

**FIRCREST CITY COUNCIL  
REGULAR MEETING  
AGENDA**

**TUESDAY, AUGUST 24, 2021  
7:00 P.M.**

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

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**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. PRESIDING OFFICER'S REPORT**

A. Community Center Project Report

**5. CITY MANAGER COMMENTS**

**6. DEPARTMENT HEAD COMMENTS**

**7. COUNCILMEMBER COMMENTS**

**8. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA** (If you would like to make a public comment, you may speak at the appropriate time using the raise your hand feature or by pressing \*9 on your phone. You may also e-mail the City Clerk your comment before 5 pm and it will be read into the record. [JWESTMAN@CITYOFFIRCREST.NET](mailto:JWESTMAN@CITYOFFIRCREST.NET))

**9. 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

**10. CONSENT CALENDAR**

A. Approval of [vouchers](#)/payroll checks

B. Approval of Minutes: [August 10, 2021, Regular Meeting](#)  
[August 16, 2021, Study Session](#)

**11. PUBLIC HEARING 7:15 P.M. OR SOON THEREAFTER**

A. [To receive comments on the Water System Plan](#)

**12. UNFINISHED BUSINESS**

**13. NEW BUSINESS**

A. [Resolution: Professional Services Agreement with Kenyon Disend, PLLC](#)

B. [Resolution: Professional Services Agreement with Eric F. Schacht](#)

C. [Resolution: Approval of Transportation System Plan Update](#)

**14. CALL FOR FINAL COMMENTS**

**15. EXECUTIVE SESSION**

A. Executive Session per RCW 42.30.110(1)(b) To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price.

**16. ADJOURNMENT**



# ACCOUNTS PAYABLE

City Of Fircrest

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Accts Pay #	Received	Date Due	Vendor	Amount	Memo	
25087	08/24/2021	08/24/2021	6904	A   R   C Architects Inc	21,170.80	P#54 Pool/Bathhouse Community Center Prof Services 6/26/21-7/25/21
	594 76 62 03	Buildings & Structures		301 000 594 Park Bond Capi	21,170.80	P#54 Pool/Bathhouse Community Center Prof Services 6/26/21-7/25/21
25078	08/24/2021	08/24/2021	4298	AWC Employee Benefit Trust	742.50	September 2021 Retired Medical
	521 22 20 01	LEOFF I Medical Premium		001 000 521 General Fund	742.50	LEOFF 1 Medical Premiums
25018	08/24/2021	08/24/2021	3647	Agrishop, Inc	424.07	Weedeater SAA #1812 For Street Dept
	542 30 35 00	Small Tools & Equip-St Re		101 000 542 City Street Fun	424.07	Weedeater SAA #1812 For Street Dept
25019	08/24/2021	08/24/2021	3647	Agrishop, Inc	5.50	Weedeater Choke Repair
	542 30 31 02	Oper Supplies - Street Reg		101 000 542 City Street Fun	5.50	Weedeater Choke Repair
25020	08/24/2021	08/24/2021	3647	Agrishop, Inc	97.38	Replace Throttle Cable On Weedeater
	542 30 48 01	Rep & Maint - Street Maint		101 000 542 City Street Fun	97.38	Replace Throttle Cable On Weedeater
			Total Agrishop, Inc	526.95		
25021	08/24/2021	08/24/2021	9631	All Purpose Door Repair	8,481.00	New Front Door At PSB - Material & Labor
	518 30 48 04	Rep & Maint - PSB		001 000 518 General Fund	8,481.00	New Front Door At PSB - Material & Labor
25022	08/24/2021	08/24/2021	7165	Alpha Pyrotechnics	9,300.00	National Night Out Fireworks Display
	521 22 49 05	Reimbursable Programs		001 000 521 General Fund	9,300.00	National Night Out Fireworks Display
25023	08/24/2021	08/24/2021	3933	Asphalt Patch Systems, Inc.	300.00	P#64 - Water/Fire System Mains - Street Cut Across Electron
	594 76 62 03	Buildings & Structures		301 000 594 Park Bond Capi	300.00	P#64 - Water/Fire System Mains - Street Cut Across Electron
25024	08/24/2021	08/24/2021	1740	Brady, Richard	59.00	Library Reimbursement - 1 Year (Nelwyn Brady)
	572 21 49 00	Library Services		001 000 572 General Fund	59.00	Library Reimbursement - 1 Year (Nelwyn Brady)
25025	08/24/2021	08/24/2021	6419	Carper, Josh	59.00	Library Reimbursement - 1 Year
	572 21 49 00	Library Services		001 000 572 General Fund	59.00	Library Reimbursement - 1 Year
25089	08/24/2021	08/24/2021	4290	Cascade Recreation, Inc	258.27	Dog Waste Bags
	576 80 31 02	Oper Supplies - Parks		001 000 576 General Fund	258.27	Dog Waste Bags
25081	08/24/2021	08/24/2021	3994	CenturyLink	1,271.29	Telecommunications - Aug 2021

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518 10 42 00	Communication - Non Dep	001 000 518	General Fund	74.60	City Hall Prim 911
518 10 42 00	Communication - Non Dep	001 000 518	General Fund	74.60	CH Message Line
518 10 42 00	Communication - Non Dep	001 000 518	General Fund	74.60	CH Alarm
518 10 42 00	Communication - Non Dep	001 000 518	General Fund	449.18	Circuit Line/PRI Line
518 10 42 00	Communication - Non Dep	001 000 518	General Fund	153.11	Direct Inward Dial
521 22 42 00	Communication - Police	001 000 521	General Fund	156.40	Police BA Machine/Modem
531 50 42 00	Communication - Storm	415 000 531	Storm Drain	37.30	PW Alarm Line/Prim 911
531 50 42 00	Communication - Storm	415 000 531	Storm Drain	18.65	PW Fax
534 10 42 00	Communication - Water	425 000 534	Water Fund (de	37.30	PW Alarm Line/Prim 911
534 10 42 00	Communication - Water	425 000 534	Water Fund (de	32.50	PW DSL/Telemetry
534 10 42 00	Communication - Water	425 000 534	Water Fund (de	18.65	PW Fax
535 10 42 01	Communication - Sewer	430 000 535	Sewer Fund (de	37.30	PW Alarm Line/Prim 911
535 10 42 01	Communication - Sewer	430 000 535	Sewer Fund (de	32.50	PW DSL/Telemetry
535 10 42 01	Communication - Sewer	430 000 535	Sewer Fund (de	18.65	PW Fax
542 30 42 00	Communication - Street	101 000 542	City Street Fun	37.31	PW Alarm Line/Prim 911
542 30 42 00	Communication - Street	101 000 542	City Street Fun	18.64	PW Fax
<b>25083</b>	<b>08/24/2021 08/24/2021 5805</b>	<b>CenturyLink</b>		<b>41.18</b>	<b>Long Distance Access &amp; Usage - August 2021</b>
518 10 42 00	Communication - Non Dep	001 000 518	General Fund	41.18	Long Distance Access & Usage - August 2021
<b>25026</b>	<b>08/24/2021 08/24/2021 4315</b>	<b>Cities Insurance Assoc of WA</b>		<b>1,000.00</b>	<b>Insurance Deductible - Crawford #44153</b>
518 30 46 01	Insurance Deductible	001 000 518	General Fund	1,000.00	Insurance Deductible - Crawford #44153
<b>25073</b>	<b>08/24/2021 08/24/2021 4325</b>	<b>City Treasurer-Tacoma-SEWER</b>		<b>279,571.69</b>	<b>2nd Quarter 2021 Sewer Treatment</b>
535 60 44 02	Sewage Treatment	430 000 535	Sewer Fund (de	279,571.69	2nd Quarter 2021 Sewer Treatment
<b>25027</b>	<b>08/24/2021 08/24/2021 4324</b>	<b>City Treasurer-Tacoma</b>		<b>56,908.56</b>	<b>Fire/EMS - September 2021</b>
522 20 40 00	Tacoma Contract - Fire	001 000 522	General Fund	13,158.56	Fire - September 2021
522 20 41 00	Tacoma Contract - EMS	001 000 522	General Fund	43,750.00	EMS - September 2021
<b>25028</b>	<b>08/24/2021 08/24/2021 3565</b>	<b>Comfort Davies &amp; Smith</b>		<b>10,458.00</b>	<b>July 2021</b>
515 41 41 01	City Attorney	001 000 515	General Fund	1,134.00	City Attorney - July 2021
515 41 41 03	City Prosecutor	001 000 515	General Fund	6,246.00	City Prosecutor Fircrest - July 2021
515 41 41 03	City Prosecutor	001 000 515	General Fund	3,078.00	City Prosecutor Ruston - July 2021
<b>25029</b>	<b>08/24/2021 08/24/2021 8542</b>	<b>Consolidated Supply Co.</b>		<b>4,170.72</b>	<b>Water Main Parts For 200 Contra Costa</b>
534 50 31 01	Oper Supplies - Water Mai	425 000 534	Water Fund (de	4,170.72	Water Main Parts For 200 Contra Costa
<b>25030</b>	<b>08/24/2021 08/24/2021 8542</b>	<b>Consolidated Supply Co.</b>		<b>515.66</b>	<b>Water Main Parts For 200 Contra Costa</b>
534 50 31 01	Oper Supplies - Water Mai	425 000 534	Water Fund (de	515.66	Water Main Parts For 200 Contra Costa

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<b>25031</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>8542 Consolidated Supply Co.</b>	<b>800.67</b>	<b>Inventory For Emergency Repairs</b>
534 50 31 01	Oper Supplies - Water Mai	425 000 534	Water Fund (de	800.67	Inventory For Emergency Repairs
Total Consolidated Supply Co.				5,487.05	
<b>25032</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>7227 Correct Equipment Inc</b>	<b>997.89</b>	<b>Pump Repair Kits For Each Well Site</b>
534 80 31 02	Oper Supplies - Water	425 000 534	Water Fund (de	997.89	Pump Repair Kits For Each Well Site
<b>25033</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>3589 Databar Inc</b>	<b>1,184.14</b>	<b>Town Topics August 2021</b>
518 10 49 01	Town Topics/Citizen Comr	001 000 518	General Fund	1,184.14	Town Topics August 2021
<b>25034</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>3594 Dept Of Ecology</b>	<b>69,479.34</b>	<b>Loan Payment #L1100018</b>
591 35 78 02	Principal Loan Payment	430 000 591	Sewer Fund (de	45,673.52	Principal Payment #L1100018
592 35 83 01	Interest Loan Payment	430 000 591	Sewer Fund (de	23,805.82	Interest Payment #L1100018
<b>25086</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>4310 Dept Of Revenue-EXCISE TAX</b>	<b>6,582.58</b>	<b>July 2021 Excise Taxes</b>
518 20 43 01	Excise Tax Time/Temp Re	001 000 518	General Fund	3.30	July 2021 Excise Taxes
521 22 31 00	Office & Oper Sup - Police	001 000 521	General Fund	24.51	July 2021 Excise Taxes
531 50 44 00	Excise Tax - Storm	415 000 531	Storm Drain	7.42	July 2021 Excise Taxes
534 10 44 00	Excise Tax - Water	425 000 534	Water Fund (de	1.07	July 2021 Excise Taxes
534 10 44 00	Excise Tax - Water	425 000 534	Water Fund (de	103.03	July 2021 Excise Taxes
535 10 44 00	Excise Tax - Sewer	430 000 535	Sewer Fund (de	0.79	July 2021 Excise Taxes
553 10 31 00	Office/Operating Supplies -	425 000 553	Water Fund (de	82.60	July 2021 Excise Taxes
576 20 43 00	Excise Tax - Pool Revenue	001 000 576	General Fund	4,215.83	July 2021 Excise Taxes
594 76 62 03	Buildings & Structures	301 000 594	Park Bond Capi	2,144.03	July 2021 Excise Taxes
<b>25035</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>8818 Derbes, Brian</b>	<b>59.00</b>	<b>Library Reimbursement - 1 Year</b>
572 21 49 00	Library Services	001 000 572	General Fund	59.00	Library Reimbursement - 1 Year
<b>25008</b>	<b>08/11/2021</b>	<b>08/24/2021</b>	<b>2787 Ennis, John</b>	<b>250.12</b>	<b>06-01190.1 - 1539 WEATHERVANE CT</b>
343 10 00 00	Storm Drain Fees & Charge	415 000 340	Storm Drain	99.47	
343 40 00 00	Sale Of Water	425 000 340	Water Fund (de	-785.55	
343 50 00 00	Sewer Revenues	430 000 340	Sewer Fund (de	435.96	
<b>25036</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>4858 Ewing Irrigation Products Inc</b>	<b>195.00</b>	<b>Electric Valve, Solenoid Assembly, And Volt Wire Connectors For Parks</b>
576 80 31 02	Oper Supplies - Parks	001 000 576	General Fund	195.00	Electric Valve, Solenoid Assembly, And Volt Wire Connectors For Parks
<b>25092</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>4858 Ewing Irrigation Products Inc</b>	<b>116.52</b>	<b>Jumbo Green Valve Box/Lid</b>

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576 80 31 02	Oper Supplies - Parks		001 000 576 General Fund	116.52	Jumbo Green Valve Box/Lid
Total Ewing Irrigation Products Inc				311.52	
<b>25079</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>8610 F &amp; L Building Maintenance, LLC</b>	<b>3,309.00</b>	<b>August 2021 Janitorial Services</b>
518 30 41 01	Contract Maintenance		001 000 518 General Fund	3,309.00	August 2021 Janitorial Services
<b>25037</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>4318 Fircrest City of - Interfund (Treasur</b>	<b>13,166.67</b>	<b>August 2021 Interfund</b>
518 30 47 00	Public Utility Services - Ci		001 000 518 General Fund	806.38	August 2021 Interfund
531 50 47 02	Public Utility Services/Bldg		415 000 531 Storm Drain	285.22	August 2021 Interfund
531 50 47 02	Public Utility Services/Bldg		415 000 531 Storm Drain	3.79	August 2021 Interfund
534 10 47 00	Utility Services/Building -		425 000 534 Water Fund (de	285.22	August 2021 Interfund
534 80 47 01	Utility Services/Pumping		425 000 534 Water Fund (de	570.77	August 2021 Interfund
534 80 47 03	Public Utility Services/Met		425 000 534 Water Fund (de	8.84	August 2021 Interfund
535 10 47 00	Utility Services/Building -		430 000 535 Sewer Fund (de	285.22	August 2021 Interfund
535 80 47 01	Utility Services/Pumping		430 000 535 Sewer Fund (de	8.84	August 2021 Interfund
542 30 47 02	Electricity & Gas/Bldg - St		101 000 542 City Street Fun	285.22	August 2021 Interfund
542 30 47 02	Electricity & Gas/Bldg - St		101 000 542 City Street Fun	3.78	August 2021 Interfund
542 80 47 00	Public Utility Services-St E		101 000 542 City Street Fun	224.86	August 2021 Interfund
548 65 47 00	Utilities ShopGarage		501 000 548 Equipment Ren	34.50	August 2021 Interfund
576 20 47 00	Public Utility Services - Po		001 000 576 General Fund	781.90	August 2021 Interfund
576 80 47 00	Public Utility Services - Pa		001 000 576 General Fund	9,582.13	August 2021 Interfund
<b>25105</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>9449 Fircrest Regents Apts LLC</b>	<b>2,060.00</b>	<b>Rental Assistance Grant (Covid 19 Expense) - Apt D</b>
518 63 40 00	General Grants, Financial A		001 000 518 General Fund	2,060.00	Rental Assistance Grant (Covid 19 Expense) - Apt D
<b>25082</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>9338 Fuelman Fleet Program</b>	<b>3,310.54</b>	<b>Gas/Fuel July 2021</b>
548 65 31 06	Facilities Gas		501 000 548 Equipment Ren	102.51	Gas/Fuel July 2021
548 65 31 08	Police Gas		501 000 548 Equipment Ren	1,441.75	Gas/Fuel July 2021
548 65 31 11	Parks/Rec Gas		501 000 548 Equipment Ren	328.30	Gas/Fuel July 2021
548 65 31 12	Street Gas		501 000 548 Equipment Ren	821.23	Gas/Fuel July 2021
548 65 31 14	Wtr/Swr Gas		501 000 548 Equipment Ren	616.75	Gas/Fuel July 2021
<b>25094</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>311 Grover, Jeff</b>	<b>17.93</b>	<b>Pool And Party Room Supplies</b>
576 20 31 03	Oper Supplies - Pool		001 000 576 General Fund	17.93	Pool And Party Room Supplies
<b>25016</b>	<b>08/13/2021</b>	<b>08/24/2021</b>	<b>8913 Harrison, Tiara</b>	<b>85.22</b>	<b>02-00440.0 - 134 ELDORADO AVE</b>
343 10 00 00	Storm Drain Fees & Charge		415 000 340 Storm Drain	-18.98	
343 40 00 00	Sale Of Water		425 000 340 Water Fund (de	-20.36	
343 50 00 00	Sewer Revenues		430 000 340 Sewer Fund (de	-45.88	

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<b>25006</b>	<b>08/11/2021</b>	<b>08/24/2021</b>	<b>8164</b>	<b>Henderson, Whitney</b>	<b>85.47 01-02405.2 - 372 FARALLONE AVE</b>
343 10 00 00	Storm Drain Fees & Charge	415 000 340	Storm Drain	-19.04	
343 40 00 00	Sale Of Water	425 000 340	Water Fund (de	-20.41	
343 50 00 00	Sewer Revenues	430 000 340	Sewer Fund (de	-46.02	
<b>25038</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>3692</b>	<b>Home Depot Credit Services</b>	<b>17.70 Operating Supplies - Pool</b>
576 20 31 03	Oper Supplies - Pool	001 000 576	General Fund	17.70	Operating Supplies - Pool
<b>25039</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>3692</b>	<b>Home Depot Credit Services</b>	<b>51.82 Lawn Booster With Smart Seed, Fertilizer And Soil Enhancers - Grass Seed For Park Drain</b>
531 50 31 02	Oper Supplies - Storm	415 000 531	Storm Drain	51.82	Lawn Booster With Smart Seed, Fertilizer And Soil Enhancers - Grass Seed For Park Drain
<b>25040</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>3692</b>	<b>Home Depot Credit Services</b>	<b>15.88 Parts For Sign Reinstall At Island On 19th St/Chick-Fil-A</b>
542 30 31 02	Oper Supplies - Street Reg	101 000 542	City Street Fun	15.88	Parts For Sign Reinstall At Island On 19th St/Chick-Fil-A
<b>25041</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>3692</b>	<b>Home Depot Credit Services</b>	<b>296.49 Bottled Water (70 Cases) - Crew</b>
531 50 31 02	Oper Supplies - Storm	415 000 531	Storm Drain	74.12	Bottled Water (70 Cases) - Crew
534 80 31 02	Oper Supplies - Water	425 000 534	Water Fund (de	74.12	Bottled Water (70 Cases) - Crew
535 50 31 01	Oper Supplies - Sewer Mai	430 000 535	Sewer Fund (de	74.13	Bottled Water (70 Cases) - Crew
542 30 31 02	Oper Supplies - Street Reg	101 000 542	City Street Fun	74.12	Bottled Water (70 Cases) - Crew
<b>25093</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>3692</b>	<b>Home Depot Credit Services</b>	<b>81.52 150' Hose Reel And 100' Hose And Adapter</b>
534 80 31 02	Oper Supplies - Water	425 000 534	Water Fund (de	81.52	150' Hose Reel And 100' Hose And Adapter
			Total Home Depot Credit Services	463.41	
<b>25042</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>8773</b>	<b>Kassel &amp; Associates, Inc.</b>	<b>638,716.14 P#64 Community Center Progress Through 6/30/21</b>
594 76 62 03	Buildings & Structures	301 000 594	Park Bond Capi	638,716.14	P#64 Community Center Progress Through 6/30/21
<b>25101</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>8773</b>	<b>Kassel &amp; Associates, Inc.</b>	<b>931,945.52 P#64 Community Center Progress Through 7/31/21</b>
594 76 62 03	Buildings & Structures	301 000 594	Park Bond Capi	931,945.52	P#64 Community Center Progress Through 7/31/21
			Total Kassel & Associates, Inc.	1,570,661.66	
<b>25043</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>1379</b>	<b>Keister, Jerry</b>	<b>59.00 Library Reimbursement - 1 Year</b>

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572 21 49 00	Library Services		001 000 572 General Fund	59.00	Library Reimbursement - 1 Year
25044	08/24/2021	08/24/2021	6883 L.N. Curtis & Sons	209.25	Pocket Guide To Wa Criminal Laws (10) And Wa Traffic Laws (10)
521 22 31 00	Office & Oper Sup - Police		001 000 521 General Fund	209.25	Pocket Guide To Wa Criminal Laws (10) And Wa Traffic Laws (10)
25095	08/24/2021	08/24/2021	6883 L.N. Curtis & Sons	509.79	Alterations To Uniform - K Larson
521 22 49 01	Uniforms/Clothing/Laundry		001 000 521 General Fund	509.79	Alterations To Uniform - K Larson
Total L.N. Curtis & Sons				719.04	
25099	08/24/2021	08/24/2021	9483 Lakewood, City of	339.78	In Service EVOC Training In May 2021 (6 Officers)
521 22 49 02	Reg & Tuition - Police		001 000 521 General Fund	339.78	In Service EVOC Training In May 2021 (6 Officers)
25045	08/24/2021	08/24/2021	6785 Larsen Sign Company Inc	241.78	Design Setup And Installation Of Sign On New Door At PSB
518 30 48 04	Rep & Maint - PSB		001 000 518 General Fund	241.78	Design Setup And Installation Of Sign On New Door At PSB
25046	08/24/2021	08/24/2021	3791 Lowe's Company-#338954	20.47	Hydrant Curb Paint
534 50 31 01	Oper Supplies - Water Main		425 000 534 Water Fund (de	20.47	Hydrant Curb Paint
25047	08/24/2021	08/24/2021	3791 Lowe's Company-#338954	24.09	Parts For Table Holder At Pool
576 20 31 03	Oper Supplies - Pool		001 000 576 General Fund	24.09	Parts For Table Holder At Pool
25048	08/24/2021	08/24/2021	3791 Lowe's Company-#338954	27.16	Primer And Paint For Table Holder At Pool
576 20 31 03	Oper Supplies - Pool		001 000 576 General Fund	27.16	Primer And Paint For Table Holder At Pool
25090	08/24/2021	08/24/2021	3791 Lowe's Company-#338954	27.22	Tire Aid 6" Wheelbarrow
576 80 31 02	Oper Supplies - Parks		001 000 576 General Fund	27.22	Tire Aid 6" Wheelbarrow
Total Lowe's Company-#338954				98.94	
25049	08/24/2021	08/24/2021	3816 Marv's Backhoe Service	864.24	P#64 Cold Mix For Water And Fire System Installs
594 76 62 03	Buildings & Structures		301 000 594 Park Bond Capi	864.24	P#64 Cold Mix For Water And Fire System Installs



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<b>25050</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>7196</b>	<b>Materials Testing &amp; Consulting Inc</b>	<b>362.50 P#64 Community Center Materials Testing July 2021</b>
	594 76 62 03	Buildings & Structures	301 000 594	Park Bond Capi	362.50 P#64 Community Center Materials Testing July 2021
<b>25051</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>6639</b>	<b>McClain's Soil Supply</b>	<b>231.63 Topsoil For Various Jobs (10 Yds) PW</b>
	531 50 31 02	Oper Supplies - Storm	415 000 531	Storm Drain	57.90 Topsoil For Various Jobs (10 Yds) PW
	534 50 31 01	Oper Supplies - Water Mai	425 000 534	Water Fund (de	57.91 Topsoil For Various Jobs (10 Yds) PW
	535 80 31 00	Oper Supplies - Sewer Gen	430 000 535	Sewer Fund (de	57.91 Topsoil For Various Jobs (10 Yds) PW
	542 30 31 02	Oper Supplies - Street Reg	101 000 542	City Street Fun	57.91 Topsoil For Various Jobs (10 Yds) PW
<b>25052</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>9002</b>	<b>McDonald &amp; Sons Ventures LLC</b>	<b>3,660.77 Repairs To Variable Speed Drive For Pump #2 At Weathervane Booster Pump Station</b>
	534 50 48 01	Rep & Maint - Water Main	425 000 534	Water Fund (de	3,660.77 Repairs To Variable Speed Drive For Pump #2 At Weathervane Booster Pump Station
<b>25053</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>9002</b>	<b>McDonald &amp; Sons Ventures LLC</b>	<b>12,580.25 Repairs To Transfer Switch At Weathervane Booster Pump Station</b>
	534 50 48 01	Rep & Maint - Water Main	425 000 534	Water Fund (de	12,580.25 Repairs To Transfer Switch At Weathervane Booster Pump Station
Total McDonald & Sons Ventures LLC				16,241.02	
<b>25102</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>6362</b>	<b>Mimi's Teas LLC</b>	<b>7,000.00 Business Assistance Grant (Covid 19 Expense)</b>
	518 63 40 00	General Grants, Financial /	001 000 518	General Fund	7,000.00 Business Assistance Grant (Covid 19 Expense)
<b>25054</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>9327</b>	<b>National Center for State Courts</b>	<b>495.00 2021 Virtual Project Mgmt For Courts (Clother)</b>
	512 50 49 01	Reg & Tuition - Court	001 000 512	General Fund	495.00 2021 Virtual Project Mgmt For Courts (Clother)
<b>25055</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>3923</b>	<b>Orca Pacific Inc</b>	<b>834.55 Chlorine (200 Gal) And Hydrochloric Acid (15 Gal)</b>
	576 20 31 01	Pool Supplies-Chemicals	001 000 576	General Fund	834.55 Chlorine (200 Gal) And Hydrochloric Acid (15 Gal)
<b>25096</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>3923</b>	<b>Orca Pacific Inc</b>	<b>642.40 Chlorine For Well #9 (160 Gal)</b>
	534 80 31 03	Oper Supplies - Chlorine	425 000 534	Water Fund (de	642.40 Chlorine For Well #9 (160 Gal)
<b>25097</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>3923</b>	<b>Orca Pacific Inc</b>	<b>1,269.13 Chlorine - (355 Gal) For Pool</b>
	576 20 31 01	Pool Supplies-Chemicals	001 000 576	General Fund	1,269.13 Chlorine - (355 Gal) For Pool
<b>25098</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>3923</b>	<b>Orca Pacific Inc</b>	<b>661.38 Chlorine (185 Gal) For Pool</b>
	576 20 31 01	Pool Supplies-Chemicals	001 000 576	General Fund	661.38 Chlorine (185 Gal) For Pool

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			Total Orca Pacific Inc	3,407.46	
<b>25056</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>1429 Pasic, Brian</b>	<b>59.00</b>	<b>Library Reimbursement - 1 Year</b>
572 21 49 00	Library Services	001 000 572	General Fund	59.00	Library Reimbursement - 1 Year
<b>25100</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>3945 Patriot Fire Protection, Inc</b>	<b>1,214.40</b>	<b>Fire Sprinkler Inspection (5 Year) And 10 Year Sprinkler Head Testing - 6/16/21 (PW)</b>
518 30 48 03	Rep & Maint - PW	001 000 518	General Fund	1,214.40	Fire Sprinkler Inspection (5 Year) And 10 Year Sprinkler Head Testing - 6/16/21 (PW)
<b>25057</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>8470 Petersohn, Suzanne</b>	<b>59.00</b>	<b>Library Reimbursement - 1 Year</b>
572 21 49 00	Library Services	001 000 572	General Fund	59.00	Library Reimbursement - 1 Year
<b>25080</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>3955 Petrocard Systems Inc</b>	<b>260.16</b>	<b>Gas/Fuel - Aug 2021</b>
548 65 31 11	Parks/Rec Gas	501 000 548	Equipment Ren	96.89	Gas/Fuel Aug 2021 - Mobile Tank
548 65 31 12	Street Gas	501 000 548	Equipment Ren	113.36	Gas/Fuel Aug 2021 - 2008 Dump
548 65 31 12	Street Gas	501 000 548	Equipment Ren	8.48	Gas/Fuel Aug 2021 - Mobile Tank
548 65 31 14	Wtr/Swr Gas	501 000 548	Equipment Ren	41.43	Gas/Fuel Aug 2021 - Mobile Tank
<b>25058</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>7839 Pingel, Scott</b>	<b>40.00</b>	<b>Meals Reimbursement - WCMA Conference 8/11-8/13</b>
513 10 43 00	Travel - Admin	001 000 513	General Fund	40.00	Meals Reimbursement - WCMA Conference 8/11-8/13
<b>25007</b>	<b>08/10/2021</b>	<b>08/24/2021</b>	<b>8212 Posadas, Vanessa</b>	<b>134.32</b>	<b>02-02160.7 - 231 COLUMBIA AVE</b>
343 10 00 00	Storm Drain Fees & Charge	415 000 340	Storm Drain	-44.81	
343 40 00 00	Sale Of Water	425 000 340	Water Fund (de	-47.86	
343 50 00 00	Sewer Revenues	430 000 340	Sewer Fund (de	-41.65	
<b>25059</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>3986 Puget Sound Energy, BOT-01H</b>	<b>38.22</b>	<b>Natural Gas - City Hall 7/2021</b>
518 30 47 00	Public Utility Services - Ci	001 000 518	General Fund	38.22	Natural Gas - City Hall 7/2021
<b>25060</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>3986 Puget Sound Energy, BOT-01H</b>	<b>45.69</b>	<b>Natural Gas PW - 7/2021</b>
531 50 47 02	Public Utility Services/Bldg	415 000 531	Storm Drain	11.42	Natural Gas - Storm 7/201
534 10 47 00	Utility Services/Building -	425 000 534	Water Fund (de	11.42	Natural Gas - Water 7/2021
535 10 47 00	Utility Services/Building -	430 000 535	Sewer Fund (de	11.42	Natural Gas - Sewer 7/2021
542 30 47 02	Electricity & Gas/Bldg - St	101 000 542	City Street Fun	11.43	Natural Gas - Street 7/2021

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			Total Puget Sound Energy, BOT-01H	83.91		
25017	08/13/2021	08/24/2021	4875	Rettke, Wayne	26.63	11-00425.1 - 1326 CONTRA COSTA AVE
	343 50 00 00	Sewer Revenues	430 000 340	Sewer Fund (de	-26.63	
25088	08/24/2021	08/24/2021	8893	Right Systems INC	3,350.00	IT Managed Services - Aug 2021
	518 81 41 01	Prof Svcs - I/S	001 000 518	General Fund	3,350.00	IT Managed Services - Aug 2021
25061	08/24/2021	08/24/2021	4035	Sarco Supply	42.37	Cleaning Supplies - Parks Structures
	576 80 31 01	Janitorial Supplies - Parks	001 000 576	General Fund	42.37	Cleaning Supplies - Parks Structures
25062	08/24/2021	08/24/2021	4035	Sarco Supply	93.70	Park Structures Supplies
	576 80 31 01	Janitorial Supplies - Parks	001 000 576	General Fund	93.70	Park Structures Supplies
25091	08/24/2021	08/24/2021	4035	Sarco Supply	39.93	Janitorial Supplies - Pool
	576 20 31 02	Janitorial Supplies - Pool	001 000 576	General Fund	39.93	Janitorial Supplies - Pool
			Total Sarco Supply	176.00		
25063	08/24/2021	08/24/2021	7749	Sound Uniform Solutions Inc	62.87	Nylon Duty Belt (J Johnson)
	521 22 49 01	Uniforms/Clothing/Laundry	001 000 521	General Fund	62.87	Nylon Duty Belt (J Johnson)
25064	08/24/2021	08/24/2021	4328	Systems for Public Safety Inc	1,160.81	#60943D LOF; Remove And Replace Front/Rear Brake Pads And Rotors
	548 65 48 08	O & M - Police	501 000 548	Equipment Ren	1,160.81	#60943D LOF; Remove And Replace Front/Rear Brake Pads And Rotors
25065	08/24/2021	08/24/2021	4328	Systems for Public Safety Inc	715.96	#66367D LOF; Remove And Replace Front Brake Pad And Rotors
	548 65 48 08	O & M - Police	501 000 548	Equipment Ren	715.96	#66367D LOF; Remove And Replace Front Brake Pad And Rotors
			Total Systems for Public Safety Inc	1,876.77		
25066	08/24/2021	08/24/2021	4120	Tacoma Daily Index	345.47	Public Hearing - 6 Hr Trans Plan; Adv For Bids - 2021 Backyard Pipe Bursting; Envir Determ - 6 Year Trans Plan And Comp Water Sys Plan
	542 30 41 01	Advertising - Street	101 000 542	City Street Fun	48.13	Public Hearing: 6 Yr Trans Plan
	558 60 41 01	Advertising - Planning	001 000 558	General Fund	55.00	Envir Determ: 6 Yr Trans Plan

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558 60 41 01	Advertising - Planning		001 000 558 General Fund	55.00	Envir Determ: Comp Water System Plan
594 35 63 01	Other Improvements Sewer		432 000 594 Sewer Improve	187.34	Adv For Bids: Backyard Pipe Bursting
<b>25077</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>4322</b>	<b>Tacoma, City of - POWER</b>	<b>7,978.15 Power - Various Locations - July 2021</b>
518 30 47 00	Public Utility Services - Ci		001 000 518 General Fund	616.92	City Hall Power July 2021
531 50 47 02	Public Utility Services/Bldg		415 000 531 Storm Drain	85.88	PW Main Bldg Power July 2021
534 10 47 00	Utility Services/Building -		425 000 534 Water Fund (de	85.88	PW Main Bldg Power July 2021
534 80 47 01	Utility Services/Pumping		425 000 534 Water Fund (de	4,323.45	Surface Water/hi Low Tank/well #9
535 10 47 00	Utility Services/Building -		430 000 535 Sewer Fund (de	85.89	PW Main Bldg Power July 2021
535 80 47 01	Utility Services/Pumping		430 000 535 Sewer Fund (de	1,032.63	Lift Stations Power July 2021
542 30 47 02	Electricity & Gas/Bldg - St		101 000 542 City Street Fun	85.88	PW Main Bldg Power July 2021
542 30 47 03	Electricity/Traffic Lights		101 000 542 City Street Fun	30.31	Traffic Control July 2021
542 63 47 00	Electricity/Street Lights		101 000 542 City Street Fun	1,174.25	Street Light Power July 2021
548 65 47 00	Utilities ShopGarage		501 000 548 Equipment Ren	26.12	F & E Garage Power July 2021
576 80 47 00	Public Utility Services - Pa		001 000 576 General Fund	430.94	Parks Power July 2021
<b>25067</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>4139</b>	<b>Tapco Visa Card</b>	<b>990.00 Box.com Business Plan Plus - 3 Licenses To Be Used For Online Contracts, Plan Review, And Permits</b>
513 10 31 00	Office & Oper Sup - Admin		001 000 513 General Fund	330.00	Box.com Business Plan Plus - 3 Licenses To Be Used For Online Contracts, Plan Review, And
524 20 31 00	Office & Oper Sup-Bldg		001 000 524 General Fund	330.00	Box.com Business Plan Plus - 3 Licenses To Be Used For Online Contracts, Plan Review, And
558 60 31 00	Office & Oper Sup-Plan		001 000 558 General Fund	330.00	Box.com Business Plan Plus - 3 Licenses To Be Used For Online Contracts, Plan Review, And
<b>25068</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>9306</b>	<b>Taylor, Andrew</b>	<b>59.00 Library Reimbursement - 1 Year</b>
572 21 49 00	Library Services		001 000 572 General Fund	59.00	Library Reimbursement - 1 Year
<b>25069</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>4151</b>	<b>Tools Plus Industries LLC</b>	<b>279.70 14" Husqvarna Diamond Blades (2)</b>
542 30 31 02	Oper Supplies - Street Reg		101 000 542 City Street Fun	279.70	14" Husqvarna Diamond Blades (2)
<b>25070</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>4172</b>	<b>Union 76 Royal</b>	<b>28.75 Gas/Fuel - Police - (#60452) Card Reader Not Working</b>
548 65 31 08	Police Gas		501 000 548 Equipment Ren	28.75	Gas/Fuel - Police - Card Reader Not Working
<b>25071</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>9253</b>	<b>University Place Tire &amp; Auto</b>	<b>44.61 #63581D - 2017 Chev Silverado - LOF</b>
548 65 48 14	O & M - Wtr/Swr		501 000 548 Equipment Ren	44.61	#63581D - 2017 Chev Silverado - LOF
<b>25072</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>9253</b>	<b>University Place Tire &amp; Auto</b>	<b>173.25 #38484D Weld Exhaust Piece In On Water Truck (old F4)</b>

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548 65 48 12	O & M - Street		501 000 548 Equipment Ren	173.25	#38484D Weld Exhaust Piece In On Water Truck (old F4)
Total University Place Tire & Auto				217.86	
<b>25084</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>4188 Verizon Wireless LLC</b>	<b>440.11</b>	<b>Aircards (10) And PW Aircards - Aug 2021</b>
521 22 42 00	Communication - Police		001 000 521 General Fund	400.10	Aircards (10) Aug 2021
531 50 42 00	Communication - Storm		415 000 531 Storm Drain	10.00	PW Aircards - Aug 2021
534 10 42 00	Communication - Water		425 000 534 Water Fund (de	10.00	PW Aircards - Aug 2021
535 10 42 01	Communication - Sewer		430 000 535 Sewer Fund (de	10.00	PW Aircards - Aug 2021
542 30 42 00	Communication - Street		101 000 542 City Street Fun	10.01	PW Aircards - Aug 2021
<b>25085</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>4188 Verizon Wireless LLC</b>	<b>994.90</b>	<b>Shared Plan (23 Lines) - Aug 2021</b>
513 10 42 00	Communication - Admin		001 000 513 General Fund	42.04	Shared Plan (23 Lines) - Aug 2021
518 30 42 00	Communication - Fac/Equi		001 000 518 General Fund	74.08	Shared Plan (23 Lines) - Aug 2021
521 22 42 00	Communication - Police		001 000 521 General Fund	418.37	Shared Plan (23 Lines) - Aug 2021
524 20 42 00	Communications- Bldg		001 000 524 General Fund	21.02	Shared Plan (23 Lines) - Aug 2021
531 50 42 00	Communication - Storm		415 000 531 Storm Drain	73.06	Shared Plan (23 Lines) - Aug 2021
534 10 42 00	Communication - Water		425 000 534 Water Fund (de	73.06	Shared Plan (23 Lines) - Aug 2021
535 10 42 01	Communication - Sewer		430 000 535 Sewer Fund (de	73.06	Shared Plan (23 Lines) - Aug 2021
542 30 42 00	Communication - Street		101 000 542 City Street Fun	73.07	Shared Plan (23 Lines) - Aug 2021
558 60 42 00	Communications - Planning		001 000 558 General Fund	21.02	Shared Plan (23 Lines) - Aug 2021
576 80 42 00	Communication - Parks		001 000 576 General Fund	126.12	Shared Plan (23 Lines) - Aug 2021
Total Verizon Wireless LLC				1,435.01	
<b>25074</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>4231 Water Mgmt Labs Inc</b>	<b>377.00</b>	<b>Water Testing - July 2021</b>
534 80 41 00	Water Testing		425 000 534 Water Fund (de	377.00	Water Testing - July 2021
<b>25103</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>9445 Wellington Apartments LLC</b>	<b>2,330.00</b>	<b>Rental Assistance Grant (Covid 19 Expense) Apt 4-B</b>
518 63 40 00	General Grants, Financial A		001 000 518 General Fund	2,330.00	Rental Assistance Grant (Covid 19 Expense) Apt 4-B
<b>25104</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>9445 Wellington Apartments LLC</b>	<b>2,160.00</b>	<b>Rental Assistance Grant (Covid 19 Expense) - Apt 19-A</b>
518 63 40 00	General Grants, Financial A		001 000 518 General Fund	2,160.00	Rental Assistance Grant (Covid 19 Expense) Apt 19-A
Total Wellington Apartments LLC				4,490.00	
<b>25075</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>9612 Wolfe, Thomas</b>	<b>59.00</b>	<b>Library Reimbursement - 1 Year</b>

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572 21 49 00			Library Services		
			001 000 572 General Fund	59.00	Library Reimbursement - 1 Year
<b>25076</b>	<b>08/24/2021</b>	<b>08/24/2021</b>	<b>4273 Zumar Industries Inc</b>	<b>147.85</b>	<b>Sign Post Materials For Lower Business District Sign</b>
542 30 31 02			Oper Supplies - Street Reg	147.85	Sign Post Materials For Lower Business District Sign

Report Total: 2,121,471.02

Fund

001 General Fund	135,219.57
101 City Street Fund	3,105.30
301 Park Bond Capital Fund	1,595,503.23
415 Storm Drain	699.94
425 Water Fund (department)	30,497.35
430 Sewer Fund (department)	350,503.59
432 Sewer Improvement Fund	187.34
501 Equipment Rental Fund	5,754.70

This report has been reviewed by:

REMARKS:

Signature & Title

Date

**CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL**

Mayor 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, and Marc Rieke were present. Councilmember Barrentine was absent and excused.

**PRESIDING OFFICER'S REPORT**

**A. Community Center and Pool Project**

Grover reported the permanent roofing starts next week and the pool vortex is up and running. George asked if there are concerns with supply chain issues due to Covid-19 impacts. Grover reports that the project has not experienced impacts to date. Waltier offered to help in the future if supply chain issues arise.

George reported that he met with the Kiwanis Club of Tacoma and the U.P./ Fircrest Rotary Club to speak about the Pool and Community Center Project and ways to get involved with the community. George informed the Council that James Moore of the Pierce Conservation District posted about the work completed at Whittier Park. And lastly, George thanked the five attendees.

**CITY MANAGER COMMENTS**

**A. In-Person Business Meeting Plan Discussion**

Pingel provided a brief overview of the history of how the City has adapted to online meetings and reports that we need additional hardware to accommodate hybrid meetings. There was a discussion regarding the timeframe to allow for in-person meetings and the desire to open meetings to the public. There was a consensus to discuss mask requirements for in-person meetings at the next study session.

Pingel reported that he will be at a conference for the remainder of the week and staff has contacted the apartment complexes in the City to inform them of the assistance programs. Lastly, staff met with the neighbors around the pool area and after the meeting, it was agreed upon that staff will paint the curbs, place sandwich notice boards near the pool entrance, and the police will enforce parking violations.

**DEPARTMENT HEAD COMMENTS**

- Police Chief Cheesman reported that with the upcoming heatwave, the staff is looking at opening another cooling center.
- Public Works Director Bemis reported that the water meter replacements continue, and the department is planning to host a water conservation booth at Fircrest Park.
- Recreation Director Grover reported that Pierce Conservation District continues to do great work and staff is planning to cut down the leaning trees at Whittier. Lastly, Grover reports that staff and community members have cleaned up the bocce ball courts, and they look great.

**COUNCILMEMBER COMMENTS**

- Viafore asked that staff continue to investigate Councilmember reported hours and thanked staff for fixing the broken pipe at Whittier. The bocce ball courts are no longer underwater, and they look great. Viafore reported that National Night Out was a success and he is frustrated with the landscaping at the two schools. Lastly, Viafore asked the staff to provide a year-to-year well output report.

- Reynolds commented that she would like to see the City begin to budget for climate change initiatives and reported that the Delta variant remains very contagious and is concerned about the surge in Covid-19 cases.
- Wittner thanked Chief Cheesman for the National Night Out event and reminded people to continue to mask up.
- Waltier asked Councilmember Reynold how he should move forward with the information she provided in her comments. Reynolds reported that it would be helpful to promote vaccinations to slow the spread of Covid-19.
- Rieke thanked the staff for the National Night Out event commented there is now a social media page called Queer Fircrest that supports the LGBTQ community in our area.
- George thanked staff for the National Night Out event and thanked those who were in attendance. Lastly, George reported that there are 10 Covid-19 cases at Metro Parks, four of which are children.

#### **PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**

George invited public comment. The following individuals provided public comment:

- Yolonda Brooks, 6464 19<sup>th</sup> Street W #C, thanked the staff for opening City Hall during the heatwave and asked that the City engage the community regarding Whittier Park projects. Lastly, Brooks commented about an upcoming carbon dioxide utilization summit.
- Brian Rybolt, 1036 Daniels Drive, commented that the bocce ball courts look great and thanked Chief Cheesman for his community letter. Lastly, Rybolt commented that he would like to see the Council meetings return to in-person meetings and does not support a mask mandate.

Director Bemis credited community members and staff who revitalized the bocce ball courts.

#### **COMMITTEE, COMMISSION, AND LIAISON REPORTS**

##### **A. Administration**

Viafore reported that the City Attorney and Prosecutor contracts are being finalized and congratulated City Clerk Westman on her new position. Viafore would like to start brainstorming ideas for the lower business district for the centennial. Lastly, Viafore thanked Court Administrator Kristi Perry for her service.

##### **B. Environmental, Planning, and Building**

Rieke reported that the Planning & Building Department is undergoing organizational changes and City Clerk Westman has an implementation plan, which includes transitioning to online permitting. Rieke is excited for the future and congratulated Westman on her new position.

##### **C. Finance, IT, Facilities**

Wittner; no report provided.



**D. Other Liaison Reports**

Reynolds congratulated Chief Cheesman on becoming a grandpa.

George reported that he attended a recording documents fee presentation, stemming from the passing of HB 1277.

**CONSENT CALENDAR**

George requested the City Clerk read the Consent Calendar: approval of Voucher No. 216804 through Voucher Check No. 216859 in the amount of \$147,801.17; approval of Payroll Check No. 14073 through Payroll Check No. 14075 in the amount of \$8,184.78; approval of Payroll Check No. 14076 through Payroll Check No. 14081 in the amount of \$65,96.66; approval of Payroll electronic funds transfer in the amount of \$157,155.93; Setting a public hearing on August 24, 2021, at 7:15 p.m. or shortly thereafter to receive comment on the Water System Plan; approval of July 19, 2021, Study Session Meeting minutes; and approval of July 27, 2021, Regular Meeting minutes; **Viafore MOVED to approve the Consent Calendar as read; seconded by Wittner. The Motion Carried (6-0).**

**PUBLIC HEARING**

There was no public hearing scheduled.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

**A. Resolution No. 1719: Leavitt Group Insurance Broker Contract Amendment**

City Manager Pingel briefed the Council on the proposed Resolution and reported that the contract amount has not increased since 2014. **Wittner MOVED to adopt Resolution No. 1716, authorizing the City Manager to execute Amendment #10 to the agreement with Leavitt Group NW for insurance broker services; seconded by Viafore.** George invited councilmember comments; none were provided. George invited public comment; none were provided. **The Motion Carried (6-0).**

**B. Resolution No. 1720: Engineering Consulting Services for the Stormwater Outfalls project**

Bemis provided an overview of the proposed resolution and reported that staff is hoping to start construction by the end of the year. **Wittner MOVED to adopt Resolution No. 1720, authorizing the City Manager to execute an agreement with Parametrix Inc. for engineering services related to the WSDOE Grant for the Pre-Treatment Stormwater Outfalls to Leach Creek; seconded by Viafore.** George invited councilmember comments; Discussions included the project being good for the environment and asking staff to investigate Rose Creek which is near the holding basin. George invited public comment; none were provided. **The Motion Carried (6-0).**

**C. Motion Only: Contractor selection approval for backyard sewer main pipe bursting projects**

The Council is being asked to authorize the City Manager to execute an agreement with Pacific Trenchless Inc. who was the low bidder on the project. **Wittner MOVED that the**

**City Council authorize the City Manager to award the contract for the backyard sewer main pipe bursting project to Pacific Trenchless Inc. Budget Sewer for \$359,000. The City Manager is further authorized to prepare and execute the required contract documents and to give the ‘Notice to Proceed’ for the project; seconded by Waltier.**

George invited councilmember comments; there was a discussion about clarifying if sales tax is being included or not. George invited public comment; none were provided. **The Motion Carried (6-0).**

**D. Information Only: 2nd Quarter Financial Report**

Finance Director Corcoran reported that the review period was through June 30, 2021 and highlighted that we should be at or around 50% of spending and revenue. Corcoran reported that revenue is currently at 54% of budget and expenditures are currently at 47% of the budget. The City currently has no money in bonds and has \$16.5 million in LGIP. Viafore commented that he would like to see a financial plan for the pool before budget adoption.

**CALL FOR FINAL COMMENTS**

Pingel, Cheesman, Waltier, Viafore, and George thanked Court Administrator Perry for her service and wished her well in her future endeavors.

Viafore asked if the City has received any assistance applications. Pingel reported that we have received several and the first review date will be August 16, 2021.

**EXECUTIVE SESSION**

No Executive Session was scheduled.

**ADJOURNMENT**

**Viafore MOVED to adjourn the meeting at 9:02 P.M., seconded by George. The Motion Carried (6-0).**

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Hunter T. George, Mayor

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Jayne Westman, City Clerk

**CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL**

Mayor Pro Tem Wittner called the study session to order at 6:01 P.M. and led the pledge of allegiance. Councilmembers David M. Viafore, Shannon Reynolds, Joe Barrentine, and Marc Rieke were present. Mayor Hunter George and Councilmember Waltier were absent and excused.

**AGENDA MODIFICATIONS**

There were none.

**IN-PERSON BUSINESS MEETING PLAN DISCUSSION**

City Manager Pingel provided an overview of accommodating hybrid meetings and highlighted the State requirements to comply with the Open Public Meetings Act. The staff recommends allowing in-person Council meetings beginning at the September 14, 2021, regular meeting. The needed equipment has been ordered and the staff will have the time to ensure that the transition goes smoothly. There was a consensus to allow for hybrid meetings starting at the September 14, 2021, regular meeting.

There were discussions held on requiring those who attend in-person to wear a mask. Discussions included CDC guidelines, the current guidelines for the public who enter our facilities, and the limited number of anticipated attendees.

Wittner invited public comment. The following individuals provided public comment:

- Yolonda Brooks, 6464 19<sup>th</sup> Street W #C, commented on her support of allowing the public to join in person and she supports requiring masks for attendees.
- Nikki Bufford, 1405 Evergreen Dr, commented on her support of mask mandates, continuing to offer a remote option, and the importance of leading by example.

There was a consensus to require masks at Council meetings starting September 14, 2021.

Lastly, there was a brief discussion on adopting a policy of the Council to require masks at meetings and the potential need to roll back to closed meetings should the current guidance change.

**ADJOURNMENT**

**Reynolds MOVED to adjourn the meeting at 6:38 P.M., seconded by Barrentine. The Motion Carried (5-0).**

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Brett L. Wittner, Mayor Pro Tem

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Jayne Westman, City Clerk

## **FIRCREST CITY COUNCIL AGENDA SUMMARY**

**NEW BUSINESS:** Updated Water System Plan  
**ITEM:** 11A

**FROM:** Tyler Bemis, Public Works Director

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**RECOMMENDED MOTION:** None. Public Hearing Only.

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**PROPOSAL:** The City of Fircrest Public Works Department has produced an updated Water System Plan and is seeking public feedback. This plan was compiled along with an Engineering Consultant (Murray Smith) and Financial Analysis Consultant, Katy Isaksen. See attached WSP

**FISCAL IMPACT:** A 2% rate increase is identified in Chapter 10 (Financial Analysis)

**ADVANTAGE:** The updated WSP, when approved, will be good for 6-10 years. The (DOH) Department of Health will determine if the plan fits a 10 year approval. The Plan speaks to future upgrades, maintenance and operations, water quality and conservation amongst many other topics. See attached WSP.

**DISADVANTAGES:** None.

**ALTERNATIVES:** None currently.

**HISTORY:** Past Water System Plans were subject to a 6 year approval. The current plan has the potential for a 10 year approval. The latest version went through the consultant selection process followed by numerous meetings to verify accurate data. A detailed financial analysis was completed to ensure current and future needs of the system are funded.

**ATTACHMENTS:** [Draft Water System Plan](#)

**NEW BUSINESS: Professional Services Agreement with Kenyon Disend, PLLC**

**ITEM: 13A**

**FROM: Scott Pingel, City Manager**

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**RECOMMENDED MOTION:** I move to adopt Resolution No. \_\_\_\_\_, authorizing the City Manager to execute a professional services agreement with Kenyon Disend, PLLC for City Attorney services.

---

**PROPOSAL:** Council is being asked to authorize the City Manager to execute a professional services agreement with Kenyon Disend, PLLC for City attorney services. The agreement will be from execution to December 31, 2021, with the option of subsequent renewals.

Kenyon Disend has over 28 years devoted to municipal law.

They came highly recommended by their references. They all spoke of their knowledge, responsiveness, and ability to provide quality advice and direction.

**FISCAL IMPACT:** City attorney services are included in the 2022 budget. Kenyon Disend charges an hourly rate ranging from \$175 to \$370. Hilary Evans, who will be our primary City Attorney bills at \$250/hour, and Robert Zeinemann, who will assist Ms. Evans with bills at \$235/hour. The hourly rate, however, for supporting attorneys and legal staff is less. For example, we use a lot of City Attorney support in fulfilling complex public records requests. The public records expert at Kenyon Disend bills at \$195/hour.

**ADVANTAGE:** The City needs legal counsel with municipal law practice experience and Kenyon Disend has demonstrated extensive experience in representing local governments throughout Washington State.

**DISADVANTAGES:** The rates charged for the attorneys assigned to us are higher than our previous contract; however, with resources available to us at Kenyon Disend, our primary needs will be taken care of by attorneys that bill at a lower rate.

**ALTERNATIVES:** The City Council could request an alternate city attorney the staff can repost the RFQ.

**HISTORY:** The City has contracted with Comfort, Davies, and Smith, P.S. for over 20 years. Michael B. Smith announced his retirement effective July 2021, with the option to extend until the new City Attorney is hired. Mr. Smith has indicated that he will help the City transition to the newly appointed City Attorney until his services are no longer required.

**ATTACHMENTS:** [Resolution](#)  
[Professional Services Agreement](#)

**CITY OF FIRCREST  
RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIRCREST,  
WASHINGTON, AUTHORIZING THE CITY MANAGER TO EXECUTE  
A PROFESSIONAL SERVICES AGREEMENT WITH KENYON DISEND,  
PLLC FOR CITY ATTORNEY SERVICES.**

**WHEREAS**, The Council is being asked to authorize a professional services agreement between Kenyon Disend, PLLC, and the City of Fircrest to provide City Attorney and municipal law services; and

**WHEREAS**, Council desires to have specialized legal experience for issues related to City administration and various departmental needs; and

**WHEREAS**, Kenyon Disend has over 28 years of experience in municipal law, representing local jurisdictions. Now, Therefore,

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

**Section 1.** The City Manager is hereby authorized and directed to execute the agreement between Kenyon Disend, PLLC, and the City of Fircrest for City Attorney services.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FIRCREST,  
WASHINGTON**, at a regular meeting thereof this 24th day of August 2021.

**APPROVED:**

\_\_\_\_\_  
Hunter T. George, Mayor

**ATTEST:**

\_\_\_\_\_  
Jayne Westman, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

**CITY OF FIRCREST  
PROFESSIONAL SERVICES AGREEMENT  
CITY ATTORNEY SERVICES**

**1. DATE AND PARTIES**

THIS AGREEMENT, for reference purposes only, is dated the \_\_\_\_ day of \_\_\_\_\_, 2021 and entered into by and between the City of Fircrest, a political subdivision of the State of Washington and hereinafter referred to as the "City" and Kenyon Disend PLLC, hereinafter referred to as "Consultant" in consideration of the mutual benefits, terms and conditions hereinafter specified.

**2. SERVICES DESIGNATION**

The Consultant is retained by the City to perform City Attorney/Legal Counsel services.

**3. SCOPE OF SERVICES**

The Consultant agrees to perform in a good and professional manner the tasks described in Exhibit A, Kenyon Disend Scope of Work, attached hereto and incorporated herein by this reference. The Consultant agrees to perform the services including the provision of all labor, materials, equipment and supplies as identified in Exhibit A. The Consultant shall perform the services as an independent contractor and shall not be deemed, by virtue of this Agreement and the performance thereof, to have entered into any partnership, joint venture, employment or other relationship with the City.

**4. ASSIGNMENT**

The Consultant shall not sublet or assign any of the services covered by this agreement without the express written consent of the City.

**5. NON-WAIVER**

Waiver by the City of any provision of this agreement or any time limitation provided for in this agreement shall not constitute a waiver of any other provisions.

**6. TERM OF AGREEMENT**

Notwithstanding, the date of execution hereof, this Agreement shall be in effect August 25, 2021, through December 31, 2022. Either party may terminate this Agreement upon thirty (30) day's written notice to the other party.

**7. PAYMENT**

Upon receipt of an invoice from the Consultant, progress payments may be made on a monthly basis for work completed. Each invoice shall itemize the work performed. Consultant shall bill monthly for the term set forth in Section 6 at the hourly rates attached as Exhibit B, including any necessary travel time as well as any incidental costs such as postage, filing fees, or other incidental costs advanced on behalf of the City.

Consultant's current rates expressly account for any taxes or related charges ("charges") imposed on professional service providers by City and the State of Washington. In the event that any such additional charges are imposed during the term of this Agreement, Consultant shall be entitled to recover any such additional charges as a reimbursable cost item on Consultant's monthly billing statements.

**8. PERFORMANCE AND STANDARDS**

Consultant shall perform its work to conform to generally accepted professional standards. Consultant shall be responsible for the professional quality, technical adequacy and accuracy, timely completion and coordination of all plans, designs, drawings and specifications prepared under this Agreement. Consultant shall, without additional compensation, correct or reverse any errors or omissions in such work.

**9. HOLD HARMLESS, DEFENSE, AND INDEMNITY**

With the exception of the sole negligence of the City, its employees, or elected officials, the Consultant shall protect, defend, indemnify, and hold harmless the City of Fircrest, its employees, directors, officers, and Councilmembers from any and all claims, demands, losses, actions, and liabilities to or by any person or entity arising out of all work, injuries, or property damage pursuant to this agreement, buildings, parking, grounds, or other property of any kind. This agreement includes both Personal Injury, Bodily Injury, Death or Property Damage as well as other loss or damage.

**10. INSURANCE**

Consultant will obtain and maintain in force at least the following minimum insurance coverage covering all activity under this agreement, and as to which the City shall be named as primary non-contributory additional insured on the Liability insurance:

a. Workman's Compensation Coverage	Statutory
b. Commercial General Liability	\$1,000,000/\$2,000,000 aggregate
c. Comprehensive Automobile Liability	\$1,000,000 per accident

Per Fircrest Municipal Code 9.90.140, a certificate of insurance showing the foregoing will be submitted to the City for approval 14 days before work commences.

The minimum limits above do not limit the consultant's liability to the City or public.

**11. CONSULTANT'S REPRESENTATIONS**

The Consultant hereby represents that it has all necessary licenses and certifications to perform the services provided for herein, and is qualified to perform such services.

**12. COMPLIANCE WITH LAWS**

The Consultant shall be duly licensed and shall comply with all applicable laws, ordinances, and codes of the Federal, State, and local governments. Per Fircrest Municipal Code 5.04.020, Consultant agrees to obtain a City of Fircrest business license prior to performing any work pursuant to this Agreement.

**13. TERMINATION**

If the Consultant violates any of the covenants undertaken herein, or any of the duties imposed upon it by the Agreement, this Agreement may be terminated by either party immediately with cause, and without cause upon thirty (30) days' written notice, served to the other party by certified mail. In such case, Consultant shall be compensated by the City for all work performed to the date of termination.



**14. VENUE STIPULATION**

This Agreement has been and shall be considered as having been made and delivered within the State of Washington both as to interpretation and performance. Any action in law or equity, or judicial proceeding for the enforcement of this Agreement, or any of the provisions contained therein, shall be instituted and maintained only in Pierce County Superior Court, Tacoma, Washington.

**15. STATUS OF CONSULTANT**

Neither the Consultant nor personnel employed by the Consultant shall acquire any rights or status in City employment, nor shall they be deemed employees or agents of the City for any purpose. Consultant shall be deemed an independent Contractor and shall be responsible in full for payment of its employees, including prevailing wages, worker's compensation, insurance, payroll deductions, and all related costs.

**16. COMPLIANCE WITH CITY POLICY**

The Consultant shall comply with approved City policies concerning the administration of City-owned property, and the provisions of the policy shall have the same force and effect as provisions of this agreement to the extent not inconsistent herewith.

**17. TAXES**

Consultant shall comply with federal, state, and local tax laws, Social Security Acts, Unemployment Compensation and Workers Compensation Acts in so far as applicable to the performance of this Agreement.

**18. DAMAGE BY VANDALISM OR ACTS OF GOD**

It is understood and agreed that the Consultant shall not be responsible or required to repair, at the sole cost and expense of the Consultant, any major damage or destruction caused by acts of vandalism or acts of GOD and did not result from the negligent acts or omissions of the Contractor or the Consultant's agents.

**19. SAFETY REQUIREMENT**

All work performed under the terms of this agreement shall be performed in such a manner as to provide maximum safety to the public and employees of the City of Fircrest.

**20. NON-DISCRIMINATION**

The Consultant agrees not to discriminate against any customer, employee, or applicant for employment, subcontractor, supplier or materialman, because of gender, sexual orientation, race, color, creed, religion, national origin, marital status, age or handicap, except for a bona fide occupational qualification. The Consultant understands that if it violates this provision, this Agreement may be terminated by the City and that the Consultant may be barred from performing any service for the City now or in the future.

**21. SEVERABLE PROVISIONS**

Each provision of this Agreement is intended to be severable. If any provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.

**22. INTEGRATED AGREEMENT**

This agreement, together with attachments or addenda, represents the entire and integrated agreement between the representations, or agreements, written or oral. This agreement may be amended only by written instrument signed by both City and Consultant.

**DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2021**

**CITY OF FIRCREST**

**CONSULTANT**

By: \_\_\_\_\_  
Scott Pingel, City Manager

By: \_\_\_\_\_

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
City Attorney

**ATTEST:**

By: \_\_\_\_\_  
City Clerk

## EXHIBIT A -- SCOPE OF SERVICES

Consultant shall provide the following City Attorney services, which include but are not limited to:

- A. Attend regular meetings of the City Council and executive sessions scheduled for regular meetings of the City Council. Attend special meetings of the City Council, Committee meetings, and meetings of City Boards and Commissions upon request;
- B. Prepare or review ordinances, resolutions, contracts, interlocal agreements, and other city documents or materials as requested;
- C. Practice "preventative law" in the form of regular consultation with staff and elected officials;
- D. Provide training staff, elected officials, Boards, and Commissions on municipal law issues;
- E. Initiate and defend litigation brought against the City;
- F. Initiate and defend administrative hearings involving the City;
- G. Comprehensive internet and remote access capability, including e-mail, linking Consultant's office with City Hall; and
- H. Such other general city attorney matters as are assigned; provided, however, that City Attorney services shall not include prosecution or traffic infraction matters.

EXHIBIT B

KENYON DISEND, PLLC  
HOURLY RATE SCHEDULE FOR CITY ATTORNEY SERVICES

ATTORNEYS:

Michael R. Kenyon	\$370.00
Hillary J. Evans	\$250.00
Robert D. Zeinemann	\$235.00
Alexandra L. Kenyon	\$195.00

Of Counsel:

Doug F. Mosich	\$300.00
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Legal Intern:

Chanel J. Krueger <sup>1</sup>	\$100.00
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PARALEGALS:

Margaret C. Starkey	\$155.00
Terry T. Curran	\$135.00
Antoinette M. Mattox	\$135.00

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<sup>1</sup> During the term of this Agreement Chanel Krueger is expected to become a licensed member of the Washington State Bar Association. Upon her swearing in, Chanel's hourly rate will increase to \$155.

**NEW BUSINESS: Professional Services Agreement with Eric F. Schacht for City Prosecutor Services**

**ITEM: 13B**

**FROM: Scott Pingel, City Manager**

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**RECOMMENDED MOTION:** I move to adopt Resolution No. \_\_\_\_\_, authorizing the City Manager to execute a professional services agreement with Eric F. Schacht for City Prosecutor Services.

---

**PROPOSAL:** Council is being asked to authorize the City Manager to execute a professional services agreement with Eric F. Schacht for City Prosecutor services. The agreement will be from September 22, 2021, to December 31, 2022, with the option of subsequent renewals.

Mr. Schacht has worked with our current Prosecutor, Mike Smith, over the last couple of years before moving to his current firm, Ledger Square Law. He has already built a good relationship with the Court and has begun getting to know our Police Department.

**FISCAL IMPACT:** City prosecutor services are included in the 2021 budget and will continue to budget for these services in 2022. Mr. Schacht's hourly rate will be \$180 per hour, with his legal staff billing at \$150 per hour. Mr. Schacht's rate is similar to the rate the City currently pays.

**ADVANTAGE:** With the retirement of Mike Smith, the City needs a new City Prosecutor. In working through the process, Mr. Schacht rose to the top of our search.

**DISADVANTAGES:** None identified.

**ALTERNATIVES:** The City Council could request an alternate city prosecutor or the staff can repost the RFQ.

**HISTORY:** Michael B. Smith has been the City's prosecutor for nearly 30 years. Mr. Smith announced his retirement effective July 2021, with the option to extend until the new City Prosecutor is hired. Mr. Smith has indicated that he will help the City transition to the newly appointed City Prosecutor until his services are no longer required.

**ATTACHMENTS:** [Resolution](#)  
[Professional Services Agreement](#)

**CITY OF FIRCREST  
RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIRCREST,  
WASHINGTON, AUTHORIZING THE CITY MANAGER TO EXECUTE  
A PROFESSIONAL SERVICES AGREEMENT WITH ERIC F.  
SCHACHT.**

**WHEREAS**, the City Council is being asked to authorize a professional services agreement between Eric F. Schacht, an Attorney in good standing in the State of Washington, and the City of Fircrest, to provide City Prosecutor services; and

**WHEREAS**, the City Council desires to provide prosecutorial services in the City of Fircrest; and

**WHEREAS**, Eric F. Schacht is an Attorney capable of providing these services, having worked with the City's current City Prosecutor. Now, Therefore,

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

**Section 1.** The City Manager is hereby authorized and directed to execute the agreement between Eric F. Schacht and the City of Fircrest for City Prosecutor services.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FIRCREST,  
WASHINGTON**, at a regular meeting thereof this 24th day of August 2021.

**APPROVED:**

\_\_\_\_\_  
Hunter T. George, Mayor

**ATTEST:**

\_\_\_\_\_  
Jayne Westman, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

## **City of Fircrest Prosecutor Services Agreement**

1. **Parties:** This Agreement is entered into between the City of Fircrest, hereinafter referred to as “City”, and Ledger Square Law, P.S.
2. **Purpose:** The purpose of this Agreement is to provide City Prosecutor Services as may be required for the City to provide the full range of prosecution services as more fully described under duties below. The parties intend and expect that Eric F. Schacht, an attorney admitted to practice before the courts of the State of Washington and employed by Ledger Square Law, P.S., will provide the City Prosecutor duties identified herein unless otherwise agreed in writing by both parties to this Agreement.
3. **Term:** The term of this Agreement shall be from September 22, 2021, Until December 31, 2022, and it shall be automatically renewed for each succeeding calendar year on the terms and conditions set forth herein unless and until terminated in accordance with the provisions of the Termination of Agreement section.
4. **Termination of Agreement:** This Agreement may be terminated by either party, with or without cause, upon three (3) months’ notice to the other party.
5. **City Prosecutor Duties:** The City Prosecutor shall perform such services necessary and customary for prosecution of persons charged with a crime in Fircrest Municipal Court. He/she shall represent the City in contested infraction, administrative and code enforcement hearings, or proceedings before the Fircrest and Ruston Municipal Courts where defendant is represented by legal counsel. He/she shall provide legal advice on all enforcement matters under RCW’s and FMC’s coming before the Court. He/she shall provide other such infraction proceedings as the parties may agree.

### **A. Performance of Services and Representation:**

- Sentencing and post-sentencing phase and any appeals of such criminal, infraction and administrative matters.
- Pursuant to RCW 3.50 and the Fircrest and Ruston Municipal Coded, the jurisdiction of Fircrest and Ruston Municipal Code includes jurisdiction over traffic infractions arising under City ordinances, exclusive criminal jurisdiction over all violations of City ordinances, and all other jurisdiction conferred on it by statute or City Code.

### **B. Duties shall include but not be limited to:**

- Communicating with the City through the responsible department that has filed a complaint or action, whether orally or in writing, to make filing decisions on select cases.
- Making charging decisions and processing all referred cases within 40 days, whenever practicable.
- Interviewing witnesses and victims of crimes.
- Advising victims regarding their rights and responsibilities.
- Reviewing and remaining familiar with criminal misdemeanor and gross misdemeanor cases.
- Representing the City at arraignments, pre-trial hearings, preliminary hearings, bench and jury trials, violation hearings, probation hearings, warrant hearings, post-sentencing hearings, appeals from cases heard in Fircrest and Ruston Municipal Court, contested or mitigation hearings where defendant has hired legal counsel.
- Coordinating with arresting officers and/or the Chief of Police to ensure vigorous and thorough prosecution.
- Coordination with arresting officer and/or the Chief of Police on any plea agreements.
- Making sentencing decisions and recommendations to the Court.
- Maintaining all current cases in an appropriate filing system.
- Preparing and presenting legal memorandums for Court cases.
- Processing all discovery requests from defendants or defense attorneys within 20 days of request,

whenever practicable.

- Preparing subpoenas.
- Representing and advising the City regarding victims' interests.
- Attending officers' meetings when requested for legal updates and courtroom training.
- Annually review the Fircrest Municipal Code and advise the City on necessary revisions of the FMC to comply with RCW changes.

**C. Assistant Prosecutors**

- The City Prosecutor shall be responsible for providing backup and coverage in the event of any absence or conflict.
- All attorneys performing services shall be licensed to practice law in the State of Washington and shall be in good standing pursuant to the rules of the Supreme Court of the State of Washington.

**6. Staffing:** The City Prosecutor shall provide:

- All Legal assistants, paralegals, legal support staff, and administrative support staff (collectively "legal staff"), supplies and clerical support services necessary for the performance of City Prosecutor Services.
- Phone and email contact information and response to calls and requests from the City within 1 business day.
- At least 5 working days advance notice of planned absence.
- Designated contact when not available for emergency situations.
- Their own reference books and needed publications.

**7. Payment:** The City Prosecutor shall maintain appropriate records accounting for all services rendered to and on behalf of the City, which records shall record the following:

- The hours of services rendered;
- The type of service rendered;
- The City department for which service is rendered;
- Specific Court Case information;
- The identification of personnel rendering such service.
- Eric F. Schacht shall receive \$180 per hour for fees for services rendered each month.
- Legal staff under the direct supervision of Eric F. Schacht shall receive \$150 per hour for services rendered each month.
- Monthly service fees shall be paid within 30 days of receipt of an itemized invoice for services rendered by Eric F. Schacht and legal staff.
- The City shall reimburse Eric F. Schacht for reasonable expenses incurred to render all services to the City.
- Payment shall be issued to Ledger Square Law, P.S.

**8. Use of Premises:** As needed, the City may provide office space at City Hall, located at 115 Ramsdell Street, Fircrest, WA 98466, for the use of the City Prosecutor.

**9. Notices:** Any notice required or permitted herein shall be deemed properly given at the time personally delivered or mailed postage prepaid and first class to the following addresses, or such other addresses as the City or Eric F. Schacht may designate in the future:

If to the City:

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

With a copy to:

City Clerk City of Fircrest  
115 Ramsdell Street  
Fircrest, WA 98466

If to the City Prosecutor:

Ledger Square Law, P.S.  
710 Market Street  
Tacoma, WA 98402  
Attn: Eric F. Schacht, City Prosecutor



- 10. Discrimination and Compliance with Laws:** The City Prosecutor agrees to not discriminate against any employee or applicant for employment or any other person in the performance of this Agreement because of race, creed, color, national origin, marital status, sex, age, disability, or other circumstance prohibited by federal, state, or local law or ordinance, except for a bona fide occupational qualification.

The City Prosecutor shall comply with all federal, state and local laws and ordinances applicable to the work to be done under this Agreement.

Violation of this section shall be a material breach of this Agreement and grounds for cancellation, termination or suspension by the City, in whole or in part, and may result in ineligibility for further work for the City.

- 11. Ownership of Documents:** All files and other documents maintained by the City Prosecutor for the purpose of rendering legal services to the City shall be the files of the City and accessible by the City through its City Attorney or other duly authorized representative during normal business hours. At the request of the City, any and all files maintained by the City Prosecutor shall be tendered to the City for the purpose of rendering legal services to the City.

- 12. Independent Contractor:** The City Prosecutor and his/her legal staff are professionals acting without direct supervision and are independent contractors. The City Prosecutor waives any claim in the nature of a tax, charge, cost or employee benefits, which would attach if the City Prosecutor or his/her legal staff were held to be employees of the City.

- 13. Subletting or Assigning Contract:** Neither the City nor the City Prosecutor shall assign, transfer, or encumber any rights, duties or interest accruing from this Agreement without the express prior written consent of the other.

- 14. Hold Harmless, Defense, and Indemnity:** With the exception of the sole negligence of the City, its employees, or elected officials, the City Prosecutor shall protect, defend, indemnify, and hold harmless the City of Fircrest, its employees, directors, officers, and Councilmembers from any and all claims, demands, losses, actions, and liabilities to or by any person or entity arising out of all work, injuries, or property damage pursuant to this agreement, buildings, parking, grounds, or other property of any kind. This agreement includes both Personal Injury, Bodily Injury, Death or Property Damage as well as other loss or damage.

- 15. Insurance:** City Prosecutor will obtain and maintain in force at least the following minimum insurance coverage covering all activity under this agreement and will provide a Certificate of Professional Liability Insurance to the City concurrent with the execution of this Agreement. The City Prosecutor's minimum insurance coverage may be satisfied by the City Prosecutor's coverage under by a law firm's insurance policy so long as the policy meets the following coverage limits:

- |                                       |                                   |
|---------------------------------------|-----------------------------------|
| a. Workman's Compensation Coverage    | Statutory                         |
| b. Commercial General Liability       | \$1,000,000/\$2,000,000 aggregate |
| c. Comprehensive Automobile Liability | \$1,000,000 per accident          |

Per Fircrest Municipal Code 9.90.140, a certificate of insurance showing the foregoing will be submitted to the City for approval 14 days before work commences.

The minimum limits above do not limit the City Prosecutor's liability to the City or public.

- 16. Sole Contract Between Parties:** This Agreement is the sole written contract between the parties. Any prior written or oral understanding shall merge with this Agreement. It shall be amended only upon express written consent of the parties hereto.

[Signatures On Next Page]

DATED this 24th day of August, 2021.

**CITY OF FIRCREST**

**LEDGER SQUARE LAW, P.S.**

By: \_\_\_\_\_  
Scott Pingel, City Manager

By: \_\_\_\_\_

Its: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
City Attorney

By: \_\_\_\_\_  
Eric F. Schacht, Attorney  
Ledger Square Law, P.S.

**ATTEST:**

By: \_\_\_\_\_  
City Clerk

## **FIRCREST CITY COUNCIL AGENDA SUMMARY**

**NEW BUSINESS:** Resolution approving the City of Fircrest's 6-year Transportation Improvement Program  
**ITEM: 13C**

**FROM:** Tyler Bemis, Public Works Director

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**RECOMMENDED MOTION:** I move to adopt Resolution No. \_\_\_\_, approving the City of Fircrest's 6-year Transportation Improvement Program for the period of 2022-2027

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**PROPOSAL:** The Council is being asked to approve the updated 6-year TIP. The need to leverage local dollars through grant applications is important to the City. This Program is not only intended to identify projects for funding, but to establish City Council approval to submit grant applications on those projects within the Program. It should be noted that for a project to obtain state or federal funding, it must be included in the City's 6-Year Transportation Improvement Program.

**FISCAL IMPACT:** None, however, adoption of the Program results in the projects identified being grant-eligible.

**ADVANTAGE:** The adoption of a 6-year Transportation Improvement Program will ensure compliance with the requirements relative to an annual, public participatory transportation improvement planning process as dictated by State statute. This Plan will become a guidance document throughout the budgetary planning process and will also serve as the adopted priority array of projects to be completed in the future. This plan will be referenced by other jurisdictions and will be included in regional and State planning documents as well. This Plan will also provide staff with a guidance document to apply for grant opportunities and/or loans in the future as opportunities arise. This Plan can be modified at any time during the year as conditions and priorities change.

**DISADVANTAGES:** None.

**ALTERNATIVES:** None.

**HISTORY:** Chapter 35.77.010 of the Revised Code of Washington (RCW) provides that each city shall annually update its Six-Year Comprehensive Transportation Program and file a copy of the adopted Program with the Secretary of the Washington State Department of Transportation (WSDOT) each year. The Program is necessary to allow cities and counties to obtain State and Federal funding. For a project to obtain funding from the State, it must appear in the agency's current Program. Because the State also disperses federal highway funds, this requirement applies to federally funded projects as well.

RCW 35.77.010 also requires each city to specifically set forth those projects and programs of regional significance for inclusion in the transportation improvement program for that region. There are no projects included in this Program which are considered regionally significant.

The Program is based upon anticipated revenues versus desirable projects. There are always more projects than available revenues. Therefore, a primary objective of the Program is to integrate the two to produce a comprehensive, realistic program for the orderly development and maintenance of our street system.

Several important points must be considered during the review of the proposed Program. The early years of the Program are accurate in that it can be assumed that those projects will be constructed as scheduled, pending anticipated funding received. Projects in the later years are more flexible and may be accelerated, delayed or canceled as funding and conditions change.

It is also important to note that the adoption of the Program does not irreversibly commit the City of Fircrest to construct the projects. A project may be canceled at any time during study or design. The usual reasons for canceling a project are that it is environmentally unacceptable or contrary to the best interests of the community. The Program may at any time be revised by a majority vote of the City Council, but only after a public hearing.

A public hearing was held at the regular City Council Meeting on July 13, 2021.

**ATTACHMENTS:** [Resolution](#)  
[Final TIP](#)  
[SEPA Checklist](#)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
FIRCREST, WASHINGTON, ADOPTING THE 2022-2027 SIX-  
YEAR COMPREHENSIVE TRANSPORTATION IMPROVEMENT  
PROGRAM**

**WHEREAS**, on July 13, 2021 a public hearing was held on the proposed Program. No comments on the proposed Program were received at the public hearing. The City Council has considered the proposed priority array and determined the priorities of projects identified in the Program appear to be in the best interest of the City and its residents; Now, Therefore,

**Section 1.** The 2022-2027 Six-Year Comprehensive Transportation Improvements Program dated August 24, 2021 is hereby adopted as the Six-Year Comprehensive Transportation Improvements Program for the City of Fircrest from and after January 1, 2021 and until amended by subsequent action of the City Council.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON**, at a regular meeting thereof this 24th day of August 2021.

Hunter T. George, Mayor

Jayne Westman, City Clerk

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**APPROVED AS TO FORM:**

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Michael B. Smith, City Attorney

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# **CITY OF FIRCREST**

**2022-2027**

**Transportation Improvement Program**

**Draft**

## ACKNOWLEDGEMENTS

### Fircrest City Council

Hunter T. George, Mayor  
Denny Waltier, Mayor Pro Tempore  
David M. Viafore  
Shannon Reynolds  
Brett L. Wittner  
Joe Barrentine  
Marc Rieke

### City Manager

Scott Pingel

### Public Works

Tyler Bemis, Director  
Jeff Davis, Utility Foreman  
Jim Marzano, Utility Service Person II  
Russ Parsons, Utility Service Person II  
Tim Piercy, Utility Service Person II  
Roger Schlosstein, Utility Service Person II  
Vicky Walston, Utility Billing Clerk  
Arlette Burkhart, Administrative Assistant

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## PREFACE

Chapters 35.77.010 of the Revised Code of Washington (RCW) provide that each city shall annually update its Six-Year Comprehensive Transportation Program and, after a public hearing thereon, file a copy of the adopted Program with the Secretary of the Washington State Department of Transportation (WSDOT) by July 1 of each year. The Program is necessary to allow cities and counties to obtain State and Federal funding. For a project to obtain funding from the State, it must appear in the agency's current Program. Because the state also disperses federal highway funds, this requirement applies to federally funded projects as well.

RCW 35.77.010 also requires each city to specifically set forth those projects and programs of regional significance for inclusion in the transportation improvement plan for that region. There are no projects included in this Program that are considered regionally significant.

The Program is based upon anticipated revenues versus desirable projects. There are always more projects than available revenues. Therefore, a primary objective of the Program is to integrate the two to produce a comprehensive, realistic program for the orderly development and maintenance of our street system.

Several important points must be considered during the review of the proposed Program. The early years of the Program are fairly definite; that is, it can be assumed that those projects will be constructed as scheduled. Projects in the later years are more flexible and may be accelerated, delayed, or canceled as funding and conditions change.

It is also important to note that the adoption of the Program does not irreversibly commit the City of Fircrest to construct the projects. A project may be canceled at any time during study or design. The usual reasons for canceling a project are that it is environmentally unacceptable or contrary to the best interests of the community. The Program may be revised at any time by a majority vote of the City Council, but only after a public hearing.

## NON-DISCRIMINATION

The City of Fircrest assures that no person shall, on the ground of race, color, national origin, handicap, sex, age, or income status as provided by Title VI of the Civil Rights Act of 1964 and subsequent authorities, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity.

## GRANT APPLICATIONS AND LEVERAGING LOCAL DOLLARS

The need to leverage local dollars through grant applications is very important to the City, especially considering the decrease in funding available for transportation-related capital improvements. The intent of this program is not only to list and program projects for funding but to establish City Council approval to submit grant applications on those projects contained in the Program.

## ABOUT THE CITY OF FIRCREST

The City of Fircrest is a non-charter code city, operating under a Council-Manager form of government, with an annual General Fund budget of \$7.9 million and a total budget of over \$26 million. Fircrest is a full-service city, providing a wide range of services, including police and fire protection, animal control, emergency medical aid, building safety regulation and inspection, street lighting, land use planning, and zoning, housing and community development, full range of recreational and cultural programs, traffic safety maintenance and improvement, and maintenance and improvement of streets, water, sewer, and storm.

Fircrest is a vibrant community that offers the perks of small suburb town life with major urban cities nearby. Incorporated as a town in 1925 and as a city in 1990, Fircrest is centrally located just 32 miles south of the City of Seattle and 31 miles north of the state capital. Covering 1.58 square miles, Fircrest started as the first master-planned community in the state of Washington. With over 30 chain saw sculptures, six beautiful parks, an urban forest of Fir trees, and friendly, active neighborhoods, Fircrest has earned its title as “The Jewel of Pierce County” and is known as a residential oasis nestled between the cities of Tacoma and University Place. The City is home to the Fircrest Golf Club, a 160-acre, an 18-hole golf course that has stood the test of time for more than 94 years and fits perfectly among the premier private golf clubs in the Puget Sound region.

Home to 6,835 residents, Fircrest has a strong local history and residents who are active and passionate in the community. The City operates and maintains 27.1 acres of land providing a range of active and passive recreational opportunities and community events. The City continues to work hard to keep its reputation as a quiet, residential community with attractive, livable neighborhoods and fine recreational facilities and setting the standard for community-oriented policing. Fircrest is planning for additional growth in the future that will continue to shape the character of the community. As growth occurs, there are characteristics that residents would like to retain, such as Fircrest’s green character; a safe, friendly, and sustainable community; and some physical remnants of the past as reminders of its early history.



## FUNDING SOURCES

### Motor Vehicle Fuel Tax Funds

By law, each city receives a proportionate share of the total state motor vehicle fuel tax. Money received is a monthly allocation based on population. In the City's 2021 budget, it is anticipated that revenue received from the state gas tax for the Street Fund will be \$144,220 in FY 2021. This is the same as anticipated to be received in 2022 and therefore should be relatively accurate.

### Transportation Improvement Board

The Washington State Transportation Improvement Board (TIB) funds high-priority transportation projects in communities throughout the state to enhance the movement of people, goods, and services. TIB is an independent state agency, created by the Legislature, which distributes and manages street construction and maintenance grants to 320 cities and urban counties throughout Washington State. Funding for TIB's grant programs comes from revenue generated by three cents of the statewide gas tax.

The TIB has several statewide competitive programs which use criteria developed by the TIB for the prioritization of projects. The three TIB programs in which the City of Fircrest can compete are as follows:

- Urban Corridor Program (UCP)  
This program is for transportation projects with a primary emphasis on public/private cooperation and economic development.
- Urban Arterial Program (UAP)  
This program is for arterial street construction with a primary emphasis on safety and mobility. This is the program from which the City received the \$574,447 grant for the 2020 Alameda Ave. Overlay project.
- Sidewalk Program (SP)  
This program is for the improvement of pedestrian safety, and to address pedestrian system continuity and connectivity. This is the program from which the City received the \$530,190 grant for the 2020 Emerson Street Sidewalk Extension Project.

### City Funding Sources

Recent funds from the sale of the City's power utility have been used to fund capital projects in the City's Street Fund. There are not sufficient funds in this source to fully fund the projects included in the Six-Year Program, however, the City will consistently apply for grant funding in order to use as little of this fund as possible to maintain a healthy reserve to get through tough economic times.

### Real Estate Excise Taxes

The City can also use the Real Estate Excise Tax it receives for funding, in whole or in part, any capital project associated with the work identified in this plan.

### Washington State Department of Transportation

- Traffic Safety Near Schools Program – This program is for the improvement of safety for children traveling to and from school.

### Surface Water Management Program

The City's Stormwater Management Program (SWMP) pays for all drainage facilities constructed in conjunction with street improvements. The revenue from SWM is directly related to the number of capital improvement projects constructed. Because there will be little impact to storm drainage facilities resulting from the projects proposed in the Six-Year Transportation Improvement Program, only a minor amount of funding is expected from this source.

### CONSISTENCY WITH LAND USE MANAGEMENT PLAN

The State's Growth Management Act (GMA) requires local governments to develop and adopt comprehensive plans covering land use, housing, capital facilities, utilities, and transportation. These comprehensive plans must balance the demands of growth with the provision of public facilities and services and transportation facilities and services. The City of Fircrest was required to develop and adopt a comprehensive plan that is in conformance with the requirements of the GMA.

The City of Fircrest has, as part of its Comprehensive Plan, Transportation Goals and Policies. The projects in the Six-Year Comprehensive Transportation Improvement Program are intended to conform to the goals and policies within the City's Comprehensive Plan.

TABLE 1: 2022-2027 TRANSPORTATION FACILITY IMPROVEMENTS

## City of Fircrest Six-Year Comprehensive Transportation Improvement Program (2022 to 2027)

Transportation Facility Improvements		2022	2023	2024	2025	2026	2027	TOTAL
<b>Capital Appropriations</b>								
1.	Major Pavement Patching: Citywide	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	<b>\$360,000</b>
<b>Grind and Overlays</b>								
2.	Regents Blvd: Arondale Dr to 67th Ave		\$82,000	\$760,000				<b>\$842,000</b>
3.	1/2 Street Orchard Blvd/Regents Blvd to end of Right-of-Way						\$250,000	<b>\$250,000</b>
4.	1/2 Street Orchard Blvd/Stanford St to Regents Blvd						\$180,000	<b>\$180,000</b>
<b>Roadway Improvements</b>								
5.	Buena Vista Ave: 1300 block (curb/gutter and overlay)					\$75,000		<b>\$75,000</b>
6.	Berkeley Ave: 1300 block (curb/gutter and overlay)					\$75,000		<b>\$75,000</b>
<b>Pedestrian, Non-Motorized</b>								
7.	Alameda Ave: 44th St to Emerson St (curb, gutter, sidewalk - both sides)					\$300,000		<b>\$300,000</b>
8.	44th St: 67th Ave to 60th Ave (curb/gutter, sidewalk - north side)						\$450,000	<b>\$450,000</b>
9.	Alameda Ave: Emerson St. to Rosewood Ln (curb/gutter, sidewalk, east side)				\$500,000			<b>\$500,000</b>
10.	Emerson St: Woodside Dr to 67th St (sidewalks, retaining walls)		\$53,000	\$400,000				<b>\$453,000</b>
<b>Total Capital Appropriations</b>								
		<b>\$60,000</b>	<b>\$195,000</b>	<b>\$1,220,000</b>	<b>\$560,000</b>	<b>\$510,000</b>	<b>\$940,000</b>	<b>\$3,485,000</b>



## FIGURE 1: 2022-2027 PROJECTS MAP

As listed in Table 1, Map 1 illustrates the transportation facility improvements for the 2022-2027 Six-Year Transportation Improvement Program planned for the City of Fircrest. Below is a brief description of the work for these projects.

### Grind and Overlay

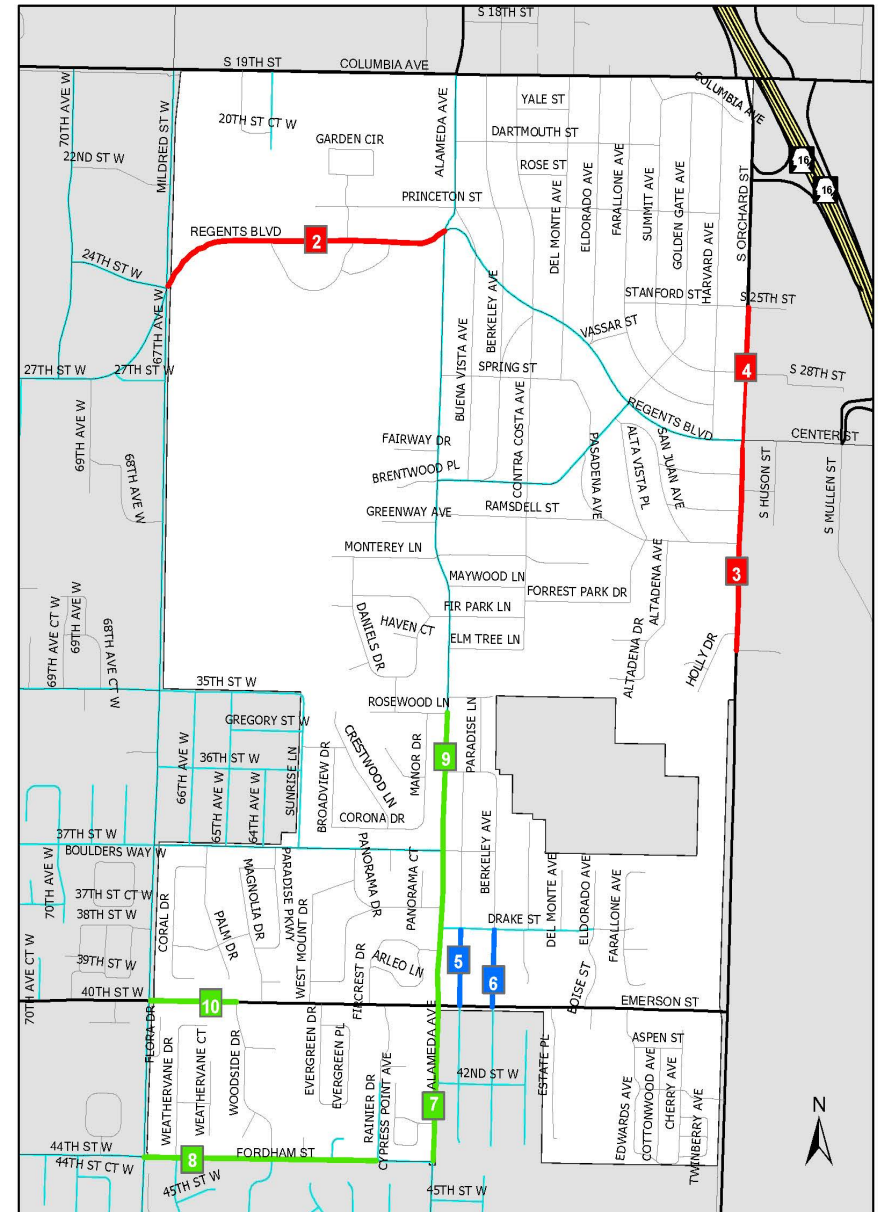
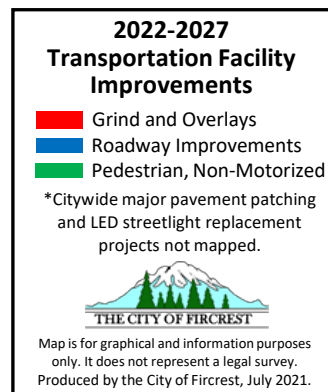
A grind and overlay project consists of grinding the existing pavement down a few inches and overlaying the roadway with a new wearing surface. This is a way to preserve the existing roadway and provide a new wearing surface and seal the roadbed.

### Roadway Improvements

This is a reconstruction of the existing roadway. The roadbed is removed and replaced with new material and a new pavement section. This work also includes replacing or adding curb and gutters and sidewalks along both sides of the roadway or where they do not exist.

### Pedestrian, Non-Motorized

This improvement is typically the construction of a new curb and gutter and sidewalk improvement. This will add new sidewalks where there presently is no sidewalk and complete gaps in sidewalks. This also potentially provides for bike lanes along designated routes.





## Determination of Environmental Non-significance

### City of Fircrest – Proposed 6-Year Transportation Improvement Program (TIP)

Case Number LU21-07

TO: Interested Parties  
SUBJECT: Preliminary Determination of Non-Significance

In accordance with WAC 197-11-340, a copy of the preliminary determination of Environmental Non-significance for the project described below is transmitted for your review and comment:

Applicant: City of Fircrest, Department of Public Works  
Proposal: Six-Year Transportation Improvement Program  
Location: Applies to the Incorporated Area of the City of Fircrest  
Lead Agency: City of Fircrest  
City Contact: Tyler Bemis, Public Works Director  
City of Fircrest  
115 Ramsdell Street  
Fircrest, WA 98466  
Phone: 253-238-4134

The lead agency for this proposal has made a preliminary determination that this project does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

Comments on this Determination of Environmental Non-significance (DNS) must be submitted by 5:00 p.m. by the closing date of the comment deadline, which is stated below. The Responsible Official may reconsider the determination based upon timely comments and may retain, modify, or, if significant adverse impacts are likely, withdraw the DNS determination.

Unless modified by the City, the preliminary DNS will become a final determination on August 9, 2021. An appeal of this determination must be filed within 21 days of the issue date of this notice. Appeal must be accompanied by the required filing fee of \$100. *(Please note appellants who do not substantially prevail on appeal or reconsideration, or whose appeal is dismissed for lack of standing, shall be billed for the actual cost of the application.)* The appeal must be filed with the Planning/Building Department, 115 Ramsdell Street, Fircrest, Washington 98466.

Responsible Official: Angelie Stahlnecker  
Position/Title: Planning/Building Administrator

Signature: Angelie Stahlnecker  
Issue Date: July 27, 2021  
Comment Deadline: August 9, 2021

## **A. BACKGROUND**

1. Name of proposed project, if applicable:  
**City of Fircrest Six Year Transportation Improvement Program (2022-2027)**
2. Name of applicant:  
**City of Fircrest  
Public Works Department  
115 Ramsdell Street  
Fircrest WA 98466**
3. Address and phone number of applicant and contact person:  
**Tyler Bemis, Public Works Director  
City of Fircrest  
Public Works Department  
115 Ramsdell Street  
Fircrest, WA 98466  
253-565-8900  
tbemis@cityoffircrest.net**
4. Date checklist prepared:  
**July 6, 2021**
5. Agency requesting checklist:  
**City of Fircrest, Washington**
6. Proposed timing or schedule (including phasing, if applicable):  
**Council adoption by August 10, 2021**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.  
**This is a non-project proposal. Annual updates are required under state law. Revisions and updates are likely on an annual basis dependent upon project needs and funding priorities.**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.  
**None.**
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? if yes, explain.  
**None**
10. List any government approvals or permits that will be needed for your proposal, if known.  
**None – this is a non-project proposal.**



11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (lead agencies may modify this form to include additional specific information on project description.)

**This is the annual update of the City's 6-year TIP as required by RCW Chapters 35.77 and 36.81. The transportation projects include overlays and reconstruction of existing street sections located throughout the city. All work would be located within existing rights-of-way and would not be capacity related.**

12. Location of proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

**Applies to the City of Fircrest right-of-way within the corporate city limits.**

## **B. ENVIRONMENTAL ELEMENTS**

### **1. Earth**

a. General description of the site (circle one): **Flat, rolling**, hilly, steep slopes, and mountainous, other \_\_\_\_\_.

b. What is the steepest slope on the site (approximate percent slope)?

**Within the City rights-of-way, slopes are generally, 0% to 12% slopes.  
Only one street (Drake Street) exceeds a slope of 15%.**

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

**The majority of soils in Fircrest are Alderwood gravelly sandy loam.  
The remainder is classified primarily as muck and loam. Varies by project site.**

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

**None have been identified.**

e. Describe the purpose, type, and approximate quantities of any filling or grading proposal. Indicate source of fill.

**None of the listed projects is expected to require significant filling or grading.**

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

**All construction activity will take place within existing paved areas (streets) or associated public right-of-way. Minimal erosion may occur and will be addressed through installation of appropriate erosion control measures.**

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

**The amount of impervious surfaces after project construction will be equivalent to present coverage.**

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

**None proposed under this non-project proposal. All construction activity in Fircrest is required to comply with the Department of Ecology Stormwater Management Manual for Western Washington. Erosion control techniques employing best management practices will be designed and implemented to keep erosion to a minimum.**

## **2. Air**

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile. odors, and industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

**Particulate emissions (dust) will result from construction activity. Precise quantities are unknown, although the level of particulates will be limited by controls imposed by the City.**

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

**None have been identified.**

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

**Per FMC 22.58.008(j), construction dust and other particulates will be controlled through frequent watering and/or other dust control measures.**

## **3. Water**

a. Surface:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

**Tacoma Holding Basin that abuts the Fircrest corporate limits. Leach Creek flows into Chambers Creek, which in turn flows into the Puget Sound. Emerson Pond is the other surface body water located within Fircrest. Wetlands are associated with both bodies of water.**

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

**No.**

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

**None.**

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

**No.**

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

**No.**

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

**No.**

b. Ground:

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

**No.**

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals\_\_\_\_\_; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable). or the number of animals or humans the system(s) are expected to serve.

**Not applicable.**

c. Water Runoff (including storm water):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

**Stormwater runoff from roads and other impervious surfaces infiltrates in retention and detention ponds and infiltration galleries throughout the city. The storm water system also has numerous outfalls to discharge water into the Tacoma Holding Basin and Leach Creek, which empties into Chambers Creek and the Puget Sound.**

2) Could waste materials enter ground or surface waters? If so, generally describe.

**None is anticipated.**

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

**All construction activity in Fircrest is required to comply with the Department of Ecology Stormwater Management Manual for Western Washington. Best management practices will be implemented during project construction.**

#### 4. Plants

a. Check or circle types of vegetation found on **or adjacent to** the site:

- ☒ deciduous tree: alder, maple, aspen, other
- ☒ evergreen tree: fir, cedar, pine, other
- ☒ shrubs

- ☒ grass
- \_\_\_\_\_ pasture
- \_\_\_\_\_ crop or grain
- \_\_\_\_\_ wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
- \_\_\_\_\_ water plants: water lily, eelgrass, milfoil, other
- \_\_\_\_\_ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

**All of the street overlays and reconstruction will occur within existing paved street sections. There are no plans to remove any existing vegetation. Within existing right-of-way, sidewalk planters and medians could be impacted.**

c. List threatened or endangered species known to be on or near the site.

**A Cooper's Hawk nest was reported at one time near the Tacoma Holding Basin, however, there are none observed at this time. The area of this previous nest is not located near any of the proposed projects, and it is not located adjacent to a City Right-of-Way.**

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

**None.**

## 5. Animals

a. Circle any birds and animals that have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other (list):

mammals: deer, bear, elk, beaver, other (list):

fish: bass, salmon, trout, herring, shellfish, other (list):

**Not applicable -this is a non-project proposal.**

b. List any threatened or endangered species known to be on or near the site.

**None known at this time.**

c. Is the site part of a migration route? If so, explain.

**The City of Fircrest is within the Pacific Flyway.**

d. Proposed measures to preserve or enhance wildlife, if any:

**None proposed.**

## 6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

**None.**

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

**Not applicable - this is a non-project proposal.**

c. What kinds of energy conservation features are included in the plans of this proposal?

**Not applicable - this is a non-project proposal.**

List other proposed measures to reduce or control energy impacts, if any:

**None proposed under this non-project proposal. As implementation of a specific project occurs, the city will take appropriate measures to reduce or control energy impacts from project construction.**

## **7. Environmental Health**

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

**Not applicable -this is a non-project proposal.**

1) Describe special emergency services that might be required.

**Not applicable - this is a non-project proposal.**

2) Proposed measures to reduce or control environmental health hazards, if any:

**None proposed under this non-project proposal. As implementation of a specific project occurs, the city will utilize required safety procedures to minimize a risk of health hazards from exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste**

## **b. Noise**

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

**Not applicable - this is a non-project proposal. In general, project activities will be located in a variety of urban environments that experience noise from traffic and other activities.**

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

**Noise will be generated during reconstruction/paving of each street section on a short-term basis, typically during daytime hours, only.**

3) Proposed measures to reduce or control noise impacts, if any:

**None proposed under this non-project proposal. As implementation of a specific project occurs, the city will minimize noise impacts through the use of properly muffled equipment and machinery and limiting hours of construction to reasonable a reasonable time of the day, as appropriate.**

## 8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?

**The current sites consist of developed public right-of-way.**

- b. Has the site been used for agriculture? If so, describe.

**No.**

- c. Describe any structures on the site.

**See "a" above.**

- d. Will any structures be demolished? If so, what?

**No.**

- e. What is the current zoning classification of the site?

**The City contains zoning classifications including R-4, R-4-C, R-6, R-8, R-10-TCD, R-20, R-30, NO, NC, CMU, PROS (Parks, Recreation and Open Space), and GC (Golf Club). The street sections are located within and adjacent to most of these classifications.**

- f. What is the current comprehensive plan designation of the site?

**Right-of-way zoning is comparable to the Comprehensive Plan designations.**

- g. If applicable, what is the current shoreline master program designation of the site?

**Not applicable – there are no shorelines of the state in the City of Fircrest.**

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

**Fircrest is an aquifer recharge area and contains Leach Creek, Ross Creek, Emerson Pond, and numerous wetlands.**

- i. Approximately how many people would reside or work in the completed project?

**Not applicable -this is a non-project proposal. Projected population for the City is 6950 by year 2035.**

- j. Approximately how many people would the completed project displace?

**None.**

- k. Proposed measures to avoid or reduce displacement impacts, if any:

**None proposed under this non-project proposal.**

1. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

**None proposed under this non-project proposal, as it is not required.**

## 9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

**None.**

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

**None.**

- c. Proposed measures to reduce or control housing impacts, if any:

**None proposed under this non-project proposal.**

#### **10. Aesthetics**

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

**Not applicable.**

- b. What views in the immediate vicinity would be altered or obstructed?

**None.**

- c. Proposed measures to reduce or control aesthetic impacts, if any:

**None proposed or required.**

#### **11. Light and Glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

**None, other than temporary lighting during construction activities, if required.**

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

**No.**

- c. What existing off-site sources of light or glare may affect your proposal?

**None.**

- d. Proposed measures to reduce or control light and glare impacts, if any:

**None proposed under this non-project proposal.**

#### **12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity?

**Varies by project location.**

- b. Would the proposed project displace any existing recreational uses? If so, describe.

**No.**

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

**None proposed under this non-project proposal.**

#### **13. Historic and Cultural Preservation**

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

**None known.**

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

**None known.**

c. Proposed measures to reduce or control impacts, if any:

**No impacts are anticipated.**

#### **14. Transportation**

a. Identify public streets and highways serving the site and describe proposed access to the existing street system. Show on site plans, if any.

**Variable, by project location.**

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

**Pierce Transit currently serves Fircrest on Regents Boulevard, South 19th Street, Orchard Street, and Emerson Street.**

c. How many parking spaces would the completed project have? How many would the project eliminate?

**None.**

d. Will the proposal require any new roads or streets, or improvement to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

**No new streets will be constructed. The project intent is to overlay and reconstruct numerous existing street sections.**

e. Will the project use (or occur in the immediate vicinity of water, rail, or air transportation? If so, generally describe.

**No.**

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

**No change from the present.**

g. Proposed measures to reduce or control transportation impacts, if any:

**None proposed under this non-project proposal.**

#### **15. Public Services**

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

**No.**

b. Proposed measures to reduce or control direct impacts on public services, if any.

**Not applicable.**

#### **16. Utilities**

a. Circle the utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

**Not applicable -this is a non-project proposal.**



b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity that might be needed.

**No changes are proposed.**

#### C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: *Tyler Bemis*  
Tyler Bemis

Title: Public Works Director

Date Submitted: July 6, 2021

**D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS** (do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

**The Six-Year TIP consists of repair and maintenance of existing streets, specifically, overlays and reconstruction of existing street sections. There may be short-term increases in emissions (particulates) and noise during construction activities. There will not be any long-term impacts in terms of those items listed above.**

Proposed measures to avoid or reduce such increases are:

**Specific project components must comply with the City's Land Development Code, including performance standards that require compliance with the DOE Stormwater Management Manual for Western Washington and implementation of dust control measures.**

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

**All proposed construction is to occur within existing street pavement sections. No impacts are anticipated.**

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

**The City will review the impacts of each specific development in the city on a project-by-project basis. Project mitigation measures will ensure that waterways and wetlands are protected through compliance with the DOE Stormwater Management Manual for Western Washington, and critical area regulations, if applicable.**

3. How would the proposal be likely to deplete energy or natural resources?

**None are anticipated.**

Proposed measures to protect or conserve energy and natural resources are:

**None proposed.**

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

**Projects included in the TIP are not anticipated to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, since they consist of maintenance to, or repair of, existing streets.**

Proposed measures to protect such resources or to avoid or reduce impacts are:

**Individual project components will be required to comply with the City's critical area regulations and other environmental regulations and policies, where applicable.**

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

**Projects included in the TIP are not anticipated to affect land and shoreline use, since they consist of maintenance to existing streets. Fircrest does not have any shorelines as defined by the State.**

Proposed measures to avoid or reduce shoreline and land use impacts are:

**The City will ensure that future development occurs in a manner consistent with the Fircrest Comprehensive Plan land use policies and development regulations.**

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

**Implementation of the TIP will not result in increased demands, since the project components are maintenance-oriented and not capacity-related.**

Proposed measures to reduce or respond to such demand(s) are:

**None proposed under this non-project proposal.**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

**The non-project proposal would not conflict with local, state, or federal laws or requirements for the protection of the environment.**

Interested Parties:

City of University Place Department of Development Services  
City of Tacoma Public Works  
Wash Dept of Ecology, SEPA Register (via PDF)