

**FIRCREST CITY COUNCIL
REGULAR MEETING
AGENDA**

**TUESDAY, JANUARY 10, 2023
7:00 P.M.**

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

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. PRESIDING OFFICER'S REPORT**
 - A. 2023 Liaison Assignments
- 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.)
- 9. COMMITTEE, COMMISSION & LIAISON REPORTS**
 - A. Administration
 - B. Environmental, Planning, and Building
 - C. Finance, IT, Facilities
 - D. Other reports
- 10. CONSENT CALENDAR**
 - A. Approval of [vouchers](#)/payroll checks
 - B. Approval of Minutes: [December 19, 2022, Study Session Meeting](#)
[December 27, 2022, Regular Meeting](#)
 - C. Setting the 2023 City Council Study Session meetings on January 17, February 21, March 14, April 17, May 15, June 20, July 17, August 21, September 18, October 16, November 20, and December 18 starting at 6:00 pm at City Hall.
 - D. Setting a joint meeting of the City Council and the Planning Commission on February 7, 2023, at 6:00 pm at City Hall.
- 11. PUBLIC HEARING**
- 12. UNFINISHED BUSINESS**
- 13. NEW BUSINESS**
 - A. [Resolution: Approval of Tacoma Power's Energy Incentive Program Agreement](#)
- 14. CALL FOR FINAL COMMENTS**
- 15. EXECUTIVE SESSION**
- 16. ADJOURNMENT**

Join the Zoom *Dial-in Information:* 1-253-215-8782 Webinar ID: 838 2218 0448 Password: 312044

ACCOUNTS PAYABLE

City Of Fircrest

Time: 10:20:26 Date: 01/06/2023

As Of: 01/10/2023

Page: 1

Accts Pay #	Received	Date Due	Vendor	Amount	Memo
28618	12/30/2022	01/10/2023	6811 Alarm Works NW LLC	462.00	Alarm Monitoring Service PSB - Jan - Dec 2023
	518 30 48 04	Rep & Maint - PSB	001 000 518 General Fund	462.00	Alarm Monitoring Service PSB - Jan - Dec 2023
28429	12/07/2022	01/10/2023	9488 Brightly Software, (formerly Dude Solutions)	11,961.25	Asset Mgmt/Work Order Software - 1/1/23-12/31/23
	531 50 41 00	Prof Svcs - Storm	415 000 531 Storm Drain	2,990.31	Asset Mgmt/Work Order Software - 1/1/23-12/31/23
	534 10 41 00	Prof Svcs - Water Admin	425 000 534 Water Fund (de	2,990.31	Asset Mgmt/Work Order Software - 1/1/23-12/31/23
	535 10 41 00	Prof Svcs - Sewer Admin	430 000 535 Sewer Fund (de	2,990.31	Asset Mgmt/Work Order Software - 1/1/23-12/31/23
	542 30 41 00	Prof Svcs - Street Reg	101 000 542 City Street Fund	2,990.32	Asset Mgmt/Work Order Software - 1/1/23-12/31/23
28654	01/03/2023	01/10/2023	4324 City Treasurer-Tacoma	60,493.80	Fire/EMS - January 2023
	522 20 40 00	Tacoma Contract - Fire	001 000 522 General Fund	14,268.80	Fire - 01/2023
	522 20 41 00	Tacoma Contract - EMS	001 000 522 General Fund	46,225.00	EMS - 01/2023
28660	01/04/2023	01/10/2023	4324 City Treasurer-Tacoma	2,203.97	Semi Annual Billing for Streetlight Attachments 1/1/23 - 6/30/23
	542 63 48 02	Pole Attachment Charge	101 000 542 City Street Fund	2,203.97	Semi Annual Billing for Streetlight Attachments 1/1/23 - 6/30/23
Total City Treasurer-Tacoma				62,697.77	
28655	01/03/2023	01/10/2023	3585 DMCMA	150.00	2023 DMCMA Annual Dues - S Olivarez
	512 50 49 02	Dues/Member/Subscription:	001 000 512 General Fund	150.00	2023 DMCMA Annual Dues - S Olivarez
28662	01/05/2023	01/10/2023	2630 Lacross, John J.	91.01	05-03330.0 - 1114 MAGNOLIA DR
	343 10 00 00	Storm Drain Revenues	415 000 340 Storm Drain	-24.18	
	343 40 00 00	Sale Of Water	425 000 340 Water Fund (de	-26.46	
	343 50 00 00	Sewer Revenues	430 000 340 Sewer Fund (de	-40.37	
28657	01/04/2023	01/10/2023	8626 Pacific Office Automation Inc	144.03	Postage Meter Rental - Jan 2023
	518 10 42 01	Postage - Non Dept	001 000 518 General Fund	144.03	Postage Meter Rental - Jan 2023
28653	01/03/2023	01/10/2023	3972 Planning Association Of Washington	75.00	2023 PAW Membership - J Westman
	558 60 49 02	Dues/Member/Subscription:	001 000 558 General Fund	75.00	2023 PAW Membership - J Westman
28656	01/03/2023	01/10/2023	4707 Springbrook Holding Company LLC	20,131.24	2023 Springbrook Software Annual Support
	514 23 41 00	Prof Svcs - Finance	001 000 514 General Fund	11,551.57	Software Annual Support - Finance 2023
	524 20 41 03	Prof Svcs - Building	001 000 524 General Fund	1,758.23	Software Annual Support - Building 2023

ACCOUNTS PAYABLE

City Of Fircrest

Time: 10:20:26 Date: 01/06/2023

As Of: 01/10/2023

Page: 2

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531 50 41 00	Prof Svcs - Storm		415 000 531 Storm Drain	1,687.74	Software Annual Support - Storm 2023
534 10 41 00	Prof Svcs - Water Admin		425 000 534 Water Fund (de	1,687.74	Software Annual Support - Water 2023
535 10 41 00	Prof Svcs - Sewer Admin		430 000 535 Sewer Fund (de	1,687.73	Software Annual Support - Sewer 2023
542 30 41 00	Prof Svcs - Street Reg		101 000 542 City Street Fund	1,758.23	Software Annual Support - Street 2023
28647	01/03/2023	01/10/2023	4206 WABO	95.00	2023 Annual Membership Dues
524 20 49 00	Dues/Member/Subscription:		001 000 524 General Fund	47.50	2023 Annual Membership Dues
558 60 49 02	Dues/Member/Subscription:		001 000 558 General Fund	47.50	2023 Annual Membership Dues
28659	01/04/2023	01/10/2023	4253 Windmill Gardens LLC	2,653.16	2023 Hanging Baskets (1st Half Payment)
542 80 31 02	Oper Supplies - Flower Bask		101 000 542 City Street Fund	2,653.16	2023 Hanging Baskets (1st Half Payment)
28645	01/03/2023	01/10/2023	10035 Zoom Video Communications	1,419.17	Monthly Phone Rental - 12/31-01/30/23
513 10 42 00	Communication - Admin		001 000 513 General Fund	87.20	Monthly Phone Rental - 12/31-1/30/23
518 10 42 00	Communication - Non Dept		001 000 518 General Fund	1,331.97	Monthly Phone Rental - 12/31-01/30/23

Report Total: 99,879.63

Fund	
001 General Fund	76,148.80
101 City Street Fund	9,605.68
415 Storm Drain	4,702.23
425 Water Fund (department)	4,704.51
430 Sewer Fund (department)	4,718.41

This report has been reviewed by:

REMARKS:

Signature & Title

Date

ACCOUNTS PAYABLE

City Of Fircrest

Time: 10:18:48 Date: 01/06/2023

As Of: 12/31/2022

Page: 1

Accts Pay #	Received	Date Due	Vendor	Amount	Memo
28616	12/30/2022	12/31/2022	6811 Alarm Works NW LLC	885.50	NEO Kit, Communicator & Keypad
	518 30 48 04	Rep & Maint - PSB	001 000 518 General Fund	885.50	NEO Kit, Communicator & Keypad
28574	12/28/2022	12/31/2022	7066 Apex Engineering	3,737.50	1345 Regents Utility Easement Project - Professional Svcs - Oct 2022
	531 50 41 00	Prof Svcs - Storm	415 000 531 Storm Drain	1,245.83	Professional Svcs - Oct 2022
	534 10 41 00	Prof Svcs - Water Admin	425 000 534 Water Fund (de	1,245.83	Professional Svcs - Oct 2022
	535 10 41 00	Prof Svcs - Sewer Admin	430 000 535 Sewer Fund (de	1,245.84	Professional Svcs - Oct 2022
28576	12/28/2022	12/31/2022	7066 Apex Engineering	890.00	1345 Regents Utility Easement Project - Professional Svcs - Nov 2022
	531 50 41 00	Prof Svcs - Storm	415 000 531 Storm Drain	296.67	Professional Svcs - Nov 2022
	534 10 41 00	Prof Svcs - Water Admin	425 000 534 Water Fund (de	296.67	Professional Svcs - Nov 2022
	535 10 41 00	Prof Svcs - Sewer Admin	430 000 535 Sewer Fund (de	296.66	Professional Svcs - Nov 2022
28577	12/28/2022	12/31/2022	7066 Apex Engineering	500.00	Prose Property Engineering Consultation - Nov 2022
	531 50 41 00	Prof Svcs - Storm	415 000 531 Storm Drain	166.67	Professional Svcs - Nov 2022
	534 10 41 00	Prof Svcs - Water Admin	425 000 534 Water Fund (de	166.67	Professional Svcs - Nov 2022
	535 10 41 00	Prof Svcs - Sewer Admin	430 000 535 Sewer Fund (de	166.66	Professional Svcs - Nov 2022
Total Apex Engineering				5,127.50	
28579	12/28/2022	12/31/2022	8234 Burk, Edmund	756.81	Remodel/Garage Addition Permit Application Refund
	382 10 00 01	Permit Deposits	001 000 380 General Fund	-756.81	Remodel/Garage Addition Permit Application Refund
28510	12/20/2022	12/31/2022	8837 Byrd, Selena R	182.68	Gym Fee Reimbursement - Jan-Dec 2022
	521 22 20 00	Personnel Benefits - Police	001 000 521 General Fund	182.68	Gym Fee Reimbursement - Jan-Dec 2022
28566	12/27/2022	12/31/2022	6018 Canon Financial Services Inc	159.67	Police Copier/Fax Rental Dec 2022
	521 22 45 00	Oper Rentals - Copier - Polic	001 000 521 General Fund	159.67	Police Copier/Fax Rental Dec 2022
28623	12/30/2022	12/31/2022	6018 Canon Financial Services Inc	564.31	Copier Rental - Dec 2022 - CH, Parks & Rec, Court, PW
	512 50 45 00	Oper Rentals - Copier - Cou	001 000 512 General Fund	141.08	Court 12/2022
	518 10 45 00	Oper Rentals - Copier - Non	001 000 518 General Fund	141.08	CH 12/2022
	531 50 45 00	Oper Rentals - Copier - Stor	415 000 531 Storm Drain	35.27	PW 12/2022

ACCOUNTS PAYABLE

City Of Fircrest

Time: 10:18:48 Date: 01/06/2023

As Of: 12/31/2022

Page: 2

Accts Pay #	Received	Date Due	Vendor	Amount	Memo
534 10 45 02	Oper Rentals - Copier - Wat		425 000 534 Water Fund (de	35.27	PW 12/2022
535 10 45 00	Oper Rentals - Copier - Sew		430 000 535 Sewer Fund (de	35.27	PW 12/2022
542 30 45 00	Oper Rentals - Copier - Stre		101 000 542 City Street Fund	35.28	PW 12/2022
571 10 45 01	Oper Rentals - Copier - Rec		001 000 571 General Fund	126.96	P/R 12/2022
576 80 45 00	Oper Rentals - Copier - Park		001 000 576 General Fund	14.10	P/R 12/2022
Total Canon Financial Services Inc				723.98	
28641	12/30/2022	12/31/2022	331 Cheesman, John G	103.85	Lunch For Interview Oral Board 12/28/22
521 10 49 01	Meals - Other Than Travel/T		001 000 521 General Fund	103.85	Lunch For Interview Oral Board 12/28/22
28621	12/30/2022	12/31/2022	4313 Chuckals Inc	112.08	PW Supplies
531 50 31 01	Office Supplies - Storm		415 000 531 Storm Drain	28.02	PW Supplies
534 10 31 00	Office Supplies - Water Adm		425 000 534 Water Fund (de	28.02	PW Supplies
535 10 31 00	Office Supplies - Swr Admin		430 000 535 Sewer Fund (de	28.02	PW Supplies
542 30 31 01	Office Supplies - Street Reg		101 000 542 City Street Fund	28.02	PW Supplies
28580	12/28/2022	12/31/2022	6268 Cole-Parmer Instrument Company	257.47	Tisab Reagent Tablets & Dispensers for Fluoride Testing
534 80 41 00	Water Testing		425 000 534 Water Fund (de	257.47	Tisab Reagent Tablets & Dispensers for Fluoride Testing
28565	12/27/2022	12/31/2022	3573 Copiers Northwest Inc	70.15	Copier Usage 11/14/22-12/13/22
521 22 45 00	Oper Rentals - Copier - Polic		001 000 521 General Fund	70.15	Copier Usage 11/14/22-12/13/22
28624	12/30/2022	12/31/2022	3573 Copiers Northwest Inc	341.33	Copier Usage 11/18/22-12/17/22 - CH, Ct, PW, P/R
512 50 45 00	Oper Rentals - Copier - Cou		001 000 512 General Fund	13.30	Court 11/18/22-12/17/22
518 10 45 00	Oper Rentals - Copier - Non		001 000 518 General Fund	171.17	City Hall 11/18/22-12/17/22
531 50 45 00	Oper Rentals - Copier - Stor		415 000 531 Storm Drain	15.33	Storm 11/18/22-12/17/22
534 10 45 02	Oper Rentals - Copier - Wat		425 000 534 Water Fund (de	15.33	Water 11/18/22-12/17/22
535 10 45 00	Oper Rentals - Copier - Sew		430 000 535 Sewer Fund (de	15.34	Sewer 11/18/22-12/17/22
542 30 45 00	Oper Rentals - Copier - Stre		101 000 542 City Street Fund	15.33	Street 11/18/22-12/17/22
571 10 45 01	Oper Rentals - Copier - Rec		001 000 571 General Fund	85.98	Rec 11/18/22-12/17/22
576 80 45 00	Oper Rentals - Copier - Park		001 000 576 General Fund	9.55	Parks 11/18/22-12/17/22
Total Copiers Northwest Inc				411.48	
28570	12/27/2022	12/31/2022	10263 Dunbar, Julieanna R	11.00	Gym Fees Reimbursement - Nov-Dec 2022

ACCOUNTS PAYABLE

City Of Fircrest

Time: 10:18:48 Date: 01/06/2023

As Of: 12/31/2022

Page: 3

Accts Pay #	Received	Date Due	Vendor	Amount	Memo		
	514 23 20 00		Personnel Benefits - Finance	001 000 514	General Fund	11.00	Gym Fees Reimbursement - Nov-Dec 2022
28603	12/29/2022	12/31/2022	2696	Florence, Judith		67.00	Library Reimbursement - 1 Year
	572 21 49 00		Library Services	001 000 572	General Fund	67.00	Library Reimbursement - 1 Year
28572	12/28/2022	12/31/2022	10298	Foley, Meagan M.		187.50	Pro Temp Judge - 12/7/22 (2.5 hrs)
	512 50 41 02		Prof Svcs - Pro Temp Judges	001 000 512	General Fund	187.50	Pro Temp Judge - 12/7/22 (2.5 hrs)
28658	12/30/2022	12/31/2022	9338	Fuelman Fleet Program		3,103.17	Gas/Fuel Dec 2022
	548 65 31 06		Gas - Facilities	501 000 548	Equipment Rent	135.92	Facilities 12/2022
	548 65 31 08		Gas - Police	501 000 548	Equipment Rent	1,625.58	Police 12/2022
	548 65 31 11		Gas - Parks/Rec	501 000 548	Equipment Rent	232.59	Parks 12/2022
	548 65 31 12		Gas - Street	501 000 548	Equipment Rent	792.04	Street 12/2022
	548 65 31 14		Gas - Water/Sewer	501 000 548	Equipment Rent	317.04	W/S 12/2022
28575	12/28/2022	12/31/2022	7528	Gollinger, Kevin		150.00	Gym Fee Reimbursement - July-Dec 2022
	521 22 20 00		Personnel Benefits - Police	001 000 521	General Fund	150.00	Gym Fee Reimbursement - July-Dec 2022
28620	12/30/2022	12/31/2022	7475	Goodyear Tire & Rubber Company		183.22	#60915D Tire Repair
	548 65 48 13		O & M - Storm	501 000 548	Equipment Rent	183.22	#60915D Tire Repair
28564	12/27/2022	12/31/2022	6774	Greenleaf Landscaping 1 Inc		4,823.25	Monthly Landscape Service - Dec 2022
	518 30 41 01		Contract Maintenance	001 000 518	General Fund	3,626.40	Monthly Landscape Service - Dec 2022
	542 80 49 03		Beautification Services (cont	101 000 542	City Street Fund	1,196.85	Monthly Landscape Service - Dec 2022
28600	12/29/2022	12/31/2022	3692	Home Depot Credit Services		25.39	Supplies for Blinds Repair
	518 30 31 01		Oper Supplies - Rec Bldg	001 000 518	General Fund	25.39	Supplies for Blinds Repair
28601	12/29/2022	12/31/2022	3692	Home Depot Credit Services		19.14	Supplies for Shop
	518 30 31 00		Oper Supplies - Facilities	001 000 518	General Fund	19.14	Supplies for Shop
			Total Home Depot Credit Services			44.53	
28649	12/30/2022	12/31/2022	5428	Jeff Boers		2,388.75	Land Use Consulting (22.75 Hrs) - December 2022
	558 60 41 00		Prof Svcs - Planning	001 000 558	General Fund	2,388.75	Land Use Consulting (22.75 Hrs) - December 2022
28413	12/07/2022	12/31/2022	8901	Johnson, Jeffrey M		275.00	Gym Fees Reimbursement - J Johnson - Jan - Nov 2022

ACCOUNTS PAYABLE

City Of Fircrest

Time: 10:18:48 Date: 01/06/2023

As Of: 12/31/2022

Page: 4

Accts Pay #	Received	Date Due	Vendor	Amount	Memo
521 22 20 00	Personnel Benefits - Police		001 000 521 General Fund	275.00	Gym Fees Reimbursement - J Johnson - Jan - Nov 2022
28511	12/20/2022	12/31/2022	8901 Johnson, Jeffrey M	183.49	Equipment for Uniform
521 22 49 01	Uniforms/Clothing/Laundry		001 000 521 General Fund	183.49	Equipment for Uniform
Total Johnson, Jeffrey M				458.49	
28612	12/30/2022	12/31/2022	9860 Ledger Square Law	2,535.00	City of Ruston - December 2022
515 41 41 03	City Prosecutor		001 000 515 General Fund	2,535.00	City of Ruston - December 2022
28613	12/30/2022	12/31/2022	9860 Ledger Square Law	3,822.00	City of Fircrest - December 2022
515 41 41 03	City Prosecutor		001 000 515 General Fund	3,822.00	City of Fircrest - December 2022
Total Ledger Square Law				6,357.00	
28563	12/27/2022	12/31/2022	3791 Lowe's Company-#338954	661.18	Tool Kit for Shop
518 30 35 00	Small Tools & Equip - Facilit		001 000 518 General Fund	661.18	Tool Kit for Shop
28622	12/30/2022	12/31/2022	9002 McDonald & Sons Ventures LLC	22,433.40	P#65 Estate Place - Re-Wire L/S
594 35 63 01	Other Improvements - Sewe		432 000 594 Sewer Improven	22,433.40	P#65 Estate Place - Re-Wire L/S
28567	12/27/2022	12/31/2022	6369 McLendon Hardware Inc (Tacoma)	37.47	Door Hinges for Police Door
518 30 31 02	Oper Supplies - PSB Bldg		001 000 518 General Fund	37.47	Door Hinges for Police Door
28582	12/28/2022	12/31/2022	6369 McLendon Hardware Inc (Tacoma)	25.60	Chlorine System Repair - Well #8
534 80 31 02	Oper Supplies - Water Gen (425 000 534 Water Fund (de)	25.60	Chlorine System Repair - Well #8
28617	12/30/2022	12/31/2022	6369 McLendon Hardware Inc (Tacoma)	26.73	Insulation for Pipes at Tot Lot Bathrooms
576 80 31 02	Oper Supplies - Parks		001 000 576 General Fund	26.73	Insulation for Pipes at Tot Lot Bathrooms
Total McLendon Hardware Inc (Tacoma)				89.80	
28573	12/28/2022	12/31/2022	10299 Mr Truck Wash, Inc.	10,287.24	Pervious Sidewalk Cleaning on Emerson St
531 50 48 00	Rep & Maint - Storm		415 000 531 Storm Drain	10,287.24	Pervious Sidewalk Cleaning on Emerson St
28619	12/30/2022	12/31/2022	10244 Owen Kari, DBA ASL Professionals	245.41	ASL Services 12/13/22 Council Meeting (2.25 Hrs plus Mileage)

ACCOUNTS PAYABLE

City Of Fircrest

Time: 10:18:48 Date: 01/06/2023

As Of: 12/31/2022

Page: 5

Accts Pay #	Received	Date Due	Vendor	Amount	Memo
511 60 41 00	Prof Svcs - Legisl		001 000 511 General Fund	245.41	ASL Services 12/13/22 Council Meeting (2.25 Hrs plus Mileage)
28614	12/30/2022	12/31/2022	3958 PC Budget & Finance - Jail	473.22	Jail Services - March 2022 (rec'd 12/30 from PC)
523 60 40 01	Jail		001 000 523 General Fund	473.22	Jail Services - March 2022 (rec'd 12/30 from PC)
28615	12/30/2022	12/31/2022	3958 PC Budget & Finance - Jail	1,948.49	Jail Services - November 2022
523 60 40 01	Jail		001 000 523 General Fund	1,948.49	Jail Services - November 2022
Total PC Budget & Finance - Jail				2,421.71	
28588	12/29/2022	12/31/2022	3957 PC Budget & Finance	1,512.50	November 2022 Radio Testing (11 units)
521 22 48 00	Rep & Maint - Police		001 000 521 General Fund	1,512.50	November 2022 Radio Testing (11 units)
28593	12/29/2022	12/31/2022	3957 PC Budget & Finance	11,955.02	2022 Annual System Access Fee (22 Users)
521 22 41 01	Pierce Co Radio Communica		001 000 521 General Fund	11,955.02	2022 Annual System Access Fee (22 Users)
Total PC Budget & Finance				13,467.52	
28652	12/30/2022	12/31/2022	4680 Parametrix Engineering	975.00	P#64 Prof Services through 11/26/22
594 76 62 03	Buildings & Structures - PBC		301 000 594 Park Bond Capit	975.00	P#64 Prof Services through 11/26/22
28638	12/30/2022	12/31/2022	3955 Petrocard Systems Inc	157.73	Gas/Fuel - December 2022
548 65 31 13	Gas - Storm		501 000 548 Equipment Rent	157.73	Storm 12/2022
28648	12/30/2022	12/31/2022	3956 Petty Cash-Chambers	38.28	Petty Cash Reimbursement 12/31/22
517 90 31 01	Oper Supplies - Wellness Pr		001 000 517 General Fund	38.28	Wellness Supplies
28591	12/29/2022	12/31/2022	10209 Polly L. MacLean, CSC	188.80	ASL Interpreting 12/13 Council Meeting (2 hrs plus mileage)
511 60 41 00	Prof Svcs - Legisl		001 000 511 General Fund	188.80	ASL Interpreting 12/13 Council Meeting (2 hrs plus mileage)
28646	12/30/2022	12/31/2022	4828 Protect Youth Sports	10.95	Background Checks for Parks/Rec
518 11 41 00	Prof Svcs - Personnel		001 000 518 General Fund	10.95	Background Checks for Parks/Rec
28609	12/30/2022	12/31/2022	7614 Prothman	6,500.00	Police Chief Search - 1st of 3 Professional Fee Installments

ACCOUNTS PAYABLE

City Of Fircrest

Time: 10:18:48 Date: 01/06/2023

As Of: 12/31/2022

Page: 6

Accts Pay #	Received	Date Due	Vendor	Amount	Memo
521 22 41 00	Prof Svcs - Police		001 000 521 General Fund	6,500.00	Police Chief Search - 1st of 3 Professional Fee Installments
28661	12/30/2022	12/31/2022	6823 Robblee's Total Security Inc	15.29	Map Room File Cabinet Keys (2)
518 30 31 03	Oper Supplies - PWF		001 000 518 General Fund	15.29	Map Room File Cabinet Keys (2)
28512	12/20/2022	12/31/2022	7820 Roberts, John H	146.00	Gym Fees Reimbursement - Jan-Dec 2022
521 22 20 00	Personnel Benefits - Police		001 000 521 General Fund	146.00	Gym Fees Reimbursement - Jan-Dec 2022
28602	12/29/2022	12/31/2022	4018 Rosen Supply Company Inc	558.65	Faucets for Tot Lot Bathrooms
518 30 31 05	Oper Supplies - Parks Struct		001 000 518 General Fund	558.65	Faucets for Tot Lot Bathrooms
28568	12/27/2022	12/31/2022	4035 Sarco Supply	469.98	Janitorial Supplies - Rec Bldg
571 10 31 04	Janitorial Supplies - Rec Bldg		001 000 571 General Fund	469.98	Janitorial Supplies - Rec Bldg
28569	12/27/2022	12/31/2022	4035 Sarco Supply	90.89	Janitorial Supplies - PSB
518 30 31 02	Oper Supplies - PSB Bldg		001 000 518 General Fund	90.89	Janitorial Supplies - PSB
			Total Sarco Supply	560.87	
28611	12/30/2022	12/31/2022	7308 SiteCrafting Inc	297.00	Monthly Hosting - CityofFircrest.net - October-December 2022
518 81 41 02	Web Design & Maintenance		001 000 518 General Fund	297.00	Monthly Hosting - CityofFircrest.net - October-December 2022
28592	12/29/2022	12/31/2022	7749 Sound Uniform Solutions Inc	593.41	Jumpsuit - All Season - E Garcia
521 22 49 01	Uniforms/Clothing/Laundry		001 000 521 General Fund	593.41	Jumpsuit - All Season - E Garcia
28642	12/30/2022	12/31/2022	4090 State Of Washington	675.19	State Building Code Remittance Dec 2022
586 10 00 00	Agency Funds - Building		655 000 580 Agency Fund/Bc	675.19	State Building Code Remittance Dec 2022
28578	12/28/2022	12/31/2022	4102 Stripe Rite Inc	16,000.00	Restripe Intersection at Regents & Alameda, New Piano Key Crosswalks
542 30 48 01	Rep & Maint - Street Maint		101 000 542 City Street Fund	16,000.00	Restripe Intersection at Regents & Alameda, New Piano Key Crosswalks
28525	12/20/2022	12/31/2022	4328 Systems for Public Safety Inc	711.78	#60452D 2016 Ford Police Interceptor Utility LOF, Safety Inspection & License Plate Light Repair

ACCOUNTS PAYABLE

City Of Fircrest

Time: 10:18:48 Date: 01/06/2023

As Of: 12/31/2022

Page: 7

Accts Pay #	Received	Date Due	Vendor	Amount	Memo
548 65 48 08	O & M - Police		501 000 548 Equipment Rent	711.78	#60452D 2016 Ford Police Interceptor Utility LOF, Safety Inspection & License Plate Light Repair
28637	12/30/2022	12/31/2022	9888 T-Mobile (Cell Phone Bill)	1,204.90	City Cell Phones & Air Cards 12/2022
513 10 42 00	Communication - Admin		001 000 513 General Fund	29.67	City Manager 12/2022 - C Corcoran
518 30 42 00	Communication - Fac/Equip		001 000 518 General Fund	89.07	Maint. Lead, 2 Workers 12/2022
521 22 42 00	Communication - Police		001 000 521 General Fund	698.95	Police Officers, Chief and Air Cards 12/2022
524 20 42 00	Communication- Building		001 000 524 General Fund	14.85	Admin Svcs Dir. 12/2022
531 50 42 00	Communication - Storm		415 000 531 Storm Drain	67.11	Public Works Crew, Director, Billing Clerk 12/2022
534 10 42 00	Communication - Water Adr		425 000 534 Water Fund (dep	67.11	Public Works Crew, Director, Billing Clerk 12/2022
535 10 42 01	Communication - Sewer Adr		430 000 535 Sewer Fund (dep	67.11	Public Works Crew, Director, Billing Clerk 12/2022
542 30 42 00	Communication - Street Rec		101 000 542 City Street Fund	67.11	Public Works Crew, Director, Billing Clerk 12/2022
558 60 42 00	Communication - Planning		001 000 558 General Fund	14.85	Admin Svcs Dir. 12/2022
576 80 42 00	Communication - Parks		001 000 576 General Fund	89.07	P/R Director, Events, Maint. Worker 12/2022
28571	12/27/2022	12/31/2022	4133 Tacoma Rubber Stamp	52.01	City Prosecutor Name Plate
515 41 41 03	City Prosecutor		001 000 515 General Fund	52.01	City Prosecutor Name Plate
28607	12/30/2022	12/31/2022	4133 Tacoma Rubber Stamp	41.36	Name Plate - P Wilson
521 10 31 00	Office Supplies - Civil Svc		001 000 521 General Fund	41.36	Name Plate - P Wilson
			Total Tacoma Rubber Stamp	93.37	
28610	12/30/2022	12/31/2022	4161 Turco, Barbara J	67.00	Library Reimbursement - 1 Year
572 21 49 00	Library Services		001 000 572 General Fund	67.00	Library Reimbursement - 1 Year
28606	12/30/2022	12/31/2022	5934 US Bank, City Hall Account	1,091.68	P-Card Charges thru 12/25/22
511 60 41 02	Recording Software Services		001 000 511 General Fund	158.83	Legislative Recording Software
518 10 35 00	Small Tools & Equip - Non E		001 000 518 General Fund	29.59	Webcam for City Hall
518 10 42 01	Postage - Non Dept		001 000 518 General Fund	207.90	Postage - Passport & Admin
518 11 49 00	Miscellaneous - Personnel		001 000 518 General Fund	35.19	Employee Award Plaques (3)
518 81 49 01	Software Licenses		001 000 518 General Fund	554.40	Splashtop Software 1 Year - Fircrest Court
521 10 49 00	Miscellaneous - Civil Svc		001 000 521 General Fund	105.77	Plaque & Postage for Civil Service
28605	12/30/2022	12/31/2022	8482 US Bank, Police Department Account	159.98	P-Card Charges thru 12/25/22
521 22 49 07	Community Outreach		001 000 521 General Fund	159.98	Santa Sleigh Candy
28604	12/30/2022	12/31/2022	8483 US Bank, Public Works Dept Account	56.10	P-Card Charges thru 12/25/22
521 22 49 07	Community Outreach		001 000 521 General Fund	56.10	Gas for Santa Sleigh

ACCOUNTS PAYABLE

City Of Fircrest

Time: 10:18:48 Date: 01/06/2023

As Of: 12/31/2022

Page: 8

Accts Pay #	Received	Date Due	Vendor	Amount	Memo
28587	12/29/2022	12/31/2022	8484 US Bank, Recreation Dept Account	1,186.58	P-Card Charges thru 12/25/22
	571 10 31 02		Senior Program Supplies 001 000 571 General Fund	65.64	Senior Morning Supplies
	571 20 49 07		Youth Basketball/Youth Refe 001 000 571 General Fund	439.98	Carts for Youth Basketball
	573 90 49 01		Community Events 001 000 573 General Fund	680.96	Decor & Supplies for Community Events
28639	12/30/2022	12/31/2022	8484 US Bank, Recreation Dept Account	43.49	P-Card Charges thru 12/31/22
	571 10 31 02		Senior Program Supplies 001 000 571 General Fund	43.49	Senior Morning Supplies
Total US Bank, Recreation Dept Account				1,230.07	
28590	12/29/2022	12/31/2022	4172 Union 76 Royal	50.74	Gas/Fuel - Police (not charged to card)
	548 65 31 08		Gas - Police 501 000 548 Equipment Rent	50.74	Gas/Fuel - Police (not charged to card)
28584	12/28/2022	12/31/2022	4178 University Place Refuse Inc	2,313.98	Street Sweeping 12/2022
	531 50 47 01		Dumping Fees - Storm 415 000 531 Storm Drain	2,313.98	Street Sweeping 12/2022
28581	12/28/2022	12/31/2022	9253 University Place Tire & Auto	63.12	#62852D - 2017 Chevy Silverado - LOF
	548 65 48 12		O & M - Street 501 000 548 Equipment Rent	63.12	#62852D - 2017 Chevy Silverado - LOF
28507	12/20/2022	12/31/2022	339 Villamor, John	67.10	Santa Sleigh Costume Cleaning
	521 22 49 01		Uniforms/Clothing/Laundry 001 000 521 General Fund	67.10	Santa Sleigh Costume Cleaning
28608	12/30/2022	12/31/2022	339 Villamor, John	182.41	Gym Fees Reimbursement - Jan - Dec 2022
	521 22 20 00		Personnel Benefits - Police 001 000 521 General Fund	182.41	Gym Fees Reimbursement - Jan - Dec 2022
Total Villamor, John				249.51	
28651	12/30/2022	12/31/2022	10040 WECL	10,708.23	Eldorado L/S Pump Repair - Labor and Travel
	535 50 48 00		Rep & Maint - Sewer Maint 430 000 535 Sewer Fund (de	10,708.23	Eldorado L/S Pump Repair - Labor and Travel
28640	12/30/2022	12/31/2022	3645 WEX BANK, Wright Express FSC	189.77	Gas/Fuel December 2022
	548 65 31 05		Gas - Non Dept 501 000 548 Equipment Rent	41.67	Non-Dept 12/2022
	548 65 31 08		Gas - Police 501 000 548 Equipment Rent	148.10	Police 12/2022
28583	12/28/2022	12/31/2022	1257 Wilson, Phillip	11.95	Porch Addition Permit Deposit Refund
	382 10 00 01		Permit Deposits 001 000 380 General Fund	-11.95	Porch Addition Permit Deposit Refund

ACCOUNTS PAYABLE

City Of Fircrest

Time: 10:18:48 Date: 01/06/2023

As Of: 12/31/2022

Page: 9

Accts Pay #	Received	Date Due	Vendor	Amount	Memo
28589	12/29/2022	12/31/2022	6818 Wittner, Brett L	75.00	Security Deposit Refund Wittner 12/18/22
582	10 00 00	Deposit Refunds	001 000 580 General Fund	75.00	Security Deposit Refund Wittner 12/18/22

Report Total:	120,935.87
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Fund	
001 General Fund	45,892.94
101 City Street Fund	17,342.59
301 Park Bond Capital Fund	975.00
415 Storm Drain	14,456.12
425 Water Fund (department)	2,137.97
430 Sewer Fund (department)	12,563.13
432 Sewer Improvement Fund	22,433.40
501 Equipment Rental Fund	4,459.53
655 Agency Fund/Bdg Permit	675.19

This report has been reviewed by:

REMARKS:

Signature & Title

Date

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL

Mayor Brett L. Wittner called the special meeting to order at 6:00 P.M. and led the pledge of allegiance. Councilmembers David M. Viafore, Shannon Reynolds, Joe Barrentine, Hunter T. George Nikki Bufford, and Jim Andrews were present.

AGENDA MODIFICATIONS

There were none.

CITY MANAGER RECRUITMENT DISCUSSION

Interim City Manager Corcoran briefed the Council on the responsive firms for the City Manager recruitment and stated that Colin Baenziger & Associates, GMP Consultants, and Slavin Management Consultants were in attendance to present their recruitment proposals. Corcoran stated that Prothman withdrew their proposal.

Each firm was allotted fifteen (15) minutes to present their proposal and to answer two preselected questions.

After the presentations, there were Council discussions which included the City Manager's salary. There was a Council consensus to have staff bring a contract to the next meeting selecting Colin Baenziger & Associates for the City Manager recruitment services.

ADJOURNMENT

Bufford MOVED to adjourn the meeting at 7:15 P.M., seconded by George. The Motion Carried (7-0).

Brett L. Wittner, Mayor

Jayne Westman, City Clerk

CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

Mayor Brett L. Wittner called the regular meeting to order at 4:00 P.M. and led the Pledge of Allegiance. Councilmembers David M. Viafore, Shannon Reynolds, Joe Barrentine, Hunter T. George, Nikki Bufford, and Jim Andrews were present.

PRESIDING OFFICER’S REPORT

A. Staff Introductions

Acting Interim City Manager Westman introduced Permit Coordinator / Code Enforcement Officer, Kristin Singh.

Public Works Director Bemis introduced Public Works Crew member, Salvador Marez, and Maintenance Worker, Martin Chick. Bemis stated that Utility Billing Assistant, Holly Veliz was unable to attend.

Interim Finance Director introduced Administrative Assistant, Sierra Lee, Accountant II, Julie Dunbar, and IT Systems Coordinator, Chris Bunger.

B. 2023 Liaison Assignments

Wittner briefed the Council to email him with Liaison preferences for 2023.

Lastly, Wittner stated that there was an email from a concerned citizen regarding a China Lake encampment.

CITY MANAGER COMMENTS

Acting Interim City Manager Westman briefed the Council on a recent house fire in Fircrest and stated that there will be a CIAW board meeting. Westman will send meeting invites to interested Councilmembers.

DEPARTMENT HEAD COMMENTS

- Administrative Services Director Westman reported that a responsive bid for the Comprehensive Plan update has been received and staff will be meeting with the firm on January 4, 2023.

COUNCILMEMBER COMMENTS

- Andrews; no comment provided.
- Bufford; no comment provided.
- George commented on homeless encampments.
- Barrentine; no comment provided.
- Reynolds; no comment provided.
- Viafore expressed concern on CIAW board meeting information.
- Wittner; no comment provided.

PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Wittner invited public comment; none were provided.

COMMITTEE, COMMISSION, AND LIAISON REPORTS

A. Parks & Recreation

No report provided.

B. Pierce County Regional Council

Reynolds reported that February 2023 will be the Pierce County Regional Council annual gathering. It will be held virtually.

C. Public Safety, Courts

No report provided.

D. Street, Water, Sewer, and Storm Drain

No report provided.

E. Other Liaison Reports

There were none.

CONSENT CALENDAR

Wittner requested the City Clerk read the Consent Calendar: approval of Voucher No. 2189933 through Voucher Check No. 219006 in the amount of \$259,612.30; approval of Payroll electronic funds transfer in the amount of \$67,506.60; approval of Payroll electronic funds transfer in the amount of \$130,828.36; Setting a Public Hearing on January 24, 2023, at 7:15 pm or shortly thereafter to receive comments on a proposed solid waste rate adjustment; Registering no objections to the Los Tapatios Liquor License Renewal; and approval of the December 13, 2022, Regular Meeting minutes. **George MOVED to approve the Consent Calendar as read; seconded by Bufford. The Motion Carried (7-0).**

PUBLIC HEARING

There was no public hearing scheduled.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

A. Resolution No. 1817: City Manager Recruitment Contract

Acting Interim City Manager Westman briefed the Council on the proposed resolution and stated that the recruitment services cost will be included in the first budget amendment in 2023. **George MOVED to adopt Resolution No. 1817, authorizing the Interim City Manager to execute a professional services agreement with Colin Baenziger & Associates for City Manager Recruitment Services; seconded by Bufford.** Wittner invited Councilmember comments; none were provided. Wittner invited public comment; none were provided. **The Motion Carried (7-0).**

CALL FOR FINAL COMMENTS

- Andrews commented on residential trash pickup and stated that residents can take their trash to University Place refuse and recycling.
- George commented on Homeowners Association stormwater fees and requirements.

EXECUTIVE SESSION

No Executive Session was scheduled.

ADJOURNMENT

Reynolds MOVED to adjourn the meeting at 4:29 P.M., seconded by Bufford. The Motion Carried (7-0).

Brett L. Wittner, Mayor

Jayne Westman, City Clerk

NEW BUSINESS: Tacoma Power's Energy Incentive Program Agreement

ITEM: 13A

FROM: Jayne Westman, Administrative Services Director

RECOMMENDED MOTION: I move to adopt Resolution No.____, authorizing the Interim City Manager to execute an agreement with Tacoma Power for the Energy Incentive Program relating to the new Roy H. Murphy Community Center.

PROPOSAL: To authorize the Interim City Manager to execute an agreement with Tacoma Power for the Energy Incentive Program. It is important to note that the end date of the agreement has passed. This Agreement shall become effective as of the Effective Date, November 15, 2021, regardless of the date of signature.

ADVANTAGE: Execution of the agreement will provide the City with \$6,658 in incentive payments.

DISADVANTAGES: None.

FISCAL IMPACT: There is a positive fiscal impact of \$6,658. These funds would be allocated as a credit to the Recreation Center Utility Expenditures.

ALTERNATIVES: Take no action and do not agree to the agreement.

RECOMMENDATION: Staff recommends authorizing the Interim City Manager to execute the agreement with Tacoma Power for the Energy Incentive Program.

HISTORY: In the Spring of 2021, our mechanical engineering firm for the Community Center project and Tacoma Power worked together to find any incentives/ rebates for energy-saving measures with the new Community Center. It was confirmed that our outdoor VRF heat pumps qualified for an incentive in the amount of \$6,658.

ATTACHMENTS: [Resolution Agreement with Attachment A-1](#)

**CITY OF FIRCREST
RESOLUTION NO. _____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF FIRCREST, WASHINGTON, AUTHORIZING THE
INTERIM CITY MANAGER TO EXECUTE AN
AGREEMENT WITH TACOMA POWER TO
PARTICIPATE IN THE ENERGY INCENTIVE PROGRAM
FOR THE ROY H. MURPHY COMMUNITY CENTER.**

WHEREAS, Tacoma Power offers the Customer Energy Programs Incentive Program (“Program”), which provides financial incentives for energy-efficient equipment and systems; and

WHEREAS, the City is eligible for the Program related to the high-efficiency heat pumps installed outdoors at the new Roy H. Murphy Community Center; and

WHEREAS, the incentive total is \$6,658, which will be credited toward the Recreation Center utility expenditures.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FIRCREST:

Section 1. The Interim City Manager is hereby authorized and directed to execute the agreement between Tacoma Power and the City of Fircrest for the New Construction Efficiency Program incentive.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON, at a regular meeting thereof this 10th day of January 2023.

APPROVED:

Brett L. Wittner, Mayor

ATTEST:

Jayne Westman, City Clerk

APPROVED AS TO FORM:

City Attorney

A1 Attachment

Customer Energy Programs Incentive Program Participant Agreement



SECTION I. PARTICIPANT INFORMATION	
Project Name: Fircrest Community Center Project Number: BIZ_122806 Conservation Program Name: New Construction	
Participant Name: City of Fircrest Facility Address: 555 Contra Costa Ave Pavilion Fircrest, WA 98466-0000	
Effective Date: 11/15/2021 Agreement End Date: 12/31/2022	Estimated Incentive Amount: \$6,658

By signing below, Participant certifies that the Participant Information in Section I is true and correct and they are the Participant or are duly authorized to act for the Participant to accept this Program Participant Agreement (“Agreement”) including the Legal Terms and Conditions in Section II. Changes to the scope of the approved project specified in Attachment A may result in a revised incentive amount. Tacoma Power has no obligation to pay an incentive amount greater than the amount listed above.

Tacoma Power’s acceptance of this Agreement is not a final approval of the project and does not guarantee participation in Tacoma Power’s Incentive Program or entitle Participant to receive program benefits. Such approval, participation, and benefits require Participant’s full compliance with all portions of this Agreement and is further subject to program changes including, but not limited to, available program funding.

This Agreement shall become effective as of the above Effective Date, regardless of the date of signature. This Agreement may be signed and returned by facsimile, PDF, or with any other form of electronic signature.

SUBMITTED AND ACCEPTED BY:

TACOMA POWER ACCEPTANCE:

Participant Signature

Authorized Tacoma Power Representative

Printed Name

Printed Name

Title

Title

Finance Department

1. **General Requirements:**
 - a) All installed Energy Conservation Measures (ECMs) must meet the requirements listed in this Agreement.
 - b) Participant understands that incentive amounts are determined in accordance with the Program's requirements located at:
https://www.mytpu.org/wp-content/uploads/BCEP_Process_Requirements.pdf
 - c) A Notice to Proceed must be issued by Customer Energy Programs before Participant begins to install the ECMs defined in Attachment A.
2. **Energy Conservation Measure Installation.** Participant represents that it has the right and authority to, and will, install the Energy Conservation Measures (ECM) described in Attachment A. Participant assumes full responsibility for ECM selection and installation in compliance with this Agreement and with all applicable federal, state, and local laws and regulations. Participant shall be solely responsible for project management, planning and engineering, selection of and contracts with ECM contractors or other suppliers, and for payment to suppliers or contractors for ECM purchase and quality of installation. Tacoma Power is not a party to any Participant contract for the purchase of equipment, materials, or labor to install the ECMs and, therefore, shall have no liability regarding such contracts. Participant understands that projected energy savings stated in this Agreement are estimates and not guarantees.
3. **No Endorsement:** Tacoma Power does not endorse any particular contractor, manufacturer, or product in connection with its Incentive Programs. The Participant acknowledges that Tacoma Power in no way influenced the choice of contractor or specific brands of equipment.
4. **Access and Verification:** Participant will allow Tacoma Power or its authorized representative access during reasonable hours to access the energy efficiency project site and Facility before, during and after ECM installation for the sole purpose of verifying compliance with this Agreement within the Persistence of Energy Conservation Savings period specified in Section 7. Any Tacoma Power site visit is not intended to discover or report any defects, regulatory code violations, or hazards of any kind.
5. **Schedule and Incentive Payment:** Participant agrees to make good faith and best efforts to complete installation of ECMs and provide Tacoma Power sufficient time to perform all necessary site visits, applicable metering, and collection of documentation on or before the Agreement End Date specified in Section I. Tacoma Power may, for good cause, as determined by Tacoma Power in its sole discretion, authorize an extension of the scheduled installation completion date by issuing a written schedule extension. Participant understands that the incentive payment will be made after Tacoma Power verifies the project meets the applicable requirements stipulated in this agreement.
6. **Taxes:** Participant is responsible for, and shall pay, any federal, state and local taxes and any tax liability associated with receipt of a Tacoma Power rebate. Tacoma Power will not be responsible for any federal or state income, sales, or use tax that may be imposed or owed as a result of the receipt of the incentive.
7. **Persistence of Energy Conservation Savings:** Participant must make reasonable efforts to ensure the ECMs remain in place and are used for a minimum period of 5 years from the date of incentive payment. If the Participant removes or fails to reasonably utilize the incentive funded ECMs as intended during such period, Participant will be required to refund to Tacoma Power a prorated amount of the total incentive payment equal to the portion of the 5-year period the ECMs are not located or used at the Facility. Closure of business or Facility does not achieve energy conservation and therefore does not nullify this persistence of energy conservation savings clause.
8. **Obligations Binding on Successors and Assigns.** In the event the Participant transfers ownership of the Facility in which the ECMs are installed, Participant agrees to assign, transfer or otherwise assure these obligations are included as a requirement for the transfer of ownership. The assignment, transfer or other assurance proposed must be approved in writing by Tacoma Power.

- 9. Public Disclosure.** This Agreement and records related to it are public records subject to disclosure under the Washington State Public Records Act, Chapter 42.56 RCW, unless an exemption to disclosure applies. If Participant considers records or information that it provides to Tacoma Power in connection with this Agreement to be proprietary or confidential, Participant must clearly mark the content as such. In the event Tacoma Power receives a public records request to disclose this Agreement or records related to it, and Tacoma Power determines that no applicable exemption to disclosure exists, and Participant has complied with the requirement to mark all content considered proprietary or confidential, Tacoma Power will provide at least 10 days written notice to Participant of impending release, to allow Participant, at its sole expense, to take legal action to oppose disclosure. If Participant does not take legal action after ten days from the date of notice, the records will be disclosed without further process and Tacoma Power will have no liability for such disclosure. The notice required by this section will be sent to the Participant email address on file with Tacoma Power.
- 10. Use of Energy Consumption Data:** Tacoma Power will release information relating to installation and performance of the ECMs, including Facility energy consumption data, as is necessary in Tacoma Power's sole judgement for the purposes of evaluation and audit of its energy conservation programs. If release of this data requires tenant approval, Participant agrees to reasonably assist Tacoma Power in obtaining that approval. Tacoma Power may also publish general information related to the installation and performance of ECMs to promote its energy conservation programs.
- 11. Assignment of Incentive Payment by Participant:** Participant may direct that incentive payments be paid directly to a third party only by use of the Tacoma Power "Assignment of Funds" form. Notwithstanding such assignment, Participant remains solely responsible for complying with all terms and conditions of this Agreement and Tacoma Power's sole obligation under this Agreement shall be to Participant.
- 12. Termination and Survival:** Tacoma Power may terminate this Agreement at any time and for any reason, including for Tacoma Power's own convenience, upon thirty days written notice to Participant. If Participant has reasonably incurred obligations for the installation of authorized ECMs prior to receipt of such notice, an appropriate prorated incentive payment for the obligation actually incurred will be made; provided, Tacoma Power shall have no responsibility for any ECMs that do not meet the incentive qualifications.
- If no incentive payment has been made by Tacoma Power, Participant may terminate this Agreement upon written notice to Tacoma Power specifying the reason for termination. The terms and conditions of this Agreement shall survive the completion of any incentive payments provided to Participant in accordance with this agreement.
- 13. Limitation of Liability and Indemnification:** Tacoma Power's entire liability hereunder is limited to payment of the incentive according to the terms and conditions of this Agreement. Tacoma Power will not be liable to Participant for any consequential, special, or indirect damages of any kind arising out of, in connection with or related to this Agreement. In no event will Tacoma Power's total liability under this Agreement, regardless of legal or equitable basis, exceed the incentive amount. With respect to non-Federal agencies and private parties, Participant will indemnify and hold harmless Tacoma Power and its officers and employees from and against any and all liabilities, losses, claims, damages, judgments, penalties, costs, and expenses (including reasonable attorney's fees) arising from or in connection with participation in Tacoma Power's conservation programs including this Agreement, but only to the extent allowed by law. For avoidance of doubt, in agreements with Federal agencies, each party takes responsibility for the actions of its own officers and employees acting within the scope of their employment, and neither party will indemnify the other party.
- 14. Venue and Governing Law:** Washington law shall govern the interpretation of this Agreement. For agreements with Federal agencies, the governing law shall be federal law. The state or federal courts of Pierce County Washington, or the Court of Federal Claims as applicable, shall be the venue of any legal action arising out of this Agreement.
- 15. Entire Agreement/Modification/Waiver:** This Agreement, together with Attachment A, contains the entire agreement between the Parties regarding Tacoma Power's Incentive Program and supersedes all prior discussions relating to these subjects. No modification of this Agreement, nor any waiver of any rights, will be effective unless in writing and signed by Tacoma Power.

ATTACHMENT A-1

NEW CONSTRUCTION EFFICIENCY PROGRAM

Fircrest Community Center

PART ONE: ENERGY CONSERVATION MEASURES (ECMs) AND LOCATION

Install the ECM at the **Fircrest Community Center** at 555 Contra Costa Ave, Fircrest, WA 98466.

ECM 1 – High efficiency VRF heat pumps

Install the following **VRF heat pump outdoor units** per the model numbers, capacities, and efficiencies listed in the table below:

VRF Heat Pump			
MARK	Manufacturer / model	IEER/EER	Tons
Outdoor Module 1	Samsung AM120FXVAFR	19.6/11.2	10
Outdoor Module 2	Samsung AM168FXVAFR	19.6/11.2	14
Outdoor Module 3	Samsung AM168FXVAFR	19.6/11.2	14
System model number	Samsung AM456JXVAFR		
Total Tons VRF			38

PART TWO: INCENTIVE PAYMENT LEVELS

The table below lists the ECM, the estimated first-year energy savings, the ECM incremental cost, and the Tacoma Power incentive payment:

Project summary			
Project	Incremental cost	Savings	incentive
Fircrest Community Center	\$169,062	33,292	\$6,658

The incentive payment shown in the above table is based on the formula below:

Tacoma Power Incentive Payment = \$0.20 per Estimated Annual (first-year) kWh Savings or 100% of the Estimated ECM Incremental Cost, whichever is less.

The final incentive payment after installation shall be based on the above formula using the final verified annual first-year energy along with the final approved ECM incremental costs.

PART THREE: MEASUREMENT AND VERIFICATION (M&V) PLAN

ECM 1 - High efficiency VRF heat pumps

ECM energy savings will be verified after installation by implementing the following M&V Plan.

Equipment Documentation - Review of final submittal of installed equipment specification sheets (AHRI) for compliance with program requirements.

Equipment Verification - Validate documentation matches installed equipment.

PART FOUR: TACOMA POWER INSPECTION AND APPROVAL

The Customer Energy Programs group at Tacoma Power may conduct a site visit after the ECMs are installed and appropriately functioning. To issue payment, the following shall occur:

- Execution of the project Attachment A and its associated Measurement and Verification plan.
- Submit final invoices documenting the ECM installation. Documentation shall include vendor or general contractor invoices or the equivalent, indicating the cost of the conservation installation to the owner.
- With the help of the Participant, Tacoma Power will determine the final energy savings using Measurement & Verification protocols and methodologies recognized by Bonneville Power Administration, State of Washington, or *International Performance Measurement and Verification Protocols*.