

**FIRCREST CITY COUNCIL
REGULAR MEETING AGENDA**

**TUESDAY, OCTOBER 10, 2017
7:00 P.M.**

**COUNCIL CHAMBERS
FIRCREST CITY HALL, 115 RAMSDELL STREET**

- 1. CALL TO ORDER BY PRESIDING OFFICER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. PRESIDING OFFICER'S REPORT**
 - A. [Proclamation](#): Dysautonomia Awareness Month
 - B. Presentation: Fircrest Park Fundraising Efforts Update
- 5. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA**

(Please sign the **Public Attendance Roster/Public Hearing Sign-Up Sheet** if you wish to speak during the meeting.)
- 6. COMMITTEE, COMMISSION & LIAISON REPORTS**
 - A. Parks & Recreation
 - B. Environment, Planning & Building
 - C. Finance, IT
 - D. Administration
- 7. CONSENT CALENDAR**
 - A. Approval of [vouchers](#)/payroll checks
 - B. Approval of minutes: [September 26, 2017 Regular Meeting](#)
- 8. PUBLIC HEARING 7:15 P.M. To receive comments on:**
 - A. [Preliminary 2018 Budget Revenues](#)
 - B. [Preliminary 2018 Budget Expenditures](#)
 - C. [Potential annexation of the 62nd Avenue West and 44th Street West Potential Annexation Area](#)
 - D. [Amendments to Fircrest Comprehensive Plan and Pre-Annexation Designations](#)
 - E. [Amendments to Fircrest Municipal Code Title 22](#), regarding short-term rentals, home occupations, and outdoor storage of vehicles
- 9. UNFINISHED BUSINESS**
- 10. NEW BUSINESS**
 - A. [Ordinance](#): Salaries of Non-Union Employees, Including Casual and Seasonal Employees
 - B. [Ordinance](#): Municipal Court Judge, Chief Examiner, and Information Services Manager Rate of Pay
 - C. [Ordinance](#): 2018 Ad Valorem Tax Levy
 - D. [Resolution](#): 2018 Regular Tax Levy
 - E. [Resolution](#): 2018 EMS Tax Levy
 - F. [Motion](#): 2018 Regular Property Tax and Regular EMS Levy Certification Forms
 - G. [Resolution](#): Annexation Interlocal Agreement and Memorandum of Understanding
- 11. CITY MANAGER COMMENTS**
- 12. DEPARTMENT HEAD COMMENTS**
- 13. COUNCILMEMBER COMMENTS**
- 14. EXECUTIVE SESSION**
- 15. ADJOURNMENT**

COUNCIL MAY ADD AND TAKE ACTION ON OTHER ITEMS NOT LISTED ON AGENDA

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 10, 2017**

SUBJECT: **Dysautonomia Awareness Month Proclamation**

FROM: **Bill McDonald, Interim City Manager**

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: **I move to authorize the Mayor's signature on a proclamation proclaiming October to be Dysautonomia Awareness Month in the City of Fircrest.**

PROPOSAL: Council is being asked to approve the Dysautonomia Awareness Month Proclamation.

FISCAL IMPACT: There is no fiscal impact for this proclamation.

ADVANTAGE: Increased awareness about Dysautonomia will help patients get diagnosed and treated earlier, save lives, and foster support for individuals and families coping with Dysautonomia in our community.

DISADVANTAGES: None are identifiable at this time.

ALTERNATIVES: Not to participate.

HISTORY: Dysautonomia International is seeking assistance in raising awareness of an important public health matter. October is "Dysautonomia Awareness Month" around the world.

ATTACHMENT: [Proclamation](#)



Office of the Mayor

PROCLAMATION

WHEREAS, dysautonomia is a group of medical conditions that result in a malfunction of the autonomic nervous system, which is responsible for “automatic” bodily functions such as respiration, heart rate, blood pressure, digestion, temperature control and more; and

WHEREAS, some forms of dysautonomia are considered rare diseases, such as Multiple System Atrophy and Pure Autonomic Failure, while other forms of dysautonomia are common, impacting millions of people in the US and around the world, such as Diabetic Autonomic Neuropathy, Neurocardiogenic Syncope and Postural Orthostatic Tachycardia Syndrome; and

WHEREAS, dysautonomia impacts people of any age, gender, race or background, including individuals living in the City of Fircrest, and some forms of dysautonomia can be very disabling and this disability can result in social isolation, stress on the families of those impacted, and financial hardship; and

WHEREAS, some forms of dysautonomia can result in death, causing tremendous pain and suffering for those impacted and their loved ones; and

WHEREAS, increased awareness about dysautonomia will help patients get diagnosed and treated earlier, save lives, and foster support for individuals and families coping with dysautonomia in our community; and

WHEREAS, Dysautonomia International, a 501(c)(3) non-profit organization that advocates on behalf of patients living with dysautonomia, encourages communities to celebrate Dysautonomia Awareness Month each October around the world; and

WHEREAS, we seek to recognize the contributions of the professional medical community, patients and family members who are working to educate our citizenry about dysautonomia in the City of Fircrest.

NOW, THEREFORE, WE, MAYOR AND COUNCILMEMBERS, of the City of Fircrest, do hereby proclaim the month of October 2017 as

Dysautonomia Awareness Month

Passed this 10th day of October 2017

Matthew Jolibois, Mayor

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Accts Pay #	Received	Date Due	Vendor	Amount	Memo
14885	10/10/2017	10/10/2017	7778	Beal, Pamela	59.00 1 Yr Library 2017
	572 21 49 00	Library Services	001 000 572 General Fund	59.00	1 Yr Library 2017 / Pamela Beal
14976	10/10/2017	10/10/2017	5428	Boers, Jeff	1,405.00 Sept 2017 Land Use Consulting (13 Hrs) & Conference Reimbursement
	558 60 41 00	Prof Svcs - Planning	001 000 558 General Fund	1,105.00	Sept 2017 Land Use Consulting (13 Hrs)
	558 60 49 01	Reg & Tuition - Planning	001 000 558 General Fund	300.00	Sept 2017 Planning Conference (09/12/17 - 09/15/17) Chelan, WA
14882	10/10/2017	10/10/2017	6018	Canon Financial Services Inc	244.61 Police Copier Rental (Sept 2017)
	521 22 45 00	Oper Rentals - Copier - Pol	001 000 521 General Fund	244.61	Contract Charges (09/01/17 - 09/30/17) Police
14883	10/10/2017	10/10/2017	6018	Canon Financial Services Inc	13.63 Police Faxboard Rental (Sept 2017)
	521 22 45 00	Oper Rentals - Copier - Pol	001 000 521 General Fund	13.63	Contract Charges (09/01/17 - 09/30/17) Police Fax
14884	10/10/2017	10/10/2017	6419	Carper, Josh	59.00 1 Yr Library 2017
	572 21 49 00	Library Services	001 000 572 General Fund	59.00	1 Yr Library 2017 / Robyn Carper
14945	10/10/2017	10/10/2017	4290	Cascade Recreation Inc	237.38 Dogipot Waste Bags
	576 80 31 02	Oper Supplies - Parks	001 000 576 General Fund	237.38	Dogipot Waste Bags (1 Case Of 30 Rolls)
14877	10/10/2017	10/10/2017	3994	CenturyLink	448.79 Circuit Line / PRI Line
	518 10 42 00	Communication - Non Dep	001 000 518 General Fund	448.79	Circuit Line / PRI Line
14878	10/10/2017	10/10/2017	3994	CenturyLink	125.98 Police BA Machine / Modem
	521 22 42 00	Communication - Police	001 000 521 General Fund	125.98	Police BA Machine / Modem
14879	10/10/2017	10/10/2017	3994	CenturyLink	124.85 Direct Inward Dial - City Hall
	518 10 42 00	Communication - Non Dep	001 000 518 General Fund	124.85	Direct Inward Dial - City Hall
14880	10/10/2017	10/10/2017	3994	CenturyLink	64.76 Parks Primary 911
	576 80 42 00	Communication - Parks	001 000 576 General Fund	64.76	Parks Primary 911
14881	10/10/2017	10/10/2017	3994	CenturyLink	61.18 Public Works Fax
	531 50 42 00	Communication - Storm	415 000 531 Storm Drain	15.30	Public Work Fax - Storm
	534 10 42 00	Communication - Water	425 000 534 Water Fund (de	15.30	Public Work Fax - Water
	535 10 42 01	Communication - Sewer	430 000 535 Sewer Fund (de	15.29	Public Work Fax - Sewer
	542 30 42 00	Communication - Street	101 000 542 City Street Fun	15.29	Public Work Fax - Street
14970	10/10/2017	10/10/2017	3994	CenturyLink	367.16 Sept 2017 CH, Rec, PW

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			518 10 42 00 Communication - Non Dep	001 000 518 General Fund	61.20 Primary 911 - City Hall
			518 10 42 00 Communication - Non Dep	001 000 518 General Fund	61.19 Message Line
			518 10 42 00 Communication - Non Dep	001 000 518 General Fund	61.19 Alarm Line - City Hall
			531 50 42 00 Communication - Storm	415 000 531 Storm Drain	30.59 Alarm Line / Primary 911 - Storm
			534 10 42 00 Communication - Water	425 000 534 Water Fund (de	30.60 Alarm Line / Primary 911 - Water
			535 10 42 01 Communication - Sewer	430 000 535 Sewer Fund (de	30.60 Alarm Line / Primary 911 - Sewer
			542 30 42 00 Communication - Street	101 000 542 City Street Fun	30.59 Alarm Line / Primary 911 - Street
			576 80 42 00 Communication - Parks	001 000 576 General Fund	61.20 Alarm Line - Parks
14971	10/10/2017	10/10/2017	3994	CenturyLink	66.99 DSL Line / Telemetry
			534 10 42 00 Communication - Water	425 000 534 Water Fund (de	33.50 DSL Line / Telemetry - Water
			535 10 42 01 Communication - Sewer	430 000 535 Sewer Fund (de	33.49 DSL Line / Telemetry - Sewer
14973	10/10/2017	10/10/2017	4322	City of Tacoma - Utilities	2,711.76 Power / Various Locations
			534 80 47 01 Utility Services/Pumping	425 000 534 Water Fund (de	2,207.95
			535 80 47 01 Utility Services/Pumping	430 000 535 Sewer Fund (de	477.40
			542 30 47 03 Electricity/Traffic Lights	101 000 542 City Street Fun	16.33
			542 63 47 00 Electricity/Street Lights	101 000 542 City Street Fun	10.08
14964	10/10/2017	10/10/2017	4320	City of Tacoma	8,553.00 P#45 Furnish Power - Alameda Liftstation
			594 35 63 03 Project Engineering - Sewe	430 000 535 Sewer Fund (de	8,553.00 P#45 Tacoma Power Will Furnish Electrical Portion Of Primary Underground System Capable Of Supplying Secondary Service - Alameda Liftstation (Balance Shall Be Paid In Full B/4 Construction Begins)
14965	10/10/2017	10/10/2017	3573	Copiers Northwest Inc	1,377.99 Copier Rental (09/28/17 - 10/28/17) & Copier Usage (3rd Qtr 2017)
			512 50 45 00 Oper Rentals - Copier - Coi	001 000 512 General Fund	193.11 Copier Lease & Usage - Court
			518 10 45 00 Oper Rentals - Copier - No	001 000 518 General Fund	655.91 Copier Lease & Usage - City Hall
			531 50 45 00 Oper Rentals - Copier - Sto	415 000 531 Storm Drain	76.53 Copier Lease & Usage - Storm
			534 10 45 02 Oper Rentals - Copier - Wa	425 000 534 Water Fund (de	76.52 Copier Lease & Usage - Water
			535 10 45 00 Oper Rentals - Copier - Sev	430 000 535 Sewer Fund (de	76.53 Copier Lease & Usage - Sewer
			542 30 45 00 Oper Rentals - Copier - Str	101 000 542 City Street Fun	76.53 Copier Lease & Usage - Street
			571 10 45 01 Oper Rentals - Copier - Rec	001 000 571 General Fund	200.58 Copier Lease & Usage - Recreation
			576 80 45 00 Oper Rentals - Copier - Par	001 000 576 General Fund	22.28 Copier Lease & Usage - Parks
14966	10/10/2017	10/10/2017	3573	Copiers Northwest Inc	119.71 Laserjet Printer Rentals (09/28/17 - 10/28/17) & Copier Usage (08/28/17 - 09/28/17) Police
			521 22 45 00 Oper Rentals - Copier - Pol	001 000 521 General Fund	74.01 Laserjet Printer Rentals (09/28/17 - 10/28/17) Police
			521 22 45 00 Oper Rentals - Copier - Pol	001 000 521 General Fund	12.41 Police Upstairs Office (08/28/17 - 09/28/17) Black

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521 22 45 00	Oper Rentals - Copier - Pol		001 000 521 General Fund	3.08	Chief's Office Area (08/28/17 - 09/28/17) Black
521 22 45 00	Oper Rentals - Copier - Pol		001 000 521 General Fund	30.21	Chief's Office Area (08/28/17 - 09/28/17) Color
14942	10/03/2017	10/10/2017	2463	36.03	05-01720.0 - 904 MANOR DR
			Cowan Jr, William P.		
343 10 00 00	Storm Drain Fees & Charge		415 000 340 Storm Drain	-17.74	
343 40 00 00	Sale Of Water		425 000 340 Water Fund (de	-19.50	
343 50 00 00	Sewer Revenues		430 000 340 Sewer Fund (de	1.21	
14895	10/10/2017	10/10/2017	3585	50.00	2017 DMCMA Fall Regional Training - Erin Campbell
			DMCMA		
512 50 49 01	Reg & Tuition - Court		001 000 512 General Fund	50.00	2017 District & Municipal Court Managers Association Regional Training - Erin Campbell (SeaTac, WA) 10/04/17
14906	10/10/2017	10/10/2017	5859	59.46	Spanish Interpreter
			Dynamic Language		
512 50 41 03	Prof Srvs - Interpreter		001 000 512 General Fund	59.46	Spanish Interpreter (08/30/17 1.25 Hrs + Mileage) Order ID #1405307 "Case No. 7Z0974596"
14962	10/10/2017	10/10/2017	6995	184.80	Silver Sneakers Yoga Instruct & Chair Yoga
			Endicott, Cynthia J.		
571 20 49 06	Instructor Fees		001 000 571 General Fund	184.80	Silver Sneakers Yoga Instruct & Chair Yoga (08/01/17 - 08/31/17)
14896	10/10/2017	10/10/2017	3638	1,250.00	Golf Tank Land Rental
			Fircrest Golf Club		
534 10 45 01	Land Rental/Water Tank		425 000 534 Water Fund (de	1,250.00	Golf Tank Land Rental (Oct 2017)
14907	10/10/2017	10/10/2017	3642	173.41	U.S. Flag (1), Washington State Flag (1)
			Flags A' Flying LLC		
518 30 31 01	Oper Sup/Rec Bldg		001 000 518 General Fund	90.39	United States Flag (6x10) - Community Center
518 30 31 01	Oper Sup/Rec Bldg		001 000 518 General Fund	83.02	Washington State Flag (3x6) - Community Center
14894	10/10/2017	10/10/2017	5368	223.00	Gym Fees (Pro-Rated Jan + Feb, Mar, Apr, May, Jun, Jul, Aug, Sep 2017)
			Gollinger, Barbara		
518 10 20 00	Personnel Benefits - Non D		001 000 518 General Fund	89.20	Gym Fees (Pro-Rated Jan + Feb, Mar, Apr, May, Jun, Jul, Aug, Sep 2017) - Barb Gollinger "Non-Dept 40% Split"
531 50 20 00	Personnel Benefits - Storm		415 000 531 Storm Drain	44.60	Gym Fees (Pro-Rated Jan + Feb, Mar, Apr, May, Jun, Jul, Aug, Sep 2017) - Barb Gollinger "Storm 20% Split"
534 10 20 00	Personnel Benefits - Wtr A		425 000 534 Water Fund (de	44.60	Gym Fees (Pro-Rated Jan + Feb, Mar, Apr, May, Jun, Jul, Aug, Sep 2017) - Barb Gollinger "Water 20% Split"

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535 10 20 00	Personnel Benefits-Swr Ad	430 000 535	Sewer Fund (de	44.60	Gym Fees (Pro-Rated Jan + Feb, Mar, Apr, May, Jun, Jul, Aug, Sep 2017) - Barb Gollinger "Sewer 20% Split"
14981	10/10/2017	10/10/2017	5141 Great Floors Commercial	6,192.25	Install Downstairs Carpet, Moisture Barrier - Police Offices, Sergeant's Office & Conference Room
594 18 62 00	Building & Structures-Fac	001 000 518	General Fund	4,115.14	Install Downstairs Carpet - Police Offices, Sergeant's Office & Conference Room
594 18 62 00	Building & Structures-Fac	001 000 518	General Fund	2,077.11	Additional Moisture Barrier - Sergeant's Office "Public Safety Building"
14974	10/10/2017	10/10/2017	6774 Greenleaf Landscaping 1 Inc	4,664.51	Sept 2017 Landscaping
518 30 41 01	Contract Maintenance	001 000 518	General Fund	3,302.07	Sept 2017 Landscaping (4 Weeks)
542 80 49 03	Beautification Services (co	101 000 542	City Street Fun	1,362.44	Sept 2017 Landscaping (4 Weeks) - Islands
14980	10/10/2017	10/10/2017	6774 Greenleaf Landscaping 1 Inc	8,433.77	Public Works Building Landscaping (Right-Of-Way Sprinkler Preparation, Plantings, Beauty Bark) & Regents Blvd Island (Sprinkler Lines, Topsoil, Fertilizer)
595 32 63 01	Street Improvements	101 000 542	City Street Fun	934.15	Install Irrigation Valve, Pipe, Rainbirds With Pop-Ups & Nozzles, Test Coverage, Remove Exisitng Bed Plants, Install Topsoil, Instant Turf, Fertilizer, Clean-Up - Regents Blvd Island
595 32 63 01	Street Improvements	101 000 542	City Street Fun	7,499.62	Lower Dirt Mound, Haul Debris, Repair Irrigation, Plant Forest Grass, Bark, Hemlock Trees (3), Siberian Spruces (3), Japonicas (9), Barberry Rosen Glow (9), Day Lily (9), Golden Mops (9), Etc - PW
14903	10/03/2017	10/10/2017	7769 Hamilton, Maiken	337.83	07-00058.1 - 109 BIRCH ST
343 10 00 00	Storm Drain Fees & Charge	415 000 340	Storm Drain	-73.28	
343 10 00 01	Setup Fees - Storm	415 000 340	Storm Drain	2.50	
343 40 00 00	Sale Of Water	425 000 340	Water Fund (de	-85.34	
343 40 00 02	Setup Fees - Water	425 000 340	Water Fund (de	6.50	
343 50 00 00	Sewer Revenues	430 000 340	Sewer Fund (de	-190.71	
343 50 00 02	Setup Fees - Sewer	430 000 340	Sewer Fund (de	2.50	
14902	10/03/2017	10/10/2017	7535 Harvey, Tracey	2.34	12-00460.5 - 4412 60TH AVE W
343 50 00 00	Sewer Revenues	430 000 340	Sewer Fund (de	-2.34	
14946	10/10/2017	10/10/2017	6167 Hazel, David Kanani	59.00	1 Yr Library 2017
572 21 49 00	Library Services	001 000 572	General Fund	59.00	1 Yr Library 2017 / David Hazel

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14908	10/10/2017	10/10/2017	7383	Holden Polygraph LLC	300.00 Polygraph Testing - Officer John Roberts
	521 10 41 00	Prof Services - Civil Svc	001 000 521	General Fund	300.00 Polygraph Testing - Officer John Roberts (Test Date: 09/18/17)
14947	10/10/2017	10/10/2017	3692	Home Depot Credit Services	89.66 Bottled Water (10 Cases / 24 Pack 1/2 Liter Size), Crescent 16" Tongue & Groove Jaw Pliers, Multi-Bit Screw Driver Set, Box Of Rags
	534 80 31 02	Oper Supplies - Water	425 000 534	Water Fund (de	38.31 Bottled Water (10 Cases / 24 Pack 1/2 Liter Size) - Public Works Crew
	535 80 31 00	Oper Supplies - Sewer Gen	430 000 535	Sewer Fund (de	13.01 Box Of Rags - Sewer Usage
	535 80 35 00	Small Tools & Equip-Swr (430 000 535	Sewer Fund (de	21.99 Crescent 16" Tongue & Groove Style Jaw Black Pliers - Sewer Usage
	535 80 35 00	Small Tools & Equip-Swr (430 000 535	Sewer Fund (de	16.35 Multi-Bit Screw Driver Set - Sewer Usage
14904	10/03/2017	10/10/2017	2374	Houg, Jon	54.50 05-00870.3 - 1218 CONTRA COSTA AVE
	343 10 00 00	Storm Drain Fees & Charge	415 000 340	Storm Drain	-18.81
	343 40 00 00	Sale Of Water	425 000 340	Water Fund (de	-19.90
	343 50 00 00	Sewer Revenues	430 000 340	Sewer Fund (de	-15.79
14900	10/02/2017	10/10/2017	6495	Jensen, Mike	10.46 07-02200.6 - 4317 67TH AVE W -B
	343 10 00 00	Storm Drain Fees & Charge	415 000 340	Storm Drain	-2.14
	343 40 00 00	Sale Of Water	425 000 340	Water Fund (de	-2.50
	343 50 00 00	Sewer Revenues	430 000 340	Sewer Fund (de	-5.82
14912	10/03/2017	10/10/2017	1012	Lawrence, Kurtis	11.65 01-00080.0 - 2824 ORCHARD ST W
	343 10 00 00	Storm Drain Fees & Charge	415 000 340	Storm Drain	-2.39
	343 40 00 00	Sale Of Water	425 000 340	Water Fund (de	-2.78
	343 50 00 00	Sewer Revenues	430 000 340	Sewer Fund (de	-6.48
14948	10/10/2017	10/10/2017	5079	Les Schwab Tires	620.90 #59083D (2008 F550 Dump Truck) Front Tires (2)
	548 65 48 12	O & M - Street	501 000 548	Equipment Ren	620.90 #59083D (2008 Ford F550 Dump Truck) 225/70R-19.5/14 Sailun S637 Highway Front Tires (Quantity: 2), Wheel Spin Balance, Minimum Serive Call Labor
14909	10/10/2017	10/10/2017	3782	Lincoln Aquatics	2,275.25 Swimming Pool Hemmed Cover (1,050 Square Ft)
	594 48 64 11	Parks/Rec - ERR Capital	501 000 548	Equipment Ren	2,275.25 Swimming Pool Hemmed Cover (1,050 Square Ft)
14892	10/10/2017	10/10/2017	2123	Londgren, Elizabeth	59.00 1 Yr Library 2017
	572 21 49 00	Library Services	001 000 572	General Fund	59.00 1 Yr Library 2017 / Elizabeth Londgren
14949	10/10/2017	10/10/2017	3791	Lowe's Company-#338954	20.04 2x6x8 Hemlock-Fir Wood - Fircrest Park Tables

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576 80 31 02	Oper Supplies - Parks		001 000 576 General Fund	20.04	2x6x8 Hemlock-Fir Wood - Fircrest Park Tables
14911	10/03/2017	10/10/2017	1963	Morasch, Lynn	82.14 04-00300.0 - 612 ELECTRON WAY
343 10 00 00	Storm Drain Fees & Charge		415 000 340 Storm Drain	-16.84	
343 40 00 00	Sale Of Water		425 000 340 Water Fund (de	-19.62	
343 50 00 00	Sewer Revenues		430 000 340 Sewer Fund (de	-45.68	
14910	10/10/2017	10/10/2017	6589	Murray, Smith & Associates Inc	1,522.79 P#45 Alameda Liftstation Upgrade Project: Task Order No. 2017-001
594 35 63 03	Project Engineering - Sewe		430 000 535 Sewer Fund (de	1,522.79	P#45 Alameda Liftstation Upgrade Project (Engineering Service Through 08/31/17)
14950	10/10/2017	10/10/2017	6448	Myers, Jamie	29.50 1/2 Library 2017
572 21 49 00	Library Services		001 000 572 General Fund	29.50	1/2 Library 2017 / Jamie Myers
14913	10/10/2017	10/10/2017	3910	Office Depot	49.56 Black Foam Boards (6), Square Mounting Tape, Black Pens - Wainwright School Survey Presentation Supplies
571 10 31 00	Office Supplies - Rec		001 000 571 General Fund	49.56	Black Foam Boards (6), Square Mounting Tape, Black Pens - Wainwright School Survey Presentation Supplies
14923	10/10/2017	10/10/2017	3923	Orca Pacific Inc	293.43 Trichlor 3" Tabs
576 20 31 01	Pool Supplies-Chemicals		001 000 576 General Fund	293.43	Trichlor 3" Tabs (Quantity: 3) 25 Pound Pails - Swimming Pool
14951	10/10/2017	10/10/2017	1892	Ortiz, James	45.00 Refund Facility Rental / Kim Ortiz
362 40 00 00	Space & Facility Rental		001 000 360 General Fund	-45.00	Refund Facility Rental / Kim Ortiz - Senior Room (Event Date: 10/28/17) Wedding Shower "Event Cancelled By Renter"
14914	10/10/2017	10/10/2017	3958	PC Budget & Finance - Jail	1,156.40 Aug 2017 - Jail Services
523 60 50 01	Jail		001 000 523 General Fund	1,156.40	Aug 2017 - Jail Services (Occupancy) Booking Fees, Daily Fees, Sip's Fees "Sheriff Inmate Population Reporting System"
14915	10/10/2017	10/10/2017	3957	PC Budget & Finance	34.00 Sept 2017 Recording Fees (Utility Liens)
531 50 49 00	Miscellaneous - Storm		415 000 531 Storm Drain	11.34	Sept 2017 Recording Fees (Utility Liens) - Storm
534 10 49 00	Miscellaneous - Water		425 000 534 Water Fund (de	11.33	Sept 2017 Recording Fees (Utility Liens) - Water
535 10 49 00	Miscellaneous - Sewer		430 000 535 Sewer Fund (de	11.33	Sept 2017 Recording Fees (Utility Liens) - Sewer

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14952	10/10/2017	10/10/2017	3955 Petrocard Systems Inc	184.00	Gas / Fuel
	548 65 31 12	Street Gas	501 000 548 Equipment Ren	93.11	Diesel Fuel - Street
	548 65 31 13	Storm Gas	501 000 548 Equipment Ren	90.89	Diesel Fuel - Storm
14972	10/10/2017	10/10/2017	3956 Petty Cash-Corcoran	162.35	Reimburse 10/10/17
	513 10 49 00	Miscellaneous - Admin	001 000 513 General Fund	7.37	Ice, Soda (7-Eleven) Meet & Greet City Manager Candidates - Administration
	513 10 49 00	Miscellaneous - Admin	001 000 513 General Fund	5.50	Tablecloths, Napkins (Dollar Tree) Meet & Greet City Manager Candidates - Administration
	513 10 49 00	Miscellaneous - Admin	001 000 513 General Fund	12.99	Fritolay Variety Chips (Costco) City Manager Interviews - Administration
	517 90 31 01	Health Program - Supplies	001 000 517 General Fund	18.76	Snack Bars, Orange Juice (Fred Meyer) AWC Health Screening
	517 90 31 01	Health Program - Supplies	001 000 517 General Fund	12.06	Green Leaf Lettuce, Onions, Tomatoes (Fred Meyer) - Wellness Barbeque
	517 90 31 01	Health Program - Supplies	001 000 517 General Fund	15.54	Ice (7-Eleven) Wellness Barbeque
	518 30 31 00	Oper Sup/Facilities	001 000 518 General Fund	22.01	Vinyl Padfolio (Office Depot) Facilities
	534 50 31 01	Oper Supplies - Water Mai	425 000 534 Water Fund (de	3.92	Flat Washer Assortment With Screws (Home Depot) Hose Bib Repair
	571 10 41 00	Senior Trips	001 000 571 General Fund	7.68	Lunch - Bus Driver Gary Stephens (QFC Deli) Bellevue Square Senior Trip (09/13/17)
	573 90 49 01	Community Events	001 000 573 General Fund	8.77	Golf Tees (Fred Meyer) Fun Days Supplies
	594 48 64 11	Parks/Rec - ERR Capital	501 000 548 Equipment Ren	47.75	#62855D License Plate/Registration (Dept Of Licensing) Parks New Pick-Up Truck
14953	10/10/2017	10/10/2017	7614 Prothman	1,942.08	Municipal Consulting Services (Bill McDonald) 09/09/17 - 09/22/17 (28 Hrs @\$68/Hr) Includes 2% State/City B&O Tax Charge
	513 10 41 00	Prof Svcs - Admin	001 000 513 General Fund	1,942.08	Municipal Consulting Services (Bill McDonald) 09/09/17 - 09/22/17 (28 Hrs @\$68/Hr) Includes 2% State/City B&O Tax Charge
14967	10/10/2017	10/10/2017	3986 Puget Sound Energy, BOT-01H	45.06	Sept 2017 Public Works
	531 50 47 02	Public Utility Services/Bldg	415 000 531 Storm Drain	11.26	PSE Gas - Storm
	534 10 47 00	Utility Services/Building -	425 000 534 Water Fund (de	11.26	PSE Gas - Water
	535 10 47 00	Utility Services/Building -	430 000 535 Sewer Fund (de	11.27	PSE Gas - Sewer
	542 30 47 02	Electricity & Gas/Bldg - St	101 000 542 City Street Fun	11.27	PSE Gas - Street
14968	10/10/2017	10/10/2017	3986 Puget Sound Energy, BOT-01H	1,055.45	Sept 2017 Parks, Pool
	576 20 47 00	Public Utility Services - Po	001 000 576 General Fund	354.64	PSE Gas - Swimming Pool
	576 80 47 00	Public Utility Services - Pa	001 000 576 General Fund	700.81	PSE Gas - Swimming Pool

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14969	10/10/2017	10/10/2017	3986	Puget Sound Energy, BOT-01H	38.35	Sept 2017 City Hall
	518 30 47 00	Public Utility Services - Ci	001 000 518	General Fund	38.35	PSE Gas - City Hall
14901	10/02/2017	10/10/2017	5685	Purdy, Dennis	38.40	06-01530.3 - 1548 WOODSIDE CT
	343 10 00 00	Storm Drain Fees & Charge	415 000 340	Storm Drain	-7.87	
	343 40 00 00	Sale Of Water	425 000 340	Water Fund (de	-9.17	
	343 50 00 00	Sewer Revenues	430 000 340	Sewer Fund (de	-21.36	
14939	10/10/2017	10/10/2017	5710	Rainier Connect	99.95	Internet Access Monthly Fee
	518 81 42 00	Communication - I/S	001 000 518	General Fund	99.95	Internet Access Monthly Fee (Oct 2017) - Cable Modem Services
14917	10/10/2017	10/10/2017	4035	Sarco Supply	25.00	Dispenser - Swimming Pool
	576 20 31 02	Janitorial Supplies - Pool	001 000 576	General Fund	25.00	Dispenser - Swimming Pool
14918	10/10/2017	10/10/2017	4035	Sarco Supply	169.72	Towels, Liners, Hand Soap
	518 30 31 02	Oper Sup/PSB Bldg	001 000 518	General Fund	169.72	Towels, Liners, Hand Soap - Public Safety Building
14919	10/10/2017	10/10/2017	4035	Sarco Supply	128.23	EZ Foam Dispensers (3) , EZ Foam Soap (1 Case Of 6), Disposable Gloves
	518 30 31 00	Oper Sup/Facilities	001 000 518	General Fund	12.64	Disposable Gloves - Facilities
	518 30 31 01	Oper Sup/Rec Bldg	001 000 518	General Fund	26.17	EZ Foam Hand Sanitizer Dispensers (1) & EZ Foam Soap - Community Center
	518 30 31 04	Oper Sup/CH	001 000 518	General Fund	89.42	EZ Foam Hand Sanitizer Dispensers (2) & EZ Foam Soap - City Hall
14920	10/10/2017	10/10/2017	4035	Sarco Supply	203.07	Foaming Handwash, Urinal Screens
	576 80 31 01	Janitorial Supplies - Parks	001 000 576	General Fund	203.07	Foaming Handwash, Urinal Screens - Recreation Center
14921	10/10/2017	10/10/2017	5779	Sirchie Acquisition Company LLC	239.71	Evidence Bags, Preprinted Evidence Envelopes, Nylon Releasable Ties, Red Evidence Tape, Disposable Gloves, Narcotics Kits
	521 22 31 00	Office & Oper Supplies - P	001 000 521	General Fund	239.71	Evidence Bags, Preprinted Evidence Envelopes, Nylon Releasable Ties, Red Evidence Tape, Disposable Gloves, Narcotics Kits - Police
14977	10/10/2017	10/10/2017	4690	Sound Inspections LLC	1,095.80	09/01/17 - 09/30/17
	524 20 41 01	Bldg Inspec/Plan Review	001 000 524	General Fund	1,095.80	09/01/17 - 09/30/17

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14886	10/10/2017	10/10/2017	4084		Staples Business Advantage
				151.13	Thermal Receipt Printer Roll, Post-It Notes, Post-It Flags, Card Stock, Highlighters, Paper Clips, CD Cases, Staples, Ruler, Green Copy Stamper, Easy Close Wove Envelopes, Yellow Highlighters, Stapler
518 10 34 01	Central Office Supplies		001 000 518 General Fund	98.09	Thermal Receipt Printer Roll, Post-It Notes, Post-It Flags, Card Stock, Highlighters, Paper Clips, CD Cases, Staples, Ruler
521 22 31 00	Office & Oper Supplies - P		001 000 521 General Fund	53.04	2000-Plus Green Copy Stamper, Easy Close Wove Envelopes, Yellow Highlighters, Burg #747 Full Strip Stapler - Police
14954	10/10/2017	10/10/2017	4084		Staples Business Advantage
				90.87	12" Triangular Ruler, Window Envelopes, Wireless Mouse, File Folders, CD Paper Sleeves
513 10 35 00	Small Tools & Equip - Adr		001 000 513 General Fund	32.92	Wireless Mouse - Administration
518 10 34 01	Central Office Supplies		001 000 518 General Fund	57.95	12" Triangular Ruler, Window Envelopes, File Folders, CD Paper Sleeves
14893	10/10/2017	10/10/2017	4101		Strickland, Rozier
				59.00	1 Yr Library 2017
572 21 49 00	Library Services		001 000 572 General Fund	59.00	1 Yr Library 2017 / Rozier Strickland
14943	10/10/2017	10/10/2017	4110		Superior Linen Service
				70.30	09/14/17 Exchange Service
576 80 49 00	Miscellaneous - Parks		001 000 576 General Fund	70.30	09/14/17 Exchange Service
14944	10/10/2017	10/10/2017	4110		Superior Linen Service
				70.30	09/28/17 Exchange Service
576 80 49 00	Miscellaneous - Parks		001 000 576 General Fund	70.30	09/28/17 Exchange Service
14955	10/10/2017	10/10/2017	4328		Systems for Public Safety Inc
				136.09	#60452D (2016 Interceptor) LOF, Used Tire
548 65 48 08	O & M - Police		501 000 548 Equipment Ren	136.09	#60452D (2016 Interceptor) Lube, Oil, Filter, Reset Reminder Light, Rotate Tires Front To Rear, Replaced Left Rear Tire With Good Used Tire (Found Nail In Tire / Not Repairable)
14982	10/10/2017	10/10/2017	4120		Tacoma Daily Index
				84.22	Environmental Determination - Title 22 Land Development
558 60 41 01	Advertising - Planning		001 000 558 General Fund	84.22	Environmental Determination - Title 22 Land Developement (09/19/17)
14983	10/10/2017	10/10/2017	4120		Tacoma Daily Index
				1,317.94	Annexation Agreement - 62nd Ave W & 44th St W

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511 60 41 01	Advertising - Legislative	001 000 511	General Fund	1,317.94	Annexation Agreement - 62nd Ave West & 44th St West (09/21/17 & 09/28/17) Between City Of Fircrest & Pierce County
14897	10/10/2017	10/10/2017	4139	279.01	Amazon.Com / HP Laserjet Printer & Toner Cartridge - Police
521 22 31 00	Office & Oper Supplies - P	001 000 521	General Fund	109.76	Amazon.Com / HP Laserjet 26A Black Toner Cartridge - Police
521 22 35 00	Small Tools & Equip - Poli	001 000 521	General Fund	169.25	Amazon.Com / HP Laserjet Pro M402n Monochrome Printer - Police Downstairs Officers Room (SAA No. 1578)
14922	10/10/2017	10/10/2017	4139	17.50	Washington Dept Of Licensing / Report Of Sale (#13032D) & (#43140D)
548 65 49 00	Miscellaneous - ERR	501 000 548	Equipment Ren	17.50	Washington Dept Of Licensing / Report Of Sale (#13032D 1991 Chevy Pick-Up) & (#43140D 1991 International Dump Truck)
14905	10/03/2017	10/10/2017	2382	349.71	05-00940.0 - 1213 DEL MONTE AVE
343 10 00 00	Storm Drain Fees & Charge	415 000 340	Storm Drain	-71.71	
343 40 00 00	Sale Of Water	425 000 340	Water Fund (de	-83.50	
343 50 00 00	Sewer Revenues	430 000 340	Sewer Fund (de	-194.50	
14979	10/10/2017	10/10/2017	4164	12.42	Address Change Notices "Returned Mail"
531 50 42 01	Postage - Storm	415 000 531	Storm Drain	4.14	Address Change Notices - Storm
534 10 42 01	Postage - Water	425 000 534	Water Fund (de	4.14	Address Change Notices - Water
535 10 42 02	Postage - Sewer	430 000 535	Sewer Fund (de	4.14	Address Change Notices - Sewer
14963	10/10/2017	10/10/2017	5128	273.85	Deluxe Portable Restrooms (2) - NNO
521 22 49 05	Reimbursable Programs	001 000 521	General Fund	273.85	Deluxe Portable Restrooms (2) - National Night Out (Includes Deluxe Restroom Service, Hand Sanitizer, Toilet Seat Cover, 2-Station Sink & Service, Damage Waivers, Delivery, Set-Up, Removal)
14956	10/10/2017	10/10/2017	4178	1,354.60	Drop Box Charges - Well #5 Demolition
594 34 63 01	Other Improvements - Water	425 000 534	Water Fund (de	1,354.60	Drop Box Charges - Well #5 Demolition
14978	10/10/2017	10/10/2017	4180	47.74	Sept 2017 Locates
534 10 49 00	Miscellaneous - Water	425 000 534	Water Fund (de	23.87	Sept 2017 Locates - Water
535 10 49 00	Miscellaneous - Sewer	430 000 535	Sewer Fund (de	23.87	Sept 2017 Locates - Sewer
14876	10/10/2017	10/10/2017	4188	261.30	Share Plan (14 Phones)
			Verizon Wireless LLC		

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	513 10 42 00	Communication - Admin	001 000 513 General Fund	14.64	Administration - City Manager
	518 30 42 00	Communication - Fac/Equi	001 000 518 General Fund	39.18	Facilities - (3) Staff
	521 22 42 00	Communication - Police	001 000 521 General Fund	192.23	Police - Chief, Sergeant, (7) Officers
	576 80 42 00	Communication - Parks	001 000 576 General Fund	15.25	Parks - Maintenance Supervisor
14940	10/10/2017	10/10/2017	339 Villamor, John	104.54	Eyewear Reimburse
	521 22 20 00	Personnel Benefits - Police	001 000 521 General Fund	104.54	Eyewear Reimburse - John Villamor
14941	10/10/2017	10/10/2017	339 Villamor, John	28.62	9mm Glock 17-Round Handgun Magazine Pouch (Quantity: 1)
	521 22 49 01	Uniforms/Clothing/Laundry	001 000 521 General Fund	28.62	Surplus Ammo & Arms / 9mm Glock 17-Round Handgun Magazine Pouch - John Villamor "Fabric Nylon Pouch Is Attached To Uniform Belt That Holds The Magazine Clip Which Slides In & Out For Easy Refill"
14924	10/10/2017	10/10/2017	4229 Washington State Patrol	600.00	3rd Qtr 2017 Access User Fee
	521 22 51 03	WACIC/NCIC	001 000 521 General Fund	600.00	3rd Qtr 2017 Access User Fee
14957	10/10/2017	10/10/2017	4231 Water Mgmt Labs Inc	1,067.00	Trihalomethanes (TTHM), Coliform, Fluoride
	534 80 41 00	Water Testing	425 000 534 Water Fund (de	977.00	Trihalomethanes (TTHM), Coliform - Chlorination Bi-Product Testing
	534 80 41 00	Water Testing	425 000 534 Water Fund (de	90.00	Fluoride - Calibrating Testing Equipment
14959	10/10/2017	10/10/2017	7279 Westbrook, Christina	59.00	1 Yr Library 2017
	572 21 49 00	Library Services	001 000 572 General Fund	59.00	1 Yr Library 2017 / John Westbrook
14958	10/10/2017	10/10/2017	7283 Westbrook, David	59.00	1 Yr Library 2017
	572 21 49 00	Library Services	001 000 572 General Fund	59.00	1 Yr Library 2017 / David Westbrook
14960	10/10/2017	10/10/2017	4256 Winning Seasons	237.38	Men's Softball Tournament T-Shirts
	571 20 49 10	Adult Baseball	001 000 571 General Fund	237.38	Men's Softball Tournament T-Shirts (Quantity: 15)
14961	10/10/2017	10/10/2017	5286 Winsupply	180.15	Rainbird Falcon Nozzles, Safety Glasses
	576 80 31 02	Oper Supplies - Parks	001 000 576 General Fund	180.15	Rainbird Falcon Nozzles (6), Safety Glasses (1) - Parks Maintenance
14916	10/10/2017	10/10/2017	1586 Wise Caryn	297.83	Claim: Sewer Service @505 Vassar St

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535 10 49 04	Judgements - Sewer		430 000 535 Sewer Fund (de	297.83	Claim For Damages: Reimburse Sewer Service "At Your Service Plumbing" @505 Vassar St (09/14/17) Basement Floor Drain Backflow Problems - City Crew Cleared By Jetting Mainline
14975	10/10/2017	10/10/2017	3645 Wright Express FSC, WEX BANK	1,935.79	Gas / Fuel
548 65 31 05	Non-Dept Gas		501 000 548 Equipment Ren	37.43	Non-Departmental Gas
548 65 31 06	Facilities Gas		501 000 548 Equipment Ren	52.97	Facilities Gas
548 65 31 08	Police Gas		501 000 548 Equipment Ren	1,235.31	Police Gas
548 65 31 11	Parks/Rec Gas		501 000 548 Equipment Ren	119.42	Parks Gas
548 65 31 12	Street Gas		501 000 548 Equipment Ren	253.35	Street Gas
548 65 31 14	Wtr/Swr Gas		501 000 548 Equipment Ren	237.31	Wtr / Swr Gas
14925	10/10/2017	10/10/2017	4273 Zumar Industries Inc	143.42	"Fircrest Logo" Vehicle Door Decals (Quantity:
594 48 64 11	Parks/Rec - ERR Capital		501 000 548 Equipment Ren	143.42	#62855D (2017 Ford F150 Pick-Up) 12x12 Magnetic Vinyl Door Decals "Fircrest Logo" Cut To Shape - Parks

Report Total: 59,077.35

Fund

001 General Fund	25,317.14
101 City Street Fund	9,956.30
415 Storm Drain	402.04
425 Water Fund (department)	6,408.71
430 Sewer Fund (department)	11,632.46
501 Equipment Rental Fund	5,360.70

This report has been reviewed by:

REMARKS:

Signature & Title

Date

CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

City Clerk Nappi called the regular meeting to order at 7:00 P.M. and led the Pledge of Allegiance. Councilmembers Blake Surina, Brett Wittner, Denny Waltier, and Jason Medley were present. Mayor Matthew Jolibois, Mayor Pro Tempore Hunter T. George, and Councilmember Shannon Reynolds were absent and excused.

Wittner Moved to appoint Denny Waltier as Mayor Pro Tempore for the September 26, 2017 regular City Council meeting; seconded by Medley. The Motion Carried Unanimously.

PRESIDING OFFICER'S REPORT

A. Community Center and Pool RFQ: Update

Interim City Manager McDonald briefed the Council on the Community Center and Pool estimated project timeline, which included information on the RFQ process, planning and design, financing, and implementation. McDonald indicated that staff is prepared to advertise the RFQ. After a brief discussion about funding strategies in addition to general obligation (GO) municipal bonds, McDonald confirmed that the project timeline will be posted on the City website.

B. Pool Repair: Update

McDonald briefed the Council on the scope of work for the evaluation of the leak and the overall safety aspect of the community pool prepared by one of the City's on-call engineer, KPG. McDonald stated that the cost to do this work is \$12,995 and the deliverable will include an action plan to repair the existing pool as well as recommendations to the City as to what (if any) fixes are available for the leaking water and a recommendation as to whether or not the pool is safe for use by the community for the next two to three years until the City can construct a new community pool.

C. Community Gardens at Fox Property: Update

McDonald briefed the Council on how the City could proceed with a community gardens concept on City property. McDonald and City Attorney Smith stated that a license would be optimal as it gives the permission of the City to an entity to use City property for a specific purpose and is revocable. McDonald and City Attorney Smith stated that the license should be entered with an entity with legal standing who can enter into an agreement. City Attorney Smith indicated that that rules of the contract will outline the policies, guidelines, and responsibilities for the operation of the community garden. City Attorney Smith stated that payments cannot go to a third party to use public land and must be paid directly to the City. McDonald noted that if the location of a community garden was on private property, it would be less of an issue. McDonald and City Attorney Smith requested Council to provide guidance on how to proceed with this concept and there was a general consensus from Council to bring this item back at a future time when more councilmembers were in attendance.

CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA

Waltier invited public comment. The following individuals provided comments:

- Chuck Bisping, 506 Electron Way, commented on his opposition to the community garden concept at the Fox property, inquired what the purpose of that property, and stated he was never contacted by the community garden group. Waltier stated that the Fox property was purchased as part of the Fircrest Comprehensive Park, Recreation and Open Space (PROS) Plan with the intent to expand the Tot Lot if/when the City has the funds.
- Evan Lee, 514 Ramsdell Street, inquired on the status of the water main replacement on Ramsdell Water main improvements along Ramsdell Street. Public Works Director Wakefield stated that his project has been designed and the project will be bid the first of next year so that better bids could be received and construction will be early spring of next year.
- Ken McLean, 610 Contra Costa Avenue, commented on the community garden concept at the Fox property and the potential to attract additional rodents, and recommended a parking lot for the Tot Lot to address safety concerns and alleviate on-street parking.
- Kerry Holmgren, 608 Contra Costa Avenue, commented on his opposition to the community garden concept at the Fox property and the potential to attract additional rodents, vagrants, and to turn into an eyesore, and recommended a useful product like a gazebo or parking lot for the Tot Lot to address safety concerns and alleviate on-street parking. Medley inquired if he was contacted by a community garden group and Mr. Holmgren commented no.
- Megan Sipes, 610 Electron Way, commented on her opposition to the community garden concept at the Fox property and recommended a gazebo or parking lot for the Tot Lot and agrees with Mr. McLean and Mr. Holmgren that a community garden is not the appropriate use for that property. Medley inquired if she was contacted by a community garden group and Ms. Sipes commented no. Mr. Bisping commented no as well.
- David Viafore, 1120 Paradise Parkway, asked the Council to consider seeking bond counsel in advance to determine what is needed in order to recuperate expenses as well as looking into councilmanic bonds as well as other funding and leveraging options. McDonald stated that this evaluation will be included in the financial strategy with a financial consultant on the project team.

COMMITTEE, COMMISSION AND LIAISON REPORTS

A. Water, Sewer, Storm

Waltier reported that he met with Public Works Director Wakefield and commented that there are no major projects in the works and that everything is routine.

B. Street, Facilities, Equipment

As Mayor Jolibois was absent, no report was provided.

C. Public Safety, Court

As George was absent, no report was provided.

D. Pierce County Regional Council

Wittner reported no new updates.

E. Pierce County Regional Council

Waltier reported that as the alternate member on the Pierce County Regional Council and although he did not attend the September 21, 2017 meeting, there were no action items on the meeting agenda and that staff was aware of the Growth Management Act discussion items.

CONSENT CALENDAR

Waltier requested the City Clerk read the consent calendar as follows: approval of Voucher No. 210035 through Voucher No. 210035 in the amount of \$10,528.42; approval of Voucher No. 210036 through Voucher No. 210135 in the amount of \$142,337.98; and approval of Payroll Check No. 12911 through Payroll Check No. 12936 in the amount of \$97,024.37. **Medley Moved to approve the consent calendar as read; seconded by Wittner. The Motion Carried Unanimously.**

PUBLIC HEARING

No public hearing was scheduled.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

CITY MANAGER COMMENTS

- McDonald reported that as part of the update to the city manager recruitment efforts, the public is invited to meet the four candidates at a meet & greet reception scheduled for 4:30 p.m. to 6:30 p.m. on October 4, 2017 at the Fircrest City Hall. McDonald also stated that the interviews for the candidates is scheduled for October 5, 2017. McDonald reported on a complaint received via the City's Facebook regarding the 12th Man Flag on a City light pole and stated that putting flags and banners on public property can present a legal risk for the City. City Attorney Smith stated that although it is not a significant issue, the City has received a complaint and one option could be to remove the flag from City property. After some discussion on this item, there was not a consensus to remove the flag.

DEPARTMENT HEAD COMMENTS

- Parks and Recreation Director Grover thanked the Council for their support for the KPG scope of work to assess the pool leak, and stated that the bid to resurface the tennis court will be advertised as soon as possible. Grover indicated that staff removed many broken and heavily used toys from the Tot Lot that were left over by users and is working with residents to find a compromise on non-City toys on the City property while removing risk.

COUNCILMEMBER COMMENTS

The Council thanked the public for their attendance. Additional comments included:

- Surina commented on the recent Frederick Olmstead Committee meeting and how the City could educate its citizens of its heritage and culture. Surina expressed his condolences to Mary Sears.
- Wittner commented on the community garden concept and thanked those who provided their public comments on the subject matter. Wittner stated that he was disheartened that some were not communicated by the community garden representatives and would like more information from the group addressing this. Wittner encouraged everyone to attend the October 4th Meet and Greet public reception of the city manager candidates.
- Medley thanked former Mayor Viafore for attending the meeting and his public input on the financing options for the community center and pool. Medley stated that the Council was informed by the community garden representatives that neighbors of the Fox property were contacted and were in support of the community garden concept at the Fox property, and stated that that person who told the Council this information was also running for City Council.
- Waltier thanked those who submitted their public comment and commented on public opposition received in the past regarding the community garden proposal at Whittier and Fircrest Park.

EXECUTIVE SESSION

There was none.

ADJOURNMENT

Medley Moved to adjourn the meeting at 7:45 P.M, seconded by Wittner. The Motion Carried Unanimously.

Matthew Jolibois
Mayor

Jessica Nappi
City Clerk

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 10, 2017**

SUBJECT: **Preliminary 2018 Budget Revenues**

FROM: **Colleen Corcoran, Finance Director**

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: **No motion. Public Hearing only.**

PROPOSAL: To receive public input on Preliminary 2018 Budget Revenues.

FISCAL IMPACT:

General.....	7,807,225
Street	776,249
Storm Drain	1,136,509
Storm Drain Capital	530,000
Water.....	1,445,476
Water Capital.....	218,000
Sewer	4,911,235
Sewer Capital	2,010,000
Equipment Replacement	1,753,696
Police Investigation	11,643
Real Estate Excise Tax.....	1,288,744
Cumulative Reserve	3,530,763
TOTAL.....	25,419,540

ADVANTAGE: Allows citizens to comment on 2018 Preliminary Revenues.

DISADVANTAGES: None are identifiable at this time.

ALTERNATIVES: None

ATTACHMENT: [Preliminary 2018 Budget Revenues](#)

GENERAL FUND REVENUES

BARS	Description	2015 Actual	2016 Actual	2017 Budget	2018 Budget
308-10-00-01	Des. Fund Bal/Light	931,702	885,250	833,178	773,178
308-10-00-02	Des. Fund Bal/44th Alameda	708,056	708,056	576,800	575,575
308-80-00-00	Reserved for Cash Flow	1,133,000	1,172,000	1,224,000	1,272,000
308-80-00-01	Undes. Unres. Fund Balance	(53,361)	305,698	429,938	265,309
	Total Fund Balance	2,719,397	3,071,004	3,063,916	2,886,062
311-10-00-00	General Property Taxes	1,520,117	1,514,119	1,552,290	1,567,813
311-10-01-00	EMS Tax	315,056	314,721	322,257	325,480
313-11-00-00	Retail Sales & Use Tax	343,843	522,577	375,000	380,000
313-16-00-00	Emergency Communication Tax	0	0	0	0
313-17-00-00	Zoo Tax	57,136	60,998	61,000	62,000
313-71-00-00	Local Criminal Justice Tax	102,615	109,068	101,000	105,000
316-40-00-00	Water Utility Tax	68,565	68,406	75,640	76,800
316-41-00-00	Sewage Utility Tax	123,052	124,152	146,760	155,565
316-42-00-01	Storm Drain Utility Tax	0	0	12,924	27,000
316-43-00-00	Gas Utility Tax	100,060	95,159	115,000	115,000
316-45-00-00	Garbage/Solid Waste Tax	92,694	93,151	96,000	97,000
316-46-00-00	Television Cable Tax	153,449	157,510	160,000	163,000
316-47-00-00	Telephone/Telegraph Tax	157,729	142,333	150,000	140,000
316-81-00-00	Gambling Excise Tax	1,986	131	0	0
	Total Taxes	3,036,302	3,202,325	3,167,871	3,214,658
321-91-00-01	Non Comp Charge/Electric	210,390	244,641	236,000	250,500
321-91-00-02	Franchise Fee Water	6,339	6,397	6,300	6,400
321-91-00-03	Franchise Fee Cable TV	113,337	118,059	115,000	130,000
321-99-00-00	Business Licenses & Permits	54,309	55,716	55,000	55,000
321-99-00-01	Home Occupation	2,610	2,700	2,300	2,600
322-10-00-00	Building Permit	107,366	26,341	23,600	77,000
322-10-00-01	Mechanical Permit	42,495	7,560	7,000	10,750
322-10-00-02	Plumbing Permit	15,420	5,037	5,500	8,750
322-10-00-03	Excavate/Clear/Grading Permit	0	30	0	0
322-10-00-05	Sign Permit	135	315	180	225
322-10-00-06	Investigation Fee	0	104	400	175
322-10-00-07	Fire Protection Permit	810	342	300	200
322-90-00-00	Other Licenses & Permits	480	525	500	500
	Total Licenses & Permits	553,691	467,767	452,080	542,100

333-20-60-00	OT Reimbur-Fed Passthru	8,695	7,337	7,500	8,000
334-03-50-00	OT Reimbursement-St of WA	0	0	0	0
334-04-20-00	Planning Grant-Dept of Comm	9,000	0	0	0
336-00-98-00	City-County Assistance	113,853	116,829	113,000	113,000
336-06-21-00	CJ-Population Based	1,752	1,811	2,055	2,060
336-06-26-00	CJ-Special Programs	6,418	6,603	6,890	7,040
336-06-51-00	DUI-Cities	993	1,025	1,200	1,200
336-06-94-00	Liquor Excise Tax	17,846	30,677	30,940	32,700
336-06-95-00	Liquor Board Profits	45,953	43,189	55,980	43,910
336-06-95-01	Liquor Board Profits-Public Sfty	11,484	13,450	11,300	11,135
Total Intergovernmental Revenues		215,994	220,921	228,865	219,045

341-43-00-00	Interdepartmental Service Chgs	418,498	418,605	513,814	544,983
341-99-00-00	Passport Fees	9,725	11,800	10,000	16,000
342-10-00-00	Police OT Reimbure-Non State	17,287	3,807	0	0
342-10-00-01	RCO Grant	0	24,715	8,151	0
342-40-00-00	Special Inspection Fees	0	0	0	0
345-81-00-01	Planning Permit	10,454	7,396	1,500	3,500
345-81-00-02	Site Development Permit	13,771	1,200	1,500	2,000
345-83-00-00	Plan Checking	71,000	22,810	14,300	22,500
347-30-00-00	Swimming Pool Fees	36,945	33,399	37,000	37,000
347-30-00-02	Swim Team Fees	3,297	4,169	3,650	4,000
347-30-00-04	Recreation Fees	8,550	7,206	7,000	7,000
347-30-00-05	5K Registration Fees	0	0	0	0
347-30-00-06	Adult Basketball Registration	0	1,780	2,000	500
347-30-00-07	Adult Baseball Registration	3,966	1,430	3,500	2,500
347-60-00-01	Youth Basketball Registration	8,727	12,966	8,430	8,500
347-60-00-02	Youth Baseball Registration	12,907	11,575	13,180	20,000
347-60-00-04	Indoor Soccer	1,210	760	1,565	1,500
347-60-00-05	Flag Football Registration	760	1,000	750	750
347-60-00-09	Instructor Based Revenue	14,793	13,057	14,000	12,000
347-60-00-10	Swimming Instructions	34,371	33,810	36,500	35,000
Total Charges for Goods & Services		666,261	611,485	676,840	717,733

353-10-00-01	Municipal Court	191,741	166,402	195,000	197,000
356-50-00-00	Investigative Fund Assessments	3,585	3,572	4,000	3,500
356-50-04-00	DUI Invest Fund Assessments	3,758	4,200	3,600	3,000
Total Fines & Forfeits		199,084	174,174	202,600	203,500

361-11-00-01	Investment Interest	21,228	50,945	61,200	70,000
361-40-00-01	Sales Interest	185	354	100	200
361-40-00-03	Int On Gen Property Taxes	165	443	100	300
361-40-00-04	Int On EMS Property Taxes	32	84	50	100
362-40-00-00	Space & Facility Rental	18,682	20,360	19,000	19,000
362-40-00-01	Soccer Field Rental	5,123	0	5,000	4,600
362-50-00-01	Land Rental-Interfund	68,470	69,220	70,610	73,125
362-50-00-02	Land Rental-ERR Garage	3,800	3,840	3,920	4,038
362-50-00-03	Time/Temp Sign Rental	7,800	4,350	2,400	2,640
362-50-00-04	Pool Rental Revenue	1,925	2,590	1,500	1,100
367-00-00-02	Parks Donations	5,786	11,249	6,000	6,000
367-00-00-03	Police Donations	9,480	8,992	5,000	9,000
367-00-00-10	Firework Donations	1,400	1,160	1,300	1,300
369-10-00-00	Sale of Scrap	0	0	0	0
369-81-00-00	Cash Overage/Shortage	4	57	0	0
369-81-00-01	Cash Over/Short-Pool	8	(7)	0	0
369-90-00-01	Other Misc Revenue	2,891	1,374	1,000	1,000
369-94-00-01	Reimbursements	0	0	0	0
	Total Misc Revenue	146,979	175,011	177,180	192,403
	Total Operating Revenue	4,818,311	4,851,683	4,905,436	5,089,439
	Non Operating Revenue	110,757	9,093	0	0
TOTAL RESOURCES		7,648,465	7,931,780	7,969,352	7,975,501

TAXES

General Property Taxes and E.M.S. Taxes includes a 1% increase plus anticipated revenue from new construction based on Planning Department projections. The EMS levy rate of .50/1,000 of assessed property value was passed by the voters in 2014.

Franchise Fee Cable TV This revenue is received from the two cable companies who provide services to the City of Fircrest.

Gambling Tax revenue is used for public safety. There is no gambling tax budgeted for 2018.

A listing of utility tax rates is included in the back of the budget. These vary from 3% to 8.5%. A new Storm Utility tax of 3% was imposed in 2017 and increased to 6% in 2018.

LICENSES & PERMITS

Business Licenses & Permits are from business operation within Fircrest. The projected revenue is based on 450 Business Licenses. Home Occupation Permits are estimated at fifteen new home occupation permits. The City partners with Washington State for Business License services.

Building, Mechanical and Plumbing Permit revenue is based on new and remodeling construction activity in Fircrest.

INTERGOVERNMENTS REVENUES

Local Government Assistance is received from the Department of Revenue and provides ongoing assistance to low tax base cities and counties. The distribution is based on per capita sales tax revenues, and property tax assessed values.

MVET, CJ, Liquor Tax, Liquor Profits are received from the State of Washington and are based on a per capita basis. The City's population for purposes of distributing state shared revenue is 6,640. Criminal Justice (CJ) funds are required to be spent on some combination of innovative law enforcement programs, domestic violence prevention programs, and /or child abuse prevention programs.

CHARGES FOR GOODS & SERVICES

Passport Fees is the City's share of revenue for processing passport applications.

Planning, Site Development, and Plan Checking is due from new construction and land use activity in Fircrest.

Swimming Pool Revenues includes fees from admissions, lessons, and swim team.

Recreation, Basketball, Baseball and Soccer is for fees charged to participate in these activities.

Instructor Based Revenue is collected from participants registering for classes in which the City will pay a percentage amount to an instructor. There is an offsetting expenditure in the Recreation Department.

Interdepartmental Service Charges are for charges performed by the General Fund for Street, Storm Drain, Water and Sewer Funds. The charges are determined on a percentage basis of operating expenditures budgeted.

FINES & FORFEITS

Fines & Forfeits is revenue received from the Fircrest Municipal Court.

MISCELLANEOUS REVENUE

Space & Facilities Rental is for revenue received for rental of the Parks and Recreation facilities.

Land rental is revenue from Public Works for the land on which the Public Works building is constructed.

Land Rental ERR Garage is revenue from ERR for the land on which the ERR building is constructed.

Parks Donations are used to offset the cost of community programs.

Police Donations Police donations are offsetting revenues related to expenditures that will be incurred only if donations are received.

Other Miscellaneous Revenue consists of alarm permits, NSF fees, refund expenses from prior years, etc.

Reimbursements are funds the City receives for items that were originally expensed by the City and have been reimbursed.

Non-Competition Charge is the amount that the City collects as a non-compete fee from Tacoma Public Utilities and is based on Tacoma's gross electric revenues for electrical services located in Fircrest for the preceding year times six (6) percent.

CITY STREET FUND REVENUE

<u>STREET FUND</u>					
		20105	2016	2017	2018
BARS	Description	Actual	Actual	Budget	Budget
308-80-01-01	Undes. Fund Balance	337,840	319,052	308,890	183,392
308-10-01-01	Des. Fund Bal/Paths & Trails	16,094		0	0
	Total Fund Balance	353,934	319,052	308,890	183,392
322-40-00-00	ROW Road Permits	15,570	14,175	7,000	10,000
	Total Licenses & Permits	15,570	14,175	7,000	10,000
333-20-20-03	Regents Blvd Grant	10,851	0	0	0
333-20-20-04	Alameda Overlay Grant	0	0	195,000	0
333-20-20-05	Traffic Signal Grant	0	0	337,560	0
334-03-81-00	Wa St TIB Grant Emerson/Orchard	0	48,500	527,255	0
334-03-81-00	Wa St TIB Grant Alameda/67th	0	0	500,000	0
336-00-71-00	Multimodal Transportation	0	6,728	6,956	9,360
336-00-87-00	Motor Vehicle Fuel Tax	138,127	141,941	144,160	144,220
	Total Intergovernmental Revenues	148,978	197,169	1,710,931	153,580
361-11-00-01	Investment Interest	538	1,246	400	1,300
367-00-00-08	Beautification Donations	11,125	11,120	11,000	11,000
369-90-01-01	Miscellaneous Revenue	1,727	1,795	1,000	1,000
369-94-01-01	Reimbursements	0	0	0	0
	Total Miscellaneous Revenue	13,390	14,161	12,400	13,300
	Total Operating Revenues	177,938	225,505	1,730,331	176,880
398-00-01-01	Insurance Recovery	613	0	0	0
	Total Non Revenue	613	0	0	0
397-00-00-02	Transfer In for Street Beautification	10,000	10,000	10,000	10,000
397-00-00-03	Transfer from Property Tax	190,015	189,265	194,036	195,977
397-00-00-04	Transfer from Light-St Maint	46,452	52,072	60,000	60,000
397-00-00-06	Transfer from REET 1-Capital	276,352	18,790	50,000	150,000
397-00-00-09	Transfer from REET 2-Capital	0	12,204	287,255	0
	Total Other Financing Sources	522,819	282,331	601,291	415,977
	TOTAL RESOURCES	1,055,304	826,888	2,640,512	776,249

REVENUE NARRATIVE

Donations received in 2018 will be used for baskets, banners, flags, flowers and other beautification projects throughout the City.

Transfer In of \$10,000 is to cover a portion of the Street Beautification Budget.

Transfer from Property Tax is figured at 12.5% of General Fund Property Tax received.

Transfer from Light-St Maint is to cover a portion of the Street Light Maintenance Budget.

Transfer from REET 1-Capital includes \$150,000 for capital improvements.

STORM FUND REVENUES

BARS	Description	2015 Actual	2016 Actual	2017 Budget	2018 Budget
308-80-04-15	Reserved for Cash Flow	92,000	94,000	100,000	116,000
308-80-04-15	Undes. Unres. Fund Balance	465,912	576,196	508,842	537,509
	Total Fund Balance	557,912	670,196	608,842	653,509
334-03-10-00	Dept of Ecology NPDES Grant	71,811	5,790	50,000	25,000
	Total Intergovernmental Revenues	71,811	5,790	50,000	25,000
343-10-00-00	Storm Drain Fees & Charges	381,261	377,480	430,800	450,000
343-10-00-01	Setup Fees	512	560	500	500
343-10-00-02	Penalties	6,689	7,345	6,500	6,500
	Total Goods & Services	388,462	385,385	437,800	457,000
361-11-04-15	Investment Interest	686	1,558	500	500
369-90-04-15	Miscellaneous Revenue	149	149	500	500
	Total Miscellaneous Revenue	835	1,707	1,000	1,000
	Total Operating Revenues	461,108	392,882	488,800	483,000
372-00-04-15	Insurance Recovery	0	0	0	0
	Capital Contributions	0	0	0	0
	Total Other Revenue	0	0	0	0
	TOTAL RESOURCES	1,019,020	1,063,078	1,097,642	1,136,509

Storm Drain Fees & Charges includes a rate increase. See fee schedule for details.

<u>STORM CAPITAL FUND - 416</u>					
		2015	2016	2017	2018
BARS	Description	Actual	Actual	Budget	Budget
308-80-04-16	Undes. Unres. Fund Balance	0	0	0	0
	Total Fund Balance	0	0	0	0
397-00-00-00	Transfer In from Storm Fund	0	0	0	530,000
	Total Transfers In Revenue	0	0	0	530,000
	TOTAL RESOURCES	0	0	0	530,000

WATER FUND - 425

BARS	Description	2015 Actual	2016 Actual	2017 Budget	2018 Budget
308-80-04-25	Reserved for Cash Flow				247,000
308-80-04-25	Beginning Fund Balance	781,377	804,511	816,484	146,676
	Total Fund Balance	781,377	804,511	816,484	393,676
334-04-90-00	Department of Health Grant		25,000	0	0
	Total Intergovernmental Revenues	0	25,000	0	0
343-40-00-00	Sale of Water	880,229	859,842	945,500	960,000
343-40-00-01	Service Connections	5,760	5,400	1,800	5,000
343-40-00-02	Setup Fees	1,462	1,534	1,500	1,500
343-40-00-03	Penalties	11,153	9,325	13,000	12,000
	Total Charges for Goods and Services	898,604	876,101	961,800	978,500
361-11-04-25	Investment Interest	861	2,021	600	3,000
362-50-00-05	Rent City Property/High Tank	39,358	41,419	40,325	41,000
362-50-00-06	Rent City Property/Golf Tank	25,511	25,511	25,645	26,000
369-90-04-25	Other Misc. Revenue	2,342	2,149	3,000	3,000
369-92-04-25	Backflow	180	1,215	300	300
369-94-04-25	Reimbursements	700	0	0	0
	Total Misc. Revenues	68,952	72,315	69,870	73,300
372-00-04-25	Insurance Recovery	10,956		0	0
379-00-04-25	Capital Contributions/Tap Fees	16,000	12,000	10,000	0
	Total Capital Contributions	26,956	12,000	10,000	0
TOTAL RESOURCES		1,775,889	1,789,927	1,858,154	1,445,476

WATER CAPITAL FUND - 426					
BARS	Description	2015 Actual	2016 Actual	2017 Budget	2018 Budget
308-80-04-25	Beginning Fund Balance	0	0	0	0
	Total Fund Balance	0	0	0	0
379-00-04-25	Capital Contributions/Tap Fees	0	0	0	8,000
	Total Capital Contributions	0	0	0	8,000
397-00-00-00	Transfer In	0	0	0	210,000
	Total Transfer In	0	0	0	210,000
	TOTAL RESOURCES	0	0	0	218,000

SEWER FUND REVENUE

BARS	Description	2015 Actual	2016 Actual	2017 Budget	2018 Budget
308-80-04-30	Reserved for Cash Flow				503,000
308-80-04-30	Beginning Fund Balance	1,709,871	1,477,848	2,422,139	1,776,035
	Total Fund Balance	1,709,871	1,477,848	2,422,139	2,279,035
343-50-00-00	Sewer Revenues	2,046,883	2,028,697	2,446,000	2,600,000
343-50-00-01	Service Connections	1,375	3,250	1,100	1,100
343-50-00-02	Setup Fees	582	627	600	600
343-50-00-03	Penalties	24,937	17,885	24,000	24,000
	Total Charges for Goods and Services	2,073,777	2,050,459	2,471,700	2,625,700
361-11-04-30	Investment Interest	2,619	6,998	1,300	6,000
369-90-04-30	Other Misc. Revenue	309	149	500	500
369-94-04-30	Reimbursements	2,025	0	0	0
	Total Misc. Revenues	4,953	7,147	1,800	6,500
372-00-04-30	Insurance Recovery	0		0	0
391-80-04-31	Loans Received-BYSM	604,637	1,003,476	0	0
397-00-00-01	Transfer In from Sewer to BYSM	324,864	324,864	324,864	0
397-00-00-02	Transfer In from REET 2	60,349	51,964	56,750	0
379-00-04-30	Capital Contributions/Tap Fees	20,000	12,000	10,000	0
	Total Non Operating Revenue	1,009,850	1,392,304	391,614	0
	TOTAL RESOURCES	4,798,451	4,927,758	5,287,253	4,911,235

Sewer Revenues includes a rate increase for 2018. See fee schedule for details.

SEWER CAPITAL FUND - 432					
BARS	Description	2015 Actual	2016 Actual	2017 Budget	2018 Budget
308-80-04-32	Beginning Fund Balance	0	0	0	0
	Total Fund Balance	0	0	0	0
379-00-04-30	Capital Contributions/Tap Fees	0	0	0	10,000
397-00-00-02	Transfer In	0	0	0	2,000,000
	Total Revenue	0	0	0	2,010,000
	TOTAL RESOURCES	0	0	0	2,010,000

EQUIPMENT REPLACEMENT FUND - 501					
		2015	2016	2017	2018
BARS	Description	Actual	Actual	Budget	Budget
308-10-05-01	Beginning Fund Balance	1,668,088	1,588,375	1,518,430	1,395,580
	Total Beginning Fund Balance	1,668,088	1,588,375	1,518,430	1,395,580
348-30-00-00	General Fund Replacement	49,149	79,269	83,021	90,965
348-30-01-00	City Street Fund Replacement	25,504	42,970	32,810	29,376
348-30-03-00	Water/Sewer Fund Replacement	11,680	37,711	35,303	38,679
348-30-04-00	Storm Sewer Replacement	20,506	17,160	37,715	42,231
348-30-08-00	General Fund O & M	49,035	59,812	70,585	70,570
348-30-09-00	City Street Fund O & M	16,640	14,757	23,895	22,780
348-30-11-00	Water/Sewer Fund O & M	17,709	17,263	25,095	24,240
348-30-12-00	Storm Sewer O & M	12,805	6,756	16,000	16,490
	Total Charges for Goods & Services	203,028	275,698	324,424	335,331
361-11-05-01	Investment Interest	9,233	27,984	6,000	19,000
362-40-05-01	Rental Revenue	3,560	3,600	3,675	3,785
369-10-00-05	Sale of Scrap	5,450	0	0	0
369-90-05-01	Other Miscellaneous Revenue	0	5,800	0	0
	Total Misc. Revenues	18,243	37,384	9,675	22,785
	Total Operating Revenue	221,271	313,082	334,099	358,116
	TOTAL RESOURCES	1,889,359	1,901,457	1,852,529	1,753,696

	<u>POLICE INVESTIGATION FUND</u>				
		2015	2016	2017	2018
BARS	Description	Actual	Actual	Budget	Budget
308-10-01-05	Beginning Fund Balance	11,438	11,450	11,480	11,603
	Total Beginning Fund Balance	11,438	11,450	11,480	11,603
357-50-00-00	Investigative Confiscations	0	0	0	0
	Total Fines & Forfeits	0	0	0	0
361-11-01-05	Investment Interest	12	29	20	40
	Total Misc. Revenues	12	29	20	40
	TOTAL RESOURCES	11,450	11,479	11,500	11,643

REET FUND					
		2015	2016	2017	2018
BARS	Description	Actual	Actual	Budget	Budget
308-10-03-11	Beginning Fund Balance (1st 1/4)	294,952	105,134	196,023	236,323
308-10-03-12	Beginning Fund Balance (2nd 1/4)	1,026,647	1,052,852	1,100,826	847,821
	Total Beginning Fund Balance	1,321,599	1,157,986	1,296,849	1,084,144
317-34-00-00	Capital Improvement 1	86,223	109,333	90,000	100,000
317-35-00-00	Growth Management 1	85,386	109,333	90,000	100,000
	Total Taxes	171,609	218,666	180,000	200,000
361-11-03-11	Investment Interest (1st 1/4)	311	347	300	600
361-11-03-12	Investment Interest (2nd 1/4)	1,169	2,809	1,000	4,000
	Total Misc Revenue	1,480	3,156	1,300	4,600
	TOTAL RESOURCES	1,494,688	1,379,808	1,478,149	1,288,744

CUMULATIVE RESERVE FUND

BARS	Description	2015 Actual	2016 Actual	2017 Budget	2018 Budget
308-10-00-01	Beginning Fund Bal-General	3,000,000	3,000,000	3,000,000	3,000,000
308-10-00-11	Beginning Fund Balance-Street	150,000	150,000	150,000	150,000
308-10-00-42	Beginning Fund Balance-Water	11,513	11,513	11,513	11,513
308-10-00-43	Beginning Fund Balance-Sewer	369,250	369,250	369,250	369,250
	Total Fund Balance	3,530,763	3,530,763	3,530,763	3,530,763
397-10-00-05	Transfer In from General Fund	0	0	0	0
	Total Nonrevenues	0	0	0	0
	TOTAL RESOURCES	3,530,763	3,530,763	3,530,763	3,530,763

BUDGET NARRATIVE

The Cumulative Reserve Fund accounts for principal only. Interest earnings are accrued back to participating funds. Thus there are no operating accounts (i.e., revenue and expenditure) to report, except for transfer-in and transfer-out.

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 10, 2017**

SUBJECT: **Preliminary 2018 Budget Expenditures**

FROM: **Colleen Corcoran, Finance Director**

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: **No motion. Public Hearing only.**

PROPOSAL: To receive public input on 2018 Preliminary Budget Expenditures.

FISCAL IMPACT:

General.....	7,807,225
Street	776,249
Storm Drain	1,136,509
Storm Drain Capital	530,000
Water.....	1,445,476
Water Capital.....	218,000
Sewer	4,911,235
Sewer Capital	2,010,000
Equipment Replacement	1,753,696
Police Investigation	11,643
Real Estate Excise Tax.....	1,288,744
Cumulative Reserve	3,530,763
TOTAL.....	25,419,540

ADVANTAGE: Allows citizens to comment on 2018 Preliminary Budget Expenditures.

DISADVANTAGES: None.

ALTERNATIVES: None

ATTACHMENT: [Preliminary 2018 Budget Expenditures](#)

**CITY OF FIRCREST, WASHINGTON
2018 PRELIMINARY BUDGET**

CITY OFFICIALS

Council: Matthew P. Jolibois (Mayor)
Hunter T. George (Mayor Pro Tem)
Jason Medley
Shannon Reynolds
Blake L. Surina
Denny Waltier
Brett L. Wittner
City Manager: Interim City Manager Bill McDonald
Finance Director: Colleen Corcoran

POPULATION: 6,640

2017 ASSESSED VALUATION REGULAR LEVY: \$722,648,485
REGULAR MILL LEVY: 2.13068
EMS MILL LEVY: 0.4423

2018 REVENUES, EXPENDITURES & BALANCES BY FUND

General.....	7,807,225
Street	776,249
Storm Drain	1,136,509
Storm Drain Capital	530,000
Water.....	1,445,476
Water Capital.....	218,000
Sewer	4,911,235
Sewer Capital.....	2,010,000
Equipment Replacement	1,753,696
Police Investigation	11,643
Real Estate Excise Tax.....	1,288,744
Cumulative Reserve.....	3,530,763
 TOTAL	 25,419,540

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 10, 2017**

SUBJECT: **Annexation of the Potential Annexation Area**

FROM: **Angelie Stahlnecker, Planning/Building Administrator**

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: **No motion. Public Hearing only.**

PROPOSAL: The City of Fircrest proposes to annex the potential annexation area (PAA) through interlocal agreement with Pierce County as set forth in Revised Code of Washington (RCW) 35A.14.460, designating the area Low Density Residential, zoning the area Residential-4 zoning, and changing the street names and addresses, and as recommended by the Planning Commission (Attachment 1).

Fircrest's PAA is located along the southern boundary of the city and is identified in attachment 2. The area consists of 13 properties and is bordered by the City of Fircrest on the north, east, and west and the City of University Place on the south.

Agreement

As part of the Interlocal Agreement annexation process, City and County staff met to negotiate on the annexation Interlocal Agreement (Attachment 3) and a Memorandum of Understanding (Attachment 4), which will guide the transition of governmental services as it relates to the annexation. Per the agreement, the City will assume responsibility for public services.

Land Use and Zoning

Concurrently, through the annual Comprehensive Plan updates, the City Council will be asked to pre-designate the area for Low Density Residential with a zoning classification of Residential-4. This is consistent with current uses and will match the designations and classification to the north and west.

Addressing

After reviewing the street names and addressing, staff concluded one road split with two names (Rainier Street and 60th Avenue Court West), would be detrimental to providing effective and timely provision of emergency medical and law enforcement services. With that, staff recommends establishing the street names and addressing as shown in Attachment 1, Exhibit A.

Process

Annexation through Interlocal Agreement is a multi-step process:

- Both jurisdictions are required to hold public hearings
- The City Council must authorize the City Manager to sign the interlocal agreement and memorandum of understanding. County will do the equivalent.
- After the agreements are signed, the City Council must approve an annexation ordinance with an effective date of at least 45 days after adoption.
- During that 45 days, the local residents have the option of filing a referendum to vote on

the annexation.

FISCAL IMPACT: A minimal increase in property tax received (approximately \$7,500/yr). There is a minimal expectation of cost for providing services.

ADVANTAGE: The annexation would accomplish the goals set forth in the City of Fircrest Comprehensive Plan, Pierce County Countywide Policies, and the Growth Management Act. It would also even up our City boundary and give us control over the northern portion of 44th Street.

DISADVANTAGES: None are identifiable at this time.

ALTERNATIVES: To not annex the area through Interlocal Agreement.

HISTORY: RCW 35A.14.460 allows a county to enter into an Interlocal Agreement with a city to annex an area within its PAA when at least sixty percent (60%) of the boundary of the area is contiguous with a city.

The City was approached by Pierce County planning staff in April 2016 to move forward with annexation of the City's potential annexation area (PAA) as part of the County's goal to provide more efficient services by eliminating islands of unincorporated land. Both the Pierce County and City of Fircrest Comprehensive Plans designate the proposed area as Fircrest's PAA.

On July 18, 2016, the City Council held a study session expressing interest in annexing the area. On October 5, 2016, an informational outreach meeting was offered. Ten residents or owners attended. On October 25, 2016, the City Council passed a Resolution expressing the intent to annex the Fircrest PAA by Interlocal Agreement.

Staff has sent out notices to both property owners and tenants prior to all the meetings and an additional notice related to the proposed address changes. Staff has contacted the West Pierce Fire Department, which has no concerns at this time.

As governed by FMC 22.05, the Planning Commission conduct a public hearing on this matter and forwarded its recommendations to the City Council. As required by RCW 35A.14.460, the proposed annexation agreement was published twice, on September 21, 2017 and September 28, 2017 in the Tacoma Daily Index.

ATTACHMENTS:

1. [Planning Commission Recommendation, Resolution 17-07](#)
2. [Potential Annexation Area Map](#)
3. [Draft Interlocal Agreement](#)
4. [Draft Memorandum of Understanding](#)
5. [Draft Planning Commission Minutes](#)

**CITY OF FIRCREST PLANNING COMMISSION
RESOLUTION NO. 17-07
Case No. 17-08**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF FIRCREST, WASHINGTON, RECOMMENDING
ANNEXATION OF THE CITY'S POTENTIAL ANNEXATION
AREA THROUGH INTERLOCAL AGREEMENT WITH PIERCE
COUNTY, DESIGNATING THE AREA LOW DENSITY
RESIDENTIAL, ZONING THE AREA RESIDENTIAL-4 ZONING,
AND CHANGING THE STREET NAMES AND ADDRESSES.**

WHEREAS, *Vision 2040* includes a goal that unincorporated lands within urban growth areas will be annexed into existing cities; and

WHEREAS, the Pierce County Regional Council was created in 1992 by an interlocal agreement among the cities and towns of Pierce County and Pierce County, and charged with responsibilities, including, but not limited to: serving as a local link to the Puget Sound Regional Council, promoting intergovernmental cooperation, facilitating compliance with the Growth Management Act and the Multi-County Planning Policies, and developing a consensus among jurisdictions regarding the development and modification of the Countywide Planning Policies (CPPs); and

WHEREAS, the Pierce County CPPs are written policy statements that are to be used solely for establishing a countywide framework from which the County and County municipal comprehensive plans are developed and adopted; and

WHEREAS, the Pierce County CPPs identify unincorporated "islands" as the highest priority for annexation; and

WHEREAS, RCW 35A.14.460 allows Pierce County to enter into an interlocal agreement with a city to annex an area within its Potential Annexation Area (PAA) when at least sixty percent (60%) of the boundary of the area is contiguous with a city; and

WHEREAS, RCW 35A.14.460(1) allows either the legislative body of a county or code city to initiate an annexation process by adopting a resolution commencing negotiations for an interlocal agreement; and

WHEREAS, the City hosted, and county staff attended, a public open house on the proposed annexation on October 5, 2016; and

WHEREAS, the City of Fircrest City Council passed Resolution 1451 on October 25, 2016, directing City staff to negotiate an interlocal agreement with Pierce County to annex properties within its designated Potential Annexation Area; and

WHEREAS, FMC 12.26.010 allows the City Council to determine whether roadways in areas annexed subsequent to 1996 shall retain their Pierce County street name and addressing number; and

1 **WHEREAS**, the City has determined having one road split with two names (Rainier
2 Street and 60th Avenue Court West), would be detrimental to providing effective and
timely provision of emergency medical and law enforcement services; and

3 **WHEREAS**, the Planning Commission held a public hearing on September 5, 2017;
4 and

5 **WHEREAS**, the Planning Commission adopted the following findings in support of
6 approval of the proposed annexation:

- 7 1. The proposed annexation will be consistent with the goals, objectives and policies
8 of the City of Fircrest Comprehensive Plan. The area is designated as a PAA on
9 the Comprehensive Plan Land Use Designation Map and it is the goal of the
10 Pierce County CPPs and Fircrest Comprehensive Plan that PAA unincorporated
11 "islands" be annexed.
- 12 2. The proposed annexation will promote, rather than detract from, the public health,
13 safety, morals and general welfare by incorporating the urban growth area into the
14 City of Fircrest to better serve it with public facilities and services.

15 **THEREFORE BE IT RESOLVED** that the Planning Commission of the City of
16 Fircrest hereby recommends to the City Council the following:

- 17 1. Authorize an Interlocal Annexation Agreement with Pierce County for the
18 annexation of territory pursuant to RCW 35A.14.460;
- 19 2. Authorize a Memorandum of Understanding regarding the transition of
20 governmental services associated with the Interlocal Annexation Agreement
21 described above;
- 22 3. Establish the street names and addressing as shown in Exhibit A;
- 23 4. Designate the subject property Low Density Residential; and
- 24 5. Zone the subject property Residential-4.

25 **MOVED AND ADOPTED** by the Planning Commission of the City of Fircrest on the 5th
26 day of September 2017, by the following vote:

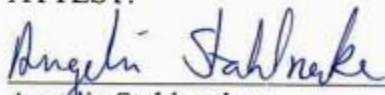
27 AYES: (5) McVay, McGinnis, Patjens, Halgren, Michaelson

28 APPROVED:

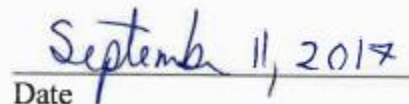
29 

30 Karen Patjens
31 Chair, Fircrest Planning Commission

32 ATTEST:

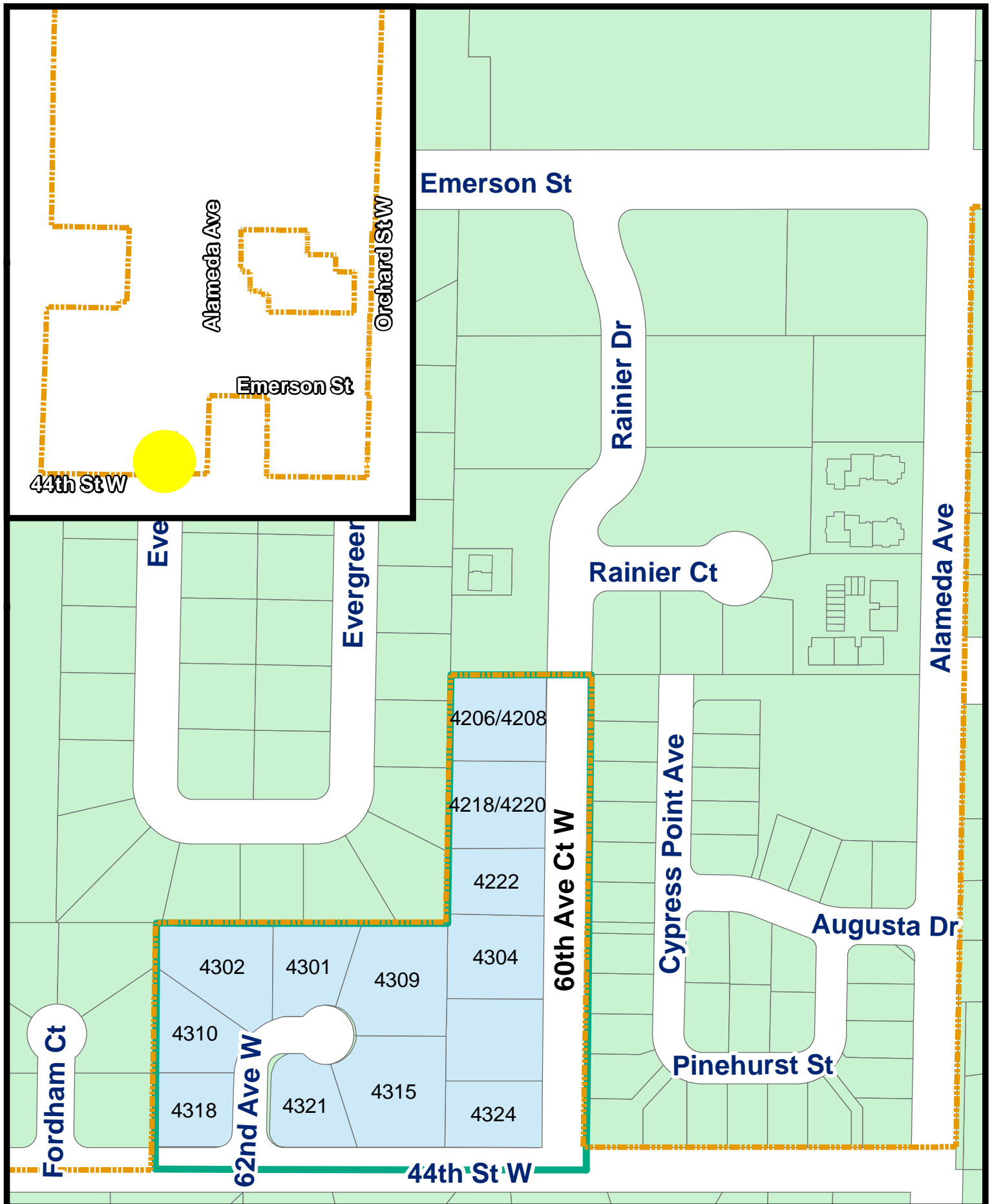


Angeli Stahlnecker
Planning/Building Administrator


Date

Attachment 2

Potential Annexation Area



**ANNEXATION AGREEMENT BETWEEN
THE CITY OF FIRCREST
and
PIERCE COUNTY**

THIS INTERLOCAL AGREEMENT, hereinafter referred to as the “Agreement,” is entered into under the authority of Chapter 39.34 RCW and RCW 35A.14.460 as of the effective Date (defined in Section 4.13 below) by and between the City of Fircrest, a Washington municipal corporation (hereinafter referred to as the “City”) and Pierce County, a Washington municipal corporation (hereinafter referred to as the “County”), subject to the terms and conditions set forth herein.

RECITALS

WHEREAS, the County designated an Urban Growth Area for the City as required by the Growth Management Act (“GMA”), codified as RCW 36.70A;

WHEREAS, RCW 36.70A.110(7) states, “An urban growth area designated in accordance with this section may include within its boundaries...potential annexation areas designated for specific cities or towns within the county.”;

WHEREAS, the City is a non-charter code city incorporated under the Optional Municipal Code, codified as RCW 35A. and has authority under RCW 35A.14 to annex property within its urban growth area;

WHEREAS, the City desires to annex the designated Fircrest Potential Annexation Area (hereinafter referred to as “PAA”) into the City utilizing the annexation method provided in RCW 35A.14.460. The PAA is depicted for illustration purposes on Exhibit A attached hereto;

WHEREAS, the City has designated in its Comprehensive Plan its PAA located at 62nd Avenue West and 44th Street West;

WHEREAS, RCW 35A.14.460 allows the City of Fircrest and Pierce County to enter into an Interlocal Agreement to annex the City’s affiliated PAA when at least sixty percent (60%) of

the boundary of the area to be annexed are contiguous to the corporate boundary of the City and the area is within the City's PAA;

WHEREAS, the 62nd Avenue West and 44th Street West PAA is within the City's PAA, and more than sixty percent (60%) of its boundary is contiguous with the City of Fircrest's boundary;

WHEREAS, the City Council passed Resolution 1451 on October 25, 2016 directing City staff to negotiate an Interlocal Agreement with Pierce County to annex the PAA subject to this Agreement as required by RCW 35A.14.460(1);

WHEREAS, annexation of the PAA subject to this Agreement is exempt from compliance with the requirements of the State Environmental Policy Act pursuant to RCW 43.21C.222;

WHEREAS, the annexation ordinances provided for in RCW 35A.14.460 are subject to referendum within forty-five (45) days after adoption;

WHEREAS, after the expiration of the forty-fifth day from, but excluding the date of adoption of the annexation ordinance, if no timely and sufficient referendum petition has been filed, the area annexed shall become a part of the City of Fircrest;

WHEREAS, the City and County have published notice of adoption of this agreement as required by RCW 35A.14.460(3);

WHEREAS, the City will publish notice of the proposed effective date of the annexation, together with a description of the property to be annexed as required by RCW 35A.14.460(4);

WHEREAS, the Fircrest City Council has enacted Resolution Number _____ on _____ authorizing the City Manager to enter into this Agreement; and

WHEREAS, the Pierce County Council has enacted Ordinance Number _____ on _____ authorizing the County Executive to enter into this Agreement;

WHEREAS, the Fircrest City Council held a public hearing pursuant to RCW 35A.14.460(3) on _____, and the Pierce County Council held a public hearing on _____;

WHEREAS, the Fircrest City Council found that the proposed annexation is consistent with the City of Fircrest Comprehensive Plan;

NOW, THEREFORE, in consideration of the foregoing, the parties hereto agree as follows:

AGREEMENT

SECTION 1. ANNEXATION AREAS

1.1 Annexation. The County and City agree that the PAA identified in this Section shall be annexed into the City following the adopting of an ordinance by the City providing for such annexation pursuant to RCW 35A.14.460. The annexation date fixed by ordinance shall not be fewer than forty-five (45) days from the date of adoption of the ordinance pursuant to RCW 35A.14.460(4).

1.2 The 62nd Avenue West and 44th Street West PAA is legally defined as:

That portion of the Northeast quarter of the Southwest quarter of Section 14, Township 20 North, Range 2 East, Willamette Meridian, in Pierce County, Washington described as follows:

Beginning at Southwest corner of lot 7 of Mount Vista Terrace 3rd Addition as recorded under A.F.N 1907450 in said County; Thence South 30 feet on a projected line parallel to the West line of said lot, said point being on centerline of 44th Street West; Thence East along the centerline of said Street, to a point that is projected South and parallel to the West line of Fircrest Greens as recorded under A.F.N 200508255015 in said County; Thence North on said projected line for 30 feet to the Southwest corner of lot 11 of said plat; Thence continuing North on along said West line of said plat to the Northwest corner of lot 21, said West line is also being the City Limits of Fircrest as established by ordinance 668 dated 9/15/1974; Thence West along the South line of Martin and Haddows 1st Addition as recorded under A.F.N 2163963 in said County to the Southwest corner of lot 3 of said plat, said line also being the City limits of Fircrest as established by Ordinance 549 dated 6/15/1966; Thence South along the East line of Maitlands 4th Addition as recorded under A.F.N 2117682 to the Southeast corner of lot 13 of said plat, said line also being the City limits of Fircrest as established by Ordinance 531 dated 10/18/1965;

Thence West along said plat, and City limits line to the Northwest corner of lot 9 Mount Vista Terrace 3rd Addition as recorded under A.F.N 1907450 in said county, said point also being City Limits of Fircrest as established by ordinance 553 dated 8/10/1966; Thence South on the West line of lots 9, 8, and 7, said lines are also being the East line of said City Limits, to the Southwest corner of lot 7, and point of beginning.

SECTION 2. GOVERNMENTAL SERVICES

2.1 Transition of Governmental Services. The transition of governmental services is provided for in the *Annexation Memorandum of Understanding* as set forth in Exhibit B to Pierce County Ordinance No. _____.

SECTION 3. TERM

3.1 Duration. This Agreement shall remain in effect for five (5) years after the Annexation date unless terminated earlier in accordance with Section 3.2.

3.2 Termination.

3.2.1 Either party may terminate the Agreement upon ninety (90) days' advance written notice to the other party. Notwithstanding the expiration or earlier termination of the Agreement, the County and City shall remain responsible for fulfilling any outstanding obligations under this Agreement that were incurred prior to the date on which the Agreement expired or terminated.

3.2.2 This Agreement shall be terminated immediately if a referendum petition is filed within the allotted time period and the resulting annexation vote defeats the proposed annexation(s).

SECTION 4. GENERAL PROVISIONS

4.1 Notices, Demands and Communications. Formal notices, demands, and communications between the City and the County shall be sufficient if given and shall not be deemed given unless dispatched by certified mail, postage prepaid, returned receipt requested, or delivered personally, to the principal offices of the City and the County as follows:

City:
City Manager
City of Fircrest
115 Ramsdell Street
Fircrest, WA 98466

County:
Office of the Pierce County Executive
County-City Building
930 Tacoma Avenue South, Room 737
Tacoma, WA 98402

Director:
Pierce County Planning and Public Works
Public Services Building
2401 South 35th Street, Room 175
Tacoma WA 98409

4.2 Indemnification and Defense.

4.2.1 The City agrees to defend, indemnify and save harmless the County, its appointed and elected officers and employees, from and against all loss or expense, including but not limited to judgements, settlements, attorney's fees and costs by reason of any and all claims and demands upon the County, its elected or appointed officials or employees for damages because of personal or bodily injury, including death at any time resulting therefrom, sustained by any person or persons, and for damages to property including loss of use thereof, when such injury to persons or damage to property is due to the negligence of the City, its Subcontractors, its successor or assigns, or its or their agent, servants, or employees.

4.2.2 The County agrees to defend, indemnify and save harmless the City, its appointed and elected officers and employees, from and against all loss or expense, including but not limited to judgements, settlements, attorney's fees and costs by reason of any and all claims and demands upon the City, its elected or appointed officials or employees for damages because of personal or bodily injury, including death at any time resulting therefrom, sustained by any person or persons, and for damages to property including loss of use thereof, when such injury to persons or damage to property is due to the negligence of the County, its Subcontractors, its successor or assigns, its or their agent, servants, or employees.

4.2.3 Should Pierce County be determined liable for said damages caused by or resulting from the concurrent negligence of the County and the City. The City shall indemnify Pierce County only to the extent of the City's negligence, and Pierce County shall indemnify the City only to the extent of Pierce County's negligence.

4.2.4 In the event that one party defends the other, the defending party shall have the sole right to select legal counsel to defend against the claim, demand, or cause of action. In the event that defense is undertaken, the defending party shall be empowered to settle or compromise the claim, demand, or cause of action, and the defended party shall not interfere therewith, provided that if the defending party settles a claim, demand, or cause of action against the other party without that party's consent, the non-consenting party shall not be liable for any settlement or fees.

4.3 Amendments. This Agreement may be amended or modified in accordance with applicable laws, rules or regulations, and upon mutual consent of the parties, such mutual consent of the Parties shall be evidenced by a written amendment signed by the parties.

4.4 Rights Reserved. Nothing in this Agreement is intended to waive or limit the rights of the parties to require mitigation for any impact as allowed by federal, state, or local laws and ordinances including but not limited to environmental impacts governed by Chapter 43.21C RCW or mitigation fees governed by RCW 82.02.050.

4.5 Title of Parts and Sections. Any titles of the parts, sections, or subsections of this Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any part of its provisions.

4.6 Applicable Law. This Agreement shall be interpreted under and pursuant to the laws of the State of Washington.

4.7 Severability. If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions shall continue in full force and effect unless the rights and obligations of the parties have been materially altered or abridged by such invalidation, voiding, or unenforceability.

4.8 Legal Actions. In the event any legal action is commenced to interpret or to enforce the terms of this Agreement, or to collect damages as a result of any breach of the Agreement, the party prevailing in any such action shall be entitled to recover against the party not prevailing all reasonable attorneys' fees and costs incurred in the action.

4.9 Joint Board. This Interlocal Agreement does not establish or create a separate legal administrative entity, joint board, or joint budget authority to accomplish the purposes of the Agreement.

4.10 Recordation. Within ten (10) days after the effective date of this Agreement, the Clerk of the County Council shall have this Agreement recorded with the County Auditor/Recorder of Pierce County. In the alternative, the parties may mutually agree to post this Agreement electronically on their websites.

4.11 Execution of Other Documentation. The City and the County agree to execute any further documentation that may be necessary to carry out the intent and obligations under this Agreement.

4.12 Complete Understanding of the Parties. This Agreement is executed in two (2) duplicate originals, each of which is deemed to be an original. This Agreement consists of eight (8) pages and constitutes the entire understanding and agreement of the Parties.

4.13 Effective Date. The Effective Date of this Agreement shall be the date upon which the Agreement is approved by official action of the legislative bodies of each of the Parties, and the MOU is signed by the duly authorized representative of each of the Parties.

CITY OF FIRCREST

PIERCE COUNTY

City Manager

Bruce Dammeier
Pierce County Executive

By direction of the Fircrest City Council

in Open Public Meeting on _____

Dated: _____

Dated: _____

Authenticated by:

Attested by:

Fircrest City Clerk

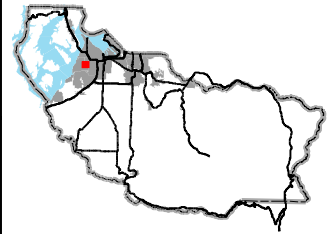
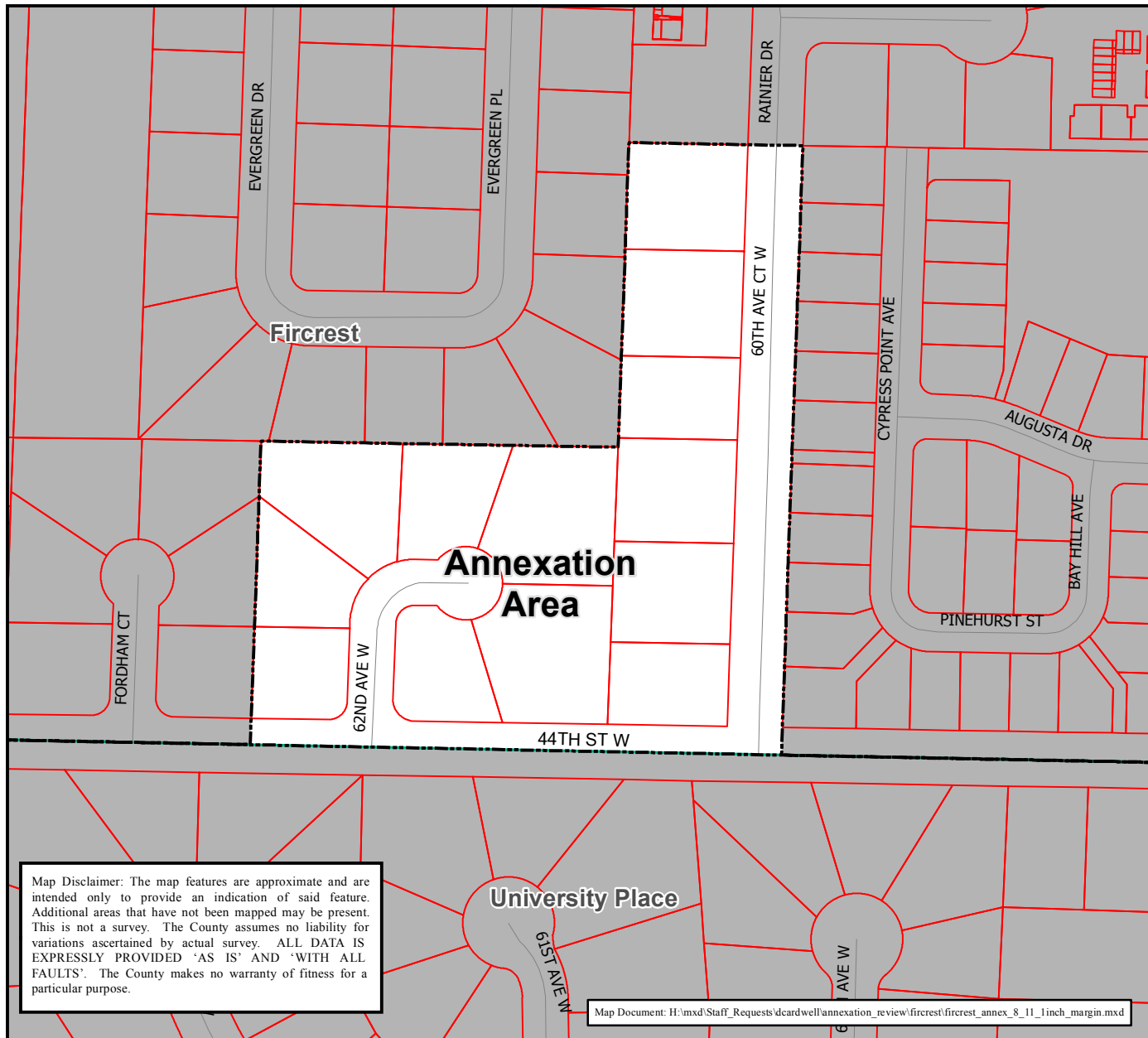
Pierce County Council Clerk

Approved as to Form:

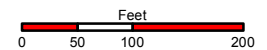
Approved as to Form:

City of Fircrest Attorney

Pierce County Attorney



- Tax Parcels
- Municipal Area



Plot Date: 5/22/2017

Map Disclaimer: The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED 'AS IS' AND 'WITH ALL FAULTS'. The County makes no warranty of fitness for a particular purpose.

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Gzj kdk'C<
""O cr"

62nd Avenue West and 44th Street West PAA
ATR Parcel Listing
(8/11/17)

0220143021

0220143022

0220143025

0220143043

0220143064

0220143065

6155300070

6155300080

6155300090

6155300100

6155300110

6155300120

6155300130

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF FIRCREST
and
PIERCE COUNTY
, 2017



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Attachments

- A** 62nd Avenue West and 44th Street West PAA Legal Description
- B** Map Folio/Parcel Listing

**ANNEXATION MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF FIRCREST
and
PIERCE COUNTY**

THIS MEMORANDUM OF UNDERSTANDING, hereinafter referred to as the “MOU,” is made and entered as of the Effective Date (defined in Section 2.3 below) by and between the City of Fircrest, a Washington municipal corporation and political subdivision of the State of Washington (hereinafter referred to as the “City”) and Pierce County, a Washington municipal corporation and political subdivision of the State of Washington (hereinafter referred to as the “County”), subject to the terms and conditions set forth herein.

RECITALS

WHEREAS, the County designated an Urban Growth Area for the City as required by the Growth Management Act (“GMA”), codified as RCW 36.70A;

WHEREAS, RCW 36.70A.110(7) states, “An urban growth area designated in accordance with this section may include within its boundaries...potential annexation areas designated for specific cities or towns within the county.”;

WHEREAS, the City is a non-charter code city incorporated under the Optional Municipal Code, codified as RCW 35A. and has authority under RCW 35A.14 to annex property within its urban growth area;

WHEREAS, the City has designated in its Comprehensive Plan its Potential Annexation Area (“PAA”) located at 62nd Avenue West and 44th Street West;

WHEREAS, RCW 35A.14.460 allows the City and Pierce County to enter into an Interlocal Agreement to annex the City’s affiliated Potential Annexation Area (“PAA”) when at

least sixty percent (60%) of the boundary of the area to be annexed are contiguous to the corporate boundary of the City and the area is within the City's PAA;

WHEREAS, the 62nd Avenue West and 44th Street West PAA is within the City's PAA, and more than sixty percent (60%) of its boundary is contiguous with the City's boundary;

WHEREAS, the City Council passed Resolution 1451 on October 25, 2016 directing City staff to negotiate an Interlocal Agreement with Pierce County to annex the Potential Annexation Area subject to this MOU as required by 35A.14.460(1);

WHEREAS, Multi-County Planning Policy MPP-DP-19 states, "[S]upport joint planning between cities and counties to work cooperatively in planning for urban unincorporated areas to ensure an orderly transition to city governance, including efforts such as: (a) establishing urban development standards, (b) addressing service and infrastructure financing, and (c) transferring permitting authority;"

WHEREAS, annexation of the Potential Annexation Area is exempt from compliance with the requirements of the State Environmental Policy Act pursuant to RCW 43.21C.222;

WHEREAS, the annexation ordinance provided for in RCW 35A.14.460 is subject to referendum within forty-five (45) days after adoption;

WHEREAS, upon the filing of a timely and sufficient referendum petition with the legislative body, signed by registered voters representing not less than fifteen percent (15%) of the votes cast in the last general state election in the area to be annexed, the question of annexation shall be submitted to voters of the area in a general election if one is to be held within ninety (90) days or at a special election called for that purpose;

WHEREAS, after the expiration of the forty-fifth day from, but excluding the date of adoption of the annexation ordinance, if no timely and sufficient referendum petition has been filed, the area annexed shall become a part of the City of Fircrest;

WHEREAS, the Fircrest City Council has enacted Resolution Number _____ on _____ authorizing the City Manager to enter into this MOU;

WHEREAS, the Pierce County Council has enacted Ordinance Number _____ on _____ authorizing the County Executive to enter into this Memorandum of Understanding; **NOW, THEREFORE**, in consideration of the foregoing, the Parties hereto agree as follows:

SECTION 1. PURPOSE

1.1 Purpose. The purpose of this MOU is to set forth the terms of the Parties' agreement for the transition of governmental services from Pierce County to the City of Fircrest related to the City's annexation of the 62nd Avenue West and 44th Street West PAA. The Parties anticipate formulating a more definitive and enforceable Interlocal Annexation Agreement in conjunction with this MOU.

SECTION 2. DEFINITIONS

2.1 Affected Project. All projects within the PAA that are subject to the Notice of Application requirements of RCW 36.70B.110, or subject to review under the State Environmental Policy Act (SEPA).

2.2 Annexation Date. The annexation date shall be the date fixed by ordinance and shall not be fewer than forty-five (45) days from the date of adoption of the ordinance

2.3 Effective Date. The Effective Date of this MOU shall be the date upon which the MOU is approved by official action of the legislative bodies of each of the Parties, and the MOU is signed by the duly authorized representative of each of the Parties.

2.4 Development Regulations. The controls, requirements, and limitations placed on development, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, stormwater requirements, transportation requirements, SEPA ordinances, and subdivision ordinances.

2.5 PCC. Pierce County Code. The PCC no longer applies to the annexed area as of the Annexation Date except as to those matters the County retains in accordance with Sections 5, 6, and 7.

2.6 Potential Annexation Area (PAA). An area within the designated urban growth area, which has been identified as being appropriate for annexation. For this MOU, reference to a PAA(s) encompasses the areas as described in Section 3. Annexation Areas (the 62nd Avenue West and 44th Street West PAA).

2.7 Working Day. Every day is considered a “working day” unless it is considered a nonworking day. Nonworking days are all Saturdays, all Sundays, all of the following holidays: the third Monday of January, the third Monday of February, Memorial Day, July 4th, Labor Day, November 11th, Thanksgiving Day, the day after Thanksgiving, and the days between the time period starting on December 24th and concluding on January 1st. When any of the holidays fall on a Sunday, the following Monday shall be considered a nonworking day. When any of the holidays fall on a Saturday, the preceding Friday shall be considered a nonworking day.

SECTION 3. ANNEXATION AREAS

3.1 Annexation. This MOU shall apply to the Potential Annexation Area (PAA) discussed in this Section, annexed into the City following the entering into such annexation agreement and adoption of an ordinance by the City providing for such annexation pursuant to RCW 35A.14.460.

3.2 62nd Avenue West and 44th Street West PAA.

3.2.1 Boundaries. A legal description of the boundaries of this PAA is provided in Attachment A. A graphical illustration of this area is provided on Map 1 in the Map Folio included as Attachment B.

3.2.2 Size. The area is comprised of 13 parcels and road right-of-way totaling approximately 5.8 acres.

SECTION 4. CRIMINAL JUSTICE SERVICES

4.1 General. Currently, Pierce County is responsible for criminal justice services (e.g. law enforcement, jail services, and court and prosecution services) within the PAA. The City would assume responsibility for criminal justice service upon annexation as provided in this section.

4.2 Police Services. On the Annexation Date, police service responsibility within the PAA will be transferred to the City. The County will be responsible for all criminal cases and investigations for crimes that occurred before the Annexation Date, including but not limited to, all costs associated with these cases and investigations. The City will be responsible for all criminal cases and investigations for crimes that occurred on or after the Annexation Date, including but not limited to all costs associated with these cases and investigations. The City's Chief of Police and the Pierce County Sheriff will work together to ensure a smooth transition plan.

4.3 Court and Prosecution Services. The County will be responsible for the court expenses, prosecution, and payment of any fees or assessments associated with misdemeanor criminal offenses that occur within the PAA prior to the Annexation Date. The City will be responsible for the court expenses, prosecution, and payment of any fees or assessments associated with misdemeanor criminal offenses that occur within the PAA on or after the Annexation Date.

4.4 Jail Services. Pierce County will be responsible for the incarceration of adult offenders found to have committed a misdemeanor or gross misdemeanor within the PAA before the Annexation Date. The City will be responsible for the incarceration of adult offenders found to have committed a misdemeanor or gross misdemeanor within the PAA on or after the Annexation Date.

SECTION 5. BUILDING AND LAND USE PERMITTING

5.1 General. The Parties agree that Pierce County Planning and Public Works (PPW) shall continue to review and approve all project permits for development proposals within the PAA

under the Development Regulations adopted by the County until the Annexation Date as provided in this Section.

5.2 Consultation. Following the Effective Date of this MOU, the County agrees to consult with the City on Affected Projects as provided in Section 9.

5.3 Building Permits. The County shall be responsible for completing the processing for all building permit applications and associated permits for properties within the PAA submitted to the County and deemed complete prior to the Annexation Date as provided below:

5.3.1 For the purpose of this Section, associated permits include mechanical, plumbing, fire suppression, stormwater, and road approach/curb cut permits for the underlying building permit.

5.3.2 Sign permits are not associated permits. The County will only complete sign permits submitted to the County prior to the Annexation Date.

5.3.3 Building permits and associated permits for homes within plats or short plats that have not received final plat approval prior to the Annexation Date shall be processed consistently with the terms of Section 5.4.

5.3.4 The County shall be responsible for defending and processing all appeals of building permits and other related permits issued by the County prior to and after the Annexation Date.

5.3.5 For the purpose of this Section, “complete” shall mean the final administrative or quasi-judicial approval, including final inspection and issuance of an occupancy permit.

5.4 Plats and Short Plats. The County shall be responsible for completing the processing for plats and short plat applications for properties within the PAA submitted to the County prior to the Annexation Date as provided below:

- 5.4.1** The County agrees to complete the review process through the phase (e.g. preliminary, civil, and final) that is pending on the Annexation Date and then turn the application over to the City for further processing.
- 5.4.2** The County agrees to complete associated permits filed either before or after the Annexation Date that are necessary to complete the current phase of the plat or short plat application that remains under the County's review as provided in Section 5.4.1 of this MOU.
- 5.4.3** For the purpose of Section 5.4, associated permits include shoreline permits, variances, site development, forest practice permits, civil permits, right-of-way permits, critical area permits, and reviews under the State Environmental Policy Act (SEPA).
- 5.4.4** For the purpose of Section 5.4, "complete" means the final administrative or quasi-judicial approval.
- 5.4.5** All building permits and associated permits as defined in Section 5.3 for homes within in a new subdivision shall be submitted to the City after the Annexation date.

5.5 Other Land Use Permits. The County shall be responsible for completing the processing for all other land use permit applications for properties within the PAA submitted to the County prior to the Annexation Date as provided below:

- 5.5.1 Definition of Land Use Permits.** For the purpose of Section 5.5, other land use permits include nonconforming use permits, conditional use permits, shoreline permits, variances, site development, forest practice permits, critical area permits, and reviews under the State Environmental Policy Act (SEPA).
- 5.5.2 Plats or Short Plats.** Other land use permits associated with plats or short plats shall be processed consistently with the terms of Section 5.4.

5.5.3 Definition of Complete. For the purpose of Section 5.5, “complete” means the final administrative or quasi-judicial approval, including final inspection and issuance of an occupancy permit.

5.6 Accepting County Conditions. Following annexation and transfer of a development application to the City for handling, the conditions of approval for all building and land use permits and preliminary plat applications in the annexed area will continue to apply as required by law.

5.7 Permit Fees. In order to cover the cost of processing building and land use permits submitted to the County prior to the Annexation Date, the County is authorized to collect fees for those permits after the Annexation Date. The County is further authorized to retain fees collected by the County for permits submitted to the County prior to the Annexation Date.

5.8 Permit Extensions. The County agrees to grant extension requests for permits discussed in Section 5 of this MOU only when construction authorized by the underlying permit is underway by the Annexation Date, or if the County approved the permit and issued the permit prior to the Annexation Date. The County further agrees that the County will not reactivate expired building permits and/or associated permits.

5.9 Appeals. The County shall be responsible for defending all administrative, quasi-judicial, or Land Use Petition Act appeals for land use decisions issued by the County prior to and after the Annexation Date.

5.10 Tracking of County Retained Permits. Upon the City’s written request and within the time period to which the Parties agree the County shall provide the City a list of all building and land use permit applications that are still pending, under review, or issued but not yet finalized. This list shall include the project number assigned by the County, parcel number, a brief description of the project, current status, and expiration date of the permit. The County shall provide the City an update as requested by the City until all permits on the list have either been finalized, expired, or otherwise completed.

SECTION 6. CODE ENFORCEMENT

6.1 General. On the Annexation Date, code enforcement responsibility within the PAA will be transferred to the City.

6.2 Code Enforcement Cases. The County shall provide the City a list of all pending code enforcement cases within thirty (30) days of the Effective Date of this MOU. Pierce County shall close these cases as of the Annexation Date. The City, at its sole discretion, may pursue any code enforcement action originally initiated by the County.

SECTION 7. ROAD FUNDS

7.1 County Road Taxes. In accordance with RCW 35A.14.801, the County shall distribute to the City those portions of the non-delinquent road district taxes, which the road district levied in 2017 for the PAA.

7.2 Transportation Benefit District. On December 2, 2014, Pierce County adopted Ordinance 2014-28 establishing a Transportation Benefit District (TBD), which encompassed all of the unincorporated areas of Pierce County at the time of the establishment of the TBD. Ordinance 2014-28 is silent as to how the annexation would affect the boundaries of the TBD. Therefore, the County will review this issue and consider options to forward to the TBD Governing Board to address the impact of annexations on the boundaries of the TBD.

SECTION 8. TRANSFER OF DOCUMENTS

8.1 County Records to be Transferred. Prior to and after the Annexation Date and upon the City's reasonable written request, the County will provide the City copies of requested County records (except for privileged documents) from the County Planning and Public Works Department pertaining to the transfer of jurisdictions, services, land use permitting from the County to the City. Such records may include but are not limited to the following:

8.1.1 Building Permit Records. Building permit files for properties within the PAA.

8.1.2 Public and Private Stormwater Facilities. Records, including, but not limited to maintenance files, illicit discharge notices, drainage or water quality complaints, and capital improvement plans.

8.1.3 Transportation Facilities. Records including but not limited to, traffic count data, sign inventory, road maintenance, payment and sidewalk condition, street and traffic light location information, and as built drawings.

SECTION 9. CONSULTATION

9.1 General. The Parties agree that any time the words “consult”, “confer”, or “consultation” are used in this MOU, that the word is referencing the process provided in this Section regardless if this Section is specifically identified in the text of the MOU.

9.2 Consultation. The Parties agree that the following is the minimum required for consultation:

9.2.1 Notice. The County shall consider the City a party of record for all Affected Projects, and provide the City with the Notices of Application, Hearing, and Decision within the timeframes required by Chapter 36.70B RCW.

9.2.2 Materials. Upon request of the City, the County will provide within ten (10) working days to the City paper or electronic copies of all of the materials in its possession that were submitted as part of the permit application for which the City received a notice under Section 5.3.1.

9.2.3 Comments. The City shall provide written comments and any requested mitigation measures within twenty-eight (28) working days of the receipt of the materials identified in section 9.2.2. The County shall provide a written response to the City within twenty-eight (28) working days from the date of receipt of the City’s comment letter.

9.2.4 Subsequent Submittals. The Parties agree that if the City previously requested copies under Section 9.2.2 and/or provided comments under Section 9.2.3, the County shall automatically provide to the City within ten (10) working days all additional or resubmitted materials for that Affected Project. The City shall provide written comments and any requested mitigation measures within twenty-one (21) working days of the receipt of the subsequent submittals. The County shall provide a written response to the City within twenty-one (21) working days from the date of receipt of the City's comment letter. This process shall be repeated for all subsequent submittals for an Affected Project.

9.2.5 Technical Review Meetings. The County shall provide the City notice at least seven (7) days prior to any technical review meetings for Affected Projects. The City shall be allowed and encouraged to attend all building permit pre-construction conferences and/or technical review meetings for Affected Projects.

9.2.6 Project Conditions of Approval and Mitigation. The Parties agree to negotiate in good faith to jointly identify conditions of approval and/or mitigation measures for an Affected Project. Final approval will remain with the jurisdiction having regulatory authority at the time of project review and approval.

SECTION 10. TERM

10.1 Duration. This MOU shall remain in effect for five (5) years after the Annexation Date unless terminated earlier in accordance with Section 10.2.

10.2 Termination.

10.2.1 Either Party may terminate the MOU upon ninety (90) days' advance written notice to the other Party. Notwithstanding the expiration or earlier

termination of the MOU, the County and City shall remain responsible for fulfilling any outstanding obligations under this MOU that were incurred prior to the date on which the MOU expired or terminated.

10.2.2 This MOU shall be terminated immediately if a referendum petition is filed within the allotted time period and the resulting annexation vote defeats the proposed annexation(s).

SECTION 11. GENERAL PROVISIONS

11.1 Notices, Demands, and Communications. Formal notices, demands, and communications between the City and the County shall be sufficient if given and shall not be deemed given unless dispatched by certified mail, postage prepaid, returned receipt requested, or delivered personally, to the principal offices of the City and the County as follows:

City:

City Manager
City of Fircrest
115 Ramsdell Street
Fircrest, WA 98466
Phone (253)566-8901

County:

Office of the Pierce County Executive
County-City Building, Room 737
930 Tacoma Avenue South
Tacoma, WA 98402
Phone (253) 798-7477

Director:

Pierce County Planning and Public Works
Public Services Building
2401 South 35th Street, Room 175
Tacoma WA 98409
Phone (253) 798-7210

11.2 Indemnification and Defense.

11.2.1 The City agrees to defend, indemnify and save harmless the County, its appointed and elected officers and employees, from and against all loss or expense, including but not limited to judgements, settlements, attorney's fees and costs by reason of any and all claims and demands upon the

County, its elected or appointed officials or employees for damages because of personal or bodily injury, including death at any time resulting therefrom, sustained by any person or persons, and for damages to property including loss of use thereof, when such injury to persons or damage to property is due to the negligence of the City, its Subcontractors, its successor or assigns, or its or their agent, servants, or employees.

11.2.2 The County agrees to defend, indemnify and save harmless the City, its appointed and elected officers and employees, from and against all loss or expense, including but not limited to judgements, settlements, attorney's fees and costs by reason of any and all claims and demands upon the City, its elected or appointed officials or employees for damages because of personal or bodily injury, including death at any time resulting therefrom, sustained by any person or persons, and for damages to property including loss of use thereof, when such injury to persons or damage to property is due to the negligence of the County, its Subcontractors, its successor or assigns, its or their agent, servants, or employees.

11.2.3 In the event of liability for damages of any nature whatsoever arising out of the performance of this MOU by the City and the County, including claims by the City or the County's own officers, officials, employees, agents, volunteers, or third parties, caused by or resulting from the concurrent negligence of the County and the City their officers, officials, employees and volunteers, each party's liability hereunder shall only be to the extent of that party's negligence.

11.2.4 In the event that one Party defends the other, the defending Party shall have the sole right to select legal counsel to defend against the claim, demand, or cause of action. In the event that defense is undertaken, the defending Party shall be empowered to settle or compromise the claim, demand, or cause of action, and the defended Party shall not interfere therewith, provided that if

the defending Party settles a claim, demand, or cause of action against the other Party without that Party's consent, the non-consenting Party shall not be liable for any settlement or fees.

11.3 Amendments. This MOU may be amended or modified in accordance with applicable laws, rules or regulations, and upon mutual consent of the Parties, such mutual consent of the Parties shall be evidenced by a written amendment signed by the Parties.

11.4 Rights Reserved. Nothing in this MOU is intended to waive or limit the rights of the Parties to require mitigation for any impact as allowed by federal, state, or local laws and ordinances including but not limited to environmental impacts governed by Chapter 43.21C RCW or mitigation fees governed by RCW 82.02.050.

11.6 Title of Parts and Sections. Any titles of the parts, sections, or subsections of this MOU are inserted for convenience of reference only and shall be disregarded in construing or interpreting any part of its provisions.

11.7 Applicable Law. This MOU shall be interpreted under and pursuant to the laws of the State of Washington.

11.8 Severability. If any term, provision, covenant, or condition of this MOU is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions shall continue in full force and effect unless the rights and obligations of the Parties have been materially altered or abridged by such invalidation, voiding, or unenforceability.

11.9 Legal Actions. In the event any legal action is commenced to interpret or to enforce the terms of this MOU, or to collect damages as a result of any breach of the MOU, the Party prevailing in any such action shall be entitled to recover against the Party not prevailing all reasonable attorneys' fees and costs incurred in the action.

11.10 Joint Board. This MOU does not establish or create a separate legal administrative entity, joint board, or joint budget authority to accomplish the purposes of the MOU.

11.11 Recordation. Within ten (10) days after the effective date of this MOU, the Clerk of the County Council shall have this MOU recorded with the County Auditor/Recorder of Pierce County. In the alternative, the Parties may mutually agree to post this MOU electronically on their websites.

11.12 Execution of Other Documentation. The City and the County agree to execute any further documentation that may be necessary to carry out the intent and obligations under this MOU.

11.13 Complete Understanding of the Parties. This MOU is executed in two (2) duplicate originals, each of which is deemed to be an original. This MOU consists of 17 pages and two (2) attachments, and constitutes the entire understanding and agreement of the Parties.

CITY OF FIRCREST

PIERCE COUNTY

Interim City Manager

Bruce Dammeier
Pierce County Executive

By direction of the Fircrest City Council

in Open Public Meeting on _____

Dated: _____

Dated: _____

Authenticated by:

Attested by:

Fircrest City Clerk

Pierce County Council Clerk

Approved as to Form:

Approved as to Form:

City of Fircrest Attorney

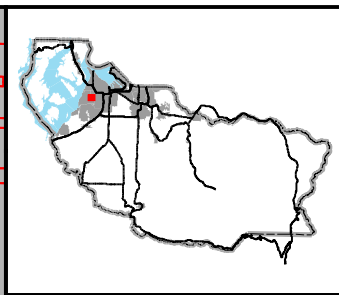
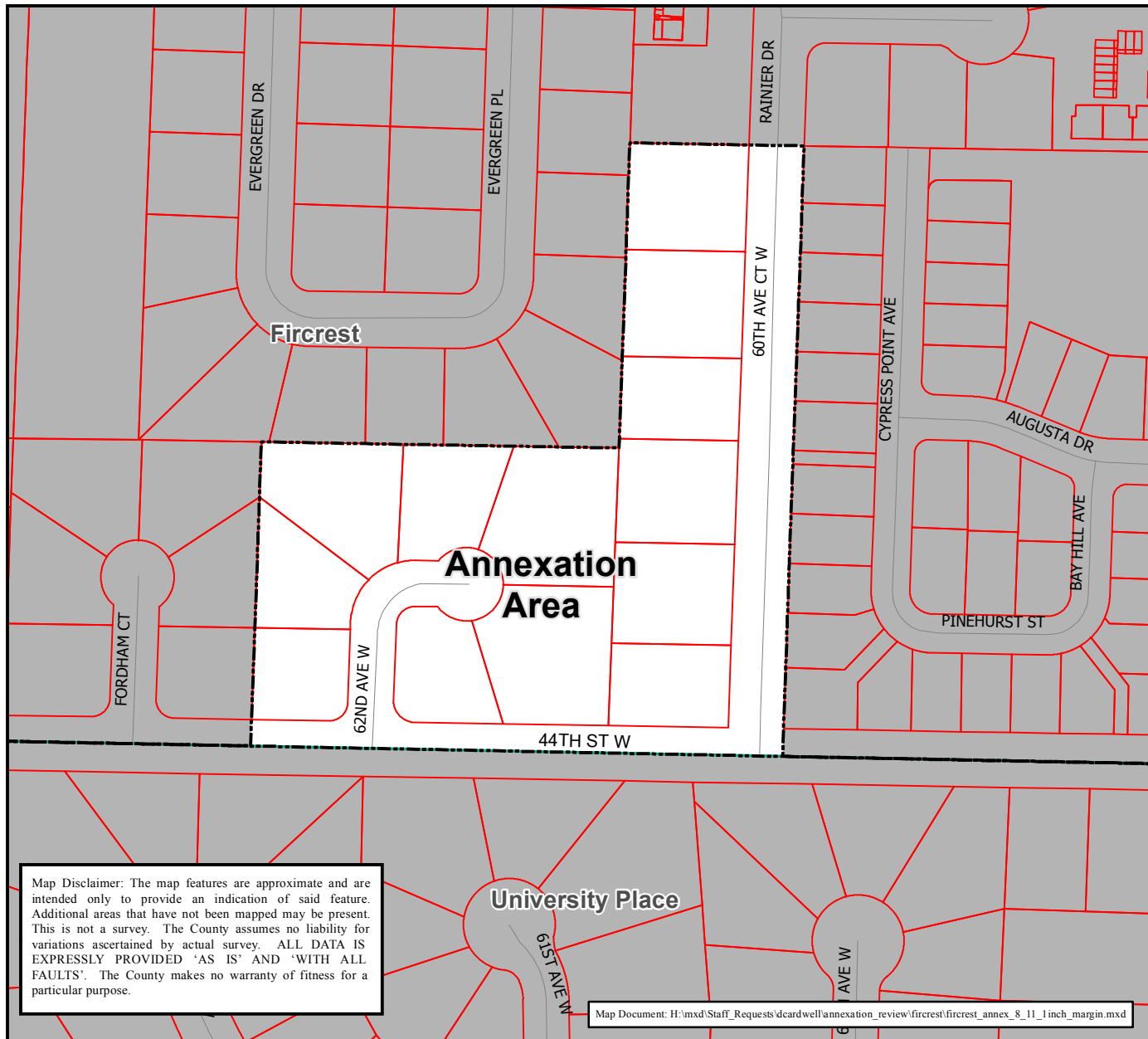
Pierce County Attorney



Attachment A

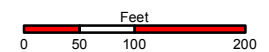
62nd Avenue West and 44th Street West PAA Legal Description

That portion of the Northeast quarter of the Southwest quarter of Section 14, Township 20 North, Range 2 East, Willamette Meridian, in Pierce County, Washington described as follows:

Beginning at Southwest corner of lot 7 of Mount Vista Terrace 3rd Addition as recorded under A.F.N 1907450 in said County; Thence South 30 feet on a projected line parallel to the West line of said lot, said point being on centerline of 44th Street West; Thence East along the centerline of said Street, to a point that is projected South and parallel to the West line of Fircrest Greens as recorded under A.F.N 200508255015 in said County; Thence North on said projected line for 30 feet to the Southwest corner of lot 11 of said plat; Thence continuing North on along said West line of said plat to the Northwest corner of lot 21, said West line is also being the City Limits of Fircrest as established by ordinance 668 dated 9/15/1974; Thence West along the South line of Martin and Haddows 1st Addition as recorded under A.F.N 2163963 in said County to the Southwest corner of lot 3 of said plat, said line also being the City limits of Fircrest as established by Ordinance 549 dated 6/15/1966; Thence South along the East line of Maitlands 4th Addition as recorded under A.F.N 2117682 to the Southeast corner of lot 13 of said plat, said line also being the City limits of Fircrest as established by Ordinance 531 dated 10/18/1965; Thence West along said plat, and City limits line to the Northwest corner of lot 9 Mount Vista Terrace 3rd Addition as recorded under A.F.N 1907450 in said county, said point also being City Limits of Fircrest as established by ordinance 553 dated 8/10/1966; Thence South on the West line of lots 9, 8, and 7, said lines are also being the East line of said City Limits, to the Southwest corner of lot 7, and point of beginning.



-  Tax Parcels
-  Municipal Area



Plot Date: 5/22/2017

Attachment B: Map Folio

Map Disclaimer: The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED 'AS IS' AND 'WITH ALL FAULTS'. The County makes no warranty of fitness for a particular purpose.

Map Document: H:\mxd\Staff_Requests\dcardwell\annexation_review\fircrest\fircrest_annex_8_11_1_inch_margin.mxd

62nd Avenue West and 44th Street West PAA
ATR Parcel Listing
(8/11/17)

0220143021

0220143022

0220143025

0220143043

0220143064

0220143065

6155300070

6155300080

6155300090

6155300100

6155300110

6155300120

6155300130

**CITY OF FIRCREST PLANNING COMMISSION
REGULAR MEETING MINUTES**

September 5, 2017
6:00 PM

Fircrest City Hall
115 Ramsdell Street

CALL TO ORDER

Chair Karen Patjens called the regular meeting of the Fircrest Planning Commission to order at 6:00 p.m.

ROLL CALL

Commissioners Kathy L. McVay, Cameron McGinnis, Karen Patjens, Kenneth Halgren and Arne Michaelsen were present. Absent: None. Excused: None. Staff present: Planning and Building Administrator Angelie Stahlnecker and Administrative Assistant Abbie Maenhout.

APPROVAL OF MINUTES

The minutes for the meeting of August 15, 2017 were presented for approval.

Moved by McVay and seconded by Michaelsen to approve the minutes. Upon vote, motion carried unanimously.

PUBLIC HEARING

Case No. 17-08 – Recommendation to Annex Potential Annexation Area

Karen Patjens opened the public hearing for Case 17-08 at 6:01 p.m.

Planning and Building Administrator Angelie Stahlnecker presented the staff report for the proposal to annex the potential annexation area through interlocal agreement with Pierce County, designating the area Low Density Residential, zoning the area Residential-4 zoning, and establishing the street names and addresses.

Patjens invited public comments.

Yolanda Brooks, 6448 19th St. W, stated she used to live in the area and questioned reason for the annexation as people in the area were previously opposed.

Dan Moffett, 4422 72nd Avenue Court West, stated he owned two of the properties in the potential annexation area and supported the annexation for sewer access, improved emergency services, less confusion by being in a designated boundary and belief that the overall cost difference would be a wash.

Patjens closed the public hearing at 6:15 p.m.

Discussion included:

Moved by McVay and seconded by Michaelsen to adopt Resolution No. 17-07, a resolution of the Planning Commission of the City of Fircrest, Washington recommending annexation of the potential annexation area through interlocal agreement with Pierce County, designating the area Low Density Residential, zoning the area Residential-4 zoning, and changing the street names and addresses. Upon vote, motion carried unanimously.

Case No. 17-09 – 2017 Comprehensive plan Amendments and Pre-Annexation Land Use Designation and Zoning Classifications

Karen Patjens opened the public hearing for Case 17-09 at 6:20 p.m.

Planning and Building Administrator Angelie Stahlnecker presented the staff report for the proposed amendments.

Patjens invited public comments.

No comments were received.

Patjens closed the public hearing at 6:26 p.m.

Moved by McVay and seconded by Halgren to adopt Resolution No. 17-08, a resolution of the Planning Commission of the City of Fircrest, Washington recommending adoption of amendments to the Capital Facilities and Land Use Elements of the City of Fircrest Comprehensive Plan and establishment of a pre-annexation land use designation and zoning classification for the potential annexation area. Upon vote, motion carried unanimously.

UNFINISHED BUSINESS

Case 17-07 Proposed amendments to FMC Sections 22.58.011, Short-term rental establishments, FMC 22.58.013 Home Occupations, FMC 22.58.024 Outdoor Parking or Storage of Vehicles and FMC Chapter 22.98 Definitions.

Planning and Building Administrator Angelie Stahlnecker presented topics referred to staff from the August 15, 2017 public hearing. Recommended amendments to draft proposal included:

- Replacing the administrative use process by establishing a short-term rental permit process
- Amending the home occupation language by adding “or commercial vehicles in excess of 10,000 gross vehicle weight (GVW)” to vehicles prohibited unless fully enclosed.

- Amending the outdoor parking of recreational vehicles to allow one vehicle to be parked in the front yard
- Amend allowed parking surfaces to include existing impermeable pads

No Discussion

Moved by McVay and seconded by Michaelsen to adopt Resolution No. 17-06, a resolution of the Planning Commission of the City of Fircrest, Washington recommending adoption of amendments to chapter FMC 22.58 specific use and structure regulations, including short-term rental establishments, home occupations, outdoor storage of vehicles, and FMC 22.98 definitions. Upon vote, motion carried unanimously.

NEW BUSINESS

Case No. 17-10 – Zoning Code Amendments

Planning and Building Administrator Angelie Stahlnecker introduced draft development regulation for FMC Title 22 intended to clarify code administration, fine tune regulations, and respond to input and direction received since the most recent rounds of amendments in 2015-2016.

Discussion included:

- Amendments to the articulation language
- Amendments to the R-4C zone
- Reference the Multi-family design standards and guidelines in zones that allow multi-family
- Uses allowed in the CMU, including mini-storage and assisted living facilities
- Revising “vacated” properties to “abandoned” properties based on case law
- Adding language for binding site plans
- Amendments to drive-through facilities regulations
- Adding an “administrative interpretations” section based on legal counsel advise

ADJOURNMENT

Moved by McVay and seconded by McGinnis to adjourn the meeting at 7:00 p.m. Upon vote, motion carried unanimously.

Karen Patjens, Planning Commission Chair

Angelie Stahlnecker, Planning/Building Administrator

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 10, 2017**

SUBJECT: **2017 Comprehensive Plan Amendments and Pre-Annexation Designations**

FROM: **Angelie Stahlnecker, Planning/Building Administrator**

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: **No motion. Public Hearing only.**

PROPOSAL: The City of Fircrest proposes to update the City's Comprehensive Plan by amending the Capital Facilities and Land Use Elements and establish a pre-annexation land use designation and zoning classification for the potential annexation area. These are included as Exhibits A-D of Attachment 1.

FISCAL IMPACT: The proposed amendments will have no direct fiscal impact. However, the amended six-year capital improvement schedules identify projected timing and possible funding sources for specific capital projects during 2018-2023. The 6-year schedule is for planning purposes only and does not commit the City to fund the proposed projects.

ADVANTAGE: The proposed amendments will update the Comprehensive Plan to ensure consistency with the Growth Management Act, the Puget Sound Regional Council, and the Pierce County Countywide Planning Policies.

DISADVANTAGES: None.

ALTERNATIVES: None.

HISTORY: The City prepared an Environmental Checklist and issued a Determination of Environmental Nonsignificance on August 25, 2017. The environmental determination was issued with a 14-day comment/appeal period ending on September 8, 2017. The city received no comments or notice of appeal.

The City submitted a 60-day Notice of Intent to Adopt a Plan Amendment to the Washington State Department of Commerce on August 25, 2017. The state agency comment period will end on October 24, 2017 prior to the City Council's projected adoption date. As of the date this report was issued, the City had not received any comment. If comments are received prior to the October 10th hearing or comment deadline, they will be provided to the Council for consideration.

ATTACHMENT: [Planning Commission Recommendation, Resolution 17-08](#)

**CITY OF FIRCREST PLANNING COMMISSION
RESOLUTION NO. 17-08
Case No. 17-09**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF FIRCREST, WASHINGTON, RECOMMENDING
ADOPTION OF AMENDMENTS TO THE CAPITAL FACILITIES
AND LAND USE ELEMENTS OF THE CITY OF FIRCREST
COMPREHENSIVE PLAN, AND ESTABLISHMENT OF A PRE-
ANNEXATION LAND USE DESIGNATION AND ZONING
CLASSIFICATION FOR THE POTENTIAL ANNEXATION AREA.**

WHEREAS, the Fircrest Planning Commission is authorized, under Section 23.08.110 FMC, to study, promulgate, develop and update coordinated plans, including a Comprehensive Plan, for the physical development of the city as deemed necessary in the interest of the public health, safety, morals and the general welfare of the community; and to such end it may make recommendations to the City Council regarding the regulations of and restrictions on the use of land, the location, construction and use of buildings, and other related matters which are or might properly be incorporated into city ordinances dealing with zoning, building, plats and subdivisions, parks and annexation; and

WHEREAS, the City is required to periodically review and update its Comprehensive Plan, as needed, to ensure consistency with the Growth Management Act, Puget Sound Regional Council VISION 2040 Growth Strategy, and the Pierce County Countywide Planning Policies; and

WHEREAS, RCW 35A.14.330 and .340 give cities authority to establish pre-annexation land use planning and zoning for areas that the city reasonably expects to annex in the future; and

WHEREAS, the City submitted a *Notice of Intent to Adopt* to the Washington State Department of Commerce on August 25, 2017, which was issued to state agencies for a 60-day comment period as required pursuant to RCW 36A.70 RCW; and

WHEREAS, the City issued a *Determination of Nonsignificance/Incorporation by Reference of Environmental Documents, Adoption of Existing Environmental Documents* for the 2017 Amendments to the Fircrest Comprehensive Plan on August 25, 2017 with a 14-day comment period ending September 8, 2017, and no adverse comments were received prior to the Planning Commission's review of this matter; and

WHEREAS, the Planning Commission conducted a public hearing on September 5, 2017 to accept public testimony and comment; and

WHEREAS, the Planning Commission adopted the following findings in support of approval of the proposed amendments, in consideration of the factors listed in Sections 22.78.004 and 23.06.070 FMC, prior to final action:

- 1 a) The proposed capital facilities amendments are consistent with Capital Facilities
2 Goal CF1, to provide and maintain adequate public facilities to meet the needs of
3 existing and new development, and Goal CF4, to provide needed public facilities
4 within the City's ability to fund or within the City's authority to require others to
5 provide.
- 6 b) The proposed capital facility amendments address capital improvements that are
7 fully contained within Fircrest jurisdiction and are not inconsistent with plans for
8 adjacent jurisdictions or countywide planning policies.
- 9 c) The proposed text amendments do not conflict with existing elements or policies.
- 10 d) Establishment of a pre-annexation land use designation and zoning classification for
11 the potential annexation area will be consistent with the goals, objectives and
12 policies of the comprehensive plan and the Pierce County Countywide Planning
13 Policies that have prioritized annexation of unincorporated "islands."
- 14 e) The proposed pre-annexation land use designation and zoning classification for the
15 potential annexation area will match the designation and classification to the north
16 and west.
- 17 f) The potential annexation area for which the pre-annexation land use designation
18 and zoning classification are proposed is suited for the uses allowed in the proposed
19 Low Density Residential designation and Residential-4 zoning classification.
- 20 g) Establishment of a pre-annexation land use designation and zoning classification
21 for the potential annexation area is in the public interest.

22 **THEREFORE BE IT RESOLVED** that the Planning Commission of the City of Fircrest
23 hereby recommends to the City Council the following:

24 **Section 1.** Establish a pre-annexation land use designation of "Low Density Residential"
25 for the City of Fircrest's Potential Annexation Area, as identified on the Land Use
26 Designations map of the Fircrest Comprehensive Plan in Exhibit "A".

27 **Section 2.** Establish a pre-annexation zoning classification of "Residential-4 (R-4)" for the
28 City of Fircrest's Potential Annexation Area, as identified on the Zoning Map in Exhibit
29 "B".

30 **Section 3.** Amend the Comprehensive Plan Capital Facilities Element by incorporating
the revised 6-year capital improvement plans as described in Exhibit "C".

Section 4. Amend the Comprehensive Plan Land Use Element by incorporating a new
section titled, Potential Annexation Area, as described in Exhibit "D".

MOVED AND ADOPTED by the Planning Commission of the City of Fircrest on the 5th
day of September, 2017 by the following vote:

AYES: (5) McVay, McGinnis, Patjens, Halgren, Michaelsen

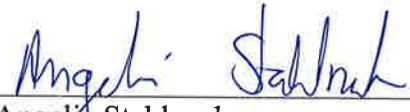

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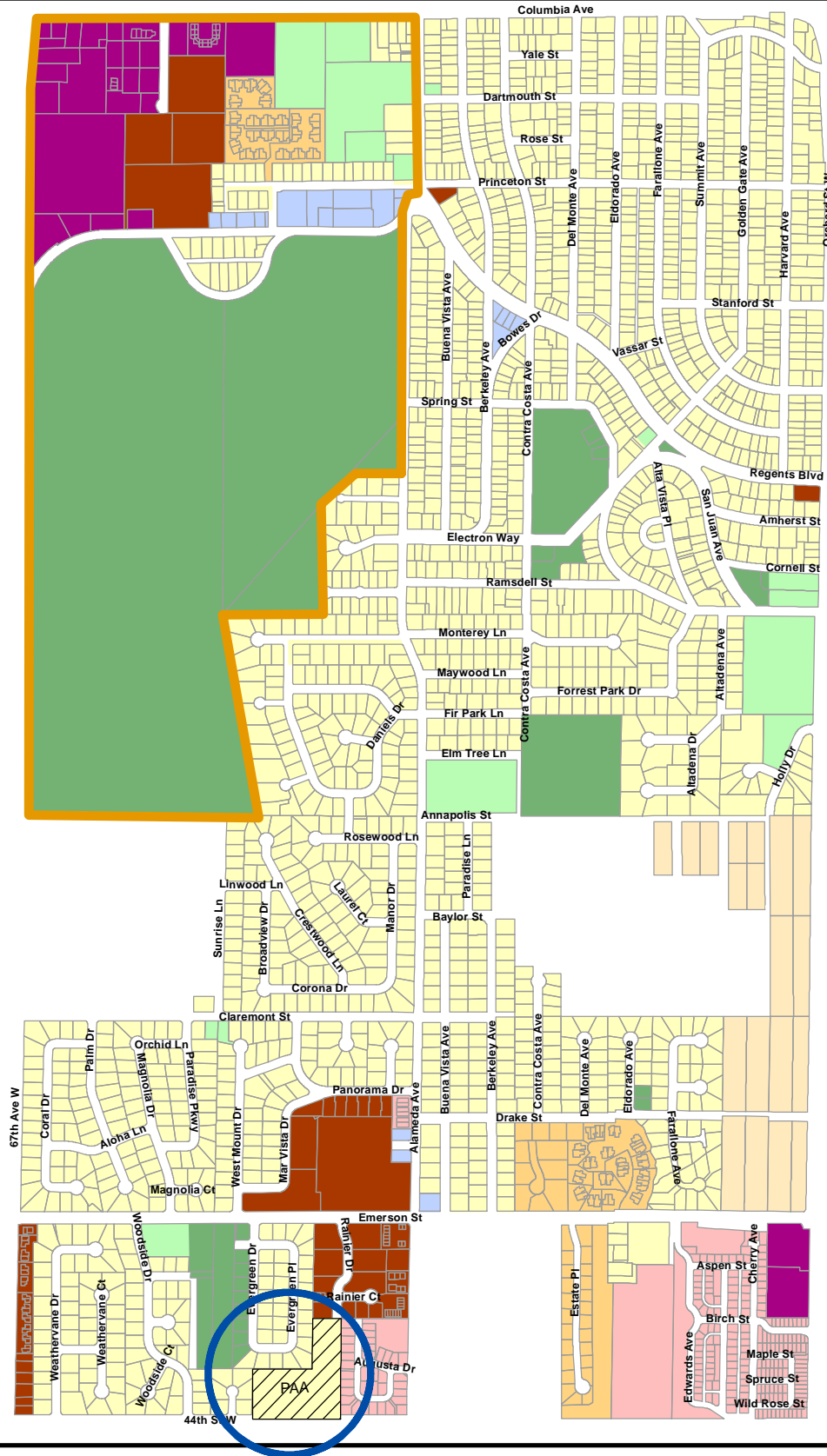
Karen Patjens
Chair, Fircrest Planning Commission

ATTEST:

Angeli Stahlnecker Date
Planning/Building Administrator

Exhibit A Proposed Land Use Map



Land Use Designations

- | | | |
|------------------------------------|-----------------------------------|----------------------------|
| Low Density Residential | Neighborhood Commercial | Potential Annexation Area |
| LDR - Conservation | Commercial Mixed Use | Center of Local Importance |
| Medium Density Residential | Parks, Recreation, and Open Space | |
| MDR - Traditional Community Design | Public & Quasi-Public Facilities | |
| High Density Residential | | |

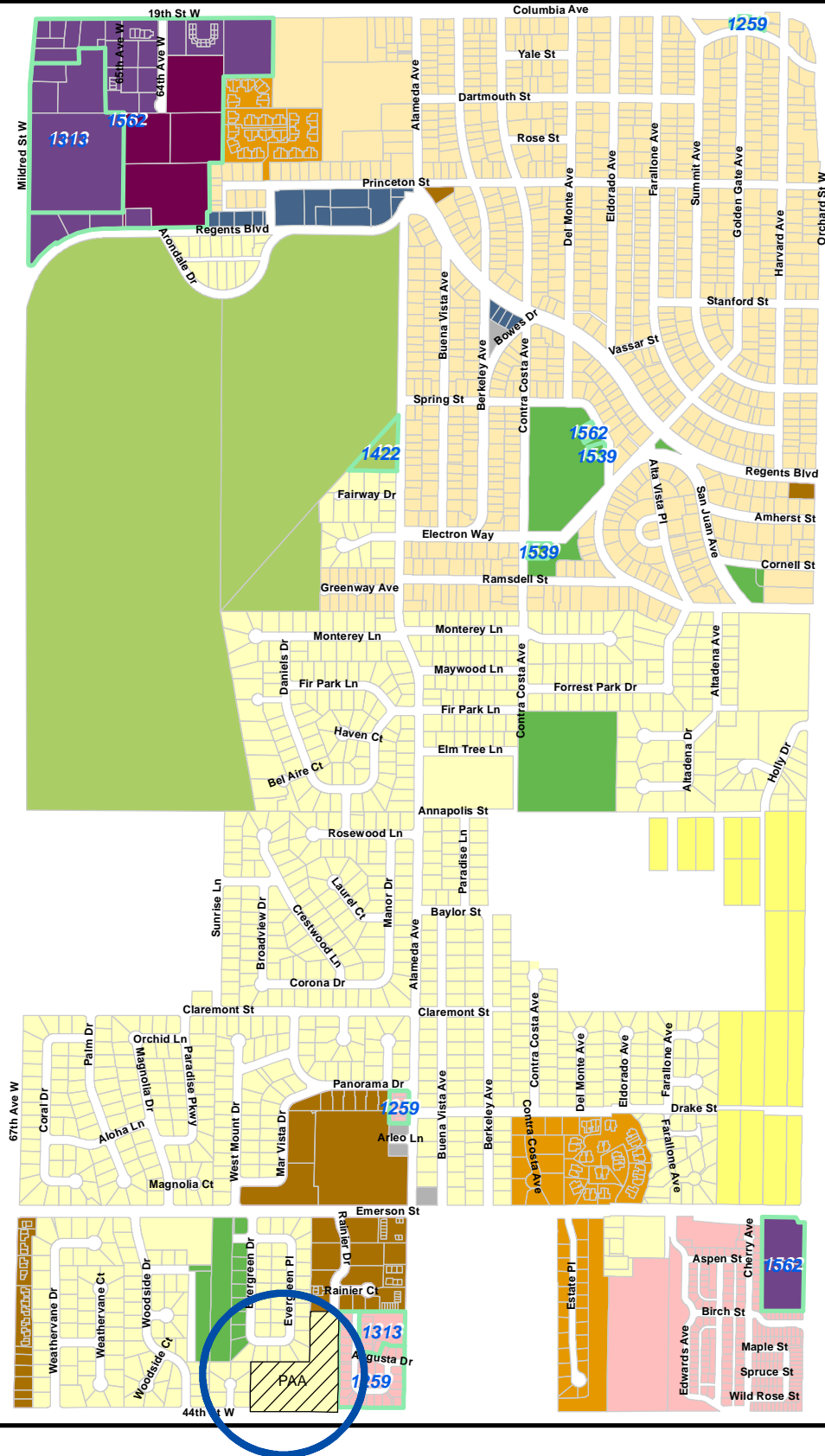
Note: This map is for reference only.

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Exhibit B

Proposed Zoning Map



Zoning Classification

R-4
 R-10
 PROS

R-4C
 R-20
 Neighborhood Office

R-6
 R-30
 Neighborhood Com

R-8
 Golf Course
 Commercial Mixed Use

☒ Proposed Annexation Area
 ☐ 1422 - March 27, 2007
☐ 1259 - November 1, 2000
 ☐ 1539 - October 2, 2013
☐ 1313 - July 17, 2002
 ☐ 1562 - October 13, 2015

Note: This map is for reference only.

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Exhibit C

Amendments to the Comprehensive Plan Capital Facilities Element

Transportation Facility Improvements

Revenues	2017	2018	2019	2020	2021	2022	2023	TOTAL	2024-2036	20 Year Total
<i>The following revenue sources may be available to the City to be used for part or all of the Capital Appropriations identified</i>										
Light Funds from the sale of the Light Utility	50,000	50,000	50,000	<u>50,000</u>	0	0	0	200,000	0	200,000
Property Tax										
Real Estate Excise Tax- To be used as deemed necessary by the City Council to fund improvements	50,000	50,000	50,000	50,000	50,000	50,000	50,000	350,000	700,000	1,050,000
State/Federal Grant	539,000 <u>309,000</u>	1,592,000 <u>956,000</u>	560,000 <u>880,000</u>	624,000 <u>560,000</u>	648,000 <u>624,000</u>	320,000 <u>648,000</u>	<u>320,000</u>	4,297,000	1,760,000	6,057,000
Local Match Funds for Grants – From REET or Rate Revenue	31,000	248,000 <u>148,000</u>	140,000 <u>100,000</u>	156,000 <u>140,000</u>	102,000 <u>156,000</u>	80,000 <u>102,000</u>	<u>80,000</u>	757,000	440,000	1,197,000
Utility Funds for grind and overlay with utility work									500,000	500,000
Developer Contributions									1,000,000	1,000,000
Total Revenues	440,000	1,204,000	1,080,000	800,000	830,000	800,000	450,000	5,604,000	4,400,000	10,004,000

Capital Appropriations	2017	2018	2019	2020	2021	2022	2023	TOTAL	2024-2036	20 Year Total
1. Major Pavement Patching: Citywide	50,000	50,000	50,000	50,000	50,000	50,000	50,000	350,000	700,000	1,050,000
2. Alameda Avenue: Regents Blvd to Columbia St/South 19 th	230,000		<u>230,000</u>					230,000		230,000
3. Alameda Avenue: Regents Blvd to Spring Street (sidewalks on one side and reconstruction roadway)		<u>1,104,000</u>						1,104,000		1,104,000
4. Alameda Avenue: Spring Street to Greenway to Regents Blvd (sidewalks on one side and reconstruction of roadway)		<u>1,840,000</u>	<u>750,000</u>					750,000		750,000
5. Alameda Avenue: Emerson to Rosewood Ln (curb, gutter, sidewalk on east side, bike lane designation)			<u>450,000</u>	<u>450,000</u>				450,000		450,000
6. Alameda Avenue: 42nd to Emerson (curb, gutter, and sidewalk on west side, and bike lane designation)			<u>250,000</u>	<u>250,000</u>				250,000		250,000
7. 44th Street: 67th Ave to 62nd Ave (curb gutter and sidewalk on north side)				<u>400,000</u>	<u>400,000</u>			400,000		400,000
8. Regents: Alameda Ave to 67 th Ave (grind and overlay)					<u>750,000</u>	<u>750,000</u>		750,000		750,000
9. Emerson Street: Alameda Avenue to Woodside Drive (planter strip and sidewalk on south side)				<u>380,000</u>	<u>380,000</u>			380,000		380,000
10. Emerson – Woodside to 67 th (Retaining walls and entry islands)						<u>400,000</u>	<u>400,000</u>	400,000		400,000

10. Traffic Signal Safety Improvement Program – signalization Improvements	340,000							340,000		340,000
11. LED Street Light Replacement	50,000	50,000	50,000	<u>50,000</u>				200,000		200,000
12. Grind and Overlay: Various City Streets									1,500,000	1,500,000
13. Sidewalk Gap Completion and Replacement									950,000	950,000
14. Regents Blvd. and Alameda Avenue (<i>channelization and restriping for bike lanes shared facilities</i>)									250,000	250,000
15. New development roadway improvements									1,000,000	1,000,000
Total Capital Appropriations	440,000	1,204,000	1,080,000	800,000	830,000	800,000	450,000	5,604,000	4,400,000	10,004,000

Sewer Facility Improvements

Revenues	2017	2018	2019	2020	2021	2022	2023	TOTAL
<i>The following revenue sources may be available to the City to be used for part or all of the Capital Appropriations identified.</i>								
Sewer Rate Revenue	371,000	346,000	341,000	471,000	271,000	446,000	325,550	2,571,550
Real Estate Excise Tax - To be used as deemed necessary by the City Council to fund improvements								0
Public Works Trust Fund Loan								0
Washington State Department of Ecology Loan								0
Capital Contributions - Tap Fees	4,000	4,000	4,000	4,000	4,000	4,000	4,000	28,000
Bond Issue								
Total Revenues	375,000	350,000	345,000	475,000	275,000	450,000	329,550	2,599,550

Capital Appropriations	2017	2018	2019	2020	2021	2022	2023	TOTAL
1. Drake Street Lift station upgrades		300,000						300,000
2. Alameda Lift station upgrades	350,000							350,000
3. 44 th (Fordham) lift station upgrades			75,000					75,000
4. Estate Place Lift station roadway/generator/control panel			100,000					100,000
5. Condition 4 repair evaluation	25,000							25,000
6. Crestwood Lane (Cond 4)		50,000						50,000
7. 200 Block Alameda; 45th St Ct (Cond. 4)			170,000					170,000
8. 1000 Block Fairway/Electron (Cond. 4)				475,000				475,000
9. 900 Block Alameda (Cond. 4)					275,000			275,000
10. 400 Block Contra Costa (Cond. 4)						450,000		450,000
11. 300 Block Contra Costa (Cond. 4)							175,000	175,000
12. 200 Block Contra Costa (Cond. 4)							154,550	154,550
Total Capital Appropriations	375,000	350,000	345,000	475,000	275,000	450,000	329,550	2,599,550

Stormwater Management Facility Improvements

Revenues	2017	2018	2019	2020	2021	2022	2023	TOTAL
<i>The following revenue sources may be available to the City to be used for part or all of the Capital Appropriations identified.</i>								
Rate Revenues	20,000	20,000	20,000	20,000	20,000	20,000	20,000	140,000
Real Estate Excise Tax - To be used as deemed necessary by the City Council to fund improvements								
WSDOE grants monies	225,000	225,000	225,000	225,000	225,000	108,750		1,233,750
Local Match Funds for Grants – From REET or Rate Revenue	75,000	75,000	75,000	75,000	75,000	36,250		411,250
Total Revenues	320,000	320,000	320,000	320,000	320,000	165,000	20,000	1,785,000

Capital Appropriations	2017	2018	2019	2020	2021	2022	2023	TOTAL
1. Upgrades to existing stormwater conveyance and treatment system	20,000	20,000	20,000	20,000	20,000	20,000	20,000	140,000
2. Storm Water Quality outfall projects, SQ1 to SQ11 (2 per yr.)	300,000	300,000	300,000	300,000	300,000	145,000		1,645,000
Total Capital Appropriations	320,000	320,000	320,000	320,000	320,000	165,000	20,000	1,785,000

Water Facility Improvements

Revenues	2017	2018	2019	2020	2021	2022	2023	TOTAL
<i>The following revenue sources may be available to the City to be used for part or all of the Capital Appropriations identified.</i>								
Rate Revenues	421,000	196,000	271,000	86,000	86,000	41,000	41,000	1,142,000
Real Estate Excise Tax - To be used as deemed necessary by the City Council to fund improvements								
Capital Contributions - Tap Fees	4,000	4,000	4,000	4,000	4,000	4,000	4,000	28,000
Bond Issue								
Local Match Funds for Grants – From REET or Rate Revenue								
Total Revenues	425,000	200,000	275,000	90,000	90,000	45,000	45,000	1,170,000

Capital Appropriations	2017	2018	2019	2020	2021	2022	2023	TOTAL
1. 8" Water Main on Ramsdell Ave from Alta Vista to Contra Costa	425,000							425,000
2. Recoat exterior of the "High Tank" reservoir		200,000						200,000
3. 12" Water Main on Summit Ave from Princeton St to Columbia St			275,000					275,000
4. 8" Water Main on Farallone from Stanford Street to Golden Gate Avenue				45,000				45,000
5. 8" Water Main on Eldorado Avenue from Princeton St to Columbia St				45,000				45,000
6. 8" Water Main Replacement of Old & Undersized Mains					90,000	45,000	45,000	180,000
Total Capital Appropriations	425,000	200,000	275,000	90,000	90,000	45,000	45,000	1,170,000

Parks and Recreation Improvements

Revenues	2017	2018	2019	2020	2021	2022	2023	TOTAL
<i>The following revenue sources may be available to the City to be used for part or all of the Capital Appropriations identified.</i>								
State/Federal Grants	532,800 <u>215,000</u>			540,000				
General Fund								
General Obligation Bonds		<u>3,500,000</u>	3,062,200 <u>1,520,000</u>	23,291,000 <u>11,900,000</u>		167,000		16,920,000
Donations								
Real Estate Excise Tax - To be used as deemed necessary by the City Council to fund improvements								
Local Match Funds for Grants (44 th & Alameda fund)	59,200	<u>135,000</u>		60,000	<u>60,000</u>	<u>50,000</u>		\$245,000
Total Revenues		3,635,000	1,520,000	11,900,000	60,000	50,000		17,165,000

Capital Appropriations	2017	2018	2019	2020	2021	2022	2023	TOTAL
1. Fircrest Park Parking and Pathways	377,000							\$377,000
2. Tot Lot Paved Paths and Parking (grant 2017)	215,000							\$215,000
1. Fircrest Park Pool Replacement		3,500,000		13,000,000				\$3,500,000
2. Whittier Park Irrigation Improvements		20,000						\$20,000
3. Whittier Park Tennis Court Resurface		<u>35,000</u>						<u>\$35,000</u>
4. Fircrest Park Storage Garage/Restroom		<u>30,000</u>						<u>\$30,000</u>
3. Tot Lot Restroom Shelter		0	324,000					0\$324,000
4. Tot Lot Improvements		0	218,200					0\$218,200
5. Fircrest Park Playground Development		<u>50,000</u>	1,200,000					<u>\$50,000</u> 1,200,000
6. Fircrest Park Sports Fields Improvements			1,320,000					\$1,320,000
7. Fircrest Park Lighting & Electrical Upgrade			<u>200,000</u>					<u>\$200,000</u>
8. Recreation Center Renovation/Replacement				<u>9,500,000</u>				<u>\$9,500,000</u>
9. Whittier Park Drainage Improvements				600,000 <u>1,800,000</u>				<u>\$1,800,000</u> 600,000
8. Masko Park Misc. Improvements				0 <u>131,000</u>				<u>\$131,000</u> 0

10. Whittier Park Lighting and Electrical				600,000				\$600,000
11. Alice Peers Park Reader Board				60,000	<u>60,000</u>			\$60,000
11. Maske Park Landscape & Irrigation						130,000		\$130,000
12. Concrete Stair/Walk Connections to City Hall						37,000		\$37,000
12. Fox Property Development						<u>50,000</u>		<u>\$50,000</u>
Total Capital Appropriations	\$592,000	<u>\$3,635,000</u>	<u>\$1,520,000</u> <u>3,062,200</u>	<u>\$11,900,000</u> <u>23,891,000</u>	<u>\$60,000</u>	\$167,000		<u>17,165,000</u> <u>\$27,712,200.00</u>

Exhibit D

Amendments to the Comprehensive Plan Land Use Element

Add section to Land Use Element

Introduction

State Planning Context

Regional Planning Context Local Planning Context Goals and Policies

Land Use Designations

Lands Useful for Public Purposes

Population, Housing and Employment Targets

Critical Areas and Natural Resource Lands

Potential Annexation Area

Planned Land Use in Adjacent Jurisdictions

New section:

POTENTIAL ANNEXATION AREA

The Growth Management Act requires that counties coordinate with cities to establish urban growth areas (UGA), which are lands currently developed or planned to be developed to urban densities with urban services. Pierce County, through the Pierce County Countywide Planning Policies, has identified potential annexation areas for cities within the urban growth areas. Fircrest's potential annexation area (PAA) is located on the southern boundary of the city, 62nd Avenue West and 44th Street West. The area is identified on Figure LU-1 as PAA and designated Low Density Residential.

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 10, 2017**

SUBJECT: **Amendments to FMC Sections 22.58, including short-term rental establishments, home occupations, outdoor storage of vehicles and Chapter 22.98 Definitions**

FROM: **Angelie Stahlnecker, Planning/Building Administrator**

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: **No motion. Public Hearing only.**

PROPOSAL: The City of Fircrest proposes to amend Fircrest Municipal Code Sections 22.58, including short-term rental establishments, home occupations, outdoor storage of vehicles and Chapter 22.98 Definitions.

FISCAL IMPACT: None.

ADVANTAGE: Proposed code amendments would better address current trends in technology and employment patterns as well as address concerns raised by the Council and the community.

DISADVANTAGES: Existing residents may no longer be able to store their recreational vehicles as currently allowed. Stricter codes increase the necessity for code compliance.

ALTERNATIVES: The proposed code amendments could be amended prior to final adoption based on public comment and council discussion and direction.

HISTORY: At the April 17, 2017 study session, the City Council directed staff to review the proposed regulations. The Planning Commission held study sessions on June 6, 2017 and July 10, 2017 and a public hearing on August 15, 2017.

The City issued a Determination of Nonsignificance on July 20, 2017 with a 14-day comment/appeal period ending on August 3, 2017. No comments or appeals were received. The City submitted a Notice of Proposed Amendment to the Washington State Department of Commerce on July 18, 2017 with a 60-day review. No comments were received.

ATTACHMENTS:

1. [Planning Commission Recommendation, Resolution 17-06](#)
2. [Comments Received](#)
3. [Minutes of June 6, 2017](#)
4. [Minutes of July 10, 2017](#)
5. [Minutes of August 15, 2017](#)
6. [Minutes of September 5, 2017 - Draft](#)

**CITY OF FIRCREST PLANNING COMMISSION
RESOLUTION NO. 17-06
CASE NO. 17-06**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF FIRCREST, WASHINGTON, RECOMMENDING
ADOPTION OF AMENDMENTS TO CHAPTER FMC 22.58
SPECIFIC USE AND STRUCTURE REGULATIONS, INCLUDING
SHORT-TERM RENTAL ESTABLISHMENTS, HOME
OCCUPATIONS, OUTDOOR STORAGE OF VEHICLES, AND
FMC 22.98 DEFINITIONS.**

WHEREAS, the City has identified code amendments based on concerns discussed at the April 17, 2017 City Council study session; and

WHEREAS, the Planning Commission held study sessions on June 6, 2017 and July 10, 2017; and

WHEREAS, the City submitted a Notice of Intent to Adopt to the Washington State Department of Commerce on July 18, 2017, which was issued to state agencies for a 60-day comment period as required pursuant to RCW 36A.70 RCW, and no adverse comments were received; and

WHEREAS, the City issued a Determination of Nonsignificance on July 20, 2017 with a 14-day comment period ending August 3, 2017, and no adverse comments were received; and

WHEREAS, the Planning Commission conducted a public hearing on August 15, 2017 to accept public testimony and comment on the proposed amendments; and

WHEREAS, the Planning Commission adopted the following findings in support of approval of the proposed amendments, in consideration of the criteria listed in Section 22.78.004 FMC, prior to final action:

(a) The proposed amendment is consistent with the goals, objectives and policies of the comprehensive plan, in particular:

Policy H1.1 Effectively implement zoning regulations, including design standards and guidelines, to help support the stability of established residential neighborhood.

Policy LU5.6 The character of existing single-family residential neighborhoods should be preserved and enhanced.

Policy LU5.9 To expand local economic opportunities for Fircrest's residents, home occupations that are compatible with the surrounding residential area shall be encouraged.

(b) The proposed amendment will promote, rather than detract from, the public health, safety, morals and general welfare by addressing nuisance and environmental concerns related to outdoor storage and parking of vehicles, addressing potential impacts from business activity in residential neighborhoods and encouraging low impact development as it relates to parking surfaces.

1
2 **THEREFORE BE IT RESOLVED** that the Planning Commission of the City of
3 Fircrest hereby recommends to the City Council that it:

4 1. Amend FMC 22.58.011 to read as follows:

5 **22.58.011 ~~Bed and breakfast~~Short-term rental establishments.**

6 (a) Purpose and Intent. purpose of this section is to:

7 (1) Provide property owners and residents with an opportunity to use their homes to
8 engage in small-scale business activities.

9 (2) Protect neighborhood character and stability.

10 (3) Establish criteria and standards for the use of residential structures as short-term
11 rentals.

12 (b) Permit Requirements. A short-term rental establishment may be carried on upon
13 the issuance of a business license pursuant to Chapter 5.04 FMC and the issuance of a
14 short-term rental permit by the director.

15 (c) Submittal Requirements. Application for a short-term rental permit shall be made
16 upon forms provided by the director, accompanied by a filing fee in accordance with
17 the planning services fee schedule established by council resolution. The application
18 shall be signed by the owner of the property on which the short-term rental activity
19 will occur. The application shall also be signed by the business operator if that person
20 is different from the property owner. The director may require the submittal of a site
21 plan of the premises, floor plans of the residence or accessory building in which the
22 use or activity will take place, and other documentation deemed necessary to process
23 the application. The plans shall clearly indicate the area where the use or activity will
24 take place and any structural alterations intended to accommodate the use or activity.

25 (d) Short-term Rental Types Defined. following definitions apply to the short-term
26 rental types allowed through the provisions of this section:

27 (1) "Room Rental Establishment" means a lodging use, where individual rooms
28 within a single dwelling unit are provided for less than 30 consecutive days for a fee
29 by pre-arrangement. This shall include bed and breakfasts establishments.

30 (2) "Dwelling Unit Rental" means a dwelling unit, typically rented in its entirety, for
31 less than 30 consecutive days for a fee by pre-arrangement.

32 (e) Processing Requirements.

(1) The director shall approve a proposed A bed and breakfastshort-term rental
establishment, which complies with all the performance standards set forth in this
section, except as provided in (e)(2). The director may impose conditions of approval
to ensure that the activity is conducted in a manner consistent with the standards and
purpose and intent of this section. (B&B) is permitted in specified zoning districts
subject to conditional use permit approval in accordance with Chapter 22.68 FMC and
administrative design review approval in accordance with Chapter 22.66 FMC.

(2) A proposed room rental establishment providing more than two bedrooms
available for rent is subject to conditional use permit approval in accordance with
Chapter 22.68 FMC. A B&B shall be established and operated in conformance with
the following standards and criteria:

(a)(f) Room Rental Establishment Standards.

(b) The parcel upon which the B&B is to be established, and the structure, in which it
will be operated, shall generally conform to all standards of the applicable zoning
district.

(1) The B&B Room rentals shall be an incidental or secondary use to the primary use, which is considered to be the principal residential dwelling unit.

~~(c) The exterior appearance of the structure housing the B&B shall not be altered from its original single-family character.~~

~~(1)(2)~~ The owner/lessee of the structure ~~housing the B&B~~ shall operate the establishment and reside on-site.

~~(2)(3)~~ Service shall be limited to the rental of bedrooms. Meal service shall be limited to the provision of breakfast or light snacks for registered guests.

~~(4)~~ A maximum of four bedrooms or suites may be made available for rent. There shall be no expansion in the number of guest rooms beyond the number approved.

~~(3)(5)~~ No separate or additional kitchens for guests are permitted. Limited cooking facilities shall be allowed inside guestrooms, or inside other rooms that are used solely by guests, such as small microwaves, and refrigerators.

~~(4)(6)~~ Receptions, private parties or similar activities, for which a fee is paid or which are allowable as a condition of room rental, may be permitted upon a determination by the planning commission that such activities will not significantly impact the adjoining neighborhood.

~~(d) The parcel upon which the B&B is to be established shall not qualify for city approval of an accessory dwelling unit or home occupation in addition to the B&B.~~

~~(e) No B&B shall be located closer than 200 feet to another B&B, as measured in a straight line from property line to property line.~~

~~(f) A city business license shall be obtained annually in accordance with Chapter 5.04 FMC. The B&B shall be exempt from the home occupation requirements of FMC 22.58.013.~~

~~Signage shall be limited to one nameplate sign not exceeding one and one-half square feet in area mounted on an exterior wall of the structure housing the B&B.~~

(7) One off-street parking space shall be provided on-site for each rental bedroom. The number of required off-street spaces may be reduced by the number of spaces available on the street frontage adjoining the parcel upon which the B&B room rental is to be established, if the planning commission decision-maker determines that sufficient on-street parking will exist to satisfy parking demand in the neighborhood once the B&B room rental has been established. Any additional off-street parking provided in conjunction with the B&B room rental shall, to the extent possible, be located to the side or rear of the structure housing the B&B room rental in order to minimize visual impacts on the streetscape. Off-street parking shall be designed to reduce impacts on adjoining properties through the installation of vegetative screening and/or fencing. The parking surface and additional driveway surface required to provide access to the parking area shall be constructed of a permeable, porous or pervious pavers to achieve Low Impact Development objectives and surface such as interlocking paving blocks (cement or plastic) or other porous pavement which minimizes impervious surface and achieves a superior appearance when compared with conventional asphalt or concrete pavement. For additional off-street parking standards, see Chapter 22.60 FMC. (Ord. 1246 § 15, 2000).

(8) Certification by the building official that the residence complies with fire and life and fire safety aspects is required. Inspection fee may apply.

(g) Dwelling Unit Rental.

(1) The number of persons per sleeping area shall comply with the International Building Code.

(2) Two off-street parking spaces shall be provided on-site.

(h) Other Regulations.

(1) Proof of ownership or approval of property owner is required.

(2) The room rental shall be exempt from the home occupation requirements of FMC 22.58.013.
(4)(3) The exterior appearance of the structure shall maintain its original character.
(4) Signage shall comply with Chapter 22.26 FMC, Sign Regulations.
(5) Permits shall lapse and become void if the establishment ceases operation for twelve consecutive months, applicant named on the permit moves from or sells the site, or the applicant fails to maintain a valid business license.

2. Amend FMC 22.58.013 to read as follows:

22.58.013 Home occupations.

(a) Purpose and Intent. It is the purpose and intent of this section to:

(1) Protect residential areas from potential adverse impact of activities defined as home occupations;

(2) ~~Permit-Allow~~ residents of the community a broad choice in the use of their homes as a place of livelihood and for the production or supplementing of personal and family income; and

(3) Establish criteria and standards for the use of residential structures for home occupations.

(b) Permit Requirement. A home occupation may be carried on upon the issuance of a business license pursuant to Chapter 5.04 FMC and the issuance of a home occupation permit by the director.

(c) Submittal Requirements. Application for a home occupation permit shall be made upon forms provided by the director, accompanied by a filing fee in accordance with the planning services fee schedule established by council resolution. The application shall be signed by the owner of the property on which the home occupation activity will occur. The application shall also be signed by the business operator if that person is different from the property owner. The director may require the submittal of a site plan of the premises, floor plans of the residence or accessory building in which the use or activity will take place, and other documentation deemed necessary to process the application. The plans shall clearly indicate the area where the use or activity will take place and any structural alterations intended to accommodate the use or activity.

(d) Categories of Home Occupation.

(1) Type I home occupations are those activities, categorized below, which comply with all performance standards set forth in subsection (f) of this section.

(A) Type I-A includes home offices, internet businesses, and similar activities that have no traffic or product pickup or deliveries.

(A)(B) Type I-B includes instruction, counseling, sales, services, and other activities that have customer traffic and/or product pickup or deliveries.

(2) Type II home occupations are those activities which do not comply with one or more of the performance standards governing Type I home occupations as set forth in subsection (f) of this section but which do comply with the performance standards governing Type II home occupations as set forth in subsection (g) of this section.

(e) Processing Requirements.

(1) The director shall approve a proposed home occupation, which complies with all Type I standards set forth in subsection (f) of this section. The director may impose conditions of approval to ensure that the business activity is conducted in a manner consistent with the standards and purpose and intent of this section.

(2) A proposed home occupation which has been determined by the director to not comply with one or more Type I standards set forth in subsection (f) of this section may be permitted subject to conditional use permit approval by the planning

commission in accordance with Chapter 22.68 FMC, if the home occupation complies with the Type II standards set forth in subsection (g) of this section.

(f) Type I Home Occupation Standards.

(1) Only residents of the premises on which the home occupation is located shall carry on the home occupation.

(2) The home occupation shall be carried on entirely within a residence and/or detached accessory building. The home occupation shall occupy not more than 25 percent of the total floor area of the habitable portion of a residence. In no event shall such occupancy exceed 400 square feet.

(3) Any extension of the home occupation to the outdoors, including, but not limited to, paving of yards for parking, outdoor storage or activity, and indoor storage or activity visible from outdoors (e.g., in an open garage) is prohibited, except that vegetables, fruits, flowers and other agricultural products may be grown on the premises if production does not exceed what would normally be consumed on the premises.

(4) The home occupation shall not result in the elimination of required on-site parking.

(5) The home occupation shall be conducted in such a manner as to give no outward appearance nor manifest any characteristics of a business in terms of deliveries, parking, customer trips and other activities, that would infringe upon the right of the neighboring residents to enjoy a peaceful occupancy of their homes.

(6) The home occupation shall not result in structural alteration to the interior or exterior of the structure that changes its residential character.

(7) No equipment shall be used and no activities shall be conducted which would result in noise, vibration, smoke, dust, odors, heat, glare or other conditions exceeding in duration or intensity than those normally produced by residential use. Normal residential use shall be construed as including the above impacts only on an occasional weekend or evening basis (e.g., in connection with a hobby or home/yard maintenance), and not on a daily basis.

(8) The home occupation shall not include: (A) automobile, truck or heavy equipment repair; (B) body work or painting; (C) outdoor storage of used parts of vehicles and used machinery in an inoperable condition; or (D) outside storage of building materials such as lumber, plasterboard, pipe, paint or other construction materials.

(9) The home occupation shall not include parking or storage of heavy equipment, including trucks of over one ton load capacity or commercial vehicles in excess of 10,000 gross vehicle weight (GVW), within a public right-of-way or on private property outside of ~~unless within~~ a fully enclosed building.

(10) Persons in building trades and similar fields using their homes or apartments as offices for business activities conducted off the residential premises may have other employees or independent contractors; provided, that such employees or independent contractors do not perform labor or personal services on the residential premises, park on or near the residential premises, or check in at the residential premises during the course of business.

(11) The home occupation may include limited on-premises sales of products or stock-in-trade, provided the applicant can clearly demonstrate that such sales will not be inconsistent with other Type I standards. Examples of allowable on-premises sales include cosmetics or similar products associated with a business where most products are delivered to a customer's address, hair care products associated with a barber/beauty shop and instructional materials pertinent to the home occupation, e.g., music books. The display or storage of products or stock-in-trade outside a residence or in a window is prohibited, except that vegetables, fruits, flowers and other

1 agricultural products grown on the premises may be offered for sale out-of-doors
2 during the growing season.

3 (12) Activities conducted and equipment or material used shall not change the fire
4 safety or occupancy classifications of the premises. Utility consumption shall not
5 exceed normal residential usage.

6 (13) The home occupation shall not generate significantly greater traffic volume than
7 would normally be expected in the particular residential zone or neighborhood in
8 which the home occupation is conducted. Generally, delivery and pickup of materials
9 to and from the premises by a commercial vehicle should not exceed two trips per
10 week. For the purpose of this section, commercial vehicles shall not exceed a gross
11 vehicle weight of 20,000 pounds. Also, generally, traffic generated by a home
12 occupation should not exceed four round trips per day.

13 ~~(14) If the home occupation is the type in which classes are held or instruction given,~~
14 ~~there shall be no more than two students allowed in any one class or instruction period.~~

15 ~~(15)(14) Signage shall be limited to one nonilluminated nameplate not exceeding~~
16 ~~one and one-half square feet in area mounted to an exterior wall or window of the~~
17 ~~dwelling. Signage shall be consistent with the provisions of Chapter 22.26 FMC.~~

18 (g) Type II Home Occupation Standards.

19 (1) The home occupation will not harm the character of the surrounding
20 neighborhood.

21 (2) The home occupation will not include storage, use or operation of building
22 materials, machinery, commercial vehicles or tools, unless:

23 (A) The activity is wholly enclosed within a structure or building;

24 (B) The activity would not result in noise, vibration, smoke, dust, odors, heat, glare or
25 other conditions exceeding in duration or intensity those normally produced by
26 residential use. Normal residential use shall be construed as including the above
27 impacts only on an occasional weekend or evening basis (e.g., in connection with a
28 hobby or home/yard maintenance), and not on a daily basis.

29 (3) The home occupation will not create a condition which injures or endangers the
30 comfort, repose, health and safety of persons on abutting properties or streets.

31 (4) The home occupation will not generate excessive traffic or necessitate excessive
32 parking beyond that normally associated with residential use in the neighborhood in
which the home occupation is located.

(5) The home occupation will include no more than two nonresident employees
working on-site when nonresident employees are involved. The home occupation may
have additional employees or independent contractors; provided, that such employees
or independent contractors do not perform labor or personal services on the residential
premises, park on or near the residential premises, or physically check in at the
residential premises during the course of business.

(6) The home occupation will not include the outdoor display and sale of products or
stock in trade, unless the applicant can demonstrate that such on-premises sales will
not result in noncompliance with other applicable standards governing Type I and
Type II home occupations; ~~and.~~

~~(7) The home occupation will comply with Chapter 22.26 FMC, Sign Regulations.~~

(h) Other Regulations.

(1) Home occupations shall comply with all other local, state or federal regulations
pertinent to the activity pursued, and the requirements or permission granted or
implied by this section shall not be construed as an exemption from these regulations.

(2) Home occupation permits are issued to an individual applicant and shall not be
transferred or otherwise assigned to any other person. The permit will automatically
expire when the applicant named on the permit application moves from the site or

1 moves the business from the site. The home occupation shall also automatically expire
2 if the permittee fails to maintain a valid business license or the business license is
3 suspended or revoked. The home occupation shall not be transferred to any site other
4 than that described on the application form.

(3) Two or more home occupation permits may be issued for the same location if it is
determined that the sum of the businesses still meets the requirements of this chapter.

(2)(4) The home occupation will comply with Chapter 22.26 FMC, Sign Regulations.

(i) Exemptions. The following activities shall be exempt from the provisions of this
section:

(1) Garage sales, yard sales, bake sales, occasional parties for the sale or distribution
of goods or services, and other like uses; provided, that any such garage sales and yard
sales involve only the sale of household goods, none of which were purchased for the
purpose of resale. If the collective total of all such sales and/or parties exceeds four
events or 12 days in any calendar year, then such sales and/or parties shall be
considered a home occupation; ~~and~~

(2) Family day-care facilities licensed by the Washington State Department of Social
and Health Services-; and

(3) Telecommuting, remote work and other alternative work options; provided in
which the resident is an employee of an off-site company, a business license is not
required, and the work does not require deliveries or customers visiting the home.

(j) Permit Fee Exemptions. Nonprofit organizations as defined by FMC 5.04.100c
must apply for a home occupation permit but are exempt from a home occupation
permit fee. Nonprofit organizations that are categorized as Type II home occupations
are not exempt from the conditional use permit fee.

3. Amending FMC 22.58.024 to read as follows:

22.58.024 Outdoor parking or storage of vehicles.

(a) ~~Outdoor Storage of Inoperable~~ Vehicles. The outdoor parking or storage of
inoperable and/or unlicensed vehicles or parts ~~thereof is permitted-prohibited~~ in a
residential district ~~for a period not to exceed six days. Outdoor storage for a period~~
~~exceeding six days is permitted in a residential zoning district,~~ except as subject to the
following provisions:

(1) The outdoor storage of no more than ~~three-one~~ inoperable and/or unlicensed
~~vehicles~~ and vehicle parts is permitted when ~~they are~~ screened from neighboring
properties and the public right-of-way by a solid fence or approved landscaping.

(2) Storage of inoperable and/or unlicensed vehicles is prohibited in required front or
side yard setback areas.

(1)(3) ~~Open-Unenclosed~~ or unscreened storage of an inoperable vehicles is
permitted for a 14-day period while a vehicle is undergoing or awaiting repairs.

(2) ~~In no event shall any outdoor storage of commercial vehicles in excess of 10,000~~
~~GVW be permitted.~~

(3)(4) Approved landscaping is defined as follows:

(A) Vegetative Screen. The approved landscaping must consist of: evergreen shrubs,
at a rate of one per five lineal feet of landscape strip; or closely spaced evergreen trees,
at a rate of one per eight lineal feet of landscape strip, or a combination of the two in
separate sections. The screen may consist of either overlapping clusters or a solid row
of material. If overlapping clusters are used, the overlap should be at least one-half
plant width. Spacing shall be as follows: evergreen trees for the landscape screen at no
greater than eight feet on center, with no more than 10 feet on center between cluster;

shrubs for the landscape screen shall be no greater than five feet on center, with no greater than seven feet on center between clusters. Vegetative screening materials shall have a minimum mature height of six feet. Installation of vegetative ground cover is encouraged but not required within the planting area; or

(B) Berm. The approved landscaping must consist of an earthen berm a minimum of four feet high, measured from street curb or the crown of the adjacent paved way for road frontages or existing grade for interior lot lines. Vegetative groundcover shall cover a minimum of 50 percent of the landscape strip area at maturity. Berms less than six feet in height shall be planted with evergreen shrubs, at a rate of one per four lineal feet of landscape strip, to a mature height equal to or greater than six-foot high berm. The screen may consist of either overlapping groupings or a solid row of material. If overlapping groupings are used, the overlap should be at least one-half plant width. Shrub spacing shall be no greater than four feet on center, with no greater than six feet on center between groupings; and

(C) Canopy Vegetation. In addition to the requirements of subsection (a)(4)(A) of this section, Vegetative Screen, and subsection (a)(4)(B) of this section, Berm, trees, at a rate of one per 25 lineal feet of lot line, shall be interspersed throughout the landscape strip in groupings or uniform rows. Spacing shall be no greater than 25 feet on center with uniform spacing or 50 feet on center between groupings. Minimum mature height shall be 20 feet;

(D) Screen Width. All approved landscaping shall be located adjacent to the lot line with no required vegetation located greater than 30 feet from the lot line. No buildings or impervious surfaces, with the exception of pedestrian walks connecting the site to adjacent property, shall be located between the interior edge of the screen width and the lot line.

(b) Commercial Vehicles. Outdoor parking or storage of semi-trucks, semi-cabs, tractor trailers, heavy equipment, or any commercial vehicles in excess of 10,000 gross vehicle weight (GVW), is not permitted in a residential zone whether located on a public right-of-way or private property. This provision does not apply to temporary parking for delivery, pick-up, moving or service activities. Heavy construction/development equipment may only be parked on a site that is undergoing a permitted or approved activity.

(c) ~~Outdoor Storage of Boats and Nonmotorized Recreation Vehicles, Watercraft and Trailers.~~ The outdoor storage of up to two (total) motorized boats or nonmotorized recreation vehicles, motorized or nonmotorized watercraft, and trailers is permitted in a residential zoning district, subject to the following provisions:

~~(1) Nonmotorized recreation vehicles include, but are not limited to, camper trailers, tent trailers, and boat and recreation vehicle trailers. For this chapter a motorized or nonmotorized watercraft on a trailer shall be counted as one vehicle.~~

~~(1) Nonmotorized recreation vehicles do not include bicycles and similar sports equipment.~~

~~(2) The combined limit on the number of boats and nonmotorized recreational vehicles that may be stored on a parcel is two, except as permitted in subsection (b)(3) of this section. A boat on a trailer shall be counted as one boat. One such vehicle may be stored in the side yard, provided it does not extend beyond the front of the house and is screened from the closest abutting property by a solid fence or approved landscaping as defined in subsection (a)(3) of this section.~~

~~(3) Outdoor storage of additional boats and/or nonmotorized recreation vehicles shall be may be stored in the side street side yard or rear yard, provided it is screened from neighboring properties and the public right-of-way by a solid fence or approved~~

landscaping as defined in subsection (a)(34) of this section. ~~Storage of additional vehicles is prohibited in required front or side yard setbacks.~~

~~(4) One vehicle may be located in the front yard if parked perpendicular to the right-of-way, provided the vehicle does not extend beyond the property line and is screened from the closest abutting property by approved landscaping at least six feet in height.~~

~~(5) A vehicle may be parked on the driveway of a residence for a period not to exceed three days in a seven day period for the purpose of loading and unloading.~~

~~(6) Vehicles shall be parked on an approved driveway, an existing impermeable pad established prior to the effective date of this ordinance, or a permeable, porous, or pervious surfaces that meet or exceed the standards outlined in the latest edition of the Department of Ecology Stormwater Management Manual for Western Washington for Low Impact Development.~~

~~(7) Vehicles shall be operable and maintained in a clean, well-kept state that does not detract from the appearance of the surrounding area. Inoperable, extensively damaged and/or unlicensed vehicles shall be treated as "junk vehicles" per Chapter 9.64 FMC.~~

~~(8) Subject to the above restrictions, recreational vehicles may be occupied on a temporary basis not to exceed 30 days within one calendar year. Exceptions may be approved by the Director for a period not to exceed 6 months when temporary shelter is required to support an individual experiencing serious illness and needing assistance from the property owner on which the recreational vehicle is located.~~

~~(d) Passenger Vehicles. Parking in locations other than a designated driveway or parking surface is not permitted in required front or side street side yard setbacks in a residential zoning district. Parking shall be permitted upon designated driveways and parking surfaces as defined in FMC 22.60.008(e) and (h).~~

4. Amend FMC 22.98.594 to read as follows:

22.98.594 Recreational vehicle.

"Recreational vehicles" means all vehicles, self-propelled or propelled by another vehicle, designed primarily for touring with living/or sleeping quarters on board. Includes, but is not limited to, campers, travel trailers and motor homes. "Recreational vehicles" does not include bicycles and similar sports equipment.

5. Adding FMC 22.98.604.1 to read as follows:

22.98.604.1 Remote Work.

"Remote Work" means a situation in which an employee works off-site and communicates with the company via the computer, email and telephone.

6. Adding FMC 22.98.697.1 to read as follows:

22.98.697.1 Telecommuting.

"Telecommuting" means to work at home by making use of the internet, email and the telephone to remain linked to one's place of employment.

MOVED AND ADOPTED by the Planning Commission of the City of Fircrest on the 5th day of September, 2017 by the following vote:

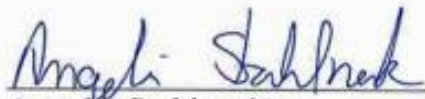
AYES: (5) McVay, McGinnis, Patjens, Halgren, Michaelsen

APPROVED:

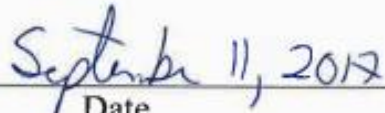


Karen Patjens
Chair, Fircrest Planning Commission

ATTEST:



Angeli Stahlnecker
Planning/Building Administrator



Date

Comments Received

- Nancy Atwood
 - August 16, 2017
- Daniel DeLorenzo
 - August 16, 2017
- Penny Drost
 - August 11, 2017
 - August 16, 2017
- Arnold and Jennifer Lytle
 - August 10, 2017
 - September 12, 2017

to the City Council.

I have lived in Fircrest only 3 months; I have never lived in a place I loved like I love Fircrest. I'm hoping to attend some public meetings if I ever get settled.

Sincerely,

Nancy Atwood

1204 Faralone Ave

8/16/17

Dear Ms. Stahlnecker,

I just read about the Planning Commission's proposed amendment. I am especially interested in the section on storing rec vehicles. I only moved here (WA) 3 months ago, but I have felt annoyance because of an ice cream truck frequently parked on my street (although this is not a recreational vehicle) & also boats. I encourage sending this recommendation also the proposal on short-term rentals.

Angelie Stahlnecker

From: Dan DeLorenzo <dan-delorenzo@leavitt.com>
Sent: Thursday, August 24, 2017 3:47 PM
To: Angelie Stahlnecker
Subject: August 2017 City of Fircrest Town Topics

Angelie:

I read this month's issue of Town Topics and noticed the Planning Commission topic regarding amending the regulations related to storage of RV's and other vehicles. I like what I read and appreciate the suggested changes. Normally you will only hear from the minority on a topic like this who do not want change, so I want to voice my opinion supporting what the City Council and Planning Commission are looking into.

Thank you for your help in improving the regulations and our community.

Best Regards, Daniel DeLorenzo



Northwest

Daniel J. DeLorenzo, CIC

Director, Commercial Lines Public Sector Division

2121 70th Avenue West, Ste B | University Place, WA 98466

Main: 253.565.3500 ext 3103 | Fax: 253.565.7209 |

dan-delorenzo@leavitt.com | www.leavitt.com/northwest

Email 1

From: PENNY M DROST <drostpe@msn.com>

Date: August 11, 2017 at 8:42:54 AM PDT

To: "hgeorge@cityoffircrest.net" <hgeorge@cityoffircrest.net>

Cc: "mjolibois@cityoffircrest.net" <mjolibois@cityoffircrest.net>, "sreynolds@cityoffircrest.net" <sreynolds@cityoffircrest.net>, "bwittner@cityoffircrest.net" <bwittner@cityoffircrest.net>, "dwaltier@cityoffircrest.net" <dwaltier@cityoffircrest.net>, "jmedley@cityoffircrest.net" <jmedley@cityoffircrest.net>

Subject: Resolution regarding travel trailers parked on residential property

Good Morning Members of the Fircrest City Council,

What is the status of the Planning Commission's Resolution 17-06 recommending that Fircrest citizens not be allowed to have a recreational vehicle parked in their driveway for more than 3 days? I completely understand the junk vehicle prohibition, but not this for well-maintained, licensed travel trailers. **I am so opposed to this restriction and I wonder why residents with such recreational vehicles in plain sight were not personally made aware of this pending rule.** The police obviously could have carried notices in their vehicles and dropped them off while on patrol, you are a team. I only found out about this yesterday from a friend who lives in UP and I don't know how she found out. I belong to the neighborhood blog Nextdoor Fircrest and have seen nothing there. Why not? My next-door neighbor has a well-maintained utility trailer (about the same size as my mini-travel trailer) to the side of his driveway which is completely visible to me and only partially blocked by a hedge on the opposite side. I have never thought this was a big deal and it was there long before I bought my mini-travel trailer in 2014. He also stores his brother's camper van for part of the year in the same place. Next to this neighbor another well-maintained, licensed mini-travel trailer is stored in the driveway. Again, no big deal. I don't understand other than for junk vehicles why this resolution is even needed. This resolution is going to cost people for off-site storage. Existing well-maintained, licensed vehicles within the provisions of this resolution need to be grandfathered in as legally allowed. That is the only fair way to move forward - if you even have to move forward. This is a city, not a planned community with a HOA or other covenant ruling document.

I look forward to hearing from you and if an important council vote date for this resolution is coming up, please let me know.

Thanks,

Penny Drost

253 970 1533

drostpe@msn.com

944 Alameda Avenue

(5) If there is no reasonable access to a rear or side yard, one vehicle may be located in the front yard if parked on the driveway, perpendicular to the right-of-way, provided the vehicle does not extend beyond the property line and is screened from the closest abutting property by approved landscaping at least six feet in height. (6) A vehicle may be parked on the driveway of a residence for a period not to exceed three days in a seven day period for the purpose of loading and unloading. (7) Vehicles shall be operable and maintained in a clean, well-kept state that does not detract from the appearance of the surrounding area. Inoperable, extensively damaged and/or unlicensed vehicles shall be treated as "junk vehicles" per Chapter 9.64 FMC. (8) Subject to the above restrictions, recreational vehicles may be occupied on a temporary basis not to exceed 30 days within one calendar year. Exceptions may be approved by the Director for a period not to exceed 6 months when temporary shelter is required to support an individual experiencing serious illness and needing assistance from the property owner on which the recreational vehicle is located. (d)

Email 2

From: "PENNY M DROST" <drostpe@msn.com>

To: "Matthew P. Jolibois" <mjolibois@cityoffircrest.net>, "Shannon Reynolds" <sreynolds@cityoffircrest.net>, "Brett Wittner" <bwittner@cityoffircrest.net>, "Blake Surina" <bsurina@cityoffircrest.net>, "Hunter T. George" <hgeorge@cityoffircrest.net>, "Denny Waltier" <dwaltier@cityoffircrest.net>, "Jason Medley" <jmedley@cityoffircrest.net>

Subject: Follow up to this morning's email regarding the resolution on travel trailers in driveways
Good Afternoon Fircrest City Council Members;

Attached are some photos which show real aesthetic problems in our city. It took me five minutes to get these photos, which are all taken just around my home.

The "nobigtoystoday" photo was taken at a house where giant blowup kids toys sit on and off all summer long.

Again, **I am so opposed to** prohibiting driveway storage of travel trailers which are licensed and well-maintained. I am also very unhappy that I was not notified of this pending resolution. Fircrest is a small city, homes with recreational vehicles in their driveways are easy to spot. Why was no apparent effort made to let us know this was coming? If this resolution is passed it is going to cost citizens money for off-site storage and that is not cheap. What were/are you thinking? We are a city not a HOA community.

Penny Drost
253 970 1533
drostpe@msn.com
944 Alameda Avenue

Angelie Stahlnecker

From: PENNY M DROST <drostpe@msn.com>
Sent: Wednesday, August 16, 2017 8:18 AM
To: Angelie Stahlnecker
Subject: Case #17-06

Dear Members of the Planning Commission;

I am writing to follow up on my final remarks last evening regarding storage of recreational vehicles, specifically (6) A vehicle may be parked on the driveway of a residence for a period not to exceed three days in a seven day period for the purpose of loading and unloading.

Although it is not stated in the document, during your discussion period staff said that (6) only applies to recreational vehicles stored off-site.

I am wondering why this provision is even included. What does it matter how many days a recreational vehicle is on the driveway for loading and unloading when it is permissible to store a recreational vehicle on the driveway permanently? These types of provisions are like litter in ordinances and only serve to confuse residents.

I ask that you eliminate (6) before sending your recommendation to the city council.

In general, I believe all of the provisions relating to recreational vehicle on-site storage are inappropriate for a municipality. The city has a proper and relevant role in dealing with junk and derelict vehicles, but these provisions wander into HOA territory. Anyone who has lived in a HOA community, as I have, will tell you that the enforcement of covenants can be very difficult. As a result, only those easy to enforce are enforced and the rest are ignored. This completely discourages voluntary compliance. The city would be hard pressed to justify requiring people to put in and maintain a six foot high landscaping screen for their trailer while a house down the street has peeling paint, a moss covered roof and junk in the front yard.

Thank you,

Penny Drost
944 Alameda Avenue
253-970-1533
drostpe@msn.com

August 10, 2017

AUG 14 2017

RECEIVED

Planning Commission
City of Fircrest
115 Ramsdell Street
Fircrest, WA 98466

Re: RV Parking Restrictions

Dear Planning Commission Members,

We will soon be purchasing an RV and wish to park it in our side yard. We have not previously maintained a space for this purpose, so we recently visited City Hall and spoke with Angelie Stahlnecker about what our options might be. She informed of us the changes currently under consideration by the commission (Draft Amendments, July 10, 2017).

We understand the desire to ensure that Fircrest yards not become cluttered or unsightly because of RV storage. But we urge you to consider changing the proposed amendments that would prohibit an RV parked in a side yard from extending beyond the front of the house. In our case, a slope begins toward the front of our house and continues to the back edge of the house. Because of this elevation change, we could not realistically use it for our RV if we would be required to park it no closer to the street than the front of our house (which is a full 40 feet from the front curb). Also, such a restriction would be unfair to side yard RV parkers while those using their driveways for RVs would routinely park far closer to the street than the front of their houses and only need to keep their RVs from extending beyond the property line.

We propose a reasonable setback for all RVs, perhaps 6 to 12 feet from the curb. We think this has the benefit of uniformity and fairness, while recognizing that not all side yards could comply with the proposed restriction while still affording home owners the option of using such space for their RVs.

An alternative would be to simply let both front and side yard RVs be parked no closer to the street than the property line.

Thank you for your efforts and your attention to our concerns.

Appreciatively,

Handwritten signatures of Arnold and Jennifer Lytle in black ink. The signature for Jennifer Lytle is more prominent and extends further to the right.

Arnold and Jennifer Lytle
1005 Sunrise Lane

CITY OF FIRCREST

SEP 15 2017

RECEIVED

September 12, 2017

Planning Commission/City Council
City of Fircrest
City Hall
115 Ramsdell Street
Fircrest, WA 98466

Re: RV Parking Restrictions

Dear Planning Commission and City Council Members,

We have been monitoring proposed action on revised parking requirements for recreational vehicles as we are about to purchase our first RV. We want to take this opportunity to repeat our concern with one aspect of the possible restrictions, which would require us to park an RV no closer to the street than the front of our house if we used our side yard, which is what we would like to do. We explained why we think this distance is unfair to "side yard parkers" in our earlier letter (copy attached). This seems to be a particularly narrow and excessive restriction, and we wonder if it is meant to address a limited number of situations that perhaps could and ought to be approached differently.

Additional comment

The comments submitted by others on these proposed regulations (as posted to the Fircrest website) strike a chord. If clutter and unsightliness are among the reasons for new regulations, on-street parking and adequate property maintenance are far bigger problems in our view. Yes, there should be limits to use of property for vehicle storage. But it seems unreasonable and narrow to severely restrict use of the property we own and maintain to a decent standard while others are not diligent in this regard and/or constantly park work trucks, work vans, large pick-ups, and multiple cars in the street.

You have likely noticed how, at times, it's impossible for cars to pass on some streets because of all the vehicles parked. I'm sure we're all dedicated to ensuring that Fircrest remains a desirable and well-maintained community. But looking around the city, the RV issue pales in comparison to some others.

Thank you for taking note of our concerns.

Sincerely,

Handwritten signatures of Arnold and Jennifer Lytle in cursive script.

Arnold and Jennifer Lytle
1005 Sunrise Lane

**CITY OF FIRCREST PLANNING COMMISSION
REGULAR MEETING MINUTES**

June 6, 2017
6:00 PM

Fircrest City Hall
115 Ramsdell Street

CALL TO ORDER

Chair Karen Patjens called the regular meeting of the Fircrest Planning Commission to order at 6:00 p.m.

ROLL CALL

Commissioners Kathy L. McVay, Jerry Foss, Karen Patjens, Kenneth Halgren, and Arne Michaelsen were present. Absent: None. Excused: None. Staff present: Planning and Building Administrator Angelie Stahlnecker and Administrative Assistant Abbie Maenhout.

APPROVAL OF MINUTES

The minutes for the meeting of March 7, 2017 were presented for approval.

Moved by Foss and seconded by Patjens to approve the minutes. Ayes: Kathy L. McVay, Jerry Foss, Karen Patjens, Kenneth Halgren, and Arne Michaelsen. Noes: None. Absent: None. Excused: None. Motion carried.

CITIZEN COMMENTS

None.

NEW BUSINESS

Case 17-06 Amendments to FMC 22.58.011, .013, and .024 related to short-term rentals, home occupations and outdoor storage of vehicles

Planning and Building Administrator Angelie Stahlnecker presented an overview of the topics referred to the Planning Commission by the City Council to study and make recommendations on: regulating short-term rentals (Airbnb), amending home occupation standards, and limiting and/or restricting outdoor storage of inoperable cars, recreational vehicles, and boats in front yards.

Discussion included:

- Regulating short-term rentals
- Some communities are concerned short-term rentals could impact housing availability
- Revising the bed and breakfast regulation to include short-term rentals
- Short-term rentals are a business and should be treated as such

- Long-term rentals are not currently licensed, but the City Council is considering
- Creating two sub-tiers for Type I home occupations
- Consider allowing a home occupation to be enclosed in an accessory building
- Prohibiting storage of recreational vehicle and boats in the front yard
- Requiring minimal condition standards for recreational vehicles and boats
- Tightening regulations could increase enforcement difficulties
- Limits on visiting recreational vehicles
- Many parcels do not have backyard access
- Prohibiting all parking on front yard lawns

Patjens invited public comment.

Sue Asher, 1137 Garden Circle: She owns a house at 805 Spring Street and would support prohibiting vehicles from being allowed to park on the lawn.

MISC.

There was consensus to move the July 5 regular meeting to Monday, July 10, 2017.

ADJOURNMENT

Moved by Foss and seconded by Halgren to adjourn the meeting at 7:09 p.m. Ayes: Kathy L. McVay, Jerry Foss, Karen Patjens, Kenneth Halgren, and Arne Michaelsen. Noes: None. Absent: None. Excused: None. Motion carried.


Angeli Stahlnecker, Planning/Building Administrator


Karen Patjens, Planning Commission Chair

**CITY OF FIRCREST PLANNING COMMISSION
REGULAR MEETING MINUTES**

July 10, 2017
6:00 PM

Fircrest City Hall
115 Ramsdell Street

CALL TO ORDER

Chair Karen Patjens called the regular meeting of the Fircrest Planning Commission to order at 6:00 p.m.

ROLL CALL

Commissioners Kathy L. McVay, Cameron McGinnis, Karen Patjens, and Kenneth Halgren were present. Absent: Arne Michaelsen. Excused: None. Staff present: Planning and Building Administrator Angelie Stahlnecker and Administrative Assistant Abbie Maenhout. Michaelsen arrived at 6:10 p.m.

APPROVAL OF MINUTES

The minutes for the meeting of June 6, 2017 were presented for approval.

Moved by McVay and seconded by Halgren to approve the minutes. Upon vote, motion carried unanimously.

PUBLIC HEARING

Case 17-07 Major Variance to construct accessory building in required setback

Karen Patjens opened the public hearing for Case 17-07 at 6:02 p.m.

Planning and Building Administrator Angelie Stahlnecker presented the staff report for the request to construct a 192 square foot accessory structure (shed) in the required 25' setback of a through-lot. Staff entered into the record Exhibit #9, written comment received prior to the hearing.

Staff responded to Commission inquiries.

The applicant, Jeff Gordon, stated his concerns over anonymous complaint letters, shared other instances of setback encroachments, and stated he will construct it with high standards.

Patjens invited public comments.

Charles Hart, 1214 Palm Drive, concurred that variances should not be common, but felt the applicant met the criteria.

Aaron Pasco, 1208 Coral Drive, stated he is a neighbor of Mr. Gordon, helped construct the shed, and supports the variance.

Leonard Smith, 1570 Weathervane Drive, stated his support for the variance.

Patjens closed the public hearing at 6:30 p.m.

Moved by McVay and seconded by Halgren to adopt Resolution No. 17-05, approving a major variance to permit construction of a 192 square foot accessory structure with a 3-foot setback from the rear property line of a through-lot. Upon vote, motion carried unanimously.

Unfinished Business:

Case 17-06 Amendments to FMC 22.58, related to short-term rentals, home occupations and outdoor storage of vehicles

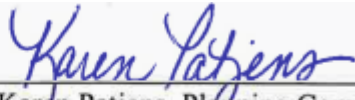
Planning and Building Administrator Angelie Stahlnecker introduced draft development regulation for FMC 22.58.011 Short-term rentals, 22.58.013 Home Occupations, and 22.58.024 Outdoor parking or storage of vehicles. A brief slideshow displayed properties within Fircrest that have recreational vehicles in the front or side yard.


Discussion included:

- Removing toaster oven from allowed cooking devices
- Establishing two tiers for Type 1 Home Occupations to allow creation of a lower fee for less impactful businesses
- Exempting minors from permit requirement
- A business owned by a minor may still have impacts that need regulating
- The proposed second tier, would make permit requirement less costly for minor
- Adding unlicensed vehicles to inoperable vehicle definitions
- Limiting outdoor storage to one inoperable vehicle
- Replacing 'may' with 'shall' in standard for treating inoperable or extensively damaged recreational vehicles as junk vehicles
- Reducing the recreational vehicle limit to one

ADJOURNMENT

Moved by McVay and seconded by Michaelsen to adjourn the meeting at 7:18 p.m. Upon vote, motion carried unanimously.


Karen Patjens, Planning Commission Chair


Angelie Stahlnecker, Planning/Building Administrator

**CITY OF FIRCREST PLANNING COMMISSION
REGULAR MEETING MINUTES**

August 15, 2017
6:00 PM

Fircrest City Hall
115 Ramsdell Street

CALL TO ORDER

Chair Karen Patjens called the regular meeting of the Fircrest Planning Commission to order at 6:00 p.m.

ROLL CALL

Commissioners Kathy L. McVay, Cameron McGinnis, Karen Patjens, Kenneth Halgren and Arne Michaelsen were present. Absent: None. Excused: None. Staff present: Planning and Building Administrator Angelie Stahlnecker and Administrative Assistant Abbie Maenhout.

APPROVAL OF MINUTES

The minutes for the meeting of July 10, 2017 were presented for approval.

Moved by McVay and seconded by Michaelsen to approve the minutes. Upon vote, motion carried unanimously.

PUBLIC HEARING

Case 17-07 Proposed amendments to FMC Sections 22.58.011, Short-term rental establishments, FMC 22.58.013 Home Occupations, FMC 22.58.024 Outdoor Parking or Storage of Vehicles and FMC Chapter 22.98 Definitions.

Karen Patjens opened the public hearing for Case 17-07 at 6:01 p.m.

Planning and Building Administrator Angelie Stahlnecker presented the staff report for the proposed amendments. Staff entered into the record written comments received prior to the hearing.

Patjens invited public comments.

Todd Crawford, 1127 Magnolia Drive, stated opposition to RV regulations, which would create a burden on responsible property owners.

Alex Koerger, 127 Golden Gate, stated concern over the cost of an administrative use permit as it related to permitting short-term rentals.

Cheryl Capps McCabe, 1317 Magnolia Court, asked if the home occupation regulations would allow them to park their commercial cube van on their property and how RV regulations would affect their trailer.

Penny Drost, 944 Alameda Ave, asked the purpose of amending the RV regulations and stated she wouldn't be able to park her RV anywhere but the driveway.

Ken Walls, 1117 Paradise Parkway, stated his desire for a medical exemption from the RV regulations.

Christine Beasley, 221 Alameda Avenue, asked if sloped yards would be considered when determining access.

Pam Sollars, 600 San Juan Avenue, stated her concern over the appearance of boats and RVs in the front yard and concern over the appearance of commercial trucks being parked along the street.

David Viafore, 1120 Paradise Parkway, stated this is unnecessary zoning to address a few problems, concerned about impact to residents that own RVs, questioned the legality of regulating short-term rental business, and concern over difference in regulation commercial vehicles if they have a home occupation.

Angella Creguer, 915 Manor Drive, concerned about regulation that would require them to park on their driveway instead of an existing pad and the expense of creating a porous surface.

Mike Diloreto, 1127 Magnolia Drive, asked about grandfathering of existing RVs.

Jennifer Andres, 347 Summit Avenue stated these regulations feel like a home owners association and feels this is overstepping government purpose. Feels should be allowed to park her boat in her yard.

Leonard Smith, 1570 Weathervane Drive, stated concern that crushed rock is not considered a permeable surface, feels the regulations are overstepping, and concerned over limited time for inoperable vehicles waiting for parts.

Paul Anders, 1210 Regents Blvd, concerned over 14 day limit for inoperable vehicles.

Alice McDaniel, 1315 Coral Drive, stated her disappointment that the scope was narrowed to short-term rentals instead of the original discussion which was long-term rentals and continued concern over a neighboring rental property.

Discussion included:

- Staff suggestion to create a short-term rental permit instead of using the administrative use permit process.
- Continuation of the conditional use permit process for rentals over two rooms.
- Street parking concerns should be directed to the Police Department.
- Clarifying that short-term rentals are considered businesses while long-term rentals are considered residences and are regulated differently.

- The home occupation prohibition of vehicles over one ton associated with a home occupation is current code and not a proposed change.
- The proposed code prioritizes side and rear yards for parking RVs and boats, but would allow one in the front yard if there is no access to side and rear.
- Proposed code to allow temporary occupancy of a RV would not except it from other requirements of the section
- Using the Department of Ecology Stormwater Management Manual for determining permeable surfaces provides consistent application.
- While driveways are typically impervious, requiring additional parking surfaces to be pervious would support the Comprehensive Plan's goal of low impact development.
- The loading and unloading provision was to provide an exception for vehicles that were parked off-site or normally would be required to be parked in the side or rear yard.
- Vegetation and fencing requirements are to provide screening for neighbors who may not wish to look at a parked RV or boat.
- Fourteen-day limit of inoperable and unlicensed vehicles.

At 7:35, Patjens stated the Commission would take a brief recess.

At 7:37, Patjens reconvened the meeting.

Patjens closed the public hearing at 7:38 p.m.

The Planning Commission directed staff to bring back more information on:

- Creating a short-term rental permit process to replace the administrative use permit process.
- Amending regulation of commercial vehicles associated with home occupations.
- Allowing one recreational vehicle or boat in the front yard outright, instead of as an exception.

Moved by McVay and seconded by McGinnis to continue discussion to the September 5, 2017 meeting. Upon vote, motion carried unanimously.

ADJOURNMENT

Moved by Michaelsen and seconded by McVay to adjourn the meeting at 8:04 p.m. Upon vote, motion carried unanimously.



Karen Patjens
Karen Patjens, Planning Commission Chair

Angie Stahlnecker
Angie Stahlnecker, Planning/Building Administrator

**CITY OF FIRCREST PLANNING COMMISSION
REGULAR MEETING MINUTES**

September 5, 2017
6:00 PM

Fircrest City Hall
115 Ramsdell Street

CALL TO ORDER

Chair Karen Patjens called the regular meeting of the Fircrest Planning Commission to order at 6:00 p.m.

ROLL CALL

Commissioners Kathy L. McVay, Cameron McGinnis, Karen Patjens, Kenneth Halgren and Arne Michaelsen were present. Absent: None. Excused: None. Staff present: Planning and Building Administrator Angelie Stahlnecker and Administrative Assistant Abbie Maenhout.

APPROVAL OF MINUTES

The minutes for the meeting of August 15, 2017 were presented for approval.

Moved by McVay and seconded by Michaelsen to approve the minutes. Upon vote, motion carried unanimously.

PUBLIC HEARING

Case No. 17-08 – Recommendation to Annex Potential Annexation Area

Karen Patjens opened the public hearing for Case 17-08 at 6:01 p.m.

Planning and Building Administrator Angelie Stahlnecker presented the staff report for the proposal to annex the potential annexation area through interlocal agreement with Pierce County, designating the area Low Density Residential, zoning the area Residential-4 zoning, and establishing the street names and addresses.

Patjens invited public comments.

Yolanda Brooks, 6448 19th St. W, stated she used to live in the area and questioned reason for the annexation as people in the area were previously opposed.

Dan Moffett, 4422 72nd Avenue Court West, stated he owned two of the properties in the potential annexation area and supported the annexation for sewer access, improved emergency services, less confusion by being in a designated boundary and belief that the overall cost difference would be a wash. Requested information on who would vote in a referendum.

Patjens closed the public hearing at 6:15 p.m.

Discussion included:

- Verifying the residents and property owners had received notice
- Direction to provide referendum information to Mr. Moffett

Moved by McVay and seconded by Michaelson to adopt Resolution No. 17-07, a resolution of the Planning Commission of the City of Fircrest, Washington recommending annexation of the potential annexation area through interlocal agreement with Pierce County, designating the area Low Density Residential, zoning the area Residential-4 zoning, and changing the street names and addresses. Upon vote, motion carried unanimously.

Case No. 17-09 – 2017 Comprehensive plan Amendments and Pre-Annexation Land Use Designation and Zoning Classifications

Karen Patjens opened the public hearing for Case 17-09 at 6:20 p.m.

Planning and Building Administrator Angelie Stahlnecker presented the staff report for the proposed amendments.

Patjens invited public comments.

No comments were received.

Patjens closed the public hearing at 6:26 p.m.

Moved by McVay and seconded by Halgren to adopt Resolution No. 17-08, a resolution of the Planning Commission of the City of Fircrest, Washington recommending adoption of amendments to the Capital Facilities and Land Use Elements of the City of Fircrest Comprehensive Plan and establishment of a pre-annexation land use designation and zoning classification for the potential annexation area. Upon vote, motion carried unanimously.

UNFINISHED BUSINESS

Case 17-07 Proposed amendments to FMC Sections 22.58.011, Short-term rental establishments, FMC 22.58.013 Home Occupations, FMC 22.58.024 Outdoor Parking or Storage of Vehicles and FMC Chapter 22.98 Definitions.

Planning and Building Administrator Angelie Stahlnecker presented topics referred to staff from the August 15, 2017 public hearing. Recommended amendments to draft proposal included:

- Replacing the administrative use process by establishing a short-term rental permit process

- Amending the home occupation language by adding “or commercial vehicles in excess of 10,000 gross vehicle weight (GVW)” to vehicles prohibited unless fully enclosed.
- Amending the outdoor parking of recreational vehicles to allow one vehicle to be parked in the front yard
- Amend allowed parking surfaces to include existing impermeable pads

No Discussion

Moved by McVay and seconded by Michaelsen to adopt Resolution No. 17-06, a resolution of the Planning Commission of the City of Fircrest, Washington recommending adoption of amendments to chapter FMC 22.58 specific use and structure regulations, including short-term rental establishments, home occupations, outdoor storage of vehicles, and FMC 22.98 definitions. Upon vote, motion carried unanimously.

NEW BUSINESS

Case No. 17-10 – Zoning Code Amendments

Planning and Building Administrator Angelie Stahlnecker introduced draft development regulation for FMC Title 22 intended to clarify code administration, fine tune regulations, and respond to input and direction received since the most recent rounds of amendments in 2015-2016.

Discussion included:

- Amendments to the articulation language
- Amendments to the R-4C zone
- Reference the Multi-family design standards and guidelines in zones that allow multi-family
- Uses allowed in the CMU, including mini-storage and assisted living facilities
- Revising “vacated” properties to “abandoned” properties based on case law
- Adding language for binding site plans
- Amendments to drive-through facilities regulations
- Adding an “administrative interpretations” section based on legal counsel advise

ADJOURNMENT

Moved by McVay and seconded by McGinnis to adjourn the meeting at 7:00 p.m. Upon vote, motion carried unanimously.

Karen Patjens, Planning Commission Chair

Angelie Stahlnecker, Planning/Building Administrator

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 10, 2017**

SUBJECT: **Salaries of Non-Union Employees, Including Casual and Seasonal Employees**

FROM: **Colleen Corcoran, Finance Director**

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: **I move to adopt Ordinance No. _____, amending Section 1 of Ordinance No. 1583 and FMC 2.44.050 relating to salaries of non-union City employees and amending Section 2 of Ordinance No. 1583 and FMC 2.44.090 relating to hourly rate of pay for casual and seasonal employees.**

PROPOSAL: Council is being asked to approve and adopt the attached proposed salary ordinance for implementation January 1, 2018.

FISCAL IMPACT: The attached ordinance includes a proposed Cost Of Living Adjustment (COLA) for non-represented employees of 3% based on the Consumer Price Index All Urban Consumers (CPI-W) for the year ending June 2017, which is 3%.

HISTORY: The history of COLA adjustments for non-represented employees is as follows:

2018: 3.0% (proposed)
2017: 2.0%
2016: 2.0%
2015: 2.5%
2014: 2.0%
2013: 0.0%
2012: 0.0%
2011: 0.0% (4 furlough days)
2010: 0.0%

ATTACHMENT: [Ordinance](#)

**CITY OF FIRCREST
ORDINANCE NO. 1600**

**AN ORDINANCE OF THE CITY OF FIRCREST, WASHINGTON,
AMENDING SECTION 1 OF ORDINANCE NO. 1583 AND F.M.C. 2.44.050
RELATING TO SALARIES AND BENEFITS OF NON-UNION CITY
EMPLOYEES AND AMENDING SECTION 2 OF ORDINANCE NO. 1583
AND FMC 2.44.090 RELATING TO HOURLY RATE OF PAY FOR
CASUAL AND SEASONAL EMPLOYEES.**

THE CITY COUNCIL OF THE CITY OF FIRCREST DO ORDAIN AS FOLLOWS:

Section 1. Section 1 of Ordinance No. 1583 and F.M.C. Section 2.44.050 are hereby amended to read as follows:

"Non-Union Salaries. From and after January 1, 2018 the full-time equivalent monthly salary range of the following regular full-time, regular part-time, and temporary City positions is fixed at the following sums. No employee shall be paid an average monthly base salary, which exceeds the maximum provided hereunder.

<u>Position</u>	<u>Minimum</u>	<u>Maximum</u>
Landscape/Maintenance Worker	\$2,136	\$2,727
Custodian	\$2,694	\$3,439
Office Assistant	\$2,694	\$3,439
Court Clerk	\$3,365	\$4,296
Police Records Technician/CSO I	\$3,417	\$4,296
Administrative Assistant	\$3,417	\$4,361
Planning/Building Administrative Assistant	\$3,417	\$4,361
Utility Billing Clerk	\$3,465	\$4,423
Maintenance Worker I	\$3,522	\$4,495
Accountant I	\$3,585	\$4,576
Police Records Technician/CSO II	\$3,694	\$4,716
Recreation Program Coordinator	\$3,724	\$4,753
Lead Court Clerk	\$3,754	\$4,791
Maintenance Worker II	\$3,945	\$5,034
Public Works Support Services Coordinator	\$4,307	\$5,496
Permit Coordinator/Code Enforcement Officer	\$4,307	\$5,496
Accountant II	\$4,307	\$5,496
Parks Maintenance Supervisor	\$4,307	\$5,496
Senior Maintenance Supervisor	\$4,307	\$5,496
Planning/Building Administrator	\$4,982	\$6,359
Parks/Recreation Director	\$4,982	\$6,359
Court Administrator	\$4,982	\$6,359
City Clerk	\$5,101	\$6,510
Planning/Building Director	\$5,994	\$7,650
Finance Director	\$6,234	\$7,957
Public Works Director/City Engineer	\$6,417	\$8,190
Police Chief	\$7,322	\$9,345
City Manager	\$8,370	\$10,682

For payroll purposes and for the computation of hourly rates for regular employees, the monthly salary of said positions shall be multiplied by twelve (12) and then divided by two

thousand and eighty (2,080) hours and rounded to the nearest one hundredth to determine the corresponding hourly rate of pay for entry into the bi-weekly payroll system."

Section 2. Section 2 of Ordinance No. 1583 and F.M.C. 2.44.090 are hereby amended to read as follows:

"Casual and seasonal employees. From and after January 1, 2018, the hourly rate of pay for casual or seasonal employees, unless otherwise provided, shall range between the State of Washington's minimum wage of eleven dollars and fifty cents and fifteen dollars and eight five cents per hour, depending on the requirements of the position and the qualifications of the individual, as determined by the City Manager."

No employee shall be paid on an hourly rate that exceeds the maximum provided hereunder.

<u>Position</u>	<u>1st Year of Employment</u>	<u>2nd Year of Employment</u>	<u>3rd Year of Employment</u>
Maintenance Worker	\$12.00	\$12.25	\$12.50
Pool Cashiers	\$12.00	\$12.25	\$12.50
Lifeguards	\$12.55	\$12.80	\$13.05
Swim Instructors	\$12.55	\$12.80	\$13.05
Recreation Leader	\$12.65	\$12.90	\$13.15
Swim Coaches	\$13.25	\$13.50	\$13.75
Pool Openers	\$13.85	\$14.10	\$14.35
Senior Bus Driver	\$15.85	\$15.85	\$15.85

Section 3. Effective Date: This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of its title.

PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON, at a regular meeting thereof this 10th day of October, 2017.

APPROVED:

Matthew Jolibois, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

Publication Date:

Effective Date:

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: October 10, 2017

SUBJECT: Reestablishing the Municipal Court Judge, Chief Examiner, and Information Services Manager Rate of Pay

FROM: Colleen Corcoran, Finance Director

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: I move to adopt Ordinance No. _____ amending Section 1 of Ordinance No. 1585 and FMC 2.44.070 reestablishing the Municipal Court Judge monthly rate of pay, the Civil Service Chief Examiner rate of pay, and the Information Services Manager rate of pay.

PROPOSAL: Council is being asked to adopt an ordinance that increases the Municipal Court Judge rate of pay from \$2,900 to \$2,987 per month, increases the Civil Service Chief Examiner rate of pay from \$198 to \$204 per month, and increases the Information Services Manager rate of pay from \$37.86 to \$39.00 per hour, effective January 1, 2018.

FISCAL IMPACT: This proposal is an \$87 per month increase for the Municipal Court Judge. The monthly increase for the Chief Examiner is an additional \$6. The hourly increase of the Information Services Manager is \$1.14.

ADVANTAGE: This proposal provides for a 3% COLA, which is in line with the cost of living raises received by other non-represented employees.

DISADVANTAGES: None (other than the cost which has been included in the 2018 Preliminary Budget).

ALTERNATIVES: Not provide a cost of living adjustment.

HISTORY: The positions were increased as follows:

2018: 3.0% (proposed)
2017: 2.0%
2016: 2.0%
2015: 2.5%
2014: 2.0%

ATTACHMENT: [Ordinance](#)

**CITY OF FIRCREST
ORDINANCE NO. 1601**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIRCREST,
WASHINGTON, AMENDING SECTION 1 OF ORDINANCE 1585 AND
FMC 2.44.070 REESTABLISHING THE MUNICIPAL COURT JUDGE
MONTHLY RATE OF PAY, THE INFORMATION SERVICES MANAGER
RATE OF PAY AND THE CIVIL SERVICE CHIEF EXAMINER/
SECRETARY RATE OF PAY.**

THE CITY COUNCIL OF THE CITY OF FIRCREST DO ORDAIN AS FOLLOWS:

Section 1. Section 1 of Ordinance No. 1585 and FMC 2.44.070 are hereby amended to read as follows:

2.44.070 Monthly Pay From and after January 1, 2018, the monthly rate of pay of the following positions is fixed at not to exceed the following sums:

Municipal Court Judge	\$2,987
Civil Service Chief Examiner	\$ 204

From and after January 1, 2018, the hourly rate of pay of the following position is fixed at not to exceed the following sum:

Information Services Manager	\$39.00
------------------------------	---------

Section 2. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of its title.

**PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST,
WASHINGTON,** at a regular meeting thereof this 10th day of October, 2017.

APPROVED:

Matthew Jolibois, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

Publication Date:

Effective Date:

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 10, 2017**

SUBJECT: **2018 Ad Valorem Tax Levy**

FROM: **Colleen Corcoran, Finance Director**

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: **I move to adopt Ordinance No. _____, fixing the amount of the annual Ad Valorem tax levy necessary for the Fiscal Year 2018 and repealing Section 1 and 2 of Ordinance No. 1584.**

PROPOSAL: Council is being asked to fix the annual Ad Valorem tax levy necessary for the Fiscal Year 2018.

FISCAL IMPACT: The proposed ordinance will allow the City to levy the necessary amount to fund 2018 City operations.

Below are Ad Valorem taxes being proposed for 2018:

Total Assessed Valuation for Regular Levy	\$805,230,903
Regular Levy at approximately \$1.9366 per thousand shall yield	\$ 1,571,635
EMS Levy at approximately \$0.4020 per thousand shall yield	\$326,093
Totals approximately \$2.3386 per thousand shall yield	\$1,897,728

ADVANTAGE: This proposal will provide necessary funds for 2018 City operations.

DISADVANTAGES: None known.

ALTERNATIVES: None known.

HISTORY: Annually Ad Valorem taxes are fixed by Council through ordinance prior to the submission of the levy amounts to Pierce County to be certified.

ATTACHMENT: [Ordinance](#)

**CITY OF FIRCREST
ORDINANCE NO. 1602**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, FIXING THE AMOUNT OF THE
ANNUAL AD VALOREM TAX LEVY NECESSARY FOR THE FISCAL
YEAR 2018 FOR THE PURPOSE SET FORTH BELOW, AND
REPEALING SECTION 1 AND SECTION 2 OF ORDINANCE NO. 1584.**

THE CITY COUNCIL OF THE CITY OF FIRCREST DO ORDAIN AS FOLLOWS:

Section 1. That the amount necessary to be raised by taxation will be yielded by a levy of approximately \$1.9366 dollars per thousand on the assessed valuation of \$805,230,903 which will yield approximately the sum of \$1,571,635. An additional levy of \$326,093 is to be raised for emergency medical care and services as approved by the voters in the 2014 August general election for a period of six years. This amount is approximately \$0.4020 per thousand on the assessed valuation of \$805,230,903. These said amounts are hereby levied upon real and personal property subject to taxation in the City of Fircrest for the purpose of raising the necessary revenue for the City for the year 2018 to wit:

Total Assessed Valuation for Regular Levy	\$805,230,903
Regular Levy at approximately \$1.9366 per thousand shall yield	\$1,571,635
EMS Levy at approximately \$0.4020 per thousand shall yield	\$326,093
Totals approximately \$2.3386 per thousand shall yield	\$ 1,897,728

Section 2. That said taxes herein provided for are levied for the purpose of raising revenue sufficient to pay the current expense and street expenditures and for carrying on the work of the different departments of municipal government of the City of Fircrest for the fiscal year beginning January 1, 2018 and ending December 31, 2018 and the same are hereby levied upon all real and personal property within the City of Fircrest subject to taxation and as shown by the assessment in the County of Pierce as finally fixed by law.

Section 3. Section 1 and Section 2 of Ordinance No. 1584 are hereby repealed as of December 31, 2017.

Section 4. This ordinance shall take effect five days after passage, approval and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON,
at a regular meeting thereof this 10th day of October, 2017.

APPROVED:

Matthew Jolibois, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

Publication Date:

Effective Date:

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 10, 2017**

SUBJECT: **2018 Regular Property Tax Levy**

FROM: **Colleen Corcoran, Finance Director**

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: **I move to adopt Resolution No. _____, establishing the amount and percentage increase of the 2018 regular Property Tax levy over the 2017 regular Property Tax levy.**

PROPOSAL: Council is being asked to adopt a resolution to establish the amount and percentage increase of the 2018 regular property tax levy over the 2017 regular property tax levy.

FISCAL IMPACT: The resolution will allow the City to levy property taxes to be collected in 2018.

ADVANTAGE: None known.

DISADVANTAGES: None known.

ALTERNATIVES: None known.

HISTORY: A Public Hearing was held on October 10, 2017 to consider revenue sources for the 2018 budget.

ATTACHMENT: [Resolution](#)

**CITY OF FIRCREST
RESOLUTION NO. 1493**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, ESTABLISHING THE AMOUNT AND
PERCENTAGE INCREASE OF THE 2018 REGULAR PROPERTY TAX
LEVY OVER THE 2017 REGULAR PROPERTY TAX LEVY.**

WHEREAS, the City of Fircrest attest that the district population is 6,640; and

WHEREAS, the City of Fircrest has properly given notice of the public hearing held October 10, 2017 to consider revenue sources for its budget for the calendar year 2018; and

WHEREAS, the Council of the City of Fircrest's actual levy amount from the previous year was \$1,552,290.06; and

WHEREAS, the Council of the City of Fircrest after hearing and after duly considering all relevant evidence and testimony presented, determined that the City of Fircrest requires a regular property levy in the amount of \$1,571,634.99 which includes an increase in property tax revenue of 1% from the previous year, and amounts resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of the district and in its best interest; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FIRCREST:

Section 1: That an increase in the regular property tax levy is hereby authorized for the 2018 levy in the amount of \$2,842.74 which is a percentage increase of 0.183133% from the previous year.

Section 2: This increase is exclusive of additional revenue resulting from the addition of new construction and improvements to property and any increase in the value of state assessed property, and any additional amounts resulting from any annexations that have occurred and refunds made.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 10th day of October,
2017.

APPROVED

Matthew Jolibois, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 10, 2017**

SUBJECT: **2018 EMS Tax Levy**

FROM: **Colleen Corcoran, Finance Director**

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: **I move to adopt Resolution No. _____, establishing the amount and percentage increase of the 2018 EMS Property Tax levy over the 2017 EMS Property Tax levy.**

PROPOSAL: Council is being asked to adopt a resolution to establish the amount and percentage increase of the 2018 EMS Property Tax levy over the 2017 EMS Property Tax levy.

FISCAL IMPACT: The resolution will allow the City to levy EMS property taxes to be collected in 2018.

ADVANTAGE: None known.

DISADVANTAGES: None known.

ALTERNATIVES: None known.

HISTORY: A vote of the people held on August 5, 2014 authorized an EMS Property Tax levy rate of \$0.50 per \$1,000 of assessed valuation for six consecutive years beginning in 2015. This is the fourth year of the levy. A public hearing was held on October 10, 2017 to consider revenue sources for the 2018 budget.

ATTACHMENT: [Resolution](#)

**CITY OF FIRCREST
RESOLUTION NO. 1494**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, ESTABLISHING THE AMOUNT AND
PERCENTAGE OF THE 2018 REGULAR EMS TAX LEVY AS
AUTHORIZED BY VOTER APPROVAL ON AUGUST 5, 2014.**

WHEREAS, the City of Fircrest attest that the district population is 6,640; and

WHEREAS, the City of Fircrest has properly given notice of the public hearing held October 10, 2017 to consider revenue sources for its budget for the calendar year 2018; and

WHEREAS, the Council of the City of Fircrest's actual levy amount from the previous year was \$322,255.96; and

WHEREAS, the Council of the City of Fircrest after hearing and after duly considering all relevant evidence and testimony presented, determined that the City of Fircrest requires a regular EMS levy in the amount of \$326,092.62 which includes an increase in property tax revenue of 0.186678% from the previous year, and amounts resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of the district and in its best interest; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FIRCREST:

Section 1: That an increase in the regular EMS tax levy is hereby authorized for the 2018 levy in the amount of \$601.58 which is a percentage increase of 0.186678% from the previous year.

Section 2: This increase is exclusive of additional revenue resulting from the addition of new construction and improvements to property and any increase in the value of state assessed property, and any additional amounts resulting from any annexations that have occurred and refunds made.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 10th day of October
2017.

APPROVED

Matthew Jolibois, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 10, 2017**

SUBJECT: **2018 Levy Certifications**

FROM: **Colleen Corcoran, Finance Director**

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: **I move to authorize the City Manager sign the 2018 regular property and EMS levy certification forms.**

PROPOSAL: The Council is being asked to review and approve the 2018 levy certification forms.

FISCAL IMPACT: We are certifying the following regular levy amounts.

Total Assessed Valuation for Regular Levy	\$805,230,903
Regular Levy @ approximately \$1.9366 per thousand shall yield	\$1,571,635
EMS Levy @ approximately \$0.4020 per thousand shall yield	\$326,093
Totals approximately \$2.3386 per thousand shall yield	\$1,897,728

ADVANTAGE: None known.

DISADVANTAGES: None known.

ALTERNATIVES: None known.

HISTORY: Each taxing district is required to file certification with the County Assessor's Office by November 30. Without the certification the taxing district is limited to the prior year levy amount as it lacks authority to impose additional property tax.

ATTACHMENT: [2018 Levy Certification Forms](#)



Levy Certification

Submit this document to the county legislative authority on or before November 30 of the year preceding the year in which the levy amounts are to be collected and forward a copy to the assessor.

In accordance with RCW 84.52.020, I, Bill McDonald,
(Name)

INTERIM CITY MANAGER, for CITY OF FIRCREST, do hereby certify to
(Title) (District Name)

the PIERCE County legislative authority that the COUNCIL
(Name of County) (Commissioners, Council, Board, etc.)

of said district requests that the following levy amounts be collected in 2018 as provided in the district's
(Year of Collection)

budget, which was adopted at a public hearing held on 10/10/2017 :
(Date of Public Hearing)

Regular EMS Levy: \$323,740
(State the **total** dollar amount to be levied)

Refund Levy: \$2,353
(State the **total** dollar amount to be levied)

Signature: _____
INTERIM CITY MANAGER

Date: 10/10/2017

For tax assistance or to request this document in an alternate format, visit <http://dor.wa.gov/content/taxes/property/default.aspx> or call (360) 534-1400. Teletype (TTY) users may call (360) 705-6718.

REV 64 0100e (w) (10/12/10)



Levy Certification

Submit this document to the county legislative authority on or before November 30 of the year preceding the year in which the levy amounts are to be collected and forward a copy to the assessor.

In accordance with RCW 84.52.020, I, Bill McDonald,
(Name)

INTERIM CITY MANAGER, for CITY OF FIRCREST, do hereby certify to
(Title) (District Name)

the PIERCE County legislative authority that the COUNCIL
(Name of County) (Commissioners, Council, Board, etc.)

of said district requests that the following levy amounts be collected in 2018 as provided in the district's
(Year of Collection)

budget, which was adopted at a public hearing held on 10/10/2017 :
(Date of Public Hearing)

Regular Property Levy: \$1,559,383
(State the **total** dollar amount to be levied)

Refund Levy: \$12,252
(State the **total** dollar amount to be levied)

Signature: _____
INTERIM CITY MANAGER

Date: 10/10/17

For tax assistance or to request this document in an alternate format, visit <http://dor.wa.gov/content/taxes/property/default.aspx> or call (360) 534-1400. Teletype (TTY) users may call (360) 705-6718.

REV 64 0100e (w) (10/12/10)

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 10, 2017**

SUBJECT: **Annexation Interlocal Agreement and Memorandum of Understanding**

FROM: **Angelie Stahlnecker, Planning/Building Administrator**

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: I move to adopt Resolution No. _____, authorizing the City manager to execute an Interlocal Agreement with Pierce County regarding the annexation of the City's potential annexation area set forth in RCW 35A.14.460 and authorizing the City Manager to enter into a Memorandum of Understanding regarding the transition of governmental services related to said annexation.

PROPOSAL: The City of Fircrest proposes to annex the potential annexation area (PAA) through Interlocal Agreement with Pierce County as set forth in RCW 35A.14.460.

Fircrest's PAA is located along the southern boundary of the City and is identified in attachment 2. The area consists of 13 properties and is bordered by the City of Fircrest on the north, east, and west and the City of University Place on the south.

As part of the Interlocal Agreement annexation process, City and County staff met to negotiate on the annexation Interlocal Agreement and a Memorandum of Understanding which will guide the transition of governmental services as it relates to the annexation. Per the agreement, the City will assume responsibility for public services.

After the agreements are signed, staff will bring back an ordinance for the City Council to approve the annexation an effective date of at least 45 days after adoption.

FISCAL IMPACT: A minimal increase in property tax received (approximately \$7,500/yr). There is a minimal expectation of cost for providing services.

ADVANTAGE: The annexation would accomplish the goals set forth in the City of Fircrest Comprehensive Plan, Pierce County Countywide Policies, and the Growth Management Act. It would also even up our City boundary and give us control over the northern portion of 44th Street.

DISADVANTAGES: None are identifiable at this time.

ALTERNATIVES: None.

HISTORY: RCW 35A.14.460 allows a county to enter into an Interlocal Agreement with a city to annex an area within its potential annexation area (PAA) when at least sixty percent (60%) of the boundary of the area is contiguous with a city.

The City was approached by Pierce County planning staff in April 2016 to move forward with

annexation of the City's PAA as part of the County's goal to provide more efficient services by eliminating islands of unincorporated land. Both the Pierce County and City of Fircrest Comprehensive Plans designate the proposed area as Fircrest's PAA.

On July 18, 2016, the City Council held a study session expressing interest in annexing the area. On October 5, 2016, an informational outreach meeting was offered. Ten residents or owners attended. On October 25, 2016, the City Council passed a Resolution expressing the intent to annex the Fircrest PAA by Interlocal Agreement.

Staff has sent out notices to both property owners and tenants prior to all the meetings and an additional notice related to the proposed address changes. Staff has contacted the West Pierce Fire Department, which has no concerns at this time.

As governed by FMC 22.05, the Planning Commission conducted a public hearing on this matter and forwarded its recommendations to the City Council.

As required by RCW 35A.14.460, the proposed annexation agreement was published twice, on September 21, 2017 and September 28, 2017 in the Tacoma Daily Index.

The City Council held a public hearing on October 10, 2017.

ATTACHMENT: [Resolution](#)

**CITY OF FIRCREST
RESOLUTION NO. 1495**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, AUTHORIZING THE CITY MANAGER
TO EXECUTE AN INTERLOCAL AGREEMENT WITH PIERCE
COUNTY REGARDING THE ANNEXATION OF THE CITY'S
POTENTIAL ANNEXATION AREA SET FORTH IN REVISED CODE
OF WASHINGTON (RCW) 35A.14.460 AND AUTHORIZING THE
CITY MANAGER TO ENTER INTO A MEMORANDUM OF
UNDERSTANDING REGARDING THE TRANSITION OF
GOVERNMENTAL SERVICES RELATED TO SAID ANNEXATION.**

WHEREAS, *Vision 2040* includes a goal that unincorporated lands within urban growth areas will be annexed into existing cities; and

WHEREAS, the Pierce County Regional Council was created in 1992 by an Interlocal Agreement among the cities and towns of Pierce County and Pierce County, and charged with responsibilities, including, but not limited to: serving as a local link to the Puget Sound Regional Council, promoting intergovernmental cooperation, facilitating compliance with the Growth Management Act and the Multi-County Planning Policies, and developing a consensus among jurisdictions regarding the development and modification of the Countywide Planning Policies (CPPs); and

WHEREAS, the Pierce County CPPs are written policy statements that are to be used solely for establishing a countywide framework from which the County and County municipal comprehensive plans are developed and adopted; and

WHEREAS, the Pierce County CPPs identify unincorporated "islands" as the highest priority for annexation; and

WHEREAS, RCW 35A.14.460 allows Pierce County to enter into an Interlocal Agreement with a city to annex an area within its Potential Annexation Area (PAA) when at least sixty percent (60%) of the boundary of the area is contiguous with a city; and

WHEREAS, RCW 35A.14.460(1) allows either the legislative body of a county or code city to initiate an annexation process by adopting a resolution commencing negotiations for an Interlocal Agreement; and

WHEREAS, the City hosted, and county staff attended, a public open house on the proposed annexation on October 5, 2016; and

WHEREAS, the City of Fircrest City Council passed Resolution 1451 on October 25, 2016, directing City staff to negotiate an Interlocal Agreement with Pierce County to annex properties within its designated Potential Annexation Area; and

WHEREAS, the Planning Commission held a public hearing on September 5, 2017; and

WHEREAS, the Planning Commission adopted the following findings in support of approval of the proposed annexation:

1. The proposed annexation will be consistent with the goals, objectives and policies of the City of Fircrest Comprehensive Plan. The area is designated as a PAA on the Comprehensive Plan Land Use Designation Map and it is the goal of the Pierce County CPPs and Fircrest Comprehensive Plan that PAA unincorporated "islands" be annexed.

2. The proposed annexation will promote, rather than detract from, the public health, safety, morals and general welfare by incorporating the urban growth area into the City of Fircrest to better serve it with public facilities and services.

WHEREAS, RCW 35A.14.460 requires a public hearing to be held by each legislative body, separately or jointly, before the agreement is executed; and

WHEREAS, RCW 35A.14.460 requires that each legislative body holding a public hearing shall, separately or jointly, publish the agreement at least once a week for two weeks before the date of the hearing in one or more newspapers of general circulation within the territory proposed for annexation; and

WHEREAS, the proposed annexation agreement was published twice, on September 21, 2017 and September 28, 2017, in the Tacoma Daily Index; and

WHEREAS, the City Council held a public hearing on October 10, 2017; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FIRCREST:

Section 1. The City Manager is hereby authorized and directed to enter into an Interlocal Annexation Agreement, substantially in the same form as Exhibit A attached hereto and incorporated herein by reference, with Pierce County for the annexation of territory pursuant to RCW 35A.14.460.

Section 2. The City Manager is hereby authorized and directed to enter in a Memorandum of Understanding regarding the transition of governmental services associated with the Interlocal Annexation Agreement described above. Said Memorandum of Understanding, which is substantially in the form as shown in Exhibit B, is attached hereto and incorporated herein by reference.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON, at a regular meeting thereof this 10th day of October 2017.

APPROVED

Matthew Jolibois, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

Exhibit A

**ANNEXATION AGREEMENT BETWEEN
THE CITY OF FIRCREST
and
PIERCE COUNTY**

THIS INTERLOCAL AGREEMENT, hereinafter referred to as the “Agreement,” is entered into under the authority of Chapter 39.34 RCW and RCW 35A.14.460 as of the effective Date (defined in Section 4.13 below) by and between the City of Fircrest, a Washington municipal corporation (hereinafter referred to as the “City”) and Pierce County, a Washington municipal corporation (hereinafter referred to as the “County”), subject to the terms and conditions set forth herein.

RECITALS

WHEREAS, the County designated an Urban Growth Area for the City as required by the Growth Management Act (“GMA”), codified as RCW 36.70A;

WHEREAS, RCW 36.70A.110(7) states, “An urban growth area designated in accordance with this section may include within its boundaries...potential annexation areas designated for specific cities or towns within the county.”;

WHEREAS, the City is a non-charter code city incorporated under the Optional Municipal Code, codified as RCW 35A. and has authority under RCW 35A.14 to annex property within its urban growth area;

WHEREAS, the City desires to annex the designated Fircrest Potential Annexation Area (hereinafter referred to as “PAA”) into the City utilizing the annexation method provided in RCW 35A.14.460. The PAA is depicted for illustration purposes on Exhibit A attached hereto;

WHEREAS, the City has designated in its Comprehensive Plan its PAA located at 62nd Avenue West and 44th Street West;

WHEREAS, RCW 35A.14.460 allows the City of Fircrest and Pierce County to enter into an Interlocal Agreement to annex the City’s affiliated PAA when at least sixty percent (60%) of

the boundary of the area to be annexed are contiguous to the corporate boundary of the City and the area is within the City's PAA;

WHEREAS, the 62nd Avenue West and 44th Street West PAA is within the City's PAA, and more than sixty percent (60%) of its boundary is contiguous with the City of Fircrest's boundary;

WHEREAS, the City Council passed Resolution 1451 on October 25, 2016 directing City staff to negotiate an Interlocal Agreement with Pierce County to annex the PAA subject to this Agreement as required by RCW 35A.14.460(1);

WHEREAS, annexation of the PAA subject to this Agreement is exempt from compliance with the requirements of the State Environmental Policy Act pursuant to RCW 43.21C.222;

WHEREAS, the annexation ordinances provided for in RCW 35A.14.460 are subject to referendum within forty-five (45) days after adoption;

WHEREAS, after the expiration of the forty-fifth day from, but excluding the date of adoption of the annexation ordinance, if no timely and sufficient referendum petition has been filed, the area annexed shall become a part of the City of Fircrest;

WHEREAS, the City and County have published notice of adoption of this agreement as required by RCW 35A.14.460(3);

WHEREAS, the City will publish notice of the proposed effective date of the annexation, together with a description of the property to be annexed as required by RCW 35A.14.460(4);

WHEREAS, the Fircrest City Council has enacted Resolution Number _____ on _____ authorizing the City Manager to enter into this Agreement; and

WHEREAS, the Pierce County Council has enacted Ordinance Number _____ on _____ authorizing the County Executive to enter into this Agreement;

WHEREAS, the Fircrest City Council held a public hearing pursuant to RCW 35A.14.460(3) on _____, and the Pierce County Council held a public hearing on _____;

WHEREAS, the Fircrest City Council found that the proposed annexation is consistent with the City of Fircrest Comprehensive Plan;

NOW, THEREFORE, in consideration of the foregoing, the parties hereto agree as follows:

AGREEMENT

SECTION 1. ANNEXATION AREAS

1.1 Annexation. The County and City agree that the PAA identified in this Section shall be annexed into the City following the adopting of an ordinance by the City providing for such annexation pursuant to RCW 35A.14.460. The annexation date fixed by ordinance shall not be fewer than forty-five (45) days from the date of adoption of the ordinance pursuant to RCW 35A.14.460(4).

1.2 The 62nd Avenue West and 44th Street West PAA is legally defined as:

That portion of the Northeast quarter of the Southwest quarter of Section 14, Township 20 North, Range 2 East, Willamette Meridian, in Pierce County, Washington described as follows:

Beginning at Southwest corner of lot 7 of Mount Vista Terrace 3rd Addition as recorded under A.F.N 1907450 in said County; Thence South 30 feet on a projected line parallel to the West line of said lot, said point being on centerline of 44th Street West; Thence East along the centerline of said Street, to a point that is projected South and parallel to the West line of Fircrest Greens as recorded under A.F.N 200508255015 in said County; Thence North on said projected line for 30 feet to the Southwest corner of lot 11 of said plat; Thence continuing North on along said West line of said plat to the Northwest corner of lot 21, said West line is also being the City Limits of Fircrest as established by ordinance 668 dated 9/15/1974; Thence West along the South line of Martin and Haddows 1st Addition as recorded under A.F.N 2163963 in said County to the Southwest corner of lot 3 of said plat, said line also being the City limits of Fircrest as established by Ordinance 549 dated 6/15/1966; Thence South along the East line of Maitlands 4th Addition as recorded under A.F.N 2117682 to the Southeast corner of lot 13 of said plat, said line also being the City limits of Fircrest as established by Ordinance 531 dated 10/18/1965;

Thence West along said plat, and City limits line to the Northwest corner of lot 9 Mount Vista Terrace 3rd Addition as recorded under A.F.N 1907450 in said county, said point also being City Limits of Fircrest as established by ordinance 553 dated 8/10/1966; Thence South on the West line of lots 9, 8, and 7, said lines are also being the East line of said City Limits, to the Southwest corner of lot 7, and point of beginning.

SECTION 2. GOVERNMENTAL SERVICES

2.1 Transition of Governmental Services. The transition of governmental services is provided for in the *Annexation Memorandum of Understanding* as set forth in Exhibit B to Pierce County Ordinance No. _____.

SECTION 3. TERM

3.1 Duration. This Agreement shall remain in effect for five (5) years after the Annexation date unless terminated earlier in accordance with Section 3.2.

3.2 Termination.

3.2.1 Either party may terminate the Agreement upon ninety (90) days' advance written notice to the other party. Notwithstanding the expiration or earlier termination of the Agreement, the County and City shall remain responsible for fulfilling any outstanding obligations under this Agreement that were incurred prior to the date on which the Agreement expired or terminated.

3.2.2 This Agreement shall be terminated immediately if a referendum petition is filed within the allotted time period and the resulting annexation vote defeats the proposed annexation(s).

SECTION 4. GENERAL PROVISIONS

4.1 Notices, Demands and Communications. Formal notices, demands, and communications between the City and the County shall be sufficient if given and shall not be deemed given unless dispatched by certified mail, postage prepaid, returned receipt requested, or delivered personally, to the principal offices of the City and the County as follows:

City:
City Manager
City of Fircrest
115 Ramsdell Street
Fircrest, WA 98466

County:
Office of the Pierce County Executive
County-City Building
930 Tacoma Avenue South, Room 737
Tacoma, WA 98402

Director:
Pierce County Planning and Public Works
Public Services Building
2401 South 35th Street, Room 175
Tacoma WA 98409

4.2 Indemnification and Defense.

- 4.2.1** The City agrees to defend, indemnify and save harmless the County, its appointed and elected officers and employees, from and against all loss or expense, including but not limited to judgements, settlements, attorney's fees and costs by reason of any and all claims and demands upon the County, its elected or appointed officials or employees for damages because of personal or bodily injury, including death at any time resulting therefrom, sustained by any person or persons, and for damages to property including loss of use thereof, when such injury to persons or damage to property is due to the negligence of the City, its Subcontractors, its successor or assigns, or its or their agent, servants, or employees.
- 4.2.2** The County agrees to defend, indemnify and save harmless the City, its appointed and elected officers and employees, from and against all loss or expense, including but not limited to judgements, settlements, attorney's fees and costs by reason of any and all claims and demands upon the City, its elected or appointed officials or employees for damages because of personal or bodily injury, including death at any time resulting therefrom, sustained by any person or persons, and for damages to property including loss of use thereof, when such injury to persons or damage to property is due to the negligence of the County, its Subcontractors, its successor or assigns, its or their agent, servants, or employees.

4.2.3 Should Pierce County be determined liable for said damages caused by or resulting from the concurrent negligence of the County and the City. The City shall indemnify Pierce County only to the extent of the City's negligence, and Pierce County shall indemnify the City only to the extent of Pierce County's negligence.

4.2.4 In the event that one party defends the other, the defending party shall have the sole right to select legal counsel to defend against the claim, demand, or cause of action. In the event that defense is undertaken, the defending party shall be empowered to settle or compromise the claim, demand, or cause of action, and the defended party shall not interfere therewith, provided that if the defending party settles a claim, demand, or cause of action against the other party without that party's consent, the non-consenting party shall not be liable for any settlement or fees.

4.3 Amendments. This Agreement may be amended or modified in accordance with applicable laws, rules or regulations, and upon mutual consent of the parties, such mutual consent of the Parties shall be evidenced by a written amendment signed by the parties.

4.4 Rights Reserved. Nothing in this Agreement is intended to waive or limit the rights of the parties to require mitigation for any impact as allowed by federal, state, or local laws and ordinances including but not limited to environmental impacts governed by Chapter 43.21C RCW or mitigation fees governed by RCW 82.02.050.

4.5 Title of Parts and Sections. Any titles of the parts, sections, or subsections of this Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any part of its provisions.

4.6 Applicable Law. This Agreement shall be interpreted under and pursuant to the laws of the State of Washington.

4.7 Severability. If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions shall continue in full force and effect unless the rights and obligations of the parties have been materially altered or abridged by such invalidation, voiding, or unenforceability.

4.8 Legal Actions. In the event any legal action is commenced to interpret or to enforce the terms of this Agreement, or to collect damages as a result of any breach of the Agreement, the party prevailing in any such action shall be entitled to recover against the party not prevailing all reasonable attorneys' fees and costs incurred in the action.

4.9 Joint Board. This Interlocal Agreement does not establish or create a separate legal administrative entity, joint board, or joint budget authority to accomplish the purposes of the Agreement.

4.10 Recordation. Within ten (10) days after the effective date of this Agreement, the Clerk of the County Council shall have this Agreement recorded with the County Auditor/Recorder of Pierce County. In the alternative, the parties may mutually agree to post this Agreement electronically on their websites.

4.11 Execution of Other Documentation. The City and the County agree to execute any further documentation that may be necessary to carry out the intent and obligations under this Agreement.

4.12 Complete Understanding of the Parties. This Agreement is executed in two (2) duplicate originals, each of which is deemed to be an original. This Agreement consists of eight (8) pages and constitutes the entire understanding and agreement of the Parties.

4.13 Effective Date. The Effective Date of this Agreement shall be the date upon which the Agreement is approved by official action of the legislative bodies of each of the Parties, and the MOU is signed by the duly authorized representative of each of the Parties.

CITY OF FIRCREST

PIERCE COUNTY

City Manager

Bruce Dammeier
Pierce County Executive

By direction of the Fircrest City Council

in Open Public Meeting on _____

Dated: _____

Dated: _____

Authenticated by:

Attested by:

Fircrest City Clerk

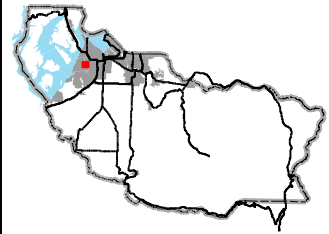
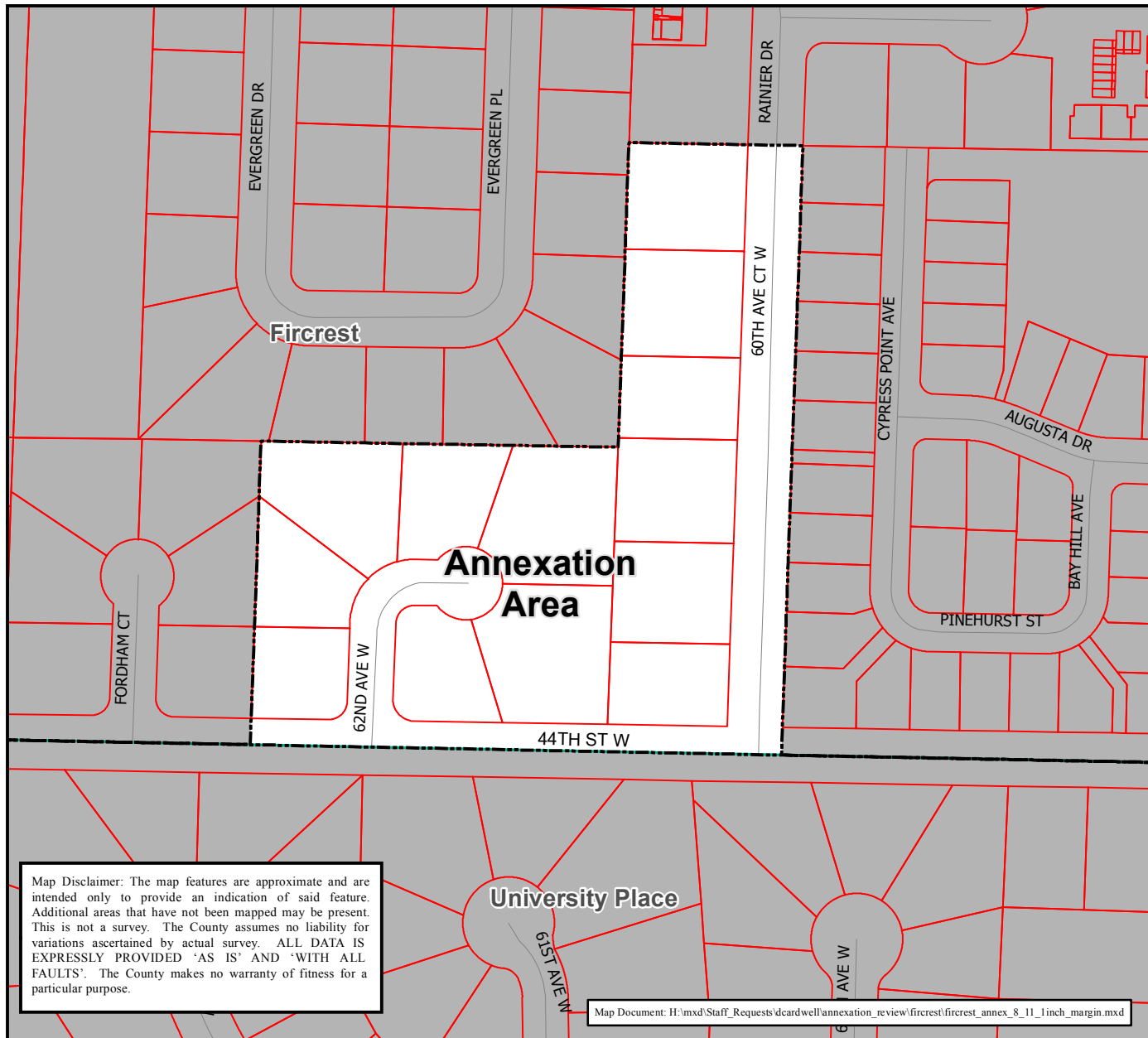
Pierce County Council Clerk



Approved as to Form:

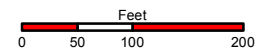
Approved as to Form:

City of Fircrest Attorney

Pierce County Attorney



-  Tax Parcels
-  Municipal Area



Plot Date: 5/22/2017

Map Disclaimer: The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED 'AS IS' AND 'WITH ALL FAULTS'. The County makes no warranty of fitness for a particular purpose.

Map Document: H:\mxd\Staff_Requests\dcardwell\annexation_review\fircrest\fircrest_annex_8_11_1inch_margin.mxd

Gzj kdk'C<
""O cr"

62nd Avenue West and 44th Street West PAA
ATR Parcel Listing
(8/11/17)

0220143021

0220143022

0220143025

0220143043

0220143064

0220143065

6155300070

6155300080

6155300090

6155300100

6155300110

6155300120

6155300130

Exhibit B

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE CITY OF FIRCREST

and

PIERCE COUNTY

, 2017



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Attachments

- A** 62nd Avenue West and 44th Street West PAA Legal Description
- B** Map Folio/Parcel Listing

**ANNEXATION MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF FIRCREST
and
PIERCE COUNTY**

THIS MEMORANDUM OF UNDERSTANDING, hereinafter referred to as the “MOU,” is made and entered as of the Effective Date (defined in Section 2.3 below) by and between the City of Fircrest, a Washington municipal corporation and political subdivision of the State of Washington (hereinafter referred to as the “City”) and Pierce County, a Washington municipal corporation and political subdivision of the State of Washington (hereinafter referred to as the “County”), subject to the terms and conditions set forth herein.

RECITALS

WHEREAS, the County designated an Urban Growth Area for the City as required by the Growth Management Act (“GMA”), codified as RCW 36.70A;

WHEREAS, RCW 36.70A.110(7) states, “An urban growth area designated in accordance with this section may include within its boundaries...potential annexation areas designated for specific cities or towns within the county.”;

WHEREAS, the City is a non-charter code city incorporated under the Optional Municipal Code, codified as RCW 35A. and has authority under RCW 35A.14 to annex property within its urban growth area;

WHEREAS, the City has designated in its Comprehensive Plan its Potential Annexation Area (“PAA”) located at 62nd Avenue West and 44th Street West;

WHEREAS, RCW 35A.14.460 allows the City and Pierce County to enter into an Interlocal Agreement to annex the City’s affiliated Potential Annexation Area (“PAA”) when at

least sixty percent (60%) of the boundary of the area to be annexed are contiguous to the corporate boundary of the City and the area is within the City's PAA;

WHEREAS, the 62nd Avenue West and 44th Street West PAA is within the City's PAA, and more than sixty percent (60%) of its boundary is contiguous with the City's boundary;

WHEREAS, the City Council passed Resolution 1451 on October 25, 2016 directing City staff to negotiate an Interlocal Agreement with Pierce County to annex the Potential Annexation Area subject to this MOU as required by 35A.14.460(1);

WHEREAS, Multi-County Planning Policy MPP-DP-19 states, "[S]upport joint planning between cities and counties to work cooperatively in planning for urban unincorporated areas to ensure an orderly transition to city governance, including efforts such as: (a) establishing urban development standards, (b) addressing service and infrastructure financing, and (c) transferring permitting authority;"

WHEREAS, annexation of the Potential Annexation Area is exempt from compliance with the requirements of the State Environmental Policy Act pursuant to RCW 43.21C.222;

WHEREAS, the annexation ordinance provided for in RCW 35A.14.460 is subject to referendum within forty-five (45) days after adoption;

WHEREAS, upon the filing of a timely and sufficient referendum petition with the legislative body, signed by registered voters representing not less than fifteen percent (15%) of the votes cast in the last general state election in the area to be annexed, the question of annexation shall be submitted to voters of the area in a general election if one is to be held within ninety (90) days or at a special election called for that purpose;

WHEREAS, after the expiration of the forty-fifth day from, but excluding the date of adoption of the annexation ordinance, if no timely and sufficient referendum petition has been filed, the area annexed shall become a part of the City of Fircrest;

WHEREAS, the Fircrest City Council has enacted Resolution Number _____ on _____ authorizing the City Manager to enter into this MOU;

WHEREAS, the Pierce County Council has enacted Ordinance Number _____ on _____ authorizing the County Executive to enter into this Memorandum of Understanding; **NOW, THEREFORE**, in consideration of the foregoing, the Parties hereto agree as follows:

SECTION 1. PURPOSE

1.1 Purpose. The purpose of this MOU is to set forth the terms of the Parties' agreement for the transition of governmental services from Pierce County to the City of Fircrest related to the City's annexation of the 62nd Avenue West and 44th Street West PAA. The Parties anticipate formulating a more definitive and enforceable Interlocal Annexation Agreement in conjunction with this MOU.

SECTION 2. DEFINITIONS

2.1 Affected Project. All projects within the PAA that are subject to the Notice of Application requirements of RCW 36.70B.110, or subject to review under the State Environmental Policy Act (SEPA).

2.2 Annexation Date. The annexation date shall be the date fixed by ordinance and shall not be fewer than forty-five (45) days from the date of adoption of the ordinance

2.3 Effective Date. The Effective Date of this MOU shall be the date upon which the MOU is approved by official action of the legislative bodies of each of the Parties, and the MOU is signed by the duly authorized representative of each of the Parties.

2.4 Development Regulations. The controls, requirements, and limitations placed on development, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, stormwater requirements, transportation requirements, SEPA ordinances, and subdivision ordinances.

2.5 PCC. Pierce County Code. The PCC no longer applies to the annexed area as of the Annexation Date except as to those matters the County retains in accordance with Sections 5, 6, and 7.

2.6 Potential Annexation Area (PAA). An area within the designated urban growth area, which has been identified as being appropriate for annexation. For this MOU, reference to a PAA(s) encompasses the areas as described in Section 3. Annexation Areas (the 62nd Avenue West and 44th Street West PAA).

2.7 Working Day. Every day is considered a “working day” unless it is considered a nonworking day. Nonworking days are all Saturdays, all Sundays, all of the following holidays: the third Monday of January, the third Monday of February, Memorial Day, July 4th, Labor Day, November 11th, Thanksgiving Day, the day after Thanksgiving, and the days between the time period starting on December 24th and concluding on January 1st. When any of the holidays fall on a Sunday, the following Monday shall be considered a nonworking day. When any of the holidays fall on a Saturday, the preceding Friday shall be considered a nonworking day.

SECTION 3. ANNEXATION AREAS

3.1 Annexation. This MOU shall apply to the Potential Annexation Area (PAA) discussed in this Section, annexed into the City following the entering into such annexation agreement and adoption of an ordinance by the City providing for such annexation pursuant to RCW 35A.14.460.

3.2 62nd Avenue West and 44th Street West PAA.

3.2.1 Boundaries. A legal description of the boundaries of this PAA is provided in Attachment A. A graphical illustration of this area is provided on Map 1 in the Map Folio included as Attachment B.

3.2.2 Size. The area is comprised of 13 parcels and road right-of-way totaling approximately 5.8 acres.

SECTION 4. CRIMINAL JUSTICE SERVICES

4.1 General. Currently, Pierce County is responsible for criminal justice services (e.g. law enforcement, jail services, and court and prosecution services) within the PAA. The City would assume responsibility for criminal justice service upon annexation as provided in this section.

4.2 Police Services. On the Annexation Date, police service responsibility within the PAA will be transferred to the City. The County will be responsible for all criminal cases and investigations for crimes that occurred before the Annexation Date, including but not limited to, all costs associated with these cases and investigations. The City will be responsible for all criminal cases and investigations for crimes that occurred on or after the Annexation Date, including but not limited to all costs associated with these cases and investigations. The City's Chief of Police and the Pierce County Sheriff will work together to ensure a smooth transition plan.

4.3 Court and Prosecution Services. The County will be responsible for the court expenses, prosecution, and payment of any fees or assessments associated with misdemeanor criminal offenses that occur within the PAA prior to the Annexation Date. The City will be responsible for the court expenses, prosecution, and payment of any fees or assessments associated with misdemeanor criminal offenses that occur within the PAA on or after the Annexation Date.

4.4 Jail Services. Pierce County will be responsible for the incarceration of adult offenders found to have committed a misdemeanor or gross misdemeanor within the PAA before the Annexation Date. The City will be responsible for the incarceration of adult offenders found to have committed a misdemeanor or gross misdemeanor within the PAA on or after the Annexation Date.

SECTION 5. BUILDING AND LAND USE PERMITTING

5.1 General. The Parties agree that Pierce County Planning and Public Works (PPW) shall continue to review and approve all project permits for development proposals within the PAA

under the Development Regulations adopted by the County until the Annexation Date as provided in this Section.

5.2 Consultation. Following the Effective Date of this MOU, the County agrees to consult with the City on Affected Projects as provided in Section 9.

5.3 Building Permits. The County shall be responsible for completing the processing for all building permit applications and associated permits for properties within the PAA submitted to the County and deemed complete prior to the Annexation Date as provided below:

5.3.1 For the purpose of this Section, associated permits include mechanical, plumbing, fire suppression, stormwater, and road approach/curb cut permits for the underlying building permit.

5.3.2 Sign permits are not associated permits. The County will only complete sign permits submitted to the County prior to the Annexation Date.

5.3.3 Building permits and associated permits for homes within plats or short plats that have not received final plat approval prior to the Annexation Date shall be processed consistently with the terms of Section 5.4.

5.3.4 The County shall be responsible for defending and processing all appeals of building permits and other related permits issued by the County prior to and after the Annexation Date.

5.3.5 For the purpose of this Section, “complete” shall mean the final administrative or quasi-judicial approval, including final inspection and issuance of an occupancy permit.

5.4 Plats and Short Plats. The County shall be responsible for completing the processing for plats and short plat applications for properties within the PAA submitted to the County prior to the Annexation Date as provided below:

- 5.4.1** The County agrees to complete the review process through the phase (e.g. preliminary, civil, and final) that is pending on the Annexation Date and then turn the application over to the City for further processing.
- 5.4.2** The County agrees to complete associated permits filed either before or after the Annexation Date that are necessary to complete the current phase of the plat or short plat application that remains under the County's review as provided in Section 5.4.1 of this MOU.
- 5.4.3** For the purpose of Section 5.4, associated permits include shoreline permits, variances, site development, forest practice permits, civil permits, right-of-way permits, critical area permits, and reviews under the State Environmental Policy Act (SEPA).
- 5.4.4** For the purpose of Section 5.4, "complete" means the final administrative or quasi-judicial approval.
- 5.4.5** All building permits and associated permits as defined in Section 5.3 for homes within in a new subdivision shall be submitted to the City after the Annexation date.

5.5 Other Land Use Permits. The County shall be responsible for completing the processing for all other land use permit applications for properties within the PAA submitted to the County prior to the Annexation Date as provided below:

- 5.5.1 Definition of Land Use Permits.** For the purpose of Section 5.5, other land use permits include nonconforming use permits, conditional use permits, shoreline permits, variances, site development, forest practice permits, critical area permits, and reviews under the State Environmental Policy Act (SEPA).
- 5.5.2 Plats or Short Plats.** Other land use permits associated with plats or short plats shall be processed consistently with the terms of Section 5.4.

5.5.3 Definition of Complete. For the purpose of Section 5.5, “complete” means the final administrative or quasi-judicial approval, including final inspection and issuance of an occupancy permit.

5.6 Accepting County Conditions. Following annexation and transfer of a development application to the City for handling, the conditions of approval for all building and land use permits and preliminary plat applications in the annexed area will continue to apply as required by law.

5.7 Permit Fees. In order to cover the cost of processing building and land use permits submitted to the County prior to the Annexation Date, the County is authorized to collect fees for those permits after the Annexation Date. The County is further authorized to retain fees collected by the County for permits submitted to the County prior to the Annexation Date.

5.8 Permit Extensions. The County agrees to grant extension requests for permits discussed in Section 5 of this MOU only when construction authorized by the underlying permit is underway by the Annexation Date, or if the County approved the permit and issued the permit prior to the Annexation Date. The County further agrees that the County will not reactivate expired building permits and/or associated permits.

5.9 Appeals. The County shall be responsible for defending all administrative, quasi-judicial, or Land Use Petition Act appeals for land use decisions issued by the County prior to and after the Annexation Date.

5.10 Tracking of County Retained Permits. Upon the City’s written request and within the time period to which the Parties agree the County shall provide the City a list of all building and land use permit applications that are still pending, under review, or issued but not yet finalized. This list shall include the project number assigned by the County, parcel number, a brief description of the project, current status, and expiration date of the permit. The County shall provide the City an update as requested by the City until all permits on the list have either been finalized, expired, or otherwise completed.

SECTION 6. CODE ENFORCEMENT

6.1 General. On the Annexation Date, code enforcement responsibility within the PAA will be transferred to the City.

6.2 Code Enforcement Cases. The County shall provide the City a list of all pending code enforcement cases within thirty (30) days of the Effective Date of this MOU. Pierce County shall close these cases as of the Annexation Date. The City, at its sole discretion, may pursue any code enforcement action originally initiated by the County.

SECTION 7. ROAD FUNDS

7.1 County Road Taxes. In accordance with RCW 35A.14.801, the County shall distribute to the City those portions of the non-delinquent road district taxes, which the road district levied in 2017 for the PAA.

7.2 Transportation Benefit District. On December 2, 2014, Pierce County adopted Ordinance 2014-28 establishing a Transportation Benefit District (TBD), which encompassed all of the unincorporated areas of Pierce County at the time of the establishment of the TBD. Ordinance 2014-28 is silent as to how the annexation would affect the boundaries of the TBD. Therefore, the County will review this issue and consider options to forward to the TBD Governing Board to address the impact of annexations on the boundaries of the TBD.

SECTION 8. TRANSFER OF DOCUMENTS

8.1 County Records to be Transferred. Prior to and after the Annexation Date and upon the City's reasonable written request, the County will provide the City copies of requested County records (except for privileged documents) from the County Planning and Public Works Department pertaining to the transfer of jurisdictions, services, land use permitting from the County to the City. Such records may include but are not limited to the following:

8.1.1 Building Permit Records. Building permit files for properties within the PAA.

8.1.2 Public and Private Stormwater Facilities. Records, including, but not limited to maintenance files, illicit discharge notices, drainage or water quality complaints, and capital improvement plans.

8.1.3 Transportation Facilities. Records including but not limited to, traffic count data, sign inventory, road maintenance, payment and sidewalk condition, street and traffic light location information, and as built drawings.

SECTION 9. CONSULTATION

9.1 General. The Parties agree that any time the words “consult”, “confer”, or “consultation” are used in this MOU, that the word is referencing the process provided in this Section regardless if this Section is specifically identified in the text of the MOU.

9.2 Consultation. The Parties agree that the following is the minimum required for consultation:

9.2.1 Notice. The County shall consider the City a party of record for all Affected Projects, and provide the City with the Notices of Application, Hearing, and Decision within the timeframes required by Chapter 36.70B RCW.

9.2.2 Materials. Upon request of the City, the County will provide within ten (10) working days to the City paper or electronic copies of all of the materials in its possession that were submitted as part of the permit application for which the City received a notice under Section 5.3.1.

9.2.3 Comments. The City shall provide written comments and any requested mitigation measures within twenty-eight (28) working days of the receipt of the materials identified in section 9.2.2. The County shall provide a written response to the City within twenty-eight (28) working days from the date of receipt of the City’s comment letter.

9.2.4 Subsequent Submittals. The Parties agree that if the City previously requested copies under Section 9.2.2 and/or provided comments under Section 9.2.3, the County shall automatically provide to the City within ten (10) working days all additional or resubmitted materials for that Affected Project. The City shall provide written comments and any requested mitigation measures within twenty-one (21) working days of the receipt of the subsequent submittals. The County shall provide a written response to the City within twenty-one (21) working days from the date of receipt of the City's comment letter. This process shall be repeated for all subsequent submittals for an Affected Project.

9.2.5 Technical Review Meetings. The County shall provide the City notice at least seven (7) days prior to any technical review meetings for Affected Projects. The City shall be allowed and encouraged to attend all building permit pre-construction conferences and/or technical review meetings for Affected Projects.

9.2.6 Project Conditions of Approval and Mitigation. The Parties agree to negotiate in good faith to jointly identify conditions of approval and/or mitigation measures for an Affected Project. Final approval will remain with the jurisdiction having regulatory authority at the time of project review and approval.

SECTION 10. TERM

10.1 Duration. This MOU shall remain in effect for five (5) years after the Annexation Date unless terminated earlier in accordance with Section 10.2.

10.2 Termination.

10.2.1 Either Party may terminate the MOU upon ninety (90) days' advance written notice to the other Party. Notwithstanding the expiration or earlier

termination of the MOU, the County and City shall remain responsible for fulfilling any outstanding obligations under this MOU that were incurred prior to the date on which the MOU expired or terminated.

10.2.2 This MOU shall be terminated immediately if a referendum petition is filed within the allotted time period and the resulting annexation vote defeats the proposed annexation(s).

SECTION 11. GENERAL PROVISIONS

11.1 Notices, Demands, and Communications. Formal notices, demands, and communications between the City and the County shall be sufficient if given and shall not be deemed given unless dispatched by certified mail, postage prepaid, returned receipt requested, or delivered personally, to the principal offices of the City and the County as follows:

City:

City Manager
City of Fircrest
115 Ramsdell Street
Fircrest, WA 98466
Phone (253)566-8901

County:

Office of the Pierce County Executive
County-City Building, Room 737
930 Tacoma Avenue South
Tacoma, WA 98402
Phone (253) 798-7477

Director:

Pierce County Planning and Public Works
Public Services Building
2401 South 35th Street, Room 175
Tacoma WA 98409
Phone (253) 798-7210

11.2 Indemnification and Defense.

11.2.1 The City agrees to defend, indemnify and save harmless the County, its appointed and elected officers and employees, from and against all loss or expense, including but not limited to judgements, settlements, attorney's fees and costs by reason of any and all claims and demands upon the

County, its elected or appointed officials or employees for damages because of personal or bodily injury, including death at any time resulting therefrom, sustained by any person or persons, and for damages to property including loss of use thereof, when such injury to persons or damage to property is due to the negligence of the City, its Subcontractors, its successor or assigns, or its or their agent, servants, or employees.

11.2.2 The County agrees to defend, indemnify and save harmless the City, its appointed and elected officers and employees, from and against all loss or expense, including but not limited to judgements, settlements, attorney's fees and costs by reason of any and all claims and demands upon the City, its elected or appointed officials or employees for damages because of personal or bodily injury, including death at any time resulting therefrom, sustained by any person or persons, and for damages to property including loss of use thereof, when such injury to persons or damage to property is due to the negligence of the County, its Subcontractors, its successor or assigns, its or their agent, servants, or employees.

11.2.3 In the event of liability for damages of any nature whatsoever arising out of the performance of this MOU by the City and the County, including claims by the City or the County's own officers, officials, employees, agents, volunteers, or third parties, caused by or resulting from the concurrent negligence of the County and the City their officers, officials, employees and volunteers, each party's liability hereunder shall only be to the extent of that party's negligence.

11.2.4 In the event that one Party defends the other, the defending Party shall have the sole right to select legal counsel to defend against the claim, demand, or cause of action. In the event that defense is undertaken, the defending Party shall be empowered to settle or compromise the claim, demand, or cause of action, and the defended Party shall not interfere therewith, provided that if

the defending Party settles a claim, demand, or cause of action against the other Party without that Party's consent, the non-consenting Party shall not be liable for any settlement or fees.

11.3 Amendments. This MOU may be amended or modified in accordance with applicable laws, rules or regulations, and upon mutual consent of the Parties, such mutual consent of the Parties shall be evidenced by a written amendment signed by the Parties.

11.4 Rights Reserved. Nothing in this MOU is intended to waive or limit the rights of the Parties to require mitigation for any impact as allowed by federal, state, or local laws and ordinances including but not limited to environmental impacts governed by Chapter 43.21C RCW or mitigation fees governed by RCW 82.02.050.

11.6 Title of Parts and Sections. Any titles of the parts, sections, or subsections of this MOU are inserted for convenience of reference only and shall be disregarded in construing or interpreting any part of its provisions.

11.7 Applicable Law. This MOU shall be interpreted under and pursuant to the laws of the State of Washington.

11.8 Severability. If any term, provision, covenant, or condition of this MOU is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions shall continue in full force and effect unless the rights and obligations of the Parties have been materially altered or abridged by such invalidation, voiding, or unenforceability.

11.9 Legal Actions. In the event any legal action is commenced to interpret or to enforce the terms of this MOU, or to collect damages as a result of any breach of the MOU, the Party prevailing in any such action shall be entitled to recover against the Party not prevailing all reasonable attorneys' fees and costs incurred in the action.

11.10 Joint Board. This MOU does not establish or create a separate legal administrative entity, joint board, or joint budget authority to accomplish the purposes of the MOU.

11.11 Recordation. Within ten (10) days after the effective date of this MOU, the Clerk of the County Council shall have this MOU recorded with the County Auditor/Recorder of Pierce County. In the alternative, the Parties may mutually agree to post this MOU electronically on their websites.

11.12 Execution of Other Documentation. The City and the County agree to execute any further documentation that may be necessary to carry out the intent and obligations under this MOU.

11.13 Complete Understanding of the Parties. This MOU is executed in two (2) duplicate originals, each of which is deemed to be an original. This MOU consists of 17 pages and two (2) attachments, and constitutes the entire understanding and agreement of the Parties.

CITY OF FIRCREST

PIERCE COUNTY

Interim City Manager

Bruce Dammeier
Pierce County Executive

By direction of the Fircrest City Council

in Open Public Meeting on _____

Dated: _____

Dated: _____

Authenticated by:

Attested by:

Fircrest City Clerk

Pierce County Council Clerk

Approved as to Form:

Approved as to Form:

City of Fircrest Attorney

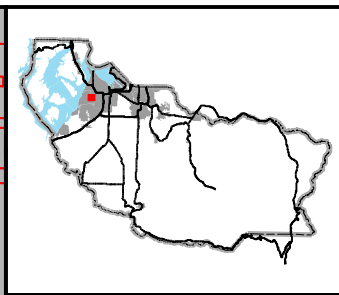
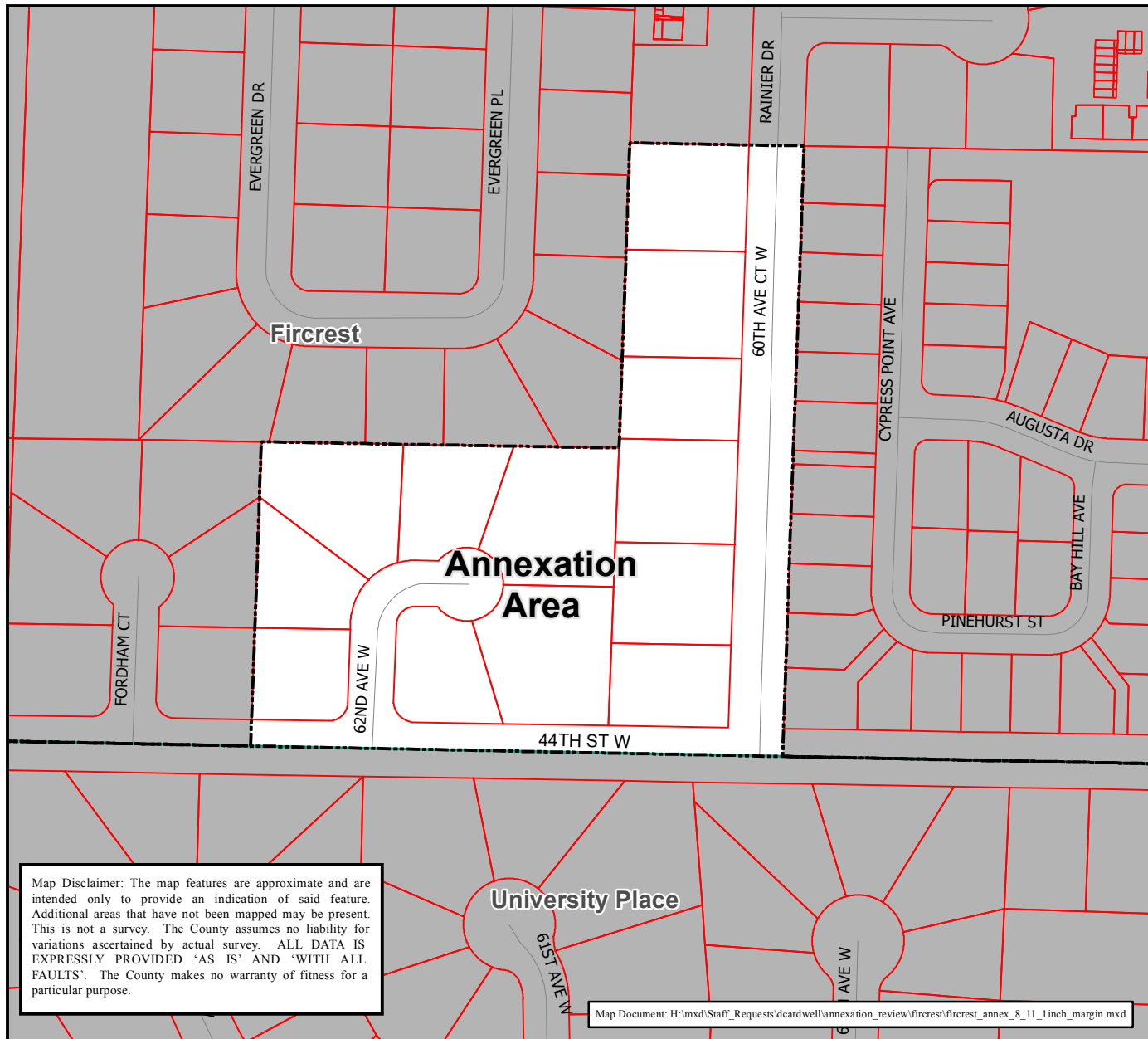
Pierce County Attorney



Attachment A

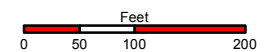
62nd Avenue West and 44th Street West PAA Legal Description

That portion of the Northeast quarter of the Southwest quarter of Section 14, Township 20 North, Range 2 East, Willamette Meridian, in Pierce County, Washington described as follows:

Beginning at Southwest corner of lot 7 of Mount Vista Terrace 3rd Addition as recorded under A.F.N 1907450 in said County; Thence South 30 feet on a projected line parallel to the West line of said lot, said point being on centerline of 44th Street West; Thence East along the centerline of said Street, to a point that is projected South and parallel to the West line of Fircrest Greens as recorded under A.F.N 200508255015 in said County; Thence North on said projected line for 30 feet to the Southwest corner of lot 11 of said plat; Thence continuing North on along said West line of said plat to the Northwest corner of lot 21, said West line is also being the City Limits of Fircrest as established by ordinance 668 dated 9/15/1974; Thence West along the South line of Martin and Haddows 1st Addition as recorded under A.F.N 2163963 in said County to the Southwest corner of lot 3 of said plat, said line also being the City limits of Fircrest as established by Ordinance 549 dated 6/15/1966; Thence South along the East line of Maitlands 4th Addition as recorded under A.F.N 2117682 to the Southeast corner of lot 13 of said plat, said line also being the City limits of Fircrest as established by Ordinance 531 dated 10/18/1965; Thence West along said plat, and City limits line to the Northwest corner of lot 9 Mount Vista Terrace 3rd Addition as recorded under A.F.N 1907450 in said county, said point also being City Limits of Fircrest as established by ordinance 553 dated 8/10/1966; Thence South on the West line of lots 9, 8, and 7, said lines are also being the East line of said City Limits, to the Southwest corner of lot 7, and point of beginning.



-  Tax Parcels
-  Municipal Area



Plot Date: 5/22/2017

Attachment B: Map Folio

Map Disclaimer: The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED 'AS IS' AND 'WITH ALL FAULTS'. The County makes no warranty of fitness for a particular purpose.

Map Document: H:\mxd\Staff_Requests\dcardwell\annexation_review\fircrest\fircrest_annex_8_11_1_inch_margin.mxd

62nd Avenue West and 44th Street West PAA
ATR Parcel Listing
(8/11/17)

0220143021

0220143022

0220143025

0220143043

0220143064

0220143065

6155300070

6155300080

6155300090

6155300100

6155300110

6155300120

6155300130