

FIFE CITY COUNCIL MINUTES

**Fife City Hall
Council Chambers**

**Date: January 10, 2006
Time: 7:00 p.m.**

CALL TO ORDER AND ROLL CALL

Mayor Kelley called the Fife City Council regular meeting to order at 7:00 p.m. with the following Councilmembers present: Godwin (7:08 p.m.), Johnson, Edwards, Kelley, Cerqui, de Booy, and Roscoe.

Staff present: Worthington, Jacoby, Blount, Blackburn, Richards, Campbell, Reinbold, Kennedy, Reuter, Ringus, and Recording Secretary Cheri Lindgren.

PLEDGE OF ALLEGIANCE

Mayor Kelley led pledge of allegiance.

SWEARING IN CEREMONY

Swearing in of New Councilmembers

Judge Kevin Ringus swore in Councilmembers Kory Edwards, Nancy de Booy, and Kim Roscoe and conveyed his congratulations.

Councilmember de Booy thanked citizens for electing her to the Council. She said she looks forward to the opportunity to guide the future and development of Fife.

Mayor Kelley thanked and recognized individual Councilmembers. He said he has enjoyed serving as Mayor the last two years. He reviewed 2004 and 2005 accomplishments:

- Hiring a new City Manager.
- Implementing a storm utility to address federal mandates and regulations
- Addition of approximately 500 new housing units in 2005.
- Fife strengthened partnerships with the Fife School District, Puyallup Tribe, and Port of Tacoma.
- The City revived its Fife Harvest Festival.
- 54th Avenue was completed to the new school.
- A fish friendly culvert was installed at Wapato Creek.
- The City Council approved the signal at Freeman Road and Valley Avenue.
- Sales tax was 18% higher in 2005 compared to 2004 and property tax revenue increased by 22% due to new construction activity.
- Fife continues its street overlay program with an earmark of \$500,000 for Frank Albert Road from 20th Street to the bridge.
- The construction on Highway 99 should be completed in 2006 and includes two left-turn lanes onto Interstate 5.
- This year, the City will pursue a partnership with the Puyallup Indian Tribe, Washington State Department of Fish and Wildlife, and the Port to work towards restoring Wapato Creek.

Election of Mayor

Councilmember Johnson said conveyed that he has enjoyed serving on the City Council for the last nine years and as Mayor Pro-Tem for the last four years.

**Recognition to Acting
Chief Blackburn**

Influence (DUI) Task Force in 1983. Seven years ago, Acting Police Chief Blackburn was instrumental in creating DUI emphasis throughout Pierce County. The City of Fife and the DUI Victims Impact Panel nominated Acting Police Chief Blackburn. Acting Police Chief Blackburn thanked the City Council.

PUBLIC HEARING

**Click Network
Franchise Agreement**

Mayor Kelley opened the public hearing for the Click! Network Cable TV Franchise at 7:24 p.m.

City Manager Worthington briefed the Council on the agreement allowing Click! Network to operate a cable television system within Fife's rights-of-way. Currently, local governments have the authority to grant franchises as provided by federal law. The City has worked with Diane Lachel, Government & Community Relations Manager for Click! Network over the last 14 months. The agreement covers a 10-year term with two, five-year options. The service area includes properties within Fife City limits. Fife will receive 5% of the gross revenue fees associated with the franchise, which is the maximum allowed through federal legislation and equal to the amount Fife currently charges Comcast. The City will reclaim up to \$10,000 in costs associated with creating the agreement. As new development occurs in the community Click! is obligated to provide service when growth reaches certain development standards. There is a provision for a five-channel "Fife TV 24/7" with Council approval. The agreement includes provisions for an "Institutional Network" (I-Net) that will tie together public facilities and other government entities. The agreement recognizes the potential for new technological developments. The agreement requires undergrounding where required. There is a formula to resolve dispute issues. City Manager Worthington briefly reviewed additional miscellaneous provisions.

Public Comment

Diane Lachel, Government & Community Relations Manager for Click! Network, said the focus was to create an agreement to provide the City with considerable flexibility. Commercial products and services are secondary to the parent company, Tacoma Power. Ms. Lachel cited operational efficiencies and the "smart meter process." There are approximately 155,000 power customers and the utility replaces 10,000 meters annually. The old mechanical meters will be replaced with new digital meters resulting in real time meter reading. The Click! Network will only build within the Tacoma Power service area. The service area includes everything west of 70th. Click! Network will expand if Tacoma Power expands. Completion of the network construction will occur in 2007. Click! Network will begin connecting customers in mid-2006, and deploy its services neighborhood by neighborhood. If a residence or business currently has its utilities overhead Click! will provide its facilities overhead. If the utilities are underground, Click! will provide its services underground as well. Click! will serve all areas within the public rights-of-way. Click! is unable to access private roads without prior approval. The proposed agreement is very similar to those for Tacoma, University Place, Fircrest and Lakewood. Fife is the fifth City to encourage true wire-line or cable television

competition. The rates are 25-30% lower than in communities without competition. Fife residents should be pleased.

City Attorney Jacoby reviewed the proposed insurance provisions. The network has provided a letter to the City that outlines its self-insurance limits. Fife's Municipal Code addresses franchise agreements for cable telecommunications systems in Chapters 11.01 and 11.04. City Attorney Jacoby highlighted the key factors.

The first reading of Ordinance #1581-06 authorizing the franchise is scheduled later on the Council's agenda. The proposed 65-page agreement is attached to the ordinance as an exhibit.

City Manager Worthington pointed out that the Rainier Communication Commission assisted with review and technical refinements during the agreement review process.

Councilmember de Booy agreed competition is good and asked what would prevent Fife from working with another cable provider. City Manager Worthington replied the agreement provides for a non-exclusive franchise. The City could engage in discussions with a third supplier.

Councilmember Roscoe asked whether customers can have two cable providers at the same time and whether there is a maximum pole wire capacity. Ms. Lachel replied a customer can have two cable providers at the same time. Director Blount explained Tacoma Power owns most of the poles. In general, there is no limit as long as a worker is able to safely climb and work up and down the pole. The ability to attach additional drop lines may be limited if a pole currently has a number of drops.

Councilmember Cerqui expressed concern that service cannot be provided to serve the entire City. He asked several questions:

- Does the Click! Network enter into intergovernmental agreements permitting service expansion to the City limits? Ms. Lachel replied it does have some interlocal agreements where Tacoma Power lines need to cross over other property to serve Click! customers. She indicated she will research whether Click! will consider expanding outside the Tacoma Power service area and follow up with the Council at a future meeting.
- Is the Click! Network level of service similar to what City residents currently experience with the competition? Ms. Lachel answered yes. Click! is not a large corporation and does not own programming rights. However, the channel line up matches the services desired by Fife customers.
- Is the I-Net an internal network for the internet or all telecommunications services? Ms. Lachel explained it is a closed network for public buildings and can be used for video, voice, and data purposes or all three. Most of the information needed can be obtained via the internet rather than through an independent network with operational and maintenance costs.
- Are there any other taxes or fees collected in addition to the 5% in gross revenue

fees associated with the franchise? City Manager Worthington replied no other taxes or fees are assessed.

Director Blount said the City Council should not view the collection of 5% in gross fees as a revenue generator. The benefit to the City is related to improved service throughout the community.

Councilmember Johnson directed staff's attention to section 10.11 on page 36 of the agreement that discusses construction and use of poles. Director Blount said the agreement provisions do not exempt Click! or override Fife's code requirements. Tacoma Power, Qwest, and Puget Sound Energy do routinely replace poles.

Councilmember Johnson referred to Exhibit II-A on page 56 and asked if it is specific to the City of Fife. The language includes references to the City of University Place and City of Fircrest. City Manager Worthington replied staff will correct the exhibit accordingly.

Councilmember Godwin asked if power customer do not elect to use Click! cable service can have a drop line from the home to the power meter? Ms. Lachel replied yes. The wire will remain with the advanced electric meter. The drop wire will be placed alongside the power wire. Councilmember Godwin suggested the Council may want to combine its ordinances, as the services currently provided are no longer specific.

Mayor Kelley closed the public hearing at 8:05 p.m.

**COUNCIL
DELEGATE
REPORT**

Councilmember Cerqui reported he is currently working with the Historical Society.

Councilmember Roscoe deferred her Fife School Board report to the Council's next televised meeting.

**Council Liaison
Appointments**

City Manager Worthington briefed the Council on the opportunity for changes in appointments to various Council committees/boards, and intergovernmental assignments. Additional boards for Council consideration include:

- Local Board of Volunteer Reserve Officers to handle disability claims. Councilmember Edwards volunteered to serve on the board.
- Pierce County Community Services Board. The board reviews Community Development Block Grant (CDBG) block grant applications and forwards funding recommendations to the Pierce County Council. The board meets monthly and requires a three-year commitment. During the months of November through February it meets weekly. Pierce County Cities & Towns has extended authority to Mayor Kelley to appoint a delegate to the board. Councilmember de Booy expressed interest in serving on the board.

Councilmember Roscoe suggested three additional committee opportunities: The

Chamber of Commerce, Governmental Affairs Committee, and Hotel/Motel Tax Advisory Committee.

Councilmember Cerqui conveyed interest in serving as a liaison to the Puyallup School District. Councilmember Roscoe expressed interest in serving as well.

City Manager Worthington and Councilmembers reviewed committee assignments. In reply to an inquiry about the Association of Washington Cities (AWC), City Manager Worthington said a delegate should be in place by June for the annual meeting.

Councilmember Roscoe reported the Zoo Trek Authority would like to reappoint her to another term. She said she also serves on the Communities and Schools Board and is willing to continue representing the City at the weekly and/or monthly meetings.

Councilmembers de Booy, Edwards, and Cerqui expressed interest in providing representation at the Chamber meetings. City Manager Worthington clarified the City's membership allows all Councilmembers to attend.

Discussion of forming a Hotel/Motel Tax Advisory Committee in 2006 ensued. Staff will provide further details at a future meeting. Councilmembers Roscoe and Cerqui expressed interest in serving on the committee.

Councilmember Godwin volunteered to work with the Parks Board and its program development.

Director Campbell reviewed the revised list of committee assignments:

- Rainier Media Center – Councilmember Edwards, alternate Steve Worthington
- Rainier Communications Commission – Councilmember Edwards, alternate Steve Worthington
- Puget Sound Regional Council – Councilmember Godwin, alternate Mayor Kelley
- Pierce County Regional Council – Councilmember Godwin, alternate Mayor Kelley
- Liaison to the Fife School Board – Councilmember Roscoe, alternate Councilmember Johnson
- Voucher Review Committee – Council rotation schedule
- Association of Washington Cities – Councilmember Edwards
- Association of Washington Cities Legislative Committee – Councilmember Johnson, alternate Councilmember Godwin
- Fife Historical Society – Councilmember Cerqui
- Zoo Trek Authority, appointment by Pierce County Regional Council – Councilmember Roscoe
- Valley Cities Mayors and City Administrators – Mayor Kelley and Steve Worthington

- Mayors of Pierce County – Mayor Kelley
- Pierce County Cities & Towns – Mayor Kelley
- Local Board of Volunteer Reserve Officers – Councilmember Edwards
- Pierce County Community Service Board – Councilmember de Booy
- Communities and Schools – Councilmember Roscoe
- Liaison to the Chamber – Councilmember de Booy
- Liaison to Puyallup School District – Councilmember Cerqui
- Hotel/Motel Tax Advisory Committee – Councilmember Roscoe, alternate Councilmember Cerqui
- Parks Advisory Board – Councilmember Godwin

Motion

Councilmember Roscoe moved, seconded by Councilmember Godwin, to accept the list of Council liaison appointments as read into the record by Director Campbell. Motion carried.

**ORDINANCES AND
RESOLUTIONS**

ORDINANCES

**#1581-06 Award –
Click Network
Franchise Agreement**

Councilmember Godwin reported on a potential conflict in his neighborhood concerning connection to the Click Network. Prior to the Home Lane extension, the homes were fed aurally. The houses at the end of Home Lane were provided with aerial drops and the City forced the provider to bury the lines. Director Blount said staff has advised Click! that there are neighborhoods with aerial feeds at the street and no aerial feeds to the house. In that case, the requirement is to underground the wire.

City Clerk-Treasurer Campbell read the title of Ordinance #1573-05:

An ordinance of the City Council of the City of Fife, Pierce County, Washington, granting a cable television franchise to Click! Network.

Motion

Councilmember Roscoe moved, seconded by Councilmember Edwards, to approve the first reading of Ordinance #1581-06 and place it on the consent agenda for second reading. Motion carried.

RESOLUTIONS

**#1002-06 Authorize
Agreement – Puget
Sound Energy for
Valley Avenue Utility
Burial Design**

Director Blount reported Resolution #1002-06 and Resolution #1003-06 both concern the Click! franchise and involve the installation of telecommunication and power distribution facilities. Fife's ordinance requires undergrounding power and telephone lines when pole relocation is necessary. The fiscal impact includes a \$400,000 payment to Puget Sound Energy (PSE), \$32,000 for the design, and \$500,000 for the conduit and vaults. The costs associated with construction are not budgeted for 2006.

#1003-06 Authorize

Staff recommends the Council approve the resolutions as presented.

**Agreement – Qwest
for Valley Avenue
Utility Burial Design**

City Clerk-Treasurer Campbell read the title of Resolution #1002-06:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing execution of a contract with Puget Sound Energy regarding Valley Avenue East aerial to underground relocation.

Motion

Councilmember Roscoe moved, seconded by Councilmember Johnson, to accept Resolution #1002-06.

Councilmember Johnson inquired whether the action affects Tacoma Power lines. Director Blount replied there may be a need to move one or two poles at the west side of 70th to widen the intersection lanes. The code does allow for pole relocation for temporary/interim type construction.

Councilmember Cerqui asked whether undergrounding the utilities in conjunction with the Pacific Highway project was not required because the poles did not require relocation. Director Blount affirmed the statement. Councilmember Cerqui expressed concerns about the costs associated with undergrounding utilities versus moving poles. Director Blount reported utility companies are required to bear the costs associated with moving poles.

Discussion ensued about fiscal impacts to the City. Director Blount said it makes sense to beautify the most visible streets for local residents and the broader public traveling through Fife. The project serves to showcase the community. The investment is reflected in increased property values and vibrancy of the City. Councilmember Cerqui said he is interested in reviewing a comparative cost analysis and potential options. Director Blount said staff will return with a resolution authorizing staff to enter into voluntary negotiations to acquire the needed right-of-way. Evaluating the total overall budget is part of the property acquisition component. A separate process is necessary if a majority of the Council wishes to review its current policy. Councilmember Cerqui asked if illumination is part of the design. Director Blount affirmed it was.

Mayor Kelley asked whether staff anticipates right-of-way issues in the trust land vicinity. Director Blount replied initial meetings with the tribe and individual property owners have been favorable.

Councilmember Godwin commented the costs associated with undergrounding utilities are absurd. However, the City cannot apply a different standard along Valley. A system of metal poles is inadequate. He said he favors undergrounding the utility lines.

Motion

Motion carried unanimously.

City Clerk-Treasurer Campbell read the title of Resolution #1003-06:

He expressed concern about potential flooding that could damage the trail. Director Blount said the specific design has not been determined. The agreement requires Gensco to submit a design for review and approval by City staff. A brief discussion of any restoration or clean up work necessary for lot 3 and the culvert design followed.

Motion

Motion carried unanimously.

RESOLUTIONS

**#996-06 Authorize –
Radio Repeater
Purchase**

Acting Police Chief Blackburn reported the resolution enables the City to install a three repeater very high frequency (VHF) voted multicast radio system to serve the cities of Fife, Milton, and Eatonville. The system enhances and upgrades the capabilities of the Communications and Dispatch Center. A total of \$69,000 is appropriated in the 2006 budget. Staff will utilize a cooperative City of Seattle purchasing agreement to acquire the necessary equipment from a local vendor, Puget Sound Instrument, Inc.

City Clerk-Treasurer Campbell read the title of Resolution #996-06:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing the City Manager to purchase radio equipment for the City's Communications and Dispatch Center.

Motion

Councilmember Roscoe moved, seconded by Councilmember Edwards, to adopt resolution #999-06.

Councilmember Roscoe said Acting Police Chief Blackburn indicated there were communication gaps when responding to the Tacoma Mall shooting incident. She asked if it's an issue the Council should address. Acting Police Chief Blackburn said the radio system does not address inoperability between the 800 system and the City's communications system. The new VHF system increases coverage to the entire Puyallup Valley. Currently, patching capabilities are available and frequencies can be tied together.

Councilmember Cerqui inquired whether the new system will enhance communications with the Tacoma Fire Department. Acting Police Chief Blackburn replied it will help with coverage and enhances the City's current capabilities.

Motion

Motion carried unanimously.

**#999-06 - Authorize
Contract for
Comprehensive Water
Plan**

Director Blount reported the initial proposal is for approximately \$130,000 to meet Washington State Department of Health (DOH) requirement that comprehensive water plans are regularly updated. An additional \$40,000 is included for alternatives analysis. Fife buys water and water capacity from Tacoma. The cost is \$1.5 million/year. Staff is hopeful the City can recoup some of the costs associated with

water purchase and capacity over the next several years. RH2 was the most qualified firm to complete the work. Staff recommends the Council approve Resolution #999-06.

City Clerk-Treasurer Campbell read the title of Resolution #999-06:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing a contract with RH2 Engineering, inc. for preparation of a Comprehensive Water System Plan.

Motion **Councilmember Roscoe moved, seconded by Councilmember de Booy, to adopt Resolution #999-06, Comprehensive Water Plan.**

A short discussion ensued about the Comprehensive Water Plan evaluating other sources and expansion opportunities.

Motion **Motion carried unanimously.**

#1011-06 Authorize – Prosecuting Attorney Contract

City Attorney Jacoby reported the resolution authorizes the City Manager to enter into a professional services agreement with John Rodabaugh. Mr. Rodabaugh has provided attorney services to the City for a number of years. The current agreement expires December 31, 2005. A new three-year contract was negotiated. The new contract increases Mr. Rodabaugh's compensation by 8% plus cost of living adjustments in years 2 and 3. Mr. Rodabaugh will provide his own legal malpractice insurance. The prosecuting attorney spends approximately three days a week working on City of Fife matters. The compensation package is competitive and within the range of what other cities pay.

City Clerk-Treasurer Campbell read the title of Resolution #1011-06:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing the City Manager to enter into a professional services contract with John L. Rodabaugh II for prosecution services.

Motion **Councilmember Roscoe moved, seconded by Councilmember Edwards, to approve Resolution #1011-06. Motion carried.**

#1014-06 Authorize – Change Order #3 SCI Pacific Highway East Project

Director Blount reported the change order involves installing electrical outlets to illuminate street trees planted along Pacific Highway East. The illumination component was not included with the project initially as the City went through a standard state specifications process. The tree lighting efforts over the holidays were well received by the public. The change order is optional. A total of 79 electrical outlets are proposed at a cost of approximately \$1,800 each. All related conduit will be placed underground.

City Clerk-Treasurer Campbell read the title of Resolution #1011-06:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing Change Order Number 3 to the contract with SCI Infrastructure LLC for reconstruction of Pacific Highway East between Port of Tacoma Road and Alexander Avenue East.

Motion

Councilmember Roscoe moved, seconded by Councilmember Edwards, to approve Resolution #1014-06.

Councilmember Godwin asked about the location of the service panels. Director Blount reported the service panels will be placed on City-owned property west of the Jack-in-the-Box restaurant, the storm pond at Alexander Avenue East, and at the Criminal Justice Center driveway. Additional right-of-way acquisition is not necessary.

Councilmember Johnson inquired whether future construction is anticipated from Alexander to 54th allowing the City to install electrical outlets along the corridor. Director Blount said the fiscal impact is significantly higher compared to the current request. He referred to a posted “photo strip” that shows potential redevelopment to 54th. The roadway section is dated and was completed to a lower City standard. Future construction is anticipated as the Council and community moves forward on the overall corridor planning.

Councilmember Cerqui expressed concerns about costs but noted his support for the resolution extending the illumination program.

Motion

Motion carried unanimously.

NEW BUSINESS

**Local Transportation
Funding Alternatives**

City Manager Worthington reported the Council requested information on funding alternatives for street improvements, specifically how the City of Fife and City of Sumner differ in its street development along industrial corridors.

Interim Community Development Director Kennedy reported there are a number of possible local funding sources including:

- Formation of a local improvement district (LID).
- State-shared revenues, specifically the local share of gas taxes
- Impact fees assessed through the State Environmental Policy Act (SEPA)
- Use of a concurrency management system
- General fund allocations
- State and federal funding sources

The City of Sumner was fortunate. Several years ago, some property owners sold their farms. With the state’s help, Sumner was able to construct an interchange and

improvements to 142nd. The improvements included curbs, gutters, sidewalks, utilities, and landscaping. There are now numerous manufacturing and/or warehousing facilities located along 142nd. The infrastructure was accomplished prior to significant development. Fife has existing manufacturing and warehouse businesses along 70th. The City will have to poll property owners to ascertain any interest in forming an LID.

Councilmember Godwin complimented City staff for pursuing different grant opportunities. However, Fife has limited itself as 70th is a narrow thoroughfare. Additional warehouses and another 500 homes are anticipated next year. When the shifts change, it is difficult for employees to make a left turn onto 20th to access I-5. He said he doesn't understand why a left turn lane was not required in front of the warehouses and asked if it was an oversight on the part of the City. Director Blount responded SEPA is a long process. During his four-year tenure with the City, each warehouse project was required to go through the SEPA process and there were no requirements to build a turn lane at that time.

City Manager Worthington reported the City of Sumner conditioned annexations by requiring proponents to pay its fair share for associated infrastructure improvements. Pierce County developed the east side of 70th in conjunction with a sewer line extension by Noresco. As a condition of annexation, Pierce County's SEPA was accepted by Fife when annexed in the mid 1990s. The City then began its development process for properties on 70th.

Councilmember Godwin asked if the two new warehouses south of the tracks completed the SEPA process. Director Blount confirmed completion of the SEPA process. City Manager Worthington confirmed the issuance of Determination of Nonsignificance (DNS). The proponents did provide traffic mitigation based on the formula in place at the time. Councilmember Godwin asked how the City prevents the same scenario from happening on 20th. City Manager Worthington replied by adopting standards the Council believes are appropriate for the projects. Staff has reviewed options for retrofitting 70th. A multi-million dollar improvement project is planned for Valley. Funding partners have indicated once Valley is under construction, they will consider 70th for further construction grant funding. There is some potential for a limited LID. Further discussion of the Valley and 70th projects, construction costs, additional federal funding sources, and recent SEPA determinations and traffic mitigation requirements ensued.

Councilmember Edwards conveyed that it is important that Fife is on track to ensure 20th and the development of Levee Road does not develop into another 70th.

Councilmember Godwin said a number of businesses including Allied Van Lines were promised a road.

Councilmember Johnson asked how much of the Valley funding is needed for right-of-way acquisition, whether the proposal will create an LID, and how much of the

LID is a City responsibility. Director Blount answered approximately \$2 million is allocated for right-of-way acquisition. However, the costs could be much higher given the current real estate market. City Manager Worthington said the creation of an LID is premature. The City's share is significant and will require external funding sources. Director Blount added the current property owners are not interested in participating in an LID. The owners of undeveloped land are waiting for the City to construct frontage improvements and pay for the necessary right-of-way prior to pursuing development. Staff provided an overhead LID spreadsheet. Staff will present the Council with a report concerning a traffic impact fee study in February.

Discussion followed regarding condemnation measures, developing a strategy to create a latecomer agreement to provide infrastructure on 70th and the City's obligation to provide curb cuts to developments that meet Fife code requirements.

Councilmember Edwards asked why the Radiance project was required to provide improvements when the warehouse applicants did not. City Manager Worthington said the City changed the way it conducted business with Radiance. Fife needed the improvements. He provided a brief history of the previous practice to collect an area charge based on a square footage formula to pay for necessary improvements to 70th. The project estimates and fees collected did not come close to covering construction costs when staff reevaluated the project.

Councilmember Cerqui commented the Council and City changed its standards for roadway construction, which in turn raised the costs. If the City is creative it could complete the project sooner than later.

Councilmember Godwin asked how many other projects were issued a DNS that the City Council is not aware of. City Manager Worthington said staff could research and report the number of vested SEPAs over the last 10 years to the Council at a later date. The City Council can impose a moratorium based on the right information. Councilmember Godwin clarified he wants to know what projects have gone through the SEPA process. He asked if the City is required to honor a SEPA determination that was made in 1990. City Manager Worthington replied possibly. Interim Community Development Director Kennedy added the City would have to honor a vested SEPA unless a significant change warrants otherwise.

Councilmember Johnson requested a legal analysis about whether significant roadway and stormwater standard changes could affect a vested SEPA determination.

Councilmember Edwards agreed with Councilmember Godwin. The Council needs to know what the City is responsible for under the SEPA, what development is possible, and where the City stands.

Motion

Councilmember Roscoe moved, seconded by Councilmember Edwards, to extend the City Council meeting to 11:00 p.m. Motion carried.

Councilmember Cerqui said the Federal Emergency Management Agency (FEMA) flood study is significant and could be subject to review if a proponent has vested permitting rights. He asked if the City's ability to pursue grant funding could be affected if it challenged vested SEPA determinations. Director Blount replied it could have a minimal impact if an applicant paid funds to the City for frontage improvements based on the 1996 SEPA, and the proponent was informed the fee was insufficient based on a change in requirements.

City Manager Worthington said staff will complete legal research requested by Councilmember Johnson and research past SEPA determinations. Staff will provide a report to Councilmembers prior to its next meeting. Councilmember Johnson suggested staff use its GIS mapping software and provide the Council with a map of undeveloped parcels, with those that have vested SEPAs shown in a "cross-hatch" pattern.

CITY MANAGER REPORT

City Manager Worthington reported on the following:

- Per Council direction, staff has drafted a letter regarding the stormwater utility for its review. He asked Councilmembers to return comments by Friday, January 13, 2006.
- Staff is working on scheduling a joint meeting between the City Council and Port of Tacoma Commissioners for February 1, 2006. Staff is developing a draft agenda.
- The Finance/Administrative Services Department is working on the business license renewal process. As previously requested by the Council, staff will examine a different business license renewal process.
- Staff has submitted a grant application for job creation. Results should be available within the next couple of months.
- Interview scheduling for the two director openings are underway; i.e., the Parks & Recreation and Community Development Directors. A selection is possible by the end of the month.
- The Council's change to the salary structure and other resources has enabled staff to step up its recruitment process.
- The Public Works Department is working on a request for qualifications (RFQ) process for the sidewalk design consultant for Valley. He asked the Council to let staff know if it is interested in participating in selecting the design firm.

COUNCILMEMBER COMMENTS

Councilmember Johnson welcomed Councilmember de Booy. He extended best wishes to Councilmember Edwards as Mayor Pro Tem.

Mayor Kelley reported he and City Manager Worthington attended the Towns & Cities meeting last week. Members received presentations from AWC regarding franchise agreements. The Director of Public Health discussed "bird flu." A "bird flu" epidemic will have serious consequences. There currently is no vaccine available and local hospitals don't have sufficient capacity to care for patients should an outbreak occur.

Councilmember Cerqui welcomed Councilmember de Booy and congratulated Councilmembers Roscoe and Edwards on their successful re-election campaigns. He acknowledged Acting Police Chief Blackburn's efforts to assist families in need during the holiday season. He said he is interested in participating in future Hispanic cultural meetings.

Councilmember de Booy reported she and Councilmember Edwards attended an AWC workshop for newly elected officials. The speakers and materials were appropriate. She said she enjoyed the networking opportunities.

Councilmember Roscoe reported she attended the Hispanic cultural meeting. The Police Department is empathetic to the Hispanic culture and ongoing underlying issues. The meeting provided an excellent opportunity and venue for the Hispanic community to take part in the meeting because. She wished everyone a happy new year.

Councilmember Edwards commended Police Officer Russ Hicks for his role in working with the Hispanic community. It speaks well to the type of officers working for the City of Fife.

Director Blount provided a brief report concerning stormwater management activities regarding Drainage District 21. The City has received many calls in the last couple of days from citizens expressing appreciation for and confidence in the City's efforts.

**EXECUTIVE
SESSION**

Mayor Kelley recessed the meeting to an executive session at 10:20 p.m. for the purpose of Real Estate Acquisition RCW 42.30.110(b) and Personnel Matters RCW 42.30.110(g) for approximately 40 minutes. No action is expected following the executive session.

**RECOVENE &
ADJOURNMENT**

Mayor Kelley reconvened the meeting at 11:00 p.m. and adjourned the meeting at 11:00 p.m.

Mike Kelley, Mayor

Marlyn Campbell, Clerk-Treasurer