the Government Entity in writing of any reasonably anticipated adjustments to the Relocation Work (including the Relocation Schedule and/or Relocation Cost Estimate) that result from (a) the revision or modification of any Improvements in a manner that requires PSE to revise its plans and specifications for the Relocation Work; (b) delays in PSE's performance of the Relocation Work caused by the Government Entity (or its agents, servants, employees, contractors, subcontractors, or representatives); or (c) conditions or circumstances otherwise beyond the control of PSE. The Parties acknowledge that additional requirements not contemplated by the Parties may arise during the performance of the Relocation Work. In the event such additional requirements arise, the Parties shall provide written notice thereof and shall use good faith reasonable efforts to appropriately respond to such requirements in a prompt and efficient manner, including appropriate adjustments to the Relocation Schedule and/or the Relocation Cost Estimate.

**1.4 Performance by Government Entity.** In the event the Government Entity is unable to perform its obligations under Sections 2 and 3 below to PSE's reasonable satisfaction, and absent written waiver by PSE of such obligations, the Parties shall use reasonable efforts to adjust the Relocation Schedule to allow additional time for the Government Entity to perform such obligations; provided, that if the Parties cannot reasonably agree upon such schedule adjustment, PSE may, at its option, thereafter terminate this Agreement by giving written notice to the Government Entity, and the Government Entity shall promptly pay PSE the amounts payable to PSE in connection with such termination under Section 5.5. PSE's determination as to the satisfaction or waiver of any such condition under this Agreement shall not be deemed to be a determination of satisfaction or waiver of any other condition arising under this Agreement.

**1.5 Notice to Proceed with Construction Work.** At least 10 days prior to the date specified in the Relocation Schedule for commencement of construction for the Relocation Work, the Government Entity shall either (a) provide to PSE a written notice to proceed with such construction work, or (b) terminate this Agreement by written notice to PSE. In the event of such termination, the Government Entity shall promptly pay PSE the amounts payable to PSE in connection with termination under Section 5.5.

## **Section 2. Operating Rights.**

Unless otherwise provided for in Exhibit B, the Government Entity shall be solely responsible for the acquisition of, and any costs related to acquisition of any and all operating rights for the Facilities that are necessary or appropriate, in addition to or as replacement for the Existing Operating Rights, for completion of the Relocation Work ("New Operating Rights"). Such New Operating Rights shall be in PSE's name, shall be of equivalent quality and kind as the Existing Operating Rights and shall be provided in a form acceptable to PSE, all as determined by PSE in its sole discretion. The New Operating Rights shall be provided with sufficient title information demonstrating to PSE's satisfaction that PSE shall obtain clear, good and sufficient title to such rights, if applicable. PSE shall not be obligated to commence the Relocation Work, or otherwise in any way change, limit, curtail, impair or otherwise affect the normal and reliable operation of the Facilities as located upon or relative to the Existing Operating Rights, unless and until PSE is in possession of the New Operating Rights.

## **Section 3. Permits.**

The Government Entity shall be solely responsible for the acquisition of, and any costs related to acquisition of any and all permits, licenses, certificates, inspections, reviews, impact statements, determinations, authorizations, exemptions or any other form of review or approval given, made, done, issued or provided by any one or more governmental authorities with jurisdiction necessary or convenient for the Relocation Work (collectively, "Permits"). The Permits shall be on such terms and conditions as PSE shall, in its sole discretion, determine to be appropriate to its needs. PSE shall not be obligated to commence construction for the Relocation Work, or otherwise in any way change, limit, curtail, impair or otherwise affect the normal and reliable operation of the Facilities, unless and until PSE is in possession of all Permits necessary for the Relocation Work and all rights of appeal with respect to the Permits shall have been exhausted. The Government Entity shall be responsible for performance of and any costs associated with any mitigation required by the Permits.

## **Section 4. Materials and Ownership**

Unless specifically agreed otherwise in writing by the Parties, PSE shall provide all necessary materials, equipment and labor required to perform the Relocation Work. All materials, information, property and other items provided for, used or incorporated into the Relocation Work (including but not limited to the Facilities) shall be and remain the property of PSE.

## **Section 5. Relocation Costs**

**5.1 Estimate.** PSE's good faith estimate of the costs to perform the Relocation Work (the "Relocation Cost Estimate") is \$241,834.26 The Parties agree that the Relocation

Cost Estimate is an estimate only and PSE shall be entitled to reimbursement of all actual costs incurred in or allocable to the performance of the Relocation Work.

**5.2 Costs in Excess of Estimate.** PSE shall use reasonable efforts to monitor its actual costs incurred during the performance of the Relocation Work, and in the event PSE determines that such costs are likely to exceed the Relocation Cost Estimate by more than ten percent (10%), PSE shall so notify the Government Entity in writing. In such event PSE may, at its discretion, suspend performance the Relocation Work and PSE shall not be obligated to continue with performance of any Relocation Work unless and until PSE receives the Government Entity's written acceptance of PSE's revised Relocation Cost Estimate and written notice to proceed with the Relocation Work. In the event PSE does not receive such acceptance and notice from the Government Entity within ten (10) working days from the date of PSE's notice, then PSE may, at its discretion, terminate this Agreement. In the event of such termination, the Government Entity shall promptly pay PSE the amounts payable to PSE in connection with termination under Section 5.5.

**5.3 Relocation Costs.** The Government Entity shall be responsible for, and shall reimburse PSE for, all costs and expenses incurred by PSE in connection with the performance the Relocation Work (the "Relocation Costs"). For purposes of this Agreement, the Relocation Costs shall include, without limitation, any and all direct and indirect costs incurred by PSE in connection with the performance of the Relocation Work, including, but not limited to, labor, personnel, supplies, materials, overheads, contractors, consultants, attorneys and other professionals, administration and general expenses and taxes.

**5.4 Statement of Costs - Invoice.** Within sixty (60) days of the completion of the Relocation Work, PSE shall provide the Government Entity with a statement and invoice of the actual Relocation Costs incurred by PSE. PSE shall provide, within a reasonable period after receipt of any written request from the Government Entity, such documentation and information as the Government Entity may reasonably request to verify any such invoice.

**5.5 Costs Upon Termination of Agreement.** In the event either Party terminates this Agreement, the Government Entity shall promptly pay PSE, the following:

(a) all costs and expenses incurred by PSE in connection with the Relocation Work (including, without limitation, all Relocation Costs incurred through the date of termination and such additional costs as PSE may incur in connection with its suspension or curtailment of the Relocation Work and the orderly termination of the Relocation Work); and

(b) all costs and expenses incurred by PSE in returning and restoring the Facilities to normal and reliable commercial operations.

**5.6 Payment.** The Government Entity shall, within thirty (30) days after the receipt of an invoice for costs payable under this Agreement, remit to PSE payment for the full amount of the invoice.

## **Section 6. Indemnification**

**6.1 Government Entity.** The Government Entity releases and shall defend, indemnify and hold harmless PSE from all claims, losses, harm, liabilities, damages, costs and expenses (including, but not limited to, reasonable attorneys' fees) caused by or arising out of any negligent act or omission or willful misconduct of the Government Entity in its performance under this Agreement.

**6.2 PSE.** PSE releases and shall defend, indemnify and hold harmless the Government Entity from all claims, losses, harm, liabilities, damages, costs and expenses (including, but not limited to, reasonable attorneys' fees) caused by or arising out of any negligent act or omission or willful misconduct of PSE in its performance under this Agreement.

**6.3 Employment.** During the performance of such activities employees or contractors of each Party shall at all times remain employees or contractors, respectively, that Party and shall not be, or be construed to be, employees or contractors, respectively, of the other Party.

**6.4 Title 51 Waiver.** Solely for purposes of enforcing the indemnification obligations of a Party under this Section 6, each Party expressly waives its immunity under Title 51 of the Revised Code of Washington, the Industrial Insurance Act, and agrees that the obligation to indemnify, defend and hold harmless provided for in this Section 6 extends to any such claim brought against the indemnified Party by or on behalf of any employee of the indemnifying Party. The foregoing waiver shall not in any way preclude the indemnifying Party from raising such immunity as a defense against any claim brought against the indemnifying Party by any of its employees.

## **Section 7. Disclaimers and Limitation of Liability**

**7.1 Disclaimer.** PSE makes no representations or warranties of any kind, express or implied, with respect to the Relocation Work or other items or services provided under this Agreement including, but not limited to, any implied warranty of merchantability or fitness for a particular purpose or implied warranty arising out of course of performance, course of dealing or usage of trade.

**7.2 Limitation of Liability.** In no event shall PSE be liable, whether in contract, warranty, ~~tert~~ or otherwise, to any other party or to any other person for any indirect, incidental, special or consequential damages arising out of the performance or nonperformance of the Relocation Work or this Agreement.

## **Section 8. Miscellaneous**

**8.1 Tariffs Control.** This Agreement is in all respects subject to all applicable tariffs of PSE now or hereafter in effect and on file with the WUTC. In the event of any

conflict or inconsistency between any provision of this Agreement and any such tariff, the terms of the tariff shall govern and control.

**8.2 Survival.** Sections 2, and 4 through 8 shall survive any termination of this Agreement. Subject to the foregoing, and except as otherwise provided herein, upon and following termination of this Agreement neither Party shall have any further obligations arising under this Agreement and this Agreement shall be of no further force or effect.

**8.3 Waiver.** The failure of any Party to enforce or insist upon strict performance of any provision of this Agreement shall not be construed to be a waiver or relinquishment of any such provision or any other provision in that or any other instance; rather, the same shall be and remain in full force and effect.

**8.4 Entire Agreement.** This Agreement, including any exhibits hereto, sets forth the complete and integrated agreement of the Parties. This Agreement cannot be amended or changed except by written instrument signed by the Party to be bound thereby.

**8.5 Force Majeure.** In the event that either Party is prevented or delayed in the performance of any of its obligations under this Agreement by reason beyond its reasonable control (a "Force Majeure Event"), then that Party's performance shall be excused during the Force Majeure Event. Force Majeure Events shall include, without limitation, war; civil disturbance; flood, earthquake or other Act of God; storm or other condition which necessitates the mobilization of the personnel of a Party or its contractors to restore utility service to customers; laws, regulations, rules or orders of any governmental agency; sabotage; strikes or similar labor disputes involving personnel of a Party, its contractors or a third party; or any failure or delay in the performance by the other Party, or a third party who is not an employee, agent or contractor of the Party claiming a force Majeure Event, in connection with the Relocation Work or this Agreement. Upon removal or termination of the Force Majeure Event, the Party claiming a Force Majeure Event shall promptly perform the affected obligation in an orderly and expedited manner under this Agreement or procure a substitute for such obligation. The Parties shall use all commercially reasonable efforts to eliminate or minimize any delay cause by a Force Majeure Event.

**8.6 Enforceability.** The invalidity or unenforceability of any provision of this Agreement shall not affect the other provisions hereof, and this Agreement shall be construed in all respects as if such invalid or unenforceable provisions were omitted.

**8.7 Notice.** Any notice, request, approval, consent, order, instruction, direction or other communication under this Agreement given by either Party to the other Party shall be in writing and shall be delivered in person to an authorized representative or mailed, properly addressed and stamped with the required postage, to the intended recipient at the address and to the attention of the person specified below the Parties' respective signatures on this Agreement. Either Party may from time to time change such address by giving the other Party notice of such change in accordance with this section.

**8.8 Governing Law.** This Agreement shall be interpreted, construed and enforced in all respects in accordance with the laws of the State of Washington. This Agreement shall be fully binding upon the Parties and their respective successors, assigns and legal representatives.

In witness whereof, the Parties have executed this Agreement as of the date set forth above.

PSE:

Government Entity:

**Puget Sound Energy, Inc.**

\_\_\_\_\_

By \_\_\_\_\_  
Its Municipal Liaison Manager  
Address: 6905 S. 228<sup>th</sup> Street  
Kent, WA 98032  
Attn: Doug Corbin

By \_\_\_\_\_  
Its \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Attn: \_\_\_\_\_

## **EXHIBIT A**

### **FACILITIES AND EXISTING OPERATING RIGHTS**

**Facilities:** 1,300 feet of 115kV transmission lines and 1,700 feet of 12.5kV distribution underbuild and associated equipment which includes five transmission poles, four distribution poles and one guy stub pole.

**Operating Rights:**

-100' Wide easement rec# 9512180206

-100' Wide easement rec# 9802130464

## **EXHIBIT B**

### **RELOCATION WORK**

**(TO INCLUDE A DESCRIPTION OF THE WORK TO BE PERFORMED BY PSE TOGETHER WITH A SCHEDULE FOR THE PERFORMANCE OF THE WORK AND A DESCRIPTION OF ANY NEW OPERATING RIGHTS REQUIRED FOR THE PERFORMANCE OF THE WORK)**

**Work:** Relocate 1,300 circuit feet of 115kV transmission lines, 1,700 circuit feet of 12.5kV distribution under build and associated equipment. Replace five transmission poles, four distribution poles and one guy stub pole. Additional work will be done as a franchise requirement, this additional work is located on the South side of Stewart and those costs are not included in the estimates for this project. In addition the work at the intersection of Stewart and Valentine includes only the Stewart road relocation. It is necessary for this project to be done in coordination with the Valentine road widening or additional costs will be incurred.

**Schedule:** Work will begin approximately 10 days after PSE receives a fully executed Facility Relocation Agreement from the Government Entity and all necessary operating rights as indicated in Section 2 of the Agreement have been obtained. In addition, all pre-load currently on the site must be removed prior to PSE commencing construction. All work shall be done between the hours of 7:00 am and 5:00 pm Monday through Friday. PSE will work continuously until all new poles, wire and associated equipment have been installed. Removal of existing poles will begin within 10 days after the removal by others of all other utilities from all PSE poles replaced on this project.

#### **New Operating Rights:**

-Replacement 20' Easement on parcels 0420021015 & 0420021062. Said easement adjoins the North line of PSE's existing easement rec# 9512180206

-Consent for Use document on the North 15' of the 35' Road ROW take by City of Pacific

-Anchor easement at approximately 18+55 RT for PSE transmission pole 2/9.



**AGENDA ITEM NO. 8J**

**Agenda Bill No. 14-012**

**TO:** City Council Members

**FROM:** Mayor Leanne Guier

**MEETING DATE:** February 10, 2014

**SUBJECT:** Sound Cities Association Position regarding the formation of a Transportation Benefit District in King County

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**ATTACHMENTS:** SCA PIC Agenda Item

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**Previous Council Review Date:** January 21, 2014 Workshop

**Summary:** Does the City Council want to support the County Council position regarding the formation of a county-wide transportation benefit district for King County?

**Recommendation/Action:**

**Motion for Consideration:**

**Budget Impact:**

**Alternatives:**



January 8, 2014  
SCA PIC Meeting

**Item 9:**  
Transportation Funding  
*Potential Future Action Item*

*Do you want to Support  
the County Council position  
Benefit  
district*

**SCA Staff Contact**

Deanna Dawson, Executive Director, office 206-433-7170, [Deanna@soundcities.org](mailto:Deanna@soundcities.org)  
Monica Whitman, Senior Policy Analyst, office 206-433-7169, [monica@soundcities.org](mailto:monica@soundcities.org)

**Potential future action:**

**To bring the following policy position back for adoption at the next PIC meeting:**

In order to address the critical transportation needs facing King County and cities throughout the County, the Sound Cities Association supports the formation of a countywide Transportation Benefit District (TBD), with 60% of the funds going to Metro for transit funding and 40% being distributed to the County and cities based on population for other transportation needs including local roads, sidewalks, bike paths, additional transit, and other transportation purposes as determined by the particular needs of the local jurisdiction. In order to ensure that dollars can be used as effectively and efficiently as possible to address the pressing transportation needs of each individual jurisdiction and to avoid the creation of additional burdensome bureaucracies, the funding raised should be provided to local jurisdictions through a direct distribution.

**Background**

On June 19, 2013 the Sound Cities Association Board unanimously adopted a position of support for passage of a statewide transportation package in order to address our state's critical transportation infrastructure needs. The Board also adopted a position of support for additional local options to address the transportation needs of counties and cities. Specifically, SCA urged the legislature to give local jurisdictions an additional funding mechanism in the form of authority to enact an up to 1.5% Motor Vehicle Excise Tax. SCA also supported the legislature designate that in King County, 60% of revenues raised by this funding mechanism be allocated to transit, with 40% allocated to cities and the county (distributed based on population) for local transportation needs.

Despite numerous negotiating sessions, the legislature was unable to come to agreement on a package in 2013. ([See attachment A, Joint Statement from the Governor and bipartisan House and Senate transportation negotiators on transportation revenue package negotiations.](#))

Meanwhile, our cities and King County face significant transportation needs. While sales tax projections and labor negotiations with Amalgamated Transit Union (ATU) Local 587 have been encouraging, King County still faces the need for significant cuts to service at Metro Transit without additional funding sources. These cuts would be particularly devastating to residents of SCA member cities. As noted in past discussions, the bus is the family car for many residents in our cities. Substantial cuts to bus service would make it difficult or impossible for residents to get to their jobs, and needed community services.

The need for additional transportation funding for local roads and other local transportation infrastructure is similarly critical. Cities in King County maintain five thousand five hundred miles of streets plus bridges, sidewalks, drainage systems, traffic signals, bicycle and pedestrian facilities and trails. Revenue sources currently available to cities are not keeping pace with the costs of replacement and expansion to meet growth. King County cities have experienced a substantial downturn in revenues in the past decade. Many cities in King County have been forced to supplement their road funds with general fund dollars, which have themselves not been keeping pace with inflation. Using general fund dollars to maintain roads and other transportation infrastructure means that there are fewer dollars available to fund public safety, parks, human services, and other critical city services.

A lack of dedicated funding for transportation projects has made it increasingly difficult for King County cities to raise matching funds to compete for State and Federal transportation grant dollars, and State and Federal transportation grant opportunities have dwindled. King County cities are beset by failing roads and bridges, congested corridors and bottlenecked interchanges, which undermine the mobility of vehicles, buses and freight carriers to transport people and goods.

Cities in King County have over \$1.3 billion in maintenance and preservation needs alone over the next six years, and have identified a need of over \$3 billion for mobility projects over the next six years. Cities in King County are responsible for the repair and replacement of 22 bridges in King County with a sufficiency rating of fifty or less, equating to more than \$775 million in bridge repair/replacement costs over the next six years. The lack of adequate transportation funding for Cities is a public safety crisis in King County.

In 2013, the State Legislature balanced its operating budget in part by transferring all available funds from the Public Works Trust Fund, and directed most of the future tax revenues for the Public Works Trust Fund into K-12 education for the next six years. The Public Works Trust Fund provided grants and low-interest loans to local governments for the repair and maintenance of infrastructure. This action by the Legislature has resulted in a substantial reduction of funds available for King County cities, and has been a particular blow to smaller cities in King County.

Without an additional source of revenue, many transportation infrastructure projects planned by cities will not be able to move forward.

Many member cities have indicated that they cannot afford to wait for additional funding to maintain their transportation infrastructure.

Due to these needs, the King County Council is looking at moving forward with a ballot measure in 2014 to provide additional funding for transit, roads, and other transportation infrastructure. Existing State law would enable the King County Council to create a Transportation Benefit District (TBD), and (with voter approval) to raise revenues through funding sources including a sales tax, and a vehicle license fee. The County Council and Executive have proposed bringing this forward to the voters as a ballot measure as early as April 2014. Prior to going on recess in 2013, the County Council introduced two ordinances which would (if approved) establish a countywide TBD (see attachments B and C). The language is very similar in both ordinances. The second ordinance, attachment C, includes a resolution (see attachment D) authorizing the TBD to impose a sales tax and vehicle license fee with voter approval.

Existing State law enables a County to form a TBD and to enact (with voter approval) a sales tax of up to .2% and a vehicle license fee of up to \$100. Many cities in King County have formed their own TBD and enacted a vehicle license fee of \$20. A vehicle license fee of \$80 or less would not interfere with these already enacted TBDs, or cities that may wish to create a TBD within their cities in the future.

A .1% sales tax would raise approximately \$50 million annually, and a \$60 vehicle license fee would raise approximately \$80 million annually. Combined, these sources would raise over \$130 million, which is similar in scope to the approximately \$140 million that would have been raised by the local option sought by SCA from the legislature in 2013. (According to recent estimates, the total allocation to King County cities based on this funding source and the 60/40 revenue sharing proposal would amount to over \$53,000,000 in 2015.)

The proposal before the PIC is to bring forward a public policy position similar to that approved by SCA in 2013, and to support formation of a countywide TBD, with 60% of the funds going to Metro for transit funding and 40% being distributed to the County and cities based on population for other transportation needs. These would include local roads, but may also include sidewalks, bike paths, additional transit, or other transportation purposes, as determined by the particular needs of the local jurisdiction. In order to ensure that dollars can be used as effectively and efficiently as possible to address the pressing transportation needs of each individual jurisdiction and to avoid the creation of additional burdensome bureaucracies, it is proposed that the funding raised be provided to local jurisdictions through a direct distribution.

The proposal supported by SCA in 2013 was born of much collaboration and compromise between SCA's member cities, the City of Seattle, and King County, who worked together to come up with a package that could serve the needs of citizens and jurisdictions throughout our county. It is a balanced package that ensures that transportation needs are addressed holistically, with a healthy mix of funding for transit, rural roads, city streets, and other transportation needs in cities. We recognize that we cannot view our infrastructure needs in isolation, and that we need to partner together to make strategic investments now as a region in order to keep our economy growing.

The proposal has been supported by a broad coalition of local leaders, and SCA has been working in close partnership with a countywide coalition of regional community, business and labor leaders, and environmental, transit, education, social services, and social justice advocates known as Move King County Now. Due to the fact that the legislature did not pass a statewide transportation package or give local jurisdictions new tools to address their transportation needs in 2013, this coalition is now focused on moving forward with using existing tools to solve the transportation funding crisis in King County.

The County Council is on recess until January 13, 2014, and may move quickly upon returning if an April ballot date is chosen. PIC Chair Bernie Talmas, SCA Vice President John Marchione, and SCA Executive Director Deanna Dawson will keep SCA members informed of ongoing developments and need for possible action between the January 8, 2014 PIC meeting date and our next regularly scheduled PIC meeting on February 12, 2014.

#### **Attachments**

- A. Joint Statement from the Governor and bipartisan House and Senate transportation negotiators on transportation revenue package negotiations
- B. TBD Ordinance 2013-0527
- C. TBD Ordinance 2013-0526
- D. Resolution authorizing sales tax and vehicle license fee

JAY INSLEE  
Governor



STATE OF WASHINGTON  
Office of the Governor

Dec. 18, 2013

**Contacts:**

David Postman, Governor Inslee's Communications Office | 360-902-4136,  
[david.postman@gov.wa.gov](mailto:david.postman@gov.wa.gov)

**Joint Statement issued tonight from Governor Jay Inslee and the bipartisan House and Senate transportation negotiators on the next phase of transportation revenue package negotiations**

"Through 12 negotiating sessions we made progress on finding a compromise package of statewide transportation improvements. But today it has become clear this phase of the process has run its course and we have not reached an agreement.

"We agree that transportation infrastructure is important to our state and we remain committed to finding a solution in the regular legislative session that works for everyone.

"The next step in this process will be to continue this dialogue in the legislative process."

###

[www.governor.wa.gov](http://www.governor.wa.gov) | [@GovInslee](https://twitter.com/GovInslee) [@WaStateGov](https://twitter.com/WaStateGov) | [www.facebook.com/WaStateGov](https://www.facebook.com/WaStateGov)

Date Created:	12-16-13
Drafted by:	jr
Sponsors:	Rod Dembowski, Kathy Lambert, Larry Phillips
Attachments:	

1 ..title

2 AN ORDINANCE creating a countywide transportation  
 3 benefit district as authorized by chapter 36.73 RCW.

4 ..body

5 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

6 SECTION 1. Findings:

7 A. The 2008 recession had a deep and enduring impact to the economy in King  
 8 County, causing property and sales tax revenues that fund government transportation  
 9 services to drop unexpectedly.

10 B. As the largest labor market in the state, failure of the transportation system in  
 11 King County will have far reaching economic impacts across Washington.

12 C. The King County transit division ("Metro") is vital to the region's economic  
 13 health. Metro provided over one hundred fifteen million passenger trips in 2012 with  
 14 ridership expected to grow, more than one thousand five hundred companies provide  
 15 transit passes to their employees, over half of Metro's passengers are commuters and  
 16 current service levels keep approximately one hundred seventy-five thousand cars off our  
 17 roads every weekday.

18 D. Sales tax currently provides for sixty percent of Metro's operating fund, and  
 19 reductions in property tax revenue and the lack of growth in gas tax revenue will limit  
 20 key funding sources for city and unincorporated King County transportation projects.

21 E. The twenty-dollar congestion reduction charge authorized in 2011 was a  
22 temporary measure while sustainable funding solutions were developed. The authority  
23 for this implemented funding source expires at the end of May 2014.

24 F. In 2011, the King County council adopted the landmark King County Metro  
25 Transit Strategic Plan for Public Transportation and Service Guidelines that established a  
26 new course that prioritizes productivity, social equity and geographic value in the  
27 ongoing development of the Metro system.

28 G. To respond to decreased revenues during the recession, Metro undertook a  
29 number of measures to preserve service. Metro implemented system-wide reforms,  
30 including restructuring the transit system to improve productivity and effectiveness and  
31 discontinuing the Ride Free Area in downtown Seattle, saving nearly eight hundred  
32 million dollars over five years. Metro has also increased revenue for transit through  
33 property tax changes, through the implementation of the temporary congestion reduction  
34 charge and through multiple fare increases raising fares by eighty percent since 2008.

35 H. Metro still faces an ongoing annual revenue shortfall up to seventy-five  
36 million dollars to maintain existing service levels. Without new revenue, Metro will face  
37 up to a seventeen-percent cut in service, or approximately six hundred thousand annual  
38 hours of service cuts beginning in fall 2014.

39 I. The King County road services division ("road services") is responsible for an  
40 unincorporated area road system that supports more than one million trips per day. The  
41 system consists of about one thousand five hundred miles of county roads and one  
42 hundred eighty bridges, plus numerous sidewalks and pathways, traffic signs and signals,  
43 drainage pipes and culverts and other critical transportation infrastructure.

44 J. Road services' funding for maintenance of roads and bridges has declined by  
45 more than one-third since 2009 due to annexations, declining property values, less state  
46 and federal grant support and lower gas tax revenue. At the same time, the volume of  
47 county road miles has not dropped proportionally while transportation safety,  
48 preservation and other needs are increasing due to aging infrastructure, population  
49 growth, development and changing travel patterns.

50 K. Property tax is road services's primary funding source, and property values in  
51 unincorporated King County have declined significantly since the start of the recession.  
52 The ability of property tax revenue to recover from its depressed levels is impeded by  
53 statutory constraints limiting growth in tax collections to one percent per year, lower than  
54 the rate of inflation.

55 L. Gas tax revenues, another major source of funding for road services, will not  
56 increase with the rate of inflation as gasoline consumption stagnates due to more fuel  
57 efficient cars and fewer vehicle miles travelled and because the tax rate per gallon is  
58 fixed and does not adjust with inflation.

59 M. Future grant funding for capital projects is also uncertain as federal and state  
60 decision-makers choose between competing interests for limited dollars.

61 N. The Strategic Plan for Road Services was approved by the council in 2010 to  
62 provide key guidance to the agency about work priorities, including infrastructure service  
63 and investment decisions. The plan gives top priority to basic goals: comply with legal  
64 requirements; meet critical safety needs; and maintain and preserve the existing road  
65 network.

66 O. Road services is reducing costs through reductions in management and  
67 administrative costs, space consolidation and reductions to fleet equipment, and has  
68 already reduced division staff by forty percent and implemented changes to service  
69 priorities.

70 P. It is the county's responsibility to maintain, preserve and operate the  
71 unincorporated area road system, and without dedicated funding to stabilize the declining  
72 road system, roads services expects to close thirty-five bridges before they become  
73 unsafe, restrict access to seventy-two miles of failing roadways and reduce storm service  
74 on snowy and icy roads.

75 Q. Cities in King County maintain five thousand five hundred miles of streets  
76 plus bridges, sidewalks, drainage systems, traffic signals, bicycle and pedestrian facilities  
77 and trails. Existing facilities are aging.

78 R. King County cities have experienced a substantial downturn in revenues in the  
79 past decade. Many cities in King County have been forced to supplement roads funds  
80 with general fund dollars, which have themselves not been keeping pace with inflation.  
81 Using general fund dollars to maintain roads and other transportation infrastructure  
82 means that there are fewer dollars available to fund public safety, parks, human services,  
83 and other critical city services.

84 S. A lack of dedicated funding for transportation projects has made it  
85 increasingly difficult for King County and King County cities to raise matching funds to  
86 compete for State and Federal transportation grant dollars, and State and Federal  
87 transportation grant opportunities have dwindled.

88 T. King County cities are beset by failing roads and bridges, congested corridors  
89 and bottlenecked interchanges, which undermine the mobility of vehicles, buses and  
90 freight carriers to transport people and goods.

91 U. Cities in King County have over \$1.3 billion in maintenance and preservation  
92 needs alone over the next six years, and have identified a need of over \$3 billion for  
93 mobility projects over the next six years. Cities in King County are responsible for the  
94 repair and replacement of 22 bridges in King County with a sufficiency rating of fifty or  
95 less, equating to more than \$775 million in bridge repair/replacement costs over the next  
96 six years. The lack of adequate transportation funding for Cities is a public safety crisis in  
97 King County.

98 V. In 2013, action by the State Legislature related to the Public Works Trust  
99 Fund resulted in a substantial reduction of funds available for King County cities,  
100 including a greater relative impact on smaller cities in King County. Without an  
101 additional source of revenue, many transportation infrastructure projects planned by cities  
102 will not be able to move forward.

103 W. With new funding for transportation investments throughout King County,  
104 there is an opportunity to catalyze construction jobs, enhance freight mobility for our  
105 ports and create a pathway for retaining and growing new jobs for key industry sectors.

106 X. It is in the best interest of the citizens of the county to establish a  
107 transportation benefit district to work together and regionally fund, acquire, construct,  
108 operate, maintain and preserve roadway, public transportation or other mobility facilities,  
109 services and programs, and any other project or program contained in the transportation  
110 plan of the state, a regional transportation planning organization, a city or a county, and

111 to exercise any other functions or fund any other transportation improvements authorized  
112 by chapter 36.73 RCW. Such a transportation benefit district should focus its  
113 investments in local mobility and connecting within the district.

114 SECTION 2. There is created a transportation benefit district, to be known as the  
115 King County transportation district, with geographical boundaries comprised of the limits  
116 of the county, which shall have the authority to exercise the statutory powers in chapter  
117 36.73 RCW.

118 SECTION 3.

119 A. The governing board of the transportation district shall be the King County  
120 council acting in an ex officio and independent capacity, which shall have the authority to  
121 exercise the statutory powers in chapter 36.73 RCW.

122 B. The King County treasurer shall be the treasurer of the transportation district.

123 C. The board shall develop and implement a material change policy for projects  
124 that the district is implementing. The material change policy shall address major plan  
125 changes that affect project delivery or the ability to finance the plan, in accordance with  
126 RCW 36.73.160(1).

127 D. The board shall issue an annual report, in accordance with chapter 36.73 RCW.

128 SECTION 4. The district shall be dissolved in accordance with RCW 36.73.050.

129 SECTION 5. The district shall fund, acquire, construct, operate, maintain and  
130 preserve public transportation facilities, services and programs, roads and any other  
131 project contained in the transportation plan of the state, a regional transportation planning  
132 organization, a city or the county, and exercise any other functions or fund any other  
133 transportation improvement authorized by chapter 36.73 RCW. When authorized by

134 statute or by the voters in accordance with chapter 36.73 RCW, the board may impose any  
135 one of or a combination of taxes, fees, charges and tolls, for purposes consistent with  
136 chapter 36.73 RCW.

137 SECTION 6. For the purposes of defining a “transportation plan” under chapter  
138 36.73 RCW and section 5 of this ordinance:

139 A. The transportation plan of the county includes the Transportation Element of  
140 the King County Comprehensive Plan, the King County Metro Transit Strategic Plan for  
141 Public Transportation, the King County Metro Transit Service Guidelines, the King  
142 County Department of Transportation Strategic Plan for Road Services, the Transportation  
143 Needs Report, the King County Roads Services CIP and any other plan concerning  
144 transportation that is adopted by the metropolitan King County council; and

145 B. The transportation plan of the state, a regional transportation planning  
146 organization or a city shall be as defined by each such entity.

147 SECTION 7. As authorized under chapter 36.73 RCW, this ordinance shall be  
148 liberally construed to permit the accomplishment of its purposes.

149 SECTION 8. Severability. If any provision of this ordinance or its application to  
150 any person or circumstance is held invalid, the remainder of this ordinance or the  
151 application of the provision to other persons or circumstances is not affected.

Date Created:	December 13, 2013
Drafted by:	Wes Edwards, Transportation Planner, Regional Transportation Planning
Sponsors:	
Attachments:	None

1 ..title

2 AN ORDINANCE creating a countywide transportation  
3 benefit district in King County, Washington, in order to  
4 finance the acquisition, construction, operation,  
5 maintenance and preservation of public transportation  
6 facilities, services and programs, roads and any other  
7 projects authorized by chapter 36.73 RCW.

8 ..body

9 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

10 SECTION 1. Findings:

11 A. The 2008 recession had a deep and enduring impact to the economy in King  
12 County, causing property and sales tax revenues that finance government transportation  
13 services to drop unexpectedly.

14 B. As the largest labor market in the state, failure of the transportation system in  
15 King County will have far reaching economic impacts across Washington.

16 C. The King County transit division ("Metro") is vital to the region's economic  
17 health. Metro provided over one hundred fifteen million passenger trips in 2012 with  
18 ridership expected to grow; more than one thousand five hundred companies provide  
19 transit passes to their employees; over half of Metro's passengers are commuters; and  
20 current service levels keep approximately one hundred seventy-five thousand cars off our  
21 roads every weekday.

22 D. Sales tax currently provides for sixty percent of Metro's operating budget, and  
23 reductions in property tax revenue and the lack of growth in gas tax revenue will limit  
24 key funding sources for city and unincorporated King County transportation projects.

25 E. The twenty-dollar congestion reduction charge authorized in Ordinance 17169  
26 in 2011 was a temporary measure while sustainable funding solutions were developed.  
27 King County's authority for this implemented funding source expires May 31, 2014.

28 F. In 2011, the King County council adopted the landmark King County Metro  
29 Transit Strategic Plan for Public Transportation and Service Guidelines that established a  
30 new course that prioritizes productivity, social equity and geographic value in the  
31 ongoing development of the Metro transit system.

32 G. To respond to decreased revenues during the recession, Metro undertook a  
33 number of measures to preserve service. Metro implemented system-wide reforms,  
34 including restructuring the transit system to improve productivity and effectiveness and  
35 discontinuing the Ride Free Area in downtown Seattle. Metro has also increased revenue  
36 for transit through property tax changes, through the implementation of the temporary  
37 congestion reduction charge and through multiple fare increases raising fares by eighty  
38 percent since 2008. As a result, Metro realized nearly eight hundred million dollars in  
39 savings and new revenues combined to support the system.

40 H. Metro still faces an ongoing annual revenue shortfall up to seventy-five  
41 million dollars to maintain existing service levels. Without new revenue, Metro will face  
42 up to a seventeen percent cut in service, or approximately six hundred thousand annual  
43 hours of service cuts beginning in fall 2014.

44 I. The King County road services division is responsible for an unincorporated  
45 area road network that supports more than one million trips per day. The system consists  
46 of about one thousand five hundred miles of county roads and one hundred eighty  
47 bridges, plus numerous sidewalks and pathways, traffic signs and signals, drainage pipes  
48 and culverts and other critical transportation infrastructure.

49 J. The road services division's funding for maintenance of roads and bridges has  
50 declined by more than one-third since 2009 due to annexations, declining property  
51 values, less state and federal grant support and lower gas tax revenue. At the same time,  
52 the volume of county road miles has not dropped proportionally while transportation  
53 safety, preservation and other needs are increasing due to aging infrastructure, population  
54 growth, development and changing travel patterns.

55 K. Property tax is the road services division's primary funding source, and  
56 property values in unincorporated King County have declined significantly since the start  
57 of the recession. The ability of property tax revenue to recover from its depressed levels  
58 is impeded by statutory constraints limiting tax collections.

59 L. Gas tax revenues, another major source of funding for the road services  
60 division, will not increase with the rate of inflation as gasoline consumption stagnates due  
61 to more fuel efficient cars and to fewer vehicle miles travelled, and because the tax rate  
62 per gallon is fixed and does not adjust with inflation.

63 M. Future grant funding for capital projects is also uncertain as federal and state  
64 decision-makers choose between competing interests for limited dollars.

65 N. The Strategic Plan for Road Services was approved by the council in 2010 to  
66 provide key guidance to the agency about work priorities, including infrastructure service

67 and investment decisions. The plan gives top priority to basic goals: meet critical safety  
68 needs, comply with legal requirements, and maintain and preserve the existing road  
69 network.

70 O. The road services division is reducing costs through reductions in  
71 management and administrative costs, space consolidation and reductions to fleet  
72 equipment, and has already reduced division staff by forty percent and implemented  
73 changes to service priorities.

74 P. Without funding to stabilize the declining road system, the roads services  
75 division expects to close thirty-five bridges before they become unsafe, restrict access to  
76 seventy-two miles of failing roadways and reduce storm service on snowy and icy roads  
77 by two-thirds during the winter season.

78 Q. Cities in King County maintain five thousand five hundred miles of streets  
79 plus bridges, sidewalks, drainage systems, traffic signals, bicycle and pedestrian facilities  
80 and trails. Existing facilities are aging. Revenue sources currently available to cities are  
81 not keeping pace with the costs of replacement and expansion to meet growth.

82 R. King County cities also are beset by failing roads and bridges, congested  
83 corridors and bottlenecked interchanges, which undermine the mobility of cars, buses and  
84 freight carriers to transport people and goods.

85 S. With new funding for transportation investments throughout King County,  
86 there is an opportunity to catalyze construction jobs, enhance freight mobility for our  
87 ports and create a pathway for retaining and growing new jobs for key industry sectors.

88 T. It is in the best interest of the citizens of the county to establish a  
89 transportation benefit district to finance any transportation improvement authorized by

90 chapter 36.73 RCW, including but not limited to, the acquisition, construction, operation,  
91 maintenance and preservation of public transportation facilities, services and programs,  
92 roads and any other project contained in the transportation plan of the state, a regional  
93 transportation planning organization, a city or the county.

94 U. The transportation benefit district is intended solely to finance transportation  
95 improvements authorized by chapter 36.73 RCW, and is not intended to directly acquire,  
96 construct, operate, maintain, preserve or otherwise provide transportation improvements.  
97 It is further intended that local jurisdictions receiving funding from the transportation  
98 benefit district will directly acquire, construct, operate, maintain, preserve or otherwise  
99 provide any transportation improvement authorized by chapter 36.73 RCW.

100 V. The King County council anticipates that, in an effort to provide an efficient  
101 operation of the transportation benefit district and avoid the potential for creating  
102 duplicative staffing functions, the transportation benefit district will contract with King  
103 County to utilize existing King County staff to provide administrative functions required  
104 by the district to the extent allowed by applicable law.

105 SECTION 2. There is created a transportation benefit district, to be known as the  
106 King County transportation district, with geographical boundaries comprised of the limits  
107 of the county. The district shall have the authority to exercise the statutory powers in  
108 chapter 36.73 RCW.

109 SECTION 3. A. The King County council shall be the governing board of the  
110 transportation district, acting in an ex officio and independent capacity, which shall have  
111 the authority to exercise the statutory powers in chapter 36.73 RCW.

112 B. The King County executive services finance director shall be the treasurer of  
113 the transportation district.

114 C. The board shall develop and implement a material change policy for projects  
115 that the district is implementing. The material change policy shall address major plan  
116 changes that affect project delivery or the ability to finance the plan, in accordance with  
117 RCW 36.73.160(1).

118 D. The board shall cause to be issued an annual report, in accordance with chapter  
119 36.73 RCW.

120 SECTION 4. The district shall be dissolved in accordance with RCW 36.73.050.

121 SECTION 5. The transportation district is formed to finance, but not directly carry  
122 out, any transportation improvement authorized by chapter 36.73 RCW, including, but not  
123 limited to, the acquisition, construction, operation, maintenance and preservation of public  
124 transportation facilities, services and programs, roads and any other project contained in  
125 the transportation plan of the state, a regional transportation planning organization, a city  
126 or the county. When authorized by statute or by the voters in accordance with chapter  
127 36.73 RCW, the board may impose taxes, fees, charges or tolls, or any combination  
128 thereof, for the purposes consistent with chapter 36.73 RCW.

129 SECTION 6. For the purposes of chapter 36.73 RCW and section 5 of this  
130 ordinance:

131 A. "Transportation plan" includes the Transportation Element of the King County  
132 Comprehensive Plan, the King County Metro Transit Strategic Plan for Public  
133 Transportation, the King County Metro Transit Service Guidelines, the annual King  
134 County Metro Transit Service Guidelines Report, the King County Department of

135 Transportation Strategic Plan for Road Services, the Transportation Needs Report, the  
136 King County Roads Services CIP and any other plan concerning transportation that is  
137 adopted by the King County council; and

138 B. The transportation plan of the state, a regional transportation planning  
139 organization or a city shall be as identified by each entity.

140 SECTION 7. As authorized under chapter 36.73 RCW, this ordinance shall be  
141 liberally construed to permit the accomplishment of its purposes.

142 SECTION 8. Severability. If any provision of this ordinance or its application to  
143 any person or circumstance is held invalid, the remainder of this ordinance or the  
144 application of the provision to other persons or circumstances is not affected.

Date Created:	December 13, 2013
Drafted by:	Wes Edwards, Transportation Planner, Regional Transportation Planning
Sponsors:	
Attachments:	

1 ..title

2 A RESOLUTION of the King County Transportation District;  
3 submitting a ballot measure regarding transportation funding to the  
4 qualified electors of the King County Transportation District at a  
5 special election to be held on (DATE) and submitting a  
6 proposition to district voters to authorize the district to fix and  
7 impose a (RATE) sales and use tax within the district and a  
8 (AMOUNT) dollar vehicle fee on all vehicles within the district to  
9 finance the King County transit division (“Metro Transit”) and city  
10 and unincorporated county transportation improvements in the  
11 district; requesting that the King County Prosecutor prepare a ballot  
12 title for the proposition; and appointing committees to prepare the  
13 pro and con statements for the local voters’ pamphlet.

14 ..body

15 WHEREAS, in the last several years, new transportation challenges have emerged  
16 affecting the funding of transportation improvements for King County Metro transit and all King  
17 County cities and unincorporated King County, including a prolonged recession, and declined  
18 gas-tax, property tax, and sales tax revenues; and

19 WHEREAS, the Revised Code of Washington (RCW), Chapter 36.73, provides for the  
20 establishment of transportation benefit districts by cities and counties and authorizes those  
21 districts to levy and impose various taxes and fees to generate revenues to support transportation

22 improvements that benefit the district and that are consistent with state, regional or local  
23 transportation plans and necessitated by existing or reasonably foreseeable congestion levels; and

24 WHEREAS, King County Ordinance (#####) established the King County  
25 Transportation District to finance, but not directly carry out, any transportation improvement  
26 authorized by RCW chapter 36.73, including but not limited to, public transportation facilities,  
27 services and programs, roads, and any other project contained in the transportation plan of the  
28 state, a regional transportation planning organization, a city, or the county; and

29 WHEREAS, the King County Transportation District is intended solely to finance  
30 transportation improvements authorized by RCW chapter 36.73, and is not intended to directly  
31 acquire, construct, operate, maintain, preserve or otherwise provide any transportation  
32 improvements. It is further intended that local jurisdictions receiving funding from the  
33 transportation benefit district will directly acquire, construct, operate, maintain, preserve, or  
34 otherwise provide any transportation improvement authorized by RCW chapter 36.73.

35 WHEREAS, the King County Transportation District may fix and impose up to a one  
36 hundred dollar vehicle fee pursuant to RCW 82.80.140 with approval of a majority of district  
37 voters; and

38 WHEREAS, the King County Transportation District may fix and impose up to a two-  
39 tenths of one percent (0.2%) sales and use tax within the district pursuant to RCW 82.14.0455  
40 with approval of a majority of district voters; and

41 WHEREAS, a vehicle fee up to eighty dollars imposed by the King County  
42 Transportation District does not preclude individual cities and unincorporated King County from  
43 continuing to collect or authorize future collection of a twenty dollar councilmanic vehicle fee  
44 pursuant to RCW 82.80.140; and

45 WHEREAS, it is the intent of the Board of the King County Transportation District to  
46 distribute revenues, less administration costs, to jurisdictions in the district's boundaries by  
47 providing sixty percent of the combined revenues from the vehicle fee and sales and use tax  
48 revenues to support King County Metro Transit; and the remaining forty percent of combined  
49 revenues to be distributed to cities and unincorporated King County in a share equal to their  
50 percentage of countywide population; and

51 WHEREAS, the King County Transportation District cannot impose a voter approved  
52 sales and use tax that exceeds a period of ten years, unless extended by an affirmative public vote  
53 per RCW 82.14.0455.

54 BE IT RESOLVED BY THE KING COUNTY TRANSPORTATION DISTRICT:

55 SECTION 1. Fee and tax submittal to voters. To provide necessary financing for the  
56 purposes identified in section 3 of this resolution, the King County Transportation District shall  
57 submit to the qualified electors of the district a proposition authorizing the district to fix and  
58 impose a (AMOUNT) dollar vehicle fee to be added to any existing fees and to fix and impose a  
59 (RATE) of one percent (0. \_\_%) to the sales and use tax.

60 SECTION 2. Distribution of revenues. The district sales and use tax and vehicle fee  
61 revenue shall first pay any administrative costs to the state Department of Licensing, state  
62 Department of Revenue, and any other administrative costs associated with the district's  
63 operations. The remaining combined revenue will be distributed in the following manner: sixty  
64 percent to King County Metro Transit; and forty percent to the cities within King County that  
65 enter into agreements with the district to participate and to unincorporated King County in shares  
66 equal to each entity's respective percentage of countywide population.

67            SECTION 3. Use of revenues. If approved by the qualified electors of the district, the  
68 sales and use tax and vehicle fee revenue, less the administrative costs identified in section 2 of  
69 this resolution, shall be used consistent with RCW chapter 36.73 to finance, but not directly carry  
70 out, any transportation improvement authorized by RCW chapter 36.73, including but not limited  
71 to, the acquisition, construction, operation, maintenance, and preservation of public  
72 transportation facilities, services and programs, roads, any other project contained in the  
73 transportation plan of the state, a regional transportation planning organization, a city or the  
74 county. Further, the activities carried out with the sales and use tax and vehicle fee revenue will  
75 include, but not be limited to:

- 76            A. the operation, maintenance and capital needs of Metro Transit;
- 77            B. the provision of Metro Transit public transportation services;
- 78            C. the acquisition, operation, maintenance and repair of Metro Transit vehicles and  
79 equipment;
- 80            D. the implementation of transportation demand management programs;
- 81            E. the planning associated with transit service operations, technologies, and public  
82 engagement to improve performance and reduce costs when possible;
- 83            F. the planning, design and implementation of capital improvement and preservation  
84 projects for road system facilities, including facilities such as roads, bridges, signals, guardrails,  
85 drainage systems, and pedestrian and bicycle pathways;
- 86            G. the operation, maintenance, repair, preservation and restoration of road system  
87 facilities;
- 88            H. the provision of emergency responses to protect road system facilities and public  
89 health and safety;

90 I. the enhancement of user safety while also maintaining existing safety standards and  
91 legal requirements;

92 J. the management of intelligent transportation systems in including traffic cameras,  
93 control equipment, and new technologies to optimize the existing transportation system;

94 SECTION 4. For the purposes of defining a transportation plan under RCW chapter  
95 36.73 and section 3 of this resolution:

96 A. the transportation plan of King County includes the Transportation Element of the  
97 King County Comprehensive Plan, the King County Metro Transit Strategic Plan for Public  
98 Transportation, the King County Metro Transit Service Guidelines, the annual King County  
99 Metro Transit Service Guidelines Report, the King County Department of Transportation  
100 Strategic Plan for Road Services, the Transportation Needs Report, the King County Roads  
101 Services CIP and any other plan concerning transportation that is adopted by the Metropolitan  
102 King County Council; and

103 B. the transportation plan of the state, a regional transportation planning organization or  
104 a city shall be as identified by each such entity.

105 SECTION 5. Call for special election. The King County Transportation District hereby  
106 requests that the King County director of elections call a special election on (DATE), to  
107 consider a proposition authorizing the district to fix and impose a vehicle fee in the amount of  
108 (AMOUNT) dollars and to fix and impose a sales and use tax in the amount of (RATE) of one  
109 percent (0. \_\_%) for the purposes described in this resolution. The King County director of  
110 elections shall cause notice to be given of this resolution in accordance with the state constitution  
111 and general law and to submit to the qualified electors of the district, at the said special county  
112 election, the proposition hereinafter set forth, in the form of a ballot title substantially as follows:

113 KING COUNTY TRANSPORTATION DISTRICT

114

115 PROPOSITION NO.     

116

117 The Board of the King County Transportation District passed Resolution No. (###) concerning  
118 funding for public transportation, roads and other transportation improvements. If approved, this  
119 proposition would provide funding for King County Metro Transit, and city and unincorporated  
120 King County transportation improvements. It would authorize the district to fix and impose a  
121 sales and use tax of (RATE) of one percent (0.   %) to be collected from all taxable retail sales  
122 and uses within the district under RCW 82.14.0455 for a term of ten years, and an annual vehicle  
123 fee of (AMOUNT) (\$   .00) dollars per registered vehicle under RCW 82.80.140.

124

125 Should this vehicle fee and sales tax increase be approved?

126

127 Yes

128 No

129

130 SECTION 6. RCW 29A.32.280 provides that for each measure from a jurisdiction that is  
131 included in a local voters' pamphlet, the legislative authority of that jurisdiction shall formally  
132 appoint a committee to prepare arguments advocating voter approval of the measure and a  
133 committee to prepare arguments advocating voter rejection of the measure.

134



**CITY OF PACIFIC**

**Agenda Bills**

Agenda Item No.	<u>Consent Agenda 9A</u>	Meeting Date:	<u>February 10, 2014</u>
	<u>Claim Voucher &amp; Payroll</u>		<u>Richard Gould</u>
<u>Subject:</u>	<u>Approval</u>	Prepared by:	<u>Finance Director</u>

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**Summary:**

Approval of Payroll for the period of January 16, 2014 through January 31, 2014; Claims Vouchers for January 27, 2014 through February 10 , 2014.

Payroll Auto Deposit	\$ 59,112.40
Payroll Ch#'s 4758 – 4760	\$ 1,581.96
Claim Checks: #42927 - 43027	193,281.46
Voided Claim #42879	\$ -100.00
EFT's on 2/5/14	625.00

Total Expenditures	<hr/>	\$ 254,500.82
--------------------	-------	---------------

**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.

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: 2/10/14.

Council member: \_\_\_\_\_

Council member: \_\_\_\_\_

Council member: \_\_\_\_\_

Reviewed for Accuracy  
Finance Director: \_\_\_\_\_

*Mr. B. Smith*

Date: 2-7-2014

Payroll Checks 4758-4760 1581.96

Auto Deposit Payroll in the Amount of:

\$ 59112.40

Total Expenditures:

\$ 60694.36

# CHECK REGISTER

City Of Pacific  
MCAG #: 0423

02/05/2014 To: 02/05/2014

Time: 10:10:53 Date: 02/07/2014  
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
748	02/05/2014	Payroll	1	EFT		1,867.20	January 16 - 31st Payroll
749	02/05/2014	Payroll	1	EFT		2,698.36	January 16 - 31st Payroll
750	02/05/2014	Payroll	1	EFT		1,587.30	January 16 - 31st Payroll
751	02/05/2014	Payroll	1	EFT		4,047.21	January 16 - 31st Payroll
753	02/05/2014	Payroll	1	EFT		1,163.53	January 16 - 31st Payroll
754	02/05/2014	Payroll	1	EFT		2,246.99	January 16 - 31st Payroll
755	02/05/2014	Payroll	1	EFT		2,622.25	January 16 - 31st Payroll
756	02/05/2014	Payroll	1	EFT		312.74	January 16 - 31st Payroll
757	02/05/2014	Payroll	1	EFT		874.80	January 16 - 31st Payroll
758	02/05/2014	Payroll	1	EFT		2,964.57	January 16 - 31st Payroll
760	02/05/2014	Payroll	1	EFT		91.50	January 16 - 31st Payroll
761	02/05/2014	Payroll	1	EFT		92.10	January 16 - 31st Payroll
762	02/05/2014	Payroll	1	EFT		2,463.02	January 16 - 31st Payroll
763	02/05/2014	Payroll	1	EFT		81.50	January 16 - 31st Payroll
764	02/05/2014	Payroll	1	EFT		239.88	January 16 - 31st Payroll
765	02/05/2014	Payroll	1	EFT		1,881.61	January 16 - 31st Payroll
766	02/05/2014	Payroll	1	EFT		2,803.95	January 16 - 31st Payroll
767	02/05/2014	Payroll	1	EFT		1,850.23	January 16 - 31st Payroll
768	02/05/2014	Payroll	1	EFT		1,942.82	January 16 - 31st Payroll
769	02/05/2014	Payroll	1	EFT		2,109.12	January 16 - 31st Payroll
770	02/05/2014	Payroll	1	EFT		949.41	January 16 - 31st Payroll
771	02/05/2014	Payroll	1	EFT		92.10	January 16 - 31st Payroll
772	02/05/2014	Payroll	1	EFT		226.12	January 16 - 31st Payroll
773	02/05/2014	Payroll	1	EFT		1,597.43	January 16 - 31st Payroll
774	02/05/2014	Payroll	1	EFT		1,654.43	January 16 - 31st Payroll
775	02/05/2014	Payroll	1	EFT		1,935.29	January 16 - 31st Payroll
776	02/05/2014	Payroll	1	EFT		1,612.01	January 16 - 31st Payroll
777	02/05/2014	Payroll	1	EFT		1,721.43	January 16 - 31st Payroll
778	02/05/2014	Payroll	1	EFT		1,463.03	January 16 - 31st Payroll
780	02/05/2014	Payroll	1	EFT		2,650.64	January 16 - 31st Payroll
781	02/05/2014	Payroll	1	EFT		1,697.15	January 16 - 31st Payroll
782	02/05/2014	Payroll	1	EFT		1,209.26	January 16 - 31st Payroll
783	02/05/2014	Payroll	1	EFT		1,775.97	January 16 - 31st Payroll
784	02/05/2014	Payroll	1	EFT		92.10	January 16 - 31st Payroll
785	02/05/2014	Payroll	1	EFT		2,610.48	January 16 - 31st Payroll
786	02/05/2014	Payroll	1	EFT		1,315.68	January 16 - 31st Payroll
787	02/05/2014	Payroll	1	EFT		1,354.94	January 16 - 31st Payroll
788	02/05/2014	Payroll	1	EFT		1,214.25	January 16 - 31st Payroll
752	02/05/2014	Payroll	1	4758		1,397.76	January 16 - 31st Payroll
759	02/05/2014	Payroll	1	4759		92.10	January 16 - 31st Payroll
779	02/05/2014	Payroll	1	4760		92.10	January 16 - 31st Payroll

001 General Fund	32,978.46
003 Community Services Senior	3,401.12
004 Youth Services/Center	1,554.61
005 Parks	1,529.16
101 Street	3,323.55
401 Water	7,979.77
402 Sewer	5,197.63
409 Storm	4,730.06

**60,694.36 Payroll: 60,694.36**

<b>Payrol_Date</b>	<b>Employee Group</b>	<b>Employee Wage</b>	<b>Benefits</b>
2/5/2014	ADMIN	11,453.83	4,927.08
2/5/2014	COM DEV	2528.64	1098.52
2/5/2014	COURT	4,398.24	1982.76
2/5/2014	MAYOR/COUNCIL	1075	94.6
2/5/2014	POLICE	41994.51	13508.86
2/5/2014	PUBLIC WORKS	19772.18	8348.63
2/5/2014	SENIOR CTR	2,797.31	1809.95
2/5/2014	YOUTH	1584.66	926.34
<b>TOTALS</b>		<b>85,604.37</b>	<b>32,696.74</b>

Accounts Payable Checks 49297-43028  
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: 2/10/14

Council member:

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Council member:

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Council member:

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Reviewed for Accuracy  
Finance Director:

*M. B. Smith*

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Date: 2-7-2014

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# CHECK REGISTER

City Of Pacific  
MCAG #: 0423

01/01/2014 To: 02/28/2014

Time: 10:08:40 Date: 02/07/2014

Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
530	01/28/2014	Claims	1	42927	FLAGS A' FLYING	84.59	3X5 Flag With Dual Angle Wall Mount
823	02/10/2014	Payroll	1	42928	AFLAC	506.86	01/17/2014 To 02/05/2014 - AFLAC ACC Pre; 01/17/2014 To 02/05/2014 - AFLAC CAN Pre; 01/17/2014 To 02/05/2014 - AFLAC STD Post; 01/17/2014 To 02/05/2014 - AFLAC PSI Pre; 01/17/2014 To 02/05/2014 - AFL
824	02/10/2014	Claims	1	42929	AFTS CONTRACT SERVICING	45,001.25	Bagio Property
825	02/10/2014	Claims	1	42930	CUSTOM SECURITY ALARM CENTER	135.00	Monitoring Fees
826	02/10/2014	Claims	1	42931	CITY OF ALGONA	4,204.71	January 2014 Algona Court
827	02/10/2014	Payroll	1	42932	AMERICAN LEGAL SERVICES	50.68	01/17/2014 To 02/05/2014 - Legal Fee
828	02/10/2014	Payroll	1	42933	ASSOC OF WASHINGTON CITIES	4,301.03	01/17/2014 To 02/05/2014 - Medical - Directors; 01/17/2014 To 02/05/2014 - LTD
829	02/10/2014	Claims	1	42934	KEN BARNETT	130.15	Shirts
830	02/10/2014	Claims	1	42935	CONSTANCE BATTLES	26.68	Jury Fees
831	02/10/2014	Claims	1	42936	GAIL BENNETT	300.00	Secretary Services
832	02/10/2014	Claims	1	42937	GLEN BEST	17.61	Jury
833	02/10/2014	Claims	1	42938	BFH CONSULTING	2,140.00	Policy Manual Updates
834	02/10/2014	Claims	1	42939	BIAS SOFTWARE	492.75	Printer Supplies/Paper
835	02/10/2014	Claims	1	42940	MICHEL BOS	161.85	Ammo For Qualifications
836	02/10/2014	Claims	1	42941	MATTHEW BRIDGES	21.53	Jury
837	02/10/2014	Claims	1	42942	BTU MECHANICAL	78.50	Oven Repair
838	02/10/2014	Claims	1	42943	CASH & CARRY	90.19	Coffee; Candy
839	02/10/2014	Claims	1	42944	CENTURYLINK	1,155.69	Phone Services
840	02/10/2014	Claims	1	42945	CENTURYLINK	32.71	Long Distance Line
841	02/10/2014	Claims	1	42946	LINDA CHILDERS	22.42	Jury
842	02/10/2014	Claims	1	42947	PETER CHOE	17.27	Jury
843	02/10/2014	Claims	1	42948	CHUCKALS OFFICE PRODUCTS INC	87.56	OIC Holder; Form, Stor, Alum
844	02/10/2014	Claims	1	42949	CONFEDERATE TRIBES OF THE CHEHALIS RESER	2,294.30	Inmate Housing
845	02/10/2014	Claims	1	42950	JAMES COOK	24.10	Juror
846	02/10/2014	Claims	1	42951	COPIERS NORTHWEST INC	1,421.37	Copy Fees; Copy & Lease Fees
847	02/10/2014	Claims	1	42952	CHRISTOPHER EHLE	19.85	Jury
848	02/10/2014	Claims	1	42953	JANE EMERSON	23.54	Jury
849	02/10/2014	Claims	1	42954	JERALD FLORES	27.13	Jury
850	02/10/2014	Claims	1	42955	THOMAS GIBSON	20.63	Jury
851	02/10/2014	Claims	1	42956	DAVID GIGRICH	14.70	Jury
852	02/10/2014	Claims	1	42957	JOHN GLENN	16.94	Jury
853	02/10/2014	Claims	1	42958	GOSNEY MOTOR PARTS INC	288.46	Brk Flu; 20 Wash; Shop Towel; Towels
854	02/10/2014	Claims	1	42959	GRAINGER	50.05	Key Box, Wall Mount, Steel
855	02/10/2014	Claims	1	42960	TAMI GUNDERSON	21.30	Jury
856	02/10/2014	Claims	1	42961	ANGELICA HARSHAW SANCHEZ	19.74	Jury
857	02/10/2014	Claims	1	42962	JAXINE HENDRY	26.46	Jury
858	02/10/2014	Claims	1	42963	JANE HOBBS	24.33	Jury
859	02/10/2014	Claims	1	42964	MARK HUGHS	18.50	Jury
860	02/10/2014	Claims	1	42965	GREGORY INGLE	14.81	Jury
861	02/10/2014	Claims	1	42966	DONALD ISEMINGER	16.49	Jury
862	02/10/2014	Claims	1	42967	KC FINANCE	8,305.76	2013 Voter Registration Costs
863	02/10/2014	Claims	1	42968	KC FLEET ADMIN DIVISION	478.92	Materials & Supplies

# CHECK REGISTER

City Of Pacific  
MCAG #: 0423

01/01/2014 To: 02/28/2014

Time: 10:08:40 Date: 02/07/2014  
Page: 2

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
864	02/10/2014	Claims	1	42969	KC RECORDER'S OFFICE	132.00	Oath Of Office Recording Fees
865	02/10/2014	Claims	1	42970	KING COUNTY DIRECTORS' ASSOC	357.28	Filing Cabinet; Holder & Cutter; Mouse Pad
866	02/10/2014	Claims	1	42971	KING COUNTY FINANCE	129.91	2013 Voter Pamphlet
867	02/10/2014	Claims	1	42972	LEGENDID AND IMS ALLIANCE	42.16	ID Cards
868	02/10/2014	Claims	1	42973	LES SCHWAB TIRE CENTER	308.29	Radial Repair
869	02/10/2014	Claims	1	42974	LOWE'S COMPANIES, INC	145.19	9 LED Rubberized; 15-in Gen Purpose; Plier
870	02/10/2014	Claims	1	42975	WILLIAM MACKIE	24.33	Jury
871	02/10/2014	Claims	1	42976	MARCUS MAISENHOLDER	25.67	Jury
872	02/10/2014	Claims	1	42977	THOMAS MCGEE	20.86	Jury
873	02/10/2014	Claims	1	42978	MCLENDON HARDWARE	55.42	Plywood, Screws
874	02/10/2014	Claims	1	42979	SCOTT MELBERG	11.34	Jury
875	02/10/2014	Claims	1	42980	DAVID MITCHELL	15.03	Jury
876	02/10/2014	Claims	1	42981	DAVID NEWTON	7.64	Reimburse Americal Legal Deductions. He's Not A Participant
877	02/10/2014	Claims	1	42982	NW ADMIN TRANSFER ACCOUNT	1,631.75	Jack Futch And New Contract Variance
878	02/10/2014	Payroll	1	42983	NW ADMIN TRANSFER ACCOUNT	33,980.07	01/17/2014 To 02/05/2014 - Medical - Police; 01/17/2014 To 02/05/2014 - Medical- Clerical Union
879	02/10/2014	Claims	1	42984	JAMES OHRN	16.60	Jury
880	02/10/2014	Claims	1	42985	PACIFIC KNIGHT EMBLEM & INSIGNIA LLC	323.30	Badge Metal; Patch
881	02/10/2014	Claims	1	42986	PACIFIC OFFICE AUTOMATION	164.29	Canon Copier Fees
882	02/10/2014	Claims	1	42987	CITY OF PACIFIC	314.33	Petty Cash Reimbursement
883	02/10/2014	Claims	1	42988	DAWN PALUMBO	19.40	Jury
884	02/10/2014	Claims	1	42989	PARAMETRIX, INC.	5,416.38	Project Mngmnt; Survey
885	02/10/2014	Claims	1	42990	PETROCARD SYSTEMS INC	2,549.93	Fuel
886	02/10/2014	Claims	1	42991	TERRY PFEIFER	26.12	Jury
887	02/10/2014	Claims	1	42992	PIERCE COUNTY BUDGET & FINANCE	614.44	2013 Voter Maint & Outreach; Interlocal Agreement
888	02/10/2014	Claims	1	42993	PUBLIC SAFETY TESTING	125.00	Officer Testing
889	02/10/2014	Claims	1	42994	PUGET SOUND ENERGY	16,109.30	Electric & Gas
890	02/10/2014	Claims	1	42995	Attn: Mark Buening Prosecuting Attorneys Office	222.01	Algona Court For January 2014; Pacific Court January 2014
891	02/10/2014	Claims	1	42996	QUILL CORPORATION	93.81	Facial; Cottonelle Bath Tissue; Softsoap
892	02/10/2014	Claims	1	42997	JOHN REICH	26.23	Jury
893	02/10/2014	Claims	1	42998	RELIABLE OFFICE SUPPLIES	224.07	Flags; Binder Clips; Glue Stick; Copy Paper
894	02/10/2014	Claims	1	42999	L STEPHEN ROCHON	4,380.00	Judge Services Jan 2014
895	02/10/2014	Claims	1	43000	GLEN ROSS	20.41	Jury
896	02/10/2014	Claims	1	43001	KELLY RYDBERG	16.87	Reimb Jury Coffee, Creamer And Cookies
897	02/10/2014	Claims	1	43002	SAM'S CLUB/GEMB	51.44	Fees; Fees
898	02/10/2014	Claims	1	43003	JOSEPH SAPIENZA	23.77	Jury
899	02/10/2014	Claims	1	43004	SCORE	154.48	Health Services
900	02/10/2014	Claims	1	43005	SEP CONSULTING SERVICES	275.00	Review Evidence Software
901	02/10/2014	Claims	1	43006	DEBRA SERAFIN	26.46	Jury

# CHECK REGISTER

City Of Pacific  
MCAG #: 0423

01/01/2014 To: 02/28/2014

Time: 10:08:40 Date: 02/07/2014

Page: 3

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
902	02/10/2014	Claims	1	43007	LINDA SEWERKER	17.27	Jury
903	02/10/2014	Claims	1	43008	STEPHANIE SHOOK	21.28	Mileage Reimb
904	02/10/2014	Claims	1	43009	SHRED-IT USA INC.	110.38	Shredding Services; Shredding Service
905	02/10/2014	Claims	1	43010	SOUTH AUBURN MEDICAL CLINIC INC.	180.00	DOT Physical; DOT Physical
906	02/10/2014	Claims	1	43011	STAPLES BUSINESS ADVANTAGE	106.51	
907	02/10/2014	Claims	1	43012	DANIELLE STARBIRD	22.31	Jury
908	02/10/2014	Payroll	1	43013	TEAMSTERS LOCAL 117	1,741.71	01/17/2014 To 02/05/2014 - Union Dues; 01/17/2014 To 02/05/2014 - Initiation Fees
909	02/10/2014	Claims	1	43014	TOTAL AUTO CARE	37.13	Basic Oil Change
910	02/10/2014	Claims	1	43015	UNIVAR USA INC	7,346.93	Caustic Soda
911	02/10/2014	Claims	1	43016	VALLEY COMMUNICATIONS	1,441.93	43 Units Jan 2014; 2 Calls In 2013 - Language Line
912	02/10/2014	Claims	1	43017	LESLIE VAN OGLE	19.18	Jury
913	02/10/2014	Claims	1	43018	WA DEPT OF HEALTH	3,358.60	Operating Permit Fees
914	02/10/2014	Claims	1	43019	WA ST TREASURER	11,212.99	Algona Court For January 2014; Pacific Court January 2014
915	02/10/2014	Payroll	1	43020	WA STATE SUPPORT REGISTRY	125.00	02/05/2014 To 02/05/2014 - Child Support
916	02/10/2014	Claims	1	43021	ANDREW WAINWRIGHT	15.26	Jury
917	02/10/2014	Payroll	1	43022	WESTERN CONFERENCE OF TEAMSTERS PENSION	1,730.82	01/17/2014 To 02/05/2014 - Union Pension
918	02/10/2014	Claims	1	43023	WFOA	200.00	BARS Training Registration
919	02/10/2014	Claims	1	43024	WHITE KNIGHT SAFE	132.39	Master Padlock
920	02/10/2014	Claims	1	43025	KRISTA C WHITE-SWAIN	2,350.00	Court Services February 2014
921	02/10/2014	Claims	1	43026	EVELYN WIEBE	17.61	Jury
922	02/10/2014	Claims	1	43027	CHARLES WRIGHT	15.26	Jury
927	02/07/2014	Payroll	1	43028	WA ST DEPT RETIREMENT SYSTEM	22,811.91	01/17/2014 To 02/05/2014 - PERS 2; 01/17/2014 To 02/05/2014 - PERS 3; 01/17/2014 To 02/05/2014 - LEOFF 2

001 General Fund	82,034.52	
003 Community Services Senior	4,098.18	
004 Youth Services/Center	3,285.23	
005 Parks	1,018.26	
022 Criminal Justice	8,867.53	
101 Street	8,574.35	
401 Water	22,437.61	
402 Sewer	5,220.28	
409 Storm	49,666.95	
640 Algona Court	8,078.55	
	193,281.46	
	Claims:	128,033.38
	Payroll:	65,248.08

# STOP PAYMENT RECORD

City Of Pacific  
MCAG #: 0423

Tax Year: 2014  
Transaction: 923  
Date: 02/06/2014  
Amt: 100.00

Year	Trans	Date	Acct #	War #	Claiment	Amount	Memo		
2014	293	01/27/2014	Claims	1	42879	2317	KC DEPT OF TRANSI	100.00	2014 SCATB Annual Dues
			518 30 49 001		Training/Dues			100.00	
			<b>001 General Fund</b>					<b>100.00</b>	

## 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: 2/10/14

Council member: \_\_\_\_\_

Council member: \_\_\_\_\_

Council member: \_\_\_\_\_

Reviewed for Accuracy:

Finance Director: 

Date: 2-7-2014

# CHECK REGISTER

City Of Pacific  
MCAG #: 0423

02/07/2014 To: 02/10/2014

Time: 10:19:52 Date: 00/00/0000  
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
822	02/10/2014	Payroll	1	EFT	WA ST DEPT RETIREMENT SYSTEM		Partial EFT for DCP. Others issued as check
928	02/07/2014	Payroll	1	EFT	WA ST DEPT RETIREMENT SYSTEM	625.00	02/05/2014 To 02/05/2014 - DCP - DRS
001 General Fund						625.00	
						625.00	Payroll: 625.00

## 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: 2/10/14.

Council member: \_\_\_\_\_

Council member: \_\_\_\_\_

Council member: \_\_\_\_\_

Reviewed for Accuracy  
Finance Director: \_\_\_\_\_



Date: 2-7-2014



## City Council Minutes

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### **Workshop**

**Tuesday, January 21, 2014**

**6:30 p.m.**

### **CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Council President Putnam called the regularly-scheduled meeting to order at 6:31 p.m. and led the Pledge of Allegiance.

### **ROLL CALL**

Present: Council Members Hulseley, Kave, Knudtson, Walker, Council President Putnam, and Mayor Guier

Absent: Council Member Steiger and Mayor Pro Tem Jones

### **STAFF PRESENT**

Acting Public Works Director Ken Barnett, Planner Paula Wiech, Senior Services Assistant Director Darcie Thach, Lt. Ed Massey; Finance Director Richard Gould, and City Clerk Amy Stevenson-Ness

### **ADDITIONS TO/APPROVAL OF AGENDA**

Acting Public Works Director Ken Barnett added a discussion of a contract with Widener and Associates to perform environmental work for the Stewart Road Project. The item was added as Item F.

Council Member Kave added a discussion regarding forming a new council committee to be called the Governance Committee. It was added as Item G.

Council Member Walker added a discussion regarding the Auburn Farmers Market board representation. It was added as Item H.

Acting Public Works Director Ken Barnett requested a brief item to review the Stewart Road Budget. It was added as Item I.

The amended agenda was approved unanimously by Council.

## **AGENDA ITEMS**

### **A. Discussion: AB 14-008 Citizen Appreciation Dinner**

Senior Center Assistant Director Darcie Thach provided Council with the proposed date and time of the event, from 5-7 P.M. on March 22.

This was provided as an informational item only.

### **B. Discussion: AB 14-011: Resolution 14-101: Setting a public hearing for the formation of a Transportation Benefit District**

Director Barnett advised Council that the formation of a Transportation Benefit District (TBD) will provide for local revenue to fund local transportation needs. A public hearing is required prior to the formation of a TBD.

Direction by consensus of Council: Move forward to the meeting on January 27, 2014.

### **C. Discussion: AB 14-012: Possible Support of the King County Council of a county-wide transportation benefit district**

Mayor Guier provided information to the Council regarding the SCA support of the formation of a transportation benefit district in King County.

After discussion, the direction by consensus of Council is to move forward to the workshop on February 10, 2014.

### **D. Discussion: AB14-013: Washington State Growth Management Update Grant Acceptance**

Planner Paula Wiech informed Council that the state is helping small cities get current by offering grants to be used for updating Comprehensive Plans to meet required deadlines. They are offering the City of Pacific \$18,000 to make progress toward the June 2015 deadline.

Direction by consensus of Council: Move forward to the meeting on January 27, 2014.

### **E. Discussion: AB 14-004: Medical and Recreational Marijuana Moratorium**

Ms. Wiech outlined the two ordinances presented to Council regarding medical and recreational marijuana. The two options presented are to extend the moratorium, not recommended by AWC RMSA attorney Carol Morris, or adopting an interim zoning ordinance.

Direction by consensus of Council: Move forward to the meeting on January 27, 2014, for first reading then for special meeting on 2/3.

### **F. Discussion: AB 14-014: Contract with Widener and Associates to perform environmental work for the Stewart Road Project.**

Director Barnett advised that the City is near completion of the design for the Stewart Road Project and there are some environmental documents that need to be updated due to

changes in regulations. Widener and Associates will perform the environmental work for the project. The estimated cost is \$11,300.

Direction by consensus of Council: Move forward to the meeting on January 27, 2014.

#### **G. Discussion: Governance Committee**

Council Member Kave requested the creation of a new ad hoc council committee to be named the Governance Committee. The committee will be to address issues of governance.

After discussion, the Council directed the item to be moved forward to the meeting on January 27, 2014, to form the committee.

#### **H. Auburn Farmer's Market Representative**

Council Member Walker advised that his term on the board expired on December 31, 2013. The Auburn council is asking for the City of Pacific's name so they can appoint the member to their board. By and consensus, Council Member Walker was advised to submit his name for the board position.

#### **I. Stewart Road budget Update**

Director Barnett advised that the City had received final specifications from Skillings Connolly, waiting for items from PSE, TIB will come up with 10% if needed.

Public Works loan? \$330,000

#### **ADJOURN**

Council President Putnam adjourned the workshop at 7:26 p.m.

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Amy Stevenson-Ness, City Clerk



## City Council Minutes

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**Special Meeting**  
**Tuesday, January 21, 2014**  
**7:30 p.m.**

### **CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor Guier called the special meeting to order at 7:30 p.m.

### **ROLL CALL**

Present: Council Members Hulsey, Kave, Knudtson, Walker, Council President Putnam, and Mayor Guier

Absent: Council Member Steiger, Mayor Pro Tem Jones

**COUNCIL MEMBER HULSEY MOVED** to excuse Council Member Steiger and Mayor Pro Tem Jones. Seconded by Council Member Walker. The vote was taken and the motion carried 5-0.

### **STAFF PRESENT**

Acting Public Works Director Ken Barnett, Planner Paula Wiech; Finance Director Richard Gould, and City Clerk Amy Stevenson-Ness

### **ACTION ITEM:**

A. Claim Voucher and Payroll Approval

**COUNCIL MEMBER PUTNAM MOVED** to approve the Claim Voucher and Payroll Approval. Seconded by Council Member Hulsey. Voice vote was taken and the motion carried 5-0.

### **ADJOURN**

Mayor Guier adjourned the meeting at 7:31 p.m.

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Amy Stevenson-Ness, City Clerk



## City Council Minutes

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**Special Meeting**  
**Monday, January 30, 2014**  
**6:30 p.m.**

### **CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor Guier called the special meeting to order at 6:30 p.m.

### **ROLL CALL**

Present: Council Members Hulsey, Kave, Knudtson, Steiger, Walker, Mayor Pro Tem Jones, and Mayor Guier

Absent: Council President Putnam

**COUNCIL MEMBER HULSEY MOVED** to excuse Council President Putnam. Seconded by Council Member Steiger. The vote was taken and the motion carried 6-0.

### **STAFF PRESENT**

Acting Public Works Director Ken Barnett, Planner Paula Wiech; and City Clerk Amy Stevenson-Ness

### **ACTION ITEM:**

- A. Ordinance 14-1855:** First Reading of Ordinance 14-1855 relating to the recreational and medical use of marijuana, adopting an interim zoning ordinance prohibiting the siting, establishment and operation of any structures, property or uses relating to recreational or medical marijuana production, processing, cultivation, storage, sale, delivery, exchange or bartering, to be in effect until the city adopts permanent zoning regulations on the same subject, which includes a prohibition on the submission of business license applications for such uses, this interim ordinance to be effective immediately, setting six months as the effective period of the interim zoning ordinance, and establishing the date of a public hearing on the interim zoning ordinance.

Acting Public Works Director Ken Barnett read the ordinance title into the record.

**COUNCIL MEMBER WALKER MOVED** to allow citizen comments on Ordinance No. 14-1855. Seconded by Council Member Kave. Voice vote was taken and the motion carried 6-0.

Speaking before Council:

James Dusek, 898 Valentine Ave SE	City had a full year to address issues surrounding recreational marijuana; lots of time and money has been invested in establishing a legal business; wants to be a member of the city's business community.
Jason Huddow, 1350 Thornton Place	Understand there's a lot of uncertainty to this issue; would like to be in good standing in the community; hopefully everyone involved in the issue can work this out without legal action.
Autumn, 898 Valentine Ave SE	A year was enough time to take care of establishing a moratorium and should not be doing one at the last minute.
Jeanne Fancher, 37248 55 <sup>th</sup> Ave S	Fears of crime involved with marijuana production/sale are rather unfounded; how many pot related crimes have been committed in the city vs alcohol crimes?
Tom Bates; 1350 Thornton	6:44 I-502 takes it from being underground to something above board; the process is tracked from seed to sale; state code is so strict that the municipal code couldn't be written tighter
Doug Steinhauer; 1350 Thornton	Owner of building; his applicants were chosen carefully; the security is very stringent; by denying applications, the city is putting people at great financial risk; the city is robbing itself of tax income; this ordinance is creating an expense for the city from lawsuits.

**COUNCIL MEMBER WALKER MOVED** to approve the first reading of Ordinance No. 14-1855. Seconded by Council Member Kave. Voice vote was taken and carried 6-0.

**ADJOURN**

Mayor Guier adjourned the meeting at 6:51 p.m.

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Amy Stevenson-Ness, City Clerk



## City Council Minutes

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**Workshop**  
**Monday, February 3, 2014**  
**6:30 p.m.**

### **CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Jones called the regularly-scheduled meeting to order at 6:31 p.m. and led the Pledge of Allegiance.

### **ROLL CALL**

Present: Council Members Hulsey, Kave, Knudtson, Steiger, Walker, Council President Putnam, Mayor Pro Tem Jones, and Mayor Guier

Absent: Council Member Walker and Council President Putnam (arrived at 6:38 p.m.)

**COUNCIL MEMBER STEIGER MOVED** to excuse Council Member Walker. Seconded by Council Member Hulsey. Voice vote was taken and carried 6-0.

### **STAFF PRESENT**

Acting Public Works Director Ken Barnett, Finance Director Richard Gould; Senior Services Assistant Director Darcie Thach, Planner Paula Wiech, and City Clerk Amy Stevenson-Ness

### **ADDITIONS TO/APPROVAL OF AGENDA**

Acting Public Works Director Ken Barnett added a discussion of a facility relocation agreement with Puget Sound Energy for the Stewart Road Corridor. The item was added as Item J.

Mayor Pro Tem Jones added a brief discussion regarding a water situation as Item K.

Mayor Guier pulled Item H from the agenda. (moved to February 10)

The amended agenda was approved unanimously by Council.

### **AGENDA ITEMS**

**A. Discussion: AB 14-017 Vending Machine Presentation**

Senior Center Assistant Director Darcie Thach introduced Elizabeth Perrin who provided information to Council regarding the possibility of placing a vending machine in the senior center and city hall.

Direction by consensus of Council: Move forward to the meeting on February 10, 2014.

(Council President Putnam arrived at 6:38 p.m.)

**B. Discussion: AB 14-018: Ordinance No. 14-1856: Stormwater rate increase**

Director Barnett advised Council that the proposed rate increase would increase revenues by \$45,000 per year to cover the projected inflation of cost of expenditures, and planned capital projects. The rates will become effective March 1, 2014.

Direction by consensus of Council: Move forward to the meeting on February 10, 2014, Bring back as is and with a proportionate reduction in the rates.

**C. Discussion: AB 14-019: Resolution No. 14-104: Water rate increase**

Director Barnett advised Council that the proposed rate increase would increase water fund reserves by \$15,000 per year to cover the projected inflation of cost of expenditures, and planned capital projects. The rates will become effective March 1, 2014.

Direction by consensus of Council: Move forward to the meeting on February 10, 2014.

**D. Discussion: AB14-020: Resolution No. 14-105: Sewer Rate Increase**

Director Barnett advised Council that the proposed rate increase would increase revenues by \$50,000 per year to cover the projected inflation of cost of expenditures, and planned capital projects. The rates will become effective March 1, 2014.

Direction by consensus of Council: Move forward to the meeting on February 10, 2014.

**E. Discussion: AB 14-0021: Park Board Earth Day and Pacific Days Events, Resolutions No. 14-106 and 14-107.**

Ms. Wiech outlined the two resolutions presented to Council regarding Park Board participation in the Earth Day and Pacific Days events.

Direction by consensus of Council: Move both resolutions forward to the meeting on February 10, 2014.

**F. Discussion: AB 14-022: Resolution No. 14-108 Replacement Public Works Vehicle**

Director Barnett advised that the current Public Works staff vehicle is a 1998 Chevrolet Astro Van in poor condition with 90,977 miles on it. Staff is seeking approval of \$15,000 for purchase of a used vehicle.

Jamie Bothell at Auburn Chevrolet; check on

Direction by consensus of Council: Move forward to the meeting on February 10, 2014.

**G. Discussion: AB 14-023: Resolution No. 14-109: Hiring of a temporary file clerk**

City Clerk Amy Stevenson-Ness advised Council that due to staff shortage in several departments over the previous year, a backlog of paperwork and filing has accumulated. A temporary clerk will be brought on to support staff in the Public Works, Finance, and City Clerk offices.

Direction by consensus of Council: Move forward to the meeting on February 10, 2014.

**H. Discussion: AB 14-016: Marijuana and Recreational Marijuana Regulations**

Ms. Wiech briefly discussed the proposed ordinance.

**I. Discussion: AB 14-024: Resolution No. 14-110: Agreement with Puget Sound Energy**

Director Barnett advised this was one of the elements allowing the City to finalize the Stewart Road project.

Direction by consensus of Council: Move forward to the meeting on February 10, 2014.

**J. Discussion: Water discussion Mayor Pro Tem Jones**

Mayor Pro Tem Jones expressed his concern about the possible lack of water in the coming year due to lack of rain/snow. He inquired if the City should look at water limitations for the coming year.

Director Barnett said he will talk with our water manager, Jim Schunke. He said we are waiting on a report regarding the snowpack but also reminded Council that because we have our own wells, we have not been affected.

**ADJOURN**

Council President Putnam adjourned the workshop at 7:29 p.m.

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Amy Stevenson-Ness, City Clerk



## City Council Minutes

**Special Meeting**  
**Monday, February 03, 2014**  
**7:30 p.m.**

### **CALL TO ORDER**

Mayor Guier called the special meeting to order at 7:30 p.m.

### **ROLL CALL**

Present: Council Members Hulse, Kave, Knudtson, Steiger, Council President Putnam, Mayor Pro Tem Jones, and Mayor Guier

Absent: Council Member Walker

### **STAFF PRESENT**

Court Administrator Kelly Rydberg, Acting Public Works Director Ken Barnett, Planner Paula Wiech, Senior Services Assistant Director Darcie Thach, Public Safety Director John Calkins; Finance Director Richard Gould, and City Clerk Amy Stevenson-Ness

### **ACTION ITEM:**

A. Ordinance No. 14-1855: Adoption of Ordinance 14-1855 relating to the recreational and medical use of marijuana, adopting an interim zoning ordinance prohibiting the siting, establishment and operation of any structures, property or uses relating to recreational or medical marijuana production, processing, cultivation, storage, sale, delivery, exchange or bartering, to be in effect until the city adopts permanent zoning regulations on the same subject, which includes a prohibition on the submission of business license applications for such uses, this interim ordinance to be effective immediately, setting six months as the effective period of the interim zoning ordinance, and establishing the date of a public hearing on the interim zoning ordinance.

Planner Paula Wiech read the title of the ordinance into the record.

**COUNCIL MEMBER KAVE MOVED** to adopt Ordinance 14-1855 relating to the recreational and medical use of marijuana, adopting an interim zoning ordinance prohibiting the siting, establishment and operation of any structures, property or uses relating to recreational or medical marijuana production, processing, cultivation, storage, sale, delivery, exchange or bartering, to be in effect until the city adopts permanent zoning regulations on the same subject, which includes a prohibition on the submission of business license applications for such uses,

this interim ordinance to be effective immediately, setting six months as the effective period of the interim zoning ordinance, and establishing the date of a public hearing on the interim zoning ordinance. Seconded by Council Member Hulsey.

Speaking before Council:

James Dusek, 898 Valentine Ave SE	For him 6 months equals \$35,000 out of pocket; delivered WACs to the City for Council; said 502 businesses are the most highly regulated business in the city and it's very important to run a tight ship; there is no hazardous waste produced and fertilizer can be put down the drain; he is located in an area zoned for light industrial/agricultural;
Doug Steinhauer; 1350 Thornton Place	Said it is not Council's place to judge whether what is being grown is moral; it's about economics and how to serve the city best;  Said insurance is an issue if we go against the insurance company's recommendation; He is more than happy to put up a bond for growers naming the city as a beneficiary.  The City already had a year to come up with something; maybe a compromise can be reached to allow a test license for businesses.
Jeanne Fancher, 37248 55 <sup>th</sup> Ave S	Different take on the issues, noticed health and safety requirements as well as secondary and primary land impacts; these impacts need to be applied to all industries in the city, not just one.  How much will the city budget to pay for studies regarding these impacts?
Autumn, 898 Valentine Ave SE	Had to get establishment prior to license application with the state; six months will cost them \$35,000 for an empty warehouse

Mayor Pro Tem Jones stated it is critical to do this process right, responsibly. No licenses have been given by the state. The city is not the only entity costing people money; the state is as well.

Council Member Kave read his letter into the record and requested for formation of a citizen advisory committee.

Council President Putnam said we need to rely on state and federal law to regulate it as it stands now. He said he doesn't see how the city can exempt one business from Federal law.

Council Member Hulseley stated that Council needs to consider that the state isn't ready or they'd be issuing licenses.

Roll Call vote was taken resulting as follows:

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

The motion carried 6-0.

## **ADJOURN**

Mayor Guier adjourned the meeting at 8:01 p.m.

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Amy Stevenson-Ness, City Clerk

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