

**FIRCREST CITY COUNCIL
REGULAR MEETING AGENDA**

**TUESDAY, JUNE 25, 2019
7:00 P.M.**

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

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. PRESIDING OFFICER'S REPORT**
 - A. Legislative Delegation Session Report
 - B. [Resolution of Appreciation for Karen Patjens](#)
 - C. Community Center and Pool Project
- 5. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**

(Please sign the **Public Attendance Roster/Public Hearing Sign-Up Sheet** if you wish to speak during the meeting.)
- 6. COMMITTEE, COMMISSION & LIAISON REPORTS**
 - A. Parks & Recreation
 - B. Pierce County Regional Council
 - C. Public Safety, Courts
 - D. Street, Water, Sewer, and Storm Drain
 - E. Other Liaison Reports
- 7. CONSENT CALENDAR**
 - A. Approval of [vouchers](#)/payroll checks
 - B. Approval of minutes: [May 28, 2019 Regular Meeting](#)
[June 11, 2019 Regular Meeting](#)
- 8. PUBLIC HEARING 7:15 P.M.**
- 9. UNFINISHED BUSINESS**
- 10. NEW BUSINESS**
 - A. [Resolution: Fun Days Fireworks Display Agreement](#)
 - B. [Resolution: National Night Out Fireworks Display Agreement](#)
 - C. [Resolution: Pierce County Brine Agreement](#)
- 11. CITY MANAGER COMMENTS**
- 12. DEPARTMENT HEAD COMMENTS**
- 13. COUNCILMEMBER COMMENTS**
- 14. EXECUTIVE SESSION**
 - A. Performance of a public employee. RCW 42.30.110(1)(g)
- 15. ADJOURNMENT**

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

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WHEREAS, Karen Patjens was appointed to the Planning Commission in 1999 and has served the City of Fircrest and its citizens for twenty years; and

WHEREAS, she has been an invaluable member of the Planning Commission representing the community; and

WHEREAS, she provided excellent leadership as Planning Commission Chair, guiding the Commission in its duties of reviewing land use projects and establishing long-range planning goals that nurture and protect the City's character and charm; and

WHEREAS, the Fircrest City Council wishes to express its gratitude to Karen Patjens for her twenty years of extraordinary, voluntary service to the City of Fircrest and its residents. Now Therefore,

Section 1. The City Council of the City of Fircrest recognizes Karen Patjens for twenty years of dedicated service to the City of Fircrest Planning Commission.

APPROVED:

Hunter T. George, Mayor

Jessica Nappi, City Clerk

Michael B. Smith, City Attorney

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Accts Pay #	Received	Date Due	Vendor	Amount	Memo
19617	06/25/2019	06/25/2019	4298	AWC Employee Benefit	694.00 July 2019 Retired Medical
521 22 20 01	LEOFF I Medical Premium	001 000 521	General Fund	694.00	07/2019 Retired Medical
19583	06/25/2019	06/25/2019	3719	American Public Work Assn	390.00 Agency Registration, Chapter Dues (09/01/19 - 08/31/20)
531 50 49 05	Dues,Member,Sub - Storm	415 000 531	Storm Drain	97.50	Agency Registration, Chapter Dues (09/01/19 - 08/31/20)
534 10 49 03	Dues,Member,Sub - Water	425 000 534	Water Fund (de	97.50	Agency Registration, Chapter Dues (09/01/19 - 08/31/20)
535 10 49 02	Dues,Member,Sub - Sewer	430 000 535	Sewer Fund (de	97.50	Agency Registration, Chapter Dues (09/01/19 - 08/31/20)
542 30 49 03	Dues,Member,Sub - Street	101 000 542	City Street Fun	97.50	Agency Registration, Chapter Dues (09/01/19 - 08/31/20)
19599	06/25/2019	06/25/2019	5428	Boers, Jeff	665.00 May 2019 Land Use Consulting (7 Hrs)
558 60 41 00	Prof Svcs - Planning	001 000 558	General Fund	665.00	05/2019 Land Use (7 Hrs)
19596	06/25/2019	06/25/2019	3572	CED	37,571.59 Cree LED Cobra Head Fixtures (19)
595 63 63 00	Street Light - Other Improv	101 000 542	City Street Fun	37,571.59	Cree LED Cobra Head Fixtures (19)
19626	06/25/2019	06/25/2019	3572	CED	19.88 Ballast For Mens Bathroom - Pool
576 20 31 02	Janitorial Supplies - Pool	001 000 576	General Fund	19.88	Ballast For Mens Bathroom - Pool
Total CED				37,591.47	
19642	06/25/2019	06/25/2019	6018	Canon Financial Services Inc	563.79 Copier Rental June 2019 - City Hall, Court, Parks / Rec, Public Works
512 50 45 00	Oper Rentals - Copier - Co	001 000 512	General Fund	140.95	Court 06/2019
518 10 45 00	Oper Rentals - Copier - No	001 000 518	General Fund	140.95	City Hall 06/2019
531 50 45 00	Oper Rentals - Copier - Sto	415 000 531	Storm Drain	35.23	PW 06/2019
534 10 45 02	Oper Rentals - Copier - Wa	425 000 534	Water Fund (de	35.24	PW 06/2019
535 10 45 00	Oper Rentals - Copier - Sev	430 000 535	Sewer Fund (de	35.24	PW 06/2019
542 30 45 00	Oper Rentals - Copier - Str	101 000 542	City Street Fun	35.24	PW 06/2019
571 10 45 01	Oper Rentals - Copier - Rec	001 000 571	General Fund	126.85	Rec 06/2019
576 80 45 00	Oper Rentals - Copier - Par	001 000 576	General Fund	14.09	Parks 06/2019
19643	06/25/2019	06/25/2019	6018	Canon Financial Services Inc	13.63 Police Faxboard June 2019
521 22 45 00	Oper Rentals - Copier - Pol	001 000 521	General Fund	13.63	Police Faxboard 06/2019
19644	06/25/2019	06/25/2019	6018	Canon Financial Services Inc	244.61 Police Copier June 2019

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521 22 45 00	Oper Rentals - Copier - Pol		001 000 521 General Fund	244.61	Police Copier 04/2019
Total Canon Financial Services Inc				822.03	
19625	06/25/2019	06/25/2019	3994	1,341.35	Telecommunications June 2019
518 10 42 00	Communication - Non Dep		001 000 518 General Fund	65.37	CH Prim 911 06/2019
518 10 42 00	Communication - Non Dep		001 000 518 General Fund	65.37	CH Message 06/2019
518 10 42 00	Communication - Non Dep		001 000 518 General Fund	65.37	CH Alarm 06/2019
518 10 42 00	Communication - Non Dep		001 000 518 General Fund	448.79	Circuit / PRI Line 06/2019
518 10 42 00	Communication - Non Dep		001 000 518 General Fund	131.05	DID 06/2019
521 22 42 00	Communication - Police		001 000 521 General Fund	135.52	Police BA Machine / Modem 06/2019
531 50 42 00	Communication - Storm		415 000 531 Storm Drain	32.69	PW Alarm & Prim 911 06/2019
531 50 42 00	Communication - Storm		415 000 531 Storm Drain	16.35	PW Fax 06/2019
534 10 42 00	Communication - Water		425 000 534 Water Fund (de	32.68	PW Alarm & Prim 911 06/2019
534 10 42 00	Communication - Water		425 000 534 Water Fund (de	49.13	PW DSL / Telemetry 06/2019
534 10 42 00	Communication - Water		425 000 534 Water Fund (de	16.35	PW Fax 06/2019
535 10 42 01	Communication - Sewer		430 000 535 Sewer Fund (de	32.69	PW Alarm & Prim 911 06/2019
535 10 42 01	Communication - Sewer		430 000 535 Sewer Fund (de	49.12	PW DSL / Telemetry 06/2019
535 10 42 01	Communication - Sewer		430 000 535 Sewer Fund (de	16.34	PW Fax 06/2019
542 30 42 00	Communication - Street		101 000 542 City Street Fun	32.68	PW Alarm & Prim 911 06/2019
542 30 42 00	Communication - Street		101 000 542 City Street Fun	16.34	PW Fax 06/2019
576 80 42 00	Communication - Parks		001 000 576 General Fund	65.37	REC Alarm 06/2019
576 80 42 00	Communication - Parks		001 000 576 General Fund	70.14	Parks Prim 911 06/2019
19621	06/25/2019	06/25/2019	4324	55,403.25	Fire / EMS July 2019
522 20 40 00	Tacoma Contract - Fire		001 000 522 General Fund	27,884.67	Fire 07/2019
522 20 41 00	Tacoma Contract - EMS		001 000 522 General Fund	27,518.58	EMS 07/2019
19564	06/25/2019	06/25/2019	4318	6,546.06	June 2019 Interfund
518 30 47 00	Public Utility Services - Ci		001 000 518 General Fund	556.07	06/2019 Interfund
531 50 47 02	Public Utility Services/Bldg		415 000 531 Storm Drain	246.56	06/2019 Interfund
531 50 47 02	Public Utility Services/Bldg		415 000 531 Storm Drain	9.30	06/2019 Interfund
534 10 47 00	Utility Services/Building -		425 000 534 Water Fund (de	246.56	06/2019 Interfund
534 80 47 01	Utility Services/Pumping		425 000 534 Water Fund (de	947.68	06/2019 Interfund
534 80 47 03	Public Utility Services/Met		425 000 534 Water Fund (de	35.29	06/2019 Interfund
535 10 47 00	Utility Services/Building -		430 000 535 Sewer Fund (de	246.56	06/2019 Interfund
535 80 47 04	Public Utility Services/Met		430 000 535 Sewer Fund (de	8.45	06/2019 Interfund
542 30 47 02	Electricity & Gas/Bldg - St		101 000 542 City Street Fun	246.55	06/2019 Interfund
542 30 47 02	Electricity & Gas/Bldg - St		101 000 542 City Street Fun	3.62	06/2019 Interfund
542 80 47 00	Public Utility Services-St E		101 000 542 City Street Fun	91.63	06/2019 Interfund
548 65 47 00	Utilities ShopGarage		501 000 548 Equipment Ren	34.50	06/2019 Interfund

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	576 20 47 00	Public Utility Services - Po	001 000 576 General Fund	503.88	06/2019 Interfund
	576 20 47 00	Public Utility Services - Po	001 000 576 General Fund	350.88	06/2019 Interfund
	576 80 47 00	Public Utility Services - Pa	001 000 576 General Fund	3,018.53	06/2019 Interfund
19627	06/25/2019	06/25/2019	4322 City of Tacoma Washington	10,557.37	Power - Various Locations May 2019
	518 30 47 00	Public Utility Services - Ci	001 000 518 General Fund	525.51	CH 05/2019
	531 50 47 02	Public Utility Services/Bldg	415 000 531 Storm Drain	99.53	PW 05/2019
	534 10 47 00	Utility Services/Building -	425 000 534 Water Fund (de	99.54	PW 05/2019
	534 80 47 01	Utility Services/Pumping	425 000 534 Water Fund (de	63.87	Surface Water 05/2019
	534 80 47 01	Utility Services/Pumping	425 000 534 Water Fund (de	5,526.68	Wells #4, 6, 7, 8 & 9, High/Low Tank, Golf Course Tank 05/2019
	535 10 47 00	Utility Services/Building -	430 000 535 Sewer Fund (de	99.53	PW 05/2019
	535 80 47 01	Utility Services/Pumping	430 000 535 Sewer Fund (de	1,022.04	Pump 3, Drake St, Contra Costa, Creek Lift, Princeton L/S 05/2019
	542 30 47 02	Electricity & Gas/Bldg - St	101 000 542 City Street Fun	99.53	PW 05/2019
	542 30 47 03	Electricity/Traffic Lights	101 000 542 City Street Fun	51.25	40th / Alameda, 400 Alameda 05/2019
	542 63 47 00	Electricity/Street Lights	101 000 542 City Street Fun	2,241.03	Street Lights 05/2019
	548 65 47 00	Utilities ShopGarage	501 000 548 Equipment Ren	23.64	F&E Garage 05/2019
	576 80 47 00	Public Utility Services - Pa	001 000 576 General Fund	705.22	Rec Center & Pavilion, Tot Lot 05/2019
19594	06/25/2019	06/25/2019	3555 Code Publishing Co	276.53	Municipal Code - Web Update 5/21/19
	511 60 49 03	Codification Costs	001 000 511 General Fund	276.53	Ordinances 1635, 1636
19622	06/25/2019	06/25/2019	6268 Cole-Parmer Instrument Company	91.87	TISAB Reagent Tablets For Fluoride Testing
	534 80 31 02	Oper Supplies - Water	425 000 534 Water Fund (de	91.87	TISAB Reagent Tablets For Fluoride Testing
19613	06/25/2019	06/25/2019	3565 Comfort Davies & Smith	13,789.50	May 2019
	515 41 41 01	City Attorney	001 000 515 General Fund	2,100.00	05/2019
	515 41 41 03	City Prosecutor	001 000 515 General Fund	8,242.00	Fircrest 05/2019
	515 41 41 03	City Prosecutor	001 000 515 General Fund	3,447.50	Ruston 05/2019
19590	06/25/2019	06/25/2019	3573 Copiers Northwest Inc	50.40	Copier Usage 05/04/19 - 06/03/19 Police
	521 22 45 00	Oper Rentals - Copier - Pol	001 000 521 General Fund	50.40	Copier Usage 05/04/19 - 06/03/19 Police
19615	06/25/2019	06/25/2019	3573 Copiers Northwest Inc	138.58	Printer Rental June 2019 And Usage May 2019 - Police
	521 22 45 00	Oper Rentals - Copier - Pol	001 000 521 General Fund	138.58	Rental 06/2019 & Usage 05/2019 - Police
			Total Copiers Northwest Inc	188.98	
19586	06/25/2019	06/25/2019	7802 Core & Main LP	759.85	Water Main Repair Parts - 300 Eldorado

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	534 80 31 02	Oper Supplies - Water	425 000 534 Water Fund (de	759.85	Water Main Repair Parts - 300 Eldorado	
19595	06/25/2019	06/25/2019	7802	Core & Main LP	13,799.60	P#59 Water Main Parts - 400 Summit / Farallone
	594 34 63 01	Other Improvements Water	426 000 594 Water Improve	13,799.60	P#59 Water Main Parts - 400 Summit / Farallone	
19602	06/25/2019	06/25/2019	7802	Core & Main LP	1,741.47	Parts For Alameda Water Services
	534 50 31 01	Oper Supplies - Water Mai	425 000 534 Water Fund (de	1,741.47	Parts For Alameda Water Services	
Total Core & Main LP				16,300.92		
19576	06/25/2019	06/25/2019	6163	Cox, Cameron	67.00	Library Reimbursement 1 Year
	572 21 49 00	Library Services	001 000 572 General Fund	67.00	Library Reimbursement 1 Year	
19568	06/25/2019	06/25/2019	3589	Databar Inc	983.61	Water Quality And Efficiency Newsletter
	534 10 49 04	Printing & Binding - Water	425 000 534 Water Fund (de	983.61	Water Quality And Efficiency Newsletter	
19569	06/25/2019	06/25/2019	3589	Databar Inc	1,112.85	June 2019 Town Topics Printing
	518 10 49 01	Town Topics/Citizen Comr	001 000 518 General Fund	1,112.85	06/2019 Town Topics Printing	
19570	06/25/2019	06/25/2019	3589	Databar Inc	504.45	2019 Community Sponsorship 2nd Printing
	542 80 31 04	Beautification-Supplies	101 000 542 City Street Fun	504.45	2019 Community Sponsorship 2nd Printing	
Total Databar Inc				2,600.91		
19634	06/25/2019	06/25/2019	3590	Datec Incorporated	283.33	SAA #1718 PJ7 Mobile Printer
	521 22 35 00	Small Tools & Equip - Poli	001 000 521 General Fund	283.33	SAA #1718 PJ7 Mobile Printer	
19614	06/25/2019	06/25/2019	4310	Dept Of Revenue-EXCISE TAX	265.32	May 2019 Excise Taxes
	521 22 31 00	Office & Oper Sup - Police	001 000 521 General Fund	11.31	05/2019 Excise Taxes	
	521 22 35 00	Small Tools & Equip - Poli	001 000 521 General Fund	59.30	05/2019 Excise Taxes	
	531 50 44 00	Excise Tax - Storm	415 000 531 Storm Drain	13.11	05/2019 Excise Taxes	
	534 10 44 00	Excise Tax - Water	425 000 534 Water Fund (de	17.82	05/2019 Excise Taxes	
	535 10 44 00	Excise Tax - Sewer	430 000 535 Sewer Fund (de	48.98	05/2019 Excise Taxes	
	571 20 43 00	Excise Tax - Participation I	001 000 571 General Fund	101.64	05/2019 Excise Taxes	
	576 80 31 02	Oper Supplies - Parks	001 000 576 General Fund	13.16	05/2019 Excise Taxes	
19608	06/25/2019	06/25/2019	3636	Ferguson Waterworks, #1539	453.96	Water Meter Boxes (3)
	534 50 31 01	Oper Supplies - Water Mai	425 000 534 Water Fund (de	453.96	Water Meter Boxes (3)	
19573	06/25/2019	06/25/2019	6216	Gentile, Aaron	67.00	Library Reimbursement 1 Year

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	572 21 49 00	Library Services	001 000 572 General Fund	67.00	Library Reimbursement 1 Year
19589	06/25/2019	06/25/2019	6774 Greenleaf Landscaping 1 Inc	5,753.86	Install Spring / Summer Flowers
	542 80 31 04	Beautification-Supplies	101 000 542 City Street Fun	5,753.86	Install Spring / Summer Flowers
19629	06/18/2019	06/25/2019	3087 Hara, Kevin	44.70	07-00250.1 - 1431 COTTONWOOD AVE
	343 10 00 00	Storm Drain Fees & Charge	415 000 340 Storm Drain	-9.96	
	343 40 00 00	Sale Of Water	425 000 340 Water Fund (de	-10.67	
	343 50 00 00	Sewer Revenues	430 000 340 Sewer Fund (de	-24.07	
19577	06/25/2019	06/25/2019	1253 Holzborn, Lavone M.	67.00	Library Reimbursement 1 Year
	572 21 49 00	Library Services	001 000 572 General Fund	67.00	Library Reimbursement 1 Year
19604	06/25/2019	06/25/2019	3692 Home Depot Credit Services	20.40	#13403D Pipe For Vactor Truck Wand
	548 65 48 12	O & M - Street	501 000 548 Equipment Ren	2.55	#13403D Pipe For Vactor Truck Wand
	548 65 48 13	O & M - Storm	501 000 548 Equipment Ren	2.55	#13403D Pipe For Vactor Truck Wand
	548 65 48 14	O & M - Wtr/Swr	501 000 548 Equipment Ren	15.30	#13403D Pipe For Vactor Truck Wand
19605	06/25/2019	06/25/2019	3692 Home Depot Credit Services	17.76	Supplies For Well #8
	534 50 31 01	Oper Supplies - Water Mai	425 000 534 Water Fund (de	17.76	Supplies For Well #8
			Total Home Depot Credit Services	38.16	
19618	06/25/2019	06/25/2019	4131 Humane Society - Tacoma	597.92	June 2019 Boarding Contract
	554 30 41 00	Animal Control	001 000 554 General Fund	597.92	06/2019 Boarding Contract
19639	06/25/2019	06/25/2019	8595 Ink Inc.	2,139.20	Car Show T - Shirts For Staff / Volunteers And Retail
	573 90 49 01	Community Events	001 000 573 General Fund	2,139.20	Car Show T - Shirts For Staff / Volunteers And
19572	06/25/2019	06/25/2019	7927 James, Colin N	67.00	Library Reimbursement 1 Year
	572 21 49 00	Library Services	001 000 572 General Fund	67.00	Library Reimbursement 1 Year
19631	06/18/2019	06/25/2019	6624 Jones, Andrew	35.08	12-00070.5 - 6315 GREGORY ST
	343 50 00 00	Sewer Revenues	430 000 340 Sewer Fund (de	-35.08	
19635	06/25/2019	06/25/2019	3751 KPG, PS	3,299.00	Professional Eng. Services May 2019 - Electron Way Parking Review

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542 30 41 00	Prof Svcs - Street	101 000 542	City Street Fun	3,299.00	Professional Eng. Services May 2019 - Electron Way Parking Review	
19636	06/25/2019	06/25/2019	3751	KPG, PS	10,554.00	P#57 Alameda Grind & Overlay Engineering Services Through 05/25/19
595 10 63 06	Project Eng - Alameda Reg	101 000 594	City Street Fun	10,554.00	P#57 Alameda Grind & Overlay Engineering Services Through 05/25/19	
Total KPG, PS				13,853.00		
19592	06/25/2019	06/25/2019	3776	Lemay Mobile Shredding	35.10	Shredding May 2019 - Court
512 50 49 00	Miscellaneous - Court	001 000 512	General Fund	35.10	Shredding 05/2019 - Ct	
19582	06/25/2019	06/25/2019	3791	Lowe's Company-#338954	25.69	Paint Supplies For Tot Lot
518 30 31 05	Oper Sup/Park Struct	001 000 518	General Fund	25.69	Paint Supplies For Tot Lot	
19623	06/25/2019	06/25/2019	6639	McClain's Soil Supply	209.38	Top Soil For Yard Repairs (10 Yards)
534 50 31 01	Oper Supplies - Water Mai	425 000 534	Water Fund (de	209.38	Top Soil For Yard Repairs (10 Yards)	
19610	06/25/2019	06/25/2019	7635	Nappi, Jessica	50.00	Gym Fees Reimbursement (May - June)
513 10 20 00	Personnel Benefits	001 000 513	General Fund	33.50	Gym Fees Reimbursement (May - June) - J. Nappi	
518 11 20 00	Personnel Benefits - Person	001 000 518	General Fund	16.50	Gym Fees Reimbursement (May - June) - J. Nappi	
19600	06/25/2019	06/25/2019	3891	Nisqually Trout Farms Inc	312.67	Trout For Fish N Fun
573 90 49 01	Community Events	001 000 573	General Fund	312.67	Trout For Fish N Fun	
19584	06/25/2019	06/25/2019	3957	PC Budget & Finance	412.13	#52951D Radio Install And Map Light Replacement
548 65 48 08	O & M - Police	501 000 548	Equipment Ren	412.13	#52951D Radio Install And Map Light Replacement	
19612	06/25/2019	06/25/2019	3957	PC Budget & Finance	37,625.00	Assigned Council Services - Indigent Defense (1st Half Jan - June 2019)
515 41 41 00	Assigned Counsel	001 000 515	General Fund	37,625.00	Assigned Council Services - Indigent Defense (1st Half Jan - June 2019)	
19638	06/25/2019	06/25/2019	3957	PC Budget & Finance	477.77	May 2019 Printing Services
512 50 31 00	Office & Oper Sup-Court	001 000 512	General Fund	439.75	May 2019 Printing - Envelopes, Payment Plan	
518 10 34 02	Central Office Printing	001 000 518	General Fund	38.02	May 2019 Printing - J. Huntsman Business Cards	

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			Total PC Budget & Finance	38,514.90	
19607	06/25/2019	06/25/2019	3955 Petrocard Systems Inc	457.47	Gas / Fuel June 2019
548 65 31 12	Street Gas	501 000 548	Equipment Ren	110.08	Street 06/2019
548 65 31 13	Storm Gas	501 000 548	Equipment Ren	106.15	Storm 06/2019
548 65 31 14	Wtr/Swr Gas	501 000 548	Equipment Ren	241.24	W / S 06/2019
19616	06/25/2019	06/25/2019	3970 Pitney Bowes Global LLC	394.91	2nd Quarter Meter Rental (March - June 2019)
518 10 42 01	Postage - Non-Dept	001 000 518	General Fund	394.91	2nd Qtr 2019 Meter Rental
19574	06/25/2019	06/25/2019	1553 Porter, Ken	67.00	Library Reimbursement 1 Year
572 21 49 00	Library Services	001 000 572	General Fund	67.00	Library Reimbursement 1 Year
19585	06/25/2019	06/25/2019	4683 Puyallup, City of	100.05	April 2019 Jail Services
523 60 40 01	Jail	001 000 523	General Fund	100.05	04/2019 Jail Services (1 Day)
19628	06/18/2019	06/25/2019	7031 Retlin, Roy GB	75.93	03-01380.0 - 702 CONTRA COSTA AVE
343 10 00 00	Storm Drain Fees & Charge	415 000 340	Storm Drain	-17.66	
343 40 00 00	Sale Of Water	425 000 340	Water Fund (de	-18.95	
343 50 00 00	Sewer Revenues	430 000 340	Sewer Fund (de	-39.32	
19578	06/25/2019	06/25/2019	4035 Sarco Supply	120.34	Janitorial Supplies - Parks Bathrooms
576 80 31 01	Janitorial Supplies - Parks	001 000 576	General Fund	120.34	Janitorial Supplies - Parks Bathrooms
19579	06/25/2019	06/25/2019	4035 Sarco Supply	7.69	Janitorial Supplies - City Hall
518 30 31 04	Oper Sup/CH	001 000 518	General Fund	7.69	Janitorial Supplies - CH
19580	06/25/2019	06/25/2019	4035 Sarco Supply	253.04	Janitorial Supplies - Pool
576 20 31 02	Janitorial Supplies - Pool	001 000 576	General Fund	253.04	Janitorial Supplies - Pool
19581	06/25/2019	06/25/2019	4035 Sarco Supply	56.44	Janitorial Supplies - Parks
576 80 31 01	Janitorial Supplies - Parks	001 000 576	General Fund	56.44	Janitorial Supplies - Parks
			Total Sarco Supply	437.51	
19597	06/25/2019	06/25/2019	6088 Sentinel Pest Control Inc	192.33	Pest Control - Public Works June 2019
531 50 48 00	Rep & Maint - Storm	415 000 531	Storm Drain	48.08	Pest Control - PW 06/2019
534 50 48 01	Rep & Maint - Water Main	425 000 534	Water Fund (de	48.08	Pest Control - PW 06/2019
535 50 48 00	Rep & Maint - Sewer Main	430 000 535	Sewer Fund (de	48.08	Pest Control - PW 06/2019

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Accts Pay #	Received	Date Due	Vendor	Amount	Memo
	542 30 48 01	Rep & Maint - Street Maint	101 000 542 City Street Fund	48.09	Pest Control - PW 06/2019
19567	06/25/2019	06/25/2019	4056 Sherwin-Williams Company	613.58	Paint Supplies For Tot Lot
	518 30 31 05	Oper Sup/Park Struct	001 000 518 General Fund	613.58	Paint Supplies For Tot Lot
19611	06/25/2019	06/25/2019	4065 Smith, Alling, P.S.	150.00	Judge Pro Tempore 6/6/19 (3 Hrs)
	512 50 41 02	Prof Svcs - Pro Temp Judge	001 000 512 General Fund	150.00	Judge Pro Tempore 6/6/19 (3 Hrs)
19619	06/25/2019	06/25/2019	4065 Smith, Alling, P.S.	150.00	Judge Pro Tempore 6/5/19 (3 Hrs)
	512 50 41 02	Prof Svcs - Pro Temp Judge	001 000 512 General Fund	150.00	Judge Pro Tempore 6/5/19 (3 Hrs)
Total Smith, Alling, P.S.				300.00	
19640	06/25/2019	06/25/2019	8596 Soundview Landscape & Sprinkler, Co.	70,029.82	Whittier Park Sprinkler System Installation
	594 18 62 00	Building & Structures-Faci	001 000 518 General Fund	70,029.82	Whittier Park Sprinkler System Installation
19641	06/25/2019	06/25/2019	8597 South Tacoma Glass Specialists	14,357.07	Bulletproof Glass Installation - Court Office
	594 18 62 00	Building & Structures-Faci	001 000 518 General Fund	14,357.07	Bulletproof Glass Installation - Court Office
19591	06/25/2019	06/25/2019	4084 Staples Business Advantage	360.88	Supplies - Central, Rec And Police
	518 10 34 01	Central Office Supplies	001 000 518 General Fund	289.54	Central Supplies
	521 22 31 00	Office & Oper Sup - Police	001 000 521 General Fund	65.82	Police Supplies
	571 10 31 00	Office Supplies - Rec	001 000 571 General Fund	5.52	Rec Supplies
19593	06/25/2019	06/25/2019	4084 Staples Business Advantage	22.18	Court Supplies
	512 50 31 00	Office & Oper Sup-Court	001 000 512 General Fund	22.18	Court Supplies
19632	06/25/2019	06/25/2019	4084 Staples Business Advantage	96.66	Rec Supplies
	571 10 31 00	Office Supplies - Rec	001 000 571 General Fund	96.66	Rec Supplies
Total Staples Business Advantage				479.72	
19624	06/25/2019	06/25/2019	4092 Stellar Industrial Supply	432.04	Shovels And Digging Bars
	531 50 35 00	Small Tools & Equip - Stor	415 000 531 Storm Drain	108.01	Shovels & Digging Bars
	534 80 35 00	Small Tools & Equip - Wat	425 000 534 Water Fund (de	108.01	Shovels & Digging Bars
	535 80 35 00	Small Tools & Equip-Swr (430 000 535 Sewer Fund (de	108.01	Shovels & Digging Bars
	542 30 35 00	Small Tools & Equip-St Re	101 000 542 City Street Fund	108.01	Shovels & Digging Bars
19571	06/25/2019	06/25/2019	4106 Sullivan, Jean I.	67.00	Library Reimbursement 1 Year

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572 21 49 00	Library Services		001 000 572 General Fund	67.00	Library Reimbursement 1 Year
19620	06/25/2019	06/25/2019	4120	89.37	May 2019 Publications
511 60 41 01	Advertising - Legislative		001 000 511 General Fund	89.37	Special Meeting - Pool Project, Ordinance 1636 Passed
19633	06/25/2019	06/25/2019	4120	110.00	May 2019 Publications
558 60 41 01	Advertising - Planning		001 000 558 General Fund	110.00	Conditional Use Permit, Notice Of Envir. Determination
Total Tacoma Daily Index				199.37	
19645	06/25/2019	06/25/2019	5934	8.75	City Hall Charges Through 6/14/2019
594 48 64 06	Facilities - ERR Capital		501 000 548 Equipment Ren	8.75	#27835D Report Of Sale
19587	06/25/2019	06/25/2019	4172	294.10	Fuel / Gas Not Charged To Card
548 65 31 06	Facilities Gas		501 000 548 Equipment Ren	66.16	#55697D
548 65 31 08	Police Gas		501 000 548 Equipment Ren	41.68	AEU1101
548 65 31 11	Parks/Rec Gas		501 000 548 Equipment Ren	16.54	#55697D
548 65 31 12	Street Gas		501 000 548 Equipment Ren	99.24	#38484D
548 65 31 12	Street Gas		501 000 548 Equipment Ren	70.48	#63582D
19565	06/25/2019	06/25/2019	4188	1,024.78	June 2019 Shared Plan (23 Lines)
513 10 42 00	Communication - Admin		001 000 513 General Fund	47.33	City Manager 06/2019
518 30 42 00	Communication - Fac/Equi		001 000 518 General Fund	75.83	Facilities Super, Custodian 06/2019
521 22 42 00	Communication - Police		001 000 521 General Fund	378.64	Chief, Sergeant And 7 Officers 06/2019
524 20 42 00	Communications- Bldg		001 000 524 General Fund	23.66	B / P Admin 06/2019
531 50 42 00	Communication - Storm		415 000 531 Storm Drain	92.83	PW Air Card, Director, Crew (6) 06/2019
534 10 42 00	Communication - Water		425 000 534 Water Fund (de	92.83	PW Air Card, Director, Crew (6) 06/2019
535 10 42 01	Communication - Sewer		430 000 535 Sewer Fund (de	92.83	PW Air Card, Director, Crew (6) 06/2019
542 30 42 00	Communication - Street		101 000 542 City Street Fun	92.83	PW Air Card, Director, Crew (6) 06/2019
558 60 42 00	Communications - Planning		001 000 558 General Fund	23.67	B / P Admin 06/2019
576 80 42 00	Communication - Parks		001 000 576 General Fund	104.33	Parks Director, Maint. Super, Events Specialist 06/2019
19566	06/25/2019	06/25/2019	4188	455.81	June 2019 Police Air Cards (12) And 1 Officer
521 22 42 00	Communication - Police		001 000 521 General Fund	455.81	06/2019 Police Air Cards (12) & 1 Officer
Total Verizon Wireless LLC				1,480.59	

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19637	06/25/2019	06/25/2019	4209	WCMA	325.00 WCMA Summer 2019 Conference Registration - S. Pingel
513 10 49 01	Reg & Tuition - Admin	001 000 513	General Fund	325.00	WCMA Summer 2019 Conference Registration - S. Pingel
19588	06/25/2019	06/25/2019	4237	WCP Solutions	1,028.66 Copy Machine Paper (240 Reams)
518 10 34 01	Central Office Supplies	001 000 518	General Fund	1,028.66	Copy Machine Paper (240 Reams)
19601	06/25/2019	06/25/2019	361	Walston, Vicky	50.00 Reimbursement - March Madness Luncheon
517 90 31 01	Health Program - Supplies	001 000 517	General Fund	50.00	Reimbursement - March Madness Luncheon
19603	06/25/2019	06/25/2019	4231	Water Mgmt Labs Inc	404.00 Hardness And Fluoride Testing May 2019
534 80 41 00	Water Testing	425 000 534	Water Fund (de	404.00	Hardness & Fluoride Testing 05/2019
19598	06/25/2019	06/25/2019	5286	Winsupply	195.23 Weedkiller For ROW's
542 30 31 02	Oper Supplies - Street Reg	101 000 542	City Street Fun	195.23	Weedkiller For ROW's
19609	06/25/2019	06/25/2019	5286	Winsupply	35.31 Sprinkler Repair Parts
542 80 31 01	Operating Supplies - St Be	101 000 542	City Street Fun	35.31	Sprinkler Repair Parts
Total Winsupply				230.54	
19575	06/25/2019	06/25/2019	1041	Wirsing Dale	67.00 Library Reimbursement 1 Year
572 21 49 00	Library Services	001 000 572	General Fund	67.00	Library Reimbursement 1 Year
19606	06/25/2019	06/25/2019	4247	Wofesco Inc	75.20 Repair Parts
548 65 48 12	O & M - Street	501 000 548	Equipment Ren	6.05	Gauge Gun For New Vactor
548 65 48 12	O & M - Street	501 000 548	Equipment Ren	26.75	Jackhammer Parts
548 65 48 13	O & M - Storm	501 000 548	Equipment Ren	6.05	Gauge Gun For New Vactor
548 65 48 14	O & M - Wtr/Swr	501 000 548	Equipment Ren	36.35	Gauge Gun For New Vactor
19630	06/18/2019	06/25/2019	1358	Wood Daniel J	126.37 02-00740.1 - 363 DEL MONTE AVE
343 10 00 00	Storm Drain Fees & Charge	415 000 340	Storm Drain	-28.15	
343 40 00 00	Sale Of Water	425 000 340	Water Fund (de	-30.18	
343 50 00 00	Sewer Revenues	430 000 340	Sewer Fund (de	-68.04	
Report Total:				302,433.52	
Fund					
001 General Fund				211,164.19	

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Pay #	Received	Date Due	Vendor	Amount	Memo
			101 City Street Fund	61,077.74	
			415 Storm Drain	854.96	
			425 Water Fund (department)	12,138.96	
			426 Water Improvement Fund	13,799.60	
			430 Sewer Fund (department)	2,071.88	
			501 Equipment Rental Fund	1,326.19	

This report has been reviewed by:

REMARKS:

Signature & Title

Date

CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

Mayor Pro Tempore David M. Viafore called the regular meeting to order at 7:00 P.M. and led the Pledge of Allegiance. Councilmembers Shannon Reynolds, Blake Surina, and Jamie Nixon were present. Mayor Hunter T. George and councilmembers Brett Wittner and Denny Waltier were absent and excused.

PRESIDING OFFICER’S REPORT

A. Tacoma Fire Chief Toryono Green

Recently appointed Tacoma Fire Chief Toryono Green introduced himself to the Council and commented on the transition and partnership to both organizations.

B. Tacoma Fire Programs Update: Mike Fitzgerald

Tacoma Fire Department FD CARES Program Manager Laura Morris provided an overview of the opioid response plan and program, stating a mobile outreach unit would be dispatched in coordination with the Safe Station program in July. After a brief discussion, Viafore thanked retiring Tacoma Fire Department Assistant to the Chief, Budget and Finance, Michael Fitzgerald, for his years of service and the Tacoma Fire Department representatives for assisting the City’s fire service.

C. Community Center and Pool Project

City Manager Pingel stated staff was working on finalizing the pool and bathhouse bid documents. Parks and Recreation Director Grover reported on the existing pool’s repair progress, stating the pool opening would be delayed to June 4, 2019 due to maintenance repairs and staff training. There was a brief discussion on acknowledging ACME Roofing for the pool liner repairs and confirming that the bid would include a ductless heating/cooling system in the party room and that the commercial grade kitchen would require a fire suppression per the Health Department. Viafore requested Planning Department staff to inquire with the City’s inspector to determine whether a fire suppression system would be required with an electric oven and no deep fryer.

PUBLIC HEARING

A. 2020-2025 Transportation Improvement Plan

At 7:23 P.M., Viafore opened the public hearing and Public Works Director Wakefield briefed the Council on the 2020-2025 Transportation Improvement Program (TIP), stating the TIP was a guidance document throughout the budgetary planning process, would serve as the adopted priority list of projects to be completed in the future, and that it would be included in regional and State planning documents as well. Wakefield indicated the TIP would provide staff with a guidance document to apply for grant opportunities. Wakefield called attention to updates that would be made in the final draft, which include updating the motor vehicle fuel tax fund section and allocations to #1 Major Pavement Patching in Table 1. Wakefield briefed the Council on the Department of Ecology’s comments. Viafore invited councilmember comment; Surina inquired about grant opportunities for improvements along routes to schools and converting the City’s acorn street lights to LED. Viafore requested to reprioritize and switch #12 Alameda Ave: 44th St to Emerson St (\$300,000 in 2022) with #14 Emerson St: Alameda Ave to Woodside Dr (\$380,000 in 2023), stating #14 should be done sooner as it served a transit line. Viafore invited public testimony; there were none. At 7:32 P.M., Viafore closed the public hearing.

PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Viafore invited public comment; there were none.

COMMITTEE, COMMISSION, AND LIAISON REPORTS

A. Parks and Recreation

Wittner was absent and no report was provided.

B. Pierce County Regional Council

Reynolds reported that the recent meeting included presentations from the cities of DuPont and University Place on infrastructure and climate change, and commented on the October 10, 2019 General Meeting and investpiercecounty.com web tool.

C. Public Safety, Courts

Surina reported on the I-1639 unfunded mandates; there was a brief discussion on public disclosure, background and mental health checks, secure lock-ups, and partnership.

D. Street, Water, Sewer, and Storm Drain

Nixon had no report to provide.

E. Other Liaison Reports

There were none.

CONSENT CALENDAR

Viafore requested the City Clerk read the Consent Calendar as follows: approval of Voucher No. 213036 through Voucher Check No. 213120 in the amount of \$452,614.30; and approval of Payroll Check No. 13642 through Payroll Check No. 13646 in the amount of \$109,223.84. **Reynolds MOVED to approve the Consent Calendar as read; seconded by Nixon. The Motion Carried (4-0).**

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

A. Ordinance: FMC 14.08 Tree Planting and Maintenance

Public Works Director Wakefield briefed the Council on the proposed amendments to Fircrest Municipal Code (FMC) 14.08 Tree Planting and Maintenance, stating these amendments would update the City's urban forestry program and a requirement to qualify for Tree City USA recognition. **Reynolds MOVED to adopt Ordinance No. 1637, amending Ordinance No. 244 Section 1 and FMC 14.08.010 relating to Purpose; adding a new section FMC 14.08.015 relating to Definitions; amending Ordinance No. 244 Section 2 and FMC 14.08.020 relating to Applicability; adding a new section FMC 14.08.025 relating to Jurisdiction; amending Ordinance No. 244 Section 3 and FMC 14.08.030 relating to Tree Care, Planting, Removing and Replacement; amending Ordinance No. 244 Section 5 and FMC 14.08.050 relating to Interfering or Hazardous Trees; amending Ordinance No. 244 Section 6 and FMC 14.08.060 relating to Enforcement; amending Ordinance No. 244 Section 7 and FMC 14.08.070 relating to Appeals; repealing Ordinance No. 244 Section 8 and FMC 14.08.080; repealing Ordinance No. 244 Section 9 and FMC 14.08.090;**

repealing Ordinance No. 244 Section 10 and FMC 14.08.100; and amending Ordinance No. 987 Section 37 and FMC 14.08.110 relating to Penalty for Violations; seconded by Nixon. Viafore invited councilmember comment; Reynolds commented on her support of the proposed amendments to the ordinance. Viafore invited public comment; none were provided. **The Motion Carried (4-0).**

B. Ordinance: Use of a Hearing Examiner

Planning and Building Administrator Stahlnecker briefed the Council on the proposed ordinance that would amend various chapters of Title 12 and Title 22 to address changes to the hearing examiner system with the City of Fircrest. Stahlnecker stated the proposal to use a hearing examiner for quasi-judicial applications was discussed by the Planning Commission at its August 16, 2018 study session and October 6, 2018 public hearing where they made a recommendation for approval. **Surina MOVED to adopt Ordinance No. 1638, to amend various chapters of Title 12 and Title 22 to address changes to the hearing examiner system with the City of Fircrest; seconded by Nixon.** Viafore invited councilmember comment; Surina inquired on the scope of the hearing examiner and whether the hearing examiner would have sole authority or could work with the Planning Commission. Stahlnecker indicated the proposed amendments would transfer quasi-judicial applications from the Planning Commission to the hearing examiner as the examiner would ensure legal procedures and land use code were followed and free the Council from the constraints of the Appearance of Fairness Doctrine. Reynolds inquired if the recommendation by the Planning Commission at its October 6, 2018 meeting was unanimous and whether this item should be deferred to a future Council meeting for consideration by a larger presence of councilmembers. Stahlnecker confirmed the Planning Commission vote was unanimous. There appeared to be a general consensus to move forward with the action item. Viafore commented on the City's success rate as it related to land use litigation and of his appreciation of the staff's efforts, and stated he would be a proponent of the proposed amendments. Viafore invited public comment; none were provided. Viafore requested a roll call vote: Nixon – Yes; Reynolds – No; Surina – Yes; Viafore – Yes. **The Motion Failed (1-3) with Reynolds casting the dissenting vote and George, Wittner, and Waltier absent.**

C. Ordinance: Amending FMC 23.08.110 Powers and Duties of the Planning Commission

Stahlnecker briefed the Council on the proposed ordinance that would amend the duties and powers of the Planning Commission to reflect the changes related to using a hearing examiner for quasi-judicial land use issues, stating this was a companion ordinance to the adopted amendments in Title 12 and Title 22. **Reynolds MOVED to adopt Ordinance No. 1639, amending Ordinance No. 798 Section 1 and FMC 23.08.110 relating to Powers and Duties; seconded by Surina.** Viafore inquired if the motion was sufficiently described; City Attorney Smith confirmed it was sufficient. Viafore invited councilmember comment; there were none. Viafore invited public comment; none were provided. **The Motion Carried (4-0).**

D. Resolution: Hearing Examiner Services Agreement

Stahlnecker briefed the Council on the proposed professional services agreement with Olbrechts & Associates, PLLC for hearing examiner services, stating Mr. Olbrechts had a schedule conflict and would be able to attend the June 11, 2019 Council meeting to introduce himself to the Council. **Reynolds MOVED to adopt Resolution No. 1587, authorizing the City Manager to execute an agreement between Olbrechts & Associates, PLLC and the**

City of Fircrest for hearing examiner services; seconded by Nixon. Viafore invited councilmember comment; Viafore commented on his concerns regarding the hearing examiner ability to appoint an alternate and stated he would not be in favor of the contract that would authorize an alternate. Pingel and Stahlnecker commented that they did not anticipate the usage of an alternate due to the anticipated infrequent need of the hearing examiner's services and that staff would coordinate the hearing examiner's and applicant's availability. City Attorney Smith indicated the proposed agreement included language that restricted subletting or assigning without the City's consent, and Pingel confirmed that the administration would not consent to an alternate per the Council's direction. Viafore invited public comment; none were provided. **The Motion Carried (4-0).**

E. Resolution: Police Copier Machine Lease Agreement

Finance Director Corcoran briefed the Council on the proposed execute a sixty month lease and maintenance agreement with Copiers Northwest to replace the current Police copier. **Surina MOVED to adopt Resolution No. 1588, authorizing the City Manager to execute a sixty month agreement with Copiers Northwest to provide a copier and maintenance agreement for the Police Department; seconded by Reynolds.** Viafore invited councilmember comment; none were provided. Viafore invited public comment; none were provided. **The Motion Carried (4-0).**

F. Mailing Machine Lease Agreement

Finance Director Corcoran briefed the Council on the proposed sixty month lease agreement with Pacific Office Automation to provide a digital mailing system. **Surina MOVED to adopt Resolution No. 1589, authorizing the City Manager to execute a sixty month agreement with Pacific Office Automation for a lease agreement to provide a digital mailing system; seconded by Reynolds.** Viafore invited councilmember comment; Viafore commented on the agenda summary not including information about the bidding results. Corcoran briefed the Council on the bid proposals. Surina commented on the transition from Pitney Bowes to Pacific Office Automation. Viafore invited public comment; none were provided. **The Motion Carried (4-0).**

G. 1st Quarter Financial Review

Corcoran briefed the Council on the on the first quarter review of the 2019 financial report as of March 31, 2019. Corcoran indicated General Fund revenues for the first quarter of 2019 were close to anticipated. Corcoran stated the total General Fund revenue was only at 20% of budget due to the property tax not being received by the City until May 2019. Corcoran briefed the Council on General Fund expenditures, stating that the City should be at 25% or less in expenditures of the total General Fund budget by the end of the first quarter. Corcoran provided a comparison of Operating revenue to expenditures, indicating operating revenue was \$70,919 less than expenditures and when including capital and non-revenues and expenditures the ending fund balance at the end of the first quarter decreased by \$304,981 due to the property tax not being received this quarter. Viafore invited councilmember comment; Surina commented on the presenting the graphics in a different way so that the large amounts would not visually distort the smaller amounts.

H. Motion: Budget Adjustment – Public Works Generator

Corcoran briefed the Council on the proposed request to reallocate the funds necessary to replace the electrical transfer panel for the Public Works generator. **Reynolds MOVED to authorize the Finance Director to reallocate the funds necessary to replace the electrical transfer panel for the Public Works generator; seconded by Nixon.** Viafore invited councilmember comment; Viafore clarified that it was understood that up to \$24,000 would be reallocated for the funds necessary to replace the electrical panel. Viafore invited public comment; none were provided. **The Motion Carried (4-0).**

CITY MANAGER COMMENTS

Pingel requested feedback from Council on the Click! Network efforts and what role the City should take. After a brief discussion, there was a general consensus to remain on the sidelines and that the City would not take any direct role.

Pingel brought attention to a citizen comment thanking the City for the flags display. There was a brief discussion on including citizen feedback in the Town Topics, and subsequently, the criteria and policy surrounding that.

DEPARTMENT HEAD COMMENTS

- Police Chief Cheesman reported on a May 27, 2019 hit and run incident in the area of Orchard and Emerson, stating there were multiple victims and no injuries, and that the suspect was apprehended and booked on for hit and run, vehicular assault, and for reckless driving. Reynolds requested that Council should be notified of such events and to notify the public that the suspect was in custody. Nixon inquired if the suspect was under the influence or diabetic; Cheesman indicated he did not appear to be intoxicated or suffering from low blood sugar, and that the suspect admitted his actions were intentional. Cheesman indicated that the Police Department would be participating in the Special Olympics Torch Run on May 31, 2019.
- Wakefield reported on the High Tank painting project progress, indicating the project would be weather dependent, initiate mid-June, and completed within a 60-day window, and that the tank color would be London fog.
- City Attorney Smith called attention to Item #10B – Ordinance: Use of a Hearing Examiner, stating that the motion had failed due it not achieving at least a majority of the whole membership of Council (4 councilmembers) as prescribed in Rule 22E in the Council Rules of Procedures. There was a brief discussion on how to bring this item back to Council for reconsideration; Smith indicated that the councilmember who casted the dissenting vote would have to bring a motion to reconsider and that he would review Roberts Rules with staff to confirm.

COUNCILMEMBER COMMENTS

- Reynolds and Nixon had no comment.
- Surina inquired about a recent rental refund; Grover indicated he would research and report back. Surina inquired if it would be possible to have a police presence in the pool and bathhouse during the off-season; Pingel indicated there were plans to have a police desk station in the community center and would look into the feasibility in the pool and bathhouse area.
- Viafore inquired if any progress had been made with residents on the 1300 block of Berkeley Buena Vista avenues regarding a sewer line; Wakefield indicated there had been no outreach efforts to date, however, that it was in this year's work plan to do. Viafore inquired if the City would have an opportunity to participate in the planning process of the new storage development on Orchard Street in the City of Tacoma; Pingel reported that the City had not been provided notice and that staff had reached out to the City of Tacoma to obtain project information. Pingel indicated staff would assemble project information and share it with Council within the next few weeks.

EXECUTIVE SESSION

None scheduled.

ADJOURNMENT

Reynolds MOVED to adjourn the meeting at 8:51 P.M., seconded by Nixon. The Motion Carried (4-0).

David M. Viafore, Mayor Pro Tempore

Jessica Nappi, City Clerk

CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

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

PRESIDING OFFICER'S REPORT

A. Confirmation of Appointment of Planning Commissioner Shirley Schultz

George presented Shirley Schultz to the Council, briefing the Council on her planning experience and stating the proposed appointment would be filling an upcoming vacancy on the Planning Commission. **Viafore MOVED to confirm the Mayor's appointment of Shirley Shultz to the City of Fircrest Planning Commission effective June 16, 2019 through June 15, 2025; seconded by Waltier.** George invited councilmember comment; Viafore commented on providing Schultz a copy of the Fircrest Municipal Code. George invited public comment; none were provided. **The Motion Carried (7-0).**

B. Community Center and Pool Project

Parks and Recreation Director Grover briefed the Council on the existing pool facility, stating that the pool was running and open to the public and that the pool was closed early today due to pool chemical imbalance. Grover anticipated the pool would resume operations while staff continued to monitor chemical levels. Grover briefed the Council on the June 6, 2019 pre-bid on-site review, stating there was a great turnout and good interest in the pool and bathhouse project.

George briefed the Council on the project fundraising campaign efforts, stating the Names Foundation would be making a decision on the City's application within a month and that they would indicate how they would prefer the City to communicate the announcement. George indicated the City's grant writer would be working on an application with the Cheney Foundation next. George indicated that The Briggs Group was close to finalizing the case statement and seeking potential donors would soon be underway. There was a brief discussion on developing policies prescribing information related to naming rights, potential naming assets, the minimum amount required for specific naming assets, and donor recognition.

C. Appointing 2019 AWC Business Meeting Voting Delegate(s)

City Manager Pingel briefed the Council on the upcoming 2019 Association of Washington Cities Business Meeting, stating the City could appoint up to three voting delegates. Reynolds volunteered to serve as a voting delegate provided that she was available. **George MOVED to appoint Councilmember Reynolds as a voting delegate to the 2019 AWC Business Meeting; seconded by Wittner.** George invited councilmember comment; none were provided. George invited public comment; none were provided. **The Motion Carried (7-0).**

PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

George invited public comment; there were none.

COMMITTEE, COMMISSION, AND LIAISON REPORTS

A. Administration

Reynolds reported that she had met with Pingel the week prior to discuss pool updates, custodial services, and website improvements.

B. Environment, Planning and Building

Wittner had no report to provide as the Planning and Building Administrator was on vacation leave.

C. Finance, IT, Facilities

Viafore reported that the development of the 2020 budget and installation of the Public Safety and Court safety glass were underway. Viafore reported that the Investment Committee met the day prior, which decided not to reinvest a bond that was expiring and instead do nothing as the Local Government Investment Pool provided a higher return on investment and liquidity.

D. Other Liaison Reports

Reynolds provided a demonstration of the investpiercecounty.com web tool, stating the comprehensive search tool combines GIS technology, commercial property listings, demographics, and analytics data into one site to help businesses locate, expand, and grow in Pierce County. Waltier departed at 7:33 P.M. and returned at 7:35 P.M.

CONSENT CALENDAR

George requested the City Clerk read the Consent Calendar as follows: approval of Voucher No. 213121 through Voucher Check No. 213203 in the amount of \$500,376.73; approval of Payroll Check No. 13647 through Payroll Check No. 13650 in the amount of \$8,184.44; approval of Payroll Check No. 13651 through Payroll Check No. 13657 in the amount of \$91,166.68; approval of Payroll Check No. 13658 through Payroll Check No. 13662 in the amount of \$111,105.21; approval of the May 14, 2019 Special meeting minutes; approval of the May 14, 2019 Regular meeting minutes; approval of the May 20, 2019 Study Session minutes; and registering no objections to the Kiwanis Club of Clover Park Foundation special occasion liquor license.

Reynolds MOVED to approve the Consent Calendar as amended; seconded by Wittner. Viafore commented on his concern regarding the inclusion of the special liquor license item under the Consent Calendar and requested to remove the special occasion liquor license for discussion and to be voted on separately. **The Motion Carried As Amended (7-0).** Viafore requested information related to the Kiwanis Club of Clover Park special occasion liquor license; staff briefed the Council on the nature of this special liquor license, safety and liability, and upcoming beer garden event at Fun Days. **Reynolds MOVED to register no objections to the Kiwanis Club of Clover Park Foundation special occasion liquor license; seconded by Nixon.** George invited councilmember comments; none were provided. George invited public comment; none were provided. **The Motion Carried (7-0).**

PUBLIC HEARING

None scheduled.

UNFINISHED BUSINESS**A. Ordinance No. 1638: Use of a Hearing Examiner**

Reynolds MOVED to reconsider Ordinance No. 1638 Use of a Hearing Examiner to amend various chapters of Title 12 and Title 22 to address changes to the hearing examiner system with the City of Fircrest; seconded by Surina. George invited councilmember comment; none were provided. **The Motion Carried (7-0).** Reynolds briefed the Council on her reasoning for casting the prevailing, dissenting vote at the May 28, 2019 regular meeting, stating it was her desire for the item to be considered by a larger presence of councilmembers. Pingel briefed the Council on the proposed amendments to the Fircrest Municipal Code that would various chapters of Title 22 Land Development, which would shift responsibility from the Planning Commission to a professional hearing examiner quasi-judicial project permit applications, and Title 12 Buildings and Construction, which would shift responsibility from the Planning Commission to a hearing examiner for building code appeals and building code variances. George invited councilmember comment; there was a brief discussion on the benefits of a hearing examiner, protecting the City's character, and RFP interview panel observations. George invited public comment; Phil Olbrechts from Olbrechts & Associates introduced himself and briefed the Council on his expertise and his efforts to protect the City's character through the interpretation of the municipal code. **Wittner MOVED to adopt Ordinance No. 1638, to amend various chapters of Title 12 and Title 22 to address changes to the hearing examiner system with the City of Fircrest; seconded by Reynolds.** George invited councilmember comment; none were provided. George invited public comment; none were provided. **The Motion Carried (7-0).**

NEW BUSINESS**A. Ordinance: FMC Revisions – Stormwater Management**

Public Works Director Wakefield briefed the Council on the proposed amendments to sections of the Fircrest Municipal Code related to Stormwater Management, stating these amendments would be necessary to stay in compliance of changes and updates to the City's Stormwater Management program and the City's NPDES Western Washington Phase II Municipal Permit requirements. **Reynolds MOVED to adopt Ordinance No. 1640, repealing Ordinance No. 1300 and FMC 20.24.010 Adoption of Standard; adding new sections to FMC Chapter 20.24 Stormwater Management; amending Ordinance No. 1480 Section 5 and FMC 20.25.040 Allowable Discharges; amending Ordinance No. 1480 Section 6 and FMC 20.25.050 Conditional Discharges; and amending Ordinance No. 1562 Section 39 and FMC 22.58.008 Performance Standards; seconded by Nixon.** George invited councilmember comment; Viafore inquired about the proposed private stormwater drainage facility inspections and inspection fees. Wakefield indicated staff currently performed private facility inspections and that the fee schedule had not been established to date. After a brief discussion, **Viafore MOVED to strike 20.24.060 (d) Inspection Fees from Ordinance No. 1640; seconded by Wittner.** George invited councilmember comment; none were provide. George invited public comment; none were provided. **The Motion Carried (7-0).** George invited councilmember comment on Ordinance No. 1640 as amended; none were provide. George invited public comment; none were provided. **The Motion Carried As Amended (7-0).**

B. Resolution: 2020-2025 Transportation Improvement Program

Wakefield briefed the Council on the updated 2020-2025 six-year transportation improvement program, stating adoption of the program would ensure compliance with the State requirements relative to an annual, public participatory transportation improvement planning process and provide staff with a guidance document to apply for grant opportunities. **Nixon MOVED to adopt Resolution No. 1590, approving the City of Fircrest's Six-Year Transportation Improvements Program for the period of 2020-2025; seconded by Reynolds.** George invited councilmember comment; none were provided. George invited public comment; none were provided. **The Motion Carried (7-0).**

C. Resolution: Custodial Services Contract with F&L Building Maintenance

Finance Director Corcoran briefed the Council on the proposed maintenance agreement with F&L Building Maintenance for custodial services for the City of Fircrest, stating this contract would service all four buildings, be performed after normal work hours, and include public areas. Corcoran indicated that as of June 11, 2018 the contract with Cleanstart LLC was been terminated and that F&L Building Maintenance was the next company on the bid list. Corcoran stated that the total cost for the remainder of 2019 would be \$20,800 and the cost remaining in the 2019 Budget for custodial services was \$22,275. **Reynolds MOVED to adopt Resolution No. 1591, authorizing the City Manager to execute a custodial services contract with F&L Building Maintenance to provide custodial services for the City of Fircrest; seconded by Nixon.** George invited councilmember comment; Wittner inquired about the contract versus employee cost savings and what measures the new company would be taking to meet the terms of the contract. Pingel indicated there was about a \$20,000 savings by having a custodial services contract instead of hiring a custodian. Corcoran stated F&L would have a supervisor on site and that their staff had been briefed on expectations. Viafore recommended on having a future budget discussion on maintenance staff and a Facilities Department to meet the future needs of the City. George invited public comment; none were provided. **The Motion Carried (7-0).**

CITY MANAGER COMMENTS

Pingel requested feedback from Council on having a discussion on the 2020 budget during the June study session; there was a general consensus to include this item. Pingel reported that the League of Women Voters contacted the City to inquire if they could host a candidate forum in City Hall and that staff invited them to visit City Hall to determine if it would be large enough to host the forum. There were no objections from Council for the League to host the forum at City Hall but encouraged the League to visit the site to determine whether it was an ideal facility.

DEPARTMENT HEAD COMMENTS

- Police Chief Cheesman reported that the Department performed locked down drills at the schools, and that he and some of the officers would be participating in a watermelon eating contest on July 20, 2019 and invited councilmembers to participate.
- Grover reported on that the Strawberry Feed was scheduled for June 23, 2019 and invited councilmembers to participate. Grover invited councilmembers to communicate with him if there were interested in having a booth at the Fun Days event.
- Wakefield reported that Chick-fil-A would initiate frontage improvements on June 13, 2019 and that the Department approved their traffic control plan. Wakefield reported on the High Tank improvements, which include the painting as well as the Sprint communications improvements.

COUNCILMEMBER COMMENTS

- Nixon had no comment.
- Surina thanked Cheesman for allowing him to participate in the Torch Run.
- Waltier commented on the people's appreciation of the pool opening and concern for the pool opening delay.
- Wittner thanked the audience for their attendance, the Chief for his efforts, and the staff for their efforts to open the pool.
- Reynolds commented on her appreciation of the pool amenity, and thanked the Council for allowing her the time to present the investpiercecounty.com tool.
- Viafore inquired about the storage development on Orchard Street in the City of Tacoma; Pingel indicated he would provide more information in the weekly update. Viafore requested staff to contact the City of Tacoma to enforce dust control related to that development. Viafore inquired about a status update on life insurance quotes; Pingel indicated it was in progress. Viafore inquired about the pavement stencils; Pingel commented on the effectiveness of the torch-downs were dependent on the quality of the pavement and Wakefield reported that staff would be painting pavement towards the end of July. Viafore commented on his concerns regarding the new no smoking signs at the City buildings; Pingel indicated staff would continue to reevaluate and remove them as needed.
- Wittner thanked staff for the Emerson Street tree replacements.
- George thanked the audience for their attendance and the staff for their efforts on the pool opening. George requested staff to communicate to the public that the pool would be open on June 12, 2019.

EXECUTIVE SESSION

None scheduled.

ADJOURNMENT

Wittner MOVED to adjourn the meeting at 8:44 P.M., seconded by Surina. The Motion Carried (7-0).

Hunter T. George, Mayor

Jessica Nappi, City Clerk

NEW BUSINESS: **Fun Days Fireworks Display Agreement**
ITEM 10A.

FROM: **Jeff Grover, Parks and Recreation Director**

RECOMMENDED MOTION: **I move to adopt Resolution No. _____, authorizing the City Manager to enter into agreement with Alpha Pyrotechnics for a firework display on July 20, 2019.**

PROPOSAL: The Council is being asked to authorize an agreement with Alpha Pyrotechnics to provide a firework display for the City's July 20, 2019 Fun Days event.

FISCAL IMPACT: The 2019 Budget includes \$5,700 in the "Community Events" line item specifically for a fireworks display.

ADVANTAGE: The proposed fireworks will greatly enhance Fun Days by continuing a great community tradition.

DISADVANTAGES: The success of a fireworks display is contingent upon weather conditions.

ALTERNATIVES: Adjust the fiscal amount, and/or not authorize the agreement and not provide fireworks.

HISTORY: Based on the success of the previous fireworks displays, Council appropriated funds as part of the 2019 Fun Days event. To provide the same caliber show as we have in the past, we will be using the same pyrotechnic staff as we did since 2016.

ATTACHMENTS: [Resolution](#)
[Fireworks Display Agreement](#)

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ALPHA PYROTECHNICS

Fireworks Display Agreement

This agreement entered into this 12 day of June, by and between Alpha Pyrotechnics (AP) and City of Fircrest (Purchaser).

1) Purchase of Show. Where AP agrees to provide and Purchaser agrees to purchase the fireworks, labor, transportation and equipment set forth below (hereinafter, the "Display"):

Display Date:

7/20/19

Location:

Fircrest Fun Days
Fircrest Community Park

Description

- A. One Aerial Fireworks Display per Attached Itemized Proposal
- B. Necessary State Licenses and Permits
- C. Display Liability Insurance Coverage of \$2,000,000.00

2) Purchase Price. The Purchase Price for the Display shall be \$5700.00 (including applicable taxes).

Payment shall be as follows:

100 % payment due by 7/20/19.

 % final payment due no later than 10 days after the display date.

Outstanding balances thereafter shall incur a daily periodic interest rate equivalent to 1% per month.

3) Purchaser's Obligations. Purchaser is responsible for, at its sole expense:

- 3.1 Timely provide a fireworks staging area acceptable to AP that complies with all applicable state and municipal requirements for fireworks safety, including the storage necessary to keep fireworks dry during unloading, preparation, and firing of fireworks;
- 3.2 Timely provide; floating docks (if display is fired from on the water) and adequate guards, monitors, fencing and/or rope barriers for the staging area acceptable to WW that comply with all applicable federal, state, and municipal requirements for fireworks safety and that ensure there is no public access to

the fireworks and staging area at any time, from unloading through final inspection of the staging area, and during the Display.

- 3.3 Timely provide a fireworks display launch location acceptable to AP that complies with all applicable federal, state, and municipal requirements for fireworks safety, taking into account appropriate firing and debris fallout zones where fireworks may safely be fired, and providing for rise and fall of fireworks, clear of spectator viewing areas, parking areas and structures. If the display is fired from on the water, timely provide adequate patrol boat(s) and personnel to maintain the fallout zone while the display is being fired.
- 3.4 Timely provide any additional costs incurred by AP to remedy any failure of the Purchaser to timely meet Purchaser's obligations in this Section 3.
4. Safety Evaluation. AP shall have the sole discretion to determine in good faith whether the Display may safely proceed as agreed on the scheduled date and at the scheduled time. AP determination may include, but not limited to, such factors as the weather, the condition of the fireworks, audience or property safety, and full compliance with any federal (NFPA 1123), state and municipal requirements. Purchaser expressly assumes the risk that all or any part of the Display may not be timely performed at AP's discretion.
5. Insurance. WW shall obtain public liability for AP's design, setup and performance of the Display only, in the aggregate amount of \$2,000,000.00 per each accident and products liability of \$1,000,000.00. This Certificate of Insurance will name Purchaser as an additional insured.
6. Personal Liability. The personal liability of AP's owners, employees, and it's subcontractors shall not exceed, and shall in all cases be strictly limited to the Purchase Price of said Display.
7. Limitations of Losses/Assumption of Risk. To the fullest extent permitted by law, WW shall indemnify, defend and hold harmless Purchaser from and against all claims for injuries or death or property damage arising out of or resulting from negligent acts of AP while presenting the fireworks display on the scheduled Display Date described in section 1.
8. Intellectual Property. AP retains ownership of all intellectual property aspects of the Display, including but not limited to the right to publicly perform, reproduce

by any means, and distribute any reproduction of the Display. Any reproduction or distribution without AP's written authorization is prohibited.

9. Cancellation and Rescheduling. In the event AP determines in good faith that the Display may not proceed after erecting the equipment on site to provide the Display due to public safety concerns outline in Section 3 and 4 of this agreement, or Purchaser cancels the Display the day of the Display, Purchaser agrees to compensate AP 75% of the Purchase Price. If Purchaser cancels the Display within (10) days of the scheduled Display Date, Purchaser agrees to compensate AP 25% of the Purchase Price. In the event Purchaser elects to reschedule the Display Date on the day of the Display, AP and Purchaser will agree on a mutually convenient Display Date and Purchaser shall only pay AP the additional, direct incremental costs, there and above the original Purchase Price specified in Section 2, for rescheduling the Display if any.

10. Miscellaneous.

- 10.1 Successors Bound. This Agreement shall be binding upon and inure to the benefit of the parties, their respective legal representatives, successors, and permitted assigns.
- 10.2 Substitutions. AP reserves the right to substitute firework items described in proposals, whether written or oral, pending product availability. In this event, AP, in good faith will substitute firework items of equivalent value and of like kind to those firework items.
- 10.2 Notices. Any notices required or desired to be given under this Agreement shall be in writing and delivered to:

Alpha Pyrotechnics

1109 Anderson Rd
Ellensburg, WA. 98926



Purchasor:

(FAX)

10.4 Arbitration. Any dispute between or among the parties hereto arising out of or related to this Agreement shall be submitted to and resolved by a single arbitrator selected by the parties from the Seattle-Tacoma panel of, first, JAMS-Endispute, Inc. or second, Washington Arbitration and Mediation Service. The arbitrator may award arbitration fees, attorneys' Fees and costs to the prevailing party.

This Agreement must be signed and returned to AP no later than with deposit prescribed in Section 2 of this agreement to be valid.

7/20/19

If there are any changes to this Agreement the costs will be reduced from firework items at \$65.00 per hour for Alpha Pyrotechnics and \$295.00 per hour for Alpha Pyrotechnics attorney.

ALPHA PYROTECHNICS

1109 Anderson Rd

Ellensburg, WA. 98926
(360) 870-4802

By: Alpha Pyrotechnics

Print Name: Andy Mihalyi

Title: tech / sales

Date: 6/12/19



360-870-4802

PURCHASOR

By: _____

Print Name: _____

Title: _____

Date: _____



Please note that these public display forms are not valid without a current pyrotechnic or general display operator's license.

OUTDOOR FIREWORKS INFORMATION SHEET

Sponsor Name:	Fircrest Fun Days		
Address:	Street	555 Contra Costa Ave Fircrest	State WA Zip 98466
Site Address:	(location of the display) Fircrest Community Park		
Event Date:	7/20/19		Time of Event: ~ 9:45 pm
Contact Name:	Jeff Grover Director Fircrest Parks & Rec.		
Phone:	253 238-4160	Alternate Phone/Cell: 253 722-7910	
E-mail Address:	jgrover@cityof-fircrest.net		
Name of Fireworks Supplier (if not the operator of the display):	Alpha Pyrotechnics		
Address:	Street	1109 Anderson Rd Ellensburg	State WA Zip 98926
Phone Number:	360-870-4802	E-mail: andy@alphapyro@gmail	
Describe the storage and the security of the pyrotechnics: (e.g. the manner of storage and security of the location)			
To be delivered 7/20/19			
<input checked="" type="checkbox"/> I have attached a copy of the insurance certificate showing coverage for this display (note: A minimum of \$1,000,000 coverage that shows the "City of Tacoma" is an additional insured.			
<input checked="" type="checkbox"/> I have attached a list of the number and types of fireworks to be discharged.			
<input checked="" type="checkbox"/> I have attached a diagram of the display site showing the point of discharge, the location of the buildings, highways, overhead obstructions and the line behind which the audience			



Tacoma Fire Department

Fire Prevention Bureau 253.591.5740

FAX Number 253.594.7943

3471 S. 35th St. Tacoma, WA 98409

www.tacomafiredepartment.org

Permit Application # 2002.2 Fireworks Permit – Outdoor
submit by hand, mail, fax, or e-mail to: TFDSEO@cityoftacoma.org

To be completed by the Permit Applicant (type in the grey box or print out and complete)

Business Information			
Date: <u>6/12/19</u>	Federal Tax ID: <u>81-2328413</u>		
Business Name: <u>Alpha Pyrotechnics</u>	UBI: <u>603-601-433</u>		
Address: <u>1109 Anderson Rd</u>	City: <u>Ellensburg</u>	State: <u>WA</u>	Zip: <u>98926</u>
Site Address:	(if different from above)		
Contact Name: <u>Andy Mihalychi</u>			
Phone: <u>360 870-4802</u>	Alternate Phone/Cell: <u>(509) 594-9545</u>		
E-mail Address: <u>andyalpha pyro @ gmail. com</u>			
City of Tacoma Business License: <u>State C-04273</u>	Washington State Pyro Operator License: <u>P-4256</u>		
<input checked="" type="checkbox"/> I have completed and attached the required Fireworks Information Sheet.			
Please include a check made payable to the CITY OF TACOMA TREASURER, or request an invoice.			
<input type="checkbox"/> Check this box to have applicant invoiced for the permit fee.			
FPB OFFICIAL USE ONLY			
Approved By:	Date:		
Denied: <input type="checkbox"/>	Reason for Denial:		
Site Inspection:	Approved: <input type="checkbox"/>	Corrective Measures: <input type="checkbox"/>	1. 2.
Permit Number:			
Permit Fees:	Date Received:	Receipt Number:	Check Number:

See attached documentation for description of conditions that must be met prior to the issuance of this permit.

- Pyrotechnics -



Tacoma Fire Department

PERMIT CONDITIONS: #2002.2 – [Fireworks Permit - Outdoor](#)

All of the following conditions must be met prior to the issuance of a permit.

1. Time Lines

- a. Application should be submitted not less than 30 days prior to date of display
- b. Notify the Fire Prevention Bureau not less than 48 hours prior to display setup.

2. Regulatory References

- a. International Fire Code (IFC) Section 403, Emergency planning required.
- b. NFPA 1123. Standard for Fireworks Display
- c. NFPA 1126. Pyrotechnics before a Proximate Audience.

3. Required Submittals

- a. Tacoma Fire Department Permit Application.
- b. Outdoor Pyrotechnics Information Sheet.
- c. Copy of Washington State Pyrotechnic Operator License.
- d. Copy of Washington State Public Display Permit Form.
- e. Emergency Response and evacuation plans. Depending on the type and size of the event (this may be covered by the venue's existing emergency preparedness documents.)
- f. May also require submittal of Application for Assembly Permit, depending on the scope of the event.
- g. Evidence of insurance, for not less than \$1,000,000, showing "The City of Tacoma" as an additional insured.

4. Inspection Requirements

- a. Depending on the nature of the operation, the Fire Department may conduct inspections during setup.
- b. The site shall be inspected by the Fire Department, prior to commencement of the operation.
- c. A TFD inspector will witness the operation from commencement until completion.

5 Requirements

- a. Conduct display in accordance with NFPA 1123 or NFPA 1126 as appropriate.

WASHINGTON STATE PUBLIC FIREWORKS DISPLAY PERMIT

Applicant

Name of Event Fircrest Fun Days
Street Address 555 Contra Costa Ave Fircrest Community Park
City Fircrest County Pierce
Event Date 7/20/19 Event Time ~ 9:45 ☐ AM ☒ PM
Applicant's/Sponsor's Name City of Fircrest Phone No. 253 238 4160
Pyrotechnic Operator Andy Mihalyi License No. 7-4256
Experienced Assistant's Name Phil Sollitt
General Display Company Name Alpha Pyrotechnics Phone No. 360-870-4802

Attach a separate piece of paper and/or copies of the following documents:

- The number of set pieces, shells (specify single or multiple break), and other items.
- The manner and place of storage of such fireworks prior to the display.
- A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged; the location of all buildings, highways, and other lines of communication; the lines behind which the audience will be restrained; and the location of all nearby trees, telegraph or telephone lines, or other overhead obstruction.
- Documentary proof of procurement of Surety bond or public liability insurance.

Local Fire Code Authority

Authority Having Jurisdiction _____

Name of Permitting Official _____

Title _____ Phone No. _____

Permit Granted: ☐ Yes ☐ Yes, with Restrictions (see "Notations" below) ☐ No

Restrictions/Notations _____

Signature of Permitting Official

Date of Approval

Permit Number

If approved, this permit is granted for the date and time noted herein under the authority of the International Fire Code in accordance with Revised Code of Washington 70.77 and all applicable rules and ordinances pertaining to fireworks in this jurisdiction. This permit is INVALID unless in the possession of a properly licensed Pyrotechnic Operator, who is responsible for any and all activities associated with the firing of this show.

MUST BE APPROVED BY THE AUTHORITY HAVING JURISDICTION

Event: Fircrest Fun Days

Date: 7/20/19

Time: ~ 9:45 pm

555 Contra Costa Ave - Fircrest Community Park

Product used

150 ea 1.4G 13/4" shells

35 ea 1.4G 500 gr. multi-shot cakes

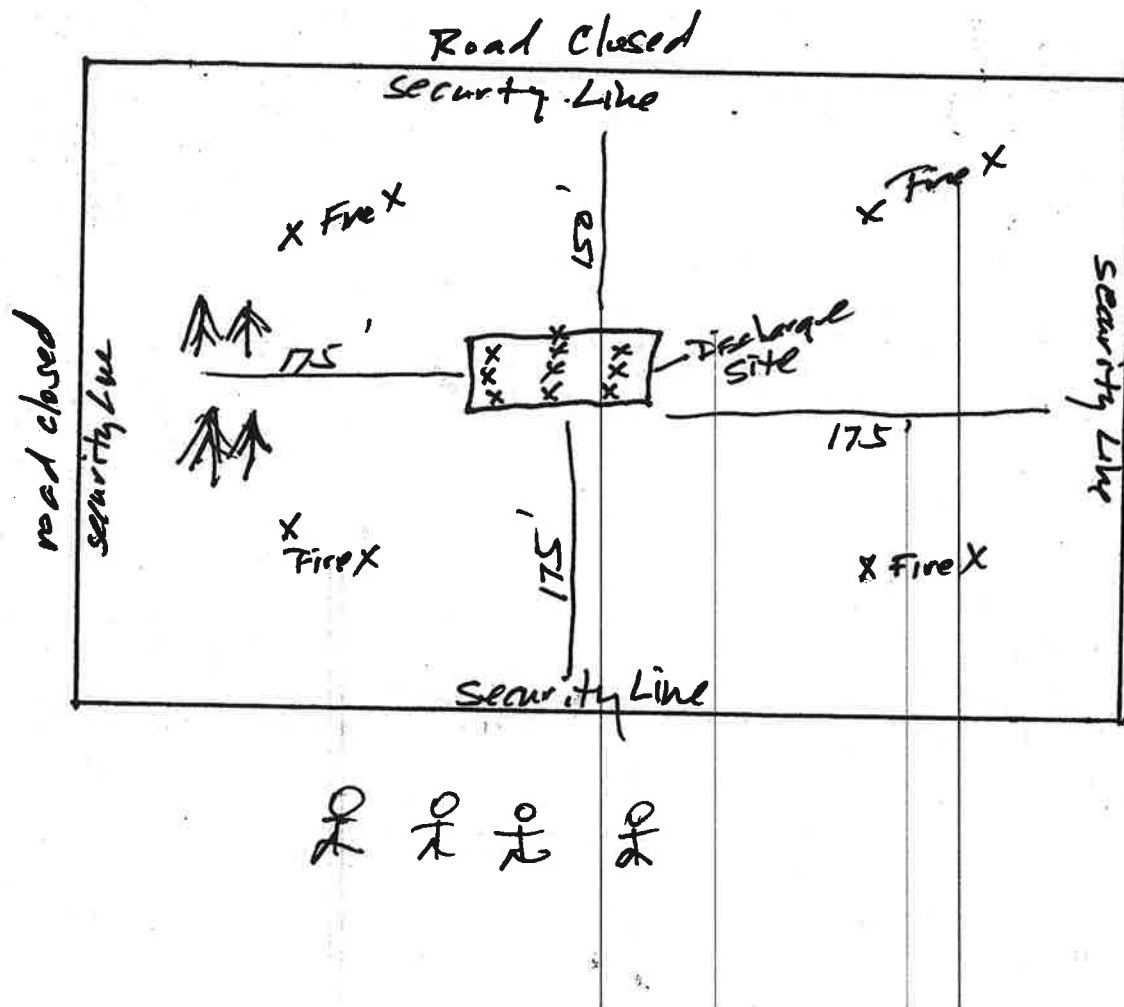
50 ea 1.4G 200 gr. multi-shot cakes

25 ea 1.4G 13/4" comets/mines

6 ea 1.3G 3" comets/mines

2 ea 1.3G multi-shot cakes

To be delivered
7/20/19





Washington State Patrol Fire Protection Bureau
Office of the State Fire Marshal

10143P

Pyrotechnic Operator License

Licensee Data

Andy Mihalyi
11525 Littlerock Road SW
Olympia, WA 98512
License Number: P-04256

Phone Number: (360) 870-4802
Email Address: andymihalyi@hotmail.com
Date of Issue: February 13, 2019
Date of Expiration: January 31, 2020

State Fire Marshal

Licensee Signature

3000-420-043 (10/18)

Licensee Wall Mount Card



Washington State Patrol Fire Protection Bureau
Office of the State Fire Marshal

10143P

Pyrotechnic Operator License

Licensee Data

Andy Mihalyi
11525 Littlerock Road SW
Olympia, WA 98512
License Number: P-04256

Phone Number: (360) 870-4802
Email Address: andymihalyi@hotmail.com
Date of Issue: February 13, 2019
Date of Expiration: January 31, 2020

State Fire Marshal

Licensee Signature

3000-420-043 (10/18)

General Display Employer Portion

- 1) Cut along dotted lines to release the four license cards.
- 2) All four license cards are individually legal and valid evidence of licensing.
- 3) All four cards constitute an entire license for a single operator.
- 4) The Licensee must sign all four portions of the license.
- 5) ALL four license cards are legal and valid evidence of licensing.
- 6) The Licensee must carry either the wallet (landscape) or the lanyard card (portrait).

License Number: P-04256

Pyrotechnic Operator License



Washington State Patrol
Fire Protection Bureau 10143P

January 31, 2020
Current/Valid Until

Andy Mihalyi
Pyrotechnic Operator

State Fire Marshal

Licensee Signature

3000-420-043 (10/18)



10143P

WA WASHINGTON

DRIVER LICENSE
FEDERAL LIMITS APPLY



4d Lic# WDL2363J453B 9 CLASS DONOR
1 MIHALYI
2 ANDREW STEPHEN
3 DOB 12/13/1957 4a ISS 01/22/2019
5 11525 LITTLEROCK RD SW
OLYMPIA WA 98512-9282
15 SEX M 16 HGT 5'-08" 17 WGT 165 lb
18 EYES GRN 19 END NONE
12 RESTRICTIONS NONE 4b EXP 12/1/2020

5 DD WDL2363J453 22194D1211

REV 09/04/2018

State Fire Marshal

3000-420-043 (10/18)



Washington State Patrol Fire Protection Bureau
Office of the State Fire Marshal
General Display Fireworks License

G21526

Licensee Data

Alpha Pyrotechnics
1109 Anderson Road
Ellensburg, WA 98926
License Number: C-04273

Operational Data

In State Agent: Jerel Brown
Phone Number: (855) 955-7976
Email Address: jerrel.d.brown@gmail.com

Date of Issue: March 4, 2019

Date of Expiration: January 31, 2020

State Fire Marshal

3000-420-041 (10/18)

Licensee Signature



Washington State Patrol Fire Protection Bureau
Office of the State Fire Marshal
General Display Fireworks License

G21526

Licensee Data

Alpha Pyrotechnics
1109 Anderson Road
Ellensburg, WA 98926
License Number: C-04273

Operational Data

In State Agent: Jerel Brown
Phone Number: (855) 955-7976
Email Address: jerrel.d.brown@gmail.com

Date of Issue: March 4, 2019

Date of Expiration: January 31, 2020

3000-420-041 (10/18)

Licensee Signature



Washington State Patrol Fire Protection Bureau
Office of the State Fire Marshal
General Display Fireworks License

G21526

Licensee Data

Alpha Pyrotechnics
1109 Anderson Road
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License Number: C-04273

Operational Data

In State Agent: Jerel Brown
Phone Number: (855) 955-7976
Email Address: jerrel.d.brown@gmail.com

Date of Issue: March 4, 2019

Date of Expiration: January 31, 2020

State Fire Marshal

3000-420-041 (10/18)

Licensee Signature

NEW BUSINESS: **National Night Out Fireworks Display Agreement**
ITEM 10B.

FROM: **John Cheesman, Police Chief**

RECOMMENDED MOTION: **I move to adopt Resolution No. _____, authorizing the City Manager to execute an agreement with Alpha Pyrotechnics, for a fireworks display on August 6, 2019.**

PROPOSAL: The Council is being asked to authorize an agreement with Alpha Pyrotechnics to provide a firework display for the City's August 6, 2019 National Night Out event. We have received donations to cover the cost of having Alpha Pyrotechnics put on a fireworks display at our National Night Out event. We have had a lot of support for the fireworks show. We have been in contact with many citizens that have volunteered and helped raise money to ensure that we can support this program each year during our National Night Out event.

FISCAL IMPACT: The cost of the fireworks display is \$6,700. We will use donated funds to pay for this display.

ADVANTAGE: This is a great event and brings our community together.

DISADVANTAGES: The success of a fireworks display is contingent upon weather conditions.

ALTERNATIVES: Not authorize the agreement and not provide fireworks.

HISTORY: Support of this program and cooperation with other cities and counties show solidarity of citizens standing against crime, illegal drugs and violence. National Night Out sends out a message that this type of activity will not be tolerated in the City of Fircrest. National Night Out also enhances awareness of emergency services available to our citizens. Over the past 18 years, we have been recognized nationally as one of the best events in the nation and we are extremely proud that last year our event was once again judged and recognized as one of the best events in the nation.

ATTACHMENTS: [Resolution](#)
[Fireworks Display Agreement](#)

**CITY OF FIRCREST
RESOLUTION NO. ____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, AUTHORIZING THE CITY MANAGER
TO EXECUTE AN AGREEMENT WITH ALPHA PYROTECHNICS
FOR A FIREWORKS DISPLAY ON AUGUST 6, 2019.**

WHEREAS, the City wishes to contract with Alpha Pyrotechnics to perform the display on August 6, 2019 for an amount not to exceed \$6,700 as outlined in their proposal; and

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

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON,** at a regular meeting thereof this 25th day of June 2019.

Hunter T. George, Mayor

Jessica Nappi, City Clerk

Michael B. Smith, City Attorney

ALPHA PYROTECHNICS

Fireworks Display Agreement

This agreement entered into this 12 day of June, by and between Alpha Pyrotechnics (AP) and City of Fircrest (Purchaser).

1) Purchase of Show. Where AP agrees to provide and Purchaser agrees to purchase the fireworks, labor, transportation and equipment set forth below (hereinafter, the "Display"):

Display Date:

8/6/19

Location:

Fircrest Community Park

Fircrest National Night Out

Description

- A. One Aerial Fireworks Display per Attached Itemized Proposal
- B. Necessary State Licenses and Permits
- C. Display Liability Insurance Coverage of \$2,000,000.00

2) Purchase Price. The Purchase Price for the Display shall be

\$ 6700.00

(including applicable taxes).
Payment shall be as follows:

100 % payment due by 8/6/19.

0 % final payment due no later than 10 days after the display date.

Outstanding balances thereafter shall incur a daily periodic interest rate equivalent to 1% per month.

3) Purchaser's Obligations. Purchaser is responsible for, at its sole expense:

- 3.1 Timely provide a fireworks staging area acceptable to AP that complies with all applicable state and municipal requirements for fireworks safety, including the storage necessary to keep fireworks dry during unloading, preparation, and firing of fireworks;
- 3.2 Timely provide; floating docks (if display is fired from on the water) and adequate guards, monitors, fencing and/or rope barriers for the staging area acceptable to WW that comply with all applicable federal, state, and municipal requirements for fireworks safety and that ensure there is no public access to

the fireworks and staging area at any time, from unloading through final inspection of the staging area, and during the Display.

- 3.3 Timely provide a fireworks display launch location acceptable to AP that complies with all applicable federal, state, and municipal requirements for fireworks safety, taking into account appropriate firing and debris fallout zones where fireworks may safely be fired, and providing for rise and fall of fireworks, clear of spectator viewing areas, parking areas and structures. If the display is fired from on the water, timely provide adequate patrol boat(s) and personnel to maintain the fallout zone while the display is being fired.
- 3.4 Timely provide any additional costs incurred by AP to remedy any failure of the Purchaser to timely meet Purchaser's obligations in this Section 3.
4. Safety Evaluation. AP shall have the sole discretion to determine in good faith whether the Display may safely proceed as agreed on the scheduled date and at the scheduled time. AP determination may include, but not limited to, such factors as the weather, the condition of the fireworks, audience or property safety, and full compliance with any federal (NFPA 1123), state and municipal requirements. Purchaser expressly assumes the risk that all or any part of the Display may not be timely performed at AP's discretion.
5. Insurance. WW shall obtain public liability for AP's design, setup and performance of the Display only, in the aggregate amount of \$2,000,000.00 per each accident and products liability of \$1,000,000.00. This Certificate of Insurance will name Purchaser as an additional insured.
6. Personal Liability. The personal liability of AP's owners, employees, and its subcontractors shall not exceed, and shall in all cases be strictly limited to the Purchase Price of said Display.
7. Limitations of Losses/Assumption of Risk. To the fullest extent permitted by law, WW shall indemnify, defend and hold harmless Purchaser from and against all claims for injuries or death or property damage arising out of or resulting from negligent acts of AP while presenting the fireworks display on the scheduled Display Date described in section 1.
8. Intellectual Property. AP retains ownership of all intellectual property aspects of the Display, including but not limited to the right to publicly perform, reproduce

by any means, and distribute any reproduction of the Display. Any reproduction or distribution without AP's written authorization is prohibited.

9. Cancellation and Rescheduling. In the event AP determines in good faith that the Display may not proceed after erecting the equipment on site to provide the Display due to public safety concerns outline in Section 3 and 4 of this agreement, or Purchaser cancels the Display the day of the Display, Purchaser agrees to compensate AP 75% of the Purchase Price. If Purchaser cancels the Display within (10) days of the scheduled Display Date, Purchaser agrees to compensate AP 25% of the Purchase Price. In the event Purchaser elects to reschedule the Display Date on the day of the Display, AP and Purchaser will agree on a mutually convenient Display Date and Purchaser shall only pay AP the additional, direct incremental costs, there and above the original Purchase Price specified in Section 2, for rescheduling the Display if any.

10. Miscellaneous.

- 10.1 Successors Bound. This Agreement shall be binding upon and inure to the benefit of the parties, their respective legal representatives, successors, and permitted assigns.
- 10.2 Substitutions. AP reserves the right to substitute firework items described in proposals, whether written or oral, pending product availability. In this event, AP, in good faith will substitute firework items of equivalent value and of like kind to those firework items.
- 10.2 Notices. Any notices required or desired to be given under this Agreement shall be in writing and delivered to:

Alpha Pyrotechnics

1109 Anderson Rd
Ellensburg, WA. 98926



Purchasor:

(FAX)

10.4 Arbitration. Any dispute between or among the parties hereto arising out of or related to this Agreement shall be submitted to and resolved by a single arbitrator selected by the parties from the Seattle-Tacoma panel of, first, JAMS-Endispute, Inc. or second, Washington Arbitration and Mediation Service. The arbitrator may award arbitration fees, attorneys' Fees and costs to the prevailing party.

This Agreement must be signed and returned to AP no later than 8/6/19 with deposit prescribed in Section 2 of this agreement to be valid.

If there are any changes to this Agreement the costs will be reduced from firework items at \$65.00 per hour for Alpha Pyrotechnics and \$295.00 per hour for Alpha Pyrotechnics attorney.

ALPHA PYROTECHNICS

1109 Anderson Rd

Ellensburg, WA. 98926
(360) 870-4802

By: 

Print Name: Andy Mihalyi

Title: Tech / Sales

Date: 6/12/19

PURCHASOR

By: _____

Print Name: _____

Title: _____

Date: _____



Please note that these public display forms are not valid without a current pyrotechnic or general display operator's license.

OUTDOOR FIREWORKS INFORMATION SHEET

Sponsor Name:	Fircrest National Night Out		
Address:	Street	State	Zip
	555 Contra Costa Ave Fircrest WA 98466		
Site Address:	(location of the display) Fircrest Community Park		
Event Date:	8/6/19		Time of Event: ~ 9:15 pm
Contact Name:	Chief John Chasman		
Phone:	253, 565-1198	Alternate Phone/Cell: 253, 223-1277	
E-mail Address:	jchasman@cityoffircrest.net		
Name of Fireworks Supplier (if not the operator of the display):	Alpha Pyrotechnics		
Address:	Street	State	Zip
	1109 Anderson Rd #Hensburg WA 98926		
Phone Number:	360-870-4802	E-mail: andy@alpha.pyro@gmail	
Describe the storage and the security of the pyrotechnics: (e.g. the manner of storage and security of the location)			
To be delivered 8/6/19			
<input checked="" type="checkbox"/> I have attached a copy of the insurance certificate showing coverage for this display (note: A minimum of \$1,000,000 coverage that shows the "City of Tacoma" is an additional insured.			
<input checked="" type="checkbox"/> I have attached a list of the number and types of fireworks to be discharged.			
<input checked="" type="checkbox"/> I have attached a diagram of the display site showing the point of discharge, the location of the buildings, highways, overhead obstructions and the line behind which the audience			



Tacoma Fire Department

Fire Prevention Bureau 253.591.5740

FAX Number 253.594.7943

3471 S. 35th St. Tacoma, WA 98409

www.tacomafiredepartment.org

Permit Application # 2002.2 Fireworks Permit – Outdoor
submit by hand, mail, fax, or e-mail to: TFDSEO@cityoftacoma.org

To be completed by the Permit Applicant (type in the grey box or print out and complete)

Business Information				
Date: <u>6/12/19</u>			Federal Tax ID: <u>81-2328413</u>	
Business Name: <u>Alpha Pyrotechnics</u>			UBI: <u>603-601-433</u>	
Address: <u>Street: 1109 Anderson Rd</u>	City: <u>Ellensburg</u>	State: <u>WA</u>	Zip: <u>98926</u>	
Site Address: (if different from above)				
Contact Name: <u>Andy Mihalychi</u>				
Phone: <u>360) 870-4802</u>	Alternate Phone/Cell: <u>(509) 594-9545</u>			
E-mail Address: <u>andy.alphapyro@gmail.com</u>				
City of Tacoma Business License: <u>State C-04273</u>	Washington State Pyro Operator License: <u>P-4256</u>			
<input checked="" type="checkbox"/> I have completed and attached the required Fireworks Information Sheet.				
Please include a check made payable to the CITY OF TACOMA TREASURER, or request an invoice.				
<input type="checkbox"/> Check this box to have applicant invoiced for the permit fee.				
FPB OFFICIAL USE ONLY				
Approved By:			Date:	
Denied: <input type="checkbox"/>	Reason for Denial:			
Site Inspection:	Approved: <input type="checkbox"/>	Corrective Measures: <input type="checkbox"/>	1.	2.
Permit Number:				
Permit Fees:	Date Received:	Receipt Number:	Check Number:	

See attached documentation for description of conditions that must be met prior to the issuance of this permit.

- Pyrotechnics -



Tacoma Fire Department

PERMIT CONDITIONS: #2002.2 – [Fireworks Permit - Outdoor](#)

All of the following conditions must be met prior to the issuance of a permit.

1. Time Lines

- a. Application should be submitted not less than 30 days prior to date of display
- b. Notify the Fire Prevention Bureau not less than 48 hours prior to display setup.

2. Regulatory References

- a. International Fire Code (IFC) Section 403, Emergency planning required.
- b. NFPA 1123. Standard for Fireworks Display
- c. NFPA 1126. Pyrotechnics before a Proximate Audience.

3. Required Submittals

- a. Tacoma Fire Department Permit Application.
- b. Outdoor Pyrotechnics Information Sheet.
- c. Copy of Washington State Pyrotechnic Operator License.
- d. Copy of Washington State Public Display Permit Form.
- e. Emergency Response and evacuation plans. Depending on the type and size of the event (this may be covered by the venue's existing emergency preparedness documents.)
- f. May also require submittal of Application for Assembly Permit, depending on the scope of the event.
- g. Evidence of insurance, for not less than \$1,000,000, showing "The City of Tacoma" as an additional insured.

4. Inspection Requirements

- a. Depending on the nature of the operation, the Fire Department may conduct inspections during setup.
- b. The site shall be inspected by the Fire Department, prior to commencement of the operation.
- c. A TFD inspector will witness the operation from commencement until completion.

5 Requirements

- a. Conduct display in accordance with NFPA 1123 or NFPA 1126 as appropriate.

WASHINGTON STATE PUBLIC FIREWORKS DISPLAY PERMIT

Applicant

Name of Event Firecast National Night Out
Street Address 555 Contra Costa Ave Firecast Community Park
City Firecast County Pierce
Event Date 8/6/19 Event Time ~ 9-'15 ☐ AM ☒ PM
Applicant's/Sponsor's Name City of Firecast Phone No. 253-565-1198
Pyrotechnic Operator Audy Mihalyi License No. P-4256
Experienced Assistant's Name Ken Des Marets
General Display Company Name Alpha Pyrotechnics Phone No. 360-870-4802

Attach a separate piece of paper and/or copies of the following documents:

- The number of set pieces, shells (specify single or multiple break), and other items.
- The manner and place of storage of such fireworks prior to the display.
- A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged; the location of all buildings, highways, and other lines of communication; the lines behind which the audience will be restrained; and the location of all nearby trees, telegraph or telephone lines, or other overhead obstruction.
- Documentary proof of procurement of Surety bond or public liability insurance.

Local Fire Code Authority

Authority Having Jurisdiction _____

Name of Permitting Official _____

Title _____ Phone No. _____

Permit Granted: ☐ Yes ☐ Yes, with Restrictions (see "Notations" below) ☐ No

Restrictions/Notations _____

Signature of Permitting Official _____

Date of Approval _____

Permit Number _____

If approved, this permit is granted for the date and time noted herein under the authority of the International Fire Code in accordance with Revised Code of Washington 70.77 and all applicable rules and ordinances pertaining to fireworks in this jurisdiction. This permit is INVALID unless in the possession of a properly licensed Pyrotechnic Operator, who is responsible for any and all activities associated with the firing of this show.

MUST BE APPROVED BY THE AUTHORITY HAVING JURISDICTION



Washington State Patrol Fire Protection Bureau
Office of the State Fire Marshal

10143P

Pyrotechnic Operator License

Licensee Data

Andy Mihalyi
11525 Littlerock Road SW
Olympia, WA 98512
License Number: P-04256

Phone Number: (360) 870-4802

Email Address: andymihalyi@hotmail.com

Date of Issue: February 13, 2019

Date of Expiration: January 31, 2020

State Fire Marshal

Licensee Signature

3000-420-043 (10/18)

Licensee Wall Mount Card



Washington State Patrol Fire Protection Bureau
Office of the State Fire Marshal

10143P

Pyrotechnic Operator License

Licensee Data

Andy Mihalyi
11525 Littlerock Road SW
Olympia, WA 98512
License Number: P-04256

Phone Number: (360) 870-4802

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Date of Issue: February 13, 2019

Date of Expiration: January 31, 2020

State Fire Marshal

Licensee Signature

3000-420-043 (10/18)

General Display Employer Portion

- 1) Cut along dotted lines to release the four license cards.
- 2) All four license cards are individually legal and valid evidence of licensing.
- 3) All four cards constitute an entire license for a single operator.
- 4) The Licensee must sign all four portions of the license.
- 5) ALL four license cards are legal and valid evidence of licensing.
- 6) The Licensee must carry either the wallet (landscape) or the lanyard card (portrait).

License Number: P-04256

Pyrotechnic Operator License



Washington State Patrol
Fire Protection Bureau

10143P

January 31, 2020

Current/Valid Until

Andy Mihalyi

Pyrotechnic Operator

State Fire Marshal

3000-420-043 (10/18)

Licensee Signature



10143P

WA WASHINGTON

DRIVER LICENSE
FEDERAL LIMITS APPLY



4d Lic# WDL2363J463B 9 CLASS DONOR
1 MIHALYI
2 ANDREW STEPHEN
3 DOB 12/13/1957 4a ISS 01/22/2019
5 11525 LITTLEROCK RD SW
OLYMPIA WA 98512-9282
15 SEX M 16 HGT 5'-08" 17 WGT 165 lb
18 EYES GRN 19 END NONE
12 RESTRICTIONS 4b EXP 12/13/2020
NONE
5 DD WDL2363J463B 22194D1211
REV 09/04/2018

State Fire Marshal

3000-420-043 (10/18)



Washington State Patrol Fire Protection Bureau
Office of the State Fire Marshal
General Display Fireworks License

G21526

Licensee Data

Alpha Pyrotechnics
1109 Anderson Road
Ellensburg, WA 98926
License Number: C-04273

Operational Data

In State Agent: Jerel Brown
Phone Number: (855) 955-7976
Email Address: jerrel.d.brown@gmail.com

Date of Issue: March 4, 2019

Date of Expiration: January 31, 2020

State Fire Marshal

3000-420-041 (10/18)

Licensee Signature



Washington State Patrol Fire Protection Bureau
Office of the State Fire Marshal
General Display Fireworks License

G21526

Licensee Data

Alpha Pyrotechnics
1109 Anderson Road
Ellensburg, WA 98926
License Number: C-04273

Operational Data

In State Agent: Jerel Brown
Phone Number: (855) 955-7976
Email Address: jerrel.d.brown@gmail.com

Date of Issue: March 4, 2019

Date of Expiration: January 31, 2020

3000-420-041 (10/18)

Licensee Signature



Washington State Patrol Fire Protection Bureau
Office of the State Fire Marshal
General Display Fireworks License

G21526

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In State Agent: Jerel Brown
Phone Number: (855) 955-7976
Email Address: jerrel.d.brown@gmail.com

Date of Issue: March 4, 2019

Date of Expiration: January 31, 2020

State Fire Marshal

3000-420-041 (10/18)

Licensee Signature

NEW BUSINESS: Pierce County Brine Agreement
ITEM 10C.

FROM: Jerry Wakefield, Public Works Director

RECOMMENDED MOTION: I move to adopt Resolution No. _____, authorizing the City Manager to execute a second amendment to the Memorandum of Agreement CC-91901 between Pierce County and the City of Fircrest.

PROPOSAL: The Council is being asked to authorize the City Manager to execute a second amendment to the memorandum of agreement CC-91901 between Pierce County and the City of Fircrest. This amendment amends section 5 of the agreement due to changes in Pierce County's compensation and billing procedures. This agreement is for the purchase of road supplies primarily brine used for deicing the roads.

FISCAL IMPACT: The purchase of the brine product in this agreement is budgeted for in the 2019 budget, and we plan to budget for it in 2020.

ADVANTAGE: This provides a continuation of the agreement to purchase road materials from Pierce County as we have done in the past.

DISADVANTAGES: By not having this agreement, the City would have to look for other sources of this material and the cost and availability could limit the City's ability to obtain this material.

ALTERNATIVES: The City of Tacoma also provides an alternative for the source of this material. This source requires us to pick up the product and is limiting to the amount we can get. Pierce County delivers and fills our storage unit.

HISTORY: The City has previously obtained the brine for deicing from Pierce County and wishes to do the same as it has done the last 5 years. It provides the City with delivery of the material for fill our storage container to have the material on site as needed.

ATTACHMENTS: [Resolution](#)
[Second Amendment](#)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON, AUTHORIZING THE CITY MANAGER TO EXECUTE A SECOND AMENDMENT TO THE MEMORANDUM OF AGREEMENT CC-91901 BETWEEN PIERCE COUNTY AND THE CITY OF FIRCREST.

WHEREAS, the City of Fircrest has budgeted funds to purchase road materials per this agreement; and

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

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON,** at a regular meeting thereof this 25th day of June 2019.

Hunter T. George, Mayor

Jessica Nappi, City Clerk

Michael B. Smith, City Attorney

SECOND AMENDMENT
TO AGREEMENT CC-91901
BETWEEN PIERCE COUNTY AND THE CITY OF FIRCREST

THIS SECOND AMENDMENT is entered into by and between PIERCE COUNTY, a political subdivision of the State of Washington, hereinafter referred to as "COUNTY," and the undersigned, CITY OF FIRCREST, a municipal corporation of the State of Washington, hereinafter referred to as "CITY".

WHEREAS, the parties have previously entered into an Agreement dated December 10, 2013, regarding traffic maintenance services; and

WHEREAS, the parties executed a First Amendment on January 31, 2017 to add auto renewal language; and

WHEREAS, the parties desire to execute a Second Amendment to replace Section 5 Compensation and Billing Procedure,

NOW THEREFORE, in consideration of the mutual benefits and advantages to be derived by each of the parties,

IS IT HEREBY AGREED as follows:

1. The AGREEMENT number CC-91901 shall be amended to replace Section 5, as shown in Attachment 1.
2. ALL OTHER TERMS AND CONDITIONS OF THE ORIGINAL AGREEMENT AND ALL SUPPLEMENTS, MODIFICATIONS, AND AMENDMENTS THERETO SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, the parties hereto have caused this amendment to be duly executed, such parties acting by their representatives being thereunto duly authorized.

DATED this ____ day of _____, 2019.

CITY OF FIRCREST

By: _____
City Manager Date

Print Name: _____

Attest:

By: _____
City Clerk

Approved As To Form:

By: _____
City Attorney

PIERCE COUNTY:

Approved as to form only:

By: _____
Deputy Prosecuting Attorney Date

Approved:

By: _____
Department Director Date

By: _____
Finance Date

Attachment 1

Section 5 of the original agreement is replaced in its entirety with the section below.

SECTION 5. COMPENSATION AND BILLING PROCEDURE. In consideration for the provision described herein, the CITY agrees to pay the COUNTY up to \$60,000.00 per calendar year to complete assigned maintenance services. The CITY certifies that sufficient budgeted funds are available to cover the costs of the requested services and agrees to make payment to the COUNTY.

In consideration for the provision of maintenance services described herein, the CITY agrees to pay the COUNTY for the actual work completed based on monthly billings and in accordance with the provisions of Section 2 and 3 above. Monthly billings will be calculated as indicated below:

- A. Labor cost rates will be calculated based on the County's labor cost rates in effect during the period of service performance. Labor cost rates will be calculated based on the hours worked (in .1 increments) for in a specific job class and billed the CITY. The labor cost rates will include all Maintenance and Department Administration costs, as well as material and supply markup costs. No office costs related to management or maintenance will be charged directly.
- B. Equipment cost rates will be calculated based on the County's equipment rental rate in effect during the period of service performance. Equipment charges will be calculated based on the hours in use (in .1 increments) for each type of equipment and billed to the CITY.
- C. Materials and supplies will be billed at cost.
- D. The costs of services as outlined will be calculated and invoiced based on the services or supplies provided in a previous month. The County will make every effort to bill the monthly charges by the thirtieth (30th) day of the following month. Payments by the CITY will be due within thirty days of receipt of the invoice. Monthly payments that are not paid within the allotted time period shall be considered delinquent. Delinquent charges shall accrue interest on the unpaid balance, from the date of delinquency until paid, at an interest rate of one half of one percent (.5%) per month.
- E. The billing rates for labor and equipment related to providing the functions and services each year shall be adjusted annually, effective January 1st of each year to reflect current costs. Increases in the costs that are the results of changes in regulatory requirements will also be included in any increases to billing rates. A list of labor and/or equipment cost rates can be provided upon request.