

**FIRCREST CITY COUNCIL
REGULAR MEETING AGENDA**

**TUESDAY, OCTOBER 25, 2016
7:00 P.M.**

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

1. **CALL TO ORDER BY PRESIDING OFFICER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **PRESIDING OFFICER'S REPORT**

5. **CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA**
(Please sign the **Public Attendance Roster/Public Hearing Sign-Up Sheet** if you wish to speak during the meeting.)

6. **COMMITTEE, COMMISSION & LIAISON REPORTS**
 - A. Water, Sewer, Storm
 - B. Street, Facilities & Equipment
 - C. Public Safety, Court
 - D. Pierce County Regional Council

7. **CONSENT CALENDAR**
 - A. Approval of vouchers/payroll checks
 - B. Approval of minutes: [October 10, 2016 Special meeting](#)
[October 11, 2016 Regular meeting](#)
[October 17, 2016 Special meeting](#)
 - C. Setting a public hearing on November 9, 2016 at 6:15 pm to receive comments on amendments to Fircrest Municipal Code Title 17 regarding utility billing

8. **PUBLIC HEARING 7:15 P.M.**
 - A. [To receive comments on the Preliminary 2017 Budget](#)
 - B. [To receive comments on amendments to Fircrest Municipal Code Title 20 regarding sanitary sewer charges](#)
 - C. [To receive comments on amendments to Fircrest Municipal Code Title 21 regarding water charges](#)
 - D. [To receive comments on amendments to Fircrest Municipal Code Title 20 regarding storm water charges](#)
 - E. [To receive comments on amendments to Fircrest Municipal Code Title 5 regarding the addition of a storm water utility tax](#)

9. **UNFINISHED BUSINESS**

10. **NEW BUSINESS**
 - A. [Resolution cancelling the November 8, 2016 regular Council meeting](#) – City Manager Rosenblatt

- B.** Resolution authorizing the City Manager to execute an amendment to the agreement with Morris Law, P.C. for special; legal counsel in land use and environmental law in 2017 – City Manager Rosenblatt
- C.** Resolution authorizing the City Manager to execute an amendment to the Contract for Legal Services with Comfort, Davies and Smith, P.S. for City Attorney and City Prosecutor services in 2017 - Finance Director Corcoran
- D.** Resolution authorizing the City Manager to execute an amendment to the Professional Services Agreement with Jeff Boers and Associates for 2017 – Planning/Building Administrator Stahlnecker
- E.** Resolution expressing the intent to annex the Firecrest potential Annexation area by Interlocal Agreement - Planning/Building Administrator Stahlnecker
- F.** Resolution authorizing the City Manager to execute an amendment to the Professional Service Agreement with Sound Inspection LLC for 2017 – Planning/Building Administrator Stahlnecker
- G.** Resolution authorizing the City Manager to execute an amendment to the Professional Service Agreement with NW GIS Consulting Inc., for on call GIS services for 2017 - Planning/Building Administrator Stahlnecker

11. CITY MANAGER COMMENTS

12. DEPARTMENT HEAD COMMENTS

13. COUNCILMEMBER COMMENTS

14. EXECUTIVE SESSION

- A.** Labor negotiations (Not subject to Open Meetings Act)

15. ADJOURNMENT

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

CITY OF FIRCREST
SPECIAL CITY COUNCIL MEETING MINUTES

OCTOBER 10, 2016 **COUNCIL CHAMBERS**
6:00 P.M. **FIRCREST CITY HALL, 115 RAMSDELL STREET**

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL

Mayor Matthew Jolibois called the special meeting to order at 6:00 P.M. and led the pledge of allegiance. Councilmembers Blake Surina, Shannon Reynolds, Brett Wittner and Jason Medley were present. Councilmember Denny Waltier was excused. Councilmember Hunter T. George was absent. George arrived at 6:42 P.M.

2017 Preliminary Budget

Finance Director Corcoran provided the Facilities plans for each of the four buildings that were mentioned at the last meeting and copies of the current and proposed fee schedules.

Corcoran provided an overview of the 2017 Preliminary Budget.

GENERAL FUND

Corcoran highlighted increases, decreases and additions to the following budgets:

- Police
- Emergency Management
- Police Investigation Fund
- Recreation
- Participant Recreation
- Community Events
- Swimming Pool
- Parks
- Fee Schedule

Discussion ensued as follows:

- What are the amounts that the police department has to pay back for the generator (a portion included in the Interfund ERR Replacement is for the generator, but it does not include the interest that was borrowed, so the interest amount is not being repaid back. The transfer going back into the Interfund ERR Replacement includes an increase for the payment back of the money that was borrowed from the generator in ERR to purchase the new vehicle)
- What is the payback period for the generator (will provide)
- Why the large increase in Police personnel benefits (mainly due to the increases in the AWC medical/dental/retirement/L&I rates and is not proportionate to salary increases)

- How are Parks and Recreation separated (Recreation is the recreation programs run out of the Community Center, including the senior and youth programs and day-to-day operations of the Community Center where Parks is more the facilities)
- Is there money budgeted to fix the pool leak (the leak is proposed to be fixed within the next few weeks for approximately \$2,000)
- Consider including money in the Parks budgets for capital projects
- Once the Community Center and Swimming Pool Committee is up and running, one option could be to expedite replacing the pool
- Consider postponing water and sewer capital projects and instead use that money to put towards the pool (water and sewer are separate funds and that money can't be used to fund a General Fund project; additionally why put money into the pool and Community Center if they are going to be demolished and completely remodeled. A great deal of information was provided with completion of the Feasibility Study and Council needs to decide which direction to go)
- Consider using money from REET to fund capital Parks projects
- Consider purchasing an effective and efficient lawn mower to mow in the Parks
- What are the plans to fix the baseball field at Whittier Park (the goal is to have it fixed in line with the other baseball fields prior to the start of baseball season)
- Programs that don't pay for themselves should be cancelled, as it isn't government's responsibility to recreate people
- Recreation is a quality of life issue and a decision that communities make to subsidize programs (new programs, however, need be self-sufficient)
- Why is the storm drain tax being proposed (when the storm drain fund was created, the utility tax was probably overlooked, as water and sewer include the utility tax)
- The Storm ending fund balance is healthy (there isn't extra money in any of the utility funds Ending Fund balances when considering the costs of projects or emergency projects that may come up)
- Concerns were expressed about the proposed rate increases and suggestions made that there is community outreach

Corcoran concluded by stating the budget is now Council's, and changes can be made to it with the consensus of Council. Corcoran indicated that there were two additional study sessions scheduled – October 17th and October 24th. She noted that a public hearing was scheduled tomorrow night on the Revenue Sources and the Preliminary Budget, and the Salary Ordinance would be presented as well.

ADJOURNMENT

Moved by Reynolds, seconded by George, to adjourn the meeting at 7:10 P.M. Ayes: Surina, Reynolds, Wittner, Jolibois, George and Medley. Noes: None. Excused: Waltier. Motion carried.

Matthew Jolibois, Mayor

Lisa Keely, City Clerk

**CITY OF FIRCREST
REGULAR CITY COUNCIL MEETING MINUTES
TUESDAY, OCTOBER 11, 2016
7:00 P.M.**

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

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL

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

PRESIDING OFFICER'S REPORT

Jolibois recognized the attendance of former Councilmember and Mayor David Viafore.

Pierce County Prosecuting Attorney Mark Lindquist gave a presentation about elder abuse and neglect and efforts the County is doing to assist. Lindquist responded to Council inquiries.

Liquor License Renewal - Listening Juice Corporation (Sammy's Pizza Fircrest)

Jolibois stated that Council is being asked to approve a motion to register no objections to the liquor license renewal for Listening Juice Corporation (Sammy's Pizza Fircrest).

MOTION

Moved by Medley, seconded by George, to register no objections to the liquor license renewal for Listening Juice Corporation (Sammy's Pizza Fircrest).

Jolibois invited public comment. None was provided.

VOTE

Upon vote, motion carried unanimously.

Liquor License Renewal – Rollin 253

Moved by Medley, seconded by Waltier, to register no objections to the liquor license application for Rollin 253.

VOTE

Ayes: Reynolds, Wittner, Jolibois, George, Waltier and Medley. Noes: Surina. Motion carried.

City Manager Rosenblatt stated that there wouldn't be an update tonight from the Tacoma Fire Department.

PUBLIC HEARING

To receive comments on revenue sources for the 2017 Budget including property taxes

At 7:15 P.M. Jolibois opened the public hearing and invited public comment.

Finance Director Corcoran stated tonight is the opportunity for the public to give testimony on the 2017 Revenues included in the 2017 Preliminary Budget. Corcoran highlighted the following revenue totals:

General Fund Revenues, including Beginning Fund Balance (BFB), is \$7,704,501 and includes:

- Property tax increase of 1% + new construction
- New Storm Drain Utility tax of 6%
- Fee increases for swimming and recreation programs

Street Fund Revenues, including BFB, is \$2,574,694 and includes:

- \$1,559,815 of grant funds
- \$10,000 transfer from general Fund for Street Beautification
- \$194,036 transfer from General Fund for 12.5% of property tax collected
- \$60,000 transfer from General Fund for Street Light Maintenance
- \$337,255 transfer from REET Fund for Street Capital

Storm Fund Revenues, including BFB, is \$1,076,527 and includes:

- \$50,000 grant from the Department of Ecology
- Rate increase of \$2.10 per month

Water Fund Revenues, including BFB, is \$1,796,206 and includes:

- Rate decrease of the base rate of \$5/month with zero consumption
- Change in the tier structure to charge for all water consumed

Sewer Fund Revenues, including BFB, is \$3,839,076 and includes:

- Rate increase of \$12.80 per month and splits the rate structure between the sewage treatment costs paid to the City of Tacoma and the City of Fircrest rate

Relocation of BYSM Fund, including BFB, is \$1,375,103 and includes Transfer from the Sewer Fund to pay principal and interest on loans.

ERR Fund, including BFB, is \$1,820,537 and includes:

- Transfer in from General, Street, Storm, Water and Sewer for capital replacement
- Transfer in from General, Street, Storm, Water and Sewer for O&M reimbursement
- Investment and Rental Revenue

Police Investigative Fund, including BFB, is \$11,490

REET Fund, including BFB, is \$1,056,771

Cumulative Reserves Fund, including BFB, is \$3,530,763

- Any interest received goes to operating revenue in the corresponding fund.

Corcoran stated the total of all funds is \$24,785,668

The following individual provided comment: David Viafore, 1120 Paradise Parkway, Fircrest WA.

Jolibois closed the public hearing.

PUBLIC HEARING

To receive comments on the Preliminary 2017 Budget

At 7:22 P.M. Jolibois opened the public hearing.

Corcoran stated tonight is the opportunity for the public to give testimony on the 2017 Preliminary Budget expenditures. She noted the total budget for all funds, including Ending Fund Balance, is \$24,785,668. Corcoran highlighted the following budget inclusions:

- Expenditures in all funds includes a COLA for all employees
- An increase in the Casual and Seasonal hourly wage to match the City of Tacoma minimum wage
- Altering the part-time Administrative Assistant to a full-time position to accommodate grant writing duties
- Transfer of 12.5% of property taxes to the Street Fund
- Transfer of \$60,000 to Street Light Maintenance
- Transfer of \$10,000 to Street Beautification
- City of Tacoma EMS fire contract is increased by 2%
- Library reimbursement of \$56.00 charged by the City of Tacoma

Corcoran reported on the Ending Fund Balances for all funds, including capital expenditures.

Jolibois invited public comment.

The following individuals provided comment: David Viafore, 1120 Paradise Parkway, Fircrest; Jeff Davis, 104 Summit Avenue, Fircrest; Carlos Diaz, 5206 66th Avenue Court West, University Place; and Evan Lee, 514 Ramsdell Street, Fircrest.

At 7:47 P.M. Jolibois closed the public hearing.

CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA

Pat Sollars, 600 San Juan Avenue, commented about the nuisance ordinance and other miscellaneous codes.

Rosenbladt updated Council on progress that has been made addressing Ms. Sollars' complaints.

COMMITTEE, COMMISSION & LIAISON REPORTS

Parks and Recreation

Surina provided an update about upcoming events that will be occurring at the Parks. He noted that the pool leak is repairable and will be completed soon. Surina reported on an upcoming meeting that is scheduled with a University of Washington urban planning professor to look at creating a Fircrest project for his graduate student(s) to assist in identifying what makes Fircrest unique.

Finance, IT

George provided an Investment Committee (IC) update, noting that the Committee authorized the purchase of a three-year, ten months \$1,000,000 bond with funds of \$300,000 from General Fund Undesignated Fund Balance, \$500,000 from General Fund – Light and \$200,000 from General Fund 44th. He further reported that the IC also authorized the purchase of a three year, three months \$500,000 bond with funds of \$500,000 from the General Fund Cumulative Reserves. George described reasons behind investing in bonds and discussed why the IC decided to re-invest the \$500,000 from Cumulative Reserves. Jolibois outlined the reasons why he chose to excuse himself from the IC meeting. Surina expressed disappointment in not having been informed about the bond purchases prior to the IC making the investment decisions.

CONSENT CALENDAR

Jolibois requested the City Clerk read the consent calendar as follows: approval of Voucher No. 208325 through Voucher No. 208386 in the amount of \$69,910.95; approval of Payroll Check No. 12421 through Payroll Check No. 12429 in the amount of \$92,709.83; approval of Payroll Check No. 12430 through Payroll Check No. 12433 in the amount of \$6,399.35; approval of Payroll Check No. 12439 through Payroll Check No. 12439 in the amount of \$93,850.60; approval of the September 26, 2016 Special City Council meeting minutes; approval of the September 27, 2016 Regular City Council meeting minutes; approval of the October 3, 2016 Special City Council meeting minutes; setting a public hearing on October 25, 2016 to receive comments on amendments to Fircrest Municipal Code Title 20 regarding sanitary sewer charges; setting a public hearing on October 25, 2016 to receive comments on amendments to Fircrest Municipal Code Title 21 regarding water charges; setting a public hearing on October 25, 2016 to receive comments on amendments to Fircrest Municipal Code Title 20 regarding storm water charges; and setting a public hearing on October 25, 2016 to receive comments on amendments to Fircrest Municipal Code Title 5 regarding the addition of a storm water utility tax.

MOTION

Moved by Medley, seconded by Wittner, to approve the consent calendar as read. Upon vote, motion carried unanimously.

NEW BUSINESS

Resolution authorizing the City Manager to execute an Interagency Agreement with the Washington Traffic Safety Commission for multijurisdictional DUI, distracted driving and seat belt patrols

Cheesman stated Council is being asked to adopt a resolution allowing the City Manager to execute an Interagency Agreement with the Washington Traffic Safety Commission allowing the City of Fircrest Police Department to assist in multi-jurisdictional DUI, distracted driving, and seat belt patrols. Cheesman reported that if approved, the department will be receiving a \$10,300 grant to participate in DUI patrols, \$1,400 for distracted driving patrols and \$900 to participate in seat belt enforcement, State Wide DUI Mobilization, \$4,000 to participate with the Target Zero Teams, and another \$2,000 Flex Funding to spend on task force emphasis patrols. Cheesman concluded by stating the grant money will be used to pay for the officer's overtime and benefits.

RESOLUTION NO. 1441

Moved by Reynolds, seconded by Medley, to adopt Resolution No. 1441 authorizing the City Manager to execute an Interagency Agreement with the Washington Traffic Safety Commission allowing the Fircrest Police Department to assist in multi-jurisdictional DUI, Distracted Driving and Seat Belt patrols.

Jolibois invited public comment. None were provided.

VOTE

Upon vote, motion carried unanimously.

Ordinance amending Fircrest Municipal Code Section 2.44.120 relating to vision and hearing care for full time employees

Rosenblatt stated if approved this will provide employees the possibility of purchasing vision and hearing care that is more in line with current costs, as the costs for vision and hearing care have escalated since 1990. If approved, starting in the year 2018, full-time employees will be able to purchase vision and hearing care totaling up to \$300.00 without negatively affecting the budget, as \$150.00 will continue to be budgeted each year for full-time employees for claims reimbursement plus a rollover amount of unused funds up to \$150.00. Rosenblatt concluded by recommending approval.

ORDINANCE NO. 1581

Moved by Reynolds, seconded by Wittner, to adopt Ordinance No. 1581 amending Section 12 of Ordinance No. 995 and FMC 2.44.120 relating to vision and hearing care for full time employees.

Jolibois invited public comment. None was provided.

VOTE

Upon vote, motion carried unanimously.

Ordinance amending the City of Fircrest Comprehensive Plan Capital Facilities Elements

Planning and Building Administrator stated that tonight's proposal would amend the City's Comprehensive Plan by updating the Capital Improvement Program of the Capital Facilities Element. She stated that Council held a public hearing on September 27, 2016 and there were no comments. Stahlnecker noted that the proposed amendments will update the Comprehensive Plan to ensure consistency with the Growth Management Act as amended, the Puget Sound Regional Council VISION 2040 growth strategy and multicounty planning policies, and the updated Pierce County Countywide Planning Policies. Stahlnecker concluded by noting that inclusion of projects in the 6-year Capital Improvement Program is a requirement for several Federal, State and Regional funding grants and loans.

ORDINANCE NO. 1582

Moved by Medley, seconded by George, to adopt Ordinance No. 1582 amending Ordinance 1569, Section 1 and FMC 23.04.020 amending the City of Fircrest Comprehensive Plan Capital Facilities Element.

Jolibois invited public comment. None was provided.

VOTE

Upon vote, motion carried unanimously.

Resolution authorizing the City Manager to execute a Professional Service Agreement with Sitecrafting Inc., for a new website for the City website

Corcoran stated that Council is being asked to authorize the City Manager to enter into a Professional Services Contract with SiteCrafting, Inc. for development and hosting of the City's website. She stated by contracting with SiteCrafting, the City will have an improved website that meets all ADA requirements and is fully supported. Corcoran noted the fiscal impact is a total agreement amount of \$24,750 with an additional contingency amount of \$5,000 and a monthly hosting fee of \$99 plus sales tax. Corcoran concluded by stating that a budget adjustment would be necessary. Corcoran stated that an RFQ was advertised on June 22, 2016, two vendors responded, and after research and demonstrations, SiteCrafting, Inc. was determined to best meet the City's needs.

RESOLUTION NO. 1442

Moved by George, seconded by George, to adopt Resolution No. 1442 authorizing the City Manager to execute a Professional Services Agreement with SiteCrafting, Inc. for development and hosting of the City's website.

Jolibois invited public comment. None was provided.

VOTE

Upon vote, motion carried unanimously.

Resolution authorizing the City Manager to execute a Professional Service Agreement with PageFreezer Software, Inc., for services for daily archiving of the City's website and social media accounts

Corcoran stated that Council is being asked to authorize the City Manager to enter into a Professional Services Contract with PageFreezer Software, Inc. for services for daily archiving of the City's website and social media accounts. Corcoran stated the total agreement amount for the initial contract term of 36 months will result in a not-to-exceed budget of \$10,000 plus sales tax paid in three annual installments. She stated the contract is auto-renewed annually until cancellation with a potential cost increase not to exceed 10%. Corcoran reported that a budget adjustment would be needed if the Resolution is approved and would meet the City's state law requirements for records retention. Corcoran concluded by stating that three vendors were contacted for information and after research and demonstrations, PageFreezer Software, Inc. was determined to best meet the City's needs.

RESOLUTION NO. 1443

Moved by Medley, seconded by George, to adopt Resolution No. 1443 authorizing the City Manager to execute a Professional Services Agreement with PageFreezer Software, Inc. for services for daily archiving of the City's website and social media accounts.

Jolibois invited public comment. None was provided.

VOTE

Upon vote, motion carried unanimously.

Motion to adjust budget

Corcoran stated that the budget adjustment is needed to reallocate \$33,150 from General Ending Fund Balance to the Information Services Department Web Design & Maintenance line for design, maintenance and archival of a new website and social media accounts.

MOTION

Moved by Medley, seconded by George, to authorize the Finance Director to reallocate \$33,150 from General Ending Fund Balance to the Information Services Department Web Design & Maintenance line for design, maintenance and archival of a new website and social media accounts.

Jolibois invited public comment. None was provided.

VOTE

Upon vote, motion carried unanimously.

Salary ordinance for 2017

Corcoran stated that Council is being asked to approve and adopt the salary ordinance for implementation January 1, 2017. She noted the ordinance includes a proposed Cost Of Living Adjustment (COLA) for non-represented employees of 2% based on the Consumer Price Index All Urban Consumers (CPI-W) for the year ending June 2016 which is 2%. Corcoran stated the ordinance highlights the minimum and maximum for all positions, as well as the Seasonal and Casual positions. Corcoran noted the minimum proposed for the Seasonal and Casual positions would match the City of Tacoma's minimum wage for 2017.

ORDINANCE NO. 1583

Moved by Reynolds, seconded by Wittner, to adopt Ordinance No. 1583 amending Section 1 of Ordinance No. 1564 and FMC 2.44.050 relating to salaries of non-union City employees and amending Section 1 of Ordinance No. 1567 and FMC 2.44.090 relating to hourly rate of pay for casual and seasonal employees.

Jolibois invited public comment. None was provided.

VOTE

Upon vote, motion carried unanimously.

Ordinance fixing the Ad Valorem Tax Levy for Fiscal Year 2017

Corcoran stated that Council is being asked to fix the annual ad valorem tax levy necessary for the fiscal year 2017. She stated the purpose of the levy is to allow the City to levy the necessary amount to fund 2017 City operations. Corcoran reported that the Total Assessed Valuation for Regular Levy is \$ 722,648,485; the Regular Levy @ approximately \$2.1306 per thousand shall yield \$1,552,290; the EMS Levy @ approximately \$0.4423 per thousand shall yield \$ 322,257 and totals are approximately \$2.5729 per thousand and shall yield \$ 1,874,547. Corcoran concluded by stating this proposal will provide necessary funds for 2017 City operations, noting that annually, ad valorem taxes are fixed by Council through ordinance prior to the submission of the levy amounts to Pierce County to be certified.

ORDINANCE NO. 1584

Moved by Medley, seconded by George, to adopt Ordinance No. 1584 fixing the amount of the annual ad valorem tax levy necessary for the fiscal year 2017 and repealing Section 1 and 2 of Ordinance No. 1563.

Jolibois invited public comment. None was provided.

VOTE

Upon vote, motion carried unanimously.

Resolution establishing the amount and percentage increase of 2017 Regular Tax Levy over 2016 Regular Tax Levy

Corcoran stated that Council is being asked to adopt a resolution to establish the amount and percentage increase of the 2017 regular property tax levy over the 2016 regular property tax levy. She noted that the resolution will allow the City to levy property taxes to be collected in 2017. Corcoran concluded by stating that a public hearing was held on October 11, 2016 to consider revenue sources for the 2017 budget.

RESOLUTION NO. 1444

Moved by Medley, seconded by George, to adopt Resolution No. 1444 establishing the amount and percentage increase of the 2017 regular property tax levy over the 2016 regular property tax levy.

Jolibois invited public comment. None was provided.

VOTE

Upon vote, motion carried unanimously.

Resolution establishing the amount and percentage increase of 2017 EMS Tax Levy over 2016 EMS Tax Levy

Corcoran stated that Council is being asked to adopt a resolution to establish the amount and percentage increase of the 2017 EMS property tax levy over the 2016 EMS property tax levy. She indicated that the resolution will allow the City to levy EMS property taxes to be collected in 2017. Corcoran noted that a vote of the people held on August 5, 2014 authorized an EMS property tax levy rate of \$.50 per \$1,000 of assessed valuation for six consecutive years beginning in 2015. Corcoran reported that this is the third year of the levy.

RESOLUTION NO. 1445

Moved by Medley, seconded by Wittner, to adopt Resolution No. 1445 establishing the amount and percentage increase of the 2017 EMS property tax levy over the 2016 EMS property tax levy.

Jolibois invited public comment. None was provided.

VOTE

Upon vote, motion carried unanimously.

Motion authorizing the City Manager to sign the 2017 regular property tax and regular EMS levy certification forms

Corcoran stated that this authorizes the City Manager to sign the certification forms and stated that each taxing district is required to file certification with the County Assessor's Office by November 30.

MOTION

Moved by Medley, seconded by Wittner, to authorize the City Manager sign the 2017 regular property tax and regular EMS levy certification forms.

Jolibois invited public comment. None was provided.

VOTE

Upon vote, motion carried unanimously.

Ordinance amending FMC 2.44.070 reestablishing the Municipal Court Judge, Civil Service Chief Examiner and Information Services Manager pay

Corcoran stated that Council is being asked to adopt an ordinance that increases the Municipal Court Judge rate of pay from \$2,843 to \$2,900 per month, and increases the Civil Service Chief Examiner rate of pay from \$194 to \$198 per month and increases the Information Services Manager rate of pay from \$37.12 to \$37.86 per hour, effective January 1, 2017.

ORDINANCE NO. 1585

Moved by Medley, seconded by Wittner, to adopt Ordinance No. 1585 amending Section 1 of Ordinance No. 1565 and FMC 2.44.070 reestablishing the Municipal Court Judge monthly rate of pay, the Civil Service Chief Examiner rate of pay and the Information Services Manager rate of pay.

Jolibois invited public comment. None was provided.

VOTE

Upon vote, motion carried unanimously.

Resolution authorizing the City Manager to execute an agreement with BIAS Software to provide software support for BIAS software applications for the year 2017

Corcoran stated that 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 2017. She stated that funds are included in the 2017 Budget for maintenance support at a cost of \$8,816.93 for the year which is an increase of \$391.32 from the 2016 agreement. Corcoran stated that this agreement will allow for support services and updates necessary to operate the software applications and concluded by noting that BIAS Software was installed in 2011, implemented January 1, 2012 and a service agreement has been purchased each year since that time.

RESOLUTION NO. 1446

Moved by Medley, seconded by George, to adopt Resolution No. 1446 authorizing the City Manager to execute an agreement with BIAS Software to provide software support for BIAS software applications for the year 2017.

Jolibois invited public comment. None was provided.

VOTE

Upon vote, motion carried unanimously.

CITY MANAGER COMMENTS

Rosenbladt explained to Council why the liquor license application for Sammy's Pizza was approved in July 2016 and was on for action this evening as a renewal. Rosenbladt reported that the City won't receive notices anymore from the Liquor Control Board as they have turned it over to Business Licensing. He noted, however, that the City can object to licenses in the event of problems.

DEPARTMENT HEAD COMMENTS

Cheesman provided an update on police activities that had occurred recently and concluded by stating they produced a list of all streetlights that were out in the City to Public Works for handling.

COUNCIL COMMENTS

Surina thanked everyone for coming.

Reynolds requested that an ordinance regarding marijuana is placed on a future agenda and there was Council consensus that it be added to an upcoming agenda. Reynolds asked for additional information regarding the inclusion of a stormwater utility tax, noting she didn't fully understand why it was being added, and asked that dollar figures be included regarding the specific impact to residents.

Wittner thanked everyone for coming and asked to be excused from the October 17th study session.

George inquired about the Tacoma Community College (TCC) re-channelization that they proposed

for South 19th, noting that the letter received from TCC indicated that approval from Fircrest was necessary for the addition of a curb. Public Works Director Wakefield reported that discussions he had with the City of Tacoma were that TCC had taken the traffic signal off the table, there were no new traffic mitigation measures being proposed, and no additional curbing or pylons being discussed. Wakefield concluded by noting that following these discussions about curbing and pylons with the City of Tacoma, TCC came forward and said they would be doing something different, but that is unknown. George asked that communication with TCC is kept open and expressed concern about the traffic patterns in the area. George asked that the regular meeting of November 8th is cancelled, due to it being election night, and requested that a special meeting is scheduled for November 7th to include the regular meeting agenda items. There was Council consensus that staff brings forward a resolution canceling the regular meeting of November 8th and that a special meeting is scheduled for November 7th to consider the regular meeting agenda items.

Waltier thanked everyone for coming and thanked former Mayor David Viafore for attending and providing comment.

Medley thanked everyone for coming and for the citizen's comments about the budget.

EXECUTIVE SESSION

At 9:00 P.M., Jolibois reported that Council would take a five-minute recess and convene into Executive Session, not to exceed the hour of 9:40 P.M., to discuss Item 14A – Labor Negotiations. Jolibois stated the City Manager and Special Legal Counsel Bruce Schroeder were invited to attend.

At 9:45 P.M., City Manager Rosenblatt announced that Executive Session would be extended to 10:15 P.M.

ADJOURNMENT

Moved by George, seconded by Reynolds, to adjourn the meeting at 9:56 P.M. Ayes: Surina, Reynolds, Wittner, Jolibois, George, Waltier and Medley. Noes: None. Motion carried.

Matthew Jolibois, Mayor

Lisa Keely, City Clerk

CITY OF FIRCREST
SPECIAL CITY COUNCIL MEETING MINUTES
OCTOBER 17, 2016 **COUNCIL CHAMBERS**
6:00 P.M. **FIRCREST CITY HALL, 115 RAMSDELL STREET**

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL

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

Discussion, direction, consensus and motions on the 2017 Preliminary Budget

Corcoran called attention to a memo she provided to Council regarding the proposed imposition of a stormwater utility tax and reasons behind why the revenue is needed. She noted that with the inclusion of a stormwater utility tax, the General Fund Ending Fund Balance will decrease by \$126,601. Corcoran reported that 65% of General Fund revenue comes from taxes, and property taxes can only be increased 1% over what was collected the previous year. Corcoran stated that costs continue to increase and staff has kept expenditures down wherever possible. She concluded by stating that staff does not want to impose a storm utility tax, it is needed in order to sustain current services. Corcoran clarified that the General Fund would impose the Stormwater Utility Tax in the amount of 6% of the revenue within the Storm Fund and that amount equals \$26,000.

Public Works Director Wakefield responded to Council inquiries about the rate study that was recently completed and addressed Council concerns regarding the proposed rate increases in the water, sewer and stormwater utilities.

Following discussion, there was consensus to not modify the proposed water rate increase, to not modify the proposed stormwater rate increase, to reduce the proposed stormwater utility tax from 6% to 3% for 2017 and add an additional 3% in 2018, and for the Public Works Director to review reducing the 2017 proposed sewer rates as low as possible to still sustain the utility for 2017 and then spread the rest over 2018 and 2019.

There was discussion to reduce the amount budgeted for the Jail program from \$30,500 to \$25,500, to reduce the amount budgeted for library services from \$14,000 to \$11,000, and use that money towards purchasing computers for Council to receive electronic packets. Following discussion, there was consensus that staff research the costs of Council receiving packets in paper format compared to the cost of purchasing computers/laptops for Council and to include purchasing computers for Council in the 2017 budget for purchase at some time in 2017.

There was consensus that research is conducted regarding the facts and figures for a credit/debit card program to be able to electronically pay for programs and services.

There was consensus of Council to fund the Administrative Assistant position on a full-time basis for the purpose of being able to provide grant researching and grant writing instead of transferring \$21,000 from Administration to Parks for Parks Maintenance and keeping the Administrative Assistant part-time.

Following discussion, and because there isn't a plan for Whittier fields that is ready, including the amount of money needed at this time, and because the Community Center and Pool were identified as higher priorities, there was not consensus of Council to execute a contract in the amount of \$25,000 for a lobbyist to solicit discretionary funds in the amount of \$800,000 to \$2,000,000 from the Washington State Legislature for the Whittier field renovation, improvement and irrigation project to move up and also include different play toys and tennis courts.

Discussion ensued regarding contracting an engineer to perform a study to find out what it might cost to drain Whittier field, costs for the installation of artificial turf, etc.

There was consensus to continue the meeting beyond 8:00 P.M., and not to exceed 8:30 P.M.

ADJOURNMENT

Moved by Reynolds, seconded by Waltier, to adjourn the meeting at 8:17 P.M. Ayes: Surina, Reynolds, Jolibois, George, Waltier and Medley. Noes: None. Excused: Wittner. Motion carried.

Matthew Jolibois, Mayor

Lisa Keely, City Clerk

Item #8A

Agenda Item

**Public Hearing
2017 Budget**

October 25, 2016

**CITY OF FIRCREST, WASHINGTON
2017 PRELIMINARY BUDGET**

CITY OFFICIALS

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

POPULATION: 6,625

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

2017 REVENUES, EXPENDITURES & BALANCES BY FUND

General	7,704,501
Street	2,574,694
Storm Drain.....	1,076,527
Water.....	1,796,206
Sewer.....	3,839,076
Relocation of Backyard Sewer Mains Project.....	1,375,103
Equipment Replacement	1,820,537
Police Investigation	11,490
Real Estate Excise Tax.....	1,056,771
Cumulative Reserve	3,530,763
TOTAL.....	24,785,668

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 25, 2016**

SUBJECT: **Amendments to Fircrest Municipal Code Title 20 regarding sanitary sewer charges**

FROM: **Jerry Wakefield, Public Works Director**

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: **None at this time, public hearing.**

PROPOSAL: Based on the information provided in the utility rate study and financial plan, it is recommended that the City of Fircrest amend Fircrest Municipal code title 20 regarding sanitary sewer charges to the recommended rates in the study.

FISCAL IMPACT: Increase in revenue.

ADVANTAGE: Following the recommendations in this report will help sustain the sewer utility and provide for capital revenue to repair and replace existing worn and outdate infrastructure. It also provides for financial planning to meet operating expenses for this utility. The adjustment of rates will greatly increase the probability that the City's revenues will offset the actual expenses of the operation and maintenance of the sewer utility, providing for covering the costs of the sewage treatment costs from the City of Tacoma and provide for funding needed to continue capital improvements.

DISADVANTAGES: The public will experience an increase in the sewer utility rates.

ALTERNATIVES: Not to increase rates.

HISTORY: The City contracted with KIA to review, analyze and recommend a financial outlook and plan for our three utilities, Storm, Water and Sewer. Over the last year we have been working together in doing this. Presentations on the work in progress that showed our financial outlook and impacts on our existing revenues and rates were presented to the Council in study sessions on January 19, 2016 and March 21, 2016. From those study sessions, we took the feedback received and continued to evaluate and develop a financial plan that provides for sustainability of each utility.

As the Council is aware, ongoing repair and replacement of our utilities is needed. As the age of our systems get older, some of them 60 plus years old, they need to be replaced. This is evidence by the sewer repair and replacement work that has been done over that last few years and needs to continue to sustain our sewer system. Recent main break on our water system on a pipe that was approximately 70 years old is also evidence that ongoing replacement and repair of our

infrastructure is needed.

We have developed capital facilities plans that address these concerns and problems. Those capital facility plans are what was used to analyze our financial ability to fund these projects. In addition to the capital facilities, maintenance and operation of the utilities are also needed. These costs were evaluated and reviewed.

Based on the capital facility needs and ongoing maintenance and operation of our utilities the recommended financial plan is being presented. This plan involves establishing a capital account, utilizing the a portion of the ending fund balance, to be able to fund needed capital improvements while also continuing to fund the account to provide for needed infrastructure improvements. It also provides for funding of ongoing maintenance and operation of each utility. The major goal of this financial plan is to provide sustainability to each utility.

In order to be able to provide the additional revenue that is required, adjusting the rates to provide this revenue is recommended.

Attachment: Draft Ordinance

**CITY OF FIRCREST
ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF FIRCREST, WASHINGTON
REPEALING ORDINANCE 1495 SECTION 1 AND FMC 20.08.160,
AMENDING ORDINANCE 1478 SECTION 1 AND FMC 20.12.010,
AMENDING ORDINANCE 1494 SECTION 2 AND FMC 20.13.010,
AMENDING ORDINANCE 1494 SECTION 3 AND FMC 20.13.020,
AMENDING ORDINANCE 1494 SECTION 4 AND FMC 20.13.030
AND ADDING A NEW SECTION FMC 20.13.031 RELATING TO
SEWER SERVICE CHARGES**

WHEREAS, on July 28, 2015, the City executed an agreement with Katy Isaksen and Associates to provide a Utility rate study for the City's water, sewer and storm utilities; and

WHEREAS, the City Council at the August 9, 2016 Council meeting was presented the final rate study and recommendations; and

WHEREAS, the City Council conducted a public hearing on October 25, 2016, to accept public testimony and comment on the proposed amendments; Now, Therefore,

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

Section 1. Ordinance 1495 §1 and FMC 20.08.160 are hereby repealed.

Section 2. Ordinance 1478 §1 and FMC 20.12.010 are hereby amended to read as follows:

20.12.010 Residential and Commercial rate.

Sewer service for single-family residential and multiple dwelling units use within and outside of city limits shall be charged as follows:

(a) In-city residential. Residential and multiple dwelling units located within the city limits and connected to the sewer system of the city shall pay a bi-monthly sewer service base charge plus a sewage treatment user charge, per dwelling unit. The residential and multiple dwelling bi-monthly sewer service charges shall be in accordance with the following schedule:

Residential and Multiple Dwelling Sewer Charge			
	2017	2018	2019
Sewage Treatment Charge	\$60.40	\$64.00	\$67.80
Sewer Service Base Rate	\$79.20	\$81.20	\$83.40

(b) Out-of-city sewer service. For sewer service provided by the city for residential and multiple dwelling units use outside the Fircrest city limits shall be charged as outlined in subsection (a) of this section with an additional bi-monthly sewer service base surcharge of \$10.00

(c) Commercial rate. Commercial establishments shall pay a bi-monthly sewer service base charge plus the monthly city of Tacoma sewage treatment user charge, which is based upon metered and estimated flows, but not less than a minimum total monthly sewer charge equal to that of the residential and multiple dwelling units. The commercial bi-monthly sewer service base charge shall be in accordance with the following schedule.

Commercial Sewer Charge			
	2017	2018	2019
Commercial Sewage Treatment Charge	Calculated using City of Tacoma's Sewage Treatment User Charge based on metered and estimated flows.	Calculated using City of Tacoma's Sewage Treatment User Charge based on metered and estimated flows.	Calculated using City of Tacoma's Sewage Treatment User Charge based on metered and estimated flows.
Commercial Sewer Service Base Charge	\$106.08	\$111.68	\$117.68

(d) All rates and charges imposed by this section shall be collected in full for service furnished during any month or fractional month.

Section 3. Ordinance 1494 §2 and FMC 20.13.010 are hereby amended to read as follows:

20.13.010 Purpose.

The purpose of these regulations is to provide a credit to low-income seniors and low-income disabled persons on their sewer service base charge and sewer treatment user charge.

Section 4. Ordinance 1494 §3 and FMC 20.13.020 are hereby amended to read as follows:

20.13.020 Applicability.

To city of Fircrest sewer customers living in one-family or individually billed two-family or multifamily units who have been certified eligible for a low-income senior or low-income disabled person discount by Tacoma Power; and:

- (a) Are a single occupant or the head of a household or the spouse of the head of the household; and
- (b) Reside in the dwelling unit; and
- (c) Are billed or are the spouse of a person billed by the city of Fircrest for sewer service; and
- (d) Customers who have been certified eligible by Tacoma Power for a low-income senior or low-income disabled person discount must provide the city of Fircrest evidence that they are receiving such a discount by Tacoma Power. The discounted rate will begin the first day of the following bi-monthly billing cycle after the date the aforementioned evidence is received by the city of Fircrest. If a customer closes the active account and establishes a new account, or if a customer has never applied for the discount rate, then the customer must apply in accordance with the hereinabove criteria.

Section 5. Ordinance 1494 §4 and FMC 20.13.030 are hereby amended to read as follows:

20.13.030 Bi-Monthly rate.

Seventy-five percent of the bi-monthly sewer service base charge and seventy-five percent of the bi-monthly treatment user charge calculated under FMC [20.12.010\(a\)](#).

Section 6. A new section FMC 20.13.031 is hereby added as follows:

20.13.031 Renewal

During the month of January of each year, in order to continue to receive the sewer utility credit in the ensuing year, any person receiving a sewer utility credit from the city of Fircrest, as a low-income senior or a low-income disabled person, shall provide evidence to the city manager or his/her designee that they are still receiving a low-income senior or a low-income disabled person discount from Tacoma Power.

Section 7. Severability. If any section, sentence, clause or phrase of this title shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this title.

Section 8. Publication and Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the city. This ordinance shall be effective five (5) days after such publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON,
at a regular meeting thereof this day of November 2016.

APPROVED:

Matthew Jolibois, Mayor

ATTEST:

Lisa Keely, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

Publication Date:

Effective Date:

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 25, 2016**

SUBJECT: **Amendments to Fircrest Municipal Code Title 21 regarding water charges**

FROM: **Jerry Wakefield, Public Works Director**

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: None at this time. This is a public hearing only.

PROPOSAL: Based on the information provided in the utility rate study and financial plan, it is recommended that the City of Fircrest amend Fircrest Municipal Code Title 21 regarding water charges to the recommended rates in the study.

FISCAL IMPACT: Increase in revenue.

ADVANTAGE: Following the recommendations in this report will help sustain the water utility and provide for capital revenue to repair and replace existing worn and outdate infrastructure. It also provides for financial planning to meet operating expenses for this utility. The adjustment of rates will greatly increase the probability that the City's revenues will offset the actual expenses of the operation and maintenance of the water utility, providing for covering the costs of operations and maintenance and provide for funding needed to continue capital improvements.

DISADVANTAGES: The public will experience an increase in the water utility rates.

ALTERNATIVES: Not to increase rates.

HISTORY: The City contracted with KIA to review, analyze and recommend a financial outlook and plan for our three utilities, Storm, Water and Sewer. Over the last year we have been working together in doing this. Presentations on the work in progress that showed our financial outlook and impacts on our existing revenues and rates were presented to the Council in study sessions on January 19, 2016 and March 21, 2016. From those study sessions, we took the feedback received and continued to evaluate and develop a financial plan that provides for sustainability of each utility.

As the Council is aware, ongoing repair and replacement of our utilities is needed. As the age of our systems get older, some of them 60 plus years old, they need to be replaced. This is evidence by the sewer repair and replacement work that has been done over that last few years and needs to continue to sustain our sewer system. Recent main break on our water system on a pipe that was approximately 70 years old is also evidence that ongoing replacement and repair of our infrastructure is needed.

We have developed capital facilities plans that address these concerns and problems. Those capital facility plans are what was used to analyze our financial ability to fund these projects. In addition to the capital facilities, maintenance and operation of the utilities are also needed. These costs were evaluated and reviewed.

Based on the capital facility needs and ongoing maintenance and operation of our utilities the recommended financial plan is being presented. This plan involves establishing a capital account, utilizing the a portion of the ending fund balance, to be able to fund needed capital improvements while also continuing to fund the account to provide for needed infrastructure improvements. It also provides for funding of ongoing maintenance and operation of each utility. The major goal of this financial plan is to provide sustainability to each utility.

In order to be able to provide the additional revenue that is required, adjusting the rates to provide this revenue is recommended.

Attachment: Draft Ordinance

**CITY OF FIRCREST
ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF FIRCREST, WASHINGTON
AMENDING ORDINANCE 1446 SECTION 1 AND FMC 21.04.030,
AMENDING ORDINANCE 1287 SECTION 2 AND FMC 21.04.040,
AMENDING ORDINANCE 1279 SECTION 3 AND FMC 21.04.050,
AMENDING ORDINANCE 1279 SECTION 4 AND FMC 21.04.060,
AMENDING ORDINANCE 1493 SECTION 1 AND FMC 21.06.010,
AMENDING ORDINANCE 1493 SECTION 2 AND FMC 21.06.020,
AMENDING ORDINANCE 1493 SECTION 3 AND FMC 21.06.030,
AND AMENDING ORDINANCE 1493 SECTION 4 AND FMC
21.06.040 RELATING TO WATER SERVICE CHARGES**

WHEREAS, on July 28, 2015, the City executed an agreement with Katy Isaksen and Associates to provide a Utility rate study for the City’s water, sewer and storm utilities; and

WHEREAS, the City Council at the August 9, 2016 Council meeting was presented the final rate study and recommendations; and

WHEREAS, the City Council conducted a public hearing on October 25, 2016, to accept public testimony and comment on the proposed amendments; Now, Therefore,

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

Section 1. Ordinance 1446 §1 and FMC 21.04.030 are hereby amended to read as follows:

21.04.030 Residential rate.

Water furnished by the city of Fircrest for single-family residential and multiple dwelling units use and consumption within Fircrest city limits shall be furnished through metered connections and shall be charged for on the following basis:

- (a) A bi-monthly ready to serve charge for each meter regardless of size, per connection, shall be billed in accordance with the following schedule.

Residential and Multiple Dwelling Water Ready to Serve Charge

Year	2017	2018	2019
<u>Ready to Serve Charge</u>	\$34.00	\$35.50	\$37.00

- (b) A charge for water consumed through each meter shall be billed in accordance with the following schedule:

Consumption Tier for Residential and Multiple Dwelling Units

	<u>2017</u>	<u>2018</u>	<u>2019</u>
<u>Tier 1 (0-1000 cf)</u>	<u>\$0.0100</u>	<u>\$0.0104</u>	<u>\$0.0109</u>
<u>Tier 2 (1001-4000 cf)</u>	<u>\$0.0150</u>	<u>\$0.0157</u>	<u>\$0.0163</u>
<u>Tier 3 (4001-+ cf)</u>	<u>\$0.0250</u>	<u>\$0.0261</u>	<u>\$0.0272</u>

(c) Water furnished by the city of Fircrest for single-family residential and multiple dwelling units use and consumption outside the Fircrest city limits shall be charged as outlined in subsections (a) and (b) of this section with an additional bi-monthly surcharge of \$ 25.00.

(d) All rates and charges imposed by this section shall be collected in full for service furnished during any month or fractional month.

Section 2. Ordinance 1287 §2 and FMC 21.04.040 are hereby amended to read as follows:

21.04.040 Commercial rate

Water furnished by the City of Fircrest for commercial or industrial, use and consumption within the Fircrest city limits shall be furnished through metered connections and shall be charged for on the following basis:

(a) A bi-monthly ready to serve charge for each meter regardless of size, per connection shall be in accordance with the following schedule.

Commercial Water Ready to Serve Charge

Year	2017	2018	2019
Ready to Serve Charge	\$34.00	\$35.50	\$37.00

(c) A charge for water consumed through each meter shall be in accordance with the following schedule:

Consumption Tier for Commercial Units

	2017	2018	2019
Tier 1 (0-2000 cf)	\$0.0120	\$0.0124	\$0.0129
Tier 2 (2001-4200 cf)	\$0.0170	\$0.0177	\$0.0183
Tier 3 (4201-+ cf)	\$0.0270	\$0.0281	\$0.0292

(d) Where more than one commercial business or establishment receives water through a single metered connection, each separate commercial business or establishment shall be charged a separate ready to serve charge that will include the same rate schedule as listed above.

(e) All rates and charges imposed by this section shall be collected in full for service furnished during any month or fractional month.

Section 3. Ordinance 1279 §3 and FMC 21.04.050 are hereby amended to read as follows:

21.04.050 Separate irrigation service

Customers are encouraged to separate water service for irrigation from the regular service. When either the residential or commercial customer wishes to do so, a second meter may be installed ahead of the existing meter at the customer's expense; or if additional capacity is required, a new connection will be made with the appropriate connection and general facilities charges being assessed and paid. In either case no additional ready to serve rate will be charged; however, the metered rate for tier 2 in the ordinance will be billed. In every case the irrigation service line shall contain a city-approved backflow valve to prevent the flow of groundwater into the regular water line.

Section 4. Ordinance 1279 §4 and FMC 21.04.060 are hereby amended to read as follows:

21.04.060 Multiple dwellings defined

A "multiple dwelling" is defined to be the space provided for the separate occupancy of an individual or family unit with separate living quarters and kitchen. Multiple dwellings shall consist of all places wherein more than one dwelling unit is located. Where water is supplied to two or more dwelling units through a single connection to the water lines of the city.

Section 5. Ordinance 1493 §1 and FMC 21.06.010 are hereby amended to read as follows:

21.06.010 Purpose

The purpose of these regulations is to provide a credit to low-income seniors and low-income disabled persons on their basic water charges.

Section 6. Ordinance 1493 §2 and FMC 21.06.020 are hereby amended to read as follows:

21.06.020 Applicability

To city of Fircrest water customers living in one-family or individually billed two-family or multifamily units who have been certified eligible for a low-income senior or low-income disabled person discount by Tacoma Power; and:

- (a) Are a single occupant or the head of a household or the spouse of the head of the household; and
- (b) Reside in the dwelling unit; and

- (c) Are billed or are the spouse of a person billed by the city of Fircrest for water service; and
- (d) Customers who have been certified eligible by Tacoma Power for a low-income senior or low-income disabled person discount must provide the city of Fircrest evidence that they are receiving such a discount by Tacoma Power. The discounted rate will begin the first day of the following bi-monthly billing cycle after the date the aforementioned evidence is received by the city of Fircrest. If a customer closes the active account and establishes a new account, or if a customer has never applied for the discount rate, then the customer must apply in accordance with the hereinabove criteria.

Section 7. Ordinance 1493 §3 and FMC 21.06.030 are hereby amended to read as follows:

21.06.030 Bi-monthly rate.

Seventy-five percent of the bi-monthly ready to serve charge calculated under FMC 21.04.030(a).

Section 8. Ordinance 1493 §4 and FMC 21.06.040 are hereby amended to read as follows:

21.06.040 Renewal.

During the month of January of each year, in order to continue to receive the water utility credit in the ensuing year, any person receiving a water utility credit from the city of Fircrest, as a low-income senior or a low-income disabled person, shall provide evidence to the city manager or his/her designee that they are still receiving a low-income senior or a low-income disabled person discount from Tacoma Power.

Section 9. Severability. If any section, sentence, clause or phrase of this title shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this title.

Section 10. Publication and Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the city. This ordinance shall be effective five (5) days after such publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON,
at a regular meeting thereof this day of November 2016.

APPROVED:

Matthew Jolibois, Mayor

ATTEST:

Lisa Keely, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

Publication Date:

Effective Date:

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: October 25, 2016

SUBJECT: Amendments to Fircrest Municipal Code Title 20 regarding storm water charges

FROM: Jerry Wakefield, Public Works Director

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: None at this time, public hearing.

PROPOSAL: Based on the information provided in the utility rate study and financial plan, it is recommended that the City of Fircrest amend Fircrest Municipal code title 20 regarding storm water charges to the recommended rates in the study.

FISCAL IMPACT: Increase in revenue.

ADVANTAGE: Following the recommendations in this report will help sustain the storm water utility and provide for capital revenue to repair and replace existing worn and outdate infrastructure. It also provides for financial planning to meet operating expenses for this utility. The adjustment of rates will greatly increase the probability that the City's revenues will offset the actual expenses of the operation and maintenance of the storm water utility, providing for covering the costs of operations and maintenance and provide for funding needed to continue capital improvements.

DISADVANTAGES: The public will experience an increase in the storm water utility rates.

ALTERNATIVES: Not to increase rates.

HISTORY: The City contracted with KIA to review, analyze and recommend a financial outlook and plan for our three utilities, Storm, Water and Sewer. Over the last year we have been working together in doing this. Presentations on the work in progress that showed our financial outlook and impacts on our existing revenues and rates were presented to the Council in study sessions on January 19, 2016 and March 21, 2016. From those study sessions, we took the feedback received and continued to evaluate and develop a financial plan that provides for sustainability of each utility.

As the Council is aware, ongoing repair and replacement of our utilities is needed. As the age of our systems get older, some of them 60 plus years old, they need to be replaced. This is evidence by the sewer repair and replacement work that has been done over that last few years and needs to continue to sustain our sewer system. Recent main break on our water system on a pipe that was approximately 70 years old is also evidence that ongoing replacement and repair of our

infrastructure is needed.

We have developed capital facilities plans that address these concerns and problems. Those capital facility plans are what was used to analyze our financial ability to fund these projects. In addition to the capital facilities, maintenance and operation of the utilities are also needed. These costs were evaluated and reviewed.

Based on the capital facility needs and ongoing maintenance and operation of our utilities the recommended financial plan is being presented. This plan involves establishing a capital account, utilizing the a portion of the ending fund balance, to be able to fund needed capital improvements while also continuing to fund the account to provide for needed infrastructure improvements. It also provides for funding of ongoing maintenance and operation of each utility. The major goal of this financial plan is to provide sustainability to each utility.

In order to be able to provide the additional revenue that is required, adjusting the rates to provide this revenue is recommended.

Attachment: Draft Ordinance

**CITY OF FIRCREST
ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF FIRCREST, WASHINGTON
AMENDING ORDINANCE 1462 SECTION 1 AND FMC 20.16.030,
AND ADDING A NEW SECTION FMC 20.17 RELATING TO
STORMWATER SERVICE CHARGES**

WHEREAS, on July 28, 2015, the City executed an agreement with Katy Isaksen and Associates to provide a Utility rate study for the City’s water, sewer and storm utilities; and

WHEREAS, the City Council at the August 9, 2016 Council meeting was presented the final rate study and recommendations; and

WHEREAS, the City Council conducted a public hearing on October 25, 2016, to accept public testimony and comment on the proposed amendments; Now, Therefore,

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

Section 1. Ordinance 1462 §1 and FMC 20.16.030 are hereby amended to read as follows:

20.16.030 Bi-monthly rate schedule.

(a) The total bi-monthly storm drain service fee for all single-family customers shall be in accordance with the following schedule.

2017	2018	2019
\$29.20	\$33.50	\$34.50

(b) The total bi-monthly storm drain service fee for all customers other than single-family customers shall be the sum of the following two fees but not be less than a minimum equal to that of single family customers:

(1) Fixed Fee. There is established a fixed bi-monthly fee which will be assessed upon each customer other than single-family customers in accordance with the following schedule; and

2017	2018	2019
\$21.70	\$26.00	\$27.00

(2) Impervious Surface Fee. There is established a fee in the amount of \$0.001437 per square square foot of impervious surface which will be assessed upon each customer other than single-family customers.

(c) All rates and charges imposed by this section shall be collected in full for service furnished

during any month or fractional month.

Section 2. FMC 20.17 is hereby added:

STORM DRAIN CREDIT FOR LOW-INCOME SENIORS AND LOW-INCOME DISABLED PERSONS

Sections:

- 20.17.010 Purpose.
- 20.17.020 Applicability.
- 20.17.030 Bi-monthly rate.
- 20.17.031 Renewal
- 20.17.040 City manager interpretation authority

20.17.010 Purpose

The purpose of these regulations is to provide a credit to low-income seniors and low-income disabled persons on their basic storm drain charges.

20.17.020 Applicability.

To City of Fircrest storm drain customers living in one-family or individually billed two-family or multifamily units who have been certified eligible for a low-income senior or low-income disabled person discount by Tacoma Power; and:

- (a) Are a single occupant or the head of a household or the spouse of the head of the household; and
- (b) Reside in the dwelling unit; and
- (c) Are billed or are the spouse of a person billed by the city of Fircrest for stormwater service; and
- (d) Customers who have been certified eligible by Tacoma Power for a low-income senior or low-income disabled person discount must provide the city of Fircrest evidence that they are receiving such a discount by Tacoma Power. The discounted rate will begin the first day of the following bi-monthly billing cycle after the date the aforementioned evidence is received by the city of Fircrest. If a customer closes the active account and establishes a new account or if a customer has never applied for the discount rate, then the customer must apply in accordance with the hereinabove criteria.

20.17.030 Bi-monthly rate

Seventy-five percent of the minimum bi-monthly charge calculated under FMC 20.16.030

20.17.031 Renewal

During the month of January of each year, in order to continue to receive the stormwater utility credit in the ensuing year, any person receiving a stormwater utility credit from the city of Fircrest, as a low-income senior or a low-income disabled person, shall provide evidence to the city manager or his/her designee that they are still receiving a low-income senior or a low-income disabled person discount from Tacoma Power.

20.17.040 City manager interpretation authority

The city manager or his/her designee shall have the authority to decide any questions which may arise pertinent to the interpretation and/or the application of the regulations of this chapter.

Section 3. Severability. If any section, sentence, clause or phrase of this title shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this title.

Section 4. Publication and Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the city. This ordinance shall be effective five (5) days after such publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON,
at a regular meeting thereof this day of November 2016.

APPROVED:

Matthew Jolibois, Mayor

ATTEST:

Lisa Keely, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

Publication Date:

Effective Date:

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 25, 2016**
SUBJECT: **Ordinance Imposing a Storm Water Utility Tax**
FROM: **Collen Corcoran, Finance Director**

Reviewed by: _____City Manager _____Finance Director _____City Attorney

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

PROPOSAL: Adoption of this ordinance imposes a 3% tax on the total gross income in 2017 and an additional 3% tax in 2018 on the Storm Water Utility.

FISCAL IMPACT: If implemented, the tax will provide the General Fund with approximately \$13,000 which can be used for General Fund activities and services.

ADVANTAGES: This tax will provide additional revenue to sustain the increases in expenses including salaries, benefits, utilities, contracted services for Fire/EMS, goods and services and other mandated increases.

DISADVANTAGES: The tax imposed on the Storm Utility will be passed on the residents and customers.

ALTERNATIVES: Not impose the tax and find areas for reduction in the 2017 Budget.

HISTORY: In 1968 a tax was imposed on other City utilities but not on the Storm Water Utility. After the rate study was conducted in 2016, it was determined that a tax would help balance the 2017 Budget.

Attachment: Ordinance

**CITY OF FIRCREST
ORDINANCE NO. _____**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, AMENDING SECTION 1 OF
ORDINANCE NO. 1484 AND FMC 5.20.040 TO IMPOSE A TAX ON
GROSS INCOME OF THE STORM WATER UTILITY.**

WHEREAS, the City of Fircrest has established a tax on gross income on certain utilities in the City; and

WHEREAS, utility taxes are collected and used by the General Fund to support General Fund activities; and

WHEREAS, the City has need for additional revenues to sustain General Fund activities and services of the City; Now, Therefore,

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

Section 1. Section 1 of Ordinance 1484 and FMC 5.20.040 are hereby amended to read as follows:

5.20.040 Tax on certain businesses.

From and after January 1, 2017, there is hereby levied upon and shall be collected from and paid as hereinafter provided a tax upon gross income of the following defined businesses or pursuits:

- (a) Upon every person engaged in or carrying on the business of selling, transmitting and distributing natural gas, a tax equal to six percent of the total gross income from such business within the city during each tax year;
- (b) Upon every person engaged in or carrying on the business of providing a community antenna television system within the city, a tax equal to six percent of the total gross income from such business within the city during each tax year;
- (c) Upon every person engaged in or carrying on the business of selling, transmitting and distributing water, a tax equal to eight percent of the total gross income from such business within the city during each tax year;
- (d) Upon every person engaged in or carrying on the business of selling, transmitting or distributing electrical energy, a tax equal to six percent of the total gross income from such business within the city during each tax year;

- (e) Upon every person engaged in or carrying on the business of providing sewer service, a tax equal to six percent of the total gross income from such business within the city during each tax year;
- (f) Upon every person engaged in or carrying on the business of providing garbage or refuse removal service, a tax equal to eight and one-half percent of the total gross income from such business within the city shall be levied on a monthly basis and along with such other fees as may be authorized, deducted from the total gross billing revenue from the consumer(s) for such service(s).
- (g) Upon every person engaged in or carrying on the business of providing storm water utility service, a tax equal to three percent of the total gross income from such business within the City, and an additional three percent tax for a total tax equal to 6 percent from the total gross billing revenue from such business within the City commencing January 1, 2018 and such six percent total tax will continue each tax year thereafter.

Section 2. Effective Date: This Ordinance shall become effective January 1, 2017 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 __ day of _____ 2016.

APPROVED:

Matthew Jolibois, Mayor

ATTEST:

Lisa Keely, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

Publication Date:

Effective Date:

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: October 25, 2016
SUBJECT: Resolution cancelling the first regular meeting of November 2016
FROM: City Manager Rosenblatt

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: I move to adopt Resolution No. _____ authorizing the cancellation of the first regular meeting in November 2016.

PROPOSAL: Council is being asked to cancel the first regular meeting in November and move the agenda items to the study session of November 7, 2016.

FISCAL IMPACT: None.

ADVANTAGES: Cancelling this meeting will allow staff and council the opportunity for immersion in the 2016 Presidential Election.

DISADVANTAGES: None.

ALTERNATIVES: Not cancel and hold the meeting as scheduled.

HISTORY: Council has cancelled and rescheduled regular meetings in the past.

Attachments: Resolution

**CITY OF FIRCREST
RESOLUTION NO. _____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, CANCELLING THE REGULAR
MEETING OF NOVEMBER 8, 2016**

WHEREAS, the City Council shall hold regular meetings on the second and fourth Tuesdays of each month of each calendar year, beginning at 7:00 p.m.; and

WHEREAS, in accordance with FMC 2.12.010, the Council may cancel one regular meeting during any month by adoption of a resolution to such effect at least 10 days in advance of the meeting to be cancelled; and

WHEREAS, the first Tuesday of November falls on November 8, 2016, the General Election Day; and

WHEREAS, the Council desires to cancel the regular meeting of November 8, 2016; Now, Therefore,

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

Section 1. The regular City Council meeting of November 8, 2016 is cancelled.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 25th day of October
2016.

APPROVED:

David M. Viafore, Mayor

ATTEST:

Lisa Keely, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: October 25, 2016

SUBJECT: Resolution authorizing an amendment to the professional services agreement for special legal services with the law firm of Morris Law, P.C.

FROM: Rick Rosenblatt – City Manager

Reviewed by: _____ City Manager _____ Finance Director _____ City Attorney

RECOMMENDED MOTION: I move to adopt Resolution No. _____ authorizing the City Manager to amend the professional services agreement with the law firm of Morris Law, P.C. for special legal counsel services in land use matters and environmental law through December 31, 2017

PROPOSAL: Council is requested to authorize the City Manager to execute a professional services agreement with Morris Law, P.C. to provide legal services as needed by the City in land use matters and environmental law.

FISCAL IMPACT: Attorney Morris's rate has been \$250/hour since the agreement was approved in 2008. The rate is proposed to raise to \$275.00 per hour.

ADVANTAGES: The City needs legal counsel with litigation, municipal law practice experience, knowledge and expertise in land use and environmental policy law. Attorney Morris has demonstrated extensive experience in representing local governments in land use matters throughout Washington State.

DISADVANTAGES: None.

ALTERNATIVES: Hire another attorney with equivalent experience.

HISTORY: In the course of land use decisions, Special Legal Counsel has been utilized to represent the City. A considerable amount of legal experience in land use and environmental law is highly desirable in those occasions where special expertise is needed.

Attachment(s): Professional Services Agreement Amendment
Resolution

**AMENDMENT #10
TO THE CITY OF FIRCREST**

**PROFESSIONAL SERVICES AGREEMENT WITH THE LAW FIRM OF MORRIS
LAW, P.C. FOR SPECIAL LEGAL COUNSEL SERVICES RELATING TO LAND USE
MATTERS**

This amendment is hereby made and entered into this 25th day of October 2016 by and between the City of Fircrest, a political subdivision of the State of Washington, hereinafter referred to as the “City” and Morris Law, P.C.

WITNESSETH:

1. Purpose

The purpose of this amendment is to amend paragraphs 3 and 6 of the December 26, 2007 contract with Morris Law, P.C., for special legal counsel services, regarding the term of the agreement and payment for services. This amendment is limited as set forth herein. All of the remaining terms and conditions of the December 26, 2007 agreement shall remain in full force and effect. The amendments are as follows:

Pursuant to Section 3 of the Agreement the City hereby exercises its option to extend the term of the Agreement for one year to expire December 31, 2017.

Pursuant to Section 6 of the Agreement, Consultant shall receive remuneration for fees for services rendered in the sum of \$275.00 (TWO HUNDRED SEVENTY FIVE DOLLARS) per hour.

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

MORRIS LAW, P.C.

By _____
City Manager

By _____
Carol Morris, President

Approved as to Form:

By _____
City Attorney

**CITY OF FIRCREST
RESOLUTION NO. _____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON AUTHORIZING THE CITY
MANAGER TO EXECUTE AMENDMENT #10 TO THE
PROFESSIONAL SERVICES AGREEMENT WITH THE LAW
FIRM OF MORRIS LAW, P.C. FOR THE PURPOSE OF
EXTENDING THE TERM OF SAID AGREEMENT AND
INCREASING THE HOURLY RATE**

WHEREAS, the City Council finds that it is in the best interests of the City to retain special legal counsel with expertise in land use law to provide legal assistance in land use and environmental policy issues that could arise during land use proceedings and other land use issues; and

WHEREAS, the City contracted for professional services with the Law Office of Morris Law, P.C., to provide special legal counsel on land use matters; and

WHEREAS, Morris Law, P.C., has substantial experience and knowledge in the field of land use and environmental law; and

WHEREAS, the budgeted amount is included in the 2017 Legal Services department for special legal counsel; and

WHEREAS, the City of Fircrest desires to maintain these services for as long as necessary; and

WHEREAS, the contract was first approved in 2008 and the fee for services rendered has not increased from the hourly rate of \$250.00 since that time; Now, Therefore,

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

Section 1. The City Manager is hereby authorized to amend the contract term with the Law Firm of Morris Law, P.C., for special legal counsel related to land use matters from January 1, 2017 through December 31, 2017.

Section 2. The City Manager is hereby authorized to amend the contract term with the Law Firm of Morris Law, P.C., for special legal counsel related to land use matters for an hourly rate amount not to exceed \$275.00 per hour.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 25th day of October 2016.

APPROVED:

Matthew Jolibois, Mayor

ATTEST:

Lisa Keely, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: October 25, 2016

SUBJECT: Resolution Authorizing an Amendment to the Contract for Legal Services for City Attorney and City Prosecutor Services

FROM: Colleen Corcoran, Finance Director

Reviewed by: _____ City Manager _____ Finance Director _____ City Attorney

RECOMMENDED MOTION: I move to adopt Resolution No. _____ authorizing the City Manager to execute an amendment to the Contract for Legal Services with Comfort, Davies and Smith, P.S. for City Attorney and City Prosecutor services in 2017.

PROPOSAL: Council is being asked to adopt a resolution amending the Contract for Legal Services Section 7. Payment: Comfort, Davies & Smith, P.S. shall receive remuneration as and for fees for services rendered each month in the sum of \$164 per hour.

FISCAL IMPACT: The 2016 rate is \$161 per hour. The proposed rate increase is 2%. The preliminary budget includes the proposed new rate of \$164 per hour.

ADVANTAGES: The contract amendment allows continuation of legal services by Attorney Michael B. Smith in 2017.

DISADVANTAGES: Increased cost.

ALTERNATIVES: Contract with another law firm to provide legal services for City Attorney and/or City Prosecutor professional services or request proposals for legal services.

HISTORY: The City contracted for decades with Comfort & Smith and then Comfort, Davies & Smith, P.S. Council authorized entering into a new legal services contract with the firm in 2003. The contract includes an automatic renewal for each succeeding calendar year. Fircrest Municipal Code 2.24.040 addresses the City Attorney's duties. The current contract lists specific duties for the City Prosecutor.

Attachment(s): Resolution

**CITY OF FIRCREST
RESOLUTION NO. _____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, AUTHORIZING THE CITY
MANAGER TO EXECUTE AN AMENDMENT TO THE
CONTRACT FOR LEGAL SERVICES WITH COMFORT, DAVIES
& SMITH, P.S.**

WHEREAS, the City of Fircrest has contracted with Comfort, Davies & Smith, P.S., to provide City Attorney and City Prosecutor services needed by the City; and

WHEREAS, the contract was first approved on December 10, 2003, and in 2016 provided for a \$161 hourly rate of pay and Section 7 Payment needs to be amended to provide remuneration in 2017 for services rendered each month in the sum of \$164 per hour; 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 this amendment to the December 10, 2003 Contract for Legal Services with Comfort, Davies & Smith, P.S., for City Attorney legal services as may be required for the City and provide the full range of prosecution services for an amount not to exceed \$164 per hour.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 25th of October 2016.

APPROVED

Matthew Jolibois, Mayor

ATTEST:

Lisa Keely, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: October 25, 2016

SUBJECT: Resolution amending the professional service agreement with Jeff Boers (Jeff Boers and Associates) extending the term of said agreement.

FROM: Angelie Stahlnecker, Planning/Building Administrator

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: I move to adopt Resolution No. _____ authorizing the City Manager to amend the professional service agreement with Jeff Boers (Jeff Boers and Associates) extending the term of said Agreement through December 31, 2017.

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, 2017.

FISCAL IMPACT: There is no change to the contract amount.

ADVANTAGES: 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.

ALTERNATIVES: The City could consider another planning consultant with equivalent experience.

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.

Attachment(s): Resolution
Amendment 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 #4 TO THE
PROFESSIONAL SERVICE AGREEMENT WITH JEFF BOERS
(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, 2016; 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, Jeff Boers and Associates, extending the term of said agreement through December 31, 2017.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 25th day of October 2016.

APPROVED:

Matthew Jolibois, Mayor

ATTEST:

Lisa Keely, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

**AMENDMENT #4
TO THE CITY OF FIRCREST**

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

This amendment is hereby made and entered into this 25th day of October 2016 by and between the City of Fircrest, a political subdivision of the State of Washington, hereinafter referred to as the “City” and Jeff Boers.

WITNESSETH:

1. Purpose

The purpose of this amendment is to amend paragraph 3 of the April 23, 2013 contract with Jeff Boers (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:

3. Term: The term of this Agreement shall be from January 1, 2017 until December 31, 2017, 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 _____
Jeff Boers

Approved as to Form:

By _____
City Attorney

**CITY OF FIRCREST
RESOLUTION NO. ____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON EXPRESSING THE INTENT TO
ANNEX PORTIONS OF THE FIRCREST POTENTIAL
ANNEXATION AREA BY INTERLOCAL AGREEMENT.**

WHEREAS, RCW 35A.14.460 allows the City of Fircrest and Pierce County to enter into an Interlocal Agreement to annex the City’s affiliated urban growth area when at least 60% of the boundary of the area to be annexed and the City are contiguous; and

WHEREAS, the boundary of the City’s Potential Annexation Area have a contiguous boundary of 60% or more; and

WHEREAS, Vision 2040 has the goal that unincorporated lands within the urban growth area will be annexed into existing cities; and Now, Therefore,

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

Section 1. The City Council of the City of Fircrest directs City staff to negotiate an inter-local agreement with Pierce County to annex the area illustrated in Exhibit A and bring said Interlocal Agreement back to the City Council for further consideration.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 25 day of October 2016.

APPROVED:

Matthew Jolibois, Mayor

ATTEST:

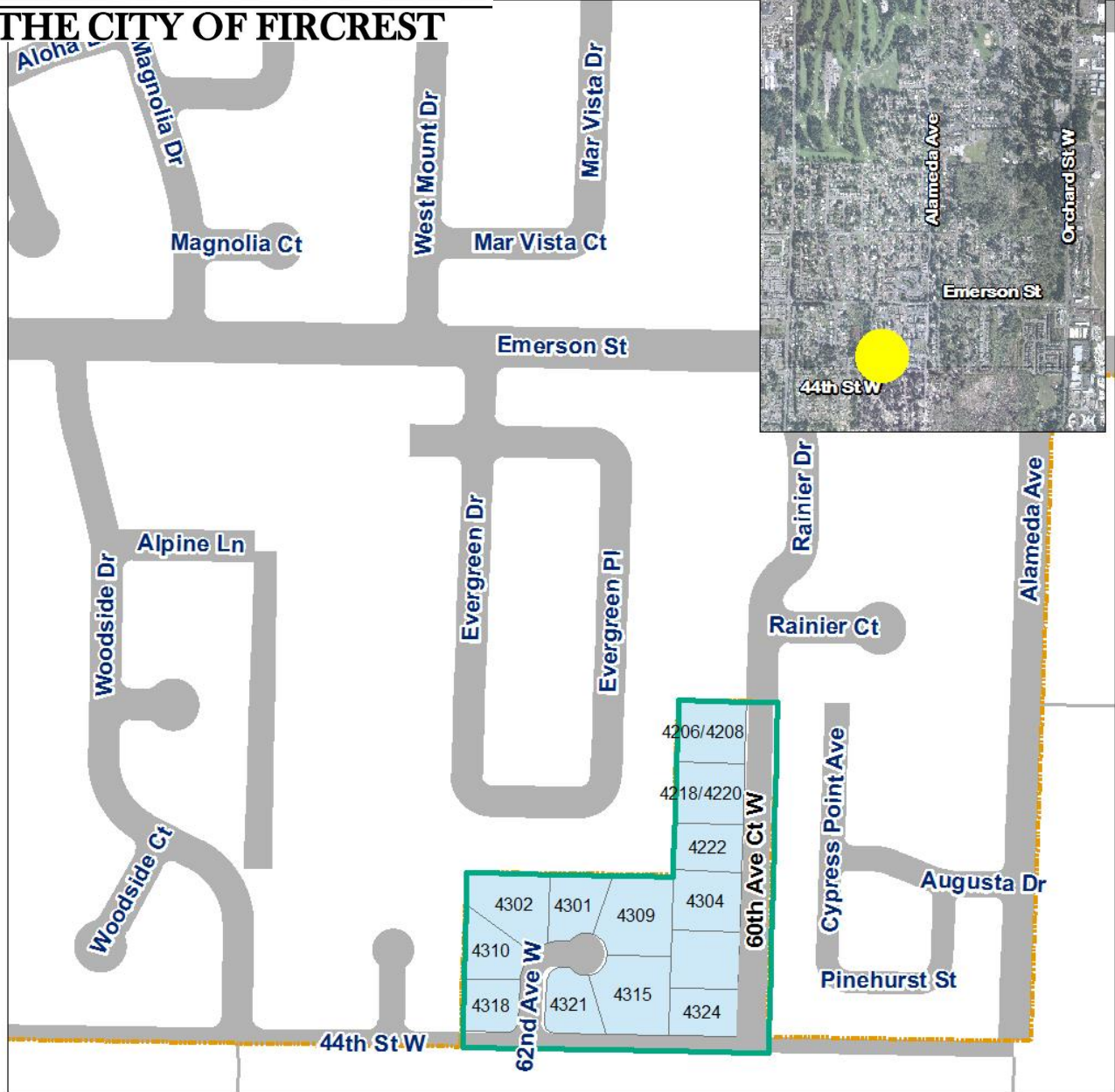
Lisa Keely, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney



THE CITY OF FIRCREST



Proposed Annexation Area

RCW 35A.14.460 – Annexation Process

Annexation of territory within urban growth areas—Interlocal agreement—Public hearing—Ordinance providing for annexation.

(1) The legislative body of a county or code city planning under chapter 36.70A RCW and subject to the requirements of RCW 36.70A.215 may initiate an annexation process for unincorporated territory by adopting a resolution commencing negotiations for an interlocal agreement as provided in chapter 39.34 RCW between a county and any code city within the county. The territory proposed for annexation must meet the following criteria: (a) Be within the code city urban growth area designated under RCW 36.70A.110, and (b) at least sixty percent of the boundaries of the territory proposed for annexation must be contiguous to the annexing code city or one or more cities or towns.

(2) If the territory proposed for annexation has been designated in an adopted county comprehensive plan as part of an urban growth area, urban service area, or potential annexation area for a specific city, or if the urban growth area territory proposed for annexation has been designated in a written agreement between a city and a county for annexation to a specific city or town, the designation or designations shall receive full consideration before a city or county may initiate the annexation process provided for in RCW 35A.14.470.

(3) The agreement shall describe the boundaries of the territory to be annexed. A public hearing shall be held by each legislative body, separately or jointly, before the agreement is executed. Each legislative body holding a public hearing shall, separately or jointly, publish the agreement at least once a week for two weeks before the date of the hearing in one or more newspapers of general circulation within the territory proposed for annexation.

(4) Following adoption and execution of the agreement by both legislative bodies, the city legislative body shall adopt an ordinance providing for the annexation of the territory described in the agreement. The legislative body shall cause notice of the proposed effective date of the annexation, together with a description of the property to be annexed, to be published at least once each week for two weeks subsequent to passage of the ordinance, in one or more newspapers of general circulation within the city and in one or more newspapers of general circulation within the territory to be annexed. If the annexation ordinance provides for assumption of indebtedness or adoption of a proposed zoning regulation, the notice shall include a statement of the requirements. Any territory to be annexed through an ordinance adopted under this section is annexed and becomes a part of the city upon the date fixed in the ordinance of annexation, which date may not be fewer than forty-five days after adoption of the ordinance.

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: **October 25, 2016**

SUBJECT: **Resolution amending the professional services agreement with Sound Inspection LLC extending the term of said agreement**

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

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: **I move to adopt Resolution No. _____ authorizing the City Manager to amend the professional services agreement with Sound Inspection LLC extending the term of said Agreement through December 31, 2017.**

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, 2017.

FISCAL IMPACT: There is no change to the hourly rate for 2017.

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

DISADVANTAGES: None.

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.

Attachment(s): 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 #4 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, 2016, 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 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, 2017.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 25th day of October 2016.

APPROVED:

Matthew Jolibois, Mayor

ATTEST:

Lisa Keely, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

**AMENDMENT #4
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 25th day of October 2016 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.

WITNESSETH:

1. **Purpose**

The purpose of this amendment is to amend paragraph 3 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 November 26, 2013. The amendment is as follows:

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

3. Term: The term of this Agreement shall be from January 1, 2017 through December 31, 2017, or as 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

SOUND INSPECTION LLC

By _____
City Manager

By _____
Frank Mellas, President

Approved as to Form:

By _____
City Attorney

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: October 25, 2016

SUBJECT: Resolution amending the professional service agreement with NW GIS Consulting, LLC to provide on call GIS support services.

FROM: Angelie Stahlnecker, Planning/Building Administrator

Reviewed by: _____City Manager _____Finance Director _____City Attorney

RECOMMENDED MOTION: I move to adopt Resolution No. _____ authorizing the City Manager to amend the professional service agreement with NW GIS Consulting, LLC to provide on call GIS support services through December 31, 2017.

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, 2017.

FISCAL IMPACT: The 2017 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).

ADVANTAGES: 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.

ALTERNATIVES: Retain current data base without updating or consider another consultant.

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

Attachment(s): Resolution
Amendment Consultant 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 #2 TO THE
PROFESSIONAL SERVICE AGREEMENT WITH NW GIS
CONSULTING, LLC TO PROVIDE ON CALL GIS SUPPORT
SERVICES THROUGH DECEMBER 31, 2017.**

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, 2016; 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, 2017.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON**, at a regular meeting thereof this 25th day of October 2016.

APPROVED:

Matthew Jolibois, Mayor

ATTEST:

Lisa Keely, City Clerk

APPROVED AS TO FORM:

Michael B. Smith, City Attorney

**AMENDMENT #2
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 25th day of October 2016 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.

WITNESSETH:

1. **Purpose**

The purpose of this amendment is to amend paragraph 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:

Term: The term of this Agreement shall be from January 1, 2017 until December 31, 2017, 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 _____
NW GIS Consulting LLC

Approved as to Form:

By _____
City Attorney