

**FIFE CITY COUNCIL
REGULAR MEETING MINUTES**

**Fife City Hall
Council Chambers**

**Date: July 28, 2009
Time: 7:00 p.m.**

EXECUTIVE SESSION Mayor Johnson convened an executive session at 6:00 p.m. for the purpose of Real Estate and Potential Litigation RCW 42.30.140 for approximately 36 minutes.

ADJOURNMENT Mayor Johnson adjourned the executive session at 6:36 p.m.

CALL TO ORDER AND ROLL CALL Mayor Johnson called the regular meeting of the Fife City Council to order at 7:00 p.m. with the following Councilmembers present: Richard Godwin, Butch Brooks, Barry Johnson, Rob Cerqui, Nancy de Booy, and Kim Roscoe.

Excused absence: Councilmember Glenn Hull.

Staff present: City Manager Steve Worthington, Assistant City Attorney Greg Amann, Police Chief Brad Blackburn, Parks, Recreation & Community Services Director Kurt Reuter, Acting Community Development Director Carl Durham, Administrative Assistant Andrea Richards, Financial Analyst Dave DeGroot, Planner Chris Pasinetti, Assistant City Engineer Ken Gill, Human Resources Coordinator Stefanie McCauley, and Recording Secretary William T. Gow II.

PLEDGE OF ALLEGIANCE Councilmember de Booy led the pledge of allegiance.

CHANGES, ADDITIONS OR DELETIONS TO AGENDA There were no changes to the agenda.

CITIZENS COMMENTS Carole Sue Braaten, 2410 Berry Lane East, Fife, requested the Council address several of her concerns. One issue mentioned at a prior meeting by Councilmember Godwin involves funds not received from development in payment for land that was developed. The Council was promised by the developer to pay the City. The City of Orting City Council indicates the City of Orting received a letter from the Department of Commerce and the National Oceanic Atmospheric Administration regarding deregulation of a portion of the Puyallup River levee because of extensive damage on Levee Road. She asked what the City intends to do to protect the City's interests. She asked what the Council plans to do about the coyote problem as well as the presence of rats and other animals because of industrial development, loss of farmland, and rural development. Wildlife needs to be considered in environmental impact statements as well as the displacement of water created by development fill.

CONSENT AGENDA a. Approval of Minutes: July 14, 2009 Council Meeting

b. Approval of Vouchers:

Payroll: #45854 – 45899 \$406,561.75

Claim: #76671 – 76813 \$1,020,845.80

c. Set a Special Meeting for August 4, 2009, Trijurisdictional Meeting with City of Edgewood, City of Milton, and City of Fife to be held at the City of Edgewood at 7:00 p.m., and August 5, 2009 Executive Session to be held at the Fife City Hall at 7:00 p.m.

Councilmember Roscoe acknowledged the City Manager for following up with information on a grant for the Emergency Operations Center

Motion

Councilmember Roscoe moved, seconded by Councilmember Godwin, to approve the consent agenda as presented. Motion carried.

SPECIAL PRESENTATIONS

Original Fife City Council Portrait Presentation

Former Fife Mayor Robert Mizukami and former Councilmember Frank Schnider's wife, Dorothy Schnider, presented the City with a photograph of Fife's original City Council.

Louise Hospenthal, Fife History Museum, said the original photograph is presented to the City of Fife, as well as one to the Fife History Museum. The plan is to present similar photos of the Fire and Police Departments to preserve the memory of the original bodies through time.

On behalf of the City, Mayor Johnson thanked the representatives for the donation to the City to ensure history is preserved.

Former Mayor Mizukami thanked the Council for the opportunity to speak. He spoke about the budget of the new town and how far Fife has progressed.

Ms. Hospenthal provided an update on the number of visitors to the museum and current construction activities underway at the museum.

Mayor Johnson extended an invitation to Ms. Hospenthal to attend the Volunteer Thank You BBQ scheduled on August 13, 2009 from 5:00 p.m. to 7:30 p.m. at Five Acre Park.

Spotlight on Employees

Mayor Johnson introduced Julie Dames Ryan, as the newly hired Recreation Services Supervisor. Ms. Johnson grew up in Medford, OR and attended Pacific Lutheran University majoring in recreation with a minor in German. She worked for the City of Medford as a lifeguard for seven years as well as with Metro Parks Tacoma running the Outdoor Adventures Program.

Mayor Johnson acknowledged new hires Andrea Brown, Court Clerk; Michelle Howard, Office Assistant for Fife Municipal Court; and Cherelyn Childers, 911 Dispatcher, who were unable to attend the meeting.

**2010 U.S. Census
Partnership**

Planner Pasinetti introduced [Renee Vasquez-Timothy](#) from the U.S. Census Bureau, who provided an update on the 2010 Census.

Ms. [Vasquez-Timothy](#) thanked the City of Fife for its support. The first meeting of the Complete Count Committee was recently held. The committee's goal is ensuring a complete population count in the City of Fife and that there is participation from within the community. Future meetings are scheduled to ensure an adequate census count of the City.

Prior to the regular count, the Bureau is undertaking a group quarters process, which counts people who reside in nursing homes, jails, and other institutions. Additionally, the Bureau is readying for counting the homeless by working through community service organizations to account where homeless people are served and where they live.

The Bureau is sending out the 2010 Census questionnaires in March 2010. The form consists of 10 questions. The goal is count every person in the country regardless of citizenship. People will have approximately one month to complete the form. The Bureau does not share personal information with anyone. The information is secured for 72 years. The Bureau uses only statistical information collected from the questionnaires. Over \$400 billion is distributed throughout the U.S. based on census data.

AWC Well City Award

Mayor Johnson reported the City recently received its third AWC Wellness Award. He thanked Human Resources Coordinator Stefanie McCauley for her efforts as the Chair of the City's Wellness Committee. Mayor Johnson presented the award to Coordinator McCauley.

Coordinator McCauley reported the award recognizes the City's efforts during 2008. Some of the Wellness Committee activities and programs included stress management, healthy decisions, health care education, sun safety, blood pressure, and handwashing awareness. Committee members included Grant Bailey, Jim Reinbold, Cortina Teja, Art Gregg, Rachael Hansen, Bonnie Rushmeier, Helen Ware, Deborah Cantlin, Colin Brooks, Julia White, and Sheri Van Veldhouse.

**COUNCIL DELEGATE
REPORT**

Councilmember de Booy commented on her community promotion of the P2D2 Program for proper drug disposal. Many local pharmacies are unaware of the program.

Councilmember Roscoe reported on her attendance at the last Fife School District Board of Education meeting. One new hire was announced of a music teacher at Surprise Lake Middle School. The Board discussed a

potential bus purchase. Additionally, Zoobilee, the zoo's annual fundraiser, was very successful this year.

Mayor Johnson reported on his meeting Dr. Chen with the Pierce County Health Department. Dr. Chen updated the Mayor on how the Health Department can assist the City, as well as an update on the Swine flu. An area of opportunity was identified where the Health Department may assist and provide general information during senior lunches. The Mayors Breakfast included an update from the City of Tacoma on *Destination 2040*. City Manager Worthington received some brochures describing the goals of *Destination 2040*. On Friday, July 31, 2009, Mayor Johnson and City Manager Worthington are scheduled to attend the Puyallup River Executive Task Force meeting. Agenda topics include approving the U.S. Army Corps of Engineers investigation on flooding problems.

ORDINANCES AND RESOLUTIONS

ORDINANCES:

#1699 Administrative Design Review (ADR) for CMU

Motion

Councilmember Roscoe moved, seconded by Councilmember Godwin, to approve Ordinance #1699; Administrative Design Review (ADR) for CMU.

City Clerk/Finance Director Marcotte read the title of Ordinance #1699:

An ordinance of the City Council of the City of Fife, Pierce County, Washington, establishing development design standards for Community Mixed Use zone and amending Fife Municipal Code Sections 19.60.020, 19.60.080, and adding a new Section 19.60.075.

Acting Director Durham reported the design standards were reviewed by the Planning Commission, which also conducted a public hearing. There was no public testimony during the public hearing. A developer, who is not subject to the standards, is constructing a building and is voluntarily agreeing to the standards. The new building is under construction on 20th. Staff recommends approval of the ordinance.

Councilmember Roscoe inquired about the process for her suggestion to allow auto dealerships within the CMU zoning district. City Manager Worthington said staff is prepared to discuss the request at the Council's August 11, 2009, meeting to receive Council direction.

motion to include the corridor study or staff can address the request at a later time. It's also possible to include the study within the City's work program.

Mayor Johnson asked whether the connector road from 54th to Frank Albert Road is included in the program. City Manager Worthington verified that it's listed as project #46.

Councilmember Cerqui suggested the connector road project should be higher in priority. He questioned project #6, pedestrian railroad crossing, and asked if the project has been renamed. City Manager Worthington said the project is an at-grade pedestrian crossing. The project description can be clarified to reflect that distinction.

Councilmember Godwin commented on the north/south connector and agreed that if the issue needs study, the City should move forward with the study to resolve the problem.

Councilmember Roscoe asked whether any traffic modeling has occurred regarding regional impact involving the reopening of 54th. Assistant City Engineer Gill said the study model would evaluate potential impacts. City Manager Worthington said several alternatives would be modeled. Councilmember Roscoe suggested involving the Tribe within the study as well.

Motion

Councilmember Brooks moved, seconded by Councilmember Godwin, to amend the motion to add a corridor study as described to Project #20 within the 2010-2015 Six-Year Transportation Improvement Program.

City Manager Worthington described the request as a study that will examine several corridor options moving traffic north of Levee Road. There may be some opportunities to change street designations as well.

Councilmember Cerqui asked whether inclusion of the corridor study would assist the City in securing funding from SEPA mitigation for development occurring in the area. City Manager Worthington advised that the Council's intent is likely to complete the study within the next year. The City may not have that many opportunities through SEPA to share funding costs.

Motion

Motion carried unanimously.

Mayor Johnson asked for clarification of project #6, At-Grade Pedestrian Crossing, and whether it's planned for this year. City Manager Worthington said staff is pursuing permits for the project, which could likely take a year to secure through the railroad or the Transportation Utilities Commission. Staff is moving forward as quickly as possible.

Motion

Motion carried unanimously on the amended motion.

**#1310 Authorize
Supplemental #12 Valley
Avenue Design**

Motion

Councilmember Roscoe moved, seconded by Councilmember Godwin, to approve Resolution #1310; Authorize Supplemental #12 Valley Avenue Design.

City Clerk/Finance Director Marcotte read the title of Resolution #1310:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing additional services by David Evans and Associates for documentation regarding the intersection of Valley Avenue East with Freeman Road East, geotechnical, and other engineering tasks associated with the 70th and Valley corridor.

Assistant City Engineer Gill reported the request will enable a design change to realign Valley Avenue East and to include a Phase 2 environmental assessment of the Jo property located at the southwest corner of Valley Avenue and Freeman Road. The assessment is required by the federal government based on right-of-way purchase negotiations for the project.

Motion

Councilmember Brooks moved, seconded by Councilmember Godwin, to amend the motion striking Work Element #31 for the redesign and approving Work Element #32 for the Phase 2 Site Assessment.

Councilmember Cerqui questioned whether the elimination of Work Element #31 preserves the retaining wall. Assistant City Engineer Gill reported that if the roadway is realigned, it eliminates the need for a retaining wall. Mayor Johnson said the benefit of the realignment was increasing space between Valley Avenue and the creek.

Councilmember Cerqui said he understood that on the county side of Valley Avenue, there would be five lanes to match with the intersection. He questioned whether there will only be four lanes with no turning lane. Assistant City Engineer Gill advised that some property is Trust land that will require further work. On the county side, it's a difficult situation to widen the roadway. However, it's not impossible. He said he can't confirm whether the county will pursue the change.

Assistant City Engineer Gill addressed questions about the county's road section and roadway alignment between the county and the City's section. Currently, the roadway does not align. After improvements, it will align

better but it won't be perfect. The county section and the Fife section are not perfectly aligned. Removing Work Element #31 will save approximately \$40,000 in redesign costs. However, if the redesign is not pursued at this time, there are sections of Valley Avenue that would have to be redone during the Freeman Road project.

Councilmember Roscoe said that some simulated photos of the intersection would have been helpful to the discussion.

Councilmember Brooks advised that he offered the amendment based on the elimination of a retaining wall. The major concern is the constant redesign of the project. The county portion is not on the county's priorities. City Manager Worthington said if the redesign occurs at this point, Freeman Road may need to be reworked when the county improves it side of the intersection. Assistant City Engineer Gill advised that the City has not completed design work for Freeman Road.

Councilmember Godwin commented that originally, over \$900,000 has been spent on the design of the road, which is amazing. Today, that figure represents \$3.2 million and it's increasing. Yet, no construction activity has occurred. There is no commitment from the county for improvements to the county's section. Worrying about future action by the county and spending more money not knowing the county's design plans makes no sense. He urged the Council to move forward on the project as the City has already spent between eight and ten years on the project with no improvements constructed. Councilmember Roscoe said her concern is that when the Freeman project occurs there may be the need to redo work on Valley Avenue. Councilmember Godwin advised that at some point the Council must stop worrying about what may happen and move forward on improvements today.

Mayor Johnson agreed with Councilmembers Godwin and Brooks. He asked whether there was any opportunity for discussions with Pierce County about the potential alignment of the roadway between the two jurisdictions. It appears the City is expending approximately \$30,000 for the redesign to preserve an opportunity for Pierce County to deal with a piece of Trust land as well as providing additional space between the roadway and the creek within Fife. City Manager Worthington said there have been some discussions with county through other projects but not within the scope of this project. As the design has come forward there have been refinements. If the Council is looking at a design that can accomplish the goal reasonably well, the \$40,000 redesign will achieve that goal. At some future date however, the intersection will be redesigned on the county's side, but that likely will not occur within the next 10 years. He said he suspects the county has higher priorities for its use of transportation funds.

Two components of the study include updating water rates and the GFC for new construction and development to become customers. That involves two major components of buying into the existing infrastructure funded by existing ratepayers and paying for future projects that adds capacity to serve new customers. The analysis will reveal what ratepayers should pay and what new customers should pay for GFCs.

Councilmember de Booy asked about the timeline associated with the establishing the rate structure. City Manager Worthington said staff anticipates scheduling the study on the Council's study session meeting agenda between late November and January 2010.

Motion

Motion carried unanimously.

NEW BUSINESS

**Tacoma Pierce County
Lodging Association**

City Manager Worthington reported on the proposal before the Pierce County Council providing for a Tourism Promotion Area (TPA). Various counties have already implemented a TPA. The proposal involves assessment of a fee by the hotel community on overnight stays for the sole purpose of creating new and incremental sales and marketing programs. It is not a City-related fee or tax. There would be no chain of custody for any revenue. However, it would affect Fife businesses.

City Manager Worthington introduced Amy Tyler, General Manager, Hampton Inn Suites, Tacoma. Ms. Tyler shared information on the Pierce County Lodging Association. In Pierce County, tourism accounts for over 11,000 jobs, \$20.3 million in taxes, \$975.6 million in spending, and 4.735 million annual visitors. It is currently the fourth producer of revenue in the State of Washington.

The basic concept of a TPA is more funds to drive more hotel rooms. The TPA concept was developed by hoteliers with a goal to fund sales and marketing efforts at a higher level. The state Legislature passed legislation for formation of TPAs to fund more tourism marketing programs. An overnight hotel guest spends 1.5 times more than a day visitor.

She cited results of areas with TPAs that have doubled the number of hotel room revenue. TPAs are necessary in the tourism community to maintain competitiveness within the state.

The Pierce County TPA would be a self-imposed assessment by the hotel community on overnight stays at properties with more than 40 hotel rooms. The hotel community has spent over three years on research to establish a Pierce County TPA. There is support from the majority of hotels throughout the county (more than 67%). The Fife community was the first to commit 100% to the TPA.

TPA is an additional funding source that is separate from Lodging Tax assessed by cities. The new, self-sustaining funding stream will build on the lodging tax foundation. LTAC fund distribution is recommended by a mixed advisory committee of both tax generators and grant beneficiaries. TPA fund distribution is recommended by a TPA Commission comprised of hoteliers only.

The TPA Commission is comprised of 11 member businesses with two members representing Fife and three members representing Tacoma. Each one of the remaining municipalities and the county would have one member representative. The assessment on overnight stays would be between \$.50 and \$1.50. Washington State law stipulates a maximum rate of \$2 for each occupied room. The funds are deposited into an account in the custody of the State Treasurer. The State Treasurer distributes the funds to Pierce County with funds distributed directly to marketing organizations. The TPA fund is protected by law to be dedicated for marketing tourism programs.

Ms. Tyler reviewed figures associated with generation of the funds by each community totaling approximately \$1.3 million.

The Tacoma Convention and Visitor Bureau and the Tacoma-Pierce County Sports Commission are the organizations targeted to implement the TPA programs because they are regionally based and can provide the most impact. They are committed to working with the TPA to serve its needs.

Ms. Tyler outlined the benefits of the TPA.

The request before the Council is approval to enter into an interlocal agreement with Pierce County, support the formation of a TPA Commission, and support community collaboration on the business plan.

Councilmember Godwin asked whether the formation of the TPA would eliminate the need for both the CVB and the Sports Commission requesting LTAC funds from the City. Mr. Tyler said it would not eliminate those requests from those organizations. However, it will benefit the community by enabling the use of TPA funds to prepay for booking of events resulting in more LTAC funds because of the increase in events within the community. Councilmember Godwin said he is somewhat troubled about continually taxing visitors. As a traveler, hotel rooms include a substantial amount of tax on top of the cost of the room. It may be that the amount of tax on a hotel room has reached the point of saturation. Ms. Tyler acknowledged the concern. Currently, King County's tax for hotel rooms is 18.5%. In Tacoma, the rate is 13.5%. Fife's TPA assessment would be \$.50 per hotel room night. It cannot be increased without the consent of both Fife hoteliers and the Council. Councilmember Godwin suggested the

timing is right for hoteliers to contribute to marketing efforts as well and not just assessing visitors extra taxes. Most businesses must pay for self-promotion. In this case, it's tax dollars used to promote hotels. Ms. Tyler described how hotels invest in marketing efforts individually and how the TPA is a greater regional effort. She said her hotel's sales efforts account for \$100,000 annually. Paradise at Rainier expends \$100,000 annually on marketing efforts. Councilmember Godwin said there's no balance in contributions by the hoteliers.

Councilmember de Booy said she's not enthusiastic about the program as hotels already pay lodging tax. The City financially contributes to the CVB as well as to the Sports Commission through lodging tax. It's just another tax. She expressed concerns about potential increases in the rate. It appears the City is actively supporting hotel/motel businesses within the community. She said she's not supportive of adding another tax.

Mr. Tyler commented on the difficulty and the process for changing the assessment. She cited the increase in revenue of the Spokane CVB after enacting a TPA. In the long-term it will benefit the community.

Councilmember Roscoe asked about the rate of approval by other jurisdictions. Ms. Tyler advised that she is presenting the proposal to local city councils as well as introducing the program to city managers. The interlocal agreement is near completion. To date, the presentation to the Council is the second presentation to local jurisdictions. The City of Lakewood received a presentation. All city managers have been briefed on the proposal.

Councilmember Cerqui expressed support of the proposal and complimented Ms. Tyler on the presentation. Increased promotion will benefit Fife businesses. Having a cap on the rate is a safeguard. The assessment is on the lower end for Fife hotels. He expressed approval and support for the proposal.

Councilmember Brooks agreed the proposal is a step in the right direction and shares the same concerns about taxing visitors. However, the proposal accomplishes some of the concerns associated with hotels paying for some of the marketing, as hoteliers believe the market can bear the assessment. The fee is project specific.

Mayor Johnson complimented Ms. Tyler on her presentation. He inquired about the tax rates in Tacoma and Federal Way. Ms. Tyler said King County's tax rate is 18.5% and Tacoma's rate is 13.5%. Fife's current hotel tax rate is 13.5%. She noted that the legislation has deemed the fee as an assessment and not a tax.

Mayor Johnson shared the same sentiments as Councilmembers Brooks and

Cerqui as hoteliers are in the best position to manage their business. If hoteliers believe the assessment will not overburden or jeopardize the market share, the hoteliers are in a better position to determine that than the Council is. He asked about the percentage of the distribution rate to the CVB and the Sports Commission. Ms. Tyler indicated it's dependent upon the amount but in preliminarily discussions there was speculation that it would be 75% to the CVB and 25% to the Sports Commission. The TPA Commission establishes the rate between the two organizations and how the funds are expended.

Ms. Tyler responded to a question from Councilmember de Booy concerning funding for both the CVB and the Sports Commission. She noted TPA funds are in addition to any existing funding the two organizations currently receive from the City. The goal is to build on the base already established to ensure current programs are intact and not change the way the organizations currently conduct business. The TPA funds are designed to be incremental to existing funds received by the organizations.

CITY MANAGER REPORT

City Manager Worthington reported on the following activities:

- The new mural has been installed at Wedge Park. More information will be provided at a future Council meeting.
- A Valley Cities meeting was recently hosted by the City of Sumner. The discussion included broadband options for many Valley cities. The City was asked to support the program, but the City wouldn't be included in the first phase of the project. Fiber optic would be used for emergency service agencies and other applications over time. The proposal will be included on the Council's August 11, 2009, meeting agenda.
- On August 4, 2009, Fife is participating in the *National Night Out* program from 5:30 p.m. to 8:30 p.m. at Fife High School. The joint meeting with the cities of Edgewood and Milton is scheduled for the same evening beginning at 7:00 p.m. affording some time for Councilmembers to attend the event at the high school. The joint city meeting agenda includes the Vision 2040 proposal for discussion.
- Fife's movie in the park series, *Shrek III*, was successful with the largest number of attendees to date. Approximately 200 people attended.
- The pool HVAC roof project is moving forward in anticipation of the replacement of the HVAC.
- A Volunteer Picnic is scheduled on August 13, 2009 at Five Acre Park from 5:30 p.m. to 7:30 p.m. Councilmembers are encouraged to participate and cook dinner for the City's volunteers.

**COUNCILMEMBER
COMMENTS**

Councilmember Cerqui thanked and acknowledged former Councilmember Frank Schnider and former Mayor Mizukami for attending the meeting and presenting the picture to the Council.

Councilmember de Booy commented on the attractiveness of the mural at the Wedge Park. Councilmember Roscoe said she is a friend of the person selected to coordinate the work by the students. She commented positively on the mural.

Mayor Johnson referred to the old wood waste site between Fife and Milton and the informative brochure available to the community on the work underway to secure contamination at the site.

CITIZEN COMMENTS

Carole Sue Braaten, 2410 Berry Lane East, Fife, complained about not receiving the Fife newsletter and that often many residents receive the *Fife Free Press* a week after its publication. She commented on the need for citizens to be contacted regarding the overpass project. Surveying occurred near her mother's property and she should have been notified prior to the work. She opposed the underpass option because of the high water table of the aquifer. She commented on water rights issues, number of existing wells in the valley, and how it's a homeland security concern. She asked the Council to consider that aspect in terms of water provision in the City as it could cost the City substantially and could even break the City.

ADJOURNMENT

With there being no further business, Mayor Johnson adjourned the meeting at 9:04 p.m.

Barry D. Johnson, Mayor

Steve Marcotte, City Clerk/Finance Director

Prepared by Valerie Gow, Recording Secretary/President
Puget Sound Meeting Services