

**CITY OF UNIVERSITY PLACE
MINUTES
Regular Meeting of the City Council
Tuesday, September 6, 2022**

1. CALL REGULAR MEETING TO ORDER

Mayor Worthington called the Regular Meeting to order at 6:30 p.m.

2. ROLL CALL

Roll call was taken by the City Clerk as follows:

Councilmember Keel	Excused
Councilmember Wood	Present
Councilmember McCluskey	Present
Councilmember Flemming	Present
Councilmember Belleci	Present
Mayor Pro Tem Figueroa	Present
Mayor Worthington	Present

Staff Present: City Manager Sugg, City Attorney Kaser, Administrative Services Director Petorak, Community and Economic Development Director Briske, Engineering and Capital Projects Director Ecklund, Business Outreach Liaison Metcalf, and City Clerk Genetia.

3. PLEDGE OF ALLEGIANCE

Councilmember Flemming led Council in the Pledge of Allegiance.

4. APPROVAL OF AGENDA

MOTION: By Mayor Pro Tem Figueroa, seconded by Councilmember Belleci, to approve the agenda.

The motion carried.

5. PRESENTATIONS

Tacoma Public Utilities Rate Proposal – LaTasha Wortham, Tacoma Public Utilities’ Regional Relations Manager, presented the proposed rate changes to power and water utilities for 2023 and 2024.

Puget Sound Starts Here Month Proclamation – Mayor Worthington presented a proclamation to Engineering & Capital Projects Director Ecklund recognizing the month of September 2022 as Puget Sound Starts Here Month.

6. PUBLIC COMMENTS – The following individual provided comment: David Harrowe, 4616 79th Avenue Court West.

7. CONSENT AGENDA

MOTION: By Mayor Pro Tem Figueroa, seconded by Councilmember Belleci, to approve the Consent Agenda as follows:

- A.** Approve the minutes of the August 1, 2022 Council meeting as submitted.
- B.** Receive and File: Payroll for periods ending 07/31/22 and 08/15/22; and Claims dated 07/29/22 and 08/15/22.
- C.** Confirm Rick Mehlman’s appointment to the Park Advisory Commission for a term ending January 31, 2025.

- D. Adopt a Resolution adopting the 2021 Tacoma-Pierce County Solid & Hazardous Waste Management Plan. **(RESOLUTION NO. 982)**
- E. Authorize the City Manager to award the Lakewood Drive Overlay project to Miles Resources, LLC in the amount of \$398,010.00 and execute all the necessary contract documents.
- F. Authorize the City Manager to award the 2023-2027 Landscape Maintenance contract to Northwest Landscape Services in the amount of \$707,336.85 (five year amount including tax) and execute all the necessary contract documents.
- G. Authorize the City Manager to approve and accept the purchase of right of way from Nasreen Karim to accommodate the 67th Phase 2 Street Improvements project in the amount of \$1,661.00.
- H. Adopt a Resolution approving the first amendment to the Memorandum of Understanding between the City and University Place Veterans' Plaza. **(RESOLUTION NO. 983)**
- I. Adopt a Resolution acknowledging emergency contracts and authority of City officials to seek recovery for the City's costs incurred in repairing the slope in Harvest Ridge. **(RESOLUTION NO. 984)**

The motion carried.

COUNCIL CONSIDERATION

8. CHAMBERS CREEK ROAD/CHAMBERS LANE PHASE I BID AWARD

Staff Report – Engineering & Capital Projects Director Ecklund recommended awarding the Chambers Creek Road/Chambers Lane Phase 1 project to Olson Brothers Excavating, Inc. in the amount of \$2,490,994.30. The bid opening was held on August 4, 2022 and six bids were received. Olson Brothers Excavating, Inc. has submitted the lowest responsive, responsible bid. The project includes construction of curbs, gutters, sidewalks, walls, bike lanes, storm drainage improvements, paving, landscaping, irrigation, traffic signal and streetlights on Chambers Creek Road and Chambers Lane from 81st Avenue West to Bridgeport Way West. Director Ecklund indicated that the bids came in above the engineer's estimate (low bid 25% above the estimate). The City was able to get approval from WSDOT for an additional \$685,094 in federal funding for the project to fund this increased cost. This project is funded through an FHWA grant that covers 86.5% of the cost.

Public Comment – None.

Council Consideration – **MOTION:** By Mayor Pro Tem Figueroa, seconded by Councilmember Belleci, to authorize the City Manager to award the Chambers Creek Road/Chambers Lane Phase 1 project to Olson Brothers Excavating, Inc. in the amount of \$2,490,994.30 and execute all necessary contract documents.

The motion carried.

9. GRANDVIEW DRIVE WEST OVERLAY BID AWARD

Staff Report – Engineering & Capital Projects Director Ecklund recommended awarding the Grandview Drive Overlay West project to Tucci & Sons, Inc. in the amount of \$1,002,894.00. The bid opening for the project was held on August 9, 2022. Two bids were received and Tucci & Sons, Inc. has submitted the lowest responsive, responsible bid. The Grandview Drive West Overlay project includes rehabilitation and overlay of approximately 5,000 lineal feet of Grandview Drive West from 48th Street West to 62nd Street West. The work will include, but not be limited to updating ADA facilities, cold planning existing roadway surface, localized subgrade repair, hot mix asphalt overlay, adjustment of existing utility castings to grade, channelization and traffic control. Director Ecklund indicated that the bids came in above the engineer's estimate (low bid is 15% over the estimate). The City was able to obtain approval from WSDOT for an additional \$453,183 in federal funding to fund this increased cost. This project is funded through an FHWA grant that covers 86.5% of the cost.

Public Comment – None.

Council Consideration – **MOTION:** By Mayor Pro Tem Figueroa, seconded by Councilmember Belleci, to authorize the City Manager to award the Grandview Drive West Overlay project to Tucci & Sons, Inc. in the amount of \$1,002,894.00 and execute all necessary contract documents.

The motion carried.

10. CIRQUE PARK INCLUSIVE PLAYGROUND

Staff Report – Engineering & Capital Projects Director Ecklund presented a resolution that would reserve an area in Cirque Park for future construction of an inclusive playground. As discussed at a previous meeting, the City has been approached by University Place Parks and Recreation Foundation for a desire to build the playground within Cirque Park. The Park Advisory Commission has considered the request and has identified an area suitable for the proposed future project. Park Advisory Commission unanimously recommended approval of the designated site. Director Ecklund noted that there are no up-front costs to the City associated with the passage of the proposed resolution. However, if the playground is donated, the City anticipates additional annual costs, which are presently unknown. The Foundation has indicated a desire to pursue fundraising that could also help with the ongoing maintenance costs of the playground. The resolution also contemplates that follow-up action by the Council may be required.

Public Comment – The following individuals provided comments: Frank Erickson, 4408 86th Avenue West; Blake Geyen, 7710 Cirque Drive West; and Chris Saunders, 7786 40th Street West.

Council Consideration – **MOTION:** By Mayor Pro Tem Figueroa, seconded by Councilmember Belleci, to adopt a Resolution supporting fundraising for an inclusive playground to be located in Cirque Park.

The motion carried. (RESOLUTION NO. 985)

11. CITY MANAGER & COUNCIL COMMENTS/REPORTS

City Manager Sugg informed Council that the National Association of Telecommunications Officers and Advisors (NATOA) met last week in Denver and granted seven award to the City of University Place for government programming. The City received four awards of distinction and three awards of honor.

Councilmember McCluskey reported that she attended the South Sound Affordability Partners meeting and shared information on a presentation of its legislative agenda strongly focused on pro housing affordability.

Councilmember Flemming reported that he had the opportunity to participate in a food drive for a local community food bank with the support of Safeway and the Rotary Club. He thanked those who donated to the drive. Councilmember Flemming also informed the Council that there is a new group called “Clean UP” who is looking into having a one-day community effort to do street clean up during Earth Day (April 2023).

Councilmember Belleci reported that on August 8, she and Mayor Worthington attended the 2022 U.S. Women’s Amateur Golf Championship held at Chambers Bay where they had the opportunity to greet and welcome young women from all over the world at the first hole.

Mayor Worthington reported on the successful Music in the Square and Curran Apple Orchard summer concert series events. He attended the Curran Apple Orchard Cider Squeeze and the Pierce County Sheriff’s Department Award ceremony. He recognized the award recipients and congratulated Leslie Wheeler who received a certificate of appreciation from the Sheriff’s Department. He also reported that he had a conversation with Colonel Derek Smith, the new Commander for the 16th Combat Aviation Brigade, about the community connector program and event and volunteer opportunities. He noted that the Pierce County Council will have their in-district meeting tomorrow at the City of Fircrest. Lastly, he asked for feedback/comments about the cancellation of Council’s second meeting in August.

STUDY SESSION

12. ARPA BUSINESS ASSISTANCE (RESOLUTION NO. 972) COMMISSION REPORT

Business Outreach Liaison Metcalf provided a brief overview of Council’s directive to the Economic Development Advisory Commission to study and recommend how to best use funds from the 2021 American Rescue Plan Act (ARPA) to assist University Place businesses. The City received approximately \$9.4 million in ARPA funds which must be allocated by 2024 and spent by 2026. Economic Development Advisory Commission Vice Chair Koontz provided a summary of the Commission’s actions that led to their recommendation. He reported that the Commission conducted a survey during the second quarter of this

year. Twenty-eight businesses responded to the survey – 7 indicated that they are not struggling with lingering impacts of the pandemic; the remaining 21 responses had no significant agreement

on a best course of business assistance using the ARPA funds. After reviewing the top recommendations from the survey result, the Commission has decided to make the following recommendations regarding use of ARPA funds for business assistance:

- Set aside 50+% of the total amount the City Council wishes to earmark for business assistance. In Spring/Summer of 2023 review business needs to determine if further assistance would be prudent. If not, City Council determines the use of this funding.
- Open a process whereby businesses may submit a proposal for use of ARPA funds. Proposals must show that the issue being addressed is a negative impact from the COVID pandemic. Only one proposal per business will be granted. The maximum ask is \$10,000.
- Fund a minimum of two rounds of a buy one, get one program targeting local businesses. Individuals spend \$25 to purchase a gift card redeemable at any local business that has signed up to participate in the program. The purchaser receives a \$50 gift certificate. The additional \$25 is paid from the ARPA Business Assistance fund.

The City Council thanked the Commission for their work and effort. They commented on the report and asked questions with regard to the ranking of the recommendations; means in ensuring the gift card program dollars are spent within the City; option for applying retroactively for qualifying business expenses; when and how to collect new information to decide on what to do with the 50% funding set aside; the reason for recommending two rounds of the gift card program as opposed to one; and limit on the gift card program.

13. WASHINGTON ATTORNEY GENERAL OPIOID SETTLEMENT

City Attorney Kaser reported that the State of Washington recently entered into settlement talks following significant litigation against three opioid distributors. The tentative settlement the State has reached is approximately up to \$518 million. He indicated that of that amount, there is an opportunity for local jurisdictions to receive up to \$215 million. Washington cities and counties with a population over 10,000, such as the City of University Place, can join this settlement. In order to finalize the settlement, the State has requested those jurisdictions to file and sign off on the settlement. He explained that under the terms of the state-reached settlement, the City of University Place stands to receive .0353733363% of those funds allocated to the local governments. Assuming that the maximum settlement amounts were attained, University Place stands to receive a maximum payment of \$76,000, less attorney fees. This amount would be paid out over 17 years, with the City to net about \$3,800 a year. Should the City decide to sign off on the settlement, those funds would have to be used for opioid-related purposes.

A local government that receives a share as well as the State must spend the settlement money on approved uses, must keep records of its spending, must file reports with the Settlement Administrator, and must comply with all terms of the settlement agreement which the state reached with the distributors. A local government can either spend the money itself or elect to pool its money with other local governments on a regional basis. The deadline for cities and counties to join the settlement is September 23, 2022. If not enough join, the settlement will be void.

Council provided feedback and interests were expressed in pooling the funds with other government agencies like Pierce County Sheriff's Department, Health Department, University Place School District, and West Pierce Fire and Rescue, provided that they handle all administrative duties and reporting.

14. ADJOURNMENT - The meeting adjourned at 8:42 p.m. No other action was taken.

Submitted by,

Emy Genetia