

**FIRCREST CITY COUNCIL
REGULAR MEETING AGENDA**

**TUESDAY, OCTOBER 24, 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**
- 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. Water, Sewer, Storm
 - B. Street, Facilities, Equipment
 - C. Public Safety, Court
 - D. Pierce County Regional Council
- 7. CONSENT CALENDAR**
 - A. Approval of [vouchers](#)/payroll checks
 - B. Approval of minutes: [October 2, 2017 Special Meeting](#)
[October 5, 2017 Special Meeting](#)
 - C. Rescheduling a public hearing from October 24, 2017 to November 14, 2017 to receive comments on amendments to Fircrest Comprehensive Plan and Pre-annexation Designations.
- 8. PUBLIC HEARING 7:15 P.M.**
 - A. [Preliminary 2018 Budget Expenditures](#)
 - B. [Amendments to FMC Sections 22.58](#), including short-term rental establishments, home occupations, outdoor storage of vehicles and Chapter 22.98 Definitions
- 9. UNFINISHED BUSINESS**
- 10. NEW BUSINESS**
 - A. Presentation: Pierce Transit Update: Board Commissioner Nancy Henderson
 - B. [Motion: Liquor License Renewal](#) – Sammy's Pizza
 - C. [Motion: Liquor License Renewal](#) – Rollin 253
 - D. [Resolution: Interagency Agreement with WA Traffic Safety Commission](#)
 - E. [Resolution: Amending City Council Rules of Procedures](#) – Consent Calendar
 - F. [Motion: City Manager Employment Agreement](#)
- 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

ACCOUNTS PAYABLE

City Of Fircrest
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Accts

Pay #	Received	Date Due	Vendor	Amount	Memo
15024	10/24/2017	10/24/2017	4298	AWC Employee Benefit	607.23 Nov 2017
	521 22 20 01	LEOFF I Medical Premium	001 000 521 General Fund	607.23	Nov 2017 Retired Medical
15068	10/19/2017	10/24/2017	7766	Bartanen, Michael	268.61 04-01280.1 - 968 ALTADENA DR
	343 10 00 00	Storm Drain Fees & Charge	415 000 340 Storm Drain	-55.08	
	343 40 00 00	Sale Of Water	425 000 340 Water Fund (de	-64.13	
	343 50 00 00	Sewer Revenues	430 000 340 Sewer Fund (de	-149.40	
15067	10/19/2017	10/24/2017	3173	Berry, George	10.43 07-02360.1 - 1440 ALAMEDA AVE
	343 40 00 00	Sale Of Water	425 000 340 Water Fund (de	7.44	
	343 50 00 00	Sewer Revenues	430 000 340 Sewer Fund (de	-17.87	
15065	10/19/2017	10/24/2017	7672	Brynstad, Barton	15.63 01-01670.1 - 348 SUMMIT AVE
	343 10 00 00	Storm Drain Fees & Charge	415 000 340 Storm Drain	-5.11	
	343 40 00 00	Sale Of Water	425 000 340 Water Fund (de	-5.72	
	343 50 00 00	Sewer Revenues	430 000 340 Sewer Fund (de	-4.80	
14997	10/24/2017	10/24/2017	284	Bucholz, Kathleen M	29.50 1/2 Library 2017
	572 21 49 00	Library Services	001 000 572 General Fund	29.50	1/2 Library 2017 / Kathleen Bucholz
15010	10/24/2017	10/24/2017	362	Campbell, Erin	24.28 DMCMA 2017 Fall Training / Mileage
	512 50 43 00	Travel - Court	001 000 512 General Fund	24.28	DMCMA 2017 Fall Training / Mileage - Erin Campbell (10/04/17) SeaTac, WA
15050	10/24/2017	10/24/2017	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 / 30 Rolls)
15055	10/24/2017	10/24/2017	3994	CenturyLink	61.36 Public Works Fax
	531 50 42 00	Communication - Storm	415 000 531 Storm Drain	15.34	Public Work Fax - Storm
	534 10 42 00	Communication - Water	425 000 534 Water Fund (de	15.34	Public Work Fax - Water
	535 10 42 01	Communication - Sewer	430 000 535 Sewer Fund (de	15.34	Public Work Fax - Sewer
	542 30 42 00	Communication - Street	101 000 542 City Street Fun	15.34	Public Work Fax - Street
15056	10/24/2017	10/24/2017	3994	CenturyLink	64.94 Parks Primary 911
	576 80 42 00	Communication - Parks	001 000 576 General Fund	64.94	Parks Primary 911
15057	10/24/2017	10/24/2017	3994	CenturyLink	126.78 Direct Inward Dial - City Hall
	518 10 42 00	Communication - Non Dep	001 000 518 General Fund	126.78	Direct Inward Dial - City Hall
15058	10/24/2017	10/24/2017	3994	CenturyLink	126.35 Police BA Machine / Modem

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	521 22 42 00	Communication - Police	001 000 521 General Fund	126.35	Police BA Machine / Modem
14998	10/24/2017	10/24/2017	5774 Cheng, Kenneth	59.00	1 Yr Library 2017
	572 21 49 00	Library Services	001 000 572 General Fund	59.00	1 Yr Library 2017 / Shelae Cheng
14991	10/24/2017	10/24/2017	4324 City Treasurer-City of Tacoma	51,920.41	Nov 2017 Fire / EMS
	522 20 50 00	Tacoma Contract - Fire	001 000 522 General Fund	25,065.66	Nov 2017 Fire
	522 20 51 00	Tacoma Contract - EMS	001 000 522 General Fund	26,854.75	Nov 2017 EMS
15027	10/24/2017	10/24/2017	4318 City of Fircrest Treasurer	10,279.24	Oct 2017 Interfund
	518 30 47 00	Public Utility Services - Ci	001 000 518 General Fund	740.98	
	531 50 47 02	Public Utility Services/Bldg	415 000 531 Storm Drain	276.64	
	531 50 47 03	Public Utility Services/Met	415 000 531 Storm Drain	9.32	
	534 10 47 00	Utility Services/Building -	425 000 534 Water Fund (de	276.64	
	534 80 47 01	Utility Services/Pumping	425 000 534 Water Fund (de	434.91	
	534 80 47 03	Public Utility Services/Met	425 000 534 Water Fund (de	4.70	
	535 10 47 00	Utility Services/Building -	430 000 535 Sewer Fund (de	276.64	
	535 80 47 04	Public Utility Services/Met	430 000 535 Sewer Fund (de	4.70	
	542 30 47 02	Electricity & Gas/Bldg - St	101 000 542 City Street Fun	2.02	
	542 30 47 02	Electricity & Gas/Bldg - St	101 000 542 City Street Fun	276.65	
	542 80 47 00	Public Utility Services-St E	101 000 542 City Street Fun	267.34	
	548 65 47 00	Utilities ShopGarage	501 000 548 Equipment Ren	29.20	
	576 20 47 00	Public Utility Services - Po	001 000 576 General Fund	1,802.11	
	576 80 47 00	Public Utility Services - Pa	001 000 576 General Fund	5,877.39	
15042	10/24/2017	10/24/2017	4322 City of Tacoma - Utilities	8,732.07	Power / Various Locations
	518 30 47 00	Public Utility Services - Ci	001 000 518 General Fund	523.95	
	531 50 47 02	Public Utility Services/Bldg	415 000 531 Storm Drain	94.85	
	534 10 47 00	Utility Services/Building -	425 000 534 Water Fund (de	94.85	
	534 80 47 01	Utility Services/Pumping	425 000 534 Water Fund (de	3,278.49	
	535 10 47 00	Utility Services/Building -	430 000 535 Sewer Fund (de	94.86	
	535 80 47 01	Utility Services/Pumping	430 000 535 Sewer Fund (de	911.73	
	542 30 47 02	Electricity & Gas/Bldg - St	101 000 542 City Street Fun	94.85	
	542 30 47 03	Electricity/Traffic Lights	101 000 542 City Street Fun	40.65	
	542 63 47 00	Electricity/Street Lights	101 000 542 City Street Fun	2,063.32	
	548 65 47 00	Utilities ShopGarage	501 000 548 Equipment Ren	40.29	
	576 80 47 00	Public Utility Services - Pa	001 000 576 General Fund	1,494.23	
14990	10/24/2017	10/24/2017	3565 Comfort Davies & Smith	6,560.00	Sept 2017
	515 30 41 01	City Attorney	001 000 515 General Fund	1,525.20	Sept 2017 - Administration
	515 30 41 03	City Prosecutor	001 000 515 General Fund	5,034.80	Sept 2017 - Court, Police
15011	10/24/2017	10/24/2017	3572 Consolidated Electrical Distributors	31.27	Compact Fluorescent Lamps, Light Tubes

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	518 30 31 04 Oper Sup/CH		001 000 518 General Fund	31.27	Compact Fluorescent Lamps (4), Light Tubes (4) - City Hall
15012	10/24/2017	10/24/2017	3572	Consolidated Electrical Distributors	88.54 Light Bulbs
	518 30 31 04 Oper Sup/CH		001 000 518 General Fund	88.54	100 Watt Light Bulbs (6), 400 Watt Light Bulbs (2) - City Hall
15013	10/24/2017	10/24/2017	3572	Consolidated Electrical Distributors	73.22 Photocells (105-305 Volt Photocontrols)
	542 63 31 00 Oper Supplies - Street Ligh		101 000 542 City Street Fun	73.22	Photocells (7) - Street Lights
15014	10/24/2017	10/24/2017	7802	Core & Main LP	1,507.17 Neptune Direct Read Meters (Quantity: 20)
	534 50 31 01 Oper Supplies - Water Mai		425 000 534 Water Fund (de	1,507.17	Neptune Direct Read Meters (Quantity: 20)
15066	10/19/2017	10/24/2017	2323	Crawford, Roderick	74.10 05-00380.1 - 1046 BUENA VISTA AVE
	343 10 00 00 Storm Drain Fees & Charge		415 000 340 Storm Drain	-15.19	
	343 40 00 00 Sale Of Water		425 000 340 Water Fund (de	-17.70	
	343 50 00 00 Sewer Revenues		430 000 340 Sewer Fund (de	-41.21	
14999	10/24/2017	10/24/2017	15	Crippen, Kathy	59.00 1 Yr Library 2017
	572 21 49 00 Library Services		001 000 572 General Fund	59.00	1 Yr Library 2017 / Kathy Crippen
15015	10/24/2017	10/24/2017	3589	Databar Inc	697.87 Town Topics Newsletter (Oct 2017)
	518 10 49 01 Town Topics		001 000 518 General Fund	697.87	Town Topics Newsletter (Oct 2017)
15059	10/24/2017	10/24/2017	4310	Dept Of Revenue-EXCISE TAX	411.10 Sept 2017 Excise Tax
	521 22 49 05 Reimbursable Programs		001 000 521 General Fund	17.41	
	531 50 53 00 Excise Tax - Storm		415 000 531 Storm Drain	17.60	
	534 10 53 00 Excise Tax - Water		425 000 534 Water Fund (de	34.61	
	535 10 53 00 Excise Tax - Sewer		430 000 535 Sewer Fund (de	70.73	
	571 10 31 03 Youth Supplies		001 000 571 General Fund	22.78	
	576 20 53 00 Excise Tax - Pool Revenue		001 000 576 General Fund	247.97	
14996	10/24/2017	10/24/2017	3625	Espress O Yourself	81.60 Build-Your-Own-Meal Deli Tray (Includes Chips & Beverages)
	511 60 49 04 Meals		001 000 511 General Fund	81.60	Sandwich Tray (10/02/17) Budget Meeting
15032	10/24/2017	10/24/2017	3668	Gray Lumber Company Inc	202.00 4x4 Cedar Posts - Sign Repair
	542 30 31 02 Oper Supplies - Street Reg		101 000 542 City Street Fun	202.00	4x4 Cedar Posts (4 Posts / 10 Foot) - Sign Repairs
15051	10/24/2017	10/24/2017	5141	Great Floors Commercial	4,019.04 Install New Flooring - Public Safety Building Kitchen

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518 30 48 04	Rep & Maint - PSB		001 000 518 General Fund	4,019.04	Install New Flooring - Public Safety Building Kitchen (State Contract No. 03916)
15004	10/24/2017	10/24/2017	6774	3,813.53	Greenleaf Landscaping 1 Inc Additional Landscaping Services (Sept 2017)
542 30 48 01	Rep & Maint - Street Maint		101 000 542 City Street Fund	131.88	Repair Three Pipes (Damaged During Plant Removal By City) - Regents Blvd/Alameda (Big Island)
542 30 48 01	Rep & Maint - Street Maint		101 000 542 City Street Fund	109.90	Install 7-Gallon Mungo Pine Trees (Quantity: 2) - Flower Bed Area @South Orchard/Summit "Limited Site Distance Issue Replacements"
595 32 63 01	Street Improvements		101 000 542 City Street Fund	1,868.30	Remove Existing Plants, Create Flower Bed With Additional Fine Compost, New Instant Turf, Topsoil, Fertilizer - Regents Blvd/Alameda (Big Island) "Street Right-Of-Way Improvements"
595 32 63 01	Street Improvements		101 000 542 City Street Fund	1,703.45	Rejuvenate Landscape: Irrigation Valves, New Instant Turf, Topsoil, Fertilizer, Stump Removal, Clean-Up - Alameda/Princeton "Street Right-Of-Way Improvements"
15016	10/24/2017	10/24/2017	3692	16.68	Home Depot Credit Services Chrome Nylon Lock Nuts, Caster Rubber Wheels
518 30 31 04	Oper Sup/CH		001 000 518 General Fund	16.68	Chrome Nylon Lock Nuts, Caster Rubber Wheels - City Hall Breakroom Chair
15033	10/24/2017	10/24/2017	3692	16.42	Home Depot Credit Services Brass Adapters, Water Pressure Test Gauge - Drake Street Liftstation
535 50 31 01	Oper Supplies - Sewer Mai		430 000 535 Sewer Fund (de	16.42	Brass Adapters, Water Pressure Test Gauge - Drake Street Liftstation
15043	10/24/2017	10/24/2017	3692	74.49	Home Depot Credit Services Ceramic Magnet Hooks, Blue Reversible Magnet Hooks, Caster Rubber Wheels
518 30 31 02	Oper Sup/PSB Bldg		001 000 518 General Fund	21.91	Ceramic Magnet Hooks, Blue Reversible Magnet Hooks - Police Key Hangers
518 30 31 04	Oper Sup/CH		001 000 518 General Fund	52.58	Caster Rubber Wheels - City Hall Breakroom Chairs
15000	10/24/2017	10/24/2017	6891	59.00	Hubbell, Casey 1 Yr Library 2017
572 21 49 00	Library Services		001 000 572 General Fund	59.00	1 Yr Library 2017 / Casey Hubbell
14994	10/24/2017	10/24/2017	4131	661.00	Humane Society - Tacoma Oct 2017 Boarding Fee
554 30 41 00	Animal Control		001 000 554 General Fund	661.00	Oct 2017 Boarding Fee
14993	10/24/2017	10/24/2017	7470	220.00	Inland Answering Service Inc Inland Answering Service / Dec 2017
531 50 42 00	Communication - Storm		415 000 531 Storm Drain	55.00	Inland Answering Service - Storm (Dec 2017)
534 10 42 00	Communication - Water		425 000 534 Water Fund (de	55.00	Inland Answering Service - Water (Dec 2017)

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535 10 42 01	Communication - Sewer		430 000 535 Sewer Fund (de	55.00	Inland Answering Service - Sewer (Dec 2017)	
542 30 42 00	Communication - Street		101 000 542 City Street Fun	55.00	Inland Answering Service - Street (Dec 2017)	
15061	10/24/2017	10/24/2017	3709	J & K Associates	11,834.03	Western 8' Pro Plus Ultra Mount Snow Plow (Includes Wiring Harness & Additional Hitch)
594 48 64 12	Street - ERR Capital		501 000 548 Equipment Ren	1,404.52	#31269-1 Additional Hitch - Street (For Use With 2017 F350 Dump Truck) #63582D	
594 48 64 12	Street - ERR Capital		501 000 548 Equipment Ren	458.28	Wiring Harness - Street (For Use With 2017 F350 Dump Truck) #63582D	
594 48 64 12	Street - ERR Capital		501 000 548 Equipment Ren	9,971.23	Western 8' Pro Plus Ultra Mount Snow Plow, Hitch & Wiring Harness - Street (For Use With 2008 Ford F550 Dump Truck/Snow Plow) #59083D	
15044	10/24/2017	10/24/2017	3751	KPG, PS	3,841.16	P#47 Traffic Signal Safety (Through 09/25/17)
595 10 63 08	Traffic Signal Grant P.E.		101 000 542 City Street Fun	3,841.16	P#47 Traffic Signal Safety Improvements (Professional Services 08/26/17 - 09/25/17)	
15048	10/24/2017	10/24/2017	151	Knecht, Joann	59.00	1 Yr Library 2017
572 21 49 00	Library Services		001 000 572 General Fund	59.00	1 Yr Library 2017 / Joann Knecht	
15003	10/24/2017	10/24/2017	3776	Lemay Mobile Shredding	32.41	Sept 2017 Shredding - Court
512 50 49 00	Miscellaneous - Court		001 000 512 General Fund	32.41	Sept 2017 Shredding (65 Galllon Cart) - Court	
15031	10/24/2017	10/24/2017	3791	Lowe's Company-#338954	25.76	Chair Leg Pads, Table Leg Pads
518 30 31 02	Oper Sup/PSB Bldg		001 000 518 General Fund	25.76	Chair Leg Pads, Table Leg Pads - Public Safety Building Kitchen Chair Repair Parts	
15034	10/24/2017	10/24/2017	3791	Lowe's Company-#338954	36.56	3-Pack Folding Hex, 25-Ft Tape Measure
534 80 35 00	Small Tools & Equip - Wat		425 000 534 Water Fund (de	36.56	3-Pack Folding Hex, 25-Ft Tape Measure - Water Usage	
14995	10/24/2017	10/24/2017	5766	Multicare Cntr of Occupational Medicine	80.00	Dept Of Transportation Physical - Gary Mims
518 30 49 00	Miscellaneous - Fac/Equip		001 000 518 General Fund	80.00	DOT Physical - Gary Mims (09/27/17)	
15049	10/24/2017	10/24/2017	1982	Munt, Stephen	59.00	1 Yr Library 2017
572 21 49 00	Library Services		001 000 572 General Fund	59.00	1 Yr Library 2017 / Stephen & Christina Munt	
15002	10/24/2017	10/24/2017	7800	Nguyen, My Khanh	155.80	Vietnamese Interpreter (2 Hrs + Mileage)
512 50 41 03	Prof Srvs - Interpreter		001 000 512 General Fund	155.80	Vietnamese Interpreter (Case No. 7Z1076856) 10/11/17	

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14992	10/24/2017	10/24/2017	7402		
			Northwest Assessment Services, PLLC	400.00	Pre-Employment Psychological Examination - John Roberts
	518 11 41 00 Prof Svcs - Personnel		001 000 518 General Fund	400.00	Pre-Employment Psychological Examination - John Roberts (09/30/17)
15017	10/24/2017	10/24/2017	3910		
			Office Depot	15.36	Deluxe Lanyards, Plastic Badge Holders
	513 10 31 00 Office & Oper Supplies - A		001 000 513 General Fund	15.36	Deluxe Blue Nylon Lanyards (1 Box Of 24), Plastic Badge Holders (2 Packs Of 12 Each) - Administration
15025	10/24/2017	10/24/2017	3957		
			PC Budget & Finance	592.56	Sept 2017 Printing Charges
	518 10 34 02 Central Office Printing		001 000 518 General Fund	60.78	Business Cards (Jeff Davis, Utility Superintendent) - Central Office Printing
	518 10 34 02 Central Office Printing		001 000 518 General Fund	273.49	Surplus Property Forms - Central Office Printing
	521 22 31 00 Office & Oper Supplies - P		001 000 521 General Fund	258.29	Authorization To Tow Forms - Police
15035	10/24/2017	10/24/2017	3961		
			PCRCD, LLC dba LRI-HV	464.80	Street Sweepings
	531 50 47 01 Dumping Fees - Storm		415 000 531 Storm Drain	464.80	Street Sweepings (09/15/17 - 09/19/17) Net Weight 16.93
14989	10/11/2017	10/24/2017	5265		
			Parry, Anthony	52.36	05-02620.0 - 1030 CLAREMONT CT
	343 10 00 00 Storm Drain Fees & Charge		415 000 340 Storm Drain	-26.32	
	343 40 00 00 Sale Of Water		425 000 340 Water Fund (de	-5.99	
	343 50 00 00 Sewer Revenues		430 000 340 Sewer Fund (de	-20.05	
15060	10/24/2017	10/24/2017	3955		
			Petrocard Systems Inc	533.41	Gas / Fuel
	548 65 31 12 Street Gas		501 000 548 Equipment Ren	13.60	Diesel Fuel - Street
	548 65 31 13 Storm Gas		501 000 548 Equipment Ren	288.83	Diesel Fuel - Storm
	548 65 31 14 Wtr/Swr Gas		501 000 548 Equipment Ren	230.98	Diesel Fuel - Wtr / Swr
15001	10/24/2017	10/24/2017	3971		
			Pitney Bowes Inc Supplies	161.49	Postage Meter Red Ink Cartridge, Postage Tape Strips, E-Z Seal
	518 10 42 01 Postage - Non-Dept		001 000 518 General Fund	161.49	Postage Meter Red Ink Cartridge (Quantity: 1), Postage Tape Strips (Quantity: 1 Box / 300 Per Box), E-Z Seal (Quantity: 1 Box Of 4 / 64 Ounce Bottles)
15052	10/24/2017	10/24/2017	7803		
			Precision Door Service	343.29	Repair Sweeper Stall Bay Door - Public Works
	518 30 48 03 Rep & Maint - PW		001 000 518 General Fund	343.29	Repair Sweeper Stall Bay Door - Public Works (Inspected, Found Bad Roller On Right Side, Replaced One 2" Long Steel Roller, Lube/Tune Door & Opener, Labor)

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15040	10/24/2017	10/24/2017	7614 Prothman	2,115.48	Municipal Consulting Services (Bill McDonald) 09/23/17 - 10/06/17 (30.50 Hrs @\$68/Hr) Includes 2% State/City B&O Tax Charge
513 10 41 00	Prof Svcs - Admin		001 000 513 General Fund	2,115.48	Municipal Consulting Services (Bill McDonald) 09/23/17 - 10/06/17 (30.50 Hrs @\$68/Hr) Includes 2% State/City B&O Tax Charge
15041	10/24/2017	10/24/2017	7614 Prothman	6,166.66	City Manager Search
513 10 41 00	Prof Svcs - Admin		001 000 513 General Fund	6,166.66	City Manager Search - 3rd Of 3 Professional Fee Installments
15018	10/24/2017	10/24/2017	4018 Rosen Supply Company Inc	66.64	Faucet Spray Kit (Spray Head)
518 30 31 02	Oper Sup/PSB Bldg		001 000 518 General Fund	66.64	Faucet Spray Kit (Spray Head) - Fire Department Kitchen
15053	10/24/2017	10/24/2017	5602 Six Robblees' Inc	621.29	#62855D (2017 Ford F150 Pick-Up) Tool Box
594 48 64 11	Parks/Rec - ERR Capital		501 000 548 Equipment Ren	621.29	#62855D (2017 Ford F150 Pick-Up) Over-The-Rail Truck Tool Box
15062	10/24/2017	10/24/2017	228 Smith, Michael B	782.50	WSAMA Fall Conference (10/11/17 - 10/13/17) Suncadia Lodge, Cle Elm, WA "Washington State Association Of Municipal Attorneys"
515 30 43 00	Travel - Legal		001 000 515 General Fund	582.50	Conference / Lodging, Mileage, Meals - Mike Smith
515 30 49 01	Reg & Tuition - Legal		001 000 515 General Fund	200.00	Conference / Registration - Mike Smith
15019	10/24/2017	10/24/2017	7749 Sound Uniform Solutions Inc	77.06	Uniform Boots - Sergeant Villamor
521 22 49 01	Uniforms/Clothing/Laundry		001 000 521 General Fund	77.06	Force 8" Black Boot With Side Zip (Size 10D) - Sergeant Villamor
15020	10/24/2017	10/24/2017	4084 Staples Business Advantage	83.51	HP Tri-Color Ink (1 Pack) - Building & Planning
524 20 31 00	Office & Oper Supplies-Bldg		001 000 524 General Fund	41.75	Tri-Color Ink - Building (50% Split)
558 60 31 00	Office & Oper Supplies-Plan		001 000 558 General Fund	41.76	Tri-Color Ink - Planning (50% Split)
15021	10/24/2017	10/24/2017	4084 Staples Business Advantage	62.23	Blue Locking Cash Box, CD Pocket Sleeves, Fine Point Markers, 2018 Yearly Labels
512 50 31 00	Office & Oper Supplies-Co		001 000 512 General Fund	62.23	Blue Locking Cash Box, CD Pocket Sleeves, Fine Point Markers, 2018 Yearly Labels - Court
15022	10/24/2017	10/24/2017	4120 Tacoma Daily Index	34.37	Community Center & Swimming Pool Advisory Committee Survey Results

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511 60 41 01	Advertising - Legislative	001 000 511	General Fund	34.37	Community Center & Swimming Pool Advisory Committee Survey Results
15036	10/24/2017	10/24/2017	4122	127.17	Tacoma Electric Supply Photocells (105-285 Volt)
542 63 31 00	Oper Supplies - Street Ligh	101 000 542	City Street Fun	127.17	Photocells (6) - Street Lights
15064	10/19/2017	10/24/2017	6520	25.44	Talley, Morgan 05-02635.7 - 1232 ALAMEDA AVE
343 40 00 00	Sale Of Water	425 000 340	Water Fund (de	-7.64	
343 50 00 00	Sewer Revenues	430 000 340	Sewer Fund (de	-17.80	
15006	10/24/2017	10/24/2017	4139	46.66	Tapco Visa Card Amazon.Com / APC Battery Back-Up UPS - Court/Council Chambers
512 50 35 00	Small Tools & Equip-Cour	001 000 512	General Fund	46.66	Amazon.Com / APC Battery Back-Up Uninterruptible Power Supply & Surge Protector - Court/Council Chambers
15007	10/24/2017	10/24/2017	4139	33.02	Tapco Visa Card Costco / Sandwich Roller Platter
511 60 49 04	Meals	001 000 511	General Fund	33.02	Costco / Sandwich Roller Platter (10/09/17) Budget Meeting
15008	10/24/2017	10/24/2017	4139	35.12	Tapco Visa Card Starbucks Store / Coffee Traveler
513 10 49 00	Miscellaneous - Admin	001 000 513	General Fund	35.12	Starbucks Store / Coffee Traveler (10/04/17 & 10/05/17) City Manager Meet & Greet Reception & Interviews
15009	10/24/2017	10/24/2017	4139	167.46	Tapco Visa Card Costco / Sandwich Platters, BBQ Fun Platter, Strawberries, Grapes, Bottled Water, Cookie Platters, Apple Strudel, Dixie Plates
513 10 49 00	Miscellaneous - Admin	001 000 513	General Fund	167.46	Costco / Sandwich Platters, BBQ Fun Platter, Strawberries, Grapes, Bottled Water, Cookie Platters, Apple Strudel, Dixie Plates (10/04/17 & 10/05/17) City Manager Meet & Greet Reception & Interviews
15028	10/24/2017	10/24/2017	4139	250.00	Tapco Visa Card Glock Professional Inc / Training Class No. 105030 "Armorer's Course" - Chris Roberts
521 22 49 02	Reg & Tuition - Police	001 000 521	General Fund	250.00	Glock Professional Inc / Training Course No. 105030 "Armorer's Course" - Chris Roberts (11/14/17)
15046	10/24/2017	10/24/2017	4139	446.19	Tapco Visa Card Lyntrux Plus LLC / #62855D (2017 Ford F150 Pick-Up) Spray-On Bedliner - Parks

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Pay #	Received	Date Due	Vendor	Amount	Memo
	594 48 64 11	Parks/Rec - ERR Capital	501 000 548 Equipment Ren	446.19	Lyntrux Plus LLC / #62855D (2017 Ford F150 Pick-Up) Full Metal Jacket Spray-On Bedliner "Allow 48 Hours Before Heavy Use" - Parks
15047	10/24/2017	10/24/2017	4139	34.10	Sammy's Pizza / Pizza
	511 60 49 04	Meals	001 000 511 General Fund	34.10	Sammy's Pizza / Pizza (10/16/17) Budget Meeting
15054	10/24/2017	10/24/2017	4139	4.00	Quality Inn / BIAS Deep Dives Conference - Parking
	514 23 43 00	Travel - Finance	001 000 514 General Fund	2.00	Quality Inn / Parking (Michelle Thomas, Vicky Walston) Spokane, WA (10/09/17 & 10/10/17) - Finance
	534 10 43 00	Travel - Water	425 000 534 Water Fund (de	1.00	Quality Inn / Parking (Michelle Thomas, Vicky Walston) Spokane, WA (10/09/17 & 10/10/17) - Water
	535 10 43 00	Travel - Sewer	430 000 535 Sewer Fund (de	1.00	Quality Inn / Parking (Michelle Thomas, Vicky Walston) Spokane, WA (10/09/17 & 10/10/17) - Sewer
15063	10/24/2017	10/24/2017	4125	29.90	Newspaper Subscription (13 Weeks)
	518 10 49 03	Dues,Member,Sub - NonDe	001 000 518 General Fund	29.90	Newspaper Subscription (13 Weeks) Premium Editions Not Included In Annual Renewal Price Causing Expiration Date To Be Adjusted Accordingly. This Additional Payment Covers Delivery Thru End Of Year.
15026	10/24/2017	10/24/2017	4188	276.19	Public Works Plan (9 Phones) & Global Positioning System Air Card (1)
	531 50 42 00	Communication - Storm	415 000 531 Storm Drain	59.05	PW Cell Phones (09/02/17 - 10/01/17) - Storm
	531 50 42 00	Communication - Storm	415 000 531 Storm Drain	10.00	GPS Air Card - Storm
	534 10 42 00	Communication - Water	425 000 534 Water Fund (de	59.04	PW Cell Phones (09/02/17 - 10/01/17) - Water
	534 10 42 00	Communication - Water	425 000 534 Water Fund (de	10.00	GPS Air Card - Water
	535 10 42 01	Communication - Sewer	430 000 535 Sewer Fund (de	59.05	PW Cell Phones (09/02/17 - 10/01/17) - Sewer
	535 10 42 01	Communication - Sewer	430 000 535 Sewer Fund (de	10.00	GPS Air Card - Sewer
	542 30 42 00	Communication - Street	101 000 542 City Street Fun	59.04	PW Cell Phones (09/02/17 - 10/01/17) - Street
	542 30 42 00	Communication - Street	101 000 542 City Street Fun	10.01	GPS Air Card - Street
15045	10/24/2017	10/24/2017	4188	389.07	09/02/17 - 10/01/17 Air Cards (9) "Invoice Indicates Loaner Laptops But Equipment Is Owned By The City Per Information Systems Manager Dave Haupt"

ACCOUNTS PAYABLE

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Accts Pay #	Received	Date Due	Vendor	Amount	Memo
521 22 35 00	Small Tools & Equip - Poli	001 000 521	General Fund	32.96	Equipment Purchase: Air Card For New Officer John Roberts (Replaces Non-Working Air Card Which Was Returned For Refund) - Police
521 22 42 00	Communication - Police	001 000 521	General Fund	356.11	09/02/17 - 10/01/17 Air Cards (9) "Invoice Indicates Loaner Laptops But Equipment Is Owned By The City Per Information Systems Manager Dave Haupt"
15030	10/24/2017	10/24/2017	339	7.00	#49844D (2009 Crown Victoria) Car Wash
548 65 48 08	O & M - Police	501 000 548	Equipment Ren	7.00	#49844D (2009 Crown Victoria) Brown Bear Car Wash (09/15/17) - John Villamor
15023	10/24/2017	10/24/2017	4231	330.00	Radium, Fluoride
534 80 41 00	Water Testing	425 000 534	Water Fund (de	330.00	Radium, Fluoride
15037	10/24/2017	10/24/2017	4246	158.53	Timberland Helix Work Boots - Jim Marzano
531 50 20 01	Contract Benefits - Storm	415 000 531	Storm Drain	39.63	Work Boots - Jim Marzano (Storm)
534 10 20 01	Contract Benefits - Wtr Ad	425 000 534	Water Fund (de	39.63	Work Boots - Jim Marzano (Water)
535 10 20 01	Contract Benefits - Swr Ad	430 000 535	Sewer Fund (de	39.64	Work Boots - Jim Marzano (Sewer)
542 30 20 01	Contract Benefits - Street R	101 000 542	City Street Fun	39.63	Work Boots - Jim Marzano (Street)
15038	10/24/2017	10/24/2017	4246	198.16	Buccaneer Work Boots, Brown Double Front Dungaree Work Pants - Tim Piercy
531 50 20 01	Contract Benefits - Storm	415 000 531	Storm Drain	49.54	Work Boots, Work Pants - Tim Piercy (Storm)
534 10 20 01	Contract Benefits - Wtr Ad	425 000 534	Water Fund (de	49.54	Work Boots, Work Pants - Tim Piercy (Water)
535 10 20 01	Contract Benefits - Swr Ad	430 000 535	Sewer Fund (de	49.54	Work Boots, Work Pants - Tim Piercy (Sewer)
542 30 20 01	Contract Benefits - Street R	101 000 542	City Street Fun	49.54	Work Boots, Work Pants - Tim Piercy (Street)
15039	10/24/2017	10/24/2017	4246	148.62	Buccaneer Work Boots - Andy Piercy
576 80 49 00	Miscellaneous - Parks	001 000 576	General Fund	148.62	Work Boots - Andy Piercy (Parks)
15005	10/24/2017	10/24/2017	4256	381.35	Dark Green Hooded Sweatshirts (16)
576 20 31 03	Oper Supplies - Pool	001 000 576	General Fund	381.35	Dark Green Hooded Sweatshirts (16) - Lifeguards "Reference Receipt No.16988 10/17/17 Cash Reimbursement & Trans. No.6825 General Ledger"

Report Total: 123,013.95

Fund

001 General Fund	89,101.60
101 City Street Fund	11,030.47
415 Storm Drain	1,193.47
425 Water Fund (department)	6,321.22

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Accts

Pay #	Received	Date Due	Vendor	Amount	Memo
			430 Sewer Fund (department)	1,855.78	
			501 Equipment Rental Fund	13,511.41	

This report has been reviewed by:

REMARKS:

Signature & Title

Date

RECORD OF VOIDED TRANSACTION

City Of Fircrest

Date: 10/10/2017

MCAG #: MCAG #: 0583

Year	Trans	Date	Type	Acct#	War #	Vendor	Amount	Memo	Number
2017	6372	09/26/2017	Claims	1 210129	4200	Walrath Trucking Inc	358.05	River Rock, Utility Sand	
534 50 31 01	- 425 000 534	Oper Supplies - Water Main	425 000 534				140.38	Utility Sand (5 Yard	
542 30 31 02	- 101 000 542	Oper Supplies - Street Reg	101 000 542				108.83	River Rock (3 Yards)	
542 30 31 02	- 101 000 542	Oper Supplies - Street Reg	101 000 542				108.84	River Rock (3 Yards)	
Acct Pay#	Vendor						Amount		
14840	Walrath Trucking Inc						358.05		



TRANSACTION JOURNAL

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CITY OF FIRCREST
SPECIAL CITY COUNCIL MEETING MINUTES
MONDAY, OCTOBER 2, 2017 **COUNCIL CHAMBERS**
6:00 P.M. **FIRCREST CITY HALL, 115 RAMSDELL STREET**

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL

Mayor Matthew Jolibois called the special meeting to order at 6:00 P.M. and led the pledge of allegiance. Councilmembers Blake Surina, Shannon Reynolds, Brett Wittner, Hunter T. George, Denny Waltier, and Jason Medley were present.

At the request of George, Jolibois led a moment of silence for the victims of the Las Vegas shooting.

AGENDA MODIFICATIONS

There were none.

PRELIMINARY 2018 BUDGET – 1ST BUDGET WORK SESSION

Interim City Manager McDonald presented the highlights of the General Fund and Equipment Rental and Replacement (ERR) Fund. McDonald briefed the Council on the organizational chart, format of the budget presentation, and budget review schedule. Finance Director Corcoran provided an overview of impacts to the General Fund, which included:

- Changes in personnel, wages, and salaries
- Proposed personnel
- Capital projects
- Transfers

After providing the revenue projections for the General Fund, which are based on early revenue estimates, Corcoran briefed the Council on changes in General Fund operating revenues and operating budget expenditures by department. The following goals were briefed to the Council by the following individuals:

- Legislative: Interim City Manager McDonald
- Administration: City Clerk Nappi
- Personnel: City Clerk Nappi
- Finance: Director Corcoran
- Information Systems: Director Corcoran
- Building and Planning: Administrator Stahlnecker
- Culture and Recreation: Director Grover
- Police: Chief Cheesman
- Emergency Management: Chief Cheesman
- Judicial Services: Administrator Perry

McDonald and Corcoran covered the General Fund major variances by department as well as the Equipment Repair and Replacement (ERR) Fund goals and variances. McDonald concluded the presentation with the upcoming budget schedule, indicating that the next budget presentation was scheduled for October 9, 2017 and would cover Enterprise Funds and Capital Project Funds.

After some discussion, Council requested more information to be provided at the 3rd budget work session: condo development status, e-mail push notification/list serv, succession planning, Parks

October 2, 2017

Fircrest City Council Meeting Minutes – Special 2

& Recreation rates, Stormdrain Utility excise tax, Franchise Fee Cable TV revenue, Police vehicles, Council handheld devices, and strategic partnerships.

ADJOURNMENT

Medley Moved to adjourn the meeting at 7:39 P.M., seconded by Reynolds. The Motion Carried Unanimously.

Matthew Jolibois
Mayor

Jessica Nappi
City Clerk

CITY OF FIRCREST
SPECIAL CITY COUNCIL MEETING MINUTES
THURSDAY, OCTOBER 5, 2017
9:00 A.M.

COUNCIL CHAMBERS
FIRCREST CITY HALL, 115 RAMSDELL STREET

CALL TO ORDER AND ROLL CALL

Mayor Matthew Jolibois called the special meeting to order at 8:55 A.M. Councilmembers Blake Surina, Brett Wittner, and Hunter T. George were present. Councilmember Shannon Reynolds and Denny Waltier were absent and excused. Jolibois indicated Councilmember Jason Medley would be delayed and was excused.

AGENDA MODIFICATIONS

There were none.

EXECUTIVE SESSION

At 8:56 A.M., Jolibois reported that the Council convene into Executive Session to evaluate the qualifications of City Manager applicants for public employment pursuant to RCW 42.30.110(1)(g), not to exceed the hour of 3:00 P.M.

Councilmember Waltier arrived at 2:05 P.M.

The Council reconvened into session at 3:02 P.M.

ADJOURNMENT

Wittner Moved to adjourn the meeting at 3:02 P.M., seconded by Medley. The Motion Carried Unanimously.

Matthew Jolibois
Mayor

Jessica Nappi
City Clerk

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: October 24, 2017

SUBJECT: Preliminary 2018 Budget Expenditures – 2nd Public Hearing

FROM: Colleen Corcoran, Finance Director

Reviewed by: BWC City Manager CC Finance Director MB 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 24, 2017

SUBJECT: Public Hearing: 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 continued from October 10, 2017.

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. The City Council held a public hearing on October 10, 2017. By motion, the hearing was continued to the October 24 regular meeting in order to accept more comments.

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:

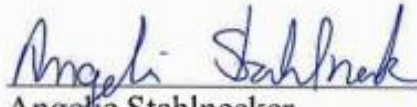
AYES: (5) McVay, McGinnis, Patjens, Halgren, Michaelsen

APPROVED:

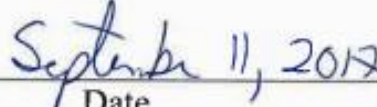


Karen Patjens
Chair, Fircrest Planning Commission

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.

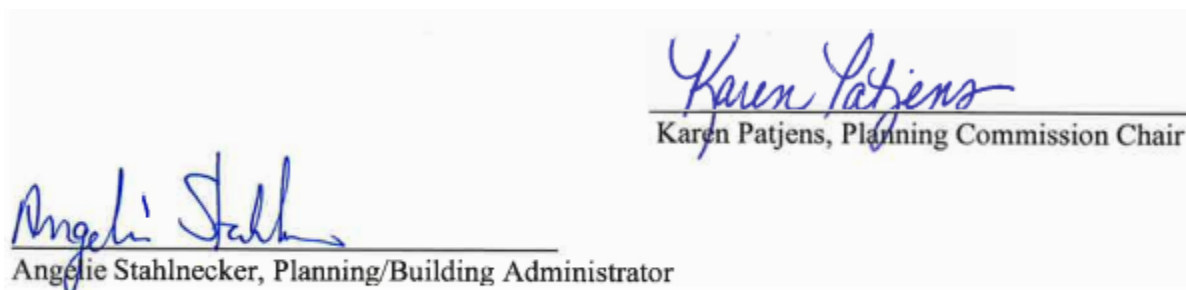
Sue Asher, 1137 Garden Circle: She owns a house at 805 Spring Street and would support prohibiting vehicles from being allowed to park on the lawn.

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.



Handwritten signature of Karen Patjens, Planning Commission Chair, and Angeli Stahlnecker, Planning/Building Administrator.

**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

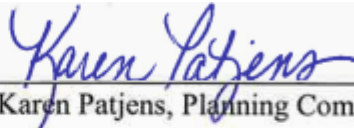
Planning and Building Administrator Angelie Stahlnecker introduced draft development regulation for FMC 22.58.011 Short-term rentals, 22.58.013 Home Occupations, and 22.58.024 Outdoor parking or storage of vehicles. A brief slideshow displayed properties within Fircrest that have recreational vehicles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

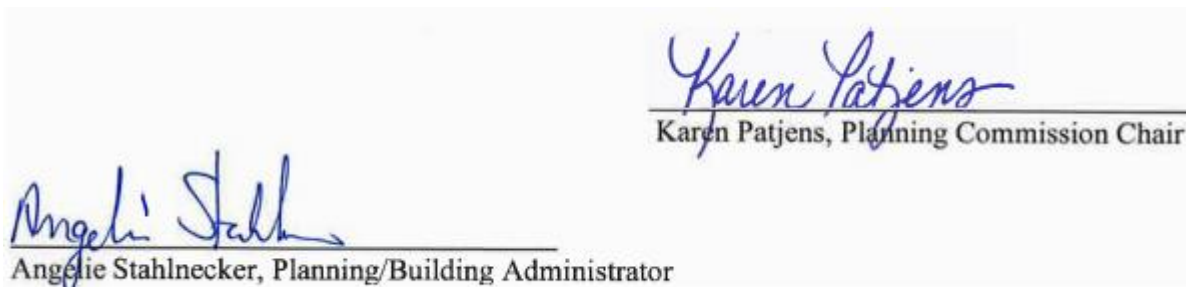
The Planning Commission directed staff to bring back more information on:

- 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 24, 2017

SUBJECT: Liquor License Renewal – Sammy's Pizza

FROM: Bill McDonald, Interim City Manager

Reviewed by: BW City Manager DA Finance Director MB City Attorney

RECOMMENDED MOTION: I move to register no objections to the liquor license renewal for Sammy's Pizza.

PROPOSAL: Council is being asked to approve a motion to register no objections to the liquor license renewal for Sammy's Pizza at 1039 Regents Boulevard. There were no problems regarding liquor sales at this restaurant. Finance, Planning and Building, and Police have expressed no concerns regarding renewing the license.

FISCAL IMPACT: None.

ADVANTAGE: Allows Council input on the license renewal.

DISADVANTAGES: None.

ALTERNATIVES: Council could recommend not approving the license.

HISTORY: The Washington State Liquor and Cannabis Control Board sent notification of the liquor license application. This allows the City the opportunity to make comments and recommendations regarding approval or disapproval to the Board. Unless Council has objections, the license will be issued.

ATTACHMENTS: Liquor License Renewal Application
Staff Response Forms



Washington State
Liquor and Cannabis Board
PO Box 43098, 3000 Pacific Ave. SE, Olympia WA 98504-3098, (360) 664-1600
www.liq.wa.gov Fax #: (360) 753-2710

September 06, 2017

Dear Local Authority:

RE: Liquor License Renewal Applications in Your Jurisdiction - Your Objection Opportunity

Enclosed please find a list of liquor-licensed premises in your jurisdiction whose liquor licenses will expire in about 90 days. This is your opportunity to object to these license renewal requests as authorized by RCW 66.24.010 (8).

1) Objection to License Renewal

To object to a liquor license renewal: fax or mail a letter to the Washington State Liquor and Cannabis Board (WS-LCB) Licensing Division. This letter must:

- o Detail the reason(s) for your objection, including a statement of all the facts upon which your objection or objections are based. You may include attachments and supporting documents which contain or confirm the facts upon which your objections are based.
- o Please note that whether a hearing will be granted or not is within the Board's discretion per RCW 66.24.010 (8)(d).

Your letter or fax of objection must be received by the Board's Licensing Division at least 30 days prior to the license expiration date. If you need additional time you must request that in writing. Please be aware, however, that it is within the Board's discretion to grant or deny any requests for extension of time to submit objections. Your request for extension will be granted or denied in writing. If objections are not timely received, they will not be considered as part of the renewal process.

A copy of your objection and any attachments and supporting materials will be made available to the licensee, therefore, it is the Local Authority's responsibility to redact any confidential or non-disclosable information (see RCW 42.56) prior to submission to the WSLCB.

2) Status of License While Objection Pending

During the time an objection to a renewal is pending, the permanent liquor license is placed on hold. However, temporary licenses are regularly issued to the licensee until a final decision is made by the Board.

3) Procedure Following Licensing Division Receipt of Objection

After we receive your objection, our licensing staff will prepare a report for review by the Licensing Director. The report will include your letter of objection, as well as any attachments and supporting documents you send. The Licensing Director will then decide to renew the liquor license, or to proceed with non-renewal.

4) Procedure if Board Does Not Renew License

If the Board decides not to renew a license, we will notify the licensee in writing, stating the reason for this decision. The licensee also has the right to request a hearing to contest non-renewal of their liquor license. RCW 66.24.010 (8)(d). If the licensee makes a timely request for a hearing, we will notify you.

The Board's Licensing Division will be required to present evidence at the hearing before an administrative law judge to support the non-renewal recommendation. You may present evidence in support of your objection or objections. The administrative law judge will consider all of the evidence and issue an initial order for the Board's review. The Board members have final authority to renew the liquor license and will enter a final order announcing their decision.

CITY OF FIRCREST

SEP 14 2017

RECEIVED

CITY OF FIRCREST

SEP 14 2017

RECEIVED

CITY OF FIRCREST

SEP 14 2017

RECEIVED

5) Procedure if Board Renews License Over Your Objection

If the Board decides to renew the license over your objection, you will be notified in writing. At that time, you may be given an opportunity to request a hearing. An opportunity for a hearing is offered at the Board's discretion. If a hearing is held, you will be responsible for presenting evidence before an Administrative Law Judge in support of your objection to license renewal. The Board's Licensing Division will present evidence in support of license renewal. The Licensee may also participate and present evidence if the licensee desires. The administrative law judge will consider all of the evidence, and issue an initial order for the Board's review. The Board members have final authority to renew the liquor license and will enter a final order announcing their decision.

For questions about this process, contact the WSLCB Licensing Division at (360) 664-1600 or email us at ws1cb@liq.wa.gov.

Sincerely,

Rebecca Smith

Rebecca Smith, Director,
Licensing and Regulation Division

LIQ 864 07/10

CITY OF FIRCREST

SEP 14 2017

RECEIVED

C091080-2

WASHINGTON STATE LIQUOR AND CANNABIS BOARD

DATE: 09/06/2017

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF FIRCREST
(BY ZIP CODE) FOR EXPIRATION DATE OF 20171231

LICENSEE	BUSINESS NAME AND ADDRESS	LICENSE NUMBER	PRIVILEGES
1. LISTENING JUICE CORPORATION	SAMMY'S PIZZA FIRCREST / PETEY'S 1039 REGENTS BLVD FIRCREST WA 98466 6030	423427	BEER/WINE REST - BEER/WINE



THE CITY OF FIRCREST

115 RAMSDELL STREET • FIRCREST, WASHINGTON 98466-6999 • (253) 564-8901 • FAX (253) 566-0762

Applicant Information

Liquor License Renewal

Applicant Name	Listening Juice Corporation		
Establishment Name	Sammy's Pizza Fircrest		
Address	1039 Regents Blvd		
Comments			
No concerns per Finance			
Director Signature	<i>Colleen Corcoran</i>		
Date	9/21/2017	Department	Finance



THE CITY OF FIRCREST

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Applicant Information

Liquor License Renewal

Applicant Name	Listening Juice Corporation		
Establishment Name	Sammy's Pizza Fircrest/Petey's		
Address	1039 Regents Blvd		
Comments			
<p>Zoned Neighborhood Commercial (NC). This is a permitted use subject to the performance standards listed in FMC 22.58.029. Planning and Building has no objects to the license.</p>			
Director Signature	<i>Angelie Stahlnecker</i>		
Date	10/10/2017	Department	Planning/Building



THE CITY OF FIRCREST

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Applicant Information

Liquor License Renewal

Applicant Name	Listening Juice Corporation
Establishment Name	SAMMY'S PIZZA
Address	1039 Regents Blvd
Comments	
We have not had any problems with the service of alcohol at this establishment.	
Director Signature	<i>Joe Chusman</i>
Date	9/18/2017
Department	Police

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: October 24, 2017

SUBJECT: Liquor License Renewal – Rollin 253

FROM: Bill McDonald, Interim City Manager

Reviewed by: BW City Manager DC Finance Director MB City Attorney

RECOMMENDED MOTION: I move to register no objections to the liquor license renewal for Rollin 253.

PROPOSAL: Council is being asked to approve a motion to register no objections to the liquor license renewal for Rollin 253 at 2101 Mildred Street W. There were no problems regarding liquor sales at this restaurant. Finance, Planning and Building, and Police have expressed no concerns regarding renewing the license.

FISCAL IMPACT: None.

ADVANTAGE: Allows Council input on the license renewal.

DISADVANTAGES: None.

ALTERNATIVES: Council could recommend not approving the license.

HISTORY: The Washington State Liquor and Cannabis Control Board sent notification of the liquor license application. This allows the City the opportunity to make comments and recommendations regarding approval or disapproval to the Board. Unless Council has objections, the license will be issued.

ATTACHMENTS: Liquor License Renewal Application
Staff Response Forms

C091080-2

WASHINGTON STATE LIQUOR AND CANNABIS BOARD

DATE: 10/06/2017

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF FIRCREST
(BY ZIP CODE) FOR EXPIRATION DATE OF 20180131

LICENSEE	BUSINESS NAME AND ADDRESS	LICENSE NUMBER	PRIVILEGES
1. ROLLER SKATE NORTHWEST, LLC	ROLLIN 253 2101 MILDRED ST W FIRCREST WA 98466 6135	423763	SNACK BAR



**Washington State
Liquor and Cannabis Board**

PO Box 43098, 3000 Pacific Ave. SE, Olympia WA 98504-3098, (360) 664-1600
www.liq.wa.gov Fax #: (360) 753-2710

October 06, 2017

Dear Local Authority:

RE: Liquor License Renewal Applications in Your Jurisdiction - Your Objection Opportunity

Enclosed please find a list of liquor-licensed premises in your jurisdiction whose liquor licenses will expire in about 90 days. This is your opportunity to object to these license renewal requests as authorized by RCW 66.24.010 (8).

1) Objection to License Renewal

To object to a liquor license renewal: fax or mail a letter to the Washington State Liquor and Cannabis Board (WS-LCB) Licensing Division. This letter must:

- o Detail the reason(s) for your objection, including a statement of all the facts upon which your objection or objections are based. You may include attachments and supporting documents which contain or confirm the facts upon which your objections are based.
- o Please note that whether a hearing will be granted or not is within the Board's discretion per RCW 66.24.010 (8)(d).

Your letter or fax of objection must be received by the Board's Licensing Division at least 30 days prior to the license expiration date. If you need additional time you must request that in writing. Please be aware, however, that it is within the Board's discretion to grant or deny any requests for extension of time to submit objections. Your request for extension will be granted or denied in writing. If objections are not timely received, they will not be considered as part of the renewal process.

A copy of your objection and any attachments and supporting materials will be made available to the licensee, therefore, it is the Local Authority's responsibility to redact any confidential or non-disclosable information (see RCW 42.56) prior to submission to the WSLCB.

2) Status of License While Objection Pending

During the time an objection to a renewal is pending, the permanent liquor license is placed on hold. However, temporary licenses are regularly issued to the licensee until a final decision is made by the Board.

3) Procedure Following Licensing Division Receipt of Objection

After we receive your objection, our licensing staff will prepare a report for review by the Licensing Director. The report will include your letter of objection, as well as any attachments and supporting documents you send. The Licensing Director will then decide to renew the liquor license, or to proceed with non-renewal.

4) Procedure if Board Does Not Renew License

If the Board decides not to renew a license, we will notify the licensee in writing, stating the reason for this decision. The licensee also has the right to request a hearing to contest non-renewal of their liquor license. RCW 66.24.010 (8)(d). If the licensee makes a timely request for a hearing, we will notify you.

The Board's Licensing Division will be required to present evidence at the hearing before an administrative law judge to support the non-renewal recommendation. You may present evidence in support of your objection or objections. The administrative law judge will consider all of the evidence and issue an initial order for the Board's review. The Board members have final authority to renew the liquor license and will enter a final order announcing their decision.

5) Procedure if Board Renews License Over Your Objection

If the Board decides to renew the license over your objection, you will be notified in writing. At that time, you may be given an opportunity to request a hearing. An opportunity for a hearing is offered at the Board's discretion. If a hearing is held, you will be responsible for presenting evidence before an Administrative Law Judge in support of your objection to license renewal. The Board's Licensing Division will present evidence in support of license renewal. The Licensee may also participate and present evidence if the licensee desires. The administrative law judge will consider all of the evidence, and issue an initial order for the Board's review. The Board members have final authority to renew the liquor license and will enter a final order announcing their decision.

For questions about this process, contact the WSLCB Licensing Division at (360) 664-1600 or email us at wslcb@liq.wa.gov.

Sincerely,

Rebecca Smith

Rebecca Smith, Director,
Licensing and Regulation Division

LIQ 864 07/10



115 RAMSDELL STREET • FIRCREST, WASHINGTON 98466-6999 • (253) 564-8901 • FAX (253) 566-0762

Applicant Information

Liquor License Renewal

Applicant Name	Roller Skate Northwest, LLC		
Establishment Name	Rollin 253		
Address	2101 Mildred St W		
Comments			
No concerns per Finance			
Director Signature	<i>Colleen Corcoran</i>		
Date	10/16/2017	Department	Finance



THE CITY OF FIRCREST

115 RAMSDELL STREET • FIRCREST, WASHINGTON 98466-6999 • (253) 564-8901 • FAX (253) 566-0762

Applicant Information

Liquor License Renewal

Applicant Name	Roller Skate Northwest		
Establishment Name	Rollin 253		
Address	2101 Mildred St W		
Comments			
<p>Zoned Commercial Mixed Use in an annexed area. This is a permitted use. Planning/Building has no objection to the license renewals.</p>			
Director Signature	<i>Angelie Stahlnecker</i>		
Date	10/18/2017	Department	Planning/Building

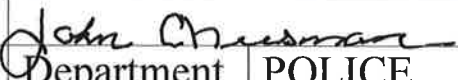


THE CITY OF FIRCREST

115 RAMSDELL STREET • FIRCREST, WASHINGTON 98466-6999 • (253) 564-8901 • FAX (253) 566-0762

Applicant Information

Liquor License Renewal

Applicant Name	Roller Skate Northwest LLC		
Establishment Name	ROLLIN 253		
Address	2101 Mildred Street W.		
Comments			
<p>We have had no problems with the service of alcohol at this business.</p>			
Director Signature			
Date	10/13/2017	Department	POLICE

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: October 24, 2017

SUBJECT: Resolution: Interagency Agreement with WTSC

FROM: John Cheesman, Police Chief

Reviewed by:  City Manager  Finance Director  City Attorney

RECOMMENDED MOTION: I move to adopt Resolution No. ____, a resolution authorizing the City Manager to execute an Interagency Agreement with the Washington Traffic Safety Commission allowing the Fircrest Police Department to assist in multi-jurisdictional DUI, Distracted Driving, and Seat Belt patrols.

PROPOSAL: Council is being asked to adopt a resolution allowing the City Manager to execute an Interagency Agreement with the Washington Traffic Safety Commission (WTSC) allowing the City of Fircrest Police Department to assist in multi-jurisdictional DUI, distracted driving, and seat belt patrols.

FISCAL IMPACT: We will be able to put additional officers on the street at little cost to our citizens. If approved, we will be receiving a grant to participate in various emphasis patrols. We will receive \$1,400 to participate in distracted driving patrols, \$900 to participate in seat belt enforcement, \$2,000 to participate in State Wide DUI Mobilization, \$3,500 to participate with the Target Zero Teams, and another \$2,000 Flex Funding to spend on task force emphasis patrols. The grant money will be used to pay for the officer's overtime and benefits. This is a total of \$9,800.

ADVANTAGE: Additional officers on the street at no direct cost to our citizens.

DISADVANTAGES: None.

ALTERNATIVES: Council could recommend not approving the agreement.

HISTORY: Since 1998, the Fircrest Police Department has been participating with other agencies from around Puget Sound in doing traffic emphasis patrols. Many of the emphasis patrols will be conducted in our City and some will be targeted in other areas of the County.

In support of this program, police agencies in Pierce County conduct traffic safety emphasis patrols on various nights throughout the year. Traditionally the most dangerous times of the year for motorists are selected to put extra officers on the street. We have been fortunate to receive grant dollars from the Washington Traffic Safety Commission to pay for the extra patrols.

This program has enabled us to put extra officers on the City of Fircrest streets at very little cost to our taxpayers. We have found this program to be very beneficial for our city. By participating in this program our officers have made a positive statement to our community that we care about their safety and want them to wear their seat belts, pay attention while driving and that we will not tolerate DUI and or drugged driving. This is a wonderful program, which has been very well received and enthusiastically approached by our officers.

The Interagency Agreement asks us to participate in DUI and other emphasis patrols during the following time frames:

- Holiday DUI Patrols: December 13, 2017 to January 1, 2018
- Distracted Driving Patrols: April 2 – April 14, 2018
- Click it or Ticket: May 14 – June 3, 2017
- Driver Sober or Get Pulled Over - August 17 – September 3, 2018

We will also be hosting an emphasis patrol during the weekend Cinco de Mayo is celebrated.

The following agencies are in the process of signing MOU's with the Washington Traffic Safety Commission: Pierce County Sheriff's Department; Tacoma Police Department; Gig Harbor Police Department; University Place Police Department; Steilacoom Police Department; DuPont Police Department; Lakewood Police Department; Milton Police Department; Fife Police Department; Edgewood Police Department; Orting Police Department; Ruston Police Department; Puyallup Police Department; Steilacoom Police Department; Sumner Police Department; Bonney Lake Police Department; Washington State Patrol; and WSLCB.

By continuing to be a member of this multi-agency task force, we will be provided a wonderful opportunity to work with and form close ties with officers from other jurisdictions around Pierce County.

ATTACHMENTS: [Resolution](#)
[Interagency Agreement](#)

**CITY OF FIRCREST
RESOLUTION NO. 1496**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, AUTHORIZING THE CITY
MANAGER TO EXECUTE AN INTERAGENCY
AGREEMENT WITH THE WASHINGTON TRAFFIC
SAFETY COMMISSION ALLOWING THE FIRCREST
POLICE DEPARTMENT TO ASSIST IN MULTI-
JURISDICTIONAL DUI, DISTRACTED DRIVING, AND SEAT
BELT PATROLS.**

WHEREAS, the City of Fircrest is concerned about the safety of all its citizens and property;
and

WHEREAS, an entity known as the Washington Traffic Safety Commission has created
the Tacoma/Pierce County DUI and Traffic Safety Task Force to assist in
multijurisdictional high visibility emphasis patrols for the purpose of promoting the
targeting, apprehending and successfully prosecuting as many DUI violators as possible
and for participating in seat belt and distracted driving focused patrols as part of a statewide
high-visibility enforcement campaign; and

WHEREAS, it is the desire of various law enforcement agencies within Pierce County to
participate in such a task force; and

WHEREAS, multi-agency participation in such a task force is possible by virtue of the
Washington Mutual Aid Peace Officer Powers Act set forth in Chapter 10.93 R.C.W. and
the Interlocal Cooperation Act set forth in Chapter 39.34 R.C.W.; Now, Therefore,

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

Section 1. The City Manager is hereby authorized and directed to execute an Interagency
Agreement with the Washington Traffic Safety Commission.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 24th day of October 2017.

APPROVED:

Matthew Jolibois, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney



INTERAGENCY AGREEMENT

BETWEEN THE

WASHINGTON TRAFFIC SAFETY COMMISSION

AND

Fircrest Police Department

THIS AGREEMENT is made and entered into by and between the Washington Traffic Safety Commission, hereinafter referred to as "WTSC," and Fircrest Police Department, hereinafter referred to as "SUB-RECIPIENT."

NOW THEREFORE, in consideration of the terms, conditions, covenants, and performance contained herein, or attached and incorporated and made a part hereof, the Parties mutually agree as follows:

1. PURPOSE OF THE AGREEMENT

The purpose of this Agreement is to provide funding, provided by the United States Department of Transportation (USDOT) National Highway Traffic Safety Administration (NHTSA) and allowed under the Catalog of Federal Domestic Assistance (CFDA) numbers 20.600 and 20.616, for traffic safety grant project 2018-HVE-2382-Fircrest Police Department, specifically to provide funding for the SUB-RECIPIENT to conduct overtime multijurisdictional high-visibility enforcement (HVE) traffic safety emphasis patrols as outlined in the Statement of Work (SOW), in support of Target Zero priorities. The Target Zero Manager (TZM) and/or the Law Enforcement Liaison (LEL) shall coordinate the SOW with the SUB-RECIPIENT with the goal of reducing traffic-related deaths and serious injuries.

2. PERIOD OF PERFORMANCE

The period of performance of this Agreement shall commence upon the date of execution by both Parties, but not earlier than October 1, 2017, and remain in effect until September 30, 2018, unless terminated sooner, as provided herein.

3. STATEMENT OF WORK

Note: This statement of work applies only in the areas that your agency has received funding for specific mobilizations.

GOAL: To reduce traffic related deaths and serious injuries through education of impaired driving, occupant protection, speeding and distracted driving multijurisdictional HVE patrols throughout the state.

SCOPE OF WORK: The statewide high visibility enforcement patrols are paired with media participation to engage, deter, and educate drivers about the impacts of making unsafe decisions when driving.

Law enforcement officers will complete an Emphasis Patrol Activity Log within 48 hours of the completion of the patrols.

Statewide Impaired Driving:

The agency will engage in multijurisdictional HVE patrols, as part of the national effort, for all or part of the following campaigns:

- Holiday DUI Patrols – December 13 – January 1
- Drive Sober or Get Pulled Over – August 17 – September 3

The DUI patrols shall be deployed at locations where the data indicates that the most traffic safety benefit can be realized as determined by the local Traffic Safety Task Force. Whenever possible statewide mobilization patrols shall begin after 4:00 p.m. and will occur Friday-Sunday.

Statewide Seat Belts:

The agency will engage in multijurisdictional HVE patrols, as part of the national effort, for all or part of the following campaign:

- Click It or Ticket – May 14 – June 3

These patrols shall be deployed at locations where the data indicates that the most traffic safety benefit can be realized as determined by the local Traffic Safety Task Force. Whenever possible these patrols shall occur in areas with the lowest seat belt use.

Statewide Distracted Driving:

The agency will engage in multijurisdictional HVE patrols, as part of the national effort, for all or part of the following campaign:

- On the Road Off the Phone – April 2 - 14

With the State of Washington's new distracted driving law, these patrols will be important to ensure through education and enforcement that drivers understand and are following the new law. These patrols shall be deployed at locations where the data indicates that the most traffic safety benefit can be realized as determined by the local Traffic Safety Task Force. Wherever possible these patrols shall occur in areas with the highest number of past distracted driving violations.

Motorcycle Safety Patrols (July 6 - 22):

These motorcycle safety patrols shall be deployed at locations where the data indicates that the most traffic safety benefit can be realized as determined by the local Traffic Safety Task Force.

Patrols should focus on the illegal and unsafe driving actions of motorcycles that are known to cause serious and fatal crashes. This includes speeding, impaired riding, and following too closely.

Patrols should also focus on the illegal and unsafe driving actions of all other motor vehicles when relating to motorcycles. This includes speeding, failure to yield to a motorcycle, following too closely to a motorcycle, distracted driving, etc.

Whenever possible, AGENCY should include motorcycle officers in these patrols.

Target Zero Teams Patrols:

The agency will engage in impaired driving multijurisdictional HVE patrols. The DUI patrols shall be deployed at locations where the data indicates that the most traffic safety benefit can be realized as determined by the local Traffic Safety Task Force.

Whenever possible the Target Zero Teams patrols shall begin after 4:00 p.m. Only work done on Task Force/TZM pre-approved dates will be considered for reimbursement. Funds may be used toward impaired driving training purposes, on a case by case basis. Requests should be made in writing prior to the training, submitted to the TZM, and approved by the WTSC.

Flex Patrols:

The local Task Force may coordinate local HVE impaired driving, seatbelt, distracted driving, or speeding patrols during the contract period. Refer to each section above for the scope of work for each category. Dates may not coincide with statewide patrol periods. Dates of local patrols will be reported in advance to the WTSC on a quarterly basis by the county Target Zero Manager. Refer to Exhibit B for patrol plan due dates. Only work done on Task Force/TZM pre-approved dates will be considered for reimbursement.

Standardized Field Sobriety Testing (SFST) Training Requirement:

The agency certifies that all officers participating in these patrols are SFST trained and meet the following requirement:

- Officer must be BAC certified and have passed the SFST refresher training within the prior three years, or
- Officer must have successfully completed Advanced Roadside Impaired Driving Enforcement (ARIDE), or
- Officer must be a certified Drug Recognition Expert.

Media Contacts:

All of these patrols are conducted as part of a highly publicized, educational statewide effort. Publicity campaigns about these patrols are planned to alert the public to the fact that extra patrols are targeting these violations. **At least one individual must be available for weekend media contacts, beginning at noon on Fridays before mobilizations.**

3.1. MILESTONES AND DELIVERABLES

Mobilization

Dates

DUI Holiday Patrols

December 13 - January 1

Distracted Driving

April 2 - 14

Click It or Ticket

May 14 - June 3

Motorcycle Safety Patrol

July 6 - 22

DUI Drive Sober or Get Pulled Over

August 17 - September 3

3.2. COMPENSATION

3.2.1. Compensation for the overtime work provided in accordance with this Agreement has been established under the terms of RCW 39.34. The cost of accomplishing the work described in the SOW will not exceed \$9,800.00. Payment for satisfactory performance of the overtime work shall not exceed this amount unless the Parties mutually agree to a higher amount in a written Amendment to this Agreement executed by both Parties. Comp-time is not considered overtime and will not be approved for payment.

3.2.2. Funding alterations are permitted as follows: Upon agreement by the regional TZM and all other parties impacted by a proposed budget alteration, the allocation amounts may be increased or decreased without amending the IAA. HVE grant funds are managed in a collaborative approach between the sub recipient and the TZM.

3.2.2.1. These alterations must be documented through email communication between all involved parties, including the TZM, and the WTSC Fiscal Analyst.

3.2.2.2. This communication should include the amount of the revised budget total and the names of the agencies impacted by the change in that particular mobilization.

3.2.2.3. Funds within the same budget category only, can be increased and decreased across parties, so long as the modified total does not exceed the regional total allocation per funding category.

3.3. SUMMARY OF PROJECT COSTS

Funds break down into the following enforcement categories:

EMPHASIS PATROL

Statewide Impaired Driving Patrols

\$2,000.00

(Section 402)

Statewide Distracted Driving Patrols

\$1,400.00

(Section 402)

Statewide Click it or Ticket

\$900.00

(Section 402)

Statewide Speeding Patrols

\$0.00

(Section 402)

Flex Funding (Local DUI, Speed, Distracted, and Seat Belt Patrols)

\$2,000.00

(Section 402)

Motorcycle Safety

\$0.00

(Section 402)

Target Zero Teams (DUI)

\$3,500.00

(Section 405d)

3.3.1. WTSC will reimburse for personnel overtime expenses at 150 percent of the officer's normal salary rate plus SUB-RECIPIENT's contributions to employee benefits, including FICA, Medicare, Worker's Compensation, and Unemployment Insurance. The SUB-RECIPIENT will provide law enforcement officers with appropriate equipment (e.g., vehicles, radars, breath testers, etc.) to participate in the emphasis patrols.

3.3.2. The funds issued under this Agreement are only to be used for the specified category and shall not be commingled between categories.

APPLICABLE STATE AND FEDERAL TERMS AND CONDITIONS:

4. PARTICIPATION REQUIREMENTS AND CONDITIONS

For each of the overtime emphasis patrols listed in the Statement of Work, the SUB-RECIPIENT will follow all protocols detailed in the "Multijurisdictional High Visibility Enforcement Protocols," which will be provided by the WTSC. Exceptions to these protocols must be pre-approved by the WTSC prior to the emphasis patrol(s).

5. PERFORMANCE STANDARDS

Participating law enforcement officers working overtime hours are required to make a minimum of three self-initiated contacts per hour of enforcement. The WTSC recognizes that some contacts may result in time-consuming enforcement-related activities, and these activities are reimbursable. Other activities, such as collision investigations or emergency response that are not initiated through emphasis patrol contact WILL

NOT be reimbursed.

6. ACTIVITY REPORTS

The SUB-RECIPIENT agrees to have all personnel who work HVE patrols submit officer Emphasis Patrol Logs through the Washington Enterprise Management System (WEMS), or by other pre-approved means, within 48 hours of the end of all shifts worked. These same logs will be associated with invoices as detailed in the "BILLING PROCEDURE" section.

7. ADVANCE PAYMENTS PROHIBITED

No payments in advance of or in anticipation of goods or services to be provided under this Agreement shall be made by the WTSC.

8. AGREEMENT ALTERATIONS AND AMENDMENTS

This Agreement may be amended by mutual agreement of the Parties in the form of a written Amendment to this Agreement. Such amendments shall only be binding if they are in writing and signed by personnel authorized to bind each of the Parties.

9. ALL WRITINGS CONTAINED HEREIN

This Agreement contains all the terms and conditions agreed upon by the Parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the Parties hereto.

10. ASSIGNMENT

The SUB-RECIPIENT may not assign the work to be provided under this Agreement, in whole or in part, without the express prior written consent of the WTSC, which consent shall not be unreasonably withheld. The SUB-RECIPIENT shall provide the WTSC a copy of all third-party contracts and agreements entered into for purposes of fulfilling the SOW. Such third-party contracts and agreements must follow applicable federal, state, and local law, including but not limited to procurement law, rules, and procedures. If any of the funds provided under this Agreement include funds from NHTSA, such third-party contracts and agreements must include the federal provisions set forth in this Agreement in sections 32 through 40.

11. ATTORNEYS' FEES

In the event of litigation or other action brought to enforce the Agreement terms, each Party agrees to bear its own attorney fees and costs.

12. BILLING PROCEDURE

The SUB-RECIPIENT shall submit monthly invoices for reimbursement to WTSC with supporting documentation as WTSC shall require. All invoices for reimbursement shall be submitted using:

- Form A-19 provided by WTSC or its pre-approved equivalent
- Emphasis Patrol Log
- Overtime approval sheets signed by the officer's supervisor

Payment to the SUB-RECIPIENT for approved and completed work will be made by warrant or account transfer by WTSC within 30 days of receipt of such properly documented invoices acceptable to WTSC. Upon expiration of the Agreement, any claim for payment not already made shall be submitted within 45 days after the expiration date of this Agreement. All invoices for goods received or services performed on or prior to June 30, 2018, **must be received by WTSC no later than August 10, 2018**. All invoices for goods received or services performed between July 1, 2018, and September 30, 2018, **must be received by WTSC no later than November 15, 2018**.

13. CONFIDENTIALITY/SAFEGUARDING OF INFORMATION

The SUB-RECIPIENT shall not use or disclose any information concerning the WTSC, or information

which may be classified as confidential, for any purpose not directly connected with the administration of this Agreement, except with prior written consent of the WTSC, or as may be required by law.

14. COST PRINCIPLES

Costs incurred under this Agreement shall adhere to provisions of 2 CFR Part 200 Subpart E.

15. COVENANT AGAINST CONTINGENT FEES

The SUB-RECIPIENT warrants that it has not paid, and agrees not to pay, any bonus, commission, brokerage, or contingent fee to solicit or secure this Agreement or to obtain approval of any application for federal financial assistance for this Agreement. The WTSC shall have the right, in the event of breach of this section by the SUB-RECIPIENT, to annul this Agreement without liability.

16. DISPUTES

16.1. Disputes arising in the performance of this Agreement, which are not resolved by agreement of the Parties, shall be decided in writing by the WTSC Deputy Director or designee. This decision shall be final and conclusive, unless within 10 days from the date of the SUB-RECIPIENT's receipt of WTSC's written decision, the SUB-RECIPIENT furnishes a written appeal to the WTSC Director. The SUB-RECIPIENT's appeal shall be decided in writing by the Director or designee within 30 days of receipt of the appeal by the Director. The decision shall be binding upon the SUB-RECIPIENT and the SUB-RECIPIENT shall abide by the decision.

16.2. Performance During Dispute. Unless otherwise directed by WTSC, the SUB-RECIPIENT shall continue performance under this Agreement while matters in dispute are being resolved.

17. GOVERNANCE

17.1. This Agreement is entered into pursuant to and under the authority granted by the laws of the state of Washington and any applicable federal laws. The provisions of this Agreement shall be construed to conform to those laws.

17.2. In the event of an inconsistency in the terms of this Agreement, or between its terms and any applicable statute or rule, the inconsistency shall be resolved by giving precedence in the following order:

17.2.1. Applicable federal and state statutes and rules

17.2.2. Terms and Conditions of this Agreement

17.2.3. Any Amendment executed under this Agreement

17.2.4. Any SOW executed under this Agreement

17.2.5. Any other provisions of the Agreement, including materials incorporated by reference

18. INCOME

Any income earned by the SUB-RECIPIENT from the conduct of the SOW (e.g., sale of publications, registration fees, or service charges) must be accounted for, and that income must be applied to project purposes or used to reduce project costs.

19. INDEMNIFICATION

19.1. To the fullest extent permitted by law, the SUB-RECIPIENT shall indemnify and hold harmless the WTSC, its officers, employees, and agents, and process and defend at its own expense any and all claims, demands, suits at law or equity, actions, penalties, losses, damages, or costs of whatsoever kind ("claims") brought against WTSC arising out of or in connection with this Agreement and/or the SUB-RECIPIENT's performance or failure to perform any aspect of the Agreement. This indemnity provision applies to all claims against WTSC, its officers, employees, and agents arising out of, in connection with, or incident to the acts or omissions of the SUB-RECIPIENT, its officers, employees, agents, contractors, and

subcontractors. Provided, however, that nothing herein shall require the SUB-RECIPIENT to indemnify and hold harmless or defend the WTSC, its agents, employees, or officers to the extent that claims are caused by the negligent acts or omissions of the WTSC, its officers, employees or agents; and provided further that if such claims result from the concurrent negligence of (a) the SUB-RECIPIENT, its officers, employees, agents, contractors, or subcontractors, and (b) the WTSC, its officers, employees, or agents, or involves those actions covered by RCW 4.24.115, the indemnity provisions provided herein shall be valid and enforceable only to the extent of the negligence of the SUB-RECIPIENT, its officers, employees, agents, contractors, or subcontractors.

19.2. The SUB-RECIPIENT waives its immunity under Title 51 RCW to the extent it is required to indemnify, defend, and hold harmless the WTSC, its officers, employees, or agents.

19.3. The indemnification and hold harmless provision shall survive termination of this Agreement.

20. INDEPENDENT CAPACITY

The employees or agents of each Party who are engaged in the performance of this Agreement shall continue to be employees or agents of that Party and shall not be considered for any purpose to be employees or agents of the other Party.

21. INSURANCE COVERAGE

21.1. The SUB-RECIPIENT shall comply with the provisions of Title 51 RCW, Industrial Insurance, if required by law.

21.2. If the SUB-RECIPIENT is not required to maintain insurance in accordance with Title 51 RCW, prior to the start of any performance of work under this Agreement, the SUB-RECIPIENT shall provide WTSC with proof of insurance coverage (e.g., vehicle liability insurance, private property liability insurance, or commercial property liability insurance), as determined appropriate by WTSC, which protects the SUB-RECIPIENT and WTSC from risks associated with executing the SOW associated with this Agreement.

22. LICENSING, ACCREDITATION, AND REGISTRATION

The SUB-RECIPIENT shall comply with all applicable local, state, and federal licensing, accreditation, and registration requirements and standards necessary for the performance of this Agreement. The SUB-RECIPIENT shall complete registration with the Washington State Department of Revenue, if required, and be responsible for payment of all taxes due on payments made under this Agreement.

23. RECORDS MAINTENANCE

23.1. During the term of this Agreement and for six years thereafter, the SUB-RECIPIENT shall maintain books, records, documents, and other evidence that sufficiently and properly reflect all direct and indirect costs expended in the performance of the services described herein. These records shall be subject to inspection, review, or audit by authorized personnel of the WTSC, the Office of the State Auditor, and federal officials so authorized by law. All books, records, documents, and other material relevant to this Agreement will be retained for six years after expiration. The Office of the State Auditor, federal auditors, the WTSC, and any duly authorized representatives shall have full access and the right to examine any of these materials during this period.

23.2. Records and other documents, in any medium, furnished by one Party to this Agreement to the other Party, will remain the property of the furnishing Party, unless otherwise agreed. The receiving Party will not disclose or make available this material to any third Parties without first giving notice to the furnishing Party and giving them a reasonable opportunity to respond. Each Party will utilize reasonable security procedures and protections to assure that records and documents provided by the other Party are not erroneously disclosed to third Parties.

24. RIGHT OF INSPECTION

The SUB-RECIPIENT shall provide right of access to its facilities to the WTSC or any of its officers, or to any other authorized agent or official of the state of Washington or the federal government, at all reasonable times, in order to monitor and evaluate performance, compliance, and/or quality assurance under this Agreement. The SUB-RECIPIENT shall make available information necessary for WTSC to comply with the right to access, amend, and receive an accounting of disclosures of their Personal Information according to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) or any regulations enacted or revised pursuant to the HIPAA provisions and applicable provisions of Washington State law. The SUB-RECIPIENT shall upon request make available to the WTSC and the United States Secretary of the Department of Health and Human Services all internal policies and procedures, books, and records relating to the safeguarding, use, and disclosure of Personal Information obtained or used as a result of this Agreement.

25. RIGHTS IN DATA

25.1. WTSC and SUB-RECIPIENT agree that all data and work products (collectively called "Work Product") pursuant to this Agreement shall be considered works made for hire under the U.S. Copyright Act, 17 USC §101 et seq., and shall be owned by the state of Washington. Work Product includes, but is not limited to, reports, documents, pamphlets, advertisement, books, magazines, surveys, studies, computer programs, films, tapes, sound reproductions, designs, plans, diagrams, drawings, software, and/or databases to the extent provided by law. Ownership includes the right to copyright, register the copyright, distribute, prepare derivative works, publicly perform, publicly display, and the ability to otherwise use and transfer these rights.

25.2. If for any reason the Work Product would not be considered a work made for hire under applicable law, the SUB-RECIPIENT assigns and transfers to WTSC the entire right, title, and interest in and to all rights in the Work Product and any registrations and copyright applications relating thereto and any renewals and extensions thereof.

25.3. The SUB-RECIPIENT may publish, at its own expense, the results of project activities without prior review by the WTSC, provided that any publications (written, visual, or sound) contain acknowledgment of the support provided by NHTSA and the WTSC. Any discovery or invention derived from work performed under this project shall be referred to the WTSC, who will determine through NHTSA whether patent protections will be sought, how any rights will be administered, and other actions required to protect the public interest.

26. SAVINGS

In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of this Agreement and prior to completion of the SOW under this Agreement, the WTSC may terminate the Agreement under the "TERMINATION FOR CONVENIENCE" clause, without the 30-day notice requirement. The Agreement is subject to renegotiation at the WTSC's discretion under any new funding limitations or conditions.

27. SEVERABILITY

If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this Agreement, and to this end the provisions of this Agreement are declared to be severable.

28. SITE SECURITY

While on WTSC premises, the SUB-RECIPIENT, its agents, employees, or sub-contractors shall conform in all respects with all WTSC physical, fire, or other security policies and applicable regulations.

29. TAXES

All payments of payroll taxes, unemployment contributions, any other taxes, insurance, or other such expenses for the SUB-RECIPIENT or its staff shall be the sole responsibility of the SUB-RECIPIENT.

30. TERMINATION FOR CAUSE

If the SUB-RECIPIENT does not fulfill in a timely and proper manner its obligations under this Agreement or violates any of these terms and conditions, the WTSC will give the SUB-RECIPIENT written notice of such failure or violation, and may terminate this Agreement immediately. At the WTSC's discretion, the SUB-RECIPIENT may be given 15 days to correct the violation or failure. In the event that the SUB-RECIPIENT is given the opportunity to correct the violation and the violation is not corrected within the 15-day period, this Agreement may be terminated at the end of that period by written notice of the WTSC.

31. TERMINATION FOR CONVENIENCE

Except as otherwise provided in this Agreement, either Party may terminate this Agreement, without cause or reason, with 30 days written notice to the other Party. If this Agreement is so terminated, the WTSC shall be liable only for payment required under the terms of this Agreement for services rendered or goods delivered prior to the effective date of termination.

32. TREATMENT OF ASSETS

32.1. Title to all property furnished by the WTSC shall remain property of the WTSC. Title to all property furnished by the SUB-RECIPIENT for the cost of which the SUB-RECIPIENT is entitled to be reimbursed as a direct item of cost under this Agreement shall pass to and vest in the WTSC upon delivery of such property by the SUB-RECIPIENT. Title to other property, the cost of which is reimbursable to the SUB-RECIPIENT under this Agreement, shall pass to and vest in the WTSC upon (i) issuance for use of such property in the performance of this Agreement, or (ii) commencement of use of such property in the performance of this Agreement, or (iii) reimbursement of the cost thereof by the WTSC in whole or in part, whichever first occurs.

32.2. Any property of the WTSC furnished to the SUB-RECIPIENT shall, unless otherwise provided herein or approved by the WTSC, be used only for the performance of this Agreement.

32.3. The SUB-RECIPIENT shall be responsible for any loss or damage to property of the WTSC which results from the negligence of the SUB-RECIPIENT or which results from the failure on the part of the SUB-RECIPIENT to maintain and administer that property in accordance with sound management practices.

32.4. If any WTSC property is lost, destroyed, or damaged, the SUB-RECIPIENT shall immediately notify the WTSC and shall take all reasonable steps to protect the property from further damage.

32.5. The SUB-RECIPIENT shall surrender to the WTSC all property of the WTSC upon completion, termination, or cancellation of this Agreement.

32.6. All reference to the SUB-RECIPIENT under this clause shall also include SUB-RECIPIENT's employees, agents, or sub-contractors.

33. WAIVER

A failure by either Party to exercise its rights under this Agreement shall not preclude that Party from subsequent exercise of such rights and shall not constitute a waiver of any other rights under this Agreement.

APPLICABLE CERTIFICATIONS AND ASSURANCES FOR HIGHWAY SAFETY GRANTS (23 CFR PART 1300 APPENDIX A):

34. BUY AMERICA ACT

The SUB-RECIPIENT will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using federal funds. Buy America requires the SUB-RECIPIENT to purchase only steel, iron, and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use federal funds to purchase foreign produced items, the WTSC must submit a waiver request that provides an adequate basis and justification, and which is approved by the Secretary of Transportation.

35. DEBARMENT AND SUSPENSION

Instructions for Lower Tier Certification

35.1. By signing this Agreement, the SUB-RECIPIENT (hereinafter in this section referred to as the “lower tier participant”) is providing the certification set out below and agrees to comply with the requirements of 2 CFR part 180 and 23 CFR part 1300.

35.2. The certification in this section is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

35.3. The lower tier participant shall provide immediate written notice to the WTSC if at any time the lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

35.4. The terms covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Covered Transactions sections of 2 CFR part 180.

35.5. The lower tier participant agrees by signing this Agreement that it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

35.6. The lower tier participant further agrees by signing this Agreement that it will include the clause titled “Instructions for Lower Tier Certification” including the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions, and will require lower tier participants to comply with 2 CFR part 180 and 23 CFR part 1300.

35.7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded

from Federal Procurement and Non-procurement Programs.

35.8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

35.9. Except for transactions authorized under paragraph 35.5. of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions

35.10. The lower tier participant certifies, by signing this Agreement, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

35.11. Where the lower tier participant is unable to certify to any of the statements in this certification, such participant shall attach an explanation to this Agreement.

36. THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

36.1. The SUB-RECIPIENT shall:

36.1.1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace, and shall specify the actions that will be taken against employees for violation of such prohibition.

36.1.2. Establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace; the SUB-RECIPIENT's policy of maintaining a drug-free workplace; any available drug counseling, rehabilitation, and employee assistance programs; and the penalties that may be imposed upon employees for drug violations occurring in the workplace.

36.1.3. Make it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph 36.1.1. of this section.

36.1.4. Notify the employee in the statement required by paragraph 36.1.1. of this section that, as a condition of employment under the grant, the employee will abide by the terms of the statement, notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction, and notify the WTSC within 10 days after receiving notice from an employee or otherwise receiving actual notice of such conviction.

36.1.5. Take one of the following actions within 30 days of receiving notice under paragraph 36.1.3. of this section, with respect to any employee who is so convicted: take appropriate personnel action against such an employee, up to and including termination, and/or require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies, and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part.

39.1.5. To insert this clause, including all paragraphs, in every sub-contract and sub-agreement and in every solicitation for a sub-contract or sub-agreement that receives federal funds under this program.

40. POLITICAL ACTIVITY (HATCH ACT)

The SUB-RECIPIENT will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.

41. PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE

The SUB-RECIPIENT will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists. This Agreement does not include any aspects or elements of helmet usage or checkpoints, and so fully complies with this requirement.

42. STATE LOBBYING

None of the funds under this Agreement will be used for any activity specifically designed to urge or influence a state or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any state or local legislative body. Such activities include both direct and indirect (e.g., “grassroots”) lobbying activities, with one exception. This does not preclude a state official whose salary is supported with NHTSA funds from engaging in direct communications with state or local legislative officials, in accordance with customary state practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

43. DESIGNATED CONTACTS

The following named individuals will serve as designated contacts for each of the Parties for all communications, notices, and reimbursements regarding this Agreement:

The Contact for the SUB-RECIPIENT is:	The Contact for WTSC is:
John Cheesman jcheesman@cityoffircrest.net	Erika Mascorro emascorro@wtsc.wa.gov 360-725-9860 ext.

44. AUTHORITY TO SIGN

The undersigned acknowledgment that they are authorized to execute this Agreement and bind their respective agencies or entities to the obligation set forth herein.

IN WITNESS WHEREOF, the parties have executed this Agreement.

Fircrest Police Department

36.1.6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

37. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)

In accordance with FFATA, the SUB-RECIPIENT shall, upon request, provide WTSC the names and total compensation of the five most highly compensated officers of the entity, if the entity in the preceding fiscal year received 80 percent or more of its annual gross revenues in federal awards, received \$25,000,000 or more in annual gross revenues from federal awards, and if the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 or section 6104 of the Internal Revenue Code of 1986.

38. FEDERAL LOBBYING

38.1. The undersigned certifies, to the best of his or her knowledge and belief, that:

38.1.1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

38.1.2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

38.1.3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grant, loans, and cooperative agreements), and that all sub-recipients shall certify and disclose accordingly.

38.2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

39. NONDISCRIMINATION

39.1. During the performance of this Agreement, the SUB-RECIPIENT agrees:

39.1.1. To comply with all federal nondiscrimination laws and regulations, as may be amended from time to time.

39.1.2. Not to participate directly or indirectly in the discrimination prohibited by any federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR Part 21 and herein.

39.1.3. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the WTSC, USDOT, or NHTSA.

39.1.4. That, in the event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding Agreement, the WTSC will have the right to impose such

Signature

Printed Name

Title

Date

WASHINGTON TRAFFIC SAFETY COMMISSION

Signature

Printed Name

Title

Date

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: October 24, 2017

SUBJECT: Resolution: Amending City Council Rules of Procedures as it relates to the Consent Calendar

FROM: Bill McDonald, Interim City Manager

Reviewed by:  City Manager  Finance Director  City Attorney

RECOMMENDED MOTION: I move to adopt Resolution No. _____, which modifies the City Council Rules of Procedures as it relates to the Consent Calendar.

PROPOSAL: Council is being asked to adopt the attached resolution, which would amend the Fircrest City Council Rules of Procedures and make revisions to the Consent Calendar under Rule 20. Currently, Rule 20. G. Consent Calendar states:

- (1) *The City Manager shall set the following items of business on the Consent Calendar:*
- a) *Approval of vouchers/payroll warrants*
 - b) *Approval of minutes,*
 - c) *Setting public hearings*

Staff proposes to revise the Consent Calendar and add routine matters in an effort to move through routine matters in an efficient manner. As written in the attached resolution, the proposed revision states:

- (1) *The City Manager shall set the following items of business on the Consent Calendar. Consent calendar items shall consist of non-controversial routine matters, such as, but not limited to, the following:*
- *Approval of vouchers/payroll warrants;*
 - *Approval of minutes;*
 - *Setting of public hearings;*
 - *Routine resolutions, including professional services contracts not in excess of ten thousand dollars (\$10,000.00);*
 - *Communications requiring no action (e.g. liquor license renewals); and*
 - *Treasurer's report and financial reports.*

Items may be placed on the consent calendar at the discretion of the City Manager and may be removed from the consent calendar on the request of any one Council member. Items not removed shall be adopted by general consent without discussion. Removed items shall be placed later on the agenda. Any document associated with the adopted consent calendar shall become part of the minutes.

FISCAL IMPACT: None.

ADVANTAGE: The Fircrest City Council could conduct its meetings in a more efficient manner while still providing the public with the opportunity to participate meaningfully in the discussion of City business.

DISADVANTAGES: None. Any one member of the Fircrest City Council may remove an item from the consent calendar for further discussion, inquiry, and/or subsequent vote.

ALTERNATIVES: Council could recommend not approving the revisions.

ATTACHMENT: [Resolution](#)

**CITY OF FIRCREST
RESOLUTION NO. 1497**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, AMENDING THE ORDER OF
BUSINESS OF THE CITY OF FIRCREST CITY COUNCIL AS IT
RELATES TO THE CONSENT CALENDAR.**

WHEREAS, the City Council of the City of Fircrest adopted Resolution No. 441 on June 26, 1990, which constituted the City Council's Rules of Procedures; and

WHEREAS, the Fircrest City Council has made revisions to the City Council's Rules of Procedures in years past (Resolution Nos. 528, 760, 1027, and 1076) in the public interest to provide a more effective means of conducting the business of the City; and

WHEREAS, Rule 42 of the Fircrest City Council Rules of Procedures, dated February 10, 2009, provides that the rules may be amended, or new rules adopted, by a majority vote of the Council; and

WHEREAS, in an effort to employ a method to move through routine matters in an efficient manner by modifying the manner in which the Fircrest City Council conducts its meetings and be more efficient while still providing the public with the opportunity to participate meaningfully in the discussion of City business; and

WHEREAS, the Fircrest City Council has been advised on the process of being able to approve certain routine matters, as identified below and as may be amended from time to time, efficiently and without discussion in the form of a consent; and

WHEREAS, discussion and a more formal agenda process is not necessary for the adoption of these certain routine matters; and

WHEREAS, any member of the Fircrest City Council may remove an item from the consent calendar for further discussion, inquiry, and/or subsequent vote; Now, Therefore,

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

The following revisions shall be made to Rule 20 G. Consent Calendar:

(1) The City Manager shall set the following items of business on the Consent Calendar. Consent calendar items shall consist of non-controversial routine matters, such as, but not limited to, the following:

- Approval of vouchers/payroll warrants;
- Approval of minutes;
- Setting of public hearings;
- Routine resolutions, including professional services contracts not in excess of ten thousand dollars (\$10,000.00);
- Communications requiring no action (e.g. liquor license renewals); and
- Treasurer's report and financial reports.

Items may be placed on the consent calendar at the discretion of the City Manager and may be removed from the consent calendar on the request of any one Council member. Items not removed shall be adopted by general consent without

discussion. Removed items shall be placed later on the agenda. Any document associated with the adopted consent calendar shall become part of the minutes.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON, at a regular meeting thereof this 24th day of October 2017.

APPROVED:

Matthew P. 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 24, 2017

SUBJECT: City Manager Employment Agreement

FROM: Bill McDonald, Interim City Manager

Reviewed by: Bildner City Manager DA Finance Director MB City Attorney

RECOMMENDED MOTION: I move to approve and authorize the Mayor to execute the City Manager Employment Agreement by and between the City of Fircrest and Scott Pingel.

PROPOSAL: Council is being asked to approve and authorize the Mayor to execute the City Manager Employment Agreement by and between the City of Fircrest and Scott Pingel effective December 4, 2017. The City Council and the Prothman Company negotiated the terms and conditions of the agreement and the City Attorney has reviewed and approved the language in the contract.

FISCAL IMPACT: Below is the summary of the employment agreement:

- Initial Annual Salary: \$108,000.00
- Vacation Leave: 80 hours credit, accrual rate of 160 hours/year
- Sick Leave: 40 hours credit, then normal accrual for regular employees
- Benefits package, including medical, dental, vision, and hearing, as provided for regular employees
- Retirement: Same as regular employees, with option to invest in ICMA-RC in lieu of PERS
- Automobile Allowance: \$250.00/month
- Relocation Reimbursement: Up to \$5,000
- Termination: Up to 6 months severance pay

ADVANTAGE: The Council desires to employ a permanent city manager to exercise the powers and perform the duties prescribed by the laws of the State of Washington, by City ordinance, and by the description of the City Manager position.

DISADVANTAGES: None.

ALTERNATIVES: Council could recommend not approving the employment agreement.

HISTORY: After the departure of former City Manager Rick Rosenblatt in May 2017, the City engaged in executive search firm Prothman Company to perform the recruitment for a new city manager. During the recruitment process for a permanent city manager, the City has had the services of two interim city managers (David Johnston and Bill McDonald). As a result of a national outreach, over 20 applicants were received, of those, the City Council interviewed the top four applicants. All four candidates were determined to be highly capable with excellent credentials, experience, and potential fit for the City of Fircrest. After careful deliberation, including a review of relevant labor market data, the City Council and the Interim City Manager negotiated the terms of employment with Scott Pingel.

ATTACHMENT: Employment Agreement

CITY OF FIRCREST CITY MANAGER EMPLOYMENT AGREEMENT

THIS AGREEMENT is made and entered into on October 24, 2017 by and between the City of Fircrest, Washington, a municipal organization, herein referred to as “City” and Scott Pingel, an individual, herein referred to as “City Manager”. The City and the City Manager are referred to collectively as “Parties”.

WITNESSETH:

For and in consideration of the mutual covenant and agreements contained and other valuable consideration, the parties agree as follows:

1. Employment: City hereby employs City Manager, and City Manager accepts such employment for an indefinite term commencing December 4, 2017 pursuant to the terms and provisions of this Agreement.
2. Exclusive Employment: During the terms of this Agreement, City Manager agrees to remain exclusively employed by the City and not become employed by any other employer, other than self-employment until the effective date of any termination or resignation hereunder.
3. Position Exclusions and Exemptions: City Manager acknowledges, understands, and agrees that the position he is accepting with the City is exempted from and not included under any civil service system of the Fair Labor Standards Act (F.L.S.A.).
4. Powers and Duties: Manager shall exercise the powers and perform the duties prescribed by the laws of the State of Washington, by City ordinance, and by the description of the City Manager position. In addition to the above, City Manager understands that he may need to attend certain night time meetings, which may include, but are not limited to, City Council meetings, City Planning Commission meetings, Civil Service Commission meetings, and meetings of Committees and Boards. Said meetings are an integral part of the duties of the position and are included in the consideration establishing the salary paid to the City Manager. The Council acknowledges the principles and laws under a Council/Manager form of government. The Council agrees to direct its concerns and requests for action to the City Manager, in accordance with RCW 35A.13.120.
5. Salary: City shall pay to the City Manager an initial annual salary of one hundred and eight thousand dollars (\$108,000.00) payable in bi-weekly installments subject to such deductions as are normally withheld from salaries of City’s employees, such as income tax withholding, FICA, Washington State Labor & Industry Medical Aid Insurance, and voluntary benefit or program deductions. City Manager shall be entitled to the same COLA provided to other general employees. The Council Presiding Officer or designee will approve the City Manager’s Personnel Action forms. City Manager’s salary shall be re-evaluated by the City Council on a yearly basis beginning December 4, 2018 to determine whether or not an increase in addition to COLA is appropriate, taking into account City Manager’s performance, the prevailing compensation for other City Managers with similar responsibilities in the Puget Sound region and such other factors as the City Council, in its sole discretion, deems appropriate, then the adjustment shall be effective commencing January 1 of the next year.

6. Benefits:

- A. Vacation Leave: Effective upon City Manager's first day of employment, City Manager shall be advanced eighty (80) hours of accrued vacation leave. Vacation leave accrual shall be applied toward the eighty (80) hours of advanced leave. Vacation hours shall be accrued thereafter at the vacation rate of 160 hours annually.
- B. Sick Leave: Effective upon City Manager's first day of employment, City Manager shall be advanced forty (40) hours sick leave and shall accrue sick leave at the same rate as other regular employees during the course of his employment. Sick leave accrual shall be applied toward the forty (40) hours of advanced leave.
- C. Holidays: City Manager shall be entitled to take such paid holidays as are observed by the City.
- D. Insurance: City Manager shall participate in City's Group Life, Medical, and Dental insurance plans and Employee Assistance Program (EAP) available to City Manager, provided City shall pay the expense thereof to the same extent City pays the expense of similar plans for other City employees.
- E. Vision and Hearing Care: City Manager shall be entitled to receive reimbursement or benefits for vision and hearing care as prescribed by the City Personnel System Ordinance.
- F. Retirement: City and City Manager may elect to participate in the Washington State Public Employees Retirement System or may invest in a comparable amount in the ICMA-RC deferred compensation plan.
- G. Automobile Allowance: The City shall provide a monthly stipend of two-hundred fifty dollars (\$250.00) per month (\$3,000.00 per annum) for use of his personal vehicle for City business. The automobile allowance is in lieu of any reimbursement to City Manager for mileage for job-related travel. City Manager shall agree he is responsible for all costs associated with the repair, maintenance, insurance, operation, and replacement of such automobile. City Manager shall at all times maintain insurance for the automobile in an amount and with coverages acceptable to the City, name the City as an additional insured thereon, provide the City evidence of such insurance and shall inform his insurer that the automobile is used for personal and business purposes. The automobile allowance shall appear on City Manager's payroll stub as ordinary income. The monthly automobile allowance shall be subject to review from time to time by the City Council and accordingly modified, if deemed necessary. Such allowance shall cease immediately upon termination or resignation of City Manager's employment.
- H. Gym Allowance: As provided in the annual budget, the City may, in its discretion, compensate or reimburse, City Manager for all or part of the cost of an approved fitness program, club, or organization. Such compensation shall be 50% for individual membership, not to exceed twenty-five dollars (\$25.00) per month.
- I. Membership Dues: City shall pay membership dues for professional organizations and subscriptions to professional publications on behalf of City Manager as are specifically authorized by the City Council through the budget process; provided that City shall pay City Manager's dues for membership in the International City Manager Association and the Washington City Management Association.
- J. Professional Education: City shall pay and/or reimburse City Manager for the cost of attending seminars and such other professional enhancement courses as are specifically authorized by the City Council through the budget process and pursuant to the existing policy of City for payment or reimbursement of employee expenses. City Manager shall be entitled to attend such meetings of the Association of Washington Cities, Labor Relations Institute (LGPI), International City Management Association (ICMA), and the Washington City County

Management Association as are specifically authorized by the City Council through the budget process. The City Council encourages the City Manager to pursue the ICMA credentialing program and will provide \$250.00 per year in support of that goal.

- K. Reimbursement for Expenses: City Manager shall be reimbursed for job-related expenses as prescribed by City Personnel Policies and City Ordinance and with approval of the City Council's Presiding Officer or designee.
 - L. Furlough Days: City Manager shall participate in furlough days the same as other non-union employees of the City.
7. Relocation Expense Reimbursement: City shall reimburse City Manager for reasonable relocation costs and moving expenses actually incurred, up to a maximum of five thousand dollars (\$5,000.00). These expenses shall be limited to the costs of packaging, moving, the temporary storage of household goods and furnishings, and insurance charges. City Manager shall submit a claim for reimbursement, along with copies of receipts and expenditures. Payment shall be made upon receipt by the City of documentation that the expenses have been incurred and deemed reasonable and the City shall reimburse the City Manager for all such documented expenses within thirty (30) days of the City's receipt of such documented expenses.
8. Performance Review: City Manager's performance shall be reviewed at least annually with a written evaluation, and may be reviewed more frequently if requested by the City Council or City Manager. City Manager and the City Council shall hold quarterly discussions to review City Manager's performance.
9. Termination: This is an Agreement for personal services, and City Manager acknowledges that he is appointed for an "indefinite term" and agrees that the City may terminate his employment at any time pursuant to RCW 35A.13.130 and RCW 35A.13.140. In the event of removal of the City Manager and termination of his services pursuant to RCW 35A.13.140, in addition to payment for accumulated vacation leave and other cash-out benefits provided under City policies, the City shall, as severance, pay City Manager a monthly cash payment equal to his then current monthly base salary for six (6) months, or until City Manager commences other full-time employment, whichever occurs sooner. A monthly severance payment shall be prorated if full-time employment commences during such month. Provided, however, in the event the reason for City Manager's termination is the City Manager's commission of a crime, City Manager shall not be entitled to severance pay. All sums paid pursuant to this paragraph shall be subject to applicable payroll withholding taxes. After termination, acceptance of other full-time employment is at City Manager's sole discretion, and nothing in this paragraph requires City Manager to seek or accept other full-time employment during the monthly severance payment period.
- City Manager may terminate this Agreement by voluntary resignation, provided written notice thereof be given to City not less than thirty (30) days prior to the effective date of such resignation, in which even, City Manager shall not be entitled to severance pay.
10. Indemnification and Bonding: City Manager shall be covered under the City's liability insurance policies for covered acts or omissions occurring in the performance of City Manager's duties as City Manager at no expense to City Manager. City shall bear the full cost of public official bond required of the City Manager under a law or ordinance.

City agrees to indemnify, insure, and hold harmless, including separate legal counsel if the City cannot represent City Manager, for any and all civil legal actions brought against City Manager arising from the discharge of his duties during his employment as City Manager.

11. Residency: City Manager shall not be required to establish residency within the City limits and City Manager agrees to maintain residency no more than fifteen (15) miles from the City limits throughout the term of this Agreement.

12. General Provisions:

- A. This Agreement constitutes the entire agreement between the parties and both parties acknowledge that there are no other agreements oral or otherwise that have not been fully set forth in the text of this Agreement.
- B. The parties hereby further agree that this Agreement cannot be amended or modified without written concurrence of both parties.
- C. If any provision or portion of this Agreement is held to be invalid or unenforceable, the remainder of this Agreement shall be deemed severable and shall not be affected, but shall remain in full force and effect.
- D. Any notices required to be given by City to City Manager or by City Manager to City shall be delivered to the address of the receiving party last known to the addressing party. Such notices may be either delivered personally to addressee or may be deposited in the United States mail, postage prepaid, directed to the address of the person receiving the notice.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed and executed the day and year first above written.

CITY OF FIRCREST

By: _____
Matthew Jolibois, Mayor

ATTEST:

Jessica Nappi, City Clerk

CITY MANAGER

By: 
Scott Pingel

Approved as to form:

Michael B. Smith, City Attorney