

Proclamation

activities that includes a car smash. Attendees can have a free “whack” at the car with canned food or a cash donation. All food donations will go to the local food bank. Cash donations will be divided between the food bank and Future Business Leaders of America (FBLA). She reviewed the tentative schedule culminating in a fireworks display at 8:30 p.m. Staff is accepting parade and vendor entries. *Tacoma News Tribune* is offering a coupon for a hot dog meal for \$1.

Councilmember Roscoe said her son is participating in a coloring contest.

Mayor Kelley read a proclamation declaring October 6, 2007, *Fife Golden Jubilee Harvest Festival*.

Councilmember de Booy said the event will take place rain or shine. Performers are using the stage at Columbia Junior High School.

Assistant Richard reported the cost to rent a vendor booth is \$50 and there is no cost to nonprofit organizations.

**Recognition of
Officer Ray Moody
Retirement**

Mayor Kelley reported Police Officer Ray Moody is retiring on September 30, 2007 after 14 years with the City. A lunch is planned at the Police Department on October 1, 2007 for all employees. Mayor Kelley commented on Officer Moody’s many accomplishments and career history. He presented Officer Moody with a plaque.

Officer Moody conveyed appreciation for his years of service with the Fife Police Department. The City as a whole is dynamic and employees love coming to work.

**Mayor’s Cup Dragon
Boat**

Councilmember Edwards provided slides highlighting this year’s Mayor’s Cup Dragon Boat Race held on September 15, 2007. Fife’s team has been racing and practicing since March. He acknowledged the Tacoma Dragon Boat Association (TDBA), a nonprofit amateur athletic organization. Members range in age from 18 to over 80 and come from a wide range of professions. More information about the association is located on the web at www.tacomadragonboat.org. Councilmember Edwards recognized Shannon Heinrich. Team roster members in attendance were presented with medallion awards. He thanked the team for their dedication and participation, McGavick and Graves for sponsorship, organizational help from Stefanie McCauley, and to Captain Steve Worthington who led the team of “Dragon Bottoms” to a third place finish.

**COUNCIL
DELEGATE
REPORT**

Councilmember Edwards reported on his attendance to the Parks and Recreation community meeting on September 20, 2007, and several conversations he had with several Fife citizens.

Councilmember Johnson arrived.

Councilmember Edwards reported is attending the Association of Washington Cities (AWC) Board of Directors meeting in Seattle on September 28, 2007.

Councilmember Cerqui reported he attended the Mayors gathering on September 20, 2007. He conveyed appreciation for having the opportunity to meet with Fife residents. Councilmember Cerqui said he also attended a recent Port of Tacoma luncheon.

Councilmember de Booy reported she is assisting with Fife's Harvest Festival. She encouraged everyone to attend. "Fife Flashy Splashers" (Red Hat Ladies) are marching in the parade. She said she recently explored a number of trails and parks in the City. Fife is becoming well known for its nice walking paths and trails.

Councilmember Roscoe said she is looking forward to the upcoming Harvest Festival celebration.

Councilmember Johnson reported he is attending the AWC Sustainable Communities conference in Vancouver during the week.

PUBLIC HEARINGS

Continuation of Modification of Radiance IV Preliminary Plat

Director Smith reported at the Council's direction, staff met with the Radiance applicant and Puyallup Tribe of Indians to work on an agreement to resolve issues regarding the Radiance IV preliminary plat. The meeting was productive; however, additional time is required. Staff recommends continuing the public hearing to October 9, 2007.

Mayor Kelley opened the public hearing at 7:26 p.m. and continued the public hearing to October 9, 2007.

2008 Budget Revenue Hearing

Director Marcotte reported two public hearings are required on revenue sources identified to fund the 2008 budget. He referred to two exhibits attached to the staff report - 2007 Preliminary Assessed Values calculated by Pierce County and a revenue comparison for all funds. The total proposed revenue budget for all funds is \$79,666,518. General Fund revenues total \$21,129,691. Major revenues include:

- **Property tax** revenues of \$2,225,261, or a 7% increase over the 2007 budget. The proposed budget recommends continuing the current property tax rate of \$1.2098 for each \$1,000 of assessed value. A 1% property tax collection cap applies only to properties taxed previously and not for new construction. If the Council decided to collect property taxes on the maximum allowable levy, revenues could total \$2,434,575, or \$200,000 above the current proposal. Fife's assessed valuation increased by \$400 million last year. Fife's current assessed value is \$1,992,733,835.

- *Sales taxes* are estimated at \$7,980,000, or a 7% increase over 2007.
- *Licenses and permits* are anticipated to reduce 18% primarily because of decreased building permit activity.
- *Investment interest earnings* are anticipated to increase based on a rate of 5.25%.
- *Notices of infraction* are a new revenue source in the Public Safety Fund for the Red Light Photo Enforcement Program, which is expected to generate an additional \$988,500.
- *Water utility revenues* are anticipated to increase by 5% over 2007 to \$1,971,000.
- *Sewer utility revenues* are anticipated to increase by 32% over 2007 to \$3,766,800.
- *Storm utility fund revenues* are estimated to increase by 14% over 2007 to \$874,200.
- *Utility taxes* (not including the Tacoma franchise fee) are estimated to increase by 4% to \$720,000.

Director Marcotte reviewed the next steps and required public hearings concluding with adoption of the 2008 budget at the Council's November 13, 2007 meeting.

Mayor Kelley opened the public hearing at 7:37 p.m.

Councilmember Roscoe said the Council budget workshops were beneficial and informative.

Mayor Kelley closed the public hearing at 7:38 p.m.

Councilmember Edwards thanked Director Marcotte for the concise presentation.

NEW BUSINESS

Benthien Annexation Process

Director Smith briefed the Council on the Benthien annexation process to date. A topic of discussion at the Council's August 14, 2007 meeting was an appropriate zoning designation to include on the petition for annexation.

Staff met with residents and petitioners on August 29, 2007. A consensus was attained to support preannexation zoning of Neighborhood Commercial (NC) instead of Small Lot Residential (SLR). NC zoning is more consistent with existing land use patterns in the Benthien Loop neighborhood.

Director Smith reviewed a tentative Benthien Loop annexation timeline. Changing preannexation zoning requires two public hearings held 30 days apart. The City of Fife and the County Assessor are required to certify the annexation petition. If the Pierce County Boundary Review Board (BRB) does not invoke jurisdiction within 45 days after the petition is filed, the proposed action is

deemed approved based on the Revised Code of Washington (RCW) 36.93.100. If the BRB invokes jurisdiction, BRB has 120 days in which to make a decision. The process culminates with the Council adopting an annexation ordinance in April 2008.

Staff is preparing a white paper study on how much it will cost to serve the annexation area and estimated revenues the City should receive. Staff plans to ask Pierce County for some assistance in assisting the City prepare for the annexation. Director Smith recommended the Council proceed with processing the Benthien Loop annexation based on the timeline.

Public Testimony

Ron Arndt, Benthien Loop resident, said the community meeting was informative and successful. Residents are eager to move forward with annexing properties to the City of Fife. He said he appreciates staff's time. Residents are open minded and ready to work with Fife based on their willingness to rezone from SLR to NC. Areas of concern include knowing the costs of annexing and, once annexed, if dialing 911 will solicit a county or City emergency response.

Police Chief Blackburn replied that after properties are annexed, Benthien Loop addresses are programmed into Fife's emergency response system rendering a City response to emergency calls.

Bob Nims, 957 Benthien Loop, said he prefers SLR zoning. Benthien Loop is a residential community with homes and children. Properties along the creek would not benefit from NC zoning. Commercial zoning detracts from the neighborhood character. Mr. Nims said he doesn't want to see businesses locate within the neighborhood.

Larry Wagman, Benthien Loop resident, said he spoke in favor of annexation at the last meeting. He indicated he had his own agenda in that he would be unable to rebuild if something happens to his home. He apologized to his neighbors, Council, and staff for making the issue personal rather than focusing on the annexation as to how it impacts the neighborhood. He said he supports annexation and believes Fife is his home. He said he is not confident with emergency response service provided by Pierce County. Police Chief Blackburn is the officer he respects and would want in the event of an emergency. Fife likely has one of the most efficient and competent police departments within the tri-state area.

Rhea Nagle, 5801 4th Street E, asked whether her parcel is within the proposed annexation boundary. Staff confirmed her property is within the proposed annexation boundary. Ms. Nagle said she was very disappointed to read in the Fife paper that a community meeting on the annexation has occurred. She and many other 4th Street residents were not aware of the meeting and would have attended if they had known.

Rich Lott, a Benthien Loop annexation petitioner, apologized to Ms. Nagle.

Mr. Lott said he attempted to contact all 75 residents encompassing 43 acres. Petitioners are asking the City for help with the annexation. Benthien Loop residents do business in Fife, use recreation facilities, and their children attend Fife schools. He said he looks forward to annexing to the City.

City Manager Worthington pointed out that the tentative schedule provides opportunities for citizens interested in the proposed annexation to participate in future meetings and discussions. The Planning Commission will discuss and deliberate a recommendation for preannexation zoning on October 1, 2007 at 7:00 p.m. at City Hall. He encouraged residents to attend the meeting and provide input. City staff will work with residents as the annexation process proceeds.

Michelle Bunker, 5905 4th Street E, asked if Fife will annex properties with commercial zoning. City Attorney Forbes replied the Council is unable to answer that question at this time. City Manager Worthington added the Council will make a decision about preannexation zoning following the Planning Commission's review and recommendation.

ORDINANCES AND RESOLUTIONS

#1646-07; Revise Speed Limits on Portions of 62nd Avenue East and 70th Avenue East

Director Blount reported the Council discussed the topic of revising speed limits on portions of 62nd and 70th Avenues at the September 18, 2007 study session. Several Councilmembers believe 30 MPH is preferred on portions of 62nd Avenue from 20th Street East to Valley Avenue East. Director Blount noted that in his professional judgment, 35 MPH is a safe speed for that section of roadway, which is included in the ordinance. Washington State Department of Transportation (WSDOT) purchased and demolished a number of homes along 70th Avenue East. The properties are now vacant. Staff recommends a 35 MPH speed limit on that segment of road.

City Clerk Marcotte read the title of Ordinance #1646-07:

An ordinance of the City Council of the City of Fife, Pierce County, Washington, increasing the speed limit on 62nd Avenue East to 30 miles per hour from its intersection with Valley Avenue East to its intersection with 20th Street East, and increasing the speed limit on 70th Avenue East to 35 miles per hour from its intersection with 20th Street East to the north City limits and amending Fife Municipal Code Section 10.12.040.

Motion

Councilmember Edwards moved, seconded by Councilmember Roscoe, to adopt first reading of Ordinance #1646-07; Revise Speed Limits on Portions of 62nd Avenue East and 70th Avenue East.

Councilmember Edwards reported he has driven 62nd Avenue East at night and 35 miles per hour appears to be too fast. He encouraged Councilmembers to

drive the roadway before adopting the ordinance. A 35 MPH speed limit on 70th Avenue East is acceptable. Councilmember Roscoe agreed. 62nd Avenue is a unique street with stops at both ends. Several apartments line the roadway. She said she would expect additional pedestrian movement down Valley Avenue to reach Wedge Park. There are also a number of new homes in the area. The speed limit in other residential neighborhoods with no sidewalks is 20 MPH. She said she prefers a 25 MPH speed limit for 62nd Avenue.

Councilmember de Booy said she'd like to drive 62nd Avenue East prior to rendering a recommendation and is comfortable with the recommendation for 70th Avenue East.

Councilmember Cerqui concurred with staff's recommendation.

Mayor Kelley agreed with staff's recommendation for 70th Avenue East; however, a 30 MPH speed limit on 62nd Avenue East is more appropriate.

Councilmember Johnson reported he has also driven 62nd Avenue East and a speed limit of 35 miles per hour is too high. People will drive 40 miles per hour. He agreed that 30 miles per hour is appropriate for 62nd Avenue East.

Motion

Councilmember Johnson moved, seconded by Councilmember Godwin, to amend Ordinance #1646-07 and change the speed limit for 62nd Avenue to 30 MPH. The amendment to the motion carried. Councilmember Edwards opposed. Councilmember de Booy abstained.

Motion

Motion to adopt Ordinance #1646-07 at first reading as amended carried. Councilmember Edwards opposed.

**#1146-07;
Amendment to
Construction
Management
Contract for 20th
Street Drainage
Project**

Director Blount reported when the City awarded the initial construction management services contract for the 20th Street East Storm Drainage Improvement project to Robinson Engineers, he reported he believed the consultant underestimated the project budget. Municipal construction is not the contractor's specialty. The scope of services for the existing contract represented less than 10% of the construction bid cost. Generally, construction management services range from 10 to 15% of construction costs. Director Blount recommended the Council approve the resolution amending the contract. Another option is having the City complete the project and ending the contract. Robinson Engineers possesses capable, full-time construction services staffing.

City Clerk Marcotte read the title of Resolution #1146-07:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing the City Manager to execute an amendment to the contract with Robinson Engineers, LLC, for construction management services on the CIP #2 – 20th Street East drainage improvements projects between the 54th Avenue East and 62nd Avenue East.

Motion

Councilmember Edwards moved, seconded by Councilmember Cerqui, to adopt Resolution #1146-07; Amendment to Construction Management Contract for 20th Street Drainage Project.

In response to a question from Councilmember Godwin about whether the contractor bid the job, Director Blount explained the contract consists of an estimate on the number of hours and hourly rate to complete the work. He emphasized he previously told the Council he believed the contractor may have underestimated the number of hours based on the type of construction and activities required.

Councilmember Edwards pointed out that Robinson Engineers underestimated its bid.

City Attorney Forbes replied that the City will only receive the number of hours stipulated by the contract.

City Manager Worthington explained how the processes differ when bidding engineering services versus a construction project. The bid submitted by Robinson Engineers is a valid bid.

City Attorney Forbes said the contractor cannot exceed the contract without the Council's approval. Robinson Engineers is obligated to the number of hours provided for in the contract.

Mayor Kelley said an option is to terminate the contract, which he does not recommend, and hire another firm to do the work for the same amount of money or more.

Councilmember Cerqui said he shares Councilmember Godwin's concerns and that Fife should receive what was initially anticipated and nothing less. He said he wants to ensure the City is not overspending on the project.

Director Blount said the contractor has issued several change orders and that the work completed has been as planned and that the plans were well engineered.

Councilmember Roscoe said the difference appears to be hundreds of hours. The additional cost represents a 50% increase from the original estimate. She asked how the City could prevent similar situations in the future. City Manager Worthington said staff previously reported that the consultant underestimated the number of hours required to complete the work.

Director Blount pointed out that change orders are typical for construction projects.

Mayor Kelley suggested scheduling the bidding issue for discussion at a future

study session.

Councilmember Johnson said it appears the City should accept the loss of time and expense of the bid. However, a 50% change order is substantial. He expressed preference for the City to discontinue removing contractors from the roster.

Director Blount explained that most professional service organizations bid on an hourly basis. He illustrated an example where the Council authorized a design change for another project and the City saved hundreds of thousands of dollars.

Discussion followed about the number of additional hours Robinson Engineers estimate are necessary to complete construction management services.

Director Blount pointed out the consultant negotiated a \$100,000 payment from Puget Sound Energy (PSE). Robinson Engineers adjusted the design so PSE doesn't have to relocate a gas main. City Manger Worthington noted the rate per hour remains unchanged. Councilmember de Booy said the additional number of hours and the cost is a shock. City Manager Worthington reported the additional cost of \$73,190 represents a 1% increase in the total project budget of \$7 million.

Councilmember Roscoe asked if there are measures the City can take to ensure businesses are submitting thorough proposals, such as familiarizing themselves with the project site. Director Blount replied Robinson Engineers knows Fife well. The consultant was unfamiliar with the public process that was part of the 20th Street East Storm Drainage Improvement project.

Councilmember Godwin said he doesn't like the process. The scope of services indicates Fife is paying the consultant's fuel costs to drive to the construction site. The Council should review any future contract with Robinson Engineers very carefully.

City Manager Worthington acknowledged Councilmember Godwin's point; however, state law provides the mechanism under which engineering services are bid.

Motion

Motion carried unanimously.

**NEW BUSINESS,
*Continued***

**Public Works
Construction Update**

Director Blount provided a status report on 2007 construction projects. He reviewed the following projects:

- Annual Overlay Program is completed.
- Port of Tacoma Road to I-5 southbound ramp widening. Retaining wall

- construction is completed. Jersey barrier foundation is constructed.
- Construction of storm, sanitary, and water mains in 20th Street East between 54th and 62nd Avenues.
 - Signalization of 54th Avenue East and 23rd Street East. Mast arms have been installed and cable pulling is underway.
 - Construction of sidewalks along Valley Avenue between 54th Avenue and Dale Lane. Council authorized a contract award on September 11, 2007.
 - Construction of environmental mitigation work for Valley Avenue between 70th and Freeman. Fife received the required signed National Environmental Protection Act (NEPA) permit. Federal funds for right-of-way acquisition and construction will be released. A permit from the US Army Corps of Engineers is anticipated within the next month. Moving Wapato Creek away from the road is a significant project and will environmentally benefit the creek. Staff has thanked the Puyallup Tribe for its support.

Councilmember Godwin asked if the City can move ahead with the Valley project in 2008. Director Blount answered it is likely but is dependent on receiving a permit from the US Army Corps of Engineers and acquiring additional right-of-way. Any condemnation proceedings could push the project out further. Staff anticipates that major improvements will occur in 2008.

Councilmember Roscoe asked whether the 2008 construction projects are on track. Director Blount replied yes.

Staff and the Council discussed construction on Valley Avenue scheduled in 2009.

CITY MANAGER REPORT

City Manager Worthington reported on the following:

- A discussion on whether the Willow Road neighborhood is included in the building height increase overlay is scheduled with the Planning Commission on November 5, 2007.
- Fife Municipal Court and the Parks Departments continue to utilize the Community Service Worker Program. Two work sessions were completed in September. Two more are planned for October. Staff is investigating whether to expand the program to include right-of-way cleanup and facility maintenance.
- At its September study session, the Council discussed a potential Local Improvement District (LID) along Valley Avenue east of 70th to Freeman, and 14th Street east of Freeman. He asked citizens interested in learning more about the LID to contact him or Director Blount.
- Director Smith and the Public Works Department met with the Sterino property developer and Mayfair residents and are working through construction issues. Most of the dust and traffic noise is the result of transporting materials to the site.
- On behalf of 20th Street businesses, City staff placed an ad in the *Tacoma*

**Fife City Council Regular
Minutes of Meeting
September 25, 2007 Page 11 of 11**

News Tribune and *Fife Free Press* explaining that those businesses are open. Fife appreciates everyone's patience. Street cuts have been made. Access is not available from 54th to 70th. Traffic disruptions should cease by mid-October.

- Ms. Potter recently joined the Fife Historical Society and History Museum Board to assist with marketing efforts.
- A sign up sheet to coordinate "Council Corn" for the Golden Jubilee Harvest Festival was circulated to Councilmembers. Locally grown corn will be provided free of charge to the public as long as it's available. Councilmember Cerqui helped to identify locally produced corn for the event. Councilmembers are welcome to march in the parade. A marching percussion band has confirmed for the parade.
- City Manager Worthington thanked the Dragon Boat Team, including Police Chief Blackburn who served as captain on race day.

COUNCILMEMBER COMMENTS Councilmember Edwards reported the City's previous cameraman who worked for Rainier Communications is now the sports commentator for FOX TV on Saturday and Sunday.

Councilmember Roscoe described an alternate travel route for David Court East residents traveling to Milton during construction.

ADJOURNMENT **With no further business, Mayor Kelley adjourned the meeting at 8:55 p.m.**

Mike Kelley, Mayor

Steve Marcotte, City Clerk/Finance Director

Prepared by Cheri Lindgren, Recording Secretary
Puget Sound Meeting Services