

**FIRCREST CITY COUNCIL
REGULAR MEETING AGENDA**

**TUESDAY, NOVEMBER 28, 2017
7:00 P.M.**

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

- 1. CALL TO ORDER BY PRESIDING OFFICER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. PRESIDING OFFICER'S REPORT**
 - A. Filling in a Council Vacancy
- 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: [November 14, 2017 Regular Meeting](#)
- 8. PUBLIC HEARING 7:15 P.M.**
 - A. [2017 Development Code Updates](#)
- 9. UNFINISHED BUSINESS**
 - A. [Ordinance: Adoption of Preliminary 2018 Budget as Adjusted](#)
 - B. [Resolution: Amending City Council Rules of Procedures – Consent Calendar](#)
- 10. NEW BUSINESS**
 - A. [Motion: 2017 End of the Year Budget Amendment](#)
 - B. [Ordinance: Establishing a Fund to Be Used for Sewer Capital Projects](#)
 - C. [Ordinance: Establishing a Fund to Be Used for Water Capital Projects](#)
 - D. [Ordinance: Establishing a Fund to Be Used for Storm Drain Capital Projects](#)
 - E. [Resolution: 2016 and 2017 CCN Subscriber Fees](#)
 - F. [Resolution: BIAS Financial Software Support Agreement](#)
 - G. [Resolution: Jeff Boers Professional Services Agreement](#)
 - H. [Resolution: Sound Inspection Professional Services Agreement](#)
 - I. [Resolution: NW GIS Professional Services Agreement](#)
 - J. [Resolution: Murraysmith Professional Services Agreement](#)
 - K. [Resolution: KPG, P.S. Professional Services Agreement](#)
 - L. [Resolution: APEX Engineering LLC Professional Services Agreement](#)
 - M. [Resolution: Copy Machine 2018 Lease 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

Reviewed by:

[BMC](#) City Manager [QA](#) Finance Director [MBS](#) City Attorney

ACCOUNTS PAYABLE

City Of Fircrest
MCAG #: 0583

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Accts Pay #	Received	Date Due	Vendor	Amount	Memo
15247	11/28/2017	11/28/2017	4298	AWC Employee Benefit	607.23 Dec 2017
521 22 20 01	LEOFF I Medical Premium	001 000 521	General Fund	607.23	Dec 2017 Retired Medical
15225	11/28/2017	11/28/2017	3647	Agrishop Inc	24.38 Edger Blades (6) - Parks
576 80 31 02	Oper Supplies - Parks	001 000 576	General Fund	24.38	Edger Blades (6) - Parks
15297	11/28/2017	11/28/2017	172	Anderson, Deborah	280.00 Belly Dance Instruct
571 20 49 06	Instructor Fees	001 000 571	General Fund	280.00	Belly Dance Instruct (07/05/17 - 10/31/17)
15226	11/28/2017	11/28/2017	3911	Aqua Rec Swimmin' Hole Inc	53.00 Refund Mechanical Permit / Aqua Rec
322 10 00 00	Building Permit	001 000 320	General Fund	-53.00	Refund Mechanical Permit / Aqua Rec (401 Golden Gate) Applied For Mechanical Permit In Error
15270	11/28/2017	11/28/2017	3933	Asphalt Patch System	4,426.71 Asphalt Patching - Various City Locations
534 50 48 01	Rep & Maint - Water Main	425 000 534	Water Fund (de	1,022.89	Mobilization, Patching, Saw Cutting, Flagging - 715 Pasadena (Water) Sub-Total \$930.75 X 9.9% Tax \$92.14 = Total \$1,022.89
534 50 48 01	Rep & Maint - Water Main	425 000 534	Water Fund (de	1,759.77	Mobilization, Patching, Saw Cutting, Flagging - 302 Regents (Water) Sub-Total \$1,601.25 X 9.9% Tax \$158.52 = Total \$1,759.77
534 50 48 01	Rep & Maint - Water Main	425 000 534	Water Fund (de	637.42	Mobilization, Flagging - Princeton / Golden Gate (Water) Sub-Total \$580.00 X 9.9% Tax \$57.42 = Total \$637.42
535 50 48 00	Rep & Maint - Sewer Main	430 000 535	Sewer Fund (de	1,006.63	Mobilization, Patching, Saw Cutting, Flagging - 134 Eldorado (Sewer) Sub-Total \$915.95 X 9.9% Tax \$90.68 = Total \$1,006.63
15254	11/28/2017	11/28/2017	4052	Baxter Auto Parts	18.10 (De-Icer Unit) Electrical Feed Lighter Extension
548 65 48 12	O & M - Street	501 000 548	Equipment Ren	18.10	(De-Icer Unit) Electrical Feed Lighter Extension
15227	11/28/2017	11/28/2017	4221	Big John's Trophies Inc	23.12 Perpetual Year Engraved Plates - Special Olympics Plaque
521 22 49 07	Community Outreach	001 000 521	General Fund	23.12	Perpetual Year Engraved Plates - Special Olympics Plaque
15255	11/28/2017	11/28/2017	4278	Budget Batteries Inc	76.96 (De-Icer Unit) Batteries (Quantity: 2)
548 65 48 12	O & M - Street	501 000 548	Equipment Ren	76.96	(De-Icer Unit) Batteries (Quantity: 2)
15264	11/28/2017	11/28/2017	4278	Budget Batteries Inc	121.05 #AEU1101 (2010 Chevy Impala) Battery
548 65 48 08	O & M - Police	501 000 548	Equipment Ren	121.05	#AEU1101 (2010 Chevy Impala) Battery "Item No. 78DT-75"

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15274	11/28/2017	11/28/2017	7088		Certified Laboratories	1,224.29	Petroleum Spill Guard Clean-Up Solution (40 Lbs), GRRR Industrial Super Concentrated Degreaser (10 Gallons)
	534 50 31 01	Oper Supplies - Water Mai	425 000 534	Water Fund (de		369.26	Petroleum Spill Guard Clean-Up Solution - Water
	535 50 31 01	Oper Supplies - Sewer Mai	430 000 535	Sewer Fund (de		369.27	Petroleum Spill Guard Clean-Up Solution - Sewer
	548 65 48 12	O & M - Street	501 000 548	Equipment Ren		485.76	(De-Icer Unit) GRRR Industrial Super Concentrated Degreaser (10 Gallons) - Salt Brine Cleaning Of De-Icer Units / Tracks
15228	11/28/2017	11/28/2017	4324		City Treasurer-City of Tacoma	51,920.41	Dec 2017 Fire / EMS
	522 20 50 00	Tacoma Contract - Fire	001 000 522	General Fund		25,065.66	Dec 2017 Fire
	522 20 51 00	Tacoma Contract - EMS	001 000 522	General Fund		26,854.75	Dc 2017 EMS
15281	11/28/2017	11/28/2017	4322		City of Tacoma - Utilities	8,662.27	Power / Various Locations
	518 30 47 00	Public Utility Services - Ci	001 000 518	General Fund		565.71	
	531 50 47 02	Public Utility Services/Bldg	415 000 531	Storm Drain		103.06	
	534 10 47 00	Utility Services/Building -	425 000 534	Water Fund (de		103.06	
	534 80 47 01	Utility Services/Pumping	425 000 534	Water Fund (de		2,824.67	
	535 10 47 00	Utility Services/Building -	430 000 535	Sewer Fund (de		103.06	
	535 80 47 01	Utility Services/Pumping	430 000 535	Sewer Fund (de		1,235.43	
	542 30 47 02	Electricity & Gas/Bldg - St	101 000 542	City Street Fun		103.06	
	542 30 47 03	Electricity/Traffic Lights	101 000 542	City Street Fun		60.22	
	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		54.82	
	576 80 47 00	Public Utility Services - Pa	001 000 576	General Fund		1,445.86	
15229	11/28/2017	11/28/2017	3565		Comfort Davies & Smith	7,166.80	Oct 2017
	515 30 41 01	City Attorney	001 000 515	General Fund		1,443.20	Oct 2017 - Administration
	515 30 41 03	City Prosecutor	001 000 515	General Fund		5,723.60	Oct 2017 - Court, Police
15283	11/28/2017	11/28/2017	3572		Consolidated Electrical Distributors	943.34	25-Watt Medium Base Transparent Bulbs - Holiday Tree Lights (Alice Peers Park Big Tree)
	576 80 31 02	Oper Supplies - Parks	001 000 576	General Fund		943.34	25-Watt Medium Base Tranparent Bulbs - Holiday Tree Lights (Alice Peers Park Big Tree) Quantity: 204 Red, 204 Blue, 204 Yellow, 204 Green
15303	11/28/2017	11/28/2017	7802		Core & Main LP	266.92	End Cap Coupling, Gasket, Yellow End Rings
	534 50 31 01	Oper Supplies - Water Mai	425 000 534	Water Fund (de		266.92	End Cap Coupling, Gasket, Yellow End Rings - Temporary Repair Parts "Weathervane Watermain Break Caused By Tree"

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15284	11/28/2017	11/28/2017	3589 Databar Inc	376.32	2017 Fall Parks & Recreation Activity Guide (Separate Mailing)
	571 10 42 00	Postage - Rec	001 000 571 General Fund	376.32	2017 Fall Parks & Recreation Activity Guide (Separate Mailing) - Postage / Mailing Service
15299	11/28/2017	11/28/2017	7847 Davis, Naeemah	100.00	Refund Rental Deposit / Naeemah Davis
	586 00 00 00	Deposit Refunds	001 000 580 General Fund	100.00	Refund Rental Deposit / Naeemah Davis - Room B (Event Date: 10/28/17) Birthday Party
15271	11/28/2017	11/28/2017	333 Deal Jr, Robert	150.00	Eyewear Reimburse
	521 22 20 00	Personnel Benefits - Police	001 000 521 General Fund	150.00	Eyewear Reimburse / Robert Deal
15265	11/28/2017	11/28/2017	5859 Dynamic Language	134.94	Spanish Interpreter, Vietnamese Interpreter
	512 50 41 03	Prof Svcs - Interpreter	001 000 512 General Fund	63.19	Vietnamese Interpreter (10/25/17 1 Hr + Mileage) Case No. 7Z1093952
	512 50 41 03	Prof Svcs - Interpreter	001 000 512 General Fund	71.75	Spanish Interpreter (10/25/17 1 Hr + Mileage) Case No. 7Z0974575
15296	11/28/2017	11/28/2017	6995 Endicott, Cynthia J.	229.60	Silver Sneakers Yoga Instruct & Chair Yoga
	571 20 49 06	Instructor Fees	001 000 571 General Fund	229.60	Silver Sneakers Yoga Instruct & Chair Yoga (10/01/17 - 10/31/17)
15230	11/28/2017	11/28/2017	4858 Ewing Irrigation Products Inc	157.69	PVC Unions, Teflon Tape, Wet/Dry PVC Cement - Park Valve Repairs
	576 80 31 02	Oper Supplies - Parks	001 000 576 General Fund	157.69	PVC Unions, Teflon Tape, Wet/Dry PVC Cement - Park Valve Repairs
15256	11/28/2017	11/28/2017	3636 Ferguson Enterprises Inc, #1539	702.86	Repair Clamps, Couplings, PVC Pipes, 18" PVC Hand Saw, PVC Adapters
	534 50 31 01	Oper Supplies - Water Mai	425 000 534 Water Fund (de	685.31	Repair Clamps, Couplings, PVC Pipes, PVC Adapters
	534 80 35 00	Small Tools & Equip - Wat	425 000 534 Water Fund (de	17.55	18" PVC Hand Saw
15231	11/28/2017	11/28/2017	6067 Floor Guys	219.80	Vinyl Floor Repair - Gymnasium
	576 80 48 00	Rep & Maint - Parks	001 000 576 General Fund	219.80	Vinyl Floor Repair - Gymnasium
15232	11/28/2017	11/28/2017	6829 Frazier, Carrie	29.50	1/2 Library 2017
	572 21 49 00	Library Services	001 000 572 General Fund	29.50	1/2 Library 2017 / Carrie Frazier
15251	11/28/2017	11/28/2017	6774 Greenleaf Landscaping 1 Inc	3,323.24	Nov 2017 Landscaping

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518 30 41 01	Contract Maintenance		001 000 518 General Fund	2,326.27	Nov 2017 Landscaping (3 Weeks)
542 80 49 03	Beautification Services (co		101 000 542 City Street Fun	996.97	Nov 2017 Landscaping (3 Weeks) - Islands
15233	11/28/2017	11/28/2017	311	139.98	Eyewear Reimburse
571 10 20 00	Personnel Benefits - Rec		001 000 571 General Fund	125.98	Eyewear Reimburse / Jeff Grover (Recreation)
576 80 20 00	Personnel Benefits - Parks		001 000 576 General Fund	14.00	Eyewear Reimburse / Jeff Grover (Parks)
15257	11/28/2017	11/28/2017	3690	46.95	Sidewalk Concrete Debris
542 30 47 01	Dumping Fees - Street		101 000 542 City Street Fun	46.95	Sidewalk Concrete Debris - Corner Of Summit /Orchard "House Driveway Approach & Sidewalk Debris"
15234	11/28/2017	11/28/2017	3692	41.38	Fuze-It Adhesive "Liquid Nails", Flat Brushes - Court Remodel Supplies
518 30 31 04	Oper Sup/CH		001 000 518 General Fund	41.38	Fuze-It Adhesive "Liquid Nails", Flat Brushes - Court Remodel Supplies
15235	11/28/2017	11/28/2017	3692	12.63	Teflon Tape, PVC Cement
576 80 31 02	Oper Supplies - Parks		001 000 576 General Fund	12.63	Teflon Tape, PVC Cement
15236	11/28/2017	11/28/2017	3692	30.79	#62855D (2017 F150 Pick-Up) High Strength Spray, Husky Truck Box Liner
548 65 48 11	O & M - Parks/Rec		501 000 548 Equipment Ren	30.79	#62855D (2017 F150 Pick-Up) High Strength Spray, Husky Truck Box Liner
15258	11/28/2017	11/28/2017	3692	132.10	(De-Icer Unit) Ratchet Tie Downs (2) & Toolbox White Rags (200 Count Per Box)
535 50 31 01	Oper Supplies - Sewer Mai		430 000 535 Sewer Fund (de	88.52	Toolbox White Rags (200 Count Per Box) - Sewer Usage
548 65 48 12	O & M - Street		501 000 548 Equipment Ren	43.58	(De-Icer Unit) Ratchet Tie Downs (2)
15278	11/28/2017	11/28/2017	3751	4,196.18	P#47 Traffic Signal Safety (Through 10/25/17)
595 10 63 08	Traffic Signal Grant P.E.		101 000 542 City Street Fun	4,196.18	P#47 Traffic Signal Safety Improvements (Professional Services 09/26/17 - 10/25/17)
15295	11/28/2017	11/28/2017	3751	1,221.39	P#51 Pool Leak Evaluation (Through 10/25/17) Task Order No. 2017-004
576 20 48 00	Rep & Maint - Pool		001 000 576 General Fund	1,221.39	P#51 Pool Leak Evaluation & Overall Safety Aspect (Professional Services Through 10/25/17) Task Order No. 2017-004
15237	11/28/2017	11/28/2017	5137	29.50	1/2 Library 2017
			Kee, Eva Maria		

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572 21 49 00	Library Services		001 000 572 General Fund	29.50	1/2 Library 2017 / Eva Kee	
15277	11/17/2017	11/28/2017	2261	Kuykendall, Tim	315.42	04-03080.1 - 1016 FIR PARK LANE
343 10 00 00	Storm Drain Fees & Charge		415 000 340 Storm Drain	-71.80		
343 40 00 00	Sale Of Water		425 000 340 Water Fund (de	-77.05		
343 50 00 00	Sewer Revenues		430 000 340 Sewer Fund (de	-166.57		
15285	11/28/2017	11/28/2017	3791	Lowe's Company-#338954	46.51	25-Watt Clear Bulbs - Holiday Stars
576 80 31 02	Oper Supplies - Parks		001 000 576 General Fund	46.51	25-Watt Clear Bulbs - Holiday Stars (Quantity: 16)	
15238	11/28/2017	11/28/2017	318	Maenhout, Sherry L	8.52	Walmart / Keurig Water Filter Cartridges
521 22 31 00	Office & Oper Supplies - P		001 000 521 General Fund	8.52	Walmart / Keurig Water Filter Cartridges - Sherry Maenhout	
15239	11/28/2017	11/28/2017	355	Manley, Kenneth E	59.00	1 Yr Library 2017
572 21 49 00	Library Services		001 000 572 General Fund	59.00	1 Yr Library 2017 / Ken Manley	
15298	11/28/2017	11/28/2017	3841	Metropolitan Ballet of Tacoma	548.80	Ballet Instruct
571 20 49 06	Instructor Fees		001 000 571 General Fund	548.80	Ballet Instruct (09/01/17 - 12/01/17)	
15240	11/28/2017	11/28/2017	7635	Nappi, Jessica	25.00	Gym Fees Reimburse (Nov 2017)
513 10 20 00	Personnel Benefits		001 000 513 General Fund	16.75	Gym Fees (Nov 2017) - Jessica Nappi (Administration)	
518 11 20 00	Personnel Benefits - Person		001 000 518 General Fund	8.25	Gym Fees (Nov 2017) - Jessica Nappi (Personnel)	
15282	11/28/2017	11/28/2017	5157	Nelson, J. Douglas	59.00	1 Yr Library 2017
572 21 49 00	Library Services		001 000 572 General Fund	59.00	1 Yr Library 2017 / John D. Nelson	
15286	11/28/2017	11/28/2017	3923	Orca Pacific Inc	445.10	Sodium Hypochlorite
576 20 31 01	Pool Supplies-Chemicals		001 000 576 General Fund	445.10	Sodium Hypochlorite - Swimming Pool	
15241	11/28/2017	11/28/2017	3957	PC Budget & Finance	452.50	3rd Qtr 2017 Liquor Tax
566 66 49 00	Substance Abuse Fee		001 000 566 General Fund	452.50	3rd Qtr 2017 Liquor Tax	
15272	11/28/2017	11/28/2017	3957	PC Budget & Finance	7,430.22	2017 Voter Maintenance
514 40 51 01	Special Elections & Voter I		001 000 511 General Fund	483.90	2017 Voter Maintenance / Primary Election Cost Reimburse, Equipment Reserve Account - Auditor	
514 40 51 01	Special Elections & Voter I		001 000 511 General Fund	2,827.50	2017 Voter Maintenance / Primary Election Voter Pamphlet Cost Reimburse	

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514 40 51 01	Special Elections & Voter I		001 000 511 General Fund	4,118.82	2017 Voter Maintenance / Primary Election Cost Reimburse - Auditor		
15259	11/28/2017	11/28/2017	3961		PCRCD, LLC dba LRI-HV	579.56	Street Sweepings
531 50 47 01	Dumping Fees - Storm		415 000 531 Storm Drain	579.56	Street Sweepings (10/26/17 - 10/27/17) Net Weight 21.11		
15302	11/28/2017	11/28/2017	3955		Petrocard Systems Inc	965.12	Gas / Fuel
548 65 31 11	Parks/Rec Gas		501 000 548 Equipment Ren	51.20	Diesel Fuel - Parks		
548 65 31 12	Street Gas		501 000 548 Equipment Ren	161.40	Diesel Fuel - Street		
548 65 31 13	Storm Gas		501 000 548 Equipment Ren	335.11	Diesel Fuel - Storm		
548 65 31 14	Wtr/Swr Gas		501 000 548 Equipment Ren	417.41	Diesel Fuel - Wtr / Swr		
15300	11/28/2017	11/28/2017	7848		Pickles, Jennifer	60.00	Refund Youth Basketball / Jennifer Pickles
347 60 00 01	Youth Basketball Registrati		001 000 340 General Fund	-60.00	Refund Youth Basketball / Jennifer Pickles - Unable To Play "Asked For Refund"		
15252	11/28/2017	11/28/2017	7614		Prothman	2,219.52	Municipal Consulting Services (Bill McDonald) 10/21/17 - 11/03/17 (32 Hrs @\$68/Hr) Includes 2% State/City B&O Tax Charge
513 10 41 00	Prof Svcs - Admin		001 000 513 General Fund	2,219.52	Municipal Consulting Services (Bill McDonald) 10/21/17 - 11/03/17 (32 Hrs @\$68/Hr) Includes 2% State/City B&O Tax Charge		
15260	11/28/2017	11/28/2017	3997		Rainier Lighting & Electrical Supply	63.03	Sensor Light Wall Switch (Quantity: 2) - Court Hall Entryway
518 30 31 04	Oper Sup/CH		001 000 518 General Fund	63.03	Sensor Light Wall Switch (Quantity: 2) - Court Hall Entryway		
15275	11/28/2017	11/28/2017	4004		Reserve Account	2,000.00	#15690704 Meter Refill
518 10 42 01	Postage - Non-Dept		001 000 518 General Fund	2,000.00	#15690704 Meter Refill (Pitney Bowes)		
15279	11/28/2017	11/28/2017	4018		Rosen Supply Company Inc	8.21	Brass Spud Fitting - Public Safety Building Toilet
518 30 31 02	Oper Sup/PSB Bldg		001 000 518 General Fund	8.21	Brass Spud Fitting - Public Safety Building Toilet		
15304	11/28/2017	11/28/2017	4018		Rosen Supply Company Inc	127.21	Sloan Royal Flush Valve Unit - Public Safety Building Womens Restroom
518 30 48 04	Rep & Maint - PSB		001 000 518 General Fund	127.21	Sloan Royal Flush Valve Unit - Public Safety Building Womens Restroom		
15261	11/28/2017	11/28/2017	4035		Sarco Supply	218.08	Bath Tissue, Towels, Liners

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518 30 31 03		Oper Sup/PWF	001 000 518 General Fund	218.08	Bath Tissue, Towels, Liners - Public Works
15262	11/28/2017	11/28/2017	4035 Sarco Supply	312.99	Vacuum Sensor Brush Roller, Micro Hygiene Filter, Exhaust Filter Sensor - City Hall
518 30 31 04		Oper Sup/CH	001 000 518 General Fund	312.99	Vacuum Sensor Brush Roller, Micro Hygiene Filter, Exhaust Filter Sensor - City Hall
15250	11/28/2017	11/28/2017	325 Schibig, Sandra	38.14	Eyewear Reimburse
514 23 20 00		Personnel Benefits-Finance	001 000 514 General Fund	38.14	Eyewear Reimburse / Schibig
15301	11/28/2017	11/28/2017	5787 Senior Media Services	132.85	Holiday Bazaar Advertising
573 90 49 01		Community Events	001 000 573 General Fund	132.85	Holiday Bazaar Advertising (Nov 2017 Senior Scene Newspaper)
15280	11/17/2017	11/28/2017	6525 Shadlow, Daniel	81.67	02-00220.0 - 345 ELDORADO AVE
343 10 00 00		Storm Drain Fees & Charge	415 000 340 Storm Drain	-16.75	
343 40 00 00		Sale Of Water	425 000 340 Water Fund (de	-19.50	
343 50 00 00		Sewer Revenues	430 000 340 Sewer Fund (de	-45.42	
15242	11/28/2017	11/28/2017	6690 Sklar, Gail J.	59.00	1 Yr Library 2017
572 21 49 00		Library Services	001 000 572 General Fund	59.00	1 Yr Library 2017 / Gail Sklar
15253	11/28/2017	11/28/2017	4084 Staples Business Advantage	54.89	Logitech Wireless Keyboard & Mouse Combo, Underdesk Keyboard Drawer - Court
512 50 35 00		Small Tools & Equip-Cour	001 000 512 General Fund	54.89	Logitech Wireless Keyboard & Mouse Combo, Underdesk Keyboard Drawer - Court
15276	11/28/2017	11/28/2017	4084 Staples Business Advantage	87.92	Laser Toner Cartridge - Court
512 50 31 00		Office & Oper Supplies-Co	001 000 512 General Fund	87.92	Laser Toner Cartridge - Court
15243	11/28/2017	11/28/2017	4328 Systems for Public Safety Inc	135.08	AEU1101 (2010 Chevy Impala) LOF, Rotate Tires, Perform Safety Inspection
548 65 48 08		O & M - Police	501 000 548 Equipment Ren	135.08	AEU1101 (2010 Chevy Impala) Lube, Oil, Filter, Reset Oil Reminder Light, 4-Wheel Rotation, Check Brakes, Set Pressures, Torque Wheels, Perform Safety Inspection
15244	11/28/2017	11/28/2017	4135 Tacoma Screw Products Inc	120.78	12" Crescent Chain Wrench, 24" Crescent Chain Wrench
576 80 35 00		Small Tools & Equip - Parl	001 000 576 General Fund	82.33	24" Crescent Chain Wrench - Parks Maintenance (SAA No. 1583)

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576 80 35 00			Small Tools & Equip - Parl	38.45	12" Crescent Chain Wrench - Parks Maintenance
15245	11/28/2017	11/28/2017	4139		Tapco Visa Card
518 81 49 01			Software Licenses	249.95	Lucion Technologies / FileCenter Pro Plus 10 - Public Works "Document Management Software"
15263	11/28/2017	11/28/2017	4139		Tapco Visa Card
512 50 49 00			Miscellaneous - Court	10.00	Facebook / Passport Processing Ad - Court
15273	11/28/2017	11/28/2017	4139		Tapco Visa Card
513 10 49 00			Miscellaneous - Admin	272.00	PODS / Redeliver Container New Location - Pingel
513 10 49 00			Miscellaneous - Admin	1,313.62	PODS / Transportation Mileage - Pingel
513 10 49 00			Miscellaneous - Admin	880.93	PODS / Deliver Empty Container, Fuel, Security Lock, Storage Center Container Rental, Contents Protection - Pingel "Relocation Costs"
15288	11/28/2017	11/28/2017	4139		Tapco Visa Card
573 90 49 01			Community Events	14.29	Dollar Tree / Monster Head, Halloween Rings, Pirate Hat, Halloween Creatures - Pumpkin Patch
573 90 49 01			Community Events	90.59	Big Lots / Flashlight, AAA Batteries, Tootsie Midgees, Welchs Fruit Snacks, Tootsie Pops, Synders Mini Pretzels, Starburst Skittles - Pumpkin Patch
15289	11/28/2017	11/28/2017	4139		Tapco Visa Card
571 10 31 02			Senior Supplies	66.48	Safeway / Turkey, Potatoes, Onion, Gravy, Canola Oil, Whip Cream, Pumpkin Pie, Butter, Aluminum Foil Pan - Seniors Thanksgiving Lunch Supplies
15246	11/28/2017	11/28/2017	5918		Titus Will
548 65 48 11			O & M - Parks/Rec	1,284.70	#38454D (2004 F150 Pick-Up) "No Start Condition" Repairs & Towing
548 65 48 11			O & M - Parks/Rec	1,284.70	#38454D (2004 F150 Pick-Up) "No Start Condition": Multi-Point Inspection, Premium Motorcraft Oil Change, Left Rear Hub Cap, Air Filter, Wiper Blades, Fuel Pump Assembly, Fuel Filter & Gaskets, Towing
15248	11/28/2017	11/28/2017	4188		Verizon Wireless LLC
521 22 42 00			Communication - Police	360.15	10/02/17 - 11/01/17 Air Cards (9)

ACCOUNTS PAYABLE

City Of Fircrest
MCAG #: 0583

As Of: 11/28/2017

Time: 08:18:05 Date: 11/21/2017
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Accts Pay #	Received	Date Due	Vendor	Amount	Memo
15249	11/28/2017	11/28/2017	4188 Verizon Wireless LLC	275.77	Public Works Plan (9 Phones) & Global Positioning System Air Card (1)
531 50 42 00	Communication - Storm	415 000	531 Storm Drain	58.94	PW Cell Phones (10/02/17 - 11/01/17) - Storm
531 50 42 00	Communication - Storm	415 000	531 Storm Drain	10.01	GPS Air Card - Storm
534 10 42 00	Communication - Water	425 000	534 Water Fund (de	58.94	PW Cell Phones (10/02/17 - 11/01/17) - 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	58.94	PW Cell Phones (10/02/17 - 11/01/17) - 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	58.94	PW Cell Phones (10/02/17 - 11/01/17) - Street
542 30 42 00	Communication - Street	101 000	542 City Street Fun	10.00	GPS Air Card - Street
15305	11/28/2017	11/28/2017	6270 WR McDonald Company	6,512.12	Install Variable Aquavar Drive Control Componet - Booster Pump Station "Fire Pump #1"
534 50 48 01	Rep & Maint - Water Main	425 000	534 Water Fund (de	6,512.12	Install Variable Aquavar Drive Control Componet - Booster Pump Station "Fire Pump #1" (Intermittent Alarms From Pump Station - Troubleshoot / Repair)
15266	11/28/2017	11/28/2017	4231 Water Mgmt Labs Inc	287.00	Coliform, Fluoride
534 80 41 00	Water Testing	425 000	534 Water Fund (de	287.00	Coliform, Fluoride
15267	11/28/2017	11/28/2017	5286 Winsupply	36.13	3/4" Meter Key
542 30 35 00	Small Tools & Equip-St Re	101 000	542 City Street Fun	36.13	3/4" Meter Key
15287	11/28/2017	11/28/2017	5286 Winsupply	401.62	Irrigation Valve (1), Slip To Thread Adapters (2), PVC Nipples (2)
576 80 31 02	Oper Supplies - Parks	001 000	576 General Fund	401.62	Irrigation Valve (1), Slip To Thread Adapters (2), PVC Nipples (2) - Parks
15268	11/28/2017	11/28/2017	4247 Wofscoco Inc	16.49	(De-Icer Unit) Neoprene Gaskets
548 65 48 12	O & M - Street	501 000	548 Equipment Ren	16.49	(De-Icer Unit) 2" Neoprene Gaskets (Quantity: 6)
15269	11/28/2017	11/28/2017	4273 Zumar Industries Inc	267.06	Prefab Stop Signs (Quantity: 6)
542 30 31 02	Oper Supplies - Street Reg	101 000	542 City Street Fun	267.06	Prefab 30" X 30" Stop Signs (Quantity: 6)

Report Total: 116,082.45

Fund	
001 General Fund	86,435.75
101 City Street Fund	7,838.83

ACCOUNTS PAYABLE

City Of Fircrest
MCAG #: 0583

As Of: 11/28/2017

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Accts Pay #	Received	Date Due	Vendor	Amount	Memo
			415 Storm Drain	840.12	
			425 Water Fund (department)	14,651.46	
			430 Sewer Fund (department)	3,083.84	
			501 Equipment Rental Fund	3,232.45	

This report has been reviewed by:

REMARKS:

Signature & Title

Date

CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

Mayor Pro Tempore Hunter T. George called the regular meeting to order at 7:00 P.M. and led the Pledge of Allegiance. Councilmembers Blake Surina, Shannon Reynolds, and Brett Wittner were present. Councilmembers Denny Waltier and Jason Medley were absent and excused. Mayor Matthew Jolibois was absent and George presented a resignation letter submitted by Jolibois resigning from the Fircrest City Council, effective immediately as of November 14, 2017. Interim City Manager Bill McDonald stated that staff will consult with Pierce County Elections, review protocols, and report back to the Council on filling a council vacancy at the upcoming Council study session.

PRESIDING OFFICER'S REPORT

George added a New Business item regarding the Weathervane Water Main Break.

A. Presentation: Representative Kilduff

Representative Christine Kilduff briefed the Council on legislative accomplishments and advancements, which include updates on the school budget, property tax reduction, distracted driving and driving under the influence laws, paid medical leave, small business licensing initiatives, reformed public records law, veteran and military laws, Sound Transit 3, and capital budget.

After a brief question and answer session on health care legislation, ST3 efforts, driving under the influence alcohol and drug related data, Kilduff concluded her briefing.

CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA

George invited public comment. The following individual provided comment:

- David Viafore, 1120 Paradise Parkway, commented on the procedures for filling the Mayor position.
- Eric Bergson, 350 Del Monte Avenue, commented on the procedures for filling the Mayor position.

COMMITTEE, COMMISSION AND LIAISON REPORTS

A. Parks & Recreation

Surina reported on the Holiday Bazaar scheduled for November 18 and 19, 2017 and Fircrest recreation basketball league as well as provided updates on the pool repair findings.

B. Environment, Planning, Building

As Medley was absent, no updates were provided.

C. Finance, IT

Reynolds reported no new updates.

D. Administration

Wittner reported no new updates.

CONSENT CALENDAR

George requested the City Clerk read the consent calendar as follows: approval of Voucher No. 210263 through Voucher No. 210358 in the amount of \$359,713.48; approval of Payroll Check No. 12972 through Payroll Check No. 12978 in the amount of \$86,159.73; approval of Payroll Check No. 12979 through Payroll Check No. 12982 in the amount of \$7,660.46; approval of Payroll Check No. 12983 through Payroll Check No. 12988 in the amount of \$80,857.31; approval of Payroll Check No. 12989 through Payroll Check No. 12994 in the amount of \$89,434.24; approval of the October 9, 2017 special meeting minutes; approval of the October 10, 2017 regular meeting minutes; approval of the October 16, special meeting minutes; approval of the October 23, 2017 special meeting minutes; and approval of the October 24, 2017 regular meeting minutes. **Reynolds Moved to approve the Consent Calendar as read; seconded by Wittner. The Motion Carried Unanimously.**

PUBLIC HEARING

A. Amendments to Fircrest Comprehensive Plan and Pre-Annexation Designations

At 7:32 P.M., George opened the public hearing and invited public testimony. Stahlnecker briefed the Council on the second hearing of the proposal to update the City’s Comprehensive Plan by amending the Capital Facilities and Land Use Elements and establishing a pre-annexation land use designation and zoning classification for the potential annexation area. George invited councilmember comment; none were provided. George invited public testimony; none were provided.

At 7:33 P.M., George closed the public hearing.

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

A. Ordinance: Amendments to Fircrest Comprehensive Plan and Pre-Annexation Designations

Stahlnecker briefed the Council on the proposed ordinance to update the City’s Comprehensive Plan by amending the Capital Facilities and Land Use Elements and establishing a pre-annexation land use designation and zoning classification for the potential annexation area. Stahlnecker stated that although the proposed amendments would have no direct fiscal impact, the ordinance would amend the six-year capital improvement schedules and inclusion of the six-year schedule would be required for many grants and loans. Stahlnecker stated that the proposed amendments would update the Comprehensive Plan to ensure consistency with the Growth Management Act, the Puget Sound Regional Council, and the Pierce County Countywide Planning Policies. **Surina Moved adopt Ordinance No. 1603, amending Ordinance 1582, Section 1 and F.M.C. 23.04.020 amending the City of Fircrest Comprehensive Plan; seconded by Reynolds.** George invited councilmember comment; none were provided. George invited public comment; David Viafore, 1120 Paradise Parkway, commented on whether the Mayor vacancy prevented the approval of such action. City Attorney Mike Smith stated that the resignation of Jolibois was made at the present meeting and clarified that it was a resignation of a councilmember who held the title of Mayor. Smith indicated that per State law, the Mayor is head of the City for ceremonial purposes with no

administrative duties under the Council-Manager form of government. Smith referenced Fircrest City Council Rules of Procedures Rule 4A, which state:

Biennially, at the first meeting of the new Council, the members thereof shall choose a chair from among their number who shall have the title of Mayor. In addition to the powers conferred upon him/her as Mayor, he/she shall continue to have all the rights, privileges and immunities of a member of the Council. If a vacancy occurs in the Office of Mayor, the members of the Council at their next regular meeting shall select a Mayor from among their number for the unexpired term. (RCW 35A.13.030)

Smith stated that the selection of a Mayor should occur at the next regular Council meeting, and that nothing in the rules would preclude the Council to select a Mayor at the present meeting. McDonald and Smith verified that the Mayor Pro Tempore can serve in the absence of the Mayor. George read the motion on the floor and **the Motion Carried Unanimously.**

Wittner Moved to vote to appoint Hunter George as Mayor for the rest of this term; seconded by Reynolds. George invited councilmember comment; Wittner commented that under normal circumstances he would wait until there were six members present, however given that there were only a few meetings remaining before the end of the year, it made sense to take action at this meeting and that the full Council would have an opportunity to elect a new Mayor at the beginning of the year. Surina commended George's role as Mayor Pro Tempore and stated this appointment would be a logical choice. George invited public comment; none were provided. **The Motion Carried Unanimously.**

B. Ordinance: Amendments to FMC Title 22 Regarding Short-Term Rentals

Stahlnecker briefed the Council on the proposed ordinance to amend Fircrest Municipal Code Section 22.58.011 Bed and Breakfast Establishments, which would provide a process for licensing and regulating short-term rentals. George invited public comment; none were provided. **Wittner Moved to adopt Ordinance No. 1604, amending F.M.C. Chapter 22.58.011 Bed and Breakfast Establishments incorporating short-term rentals; seconded by Reynolds.** George invited councilmember comment; George inquired if staff received public feedback, to which Stahlnecker stated public comments were only received at the Planning Commission level. George inquired if this proposal would address the issue on Coral Drive; Stahlnecker responded no and that it is an active investigation. George invited public comment; none was provided. **The Motion Carried Unanimously.**

C. Ordinance: Amendments to FMC Title 22 Regarding Home Occupations

Stahlnecker briefed the Council on the proposed ordinance to amend F.M.C. Chapter 22.58.013 Home Occupations and amending FMC Chapter 22.98 Definitions, which would better address current trends in technology and employment patterns as well as address concerns raised by the Council and the community. **Wittner Moved to adopt Ordinance No. 1605, amending F.M.C. Chapter 22.58.013 Home Occupations and amending F.M.C. Chapter 22.98 Definitions; seconded by Reynolds.** George inquired if staff received public feedback, to which Stahlnecker stated a public comment was received at the City Council level in support of the proposed amendments. George thanked the Planning Commission for efforts. George invited public comment; none was provided. **The Motion Carried Unanimously.**

D. Ordinance: Adoption of Preliminary 2018 Budget as Adjusted

McDonald stated that Council concerns related to the police vehicle Equipment Rental and Replacement (ERR) schedule and copy machine lease versus purchase are scheduled to be discussed at the November 20, 2017 Council study session. McDonald indicated that he would debrief the new City Manager on the evaluation of the police sergeant promotion and summer water rates. McDonald stated that the 2018 Budget is a lean and maintenance of effort. Corcoran briefed the Council on the adjustments to the Preliminary 2018 Budget, which included changes to all funds, General Fund, Street Fund, Storm Fund, Water Fund, Water Capital Fund, Sewer Fund, Sewer Capital Fund, ERR Fund, and REET Fund. Wittner commented on the police sergeant promotion line item, inquiring whether this is an item for labor negotiation with the Police Guild and if this item can be a placeholder in the 2018 Budget with further approval by the Council. McDonald stated this might be an item that is subject to mandatory bargaining. Corcoran indicated that it would not be unusual for the City to include a line item as a placeholder in the budget until Council approval is obtained. Due to the absence of several Councilmembers, George continued this item to the next regular Council meeting, November 28, 2017.

E. Resolution: Amending City Council Rules of Procedures – Consent Calendar

After a brief discussion, George continued this item to the next regular Council meeting, November 28, 2017, to allow the full Council to discuss this item.

F. Resolution: Steilacoom Sleigh Contract

Police Chief Cheesman briefed the Council on the proposed resolution to authorize the City Manager to execute an Equipment Use and Hold Harmless Agreement between the Town of Steilacoom and the City of Fircrest for the use of the Holiday Sleigh. Cheesman stated the City has utilized the sleigh for many years with much success and will be traveling throughout the community on December 19 and 20, 2017. **Reynolds Moved to adopt Resolution No. 1497, authorizing the City Manager to execute an Equipment Use and Hold Harmless Agreement between the Town of Steilacoom and the City of Fircrest for the use of the Holiday Sleigh; seconded by Wittner.** George invited councilmember comment; Surina thanked the Chief's efforts to continue this tradition, and Wittner commented on the sleigh visiting the south end neighborhoods of the City. George invited public comment; none was provided. **The Motion Carried Unanimously.**

G. Resolution: South Sound 911 Dispatch and Information Services Contract

Cheesman briefed the Council on the proposed resolution with South Sound 911, which would allow the Fircrest Police Department continued access to South Sound 911 Records Management Core Technology and Radio Communication Services to the Fircrest Police Department. Cheesman stated this service is fully funded in the 2018 Budget. **Reynolds Moved to adopt Resolution No. 1498, authorizing the City Manager to execute an agreement with South Sound 911 for Public Safety Communications and Information Services; seconded by Wittner.** George invited councilmember comment; Surina inquired if there were other options for the City to pursue, to which Cheesman stated no and that this cost is partially subsidized with the Sales Tax revenue. **The Motion Carried Unanimously.**

H. Resolution: Combined Communication Network Contract

McDonald briefed the Council on the proposed Memorandum of Understanding between Pierce Transit-Pierce County and the City of Fircrest to use the Combined Communication Network (CCN) system that is incorporated into the South Sound 911 system. McDonald

stated that this is an essential system for police and fire agencies, and is heavily subsidized by South Sound 911. McDonald indicated that the City has been allowed to operate without a user agreement for the past few years, and that by this action, the City will have an executed agreement with CCN for the 2018 calendar year. McDonald stated that this is a budgeted item in the 2018 budget and that he will bring forth the outstanding 2016 and 2017 invoices at the November 28, 2017 regular Council meeting. **Reynolds Moved to adopt Resolution No. 1499, authorizing the City Manager to execute a Memorandum of Understanding between the Pierce Transit-Pierce County Combined Communication Network (CCN) and the City of Fircrest for the purpose of allowing the City of Fircrest use of the CCN Radio System; seconded by Wittner.** George invited councilmember comment; none were provided. George invited public comment; David Viafore, 1120 Paradise Parkway, commented on why the South Sound 911 subsidy does not absorb the full cost of the service, to which McDonald stated that the user fees are established by a board comprised of elected officials and that the City should pay the fee and raise this issue at the board level. George commented that the City should lobby the board but remedy outstanding balances. **The Motion Carried Unanimously.**

I. Motion: Bond Underwriter Engagement Letter

McDonald briefed the Council on the proposed engagement letter with D.A. Davidson for bond underwriting services and stated that Federal “Dodd-Frank” regulations require underwriters to have a formal engagement letter before they can provide financial information for bond funded projects, such as the Community Center and Pool. McDonald indicated that the underwriter could provide information on various bond structures, including estimated tax levy rates, costs to the average home, and, in the case of non-voted bonds, calculate debt capacity and estimated payments. McDonald stated there is no cost to the City and no obligation to proceed with a bond offering. **Wittner Moved to authorize the City Manager to sign an engagement letter with D.A. Davidson for bond underwriting services; seconded by Reynolds.** George invited councilmember comment; Surina inquired if this action should be postponed until the new City Manager starts, to which McDonald stated there is no cost to the City and is a win for the City. George invited public comment; none was provided. **The Motion Carried Unanimously.**

J. Resolution: Weather Water Main Break

Public Works Director Wakefield briefed the Council on the November 8, 2017 water main break along Weathervane between 44th and Weathervane Court. Due to the nature of the break, staff asked for Council’s approval to declare an emergency as the immediate repair resulted in no loop to the system and limited fire flow available and move the water main out in the street and have service restored as soon as possible. Corcoran stated that she confirmed with the Washington State Auditor’s office that this event would qualify as an emergency and be exempt from the competitive bidding process. Corcoran stated the preliminary cost of \$49,000 can be funded from the Water capital line that was scheduled for the Ramsdell project and that this will change the 2018 Beginning Fund Balance. Wakefield stated that staff will follow Washington state guidelines force account work. After a brief discussion, **Reynolds Moved to adopt Resolution No. 1500, declaring an emergency relating to the repair and replacement of the water main located along Weathervane Avenue between 44th Street and Weathervane Court and waiving the public bidding requirements of RCW 39.04.280 to perform water main relocation work; seconded by Wittner.** George invited public comment; none was provided. **The Motion Carried Unanimously.**

CITY MANAGER COMMENTS

- Parks and Recreation Director Grover briefed the Council on the KPG steps taken towards the investigation of the pool leak repair and areas of concern as well as next steps. Grover stated the estimate to repair the pool for 2018 operation would be approximately \$15,100.81, which includes a 30% contingency. McDonald stated the City received four RFQ responses for the Community Center and Pool project and recommended allowing the new City Manager to administer the interview panel.

DEPARTMENT HEAD COMMENTS

- Cheesman reported that the Fircrest Police Department will be hosting an Earthquake Preparedness class on November 30, 2017. Cheesman thanked the Public Works crew for their efforts on mitigating the flooding on Edwards Avenue. Cheesman reported that staff is working with Crime Stoppers on the October 30th, 2017 theft and assault at the OMG Food Mart and that this incident will be featured on Washington’s Most Wanted. George commented on emergency planning and continuity plans and Cheesman stated that the 2018 work plan includes this type of planning and anticipates having this item on a 2018 study session. Reynolds indicated FEMA offers a related course for elected officials.
- Grover reported on the Holiday Bazaar scheduled for November 18 and 19, 2017 and thanked Police and Public Works staff and Kiwanis for their efforts. Grover stated that the Fircrest recreation basketball league was fully registered with a waiting list, and indicated that the size of the Recreation Center basketball court determines the size of the gym and practice space. Grover stated he anticipates all the individuals on the waitlist will be placed on a league with the use of the Wainwright facility two days a week.

COUNCILMEMBER COMMENTS

The Council expressed their sentiments and appreciation of Jolibois’s time served on Council and service to the community, and thanked George for fulfilling the role of Mayor for the remainder of the year. Reynolds indicated she would be interested in serving as Mayor Pro Tempore and would appreciate Council consideration. George thanked Councilmembers for their support.

EXECUTIVE SESSION

There was none.

ADJOURNMENT

Reynolds Moved to adjourn the meeting at 8:50 P.M., seconded by Wittner. The Motion Carried Unanimously.

Hunter T. George, Mayor

Jessica Nappi, City Clerk

**PUBLIC HEARING: 2017 Development Code Updates
ITEM 8A.****FROM: Angelie Stahlnecker, Planning and Building Administrator**

RECOMMENDED MOTION: No motion. Public Hearing only.

PROPOSAL: The City of Fircrest proposes to amend zoning and subdivision regulations contained in various chapters of Title 22 Land Development. The proposed amendments:

- Establish procedures for considering binding site plans and administrative interpretations;
- Modify the articulation requirements in residential zones to better achieve their original intent;
- Expand multifamily design standards to all zones that allow multifamily;
- Amend R-4-C by replacing the term “family group home and public or quasi-public building” with “other uses” and increase maximum height from 35 feet to 45 feet for other uses;
- Amend the permitted and prohibited land uses in the Commercial Mixed Use (CMU) district;
- Add liquor performance standards to the CMU;
- Streamline the review process for specific uses; and
- Establish design guidelines and reduce review level for drive through facilities.

FISCAL IMPACT: The proposed amendments will have no direct fiscal impact, though many of the amendments are proposed to encourage economic development.

ADVANTAGE: The proposed amendments will clarify code administration, fine tune regulations, and respond to input and direction received since the most recent rounds of amendments in 2015-2016. The proposed amendments will further the goals of the Comprehensive Plan.

DISADVANTAGES: None known.

ALTERNATIVES: Maintain part or all of the current code.

HISTORY: Land Use Element Goal LU12 of the Comprehensive Plan directs the City to continue to refine its permit process and periodically review and revised the code to ensure consistent implement of the Comprehensive Plan and other state and federal mandates. With this goal in mind, staff presented the Planning Commission with a number of potential land development code (zoning) amendments at the September 5, 2017 Planning Commission meeting. On October 3, 2017, the Planning Commission held a public hearing, reviewed the proposed amendments, and forwarded a recommendation to the City Council.

The City prepared an Environmental Checklist and issued a *Determination of Nonsignificance* on September 19, 2017 with a 14-day comment/appeal period ending on October 2, 2017. No comments or appeals were received. The City submitted a *Notice to Intent to Adopt Amendment* with a request for Expedited Review to the Washington State Department of Commerce on September 15, 2017. No comments were received.

ATTACHMENTS: [Planning Commission Recommendation, Resolution 17-09](#)
[Minutes September 5, 2017](#)
[Minutes October 3, 2017 - Draft](#)

1 CITY OF FIRCREST PLANNING COMMISSION
2 RESOLUTION NO. 17-09
3 Case No. 17-10

4 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
5 FIRCREST, WASHINGTON, RECOMMENDING ADOPTION OF
6 AMENDMENTS TO THE LAND DEVELOPMENT CODE CONTAINED
7 IN TITLE 22 OF THE FIRCREST MUNICIPAL CODE.

8 **WHEREAS**, the City has identified amendments that will clarify and improve code
9 administration, improve internal code consistency, establish procedures for
10 considering binding site plans and administrative interpretations, refine existing
11 development standards to better achieve their original intent, allow additional land
12 uses in certain zoning districts, prohibit several types of uses from being established
13 in certain zoning districts, streamline the review process for specific uses by requiring
14 administrative use permits instead of conditional use permits in some instances, and
15 establish design guidelines that would govern the design of drive through facilities;
16 and

17 **WHEREAS**, the City submitted a *Notice of Intent to Adopt Amendment* with a request
18 for *Expedited Review* to the Washington State Department of Commerce on
19 September 15, 2017, which was issued to state agencies for a comment period that
20 ended on October 2, 2017 as required pursuant to RCW 36A.70 RCW, and no
21 comments were received; and

22 **WHEREAS**, the City issued a *Determination of Nonsignificance* on September 19,
23 2017 with a 14-day comment period ending October 2, 2017, and no adverse
24 comments were received; and

25 **WHEREAS**, the Planning Commission conducted a public hearing on October 3,
26 2017 to accept public testimony and comment on the proposed amendments; and

27 **WHEREAS**, the Planning Commission adopted the following findings in support of
28 approval of the proposed amendments, in consideration of the criteria listed in FMC
29 22.78.004, prior to final action:

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

32 **GOAL LU12**

Fircrest should continue to refine its permit process for development and other local government approvals, as needed, to ensure that it is timely and fair to all affected parties.

Policy LU12.1

Development regulations shall be periodically reviewed and revised to ensure that they are consistent with and relate directly to implementation of the Comprehensive Plan and other state and federal mandates. Duplicate and unnecessary regulations should be eliminated.

Policy LU12.2

In the event of conflict between development regulations and this Comprehensive Plan, the provisions of this Comprehensive Plan take precedence. This policy applies immediately upon adoption of this Comprehensive Plan and amendments thereto. Development regulations that are

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significantly inconsistent with this Comprehensive Plan shall be given high priority for rapid revision.

(b) The proposed amendment will promote, rather than detract from, the public health, safety, morals and general welfare by establishing a binding site plan review process as well as drive through facility design standards and guidelines that will lead to the construction of safer streets, driveways and pedestrian facilities, and result in commercial developments that are aesthetically pleasing, functional at serving all users, and sensitively designed and constructed so as to minimize impacts on adjoining uses.

THEREFORE BE IT RESOLVED that the Planning Commission of the City of Fircrest hereby recommends to the City Council the adoption of proposed amendments to FMC Title 22 Land Development, as shown in the October 3, 2017 Planning Commission Hearing Draft, attached hereto.

MOVED AND ADOPTED by the Planning Commission of the City of Fircrest on the 3rd day of October 2017 by the following vote:

YES: (3) McVay, McGinnis, Michaelsen

ABSENT: (2) Patjens, Halgren

APPROVED:



Kathy L. McVay
Vice-Chair, Fircrest Planning Commission

ATTEST:



Angelie Stahlnecker
Planning/Building Administrator



Date

AMENDMENTS TO LAND DEVELOPMENT CODE

October 3, 2017 Planning Commission Meeting

22.05.003 Project permit application framework.

Table A – Classifications

Type I	Type II-A	Type II-B	Type III-A	Type III-B	Type IV	Type V
Permitted uses not requiring site plan or design review alterations	Minor variances, minor site plans	Short plats, short plat vacations	Major preliminary site plans	Preliminary plats	Final plats	Comprehensive plan amendments
Boundary line adjustments	Administrative use permits	Final site plans and final development plans	Conditional use permits, major variances	Plat vacations and alterations		Development regulation amendments
Minor amendments to development plans and site plans		Design review	Major amendments to site plans and conditional use permits	Preliminary development plans and major amendments to preliminary development plans		Annexations
Temporary accessory structures and uses		Land clearing/grading permits	Home occupations requiring CUP approval	Zoning map amendments		Area-wide rezones
Home occupation permits		Administrative interpretation	Critical areas reasonable use exceptions			
Accessory dwelling units		Critical areas determinations	Detached accessory dwelling units; critical areas public agency and utility exceptions			
De minimis variance		<u>Binding site plan</u>				

22.07.005 Notice of decision for administrative use permit, minor site plan review, ~~and~~ minor variance, and administrative interpretation.

Upon issuance of a decision on a proposed administrative use permit, minor site plan review, ~~or~~ minor variance, or administrative interpretation, the director shall provide a written notice of this decision to the applicant and any parties who have provided written comment during the 10-day comment period, if applicable. The director shall also provide written notice of this decision to the planning commission.

22.08.004 Administrative Interpretations.

A. Purpose. The primary objective of administrative interpretation is to ascertain the intent of the code provision at issue and to give effect to that intent. Administrative interpretation shall not be used to amend or change the code. The City's development regulations (the Land Development Code) shall be interpreted whenever any of its provisions, or the application of such provisions to any specific set of circumstances, is ambiguous, i.e., where the code is subject to two or more reasonable interpretations.

B. Administration. The Director is authorized and directed to administer the provisions of this Section and shall have the authority to approve or deny administrative interpretations without a hearing in accordance with this Section.

C. Procedure. The following steps shall be followed in the processing of an administrative interpretation.

1. FMC 22.06.004. Determination of Completeness;
2. FMC 22.08.001. Determination of Consistency
3. FMC 22.07.005. Notice of Decision.
4. FMC 22.10.004. Closed Record Decisions and Appeals (if any).

D. Requirements for a Complete Application. The following materials shall be submitted to the City in order to constitute a complete application for an administrative interpretation:

1. The name, address, telephone number and e-mail address of the applicant, the completed application form with the date of submission to the City and the applicable fee;
2. An identification of the code provision that is the subject of the applicant's administrative interpretation, and a description of the applicant's perception of the ambiguity in the code;
3. A description of the set of circumstances, the address of the property or identification of the development that the applicant believes has created the ambiguity or two or more reasonable interpretations of the code provision identified in Subsection D(2) above; and
4. If the applicant is requesting an administrative interpretation relating to the applicability of a code provision to a particular piece of property, the applicant shall submit a verified statement that this property is in the exclusive ownership of the applicant, or that the applicant has submitted the request for the interpretation with the consent of all owners of the affected property.

E. Criteria for Approval. Administrative interpretation shall utilize generally recognized principles of statutory and ordinance interpretation adopted by the courts of this state. In addition:

1. The provisions of the Land Development Code shall be considered to include the minimum requirements adopted for the promotion and protection of the public health, safety and general welfare, and all administrative interpretations shall be made in this context.
2. The provisions of the Land Development Code is not intended to interfere with, abrogate or annul any easements, covenants, or other agreements between parties, except where the agreements may conflict with the enforcement of the Land Development Code.
3. In the case of conflicts between the portions of the Land Development Code and other rules, regulations, resolutions, ordinances or statutes lawfully adopted by other authority having jurisdiction within the City, the most restrictive shall govern. In the case of conflicts between the text, maps and charts of the Land Development Code, the text shall govern unless otherwise stated.
4. Zoning Map Interpretation. Where uncertainty exists as to the location of any boundaries of the zones shown on the City's Official Zoning Map, the rules of interpretation listed in FMC 22.30.004 shall apply.

F. No Limitation for Final Decision. An administrative interpretation is not a project permit application, and is not subject to a deadline for issuance of a final decision.

Chapter 22.23 BINDING SITE PLAN

Sections:

22.23.001 Purpose.

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22.23.001 Purpose.

The purpose of this chapter is to create a permit for dividing commercially zoned property, as authorized by RCW 58.17.035. On sites that are fully developed, the binding site plan merely creates or alters interior lot lines. In all cases the binding site plan ensures, through written agreements among all lot owners, that the collective lots continue to function as one site concerning but not limited to: lot access; interior circulation; open space; landscaping and drainage; facility maintenance; and coordinated parking.

22.23.002 Applicability.

A. Any person seeking the use of a binding site plan to divide the person's property for the purpose of sale, lease, or transfer of ownership of commercially zoned property is required to apply for, complete, and have approved a binding site plan prior to any property division, as provided in Chapter 58.17 RCW and as required by this chapter.

B. The site that is subject to the binding site plan shall consist of one or more contiguous lots legally created.

C. The site that is subject to the binding site plan may be reviewed independently for fully developed sites, or concurrently with a development permit application for undeveloped land.

D. The binding site plan process merely creates or alters lot lines and does not authorize substantial improvements or changes to the property or the uses thereon.

22.23.003 Type of application.

A binding site plan is a Type II application and the director shall make the final decision. The application shall be processed as set forth in Chapter 22.06 FMC.

22.23.004 Optional pre-application conference.

Prior to submittal of an application for a binding site plan, an applicant may request a pre-application conference in accordance with FMC 22.06.001. The pre-application conference is intended to enable the applicant and city staff to review a conceptual plan prior to a formal survey being conducted and documentation being submitted for the binding site plan.

22.23.005 Review criteria.

A. The Director shall review the application for consistency with the Comprehensive Plan, development regulations, Chapter 58.17 RCW, and review comments provided by other governmental agencies, utilities, and interested parties, and require appropriate modifications or conditions.

B. The Director shall review newly created lots to ensure the lots:

1. Will continue to function and operate as one site, for fully developed sites; or

2. Conform to an approved development plan including any adopted rules and regulations or required conditions as represented in an approved development plan or associated approval document, if the binding site plan is being considered with a development plan.

C. If applicable, the Director shall review the environmental checklist and other available information and issue an appropriate threshold decision. The threshold decision may require measures to mitigate any significant adverse environmental impact.

D. The Director shall contact the appropriate sewer purveyor to review the binding site plan for potential sewer adequacy.

E. The Director shall review proposed lot sites that are known or suspected to be poor building sites because of geological hazard, flooding, wetland, or other environmental or critical area constraint or limitation, and such may be noted on the face of the site plan.

F. The City Engineer shall review the site plan for compliance with public works codes, including but not limited to the adequacy of the proposed street and storm drainage systems.

G. The Fire Code Official shall review the proposed site plan for fire protection issues, including but not limited to fire hydrant location and emergency vehicle access.

H. In addition to other standards required by this title, the Director may require additional standards and conditions or it may modify the standards and conditions in such a manner as is necessary to:

1. Maintain the intent and purpose of this title;

2. Assure that a degree of compatibility shall be maintained with respect to properties and existing or potential uses within the general area; and

3. Preserve the public health, safety, morals, and general welfare.

I. The recommendations of the Director, City Engineer, and the Fire Code Official shall become part of the record.

22.23.006 Decisions.

A. The Director may approve, approve with conditions, or deny a binding site plan.

B. If the site plan meets the requirements of FMC 22.23.005 (A) through (H), the Director shall approve the binding site plan by signing the Department certificate on the face of the binding site plan.

C. The binding site plan shall contain applicable descriptions or attachments setting forth limitations and conditions to which the plan is subject, including any applicable irrevocable dedications of property and containing a provision requiring that any development of the site shall be in conformity with the approved site plan.

D. The Director may authorize sharing of open space, parking, access, and other improvements among contiguous properties subject to the binding site plan. Conditions of use, maintenance, and restrictions on redevelopment of shared open space, parking, access, and other improvements shall be identified on the binding site plan and enforced by covenants, easements, or other similar mechanisms.

E. Effect of Approval. The approval of a binding site plan shall not be a guarantee that future permits will be granted for any structures or development within said area, and a notation to this effect shall be stated on the face of the binding site plan.

F. If the binding site plan is unable to comply with the requirements of FMC 22.23.005 (A) through (H), the binding site plan shall be denied.

G. The decision of the Director shall be final.

22.23.007 Recording and binding effect.

A. Prior to recording, the approved binding site plan shall be surveyed and the final recording forms shall be prepared by a professional land surveyor, licensed in the state of Washington. Surveys shall include those items prescribed by RCW 58.09.060, Records of survey, contents – Record of corner, information.

B. The approved binding site plan recording forms shall include the following, in the format prescribed by the Director:

1. Lots designated by number on the binding site plan within the area of the lot. Tracts shall be similarly designated and each tract shall be clearly identified with the ownership and purpose;
2. Signature and stamp of the land surveyor who prepared the binding site plan;
3. Reference to the recording number of the completed survey as required by this section if the boundaries have been previously surveyed;
4. Reference to all agreements or covenants required as a condition of approval;
5. Notarized signatures of all persons having an ownership or security interest in the land being divided;
6. Approval of the City Engineer; and
7. Approval of the Director.

C. Binding site plans shall be recorded with the Pierce County Auditor with a record of survey.

D. Lots, parcels, or tracts created through the binding site plan procedure shall be legal lots of record. All provisions, conditions, and requirements of the binding site plan shall be legally enforceable on the purchaser or any other person acquiring a lease or other ownership interest of any lot, parcel, or tract created pursuant to the binding site plan.

E. Any sale, transfer, or lease of any lot, tract, or parcel created pursuant to the binding site plan, that does not conform to the requirements of the binding site plan or without binding site plan approval, shall be considered a violation of Chapter 58.17 RCW and shall be restrained by injunctive action and be illegal as provided in Chapter 58.17 RCW.

22.32.005 Development standards. (R4 Zone)

Maximum density	4 dwelling units per gross acre.
Minimum lot area	8,000 square feet.
Maximum height	30 feet. See FMC 22.58.007 for exceptions.
Maximum floor area ratio	0.35. See FMC 22.58.026 for FAR standards.
Minimum front yard setback	25 feet. See FMC 22.58.002 for setback reduction and allowable encroachments.
Minimum interior side yard setback	8 feet. See FMC 22.58.002 for allowable encroachments.
Minimum side street side yard setback	15 feet. See FMC 22.58.002 for allowable encroachments.
Minimum rear yard setback	20 feet. See FMC 22.58.002 for allowable encroachments.
Exterior wall modulation	Building elevations greater than 40 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 4 feet for front and side street side yard elevations of single-family dwellings, and 6 feet for all elevations of all other buildings. The projections or recesses shall extend at least 20% of the length of the facade. No uninterrupted length of any elevation shall exceed 40 horizontal feet. See FMC 22.64.009 for an illustration of this requirement.
Articulation	Building elevations greater than exceeding 20 feet in length, measured horizontally, shall incorporate a minimum of two articulation components, such as a stoop, porch, chimney or other substantial projections, windows, multiple contrasting siding materials, or substantial trim including a belt course, to visually and/or functionally break up flat, blank or undifferentiated elevations. Building elevations greater than 30 feet in length, measured horizontally, and exceeding 12 feet in height, measured

	<u>from finished grade to top of wall where it connects to roof structure,</u> shall incorporate a minimum of three articulation components.
Accessory building standards	See FMC 22.58.003 .
Maximum lot coverage for structures	40% for all structures combined.
Maximum impervious surface coverage	50% for structures and other impervious surfaces combined.
Minimum lot width	60 feet.
Minimum frontage on a public street	60 feet. 45 feet if located on a cul-de-sac or facing the inside curve of a street.
Additional specific use and structure regulations	See Chapter 22.58 FMC.
Parking and circulation	See Chapter 22.60 FMC.
Landscape regulations	See Chapter 22.62 FMC.
Design standards	See Chapter 22.64 FMC.
<i>Calculations resulting in a fraction shall be rounded to the nearest whole number with .50 being rounded up.</i>	

22.34.005 Development standards. (R-4-C zone)

Maximum density	4 dwelling units per gross acre for small lot development. 8 dwelling units per gross acre for cottage housing.
Density bonus	The following density bonuses, not to exceed 30% combined, may be permitted for small lot development: a. A 5% increase in density if ≥30% of the development site is retained as common open space, and which must be contiguous or larger than 1 acre in area. b. A 10% increase in density if a pedestrian trail system is provided within the common open space area, consistent with a trails plan. c. A 10% percent increase in density if a minimum 35% of the required common open space is improved as an active recreational area. Active recreational areas include, but are not limited to: i. Clearly defined athletic fields and/or activity courts. ii. Recreation centers or community facilities. d. A 1% increase in density for each 5% additional increase in common open space provided beyond the minimum percentage required.
Minimum and maximum lot area	Small lot development: See Chapter 22.63 FMC Cottage housing: See FMC 22.58.027
Maximum height	Family group home and public or quasi-public building: 35 feet. Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027 . Other Uses: 45 feet. Exceptions may be authorized per FMC 22.58.007 .
Minimum and maximum front yard, interior side yard, side street side yard, and rear yard setback	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027 . Family group home and public or quasi-public building Other uses: To be determined through the administrative design review process. If not specified, FMC 22.58.002 encroachment standards will apply.
Exterior wall modulation	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027 . For other uses family group home and public or quasi-public building , elevations greater than 40 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 6 feet. The projections or recesses shall extend at least 20% of the length of the facade. No uninterrupted length of any elevation shall exceed 40 horizontal feet. See FMC 22.64.009 for an illustration of this requirement.
Articulation	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027 . For other uses family group home and public or quasi-public building , building elevations greater than exceeding 20 feet in length, measured horizontally, shall incorporate a minimum of two articulation components, such as a stoop, porch, chimney or other substantial projections, windows, multiple contrasting siding materials, or substantial trim including a belt course, to visually and/or functionally break up flat, blank or undifferentiated elevations. Building elevations greater than 30 feet in length, measured horizontally, and exceeding 12 feet in height, measured from finished grade to top of wall where it connects to roof structure, shall incorporate a minimum of three articulation components.
Accessory building standards	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027 .

	If not specified, FMC 22.58.003 standards will apply.
Maximum impervious surface coverage	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027 . For other uses family group home and public or quasi-public building , 50% for all structures and other impervious surfaces combined.
Maximum developable slope	Subject to the requirements of Chapter 22.100 FMC.
Additional specific use and structure regulations	See Chapter 22.58 FMC.
Parking and circulation	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027 . For other uses family group home and public or quasi-public building , see Chapter 22.60 FMC.
Landscape regulations	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027 . For other uses family group home and public or quasi-public building : See Chapter 22.62 FMC.
Design standards	Small lot development: See Chapter 22.63 FMC. Cottage housing: See FMC 22.58.027 . For other uses family group home and public or quasi-public building : See Chapter 22.64 FMC.
Critical areas	See Chapter 22.92 FMC.
<i>Calculations resulting in a fraction shall be rounded to the nearest whole number, with .50 being rounded up.</i>	

22.36.005 Development standards. **(R6 Zone)**

Maximum density	6 dwelling units per gross acre.
Minimum lot area	5,000 square feet.
Maximum height	27 feet (where minimum roof slope of 6:12 for all parts of the roof above 18 feet is provided). Otherwise, 18 feet. See FMC 22.58.007 for exceptions.
Maximum floor area ratio	0.35. See FMC 22.58.026 for FAR standards.
Minimum front yard setback	20 feet. See FMC 22.58.002 for setback reduction and allowable encroachments.
Minimum interior yard setback	5 feet for first story. 8 feet for side second story. See FMC 22.58.002 for allowable encroachments.
Minimum side street side yard setback	15 feet. See FMC 22.58.002 for allowable encroachments.
Exterior wall modulation	Building elevations greater than 40 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 4 feet for front and side street side yard elevations of single-family dwellings, and 6 feet for all elevations of all other buildings. The projections or recesses shall extend at least 20% of the length of the elevation. No uninterrupted length of any elevation shall exceed 40 horizontal feet. See FMC 22.64.009 for an illustration of this requirement.
Articulation	Building elevations exceeding greater than 20 feet in length, measured horizontally, shall incorporate a minimum two articulation components, such as a stoop, porch, chimney or other substantial

	projections, windows, multiple contrasting siding materials, or substantial trim including a belt course, to visually and/or functionally break up flat, blank or undifferentiated elevations. Building elevations greater than 30 feet in length, measured horizontally, <u>and exceeding 12 feet in height, measured from finished grade to top of wall where it connects to roof structure.</u> shall incorporate a minimum of three articulation components.
Minimum rear yard setback	20 feet. See FMC 22.58.002 for allowable encroachments.
Accessory building standards	See FMC 22.58.003 .
Maximum lot coverage for structures	40% for all structures combined, except that up to 200 square feet of a covered, unenclosed front porch having a 6-foot minimum depth may be excluded from total.
Maximum impervious surface coverage	50% for all structures and other impervious surfaces combined, except that porches excluded above, and driveway strips less than or equal to 2 feet wide leading to a detached garage in rear 50% of a lot, may be excluded from total.
Minimum lot width	50 feet.
Minimum frontage on a public street	50 feet. 35 feet if located on a cul-de-sac or facing the inside curve of a street.
Additional specific use and structure regulations	See Chapter 22.58 FMC.
Parking and circulation	See Chapter 22.60 FMC.
Landscaping regulations	See Chapter 22.62 FMC.
Design standards	See Chapter 22.64 FMC.
<i>Calculations resulting in a fraction shall be rounded to the nearest whole number with .50 being rounded up.</i>	

22.38.005 Development standards. (R8 Zone)

Maximum density	8 dwelling units per gross acre.
Minimum lot area	To be determined through the PD review process – see Chapter 22.76 FMC.
Maximum height	35 feet. Exceptions may be authorized per FMC 22.58.007 and through the PD review process – see Chapter 22.76 FMC.
Minimum and maximum front yard, interior side yard, side street side yard, and rear yard setback	Setbacks and allowable encroachments to be determined through the PD review process – see Chapter 22.76 FMC. If not specified, FMC 22.58.002 encroachment standards will apply.
Exterior wall modulation	Building elevations greater than 40 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 4 feet for front and side street side yard elevations of single-family dwellings, and 6 feet for all elevations of all other buildings. The projections or recesses shall extend at least 20% of the length of the elevation. No uninterrupted length of any elevation shall exceed 40 horizontal feet. See FMC 22.64.009 for an illustration of this requirement.

Articulation	Building elevations <u>exceeding</u> greater than 20 feet in length, measured horizontally, shall incorporate <u>minimum two articulation components, such as</u> a stoop, porch, chimney or other substantial projections, windows, multiple contrasting siding materials, or substantial trim including a belt course, to visually and/or functionally break up flat, blank or undifferentiated elevations. Building elevations greater than 30 feet in length, measured horizontally, <u>and exceeding 12 feet in height, measured from finished grade to top of wall where it connects to roof structure,</u> shall incorporate a minimum of three articulation components.
Accessory building standards	To be determined through the PD process – see Chapter 22.76 FMC. If not specified, FMC 22.58.003 standards will apply.
Maximum lot coverage for structures	To be determined through the PD review process – see Chapter 22.76 FMC.
Maximum impervious surface coverage	65% of the developable site area for all structures and other impervious surfaces combined.
Development not subject to planned development approval	For development that is not subject to planned development approval, or for modifications to existing development constructed prior to adoption of planned development requirements, lot size, setbacks, lot coverage and impervious surface area coverage shall comply with the development standards in FMC 22.36.005 (R-6 zone).
Additional specific use and structure regulations	See Chapter 22.58 FMC.
Parking and circulation	See Chapter 22.60 FMC.
Landscaping regulations	See Chapter 22.62 FMC.
Design standards	See Chapter 22.64 FMC. Site-specific design guidelines may be required as part of planned development approval. <u>See also multifamily design standards and guidelines adopted by reference in Chapter 22.63 FMC.</u>
Critical areas	See Chapter 22.92 FMC.
<i>Calculations resulting in a fraction shall be rounded to the nearest whole number with .50 being rounded up.</i>	

22.40.005 Development standards. (R-10-TCD Zone)

Maximum density	10 dwelling units per gross acre.
Minimum and maximum lot area	To be determined through the PD review process – see Chapter 22.76 FMC.
Maximum height	35 feet. Exceptions may be authorized per FMC 22.58.007 and through the PD review process – see Chapter 22.76 FMC.
Minimum and maximum front yard, interior side yard, side street side yard, and rear yard setback	Setbacks and allowable encroachments to be determined through the PD review process – see Chapter 22.76 FMC. If not specified, FMC 22.58.002 encroachment standards will apply.
Accessory structure standards	To be determined through the PD review process – see Chapter 22.76 FMC. If not specified, FMC 22.58.003 standards will apply.

Maximum lot coverage for structures	To be determined through the PD review process – see Chapter 22.76 FMC.
Maximum impervious surface coverage	65% of the developable site area for all structures and other impervious surfaces combined.
Exterior wall modulation	Facades greater than 40 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 4 feet for front and side street side yard elevations of single-family dwellings and duplexes, and 6 feet for all elevations of all other buildings. The projections or recesses shall extend at least 20% of the length of the facade. No uninterrupted length of any facade shall exceed 40 horizontal feet. See FMC 22.64.009 for an illustration of this requirement.
<u>Articulation</u>	<u>Building elevations exceeding 20 feet in length, measured horizontally, shall incorporate minimum two articulation components, such as a stoop, porch, chimney or other substantial projections, windows, multiple contrasting siding materials, or substantial trim including a belt course, to visually and/or functionally break up flat, blank or undifferentiated elevations. Building elevations greater than 30 feet in length, measured horizontally, and exceeding 12 feet in height, measured from finished grade to top of wall where it connects to roof structure, shall incorporate a minimum of three articulation components.</u>
Maximum % of multifamily dwelling units allowed	50% of the total number of units within a development.
Additional specific use and structure regulations	See Chapter 22.58 FMC.
Parking and circulation	See Chapter 22.60 FMC.
Landscaping regulations	See Chapter 22.62 FMC.
Design standards	See Chapter 22.64 FMC. <u>See also multifamily design standards and guidelines adopted by reference in Chapter 22.63 FMC.</u>
Critical areas	See Chapter 22.92 FMC.
<i>Calculations resulting in a fraction shall be rounded to the nearest whole number with .50 being rounded up.</i>	

22.42.005 Development standards. **(R20 Zone)**

Maximum density	20 dwelling units per gross acre.
Minimum or maximum lot area	To be determined through the conditional use permit or site plan review process – see Chapter 22.68 or 22.72 FMC.
Maximum height	35 feet. A maximum 45-foot height may be authorized if one or more levels of structured parking is provided at or below grade level within the building footprint. For other exceptions, see FMC 22.58.007 .
Minimum front yard setback	25 feet for first 35 feet of building height. Portions of a building above 35 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Minimum interior side yard setback	8 feet for first 35 feet of building height. Portions of a building above 35 feet shall be stepped back an additional 10 feet from the underlying story wall plane.

Minimum side street side yard setback	15 feet for first 35 feet of building height. Portions of a building above 35 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Minimum rear yard setback	20 feet for first 35 feet of building height. Portions of a building above 35 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Minimum dwelling structure separation	10 feet for first 35 feet of building height. Portions of a building above 35 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Exterior wall modulation	Building elevations greater than 40 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 4 feet for front and side street side yard elevations of duplexes, and 6 feet for all elevations of all other buildings. The projections or recesses shall extend at least 20% of the length of the elevation. No uninterrupted length of any elevation shall exceed 40 horizontal feet. See FMC 22.64.009 for an illustration of this requirement.
Articulation	Building elevations exceeding greater than 20 feet in length, measured horizontally, shall incorporate <u>minimum two articulation components, such as</u> a stoop, porch, chimney or other substantial projections, windows, multiple contrasting siding materials, or substantial trim including a belt course, to visually and/or functionally break up flat, blank or undifferentiated elevations. Building elevations greater than 30 feet in length, measured horizontally, <u>and exceeding 12 feet in height, measured from finished grade to top of wall where it connects to roof structure,</u> shall incorporate a minimum of three articulation components.
Maximum lot coverage for structures	55% for all structures combined. 65% for all structures combined if at least 50% of required parking is provided at or below grade level within the building footprint.
Maximum impervious surface coverage	75% for all structures and other impervious surfaces combined.
Additional specific use and structure regulations.	See Chapter 22.58 FMC.
Parking and circulation	See Chapter 22.60 FMC.
Landscaping regulations	See Chapter 22.62 FMC.
Design standards	See Chapter 22.64 FMC. <u>See also multifamily design standards and guidelines adopted by reference in Chapter 22.63 FMC.</u>
<i>Calculations resulting in a fraction shall be rounded to the nearest whole number with .50 being rounded up.</i>	

22.43.005 Development standards. (R30 Zone)

Maximum density	30 dwelling units per gross acre.
Minimum or maximum lot area	To be determined through the conditional use permit or site plan review process – see Chapter 22.68 or 22.72 FMC.

Maximum height	40 feet. A maximum 50-foot height may be authorized if one or more level of structured parking is provided at or below grade level within the building footprint. For other exceptions, see FMC 22.58.007 .
Minimum front yard setback	25 feet for first 40 feet of building height. Portions of a building above 40 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Minimum interior side yard setback	8 feet for first 40 feet of building height. Portions of a building above 40 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Minimum side street side yard setback	15 feet for first 40 feet of building height. Portions of a building above 40 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Minimum setback abutting an R-6 or R-8 district	30 feet for first 40 feet of building height. Portions of a building above 40 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Additional setbacks	Per International Building Code.
Minimum dwelling structure separation	10 feet for first 40 feet of building height. Portions of a building above 40 feet shall be stepped back an additional 10 feet from the underlying story wall plane.
Exterior wall modulation	Building elevations greater than 40 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 6 feet for all building elevations. The projections or recesses shall extend at least 20% of the length of the elevation. No uninterrupted length of any elevation shall exceed 40 horizontal feet. See FMC 22.64.009 for an illustration of this requirement.
Articulation	Building elevations exceeding greater than 20 feet in length, measured horizontally, shall incorporate <u>minimum two articulation components, such as</u> a stoop, porch, chimney or other substantial projections, windows, multiple contrasting siding materials, or substantial trim including a belt course, to visually and/or functionally break up flat, blank or undifferentiated elevations. Building elevations greater than 30 feet in length, measured horizontally, <u>and exceeding 12 feet in height, measured from finished grade to top of wall where it connects to roof structure,</u> shall incorporate a minimum of 3 articulation components.
Maximum lot coverage for structures	65% for all structures combined. 75% for all structures combined if at least 50% of required parking is provided at or below grade level within the building footprint.
Maximum impervious surface coverage	85% for all structures and other impervious surfaces combined.
Additional specific use and structure regulations.	See Chapter 22.58 FMC.
Parking and circulation	See Chapter 22.60 FMC.
Landscaping regulations	See Chapter 22.62 FMC.
Design standards and guidelines	See Chapter 22.64 FMC. See also multifamily design standards and guidelines adopted by reference <u>in Chapter 22.63 FMC.</u>

Calculations resulting in a fraction shall be rounded to the nearest whole number with .50 being rounded up.

22.50.002 Permitted uses. (CMU Zone)

Uses permitted subject to site plan approval in accordance with Chapter [22.72](#) FMC and administrative design review approval in accordance with Chapter [22.66](#) FMC:

(a) Retail sales store including, but not limited to, the sale or rental of the following items: antiques, appliances (new), art and art supplies, bicycles, books, building materials, clothing, fabrics, floor coverings, flowers, food, gifts, groceries, hardware, hobby and craft supplies, home furnishings, jewelry, lawn and garden equipment and supplies, newspapers, office equipment and supplies, paint, music, pets and pet supplies, pharmaceuticals, photography supplies and processing, sporting goods, stationery, toys, vehicle parts (new/remanufactured), videos and wallpaper.

(b) Commercial service including, but not limited to: beauty and hair care, consulting, copying, dry cleaning, fitness/health studios, funeral services, laundry and cleaning (self-service), locksmithing, optical, pet grooming, post office or substation, printing, studio photography, real estate sales, repair of products listed in subsection (a) of this section, security, signs, tailoring, telecommunication sales, title, travel agency service, upholstery and vehicle detailing.

(c) Food-serving establishment including, but not limited to, bakery, cafeteria, coffee shop, confectionery, delicatessen, espresso stand, ice cream or yogurt shop, restaurant and other sit-down, self-service, or take-out establishments.

~~(c)~~ (d) Microbeverage production facility, including microbreweries, microdistilleries and microwineries.

~~(d)~~ (e) Commercial office including, but not limited to: medical, dental, optometric, business and professional offices.

~~(e)~~ (f) Culturally enriching use including, but not limited to: art gallery, dance studio, library, museum, live theater venue and senior center.

~~(f)~~ (g) Laboratory, including but not limited to: medical, dental and optical.

~~(g)~~ (h) Civic, labor, social and fraternal organization.

~~(h)~~ (i) Veterinary clinic, with treatment and storage of animals within an enclosed building.

~~(i)~~ (j) Entertainment facility, including but not limited to: arcade, bowling alley, indoor miniature golf course, indoor movie theater, indoor skating rink, racquetball court and tennis court.

~~(j)~~ (k) Hotel and motel.

~~(k)~~ (l) Financial institution, including but not limited to: bank, savings and loan, and credit union.

~~(l)~~ (m) Religious institution.

~~(m)~~ (n) Family group home, including adult family home.

(o) Multifamily dwelling.

(p) Assisted living facility, including congregate care facility, convalescent home, hospice care center, residential care facility, and residential treatment facility.

~~(q)~~ (m) Necessary public or quasi-public utility building, structure or equipment, unstaffed and less than or equal to 500 square feet in gross floor area (subject to compliance with landscape standards in Chapter [22.62](#) FMC). Excludes substation.

22.50.008 Development standards. (CMU Zone)

Maximum density	30 dwelling units per acre.
Maximum height	45 feet. A maximum 55-foot height may be authorized if one or more levels of structured parking is provided at or below grade level within the building footprint. For other exceptions, see FMC 22.58.007 .

Front yard and side street side yard setback	Zero feet minimum/20 feet maximum for first two stories. Additional stories shall be stepped back at least 10 feet from the wall plane established for the first two stories.
Minimum interior side yard setback	10 feet for first two stories. Additional stories shall be stepped back at least 5 feet from the wall plane established for the first two stories.
Minimum rear yard setback	10 feet, except when abutting an R district (see below).
Minimum setback when abutting an R district	20 feet for first two stories. Additional stories shall be stepped back at least 10 feet from the wall plane established for the first two stories.
Maximum lot coverage for structures	65% for all structures combined. 75% for all structures combined if at least 50% of required parking is provided at or below grade level within the building footprint.
Maximum impervious surface coverage	85% for structures and other impervious surfaces combined.
Exterior wall modulation	Building elevations greater than 80 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 4% of the length of the facade, but no less than 6 feet. The projections or recesses shall extend at least 20% of the length of the facade. No uninterrupted length of any facade shall exceed 80 horizontal feet. See FMC 22.64.009 for an illustration of this requirement. Alternative designs that: incorporate recessed or projecting balconies; use base, middle and top treatments with different forms; include roof modulation; and/or provide strong articulation of the facade through the use of multiple siding materials and textures, various building forms, awnings and variation in colors – in conjunction with appropriate landscaping, may be approved in lieu of compliance with the wall modulation standard specified above.
Business hours	Limitations may be imposed through the site plan review or conditional use permit review processes in order to mitigate impacts on nearby land uses. See Chapters 22.68 and 22.72 FMC.
Limitation on nonretail use	For a lot or a group of lots having a gross lot area greater than 0.5 acres, the ground floor of buildings within 250 feet of the Mildred Street ROW on such lots shall be designed to accommodate retail use per FMC 22.64.016 and FMC 22.64.020 . Not more than 20% of building floor within this ground floor may be leased or otherwise made available for nonretail use. A lot with an area that exceeds 0.5 acres prior to the effective date of the ordinance codified in this section, and that is subsequently subdivided or otherwise reduced in area to less than 0.5 acres, shall remain subject to these requirements.
Additional specific use and structure regulations	See Chapter 22.58 FMC.
Pedestrian plaza requirements	See FMC 22.58.016 .
Parking and circulation	See Chapter 22.60 FMC.
Landscaping regulations	See Chapter 22.62 FMC.
Design standards and guidelines	See Chapter 22.64 FMC. See also multifamily design standards and guidelines adopted by reference in Chapter 22.63 FMC.

Ground floor use of a commercial or mixed use building	See FMC 22.64.016(a) .
Continuous storefront requirement for parking structures	See FMC 22.64.016(b) .
Minimum floor to ceiling height for ground floor commercial space	See FMC 22.64.016(c) .
Minimum storefront window area for ground floor commercial space	See FMC 22.64.020(a) .
Large retail establishment requirements.	See FMC 22.64.042 .
<i>Calculations resulting in a fraction shall be rounded to the nearest whole number with 0.50 being rounded up.</i>	

22.50.004 Conditional uses. **(CMU Zone)**

Uses permitted subject to conditional use permit approval in accordance with Chapter [22.68](#) FMC and administrative design review in accordance with Chapter [22.66](#) FMC:

- (a) Child day-care center.
- (b) Preschool, accredited, public or private.
- (c) Home occupation – Type II (subject to compliance with FMC [22.58.013](#)).
- (d) Automobile and boat sales or rental, new or used.
- ~~(e) Vehicle repair established prior to effective date of the ordinance codified in this section.~~
- ~~(f) Mini-storage or mini-warehouse (indoor) facility only when located on a parcel that does not have frontage on a public street.~~
- ~~(g)(e) Service station established prior to effective date of the ordinance codified in this section.~~
- ~~(h)(f) Entertainment facility, outdoor.~~
- ~~(i) Drive-in or drive-through facility (subject to compliance with FMC [22.60.012](#)).~~
- ~~(j)(g) Adult entertainment establishments (subject to compliance with FMC [22.58.014](#)).~~
- ~~(k)(h) Light industrial uses including: engineering-oriented pursuits such as electronics, robotics, 3-D printing, and the use of computer numerical control (CNC) tools; metalworking, woodworking, and traditional arts and crafts; small-scale assembly and manufacturing of products using processed materials that do not have the potential to create a nuisance for adjoining land uses; wholesale sale of products manufactured on site; and technological and biotechnological uses, including scientific research, testing and experimental development laboratories.~~
- ~~(l)(i) Essential public facilities, as determined by FMC [22.58.022](#). Excludes family and general group homes and includes correctional group homes.~~
- ~~(m)(j) Necessary public or quasi-public structure or equipment greater than 500 square feet in gross floor area (subject to compliance with landscape standards in Chapter [22.62](#) FMC). Excludes substation.~~
- ~~(n)(k) Personal wireless service facility for which a variance is required (subject to compliance with Chapter [22.24](#) FMC).~~

(e)(l) A use not listed above which: is not listed in another zoning district as a permitted or conditional use; is similar in nature to the above list of permitted and conditional uses; is consistent with the purpose and intent of this zoning district; and is compatible with the uses on adjoining properties.

22.50.006 Administrative uses.

Uses permitted subject to administrative use permit approval in accordance with Chapter 22.70 FMC:

(a) Outdoor sidewalk cafe or other food or beverage-serving facility or establishment, when located on a public sidewalk or other public right-of-way area (subject to compliance with FMC 22.58.017).

(b) Establishment licensed by the Washington State Liquor and Cannabis Board to serve liquor for on-premises consumption in an outdoor customer seating area (subject to compliance with FMC 22.58.029).

(c) Drive-up or drive-through facility (subject to compliance with FMC 22.60.012 and FMC 22.64.043).

(a)(d) Light industrial uses including: engineering-oriented pursuits such as electronics, robotics, 3-D printing, and the use of computer numerical control (CNC) tools; metalworking, woodworking, and traditional arts and crafts; small-scale assembly and manufacturing of products using processed materials that do not have the potential to create a nuisance for adjoining land uses; wholesale sale of products manufactured on site; and technological and biotechnological uses, including scientific research, testing and experimental development laboratories.

(b)(e) Outdoor seasonal sales, such as Christmas tree or pumpkin patch lots, or other outdoor special event sales.

(e)(f) Personal wireless service facility (subject to compliance with Chapter 22.24 FMC).

22.58.023 Nonconforming lots, uses and structures.

(a) Application. The provisions of this section shall apply to uses and structures which become nonconforming as a result of the application of this title to them, or from classification or reclassification of a property under this title or any subsequent amendments thereto.

(b) Continuation of Nonconforming Uses and Structures. Any lawful use of land and/or building or structure existing, under construction, or for which a building or use permit has been granted and was still in force at the time this title became effective may be continued, even though the use does not conform to the provisions of the district in which it is located, subject to the following conditions:

(1) Enlargement. No building, structure or land that is nonconforming by reason of use shall be enlarged or expanded; provided, that normal upkeep, repairing and maintenance of nonconforming buildings and structures is permitted outright, provided the activities do not increase the nonconformity of the buildings or structures.

(2) Replacement. Any building or structure nonconforming by reason of use which has been damaged or destroyed by fire, earthquake, flood, wind or other disaster may be restored and the occupancy or use of the building, structure or part thereof which existed at the time of damage or destruction may be continued subject to all provisions of this title, but the restoration of the nonconforming building or structure shall not serve to extend or increase the nonconformance of the original building, structure or use. Any reconstruction authorized by this section shall commence within one year of the damage and shall be substantially completed within 18 months of the date the damage occurred.

(3) ~~Vacation~~ ~~Abandonment~~. If any nonconforming use of land and/or building or structure is ~~vacated~~ ~~abandoned~~ for a period of one year, nonconforming rights shall automatically terminate and any future use of the land and/or building or structure shall conform to the zoning district in which it is located. Notwithstanding this one-year automatic termination, ~~vacation~~ ~~abandonment~~ may also be deemed to be an act or failure to act on the part of the property owner which indicates an intention that the property owner does not claim or retain any interest in the right to the nonconforming use.

(4) Structural Alteration – Enlargement of Nonconforming Building or Structure. A building or structure which is nonconforming only by reason of substandard yard or height may be structurally enlarged, provided the enlargement does not increase the nonconformance, and further provided the enlarged building or structure conforms with bulk regulations relating to lot coverage or impervious surface coverage.

(5) Structural Alteration – Replacement of Nonconforming Building or Structure. A building or structure which is nonconforming by reason of substandard yard, height, lot coverage, impervious surface coverage, or other bulk regulation, may be restored or rebuilt as it originally existed upon the original foundation and perimeter, if it is damaged or destroyed by fire, earthquake, flood, wind or other natural disaster. Enlargement of the building or structure from the original design may occur in accordance with subsection (b)(4) of this section.

(6) Structural Alteration – Repair of Nonconforming Building or Structure. A building or structure which is nonconforming by reason of substandard yard, height, lot coverage, impervious surface coverage, or other bulk regulation, may be repaired or restored to its original or comparable condition and design. Modifications to the original design of the building or structure may occur in accordance with subsection (b)(4) of this section.

(7) Change of Conforming Use. Whenever a nonconforming use has been changed to a conforming use, it shall not revert to the same or different nonconforming use.

(8) Change of Ownership. Change of ownership, tenancy or management of a nonconforming use shall not affect its legal, nonconforming status.

(9) Annexation Resulting in Nonconformity. Any lawfully existing use of land or building or structure located in an unincorporated area which, through annexation, becomes nonconforming, shall be deemed a legal, nonconforming use, building or structure.

22.58.029 Establishments serving liquor for on-premises consumption.

(a) Establishments licensed by the State of Washington Liquor and Cannabis Board to serve beer, beer and wine, or spirits, beer and wine for on-premises consumption are permitted in specified zoning districts. Such establishments providing outdoor customer seating ~~in the NC district~~ are subject to administrative use permit approval in accordance with Chapter 22.70 FMC.

(b) At a minimum, the following performance standards shall apply to establishments serving beer, beer and wine, or spirits, beer and wine for on-premises consumption within the NC ~~zone~~ District. Additional requirements may be imposed in accordance with Chapter 22.70 FMC for those establishments providing outdoor customer seating in the NC district. Establishments operating out of compliance with the following provisions are subject to enforcement action under Chapter 22.95 FMC:

(1) Hours of Operation. The sale, service, and consumption of alcohol is prohibited after 10:00 p.m.

(2) Outdoor Customer Seating. Outdoor seating may be provided for customer use no later than 8:00 p.m. on Sundays through Thursdays, and no later than 9:00 p.m. on Fridays and Saturdays. Outdoor seating areas shall be closed to customers during other times. A 30-minute grace period is allowed for staff to clean the outdoor premises after customer seating hours have ended. The city may limit the amount of outdoor customer seating to minimize potential impacts on residentially zoned properties.

(3) Speakers. Music or other programming emanating from any outdoor speakers on the premises shall only be allowed during approved outdoor customer seating hours. Sounds coming from speakers on the premises, whether located inside or outside the building, shall not be audible from residentially zoned properties.

(4) Bottle Handling. Bottles and other trash and recyclable materials shall not be deposited in any exterior refuse or recycling totes, dumpsters or other receptacles during the hours of 9:00 p.m. to 7:00 a.m.

(5) Exterior Appearance. The business establishment shall maintain the exterior of its premises in a neat and clean condition at all times. All refuse collection containers, including recycling containers, shall be screened in accordance with FMC 22.58.008(d). This provision shall apply to new establishments as well as establishments existing on the effective date of the ordinance codified in this section that expand business operations to include the sale of liquor by the drink for on-premises consumption.

(6) Exterior Lighting. Exterior lighting shall comply with the outdoor lighting regulations in FMC 22.58.018 to ensure that it does not impact nearby properties.

(7) Sidewalk Cafes. A business establishment intending to establish outdoor business seating on a public sidewalk or other public right-of-way area shall comply with the sidewalk cafe regulations in FMC 22.58.017.

(c) The performance standards listed in subsection (b) shall apply to establishments in the CMU District serving beer, beer and wine, or spirits, beer and wine for on-premises consumption, except that for items (1), (2), and (4), alternative hours of operation, outdoor customer seating hours, and bottle handling hours may be authorized through the administrative use permit approval process in accordance with Chapter 22.70 FMC. Additional requirements may be imposed in accordance with Chapter 22.70 FMC for those establishments providing outdoor customer seating.

22.60.012 Stacking spaces for drive-through facilities.

(a) A stacking space shall be an area measuring eight feet by 20 feet with direct forward access to a service window of a drive-through facility. A stacking space shall be located to prevent any vehicle from extending onto the public right-of-way, or interfering with any pedestrian circulation, traffic maneuvering, or other parking space areas. Stacking spaces for drive-through or drive-in uses may not be counted as required parking spaces.

(b) Uses providing drive-up or drive-through services shall provide vehicle stacking spaces as follows:

(1) For each drive-up window of a bank or financial institution, business service, or other drive-through use not listed, a minimum of five stacking spaces shall be provided; and

(2) For each service window of a drive-through restaurant, a minimum of seven stacking spaces shall be provided.

(c) Generally, To reduce congestion and turning lane conflicts, drive-through facilities shall not take access from a principal arterial street. Drive-through facilities must be provided access from a secondary street or road unless a traffic and circulation study, which includes a vehicle stacking analysis, clearly demonstrates that the proposed use and site design will not result in vehicles encroaching onto the public right-of-way, or interfering with any pedestrian circulation, traffic maneuvering, or other parking space areas.

22.64.043 Drive Though Facilities

Intent -- Assess, promote and achieve appropriate development of drive-through facilities.

Objectives –

- To promote compatible development that fits well with, and improves, its existing or planned context;
- To protect and enhance the character and quality of the neighborhoods where drive-through facilities are located;
- To enhance public streets and contribute to a high quality public space;
- To create efficient stacking movements on site;
- To create a safe and comfortable pedestrian environment on site; and
- To minimize impacts on adjacent land uses that could be caused by on-site activities.

Context and Challenges -- Drive-through facilities have proven to be successful as they target the mobile and car-oriented market. They may operate 24 hours a day, provide convenience for the traveling public and offer a sense of security for users at night. Drive-through service has been adopted by fast food businesses, financial institutions, dry cleaners, pharmacies and other businesses. Meanwhile, walk-in service is still an important component for many businesses with drive-through facilities for customers who arrive on foot, bicycles and by vehicles but do not use the drive-through services.

While successful and popular, drive-through facilities present many urban design challenges, including respecting the urban context while designing prototypical drive-through facility sites and buildings; supporting a pedestrian friendly environment along public streets; using landscape areas effectively to improve the overall environmental and visual quality of the area; and designing efficient stacking movements on site.

(a) Locate vehicular access points to the site as far as possible from street intersections. Locate vehicle access points to corner sites on the secondary street (Figure 1).

(b) Locate surface parking areas and stacking lanes at the side or rear of buildings. (Figures 1 and 2).

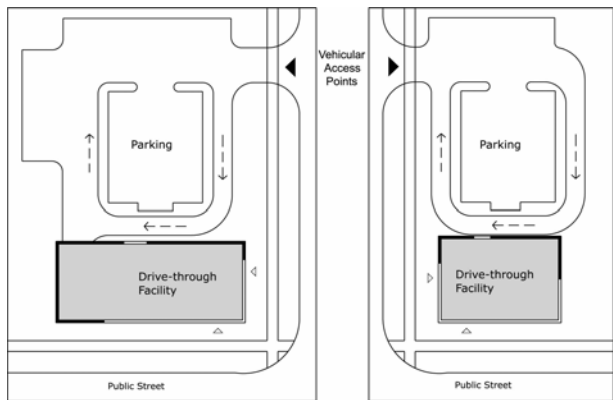


Figure 1:

Locating vehicular access points far from the intersection helps reduce potential impacts on the traffic at the intersection.

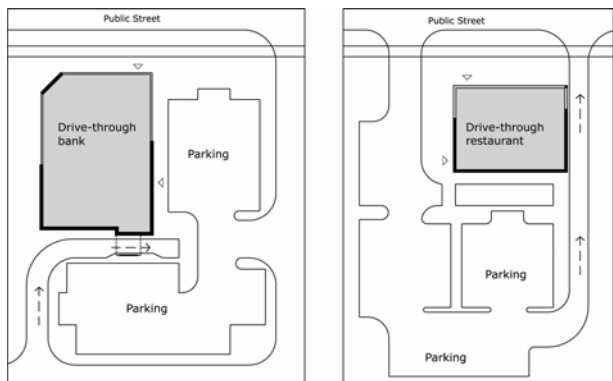


Figure 2:

Locating parking and driveway areas at the rear of the site provides opportunities to frame the street edge with built structures.

(c) Minimize the number and width of driveways from the public street (Figure 3). However, avoid placing entrance or exit lanes between the building and street or sidewalk as shown in the example on the right, below.

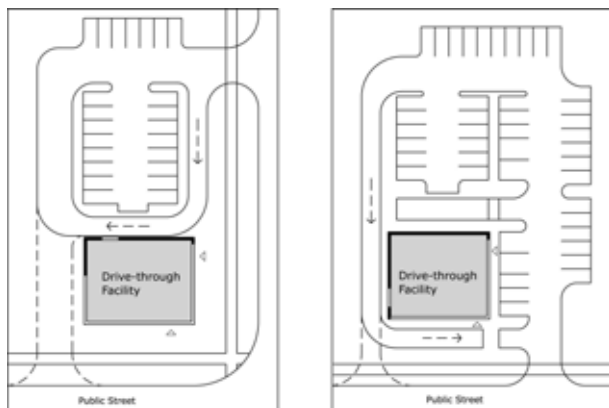


Figure 3:

Minimizing the number and width of driveways helps reduce interruptions to the public sidewalk.

(d) Locate the start point to the stacking lane at the rear of the site so that queued vehicles do not block traffic along the public streets or the movement of other vehicles on site (Figure 4).

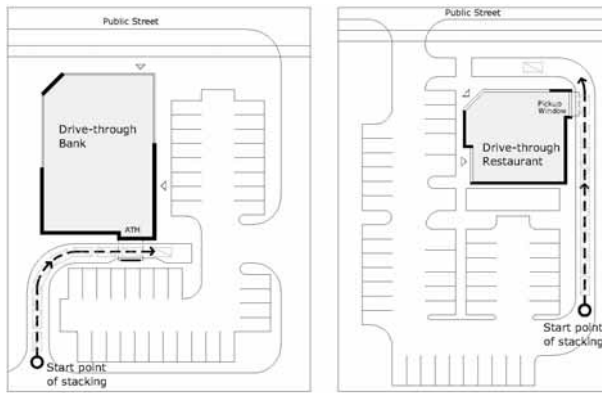


Figure 4:

In these two drive-through sites, start points are located at the rear of the site to minimize the potential impacts on other traffic that could be caused by stacking cars. However, avoid placing entrance or exit lanes between the building and street or sidewalk as shown on the right

(e) Locate stacking lanes away from adjacent sensitive uses, such as residential and outdoor amenity areas, to reduce the impacts of noise and pollution that could be caused by stacking cars on such uses. Use landscaping and fencing to help buffer potential impacts.

(f) Avoid locating the stacking lane, and entrance or exit lane, between the building and the public street, as noted in the examples in Figures 3 and 4.

(g) Provide escape lanes and the appropriate number of queuing spaces as required in FMC 22.60.012 to create efficient stacking lanes and to minimize on-site conflicts (Figure 5).

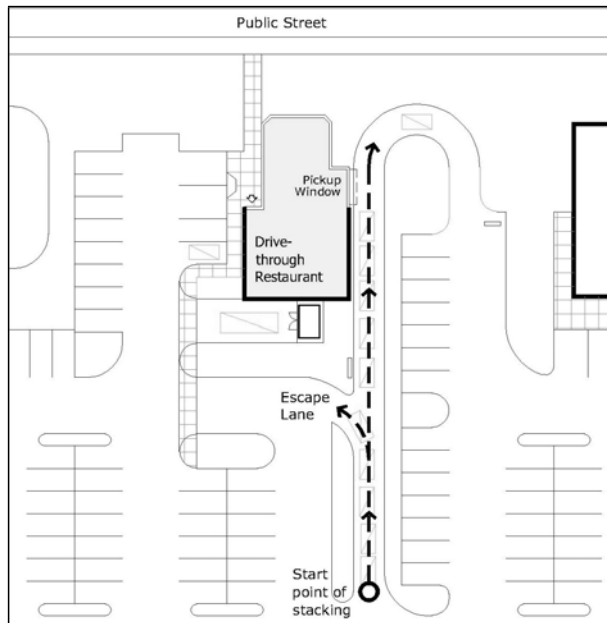


Figure 5:

In this drive-through site, sufficient queuing spaces are provided. The escape lane allows cars to exit from the stacking lane without having to drive by the pickup window.

(h) Separate stacking lanes from parking areas and driveways using landscaped islands, decorative pavement, pervious islands and painted lines.

(i) Design the on-site circulation to minimize conflicts between pedestrians and vehicles.

(j) Provide separate stacking lanes when two drive-through uses exist on the same site.

(k) Locate noise-generating areas, including ordering board speakers, outdoor loading areas and garbage/recyclables storage, away from sensitive uses such as residential areas, day care facilities and schools.

(l) Buffer potential noise impacts on properties where noise may be detrimental to occupants with solid

attenuations such as building structures, landscaped berms or attenuation fencing (minimum 6 feet in height) complemented with landscaping.

(m) Limit sound emanating from ordering board speakers or other speaker systems to a level that is not audible from residentially used properties or detrimental to occupants of other nearby properties. At no time should any speaker system be audible above ambient noise levels beyond the property lines of the site.

(n) Provide a minimum 8 foot wide landscape area, which may include a solid wall or fence in addition to planting, at the edges of sites between property lines and nearby entrance lanes, exit lanes, stacking lanes and other drive through facilities, in order to provide screening and enhance site environmental benefits.

New Definitions

22.98.445 Microbeverage production facility

“Microbeverage production facility” means an establishment that manufactures alcoholic and nonalcoholic beverages for distribution on or off site. Examples include microbreweries, microdistilleries and microwineries. Microbeverage production facilities may operate in conjunction with a tasting room, retail outlet, and/or food-serving establishment.

22.98.445.1 Microbrewery

“Microbrewery” means a business known as a craft brewery that produces 5,000 barrels or less of beer per calendar year. A microbrewery may sell beer of its own production directly to a customer for off-premises consumption and by all other legal means. A microbrewery may operate a tasting room or in conjunction with a food-serving establishment. A microbrewery must be licensed by the Washington State Liquor Cannabis Board and the Federal Alcohol and Tobacco Tax and Trade Bureau.

22.98.445.2 Microdistillery

“Microdistillery” means a business known as a craft distillery that produces 5,000 proof gallons or less of spirits per calendar year. A microdistillery may sell spirits of its own production directly to a customer for off-premises consumption and by all other legal means. A microdistillery may operate a tasting room or in conjunction with a food-serving establishment. A microdistillery must be licensed by the Washington State Liquor Cannabis Board and the Federal Alcohol and Tobacco Tax and Trade Bureau.

22.98.445.3 Microwinery

“Microwinery” means a business engaged primarily in the production, including crushing, fermentation, aging, and bottling, and distribution of no more than 5,000 cases of wine per year. A microwinery may sell wine of its own production directly to a customer for off-premises consumption and by all other legal means. A microwinery may operate a tasting room or in conjunction with a food-serving establishment. A microwinery must be licensed by the Washington State Liquor and Cannabis Board and the Federal Alcohol and Tobacco Tax and Trade Bureau.

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

September 5, 2017
6:00 PM

Fircrest City Hall
115 Ramsdell Street

CALL TO ORDER

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

ROLL CALL

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

APPROVAL OF MINUTES

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

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

PUBLIC HEARING

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

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

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

Patjens invited public comments.

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

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

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

Discussion included:

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

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

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

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

Patjens invited public comments.

No comments were received.

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

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

UNFINISHED BUSINESS

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

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

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

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

No Discussion

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

NEW BUSINESS

Case No. 17-10 – Zoning Code Amendments

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

Discussion included:

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

ADJOURNMENT

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


Kathy McVay, Planning Commission Vice Chair


Angelie Stahlnecker, Planning/Building Administrator

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

October 3, 2017
6:00 PM

Fircrest City Hall
115 Ramsdell Street

CALL TO ORDER

Vice-Chair Kathy L. McVay called the regular meeting of the Fircrest Planning Commission to order at 6:00 p.m.

ROLL CALL

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

APPROVAL OF MINUTES

The minutes for the meeting of September 5, 2017 were presented for approval.

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

PUBLIC HEARING

Case No. 17-10 – Amendments to Land Development Code

Kathy L. McVay opened the public hearing for Case 17-10 at 6:01 p.m.

Principal Planner Jeff Boers presented the staff report for the proposed amendments. Items proposed in addition to those presented at the study session included:

- Addition of microbeverage establishments to CMU District allowed uses
- Removal of vehicle repair and mini-storage from CMU District allowed uses
- Reducing review level from conditional use permit to administrative use permit for drive-throughs and light industrial uses

Patjens invited public comments.

No Comments were received.

McVay closed the public hearing at 6:29 p.m.

Discussion included:

- Interest in studying the addition of microbeverage establishments to the allowed uses in the Neighborhood Commercial District.
- Clarification of the effect of eliminating mini-storage establishments

Moved by McGinnis and seconded by Michaelsen to adopt Resolution No. 17-09, a resolution of the Planning Commission of the City of Fircrest, Washington recommending adoption of amendments to the Land Development Code contained in Title 22 of the Fircrest Municipal Code. Upon vote, Ayes: Kathy L. McVay, Cameron McGinnis, and Arne Michaelsen. Excused: Karen Patjens and Kenneth Halgren.

ADJOURNMENT

Moved by Michaelsen and seconded by McGinnis to adjourn the meeting at 6:38 p.m. Upon vote, motion carried unanimously.

Karen Patjens
Planning Commission Chair

Angelie Stahlnecker
Planning/Building Administrator

**UNFINISHED BUSINESS: Adoption of Preliminary 2018 Budget as Adjusted
ITEM 9A.****FROM: Colleen Corcoran, Finance Director**

RECOMMENDED MOTION: I move to adopt Ordinance No. _____, adopting the annual budget of the City of Fircrest for the Fiscal Year 2018.

PROPOSAL: The Council is being asked to adopt an ordinance adopting the annual budget for Fiscal Year 2018.**FISCAL IMPACT:** The total of the 2018 Budget, including estimated revenues, expenditures and fund balances, is \$26,341,532.**ADVANTAGE:** The City will be in compliance with RCW 35.33.075.**DISADVANTAGES:** None known.**ALTERNATIVES:** None known.**HISTORY:** On September 12, 2017, the Preliminary Budget was presented to Council. Council budget work sessions were held on October 2, 9, 16 and 23, 2017. A Public Hearing for revenue sources was held on October 10, 2017. Public Hearings to receive comments on the 2018 Budget were held on October 10 and 24, 2017. The following resolutions and ordinances related to the 2018 Budget were authorized and adopted on October 10, 2017:

- Salaries of Non-Union Employees, Including Casual and Seasonal Employees
- Municipal Court Judge, Chief Examiner, and Information Services Manager Rate of Pay
- 2018 Ad Valorem Tax Levy
- 2018 Regular Property Tax Levy
- 2018 EMS Tax Levy
- 2018 Regular Property Tax and Regular EMS Levy Certification Forms

This item was discussed at the November 14, 2017 regular Council meeting and continued to the November 28, 2017 regular Council meeting.

ATTACHMENTS: [Ordinance](#)
[Final Adjustments to the Preliminary 2018 Budget Memo](#)

**CITY OF FIRCREST
ORDINANCE NO. _____**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, ADOPTING THE ANNUAL BUDGET
OF THE CITY OF FIRCREST FOR THE FISCAL YEAR 2018.**

WHEREAS, the preliminary Budget of the City of Fircrest for the year 2018 was timely submitted; and

WHEREAS, Public Hearings on the proposed Budget were advertised and held on October 10, 2017 and October 24, 2017; and

WHEREAS, pursuant to said hearings and Council deliberations, certain changes were made in the preliminary budget. Now, Therefore,

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

Section 1. That the budget document on file with the City Clerk entitled "City of Fircrest 2018 Annual Budget" is hereby adopted by reference as though fully set forth.

Section 2. The 2018 Budget and totals of the estimated revenues, expenditures and fund balances for each separate fund, and the aggregate totals are as follows:

FUND	REVENUE	EXPENDITURES
001 General	\$7,970,305	\$7,970,305
101 Street	1,083,906	1,083,906
105 Police Investigation	11,643	11,643
150 Cumulative Reserve	3,530,763	3,530,763
310 Real Estate Excise Tax	1,406,000	1,406,000
415 Storm Drain	1,148,509	1,148,509
416 Storm Capital	530,000	530,000
425 Water	1,856,475	1,856,475
426 Water Capital	629,000	629,000
430 Sewer	4,661,235	4,661,235
432 Sewer Capital	1,760,000	1,760,000
501 Equipment Replacement	<u>1,753,696</u>	<u>1,753,696</u>
TOTAL ALL FUNDS	\$26,341,532	\$26,341,532

Section 3. A complete copy of the final budget for 2018 as adopted, together with a copy of this adopting ordinance shall be transmitted by the City Clerk to the Division of Municipal Corporations of the Office of the State Auditor and to the Municipal Research Services Center (MRSC).

Section 4. This ordinance shall take effect five (5) days after its passage, approval and publication as provided by law.

1 **PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST,**
2 **WASHINGTON,** at a regular meeting thereof this 28th day of November, 2017.

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4 **APPROVED:**

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6 _____
Hunter T. George, Mayor

7 **ATTEST:**

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9 _____
10 Jessica Nappi, City Clerk

11 **APPROVED AS TO FORM:**

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13 _____
14 Michael B. Smith, City Attorney

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16 **DATE OF PUBLICATION:**
17 **EFFECTIVE DATE:**
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To: Mayor and Councilmembers
From: Colleen Corcoran, Finance Director
CC: Bill McDonald, Interim City Manager
Date: November 14, 2017
Re: 2018 Budget Changes from Preliminary-Final

ADJUSTMENTS TO THE 2018 BUDGET

Attached are spreadsheets showing how the 2018 Preliminary Budget has been adjusted. Following are the explanations for each change.

All Funds

- Personnel Benefits in all departments have been decreased to match the actual medical premium rates. The Preliminary Budget used an estimate of 10%. The actual rate increase was 7.2%.
- Beginning Fund Balances and rollover projects have been adjusted based on year-end estimates.

General Fund Adjustments

Revenue

- General Property Tax – increased based on levy rate +\$3,821
- EMS Property Tax – increased based on levy rate +\$613
- City County Assistance – decreased based on new estimate from State (\$12,460)
- Swimming Instructions – increased rates non-resident swim lessons +\$1,980
- Space & Facilities Rental – increased rates for Fun Days and Holiday Bazaar booths +\$850

Expenditures

- Legislative – lower estimate on laptops/tablets for Council (\$2,000)
- Legislative – remove cost for Park Bond ballot measure (\$8,000)
- Personnel – remove cost for updating Personnel Policies and Procedures manual (\$5,000)
- Police – Promote Officer to Sergeant +\$2,255
- Police – Vacant Officer position hired at higher step +\$3,830
- All Department – decrease medical rates (\$8,565)
- Non Departmental – increase property tax transfer due to levy rate increase +\$477
- Non Departmental – increase transfer to Street Light Maintenance +\$57,740

Street Fund Adjustments

Revenue

- Transfer In - increase transfer in from property tax +\$477
- Transfer In-Light - increase transfer in for Street Light Maintenance +\$57,740
- Transfer In-from REET 1 – removed capital improvements (\$75,000)
- Transfer In-REET 2 – rollover for Emerson Sidewalk Grant match +\$7,280
- Grant Revenue – rollover for Emerson Sidewalk grant +\$24,600
- Grant Revenue – rollover for Traffic Safety grant \$292,560

Expenditures

- All Department – decrease medical rates (\$655)
- Beautification – removed landscape improvements (\$25,000)
- Project Engineering – rollover for Traffic Signal grant project +\$5,000
- Capital Improvements – remove traffic island relocation (\$10,000)
- Capital Improvements – remove Berkeley and Buena Vista overlay (\$65,000)
- Capital Improvements – rollover Emerson Sidewalk project +\$31,900
- Capital Improvements – rollover Traffic Safety grant project +\$287,560

Storm Fund Adjustments

Revenues

- DOE-NPDES Grant – rollover NPDES compliance +\$12,000

Expenditures

- Decrease medical rates (\$785)
- Professional Services – rollover NPDES compliance +\$12,000

Water Fund Adjustments

Revenue

- Beginning Fund Balance – increased due to rollover of Ramsdell project +\$410,999

Expenditures

- Decrease medical rates (\$1,670)
- Transfer to Water Capital Fund – increased due to rollover of Ramsdell project \$411,000

Water Capital Fund Adjustments

Revenues

- Transfer In – increase due to rollover of Ramsdell project \$411,000

Expenditures

- Decrease medical rates (\$45)
- Project Engineering – increase due to rollover Ramsdell project \$31,000
- Capital Improvements - increase due to rollover Ramsdell project \$380,000

Sewer Fund Adjustments

Revenues

- Beginning Fund Balance – decrease due to Budget Adjustment (\$250,000)

Expenditures

- Decrease medical rates (\$965)
- Transfer to Sewer Capital Fund – decrease due to Budget Adjustment (\$250,000)
- Budget Adjustment included increased costs for sewer treatment and project engineering for the Ramsdell water main project

Sewer Capital Fund Adjustments

Revenues

- Transfer In – decrease due to available fund balance due to Budget Adjustment (\$250,000)

Expenditures

- Decrease medical rates (\$145)

ERR Fund Adjustments

Expenditures

- Decrease medical rates (\$20)

REET Fund Adjustments

Revenues

- Beginning Fund Balance REET 1 – increase due to no capital transfer out +\$50,000 and additional revenue +\$30,000
- Beginning Fund Balance REET 2 – increase due to rollover for Emerson project +\$7,280 and additional revenue +\$30,000

Expenditures

- Transfer Out REET 1 – remove traffic island relocation (\$10,000)
- Transfer Out REET 1 – remove Berkeley and Buena Vista overlay (\$65,000)
- Transfer Out REET 2 – rollover of Emerson project +\$7,280

UNFINISHED BUSINESS: Amending City Council Rules of Procedures – Consent Calendar ITEM 9B.

FROM: Bill McDonald, Interim City Manager

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 the meeting in an efficient manner. 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 contracts if already funded in the adopted budget;*
 - 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 known.

ADVANTAGE: The 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. Any one member of the Fircrest City Council may remove an item from the consent calendar for further discussion, inquiry, and/or subsequent vote.

DISADVANTAGES: None.

ALTERNATIVES: Council could recommend not approving the revisions.

HISTORY: This item was discussed at the October 24, 2017 and November 14, 2017 regular Council meetings, and continued to the November 28, 2017 regular Council meeting.

ATTACHMENT: [Resolution](#)

**CITY OF FIRCREST
RESOLUTION NO. _____**

**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:

Section 1. 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 contracts if already funded in the adopted budget;
- 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 28th day of November 2017.

APPROVED:

Hunter T. George, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

NEW BUSINESS: 2017 End of the Year Budget Amendment
ITEM 10A.

FROM: Colleen Corcoran, Finance Director

RECOMMENDED MOTION: I move to authorize the Finance Director to reallocate the funds as listed in the City Council Agenda summary dated November 28, 2017.

PROPOSAL: The Council is being asked to approve the above motion to authorize the Finance Director to reallocate the funds necessary for the expenditures listed below.

FISCAL IMPACT: The fiscal impact of this proposal would be an increase in expenditures with a corresponding decrease in Ending Fund Balance (EFB).

General Fund

1. Ending Fund Balance	(\$91,670)	001.508.80.00.01
2. Administration Miscellaneous	\$ 5,000	001.513.10.49.00
3. Non Department Miscellaneous	\$ 7,000	001.518.10.49.00
4. Insurance	\$ 29,000	001.518.30.46.00
5. Police P.C. Radio CCN	\$ 14,760	001.521.22.51.01
6. Police Machinery & Equipment	\$ 7,000	001.594.21.64.00
7. Pool Chemicals	\$ 4,000	001.579.20.31.01
8. Pool Casual/Seasonal Wages	\$ 8,200	001.576.20.12.00
9. Pool Benefits	\$ 1,110	001.576.20.20.00
10. Pool Repair & Maintenance	\$ 15,000	001.576.20.48.00

ADVANTAGE: This proposal will provide necessary budget for the listed City expenditures.

DISADVANTAGES: Reduction of Ending Fund Balance.

ALTERNATIVES: None known.

HISTORY: The following is an explanation for why each line needs to be adjusted:

1. Decrease in Fund Balance for listed expenditures
2. Moving expenses for City Manager
3. Increased credit card expenses
4. Increase in insurance premium
5. Police radio services for 2016 and 2017 (CCN)
6. Purchase radio for police car
7. Additional pool chemicals used (leak, increased rentals, no closures for weather)
8. Additional hours for pool staff (increased rentals, no closures for weather)
9. Additional benefits related to increased pool hours
10. Services for pool leak study (KPG) (Marv's Backhoe)

NEW BUSINESS: Establishing a Fund to Be Used for Sewer Capital Projects
ITEM 10B.

FROM: Colleen Corcoran, Finance Director

RECOMMENDED MOTION: I move to adopt Ordinance No. _____, establishing a fund to be used for all proper Sewer Capital Project purposes and adding section 3.20.241 of the Fircrest Municipal Code.

PROPOSAL: The City Council is being asked to establish a fund to account for the revenues and expenditures relating to sewer capital projects.

FISCAL IMPACT: None known.

ADVANTAGE: This will establish an accounting mechanism allowing for funds to be distinguished from the operating budget for current and future capital purposes.

DISADVANTAGES: None known.

ALTERNATIVES: Not establish the fund and track the revenue and expenditures through the Sewer Fund.

HISTORY: The City contracted with Katy Isaksen Associates to review, analyze and recommend a financial outlook and plan for our three utilities, Storm, Water and Sewer. The review concluded that new capital improvement funds be established for each utility and be used to save and pay for improvements and provide a local match to obtain grants or loans. The ending balance in the new funds will be available for capital projects and in the case of an emergency.

ATTACHMENT: [Ordinance](#)

**CITY OF FIRCREST
ORDINANCE NO. _____**

**AN ORDINANCE OF THE CITY OF FIRCREST, WASHINGTON,
ESTABLISHING A FUND TO BE USED FOR ALL PROPER SEWER
CAPITAL PURPOSES; AND ADDING SECTION 3.20.241 OF THE CITY
OF FIRCREST MUNICIPAL CODE.**

WHEREAS, the Fircrest City Council has established a need for a Sewer Capital Fund; and

WHEREAS, the City of Fircrest desires to account for the revenue and expenditures associated with sewer capital projects in a separate fund. Now, Therefore,

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

Section 1. Chapter 3.20 FMC is hereby amended by adding a new section (3.20.241) to read as follows:

“3.20.241 Sewer Capital Fund – Created

- (a) There is hereby established a fund to be known as the “Sewer Capital Fund” which shall be used for all proper capital costs necessary to maintain and upgrade the sewer system.
- (b) The Sewer Capital Fund shall receive its revenue from all legal sources including, but not limited to, the following sources: sewer fee charges, investment interest, and other miscellaneous revenues.
- (c) All deposits to and expenditures from the Sewer Capital Fund shall be made in accordance with the provisions of the annual budget of the City and with the provisions of the State of Washington Budgeting, Accounting, and Reporting System (BARS).

Section 2. Effective Date: This ordinance shall become effective five (5) days after passage, approval and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON, at a regular meeting thereof this 28th day of November, 2017.

APPROVED:

Hunter T. George, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

**DATE OF PUBLICATION:
EFFECTIVE DATE:**

NEW BUSINESS: Establishing a Fund to Be Used for Water Capital Projects
ITEM 10C.

FROM: Colleen Corcoran, Finance Director

RECOMMENDED MOTION: I move to adopt Ordinance No. _____, establishing a fund to be used for all proper Water Capital Project purposes and adding section 3.20.231 of the Fircrest Municipal Code.

PROPOSAL: The City Council is being asked to establish a fund to account for the revenues and expenditures relating to water capital projects.

FISCAL IMPACT: None known.

ADVANTAGE: This will establish an accounting mechanism allowing for funds to be distinguished from the operating budget for current and future capital purposes.

DISADVANTAGES: None known.

ALTERNATIVES: Not establish the fund and track the revenue and expenditures through the Water Fund.

HISTORY: The City contracted with Katy Isaksen Associates to review, analyze and recommend a financial outlook and plan for our three utilities, Storm, Water and Sewer. The review concluded that new capital improvement funds be established for each utility and be used to save and pay for improvements and provide a local match to obtain grants or loans. The ending balance in the new funds will be available for capital projects and in the case of an emergency.

ATTACHMENT: [Ordinance](#)

**CITY OF FIRCREST
ORDINANCE NO. _____**

**AN ORDINANCE OF THE CITY OF FIRCREST, WASHINGTON,
ESTABLISHING A FUND TO BE USED FOR ALL PROPER WATER
CAPITAL PURPOSES; AND ADDING SECTION 3.20.231 OF THE CITY
OF FIRCREST MUNICIPAL CODE.**

WHEREAS, the Fircrest City Council has established a need for a Water Capital Fund; and

WHEREAS, the City of Fircrest desires to account for the revenue and expenditures associated with water capital projects in a separate fund. Now, Therefore,

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

Section 1. Chapter 3.20 FMC is hereby amended by adding a new section (3.20.231) to read as follows:

“3.20.231 Water Capital Fund – Created

- (a) There is hereby established a fund to be known as the “Water Capital Fund” which shall be used for all proper capital costs necessary to maintain and upgrade the water system.
- (b) The Water Capital Fund shall receive its revenue from all legal sources including, but not limited to, the following sources: water fee charges, investment interest, and other miscellaneous revenues.
- (c) All deposits to and expenditures from the Water Capital Fund shall be made in accordance with the provisions of the annual budget of the City and with the provisions of the State of Washington Budgeting, Accounting, and Reporting System (BARS).

Section 2. Effective Date: This ordinance shall become effective five (5) days after passage, approval and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON, at a regular meeting thereof this 28th day of November, 2017.

APPROVED:

Hunter T. George, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

**DATE OF PUBLICATION:
EFFECTIVE DATE:**

NEW BUSINESS: Establishing a Fund to Be Used for Storm Drain Capital Projects
ITEM 10D.

FROM: Colleen Corcoran, Finance Director

RECOMMENDED MOTION: I move to adopt Ordinance No. _____, establishing a fund to be used for all proper Storm Drain Capital Project purposes and adding section 3.20.451 of the Fircrest Municipal Code.

PROPOSAL: The City Council is being asked to establish a fund to account for the revenues and expenditures relating to storm drain capital projects.

FISCAL IMPACT: None known.

ADVANTAGE: This will establish an accounting mechanism allowing for funds to be distinguished from the operating budget for current and future capital purposes.

DISADVANTAGES: None known.

ALTERNATIVES: Not establish the fund and track the revenue and expenditures through the Storm Drain Fund.

HISTORY: The City contracted with Katy Isaksen Associates to review, analyze and recommend a financial outlook and plan for our three utilities, Storm, Water and Sewer. The review concluded that new capital improvement funds be established for each utility and be used to save and pay for improvements and provide a local match to obtain grants or loans. The ending balance in the new funds will be available for capital projects and in the case of an emergency.

ATTACHMENT: [Ordinance](#)

**CITY OF FIRCREST
ORDINANCE NO. _____**

**AN ORDINANCE OF THE CITY OF FIRCREST, WASHINGTON,
ESTABLISHING A FUND TO BE USED FOR ALL PROPER STORM
DRAIN CAPITAL PURPOSES; AND ADDING SECTION 3.20.451 OF THE
CITY OF FIRCREST MUNICIPAL CODE.**

WHEREAS, the Fircrest City Council has established a need for a Storm Drain Capital Fund; and

WHEREAS, the City of Fircrest desires to account for the revenue and expenditures associated with storm drain capital projects in a separate fund. Now, Therefore,

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

Section 1. Chapter 3.20 FMC is hereby amended by adding a new section (3.20.451) to read as follows

“3.20.451 Storm Drain Capital Fund – Created

- (a) There is hereby established a fund to be known as the “Storm Drain Capital Fund” which shall be used for all proper capital costs necessary to maintain and upgrade the storm drain system.
- (b) The Storm Drain Capital Fund shall receive its revenue from all legal sources including, but not limited to, the following sources: storm drain charges, investment interest, and other miscellaneous revenues.
- (c) All deposits to and expenditures from the Storm Drain Capital Fund shall be made in accordance with the provisions of the annual budget of the City and with the provisions of the State of Washington Budgeting, Accounting, and Reporting System (BARS).

Section 2. Effective Date: This ordinance shall become effective five (5) days after passage, approval and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON, at a regular meeting thereof this 28th day of November, 2017.

APPROVED:

Hunter T. George, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

DATE OF PUBLICATION:

EFFECTIVE DATE:

**NEW BUSINESS: 2016 and 2017 CCN Subscriber Fees
ITEM 10E.**

FROM: Bill McDonald, Interim City Manager

RECOMMENDED MOTION: I move to adopt Resolution No. _____, authorizing the City Manager to pay and bring current charges for the use of the Single County Wide Communications System managed by the Combined Communications Network.

PROPOSAL: The CCN system is incorporated into the South Sound 911 system but owned by the Pierce County-Pierce Transit. CCN operates a public safety, first responder, and public service communications system which provides: P25 Master Site, Microwave, Networking, Radio Infrastructure, Key Management, Wireless Data, Fiber, Recording, and Spectrum Analysis also called the Single County Wide Communication System (SCWCS).

FISCAL IMPACT: The City of Fircrest owes subscriber fees for the years 2016 and 2017 to CNN. The combined subscriber fee expense for 2016 and 2017 is \$14,760. This is an unbudgeted item that will be paid from fund balance in the final budget adjustment for the 2017 budget year.

ADVANTAGE: The CCN systems, including the 700 MHz Radio network, have provided true interoperability with surrounding police and fire agencies. This translates into increased safety for our officers and more reliable service for our citizens.

DISADVANTAGES: None are identifiable at this time.

ALTERNATIVES: The City of Fircrest could not find a cost competitive alternative.

HISTORY: Before South Sound 911, the City used Pierce County Radio Communication for communication infrastructure. As CCN is now a part of the South Sound 911 infrastructure, the City is still able to use the system and a large part of the cost is absorbed by South Sound 911. At the November 14, 2017 regular Council meeting, the Council approved a Memorandum of Understanding between the City of Fircrest and Pierce County-Pierce Transit for the purpose of allowing the City of Fircrest use of the CCN Radio System.

ATTACHMENTS: [Resolution](#)
[Invoices for 2016 and 2017](#)

**CITY OF FIRCREST
RESOLUTION NO. ____**

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**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON AUTHORIZING THE CITY MANAGER
TO PAY AND BRING CURRENT CHARGES FOR THE USE OF THE
SINGLE COUNTY WIDE COMMUNICATIONS SYSTEM MANAGED
BY THE COMBINED COMMUNICATIONS NETWORK.**

WHEREAS, for many years, the City of Fircrest has utilized Pierce County communication infrastructure which has now partnered with Pierce Transit to form the Combined Communications Network (CCN), which is established for City and County radio coverage; and

WHEREAS, CCN operates a public safety, first responder, and public service communications system which provides: P25 Master Site, Microwave, Networking, Radio Infrastructure, Key Management, Wireless Data, Fiber, Recording, and Spectrum Analysis also called the Single County Wide Communication System (SCWCS); and

WHEREAS, the SCWCS infrastructure is owned and operated by CCN but integrates with the South Sound 911 System; and

WHEREAS, South Sound 911 provides substantial revenues derived from its Excise Tax and Sales Tax authority to subsidize user costs associated with the SCWCS system; and

WHEREAS, the Subscriber Fee billed to Fircrest recovers that portion of the cost of services provided by CCN not covered by the SS911 subsidy as outlined in Appendix A; and

WHEREAS, the City of Fircrest owes subscriber fees for the years 2016 and 2017 to CNN, with a combined subscriber fee expense for 2016 and 2017 of \$14,760; and

WHEREAS, the 2016 and 2017 subscriber fee expenses are an unbudgeted item that will be paid from fund balance in the final budget adjustment for the 2017 budget year; and

WHEREAS, the City of Fircrest has a need to use CCN; and

WHEREAS, the City of Fircrest recognizes its obligation to pay for the use of the system in accordance with the schedule of rates placed in effect by the CCN. Now, Therefore,

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

2 **Section 1.** The City Manager is hereby authorized to pay and bring current charges
3 for the use of the Single County Wide Communications System (SCWCS) managed
4 by CCN.

4 **APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF**
5 **FIRCREST, WASHINGTON,** at a regular meeting thereof this 28th day of
6 November 2017.

7 **APPROVED**

8 _____
9 Hunter T. George, Mayor

9 **ATTEST:**

10 _____
11 Jessica Nappi, City Clerk

12 **APPROVED AS TO FORM:**

13 _____
14 Michael B. Smith, City Attorney



Budget & Finance Department
615 S 9th Street Suite 100
Tacoma, WA 98405-4673

INVOICE

Emergency Management

CHANGE OF ADDRESS INFORMATION	
Street Address:	_____
City, State, Zip:	_____
Phone Number:	_____

INVOICE DATE	INVOICE #	DUE DATE
11/28/2016	CI-224303	12/28/2016
CUSTOMER #	TOTAL DUE	TOTAL PAID
C-109751	\$7,200.00	

PLEASE MAKE CHECKS PAYABLE TO PIERCE COUNTY

City Of Fircrest
C/O POLICE DEPARTMENT
302 REGENTS BLVD
FIRCREST, WA 98466

REMIT TO: PIERCE COUNTY BUDGET & FINANCE
SUITE 100
615 S 9TH STREET
TACOMA, WA 98405-4673

PLEASE RETURN ABOVE PORTION WITH PAYMENT - THANK YOU



Budget & Finance Department
615 So. 9th Street Suite 100
Tacoma, WA 98405-4673

BILLED TO: City Of Fircrest
C/O POLICE DEPARTMENT
302 REGENTS BLVD
FIRCREST, WA 98466

TYPE OF INVOICE: Radio Communications Services
CONTACT: Eben Pobee
PHONE: (253) 798-7428
DESCRIPTION: System Access CCN (SCWCS)

If you use bank autopay, make sure your Customer Number is on the check. If not, your payment may not be correctly applied to your account.

INVOICE DATE	INVOICE #	CUSTOMER #	PO #	PAYMENT TERMS	DUE DATE
11/28/2016	CI-224303	C-109751		Net 30	12/28/2016

Quantity	Item	Price	Total
7200	Annual System Access Fee	\$1.00	\$7,200.00
TOTAL:			\$7,200.00
TAX:			\$ 0.00
TOTAL DUE:			\$ 7,200.00





Finance Department
950 Fawcett Ave Suite 100
Tacoma WA 98402-5603

INVOICE

Emergency Management

CHANGE OF ADDRESS INFORMATION	
Street Address:	_____
City, State, Zip:	_____
Phone Number:	_____

INVOICE DATE	INVOICE #	DUE DATE
7/13/2017	CI-235311	8/12/2017
CUSTOMER #	TOTAL DUE	TOTAL PAID
C-109751	\$7,560.00	

PLEASE MAKE CHECKS PAYABLE TO PIERCE COUNTY

City Of Fircrest
C/O POLICE DEPARTMENT
302 REGENTS BLVD
FIRCREST, WA 98466

REMIT TO: Finance Department
950 Fawcett Ave Suite 100
Tacoma WA 98402-5603

PLEASE RETURN ABOVE PORTION WITH PAYMENT - THANK YOU



Finance Department
950 Fawcett Ave Suite 100
Tacoma WA 98402-5603

BILLED TO: City Of Fircrest
C/O POLICE DEPARTMENT
302 REGENTS BLVD
FIRCREST, WA 98466

TYPE OF INVOICE: Radio Communications Services
CONTACT: Emily Loeffelholz
PHONE: (253) 798-7428
DESCRIPTION: 2017 System Access CCN (SCWCS)

If you use bank autopay, make sure your Customer Number is on the check. If not, your payment may not be correctly applied to your account.

INVOICE DATE	INVOICE #	CUSTOMER #	PO #	PAYMENT TERMS	DUE DATE
7/13/2017	CI-235311	C-109751		Net 30	8/12/2017

Quantity	Item	Price	Total
7560	2017 Annual System Access Fee	\$1.00	\$7,560.00
	TOTAL:		\$7,560.00
	TAX:		\$ 0.00
	TOTAL DUE:		\$ 7,560.00

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**NEW BUSINESS: BIAS Financial Software Support Agreement
ITEM 10F.**

FROM: Colleen Corcoran, Finance Director

RECOMMENDED MOTION: I move to adopt Resolution No. _____, authorizing the City Manager to execute an agreement with BIAS Software to provide software support for BIAS software applications for the year 2018.

PROPOSAL: Council is being asked to authorize entering into a professional services agreement with BIAS Software to provide software support for BIAS software applications for the year 2018.

FISCAL IMPACT: Funds are included in the 2018 Budget for maintenance support. The cost from BIAS Software is \$9,266.30 for the year. This is an increase of \$449.37 from the 2017 agreement.

ADVANTAGE: This agreement will allow for support services and updates necessary to operate the software applications.

DISADVANTAGES: None known.

ALTERNATIVES: Do not have maintenance support.

HISTORY: BIAS Software was installed in 2011 and implemented January 1, 2012. A service agreement was purchased for the year of 2012, 2013, 2014, 2015, 2016, and 2017.

ATTACHMENTS: [Resolution](#)
[2018 Software Service Agreement](#)

SERVICES ORDER FORM

ORDER FORM for: City of Fircrest

Prepared on: October 11, 2017

Contract Start Date: 01-01-2018

Contract End Date: 12-31-2018

MANAGED SERVICES TOTAL	\$9,266.30
Financial Essentials Payroll Essentials Building Permits Cash Receipting Essentials Utilities Essential	

ORDER PREPARED FOR:

Company: **City of Fircrest**
 Contact: **Colleen Corcoran**
 Address: **115 Ramsdell St.**
Fircrest, Washington 98466
 Phone: **(253) 564-8901**
 Email: ccorcoran@cityoffircrest.net

ORDER PREPARED BY:

Company: **BIAS Software**
 Proposed by: **Mark Felchlin**
 Address: **327 E. Pacific**
Spokane, WA 99202
 Phone: **(509) 443-3332**
 Email: mark@biassoftware.com

ORDER DETAILS

ORDER DETAILS					
PRODUCTS	Enhancements	ORDER TERM (MONTHS)	MONTHLY/UNIT PRICE	QTY	TOTAL PRICE
Financial Essentials	None	12	\$135.84	1	\$1,630.13
Payroll Essentials	None	12	\$144.70	1	\$1,736.44
Building Permits	None	12	\$122.06	1	\$1,464.75
Cash Receipting Essentials	None	12	\$126.00	1	\$1,512.00
Utilities Essential	Xpress	12	\$181.13	1	\$2,173.50
<i>Discounts:</i>					
Tax:					\$749.48
Remarks:					Grand Total (Tax Included)
					\$9,266.30

SERVICES ORDER FORM

ORDER FORM for: City of Fircrest

Prepared on: October 11, 2017

Contract Start Date: 01-01-2018
Contract End Date: 12-31-2018

MANAGED SERVICES TOTAL	\$9,266.30
Financial Essentials Payroll Essentials Building Permits Cash Receipting Essentials Utilities Essential	

TERMS AND CONDITIONS

PAYMENT

Annual Support Fee is due on the contract year by January 31st. Invoice will be generated upon receiving signed Order Form.

REMARKS

Upon signature by Customer and submission to BIAS, this Order Form shall become legally binding and governed by the [Master Subscription Agreement v.7.1010](#) between BIAS and Customer unless otherwise agreed by BIAS and Customer.

During the Contract Term and for one year thereafter, Customer shall not disclose the pricing or terms hereunder to any third party (unless required by law) without BIAS prior written consent.

Name: _____ Title: _____ Date: _____	Signature: _____
-----------------------------------------------------------------	-------------------------

PLEASE RETURN BOTH PAGES

PLEASE SIGN DIGITALLY OR PRINT AND FAX TO 888.228.0030 OR EMAIL TO SUE@BIASSOFTWARE.COM

NEW BUSINESS: Jeff Boers Professional Services Agreement
ITEM 10G.

FROM: Angelie Stahlnecker, Planning and Building Administrator

RECOMMENDED MOTION: I move to adopt Resolution No. _____, authorizing the City Manager to amend the professional service agreement with Jeff Boers and Associates extending the term of said Agreement through December 31, 2018.

PROPOSAL: Council is being asked to authorize an amendment to the professional service agreement with Jeff Boers, Jeff Boers and Associates, extending the term of said agreement through December 31, 2018.

FISCAL IMPACT: There is no change to the contract amount. The 2018 Budget allocates \$18,000 to professional services. The majority of this is project dependent.

ADVANTAGE: The City needs a qualified professional to serve as the principal planner for the City. Jeff Boers has existing knowledge of Fircrest's land use code and has extensive experience working with local jurisdictions on land use issues and GMA required Comprehensive Plan updates.

DISADVANTAGES: None known.

ALTERNATIVES: The City could consider another planning consultant, although Jeff Boers and Associates has the most Fircrest experience and is the lowest cost.

HISTORY: On April 23, 2013, the City contracted with Jeff Boers to serve as principal planner. A principal planner is required to review all land use issues, prepare the Growth Management Act updates and serve as the SEPA responsible official.

ATTACHMENTS: [Resolution Amendment to the Professional Services Agreement](#)

**CITY OF FIRCREST
RESOLUTION NO. ____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON AUTHORIZING THE CITY MANAGER
TO EXECUTE AMENDMENT #5 TO THE PROFESSIONAL
SERVICE AGREEMENT WITH JEFF BOERS AND ASSOCIATES
FOR THE PURPOSE OF EXTENDING THE TERM OF SAID
AGREEMENT.**

WHEREAS, the City of Fircrest has need of consultant services to serve as the principal land use consultant planner for the City; and

WHEREAS, the term of said Agreement will expire on December 31, 2017; and

WHEREAS, Section 3 of said Agreement provides for the option to extend the term of the Agreement for one year; and

WHEREAS, the City of Fircrest desires to maintain these services. 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 amendment to the Professional Service Agreement with Jeff Boers and Associates, extending the term of said agreement through December 31, 2018.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 28th day of November
2017.

APPROVED:

Hunter T. George, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

**AMENDMENT #5
TO THE CITY OF FIRCREST**

**PROFESSIONAL SERVICES AGREEMENT WITH JEFF BOERS AND ASSOCIATES
TO PROVIDE CURRENT AND LONG-RANGE PLANNING CONSULTING SERVICES.**

This amendment is hereby made and entered into this 28th day of November 2017 by and between the City of Fircrest, a political subdivision of the state of Washington, hereinafter referred to as the “City” and Jeff Boers and Associates, hereinafter referred to as “Consultant”, to be effective January 1, 2018.

WITNESSETH:

1. **Purpose**

The purpose of this amendment is to amend Section 3 of the April 23, 2013 contract with Jeff Boers and Associates to provide current and long-range planning consulting services, regarding the term of the agreement. This amendment is limited as set forth herein. All of the remaining terms and conditions of the April 23, 2013 agreement shall remain in full force and effect. The amendment is as follows:

2. Section 3 is hereby amended to read as follows:

The term of this Agreement shall be from January 1, 2018 until December 31, 2018, and may be extended or modified by mutual consent of the parties.

IN WITNESS WHEREOF, the parties to these presents have executed this contract in duplicate, each of which shall be deemed as originals, in the year and day first above mentioned.

CITY OF FIRCREST

JEFF BOERS AND ASSOCIATES

By _____
City Manager

By _____

Approved as to Form:

By _____
City Attorney

NEW BUSINESS: South Inspection Professional Services Agreement
ITEM 10H.

FROM: Angelie Stahlnecker, Planning and Building Administrator

RECOMMENDED MOTION: I move to adopt Resolution No. _____, authorizing the City Manager to amend the professional services agreement with Sound Inspection LLC extending the term of said Agreement through December 31, 2018 and adjusting the hourly rate.

PROPOSAL: Council is being asked to authorize an amendment to the professional services agreement with Sound Inspection LLC to extend the date of the agreement to December 31, 2018 and increase the hourly rate to \$95. The increase request is due to increases in insurance cost and training expenses that are required to maintain his International Code Council (ICC) certification as required by the contract.

FISCAL IMPACT: Sound Inspection has requested an increase of \$10 per hour from \$85 to \$95. The last increase was in 2014. This increase has been reflected in the 2018 Budget.

ADVANTAGE: The City needs a qualified professional to serve as the Building Official. Sound Inspection LLC has existing knowledge of Fircrest, extensive experience, and the required qualifications.

DISADVANTAGES: None known.

ALTERNATIVES: The City could consider another firm with equivalent experience.

HISTORY: Plan review and inspection services are mandated functions of the Building Division under the requirements of the International Building Code. The City has had a relationship with Sound Inspections LLC since 2003.

ATTACHMENTS: [Resolution](#)
[Amendment to the Professional Services Agreement](#)

**CITY OF FIRCREST
RESOLUTION NO. _____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON AUTHORIZING THE CITY MANAGER
TO EXECUTE AMENDMENT #5 TO THE PROFESSIONAL
SERVICES AGREEMENT WITH SOUND INSPECTION, LLC FOR
THE PURPOSE OF EXTENDING THE TERM OF SAID
AGREEMENT.**

WHEREAS, Sound Inspections, LLC, has been providing building official, building inspection, and plan review services for the City; and

WHEREAS, the term of said Agreement will expire on December 31, 2017; and

WHEREAS, Section 3 of said Agreement provides for the option to extend the term of the Agreement for one year; and

WHEREAS, Sound Inspection LLC, has requested an hourly rate increase from \$85.00 to \$95.00; and

WHEREAS, the City desires to maintain these services. 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 amendment to the professional services agreement with Sound Inspection LLC, extending the term of said agreement through December 31, 2018.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 28th day of November
2017.

APPROVED:

Hunter T. George, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

**AMENDMENT #5
TO THE CITY OF FIRCREST**

PROFESSIONAL SERVICES AGREEMENT WITH SOUND INSPECTION LLC TO PROVIDE BUILDING OFFICIAL, BUILDING INSPECTION, AND PLAN REVIEW SERVICES FOR THE CITY.

This amendment is hereby made and entered into this 28th day of November 2017 by and between the City of Fircrest, a political subdivision of the state of Washington, hereinafter referred to as the “City” and Sound Inspection LLC, hereinafter referred to as “Consultant”, to be effective January 1, 2018.

WITNESSETH:

1. Purpose

The purpose of this amendment is to amend Section 3 and Section 14 of the November 27, 2012 contract with Sound Inspection LLC, regarding the term of the agreement. This amendment is limited as set forth herein. All of the remaining terms and conditions of the November 27, 2012 agreement shall remain in full force and effect and as amended on October 25, 2016. The amendments are as follows:

2. Section 3 is hereby amended to read as follows:

The term of this Agreement shall be from January 1, 2018 through December 31, 2018, or as may be extended or modified by mutual consent of the parties.

3. Section 14 is hereby amended to read as follows:

Fircrest will pay Consultant an hourly rate of \$95.00 per hour for all services, EXCEPT for certain instances of plan review. Fircrest will pay Consultant a fee of 65% of any plan review fee, as established by the latest fee schedule adopted by the City of Fircrest, for every building permit which has a valuation equal to or greater than \$1,000,000, as performed under the terms of this agreement. Otherwise, Fircrest will pay Consultant an hourly rate of \$95.00 per hour for plan review. All hourly rates will be charged in fifteen-minute increments. If a portion of an increment is worked, it will be rounded up to the next increment, e.g., 24 minutes will be charged as ½ of an hour or \$42.50 ($\$85.00/4 = \$21.25 \times 2 = \42.50).

Mileage will be paid at an amount as determined by the latest Internal Revenue Service rate, but not to exceed 60 miles per inspection day.

Inspections are limited to Tuesday and Thursday mornings, which are established as normal inspection days. The special inspection rate as established under the City of Fircrest Building Services Fee Schedule shall apply for other times and days of the week. Special inspection dates do not include mileage.

IN WITNESS WHEREOF, the parties to these presents have executed this contract in duplicate, each of which shall be deemed as originals, in the year and day first above mentioned.

CITY OF FIRCREST

SOUND INSPECTION LLC

By _____
City Manager

By _____

Approved as to Form:

By _____
City Attorney

**NEW BUSINESS: NW GIS Professional Services Agreement
ITEM 10I.**

FROM: Angelie Stahlnecker, Planning and Building Administrator

RECOMMENDED MOTION: I move to adopt Resolution No. _____, authorizing the City Manager to amend the professional service agreement with NW GIS Consulting, LLC to provide on call GIS support services through December 31, 2018.

PROPOSAL: Council is being asked to authorize an amendment to the professional service agreement with NW GIS Consulting, LLC extending the term of said agreement through December 31, 2018.

FISCAL IMPACT: The 2018 Budget allocates \$10,000 for the GIS update. Funds are available in the Planning, Water, Sewer, Storm, and Street Professional Services line items for this expenditure (\$2,000 from each line item).

ADVANTAGE: The City needs a qualified professional to bring our GIS data and system up-to-date, especially as it relates to utility information. NW GIS Consulting, LLC has begun the process of updating our GIS program and has extensive experience in the area.

DISADVANTAGES: None known.

ALTERNATIVES: While another consultant could be considered, the significant progress we have made to update our GIS data and enable its usability would be hindered.

HISTORY: In 2014, the City contracted with NW GIS Consulting, LLC to update our GIS data and provide on call GIS support services.

ATTACHMENTS: [Resolution](#)
[Amendment to the Professional Services Agreement](#)

**CITY OF FIRCREST
RESOLUTION NO. ____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON AUTHORIZING THE CITY MANAGER
TO EXECUTE AMENDMENT #3 TO THE PROFESSIONAL
SERVICE AGREEMENT WITH NW GIS CONSULTING, LLC TO
PROVIDE ON CALL GIS SUPPORT SERVICES THROUGH
DECEMBER 31, 2018.**

WHEREAS, the City of Fircrest has need for on call GIS support services; and

WHEREAS, the term of said Agreement will expire on December 31, 2017; and

WHEREAS, Section 3 of said Agreement provides for the option to extend the term of the Agreement for one year; and

WHEREAS, the City of Fircrest desires to maintain these services. 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 amendment to the Professional Service Agreement with NW GIS Consulting, LLC, extending the term of said agreement through December 31, 2018.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 28th day of November
2017.

APPROVED:

Hunter T. George, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

**AMENDMENT #3
TO THE CITY OF FIRCREST**

PROFESSIONAL SERVICES AGREEMENT WITH NW GIS CONSULTING, LLC TO PROVIDE ON CALL GIS SUPPORT SERVICES.

This amendment is hereby made and entered into this 28th day of November 2017 by and between the City of Fircrest, a political subdivision of the state of Washington, hereinafter referred to as the “City” and NW GIS Consulting, LLC, hereinafter referred to as “Consultant”, to be effective January 1, 2018.

WITNESSETH:

1. **Purpose**

The purpose of this amendment is to amend Section 3 of the May 26, 2015 contract with NW GIS Consulting, LLC to provide on call GIS support services, regarding the term of the agreement. This amendment is limited as set forth herein. All of the remaining terms and conditions of the May 26, 2015 agreement shall remain in full force and effect. The amendment is as follows:

2. Section 3 is hereby amended to read as follows:

The term of this Agreement shall be from January 1, 2018 until December 31, 2018, and may be extended or modified by mutual consent of the parties.

IN WITNESS WHEREOF, the parties to these presents have executed this contract in duplicate, each of which shall be deemed as originals, in the year and day first above mentioned.

CITY OF FIRCREST

NW GIS CONSULTING, LLC

By _____
City Manager

By _____

Approved as to Form:

By _____
City Attorney

**NEW BUSINESS: Murraysmith Professional Services Agreement
ITEM 10J.**

FROM: Jerry Wakefield, Public Works Director

RECOMMENDED MOTION: I move to adopt Resolution No. _____, authorizing the City Manager to execute a second amendment to the Professional Services Agreement with Murraysmith for providing on call engineering services for water and sewer type projects as needed.

PROPOSAL: Council is being asked to authorize the City Manager to execute an amendment to the Professional Services Agreement with Murraysmith to provide on call engineering services for water and sewer type projects as needed. The work elements of this agreement will be authorized by task order.

FISCAL IMPACT: The agreement does not have a contract amount as the work will be authorized by task order for each task. This total cost is to be within the budgeted amount for professional services for this department.

ADVANTAGE: Since Murraysmith has provided the City on call services in 2016 and 2017 and by having an on call engineer that specialize in the area of expertise required by the City, the second amendment allows the City to continue to use the services as needed and authorize that work by task order in accordance with previous agreement.

DISADVANTAGES: By not having an on call engineer for services, the City would be required to delay the work for the selection process and also provide a professional services agreement for each task required throughout the year.

ALTERNATIVES: Not to have an on call engineer for services and either not use the budgeted services or prepare a professional services agreement for each task needed.

HISTORY: Previously, the City contracted with Murraysmith for on call engineering services for the year 2016 and 2017. Since both the City and Murraysmith has had success this last year in those services. Exhibit B has been changed to reflect the 2018 schedule of charges. The City and Murraysmith wishes to continue this on call contract for another year.

ATTACHMENTS: [Resolution](#)
[Amendment to the Professional Services Agreement](#)
[Exhibit B – Schedule of Charges](#)

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**CITY OF FIRCREST
RESOLUTION NO. ____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, AUTHORIZING THE CITY
MANAGER TO EXECUTE A SECOND AMENDMENT TO THE
PROFESSIONAL SERVICES AGREEMENT WITH
MURRAYSMITH FOR ON CALL ENGINEERING SERVICES FOR
WATER AND SEWER TYPE PROJECTS AS NEEDED.**

WHEREAS, the City of Fircrest had contracted with Murraysmith to provide on call engineering services for water and sewer type projects in 2016 and 2017; and

WHEREAS, the City of Fircrest has budgeted fund for these services in the annual budget; and

WHEREAS, the City wishes to contract with Murraysmith to provide the on call engineering services for water and sewer type projects. 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 a second amendment to the professional services agreement with Murraysmith for on call engineering services for water and sewer type projects as needed.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 28th day of November 2017.

APPROVED:

Hunter T. George, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

**AMENDMENT #2
TO THE CITY OF FIRCREST**

PROFESSIONAL SERVICES AGREEMENT WITH ENGINEERING FIRM OF MURRAYSMITH FOR ON CALL ENGINEERING SERVICES FOR WATER AND SEWER PROJECTS AS NEEDED.

This second amendment is hereby made and entered into this 28th day of November 2017 by and between the City of Fircrest, a political subdivision of the state of Washington, hereinafter referred to as the “City” and Murraysmith, hereinafter referred to as “Consultant”, to be effective January 1, 2018.

WITNESSETH:

1. **Purpose**

The purpose of this second amendment is to amend the March 22, 2016 agreement. This amendment is limited to the amendments as set forth herein. All of the remaining terms and conditions of the March 22, 2016 agreement shall remain in full force and effect. The amendments are as follows:

2. **Term** is hereby amended to read as follows:

The term of this Agreement shall be from March 22, 2016, until December 31, 2018, and may be extended or modified by mutual consent of the parties.

3. Exhibit B is hereby replaced with a new Exhibit B to reflect the 2018 schedule of charges.

4. All remaining provisions of the March 22, 2016 agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties to these presents have executed this contract in duplicate, each of which shall be deemed as originals, in the year and day first above mentioned.

CITY OF FIRCREST

MURRAYSMITH

By _____
City Manager

By _____

Approved as to Form:

By _____
City Attorney



2018 SCHEDULE OF CHARGES

Personnel:

Labor will be invoiced by staff classification at the following hourly rates, which are valid from January 1, 2018 to December 31, 2018. After this period, the rates are subject to adjustment.

Principal Engineer VI	\$248.00
Principal Engineer V	\$239.00
Principal Engineer IV	\$233.00
Principal Engineer III	\$223.00
Principal Engineer II	\$215.00
Principal Engineer I	\$208.00
Professional Engineer IX	\$200.00
Professional Engineer VIII	\$190.00
Professional Engineer VII	\$182.00
Professional Engineer VI	\$171.00
Professional Engineer V	\$163.00
Professional Engineer IV	\$152.00
Engineering Designer IV	\$152.00
Professional Engineer III	\$147.00
Engineering Designer III	\$147.00
Engineering Designer II	\$134.00
Engineering Designer I	\$129.00
Technician IX	\$192.00
Technician VIII	\$183.00
Technician VII	\$174.00
Technician VI	\$165.00
Technician V	\$156.00
Technician IV	\$143.00
Technician III	\$130.00
Technician II	\$114.00
Technician I	\$100.00
Administrative III	\$107.00
Administrative II	\$99.00
Administrative I	\$87.00

Project Expenses:

Expenses incurred in-house that are directly attributable to the project will be invoiced at actual cost. These expenses include the following:

CADD Hardware/Software	\$18.00/hour
Modeling and GIS Hardware/Software	\$10.00/hour
Mileage	Current IRS Rate
Postage and Delivery Services	At Cost
Printing and Reproduction	At Cost
Travel, Lodging and Subsistence	At Cost

Outside Services:

Outside technical, professional and other services will be invoiced at actual cost plus 10 percent to cover administration and overhead.

**NEW BUSINESS: KPG, P.S. Professional Services Agreement
ITEM 10K.**

FROM: Jerry Wakefield, Public Works Director

RECOMMENDED MOTION: I move to adopt Resolution No. _____, authorizing the City Manager to execute a second amendment to the Professional Services Agreement with KPG, P.S. for providing on call engineering services for transportation type projects as needed.

PROPOSAL: Council is being asked to authorize the City Manager to execute a second amendment to the Professional Services Agreement with KPG, P.S. to provide on call engineering services for transportation type projects as needed. The work elements of this agreement will be authorized by task order.

FISCAL IMPACT: The agreement does not have a contract amount as the work will be authorized by task order for each task. This total cost is to be within the budgeted amount for professional services for this department.

ADVANTAGE: Since KPG has provided the City on call services in 2016 and 2017 by having an on call engineer that specialize in the area of expertise required by the city, the second amendment to the existing on call agreement allows the City to obtain the services as needed and authorize that work by task order.

DISADVANTAGES: By not having an on call engineer for services, the City would be required to delay the work for the selection process and also provide a professional services agreement for each task required throughout the year.

ALTERNATIVES: Not to have an on call engineer for services and either not use the budgeted services or prepare a professional services agreement for each task needed.

HISTORY: Previously, the City contracted with KPG for on call engineering services for the year 2016 and 2017; both the City and KPG has had success this last year in those services. Exhibit B has been changed to reflect the 2018 schedule of charges. The City and KPG wishes to continue this on call contract for another year.

ATTACHMENTS: [Resolution](#)
[Amendment to the Professional Services Agreement](#)
[Exhibit B – Schedule of Charges](#)

**CITY OF FIRCREST
RESOLUTION NO. ____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, AUTHORIZING THE CITY
MANAGER TO EXECUTE A SECOND AMENDMENT TO THE
PROFESSIONAL SERVICES AGREEMENT WITH KPG, P.S. FOR
ON CALL ENGINEERING SERVICES FOR TRANSPORTATION
TYPE PROJECTS AS NEEDED.**

WHEREAS, the City of Fircrest had contracted with KPG, P.S. to provide on call engineering services for transportation type projects in 2016 and 2017; and

WHEREAS, the City of Fircrest has budgeted fund for these services in the annual budget; and

WHEREAS, the City wishes to contract with KPG, P.S., to provide the on call engineering services for transportation type projects. 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 a second amendment to the professional services agreement with KPG, P.S., for on call engineering services for transportation type projects as needed.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 28th day of November 2017.

APPROVED:

Hunter T. George, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

**AMENDMENT #2
TO THE CITY OF FIRCREST**

**PROFESSIONAL SERVICES AGREEMENT WITH THE ENGINEERING FIRM OF
KPG, P.S., FOR ON CALL ENGINEERING SERVICES FOR TRANSPORTATION TYPE
PROJECTS AS NEEDED.**

This second amendment is hereby made and entered into this 28th day of November 2017, by and between the City of Fircrest, a political subdivision of the state of Washington, hereinafter referred to as the “City” and KPG, P.S., hereinafter referred to as “Consultant”, to be effective January 1, 2018.

WITNESSETH:

1. **Purpose**

The purpose of this second amendment is to amend the March 22, 2016 agreement. This amendment is limited to the amendments as set forth herein. All of the remaining terms and conditions of the March 22, 2016 agreement shall remain in full force and effect. The amendments are as follows:

2. **Term** is hereby amended to read as follows:

The term of this Agreement shall be from March 22, 2016, until December 31, 2018, and may be extended or modified by mutual consent of the parties.

3. Exhibit B is hereby replaced with a new Exhibit B to reflect the 2018 schedule of charges.

4. All remaining provisions of the March 22, 2016 agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties to these presents have executed this contract in three counterparts, each of which shall be deemed as originals, in the year and day first above mentioned.

CITY OF FIRCREST

KPG, P.S.

By _____
City Manager

By _____

Approved as to Form:

By _____
City Attorney

Exhibit B - Fee Schedule

**City of Fircrest
On-Call General Engineering Services**

KPG
Summary of Direct Labor Costs
Effective January 1, 2018 through December 31, 2018

	<u>Direct Salary Costs (DSC)</u>	<u>Office Overhead @ 1.3820 Of DSC</u>	<u>Profit @ 30% of DSC</u>	<u>Inclusive Rate</u>
Engineer - Manager	64.42	89.03	19.33	172.77
Engineer - Senior	72.84	100.66	21.85	195.36
Engineer - Project 1	45.07	62.29	13.52	120.88
Engineer - Project 2	40.38	55.81	12.11	108.30
Design Engineer 1	31.25	43.19	9.38	83.81
Design Engineer 2	25.00	34.55	7.50	67.05
Engineer - Traffic 1	38.58	53.32	11.57	103.47
Engineer - Traffic 2	26.56	36.71	7.97	71.23
Landscape Designer 1	54.57	75.42	16.37	146.36
Landscape Designer 2	38.46	53.15	11.54	103.15
Landscape Designer 3	26.44	36.54	7.93	70.91
Surveyor	43.27	59.80	12.98	116.05
Project Surveyor	47.12	65.12	14.14	126.38
Survey - Technician	29.81	41.20	8.94	79.95
CADD Technician	39.06	53.98	11.72	104.76
Construction Manager	46.75	64.61	14.03	125.38
Resident Engineer	41.47	57.31	12.44	111.22
Construction Inspector	37.50	51.83	11.25	100.58
Construction Documentation	37.14	51.33	11.14	99.61
Project Coordinator	28.85	39.87	8.66	77.38
Administration 1	29.81	41.20	8.94	79.95
Administration 2	19.59	27.07	5.88	52.54

Subs billed at cost plus 5%.

Reimbursable billed at actual costs.

Direct mileage will be billed at the current approved IRS mileage rate.

NEW BUSINESS: APEX Engineering LLC Professional Services Agreement
ITEM 10L.

FROM: Jerry Wakefield, Public Works Director

RECOMMENDED MOTION: I move to adopt Resolution No. _____, authorizing the City Manager to execute a second amendment to the Professional Services Agreement with Apex Engineering LLC for providing on call engineering services for surveying and mapping type projects as needed.

PROPOSAL: Council is being asked to authorize the City Manager to execute an amendment to the Professional Services Agreement with Apex Engineering LLC to provide on call engineering services for surveying and mapping type projects as needed. The work elements of this agreement will be authorized by task order.

FISCAL IMPACT: The agreement does not have a contract amount as the work will be authorized by task order for each task. This total cost is to be within the budgeted amount for professional services for this department.

ADVANTAGE: Since Apex Engineering has provided the City on call services in 2016 and 2017 by having an on call engineer that specialize in the area of expertise required by the city, the second amendment allows the City to continue to use the services as needed and authorize that work by task order in accordance with previous agreement.

DISADVANTAGES: By not having an on call engineer for services, the City would be required to delay the work for the selection process and also provide a professional services agreement for each task required throughout the year.

ALTERNATIVES: Not to have an on call engineer for services and either not use the budgeted services or prepare a professional services agreement for each task needed.

HISTORY: Previously, the City contracted with Apex for on call engineering services for the year 2016 and 2017; both the City and Apex has had success this last year in those services. Exhibit B has been changed to reflect the 2018 schedule of charges. The City and Apex wishes to continue this on call contract for another year.

ATTACHMENTS: [Resolution](#)
[Amendment to the Professional Services Agreement](#)
[Exhibit B – Schedule of Charges](#)

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**CITY OF FIRCREST
RESOLUTION NO. ____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, AUTHORIZING THE CITY
MANAGER TO EXECUTE A SECOND AMENDMENT TO THE
PROFESSIONAL SERVICES AGREEMENT WITH APEX
ENGINEERING LLC FOR ON CALL ENGINEERING SERVICES
FOR SURVEY AND MAPPING TYPE PROJECTS AS NEEDED.**

WHEREAS, the City of Fircrest had contracted with Apex Engineering LLC to provide on call engineering services for survey and mapping type projects in 2018; and

WHEREAS, the City of Fircrest has budgeted funds for these services in the annual budget; and

WHEREAS, the City wishes to contract with Apex Engineering LLC, to provide on call engineering services for survey and mapping type projects. 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 a second amendment to the professional services agreement with Apex Engineering LLC for on call engineering services for survey and mapping type projects as needed.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 28th day of November 2017.

APPROVED:

Hunter T. George, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

**AMENDMENT #2
TO THE CITY OF FIRCREST**

**PROFESSIONAL SERVICES AGREEMENT WITH THE ENGINEERING FIRM OF
APEX ENGINEERING LLC FOR ON CALL ENGINEERING SERVICES FOR SURVEY
AND MAPPING TYPE PROJECTS AS NEEDED.**

This second amendment is hereby made and entered into this 28th day of November 2017, by and between the City of Fircrest, a political subdivision of the state of Washington, hereinafter referred to as the “City” and Apex Engineering LLC, hereinafter referred to as “Consultant”, to be effective January 1, 2018.

WITNESSETH:

1. **Purpose**

The purpose of this first amendment is to amend the March 22, 2016 agreement. This amendment is limited to the amendments as set forth herein. All of the remaining terms and conditions of the March 22, 2016 agreement shall remain in full force and effect. The amendments are as follows:

2. **Term** is hereby amended to read as follows:

The term of this Agreement shall be from March 22, 2016, until December 31, 2018, and may be extended or modified by mutual consent of the parties.

3. Exhibit B is hereby replaced with a new Exhibit B to reflect the 2018 schedule of charges.

4. All remaining provisions of the March 22, 2016 agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties to these presents have executed this contract in three counterparts, each of which shall be deemed as originals, in the year and day first above mentioned.

CITY OF FIRCREST

APEX ENGINEERING LLC

By _____
City Manager

By _____

Approved as to Form:

By _____
City Attorney

APEX ENGINEERING PROFESSIONAL SERVICES FEE SCHEDULE - 2018

<u>Office</u>	Standard Hourly Rate
Principal	\$175.00
Senior Project Manager	\$165.00
Professional Land Surveyor	\$150.00
Professional Engineer	\$150.00
CAD Designer	\$125.00
Project Manager	\$130.00
Survey Field Coordinator	\$130.00
Survey Technician	\$135.00
Project Expeditor	\$100.00
Administrative	\$60.00
Senior CAD Designer	\$135.00
Design Engineer	\$110.00
Planning Technician	\$125.00
* Expert Testimony, Depositions, Legal Reviews, etc.	\$375.00
* Includes attendance, meetings and preparation time associated with legal counsel	
Survey Crew Chief	\$145.00
2- Person Survey Crew	\$180.00
3-Person Survey Crew	\$250.00

Reimbursable Expenses

	Standard Federal Rate
Mileage	Cost plus 15%
Deliveries	Cost plus 15%
Misc. Outside Costs	Cost plus 15%
Photography/Special Materials	Cost Plus 15%
Copies (1-sided)	\$0.05/Each
Copies (2-sided)	\$0.10/Each
Foam Core (Sq Ft)	\$1.30
Prints - Black & White (Sq Ft)	\$0.33
Prints - Color (Sq Ft)	\$1.00
Mylars	\$10.20
Public Notice Posting Boards	
Large (36" x 48") Yellow	\$16.00/each
Small (12" x 24" Yellow) / (18" x 24" White)	\$5.00/each

NEW BUSINESS: Copy Machine 2018 Lease Agreement Renewal
ITEM 10M.

FROM: Colleen Corcoran, Finance Director

RECOMMENDED MOTION: I move to adopt Resolution No. _____, authorizing the City Manager to execute a sixty month lease and maintenance agreement with Copiers Northwest to provide copiers and maintenance agreements for City Hall, Court, Parks and Recreation, and Public Works.

PROPOSAL: Council is being asked to authorize the City Manager to execute a sixty (60) month lease and maintenance agreement with Copiers Northwest for four copiers, one each at City Hall, Court, Parks and Recreation, and Public Works.

FISCAL IMPACT: The monthly lease expenditure for the four copiers will be approximately \$513 plus tax. The actual monthly amount for maintenance varies based upon the number of images produced each month. Under the new agreement, the cost of printing an image with color is 0.0504 cents per page for the City Hall copier and 0.06355 per page for the Public Works copier. The cost of printing an image with black toner is 0.0075 cents per page for City Hall, Public Works, and Parks and Recreation, and 0.0082 per page for Court.

ADVANTAGE: The proposed copiers at Parks and Recreation and Court will provide the same capabilities as the current copiers, but at a lower cost. The proposed copiers at City Hall and Public Works will have the capability of printing color images at a lower cost, better quality, and at a much faster rate per page. The color copiers will also have the ability to scan items in color. This capability makes it much easier to obtain color images that can be added to our website.

DISADVANTAGES: None known.

ALTERNATIVES: The City can continue to use the current copiers on a month-to-month basis at the current rates or replace them with another mix of monochrome and color copiers.

HISTORY: The City entered into a 60 month lease agreement for its current City Hall, Public Works, Recreation and Court copier in December of 2012. The lease will expire in December 2017. At the November 20, 2017 study session, the Council consensus was to proceed with a new 60 month lease and maintenance agreement.

ATTACHMENTS: [Resolution](#)
[Northwest Copiers Program Agreement](#)
[Northwest Copiers Maintenance Agreement](#)

**CITY OF FIRCREST
RESOLUTION NO. ____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, AUTHORIZING THE CITY
MANAGER TO EXECUTE A SIXTY MONTH LEASE AND
MAINTENANCE AGREEMENT WITH COPIERS NORTHWEST TO
PROVIDE COPIERS AND MAINTENANCE AGREEMENTS FOR
CITY HALL, COURT, PARKS AND RECREATION, AND PUBLIC
WORKS.**

WHEREAS, the City of Fircrest has need of copy machines and maintenance services; and;
and

WHEREAS, Copiers Northwest has the required experience and expertise to provide such
services. 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 the agreement
with Copiers Northwest to provide a copier and maintenance agreement for City Hall, Court,
Parks and Recreation, and Public Works.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 28th day of November
2017.

APPROVED:

Hunter T. George, Mayor

ATTEST:

Jessica Nappi, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

BILL TO			SHIP TO		
Bill To Name	City Of Fircrest Accounts Payable		Ship To Name	City Of Fircrest Accounts Payable	
Address	115 Ramsdell		Address	115 Ramsdell	
City, ST, Zip	Fircrest, WA 98466		City, ST, Zip	Fircrest, WA 98466	
Phone	(253) 564-8901		Phone	(253) 564-8901	
PO Number			Delivery Contact Name	Dave Haupt	
Sale Type	60 mo. FMV lease		Delivery Contact Email	dhaupt@cityoffircrest.net	
Payment Terms	Canon NASPO contract #05214\3091		IT Contact Name	Same	
			IT Contact Email	Same	

Order Notes and/or Delivery Instructions	Contact Dave Haupt 253-224-4044
-------------------------------------------------	---------------------------------

Qty	Item Number	Model	Description	Unit Price	Total Amount
1	0602C003BB	IRC5560i	imageRUNNER ADVANCE C5560i		60 mo. FMV lease payment
1	0126C001AA	IRC5560i	2/3 Hole Puncher Unit-A1		\$513.00
1	0619C002AA	IRC5560i	Buffer Pass Unit-L1		
1	0609C002AA	IRC5560i	Cassette Feeding Unit-AM1		
1	0607C002AA	IRC5560i	Paper Deck Unit-F1		
1	0613C002AA	IRC5560i	Staple Finisher-Y1 (Req. Buffer Pass Unit-L1)		
1	0166C007AA	IRC5560i	Super G3 FAX Board-AS2		
2	0605C003BB	IRC5535i	imageRUNNER ADVANCE C5535i		
1	1770C001AA	IRC5535i	Cabinet Type-N		
1	0609C002AA	IRC5535i	Cassette Feeding Unit-AM1		
2	8815A003AA	IRC5535i	Copy Tray-J2		
2	0618C002AA	IRC5535i	Inner 2/3 Hole Puncher-B1		
2	0615C002AA	IRC5535i	Inner Finisher-H1		
2	0166C007AA	IRC5535i	Super G3 FAX Board-AS2		
1	1407C001AA	IR4545i	imageRUNNER ADVANCE 4545i		
1	2299C001AA	IR4545i	Cabinet Type-Q<3>		
1	1424C002AA	IR4545i	Inner 2/3 Hole Puncher-C1<6>		
1	1423C002AA	IR4545i	Inner Finisher-J-1<5>		
1	0166C007AA	IR4545i	Super G3 FAX Board-AS2		
				Subtotal	\$513.00
				Delivery	
				Onsite Network Install	
				Sales Tax	tax rate .099 \$50.79
				TOTAL	\$563.79
				LESS DEPOSIT	
				TOTAL DUE	

TERMS: COPIERS NORTHWEST, INC., (Seller) retains title to all equipment and supplies listed above until purchase price is paid in full. This is a binding and non-cancelable contract. In the event Customer defaults on payment the Customer remains liable for this debt and the payment of any legal fees or other cost incurred in any action to collect this debt. Customer gives Seller security interest in the property purchased in this agreement. Refer to warranty on reverse side. Changes to the original terms on the back side of this Sales Order are not valid unless initialed by an officer of Copiers Northwest. **Cash purchases with software items require a minimum 50% payment upfront of the software portion to secure the software order from Vendor.**

Ron Barber 11/21/2017
Account Manager Order Date

Customers, please provide equipment pick up information and network installation information on page 3 and 4 of this document, if applicable.

ACCEPTED BY COPIERS NORTHWEST BELOW:

ACCEPTED BY CUSTOMER BELOW:

Copiers Northwest Officer Date

Printed Name Title



Authorized Signature Required Date

Printed Name Title

Please contact Bush page 1

601 Dexter Ave N Seattle, WA 98109
P: (206) 282-1200 F: (206) 282-2010
www.copiersnw.com

PLEASE SELECT THE OPTION THAT APPLIES TO THIS SCHEDULE A

Equipment overflow with new Maintenance Agreement
 Change, addition, or removal to existing Maintenance Agreement

****Please Fill out for Change Option Only****

Bill To: City Of Fircrest Accounts Payable
115 Ramsdell
Fircrest, WA 98466

Phone: (253) 564-8901

Change or Addition to Contract #			
Please list machines below to add or remove from the contract.			
Please notate changes to the shared copy allowance and/or overage, if applicable:			
	Black Rate	Allowance	Color Rate
OLD			
NEW	see below	0	see below

This Schedule A is to be attached and part of the Equipment Description for the original Maintenance Agreement dated _____, between the undersigned and Copiers Northwest (CNW). This Schedule A will be used in accordance with the terms and conditions set forth on the Maintenance Agreement.

Model	Serial No	Equip Id.	Start Meter	Black Rate	Color Rate	Location	IP Address (For use with DCA)
IRC5560i						City Hall	
						115 Ramsdell St.	
						Fircrest WA. 98466	
						253-564-8901	
						B\W CPC .0075	
						Color CPC .0504	
IRC5535i						Public Works	
						120 Ramsdell St.	
						Fircrest WA. 98466	
						253-564-8900	
						B\W CPC .0075	
						Color CPC .0635	
IRC5535i						Parks & Rec.	
						555 Contra Costa	
						Fircrest WA. 98466	
						253-564-8177	
						B\W CPC .0075	
						Color CPC .0635	
IR4545i						115 Ramsdell St.	
						Fircrest WA. 98466	
						253-564-8901	
						B\W CPC .0082	

This Schedule A is hereby verified as correct by the undersigned who acknowledges receipt of a copy of this information.

ACCEPTED BY COPIERS NORTHWEST

ACCEPTED BY CUSTOMER

Copiers Northwest Officer Date

Authorized Signature Required Date

Printed Name Title

Printed Name Title

60 month FMV lease on NASPO Contract # 05214/3091 for the following items;

Copiers Northwest Sales Order Master Terms and Conditions

1. BY SIGNING THIS SALES ORDER, THE BILL-TO OR PARENT COMPANY ON PAGE ONE OF THIS DOCUMENT AGREES THAT COPIERS NORTHWEST (CNW) WILL KEEP THIS DOCUMENT ON FILE AS A MASTER TERMS AND CONDITIONS AND NOT REQUIRE ADDITIONAL COPIES FOR ALL SUBSEQUENT EQUIPMENT ACQUISITIONS BY THE BILL-TO OR PARENT COMPANY. THE BILL-TO OR PARENT COMPANY MAY RESTRICT FUTURE ACQUISITIONS TO NAMED BUYERS AND/OR DOLLAR LIMITATIONS BY FILLING OUT ADDITIONAL DOCUMENTATION THAT IS SIGNED BY BOTH THE CUSTOMER AND AN OFFICER OF CNW. THE CUSTOMER UNDERSTANDS THAT THE MASTER TERMS AND CONDITIONS MAY BE PERIODICALLY UPDATED BY CNW AND ARE INCORPORATED INTO THE ORIGINAL MASTER. THE CUSTOMER CAN REQUEST A COPY OF THE CURRENT MASTER TERMS AND CONDITIONS BY REQUEST AT ANY TIME FROM THIER ACCOUNT REPRESENTATIVE.

2. Copiers Northwest, Inc warrants that new equipment acquired pursuant to this equipment order will be free of defects in workmanship and materials for a period of ninety (90) days from the date of delivery. This warranty does not cover defects or damage resulting from in-transit handling, negligence or improper operation or maintenance of equipment.

3. Should any failure to conform with this warranty appear within ninety (90) days, Copiers Northwest, Inc. shall, upon notification, correct such nonconformity. Said correction, at Copiers Northwest, Inc.'s option, shall be made either by repairing any defective part or parts, or by making available a repaired or replaced part.

4. THIS WARRANTY IS IN LIEU OF ALL WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR OTHER WARRANTIES, EXPRESS OR IMPLIED, EXCEPT FOR THE WARRANTY OF THE TITLE AND THE WARRANTY AGAINST PATENT INFRINGEMENT. THIS WARRANTY DOES NOT COVER CONSEQUENTIAL DAMAGES.

5. Customer warrants that they have examined the above described goods or a sample or model thereof. Customer does not rely on any warranty with regard to defects which said examination, under the circumstances thereof, ought to have been revealed to them.

6. No warranties have been made by Seller in reference to the above described goods unless expressly included in this written sales agreement between Customer and Seller.

7. Copiers Northwest, Inc. shall have no obligation to install equipment accessories or to repair or replace equipment in the event that repair or replacement are required due to abuse, accident, theft, or damage to the machine caused by repairs performed by someone other than an authorized Copiers Northwest, Inc representative.

8. Smartboards and other panel televisions and display units are sold "drop at door" and do not include on-site installation.

9. All software installed at Customer's location is governed by software manufacturer's licensing agreement. Maintenance of the licensing agreement is the Customer's responsibility. Delivery of the software license(s) and/or key(s) to a customer via email, download, or other electronic submission constitutes delivery and all payment terms apply. Installation services sold on the Sales Order and/or provided in the Statement of Work in conjunction with software sales are considered separate from the software and are not required to be performed in full by the software Vendor or Copiers Northwest and/or its affiliates to constitute delivery.

10. Changes in the operating environment, (including, but not limited to changes to operating system, network software, software application changes, hardware and software upgrades, etc.) may result in the need for configuration adjustments or other network services to restore functional capabilities. Such services shall be billed at the then current Managed Services rate of \$98.00* per incident or deducted from the customers pre-paid block time program, when applicable. *Price is subject to change without notice; please inquire with your account manager or the Managed Service technician for current rates.

11. Customer acknowledges that it is Customer's responsibility to maintain a current backup of their program and data files to restore any lost data. Customer agrees that under no circumstances shall Copiers Northwest, Inc. be held responsible for any loss of data or any consequential damages.

12. CNW will provide one installation connection per machine via the Remote Connection Desk (RCD) included with the acquisition of your CNW copier, printer, scanner, or fax. The standard installation connection includes the current print drivers and/or any manufacturer-included standard scan utilities. Customer will provide an active network port, adequate space for the MFP device(s), and a key individual for installation support, workstation setup and print driver overview training. Customer also agrees to provide print server access for server based printer applications as well as all required network protocol information pertaining to the purchased options. If CNW is not able to complete the installation via the RCD or so chooses, an onsite technician will be dispatched for up to 2 hours of complementary connection support. If the customer requests additional on-site technician support, the service call will be billed at the then current network connection technician rate (currently \$175.00/hr*) and is not included in your lease or service agreement. *Price is subject to change without notice; please inquire with your account manager or the network connection technician for current rates.

13. Copiers Northwest, Inc. will provide Managed Services remote support for a period of 30 days after installation of product at no charge as itemized A-C below. After the 30-day period, Managed Services will be billed the current rate of \$98.00* per incident. If you would like to purchase a block time of Managed Services and/or Professional Services support, please call your Account Rep or the Managed Services desk for more information and pricing. CNW will provide hardware related support at no charge for the life of any machine acquired from CNW as long as it is continuously covered by a CNW Maintenance Agreement and Customer account is in good standing. *Price is subject to change without notice; please inquire with your account manager or the Managed Service technician for current rates.

The following list of Managed Services remote support is offered for **30 days after product installation at no charge:**

- A. Copying, and paper tray configuration as provided by the manufacturer. This does not include third party applications or "line of business applications."
- B. Sending the customer online links to self-install OEM drivers and software updates.
- C. The reconfiguration of the purchased/leased device network settings after a machine hard failure.

14. Copiers Northwest, Inc. is under no circumstances responsible for any data, documents, images, or any other information stored on or in the device, the device hard drive(s), or any memory module(s).

Thank you!