

**FIRCREST CITY COUNCIL
REGULAR MEETING
AGENDA**

**TUESDAY, APRIL 11, 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**
- 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. Setting a public hearing on April 25, 2023, at 7:15 p.m. or thereafter to receive comments on the proposed text amendments regarding storm drain service charge (FMC 20.16)
 - C. Approval of Minutes: [March 14, 2023, Regular Meeting](#)
[March 20, 2023, Study Session](#)
[March 28, 2023, Regular Meeting](#)
- 11. PUBLIC HEARING**
 - A. [To receive comments on the Stormwater Management Program Plan \(SWMP\)](#)
- 12. UNFINISHED BUSINESS**
- 13. NEW BUSINESS**
 - A. [Ordinance: 2022 Budget Amendment #1, 2nd Reading and Adoption](#)
 - B. [Resolution: Phoebe Mulligan, LICSW Professional Services Agreement](#)
- 14. CALL FOR FINAL COMMENTS**
- 15. EXECUTIVE SESSION**
 - A. Executive Session per RCW 42.30.110 (1)(g) To evaluate the qualifications of an applicant for public employment
- 16. ADJOURNMENT**

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

ACCOUNTS PAYABLE

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Accts Pay #	Received	Date Due	Vendor	Amount	Memo
29322	04/06/2023	04/11/2023	7968 2015-2 IH2 Borrower LP	4.32	11-00875.0 - 1582 RAINIER DR
	343 10 00 00		Storm Drain Revenues 415 000 340 Storm Drain	-4.32	
29278	03/31/2023	04/11/2023	3647 Agrishop, Inc	37.49	Edger Repair
	576 80 31 02		Oper Supplies - Parks 001 000 576 General Fund	37.49	Edger Repair
29249	03/27/2023	04/11/2023	6811 Alarm Works NW LLC	14,490.83	P#64 - Camera System Update (20 Cameras, Equipment & Labor)
	594 76 62 03		Buildings & Structures - PBC 301 000 594 Park Bond Capit	14,490.83	P#64 - Camera System Update (20 Cameras, Equipment & Labor)
29250	03/27/2023	04/11/2023	6811 Alarm Works NW LLC	2,365.00	P#64 Burglar System Update & Monthly Monitoring (Jan-Dec 2023)
	594 76 62 03		Buildings & Structures - PBC 301 000 594 Park Bond Capit	2,365.00	P#64 Burglar System Update & Monthly Monitoring (Jan-Dec 2023)
29251	03/27/2023	04/11/2023	6811 Alarm Works NW LLC	1,822.70	Fire Alarm Update & Monitoring (Mar-Dec 2023)
	594 76 62 03		Buildings & Structures - PBC 301 000 594 Park Bond Capit	1,822.70	Fire Alarm Update & Monitoring (Mar-Dec 2023)
Total Alarm Works NW LLC				18,678.53	
29238	03/24/2023	04/11/2023	3705 Alpine Products Inc	275.50	Orange Cones (Qty 20)
	542 30 35 00		Small Tools & Equip - Street 101 000 542 City Street Fund	275.50	Orange Cones (Qty 20)
29274	03/31/2023	04/11/2023	7553 Atwood, Nancy	67.00	Library Reimbursement - 1 Year
	572 21 49 00		Library Services 001 000 572 General Fund	67.00	Library Reimbursement - 1 Year
29243	03/24/2023	04/11/2023	6018 Canon Financial Services Inc	159.67	Police Copier/Fax Rental Mar 2023
	521 22 45 00		Oper Rentals - Copier - Polic 001 000 521 General Fund	159.67	Police Copier/Fax Rental Mar 2023
29234	03/24/2023	04/11/2023	331 Cheesman, John G	106.44	Lunch For Interview Oral Board 03/09/23
	521 10 49 01		Meals - Other Than Travel/T 001 000 521 General Fund	106.44	Lunch For Interview Oral Board 03/09/23
29246	03/27/2023	04/11/2023	10370 City of Longview	1,668.49	Uniform Purchase for J Lease (Body Armor, 2 Jumpsuits, Class A Pants)
	521 22 49 01		Uniforms/Clothing/Laundry 001 000 521 General Fund	1,668.49	Uniform Purchase for J Lease (Body Armor, 2 Jumpsuits, Class A Pants)

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29286	03/31/2023	04/11/2023	6268 Cole-Parmer Instrument Company	193.55	Tisab Reagent Tablets & Dispensers for Fluoride Testing
	534 80 41 00	Water Testing	425 000 534	193.55	Tisab Reagent Tablets & Dispensers for Fluoride Testing
29287	03/31/2023	04/11/2023	3573 Copiers Northwest Inc	210.96	Copier Usage 01/18/23-02/24/23 - CH, Ct, PW, P/R
	512 50 45 00	Oper Rentals - Copier - Cou	001 000 512	9.86	Court 01/18/23-02/24/23
	518 10 45 00	Oper Rentals - Copier - Non	001 000 518	111.34	City Hall 01/18/23-02/24/23
	531 50 45 00	Oper Rentals - Copier - Stor	415 000 531	14.55	Storm 01/18/23-02/24/23
	534 10 45 02	Oper Rentals - Copier - Wat	425 000 534	14.56	Water 01/18/23-02/24/23
	535 10 45 00	Oper Rentals - Copier - Sew	430 000 535	14.56	Sewer 01/18/23-02/24/23
	542 30 45 00	Oper Rentals - Copier - Stre	101 000 542	14.56	Street 01/18/23-02/24/23
	571 10 45 01	Oper Rentals - Copier - Rec	001 000 571	28.38	Rec 01/18/23-02/24/23
	576 80 45 00	Oper Rentals - Copier - Park	001 000 576	3.15	Parks 01/18/23-02/24/23
29236	03/24/2023	04/11/2023	9885 Dande Company	13.20	Engraved Perpetual Plate (2)
	521 22 49 00	Miscellaneous - Police	001 000 521	13.20	Engraved Perpetual Plate (2)
29256	03/28/2023	04/11/2023	8543 Enviro-Clean Equipment, Inc.	62.49	#68057D Remote Repair for Vactor Truck
	548 65 48 12	O & M - Street	501 000 548	7.81	#68057D Remote Repair for Vactor Truck
	548 65 48 13	O & M - Storm	501 000 548	7.81	#68057D Remote Repair for Vactor Truck
	548 65 48 14	O & M - Water/Sewer	501 000 548	46.87	#68057D Remote Repair for Vactor Truck
29288	03/31/2023	04/11/2023	7827 Exercise Science Center	50.00	Physical Assessment - R Graham
	521 10 41 00	Prof Svcs - Civil Svc	001 000 521	50.00	Physical Assessment - R Graham
29235	03/24/2023	04/11/2023	3638 Fircrest Golf Club	1,346.61	Land Rental for Water Tank on Golf Course Property - Apr 2023
	534 10 45 01	Land Rental - Water Tank	425 000 534	1,346.61	Land Rental for Water Tank on Golf Course Property - Apr 2023
29248	03/27/2023	04/11/2023	71 Foley, Marilyn	67.00	Library Reimbursement - 1 Year
	572 21 49 00	Library Services	001 000 572	67.00	Library Reimbursement - 1 Year
29301	04/04/2023	04/11/2023	9338 Fuelman Fleet Program	2,043.17	Gas/Fuel March 2023
	548 65 31 08	Gas - Police	501 000 548	584.34	Police 03/2023
	548 65 31 11	Gas - Parks/Rec	501 000 548	280.10	Parks 03/2023
	548 65 31 12	Gas - Street	501 000 548	456.96	Street 03/2023
	548 65 31 14	Gas - Water/Sewer	501 000 548	721.77	W/S 03/2023

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29255	03/28/2023	04/11/2023	3666 Grainger Inc, Dept 826129041	30.56	Bulbs for Wells (2)
	534 50 31 01 Oper Supplies - Water Main		425 000 534 Water Fund (de	30.56	Bulbs for Wells (2)
29319	04/04/2023	04/11/2023	6774 Greenleaf Landscaping 1 Inc	2,200.00	Replacement of Kwanzan Cherry Tree at 109 Regents Due to Accident
	542 80 48 00 Street Tree Maintenance (co		101 000 542 City Street Fund	2,200.00	Replacement of Kwanzan Cherry Tree at 109 Regents Due to Accident
29325	04/05/2023	04/11/2023	6774 Greenleaf Landscaping 1 Inc	5,281.45	Monthly Landscape Service - Mar 2023
	518 30 41 01 Contract Maintenance		001 000 518 General Fund	3,961.09	Monthly Landscape Service - Mar 2023
	542 80 49 03 Beautification Services (cont		101 000 542 City Street Fund	1,320.36	Monthly Landscape Service - Mar 2023
Total Greenleaf Landscaping 1 Inc				7,481.45	
29285	03/31/2023	04/11/2023	10305 Gunderson Law Office PLLC	12,000.00	City of Fircrest - March 2023
	515 41 41 03 City Prosecutor		001 000 515 General Fund	12,000.00	City of Fircrest - March 2023
29311	04/04/2023	04/11/2023	6229 Holt Services Inc	40,397.50	Well #7 - New Check Valve, Motor & Pump
	594 34 63 01 Other Improvements - Wate		426 000 594 Water Improven	40,397.50	Well #7 - New Check Valve, Motor & Pump
29240	03/24/2023	04/11/2023	3692 Home Depot Credit Services	7.94	Light Pole Repair Supplies (Birch & Edwards Accident)
	542 63 31 00 Oper Supplies - St Light		101 000 542 City Street Fund	7.94	Light Pole Repair Supplies (Birch & Edwards Accident)
29271	03/31/2023	04/11/2023	3692 Home Depot Credit Services	11.00	Microfiber Duster
	571 10 31 04 Janitorial Supplies - Rec Bldg		001 000 571 General Fund	11.00	Microfiber Duster
29272	03/31/2023	04/11/2023	3692 Home Depot Credit Services	7.70	Drywall Repair Materials
	518 30 31 01 Oper Supplies - Rec Bldg		001 000 518 General Fund	7.70	Drywall Repair Materials
29280	03/31/2023	04/11/2023	3692 Home Depot Credit Services	21.42	Supplies for Well #7
	534 80 31 02 Oper Supplies - Water Gen (425 000 534 Water Fund (de	21.42	Supplies for Well #7
Total Home Depot Credit Services				48.06	
29299	04/03/2023	04/11/2023	4131 Humane Society - Tacoma	747.00	April 2023 Boarding Contract
	554 30 41 00 Animal Control		001 000 554 General Fund	747.00	April 2023 Boarding Contract

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29303	04/04/2023	04/11/2023	5428 Jeff Boers	1,121.25	Land Use Consulting (9.75 Hrs) - March 2023
	558 60 41 00 Prof Svcs - Planning		001 000 558 General Fund	1,121.25	Land Use Consulting (9.75 Hrs) - March 2023
29242	03/24/2023	04/11/2023	10368 Lewis, Nicole	67.00	Library Reimbursement - 1 Year
	572 21 49 00 Library Services		001 000 572 General Fund	67.00	Library Reimbursement - 1 Year
29310	04/04/2023	04/11/2023	2440 McCarthy, Mary	67.00	Library Reimbursement - 1 Year
	572 21 49 00 Library Services		001 000 572 General Fund	67.00	Library Reimbursement - 1 Year
29239	03/24/2023	04/11/2023	10246 McDonald, Janelle	33.50	Library Reimbursement - 1/2 Year
	572 21 49 00 Library Services		001 000 572 General Fund	33.50	Library Reimbursement - 1/2 Year
29281	03/31/2023	04/11/2023	6369 McLendon Hardware Inc (Tacoma)	8.82	Parts for Wash Rack; Repair on Faucet
	534 80 31 02 Oper Supplies - Water Gen (425 000 534 Water Fund (dep	8.82	Parts for Wash Rack; Repair on Faucet
29273	03/31/2023	04/11/2023	3957 PC Budget & Finance	481.25	February 2023 Radio Repair (1 unit)
	521 22 48 00 Rep & Maint - Police		001 000 521 General Fund	481.25	February 2023 Radio Repair (1 unit)
29320	04/04/2023	04/11/2023	3961 PCRCDD, LLC dba LRI-HV	662.11	Dump Fees - Street Sweeping - March 2023
	531 50 47 01 Dumping Fees - Storm		415 000 531 Storm Drain	662.11	Dump Fees - Street Sweeping - March 2023
29241	03/24/2023	04/11/2023	8626 Pacific Office Automation Inc	144.03	Postage Meter Rental - Apr 2023
	518 10 42 01 Postage - Non Dept		001 000 518 General Fund	144.03	Postage Meter Rental - Apr 2023
29252	03/28/2023	04/11/2023	3937 Pape & Sons Construction Inc	36,960.00	Watermain Replacement on 700 Blk of Regents
	594 34 63 01 Other Improvements - Wate		426 000 594 Water Improven	36,960.00	Watermain Replacement on 700 Blk of Regents
29321	04/04/2023	04/11/2023	3955 Petrocard Systems Inc	586.55	Gas/Fuel - March 2023
	548 65 31 14 Gas - Water/Sewer		501 000 548 Equipment Rent	586.55	W/S - 03/2023
29292	03/31/2023	04/11/2023	10221 Petty Cash-ParksRec	120.04	Senior Morning Supplies
	571 10 31 02 Senior Program Supplies		001 000 571 General Fund	120.04	Senior Morning Supplies
29275	03/31/2023	04/11/2023	10209 Polly L. MacLean, CSC	378.20	ASL Interpreting 3/14 & 3/28 Council Meeting (4 hrs plus mileage)
	511 60 41 00 Prof Svcs - Legisl		001 000 511 General Fund	378.20	ASL Interpreting 3/14 & 3/28 Council Meeting (4 hrs plus mileage)

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29290	03/31/2023	04/11/2023	3982 Proforce Law Enforcement, Corp. Office	853.60	Less Lethal Bullets for Air Guns (2 cases)
	521 22 31 00	Office & Oper Sup - Police	001 000 521 General Fund	853.60	Less Lethal Bullets for Air Guns (2 cases)
29304	04/04/2023	04/11/2023	4828 Protect Youth Sports	54.75	Background Checks for Parks/Rec
	518 11 41 00	Prof Svcs - Personnel	001 000 518 General Fund	54.75	Background Checks for Parks/Rec
29313	04/04/2023	04/11/2023	3986 Puget Sound Energy, BOT-01H	446.13	Natural Gas - Pool/Bathhouse - March 2023
	576 20 47 00	Public Utility Services - Pool	001 000 576 General Fund	446.13	Natural Gas - Pool/Bathhouse - March 2023
29314	04/04/2023	04/11/2023	3986 Puget Sound Energy, BOT-01H	72.38	Natural Gas - Rec Center - March 2023
	571 10 47 00	Public Utility Services - Rec	001 000 571 General Fund	72.38	Natural Gas - Rec Center - March 2023
Total Puget Sound Energy, BOT-01H				518.51	
29318	04/04/2023	04/11/2023	5710 Rainier Connect, Mashell Telecom	106.95	Internet Access Fee - City Hall - Apr 2023
	518 81 42 00	Communication/Internet - I/	001 000 518 General Fund	106.95	Internet Access Fee - City Hall - Apr 2023
29247	03/27/2023	04/11/2023	8893 Right Systems INC	2,086.02	Backup Software for Network and M365 3/22/23 thru 3/21/24
	518 81 49 01	Software Licenses	001 000 518 General Fund	2,086.02	Backup Software for Network and M365 3/22/23 thru 3/21/24
29283	03/31/2023	04/11/2023	337 Roberts, Christopher	25.00	Gym Fees Reimbursement - March 2023
	521 22 20 00	Personnel Benefits - Police	001 000 521 General Fund	25.00	Gym Fees Reimbursement - March 2023
29276	03/31/2023	04/11/2023	4018 Rosen Supply Company Inc	322.65	Floor Drain Repair
	518 30 31 02	Oper Supplies - PSB Bldg	001 000 518 General Fund	322.65	Floor Drain Repair
29323	04/06/2023	04/11/2023	10145 Saipher, Lyndia	179.04	02-00980.0 - 215 CONTRA COSTA AVE
	343 10 00 00	Storm Drain Revenues	415 000 340 Storm Drain	-39.69	
	343 40 00 00	Sale Of Water	425 000 340 Water Fund (de	-43.41	
	343 50 00 00	Sewer Revenues	430 000 340 Sewer Fund (de	-95.94	
29305	04/04/2023	04/11/2023	4035 Sarco Supply	111.34	Janitorial Supplies - PSB
	518 30 31 02	Oper Supplies - PSB Bldg	001 000 518 General Fund	111.34	Janitorial Supplies - PSB
29306	04/04/2023	04/11/2023	4035 Sarco Supply	34.60	Janitorial Supplies - PSB
	518 30 31 02	Oper Supplies - PSB Bldg	001 000 518 General Fund	34.60	Janitorial Supplies - PSB

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29307	04/04/2023	04/11/2023	4035 Sarco Supply	74.53	Janitorial Supplies - Public Works
	518 30 31 03 Oper Supplies - PWF		001 000 518 General Fund	74.53	Janitorial Supplies - Public Works
29308	04/04/2023	04/11/2023	4035 Sarco Supply	37.31	Janitorial Supplies - City Hall
	518 30 31 04 Oper Supplies - CH		001 000 518 General Fund	37.31	Janitorial Supplies - City Hall
29309	04/04/2023	04/11/2023	4035 Sarco Supply	146.22	Janitorial Supplies - Rec Bldg
	571 10 31 04 Janitorial Supplies - Rec Bldg		001 000 571 General Fund	146.22	Janitorial Supplies - Rec Bldg
Total Sarco Supply				404.00	
29245	03/24/2023	04/11/2023	4047 Secretary Of State	130.68	Archive Boxes for Records Grant (40)
	513 10 31 00 Office & Oper Sup - Admin		001 000 513 General Fund	130.68	Archive Boxes for Records Grant (40)
29315	04/04/2023	04/11/2023	6088 Sentinel Pest Control Inc	120.12	Pest Control - City Hall - 04/2023
	518 30 48 02 Rep & Maint - City Hall		001 000 518 General Fund	120.12	Pest Control - City Hall - 04/2023
29316	04/04/2023	04/11/2023	6088 Sentinel Pest Control Inc	214.41	Pest Control - PW - 04/2023
	531 50 48 00 Rep & Maint - Storm		415 000 531 Storm Drain	53.60	Pest Control - PW - 04/2023
	534 50 48 01 Rep & Maint - Water Maint		425 000 534 Water Fund (dep	53.60	Pest Control - PW - 04/2023
	535 50 48 00 Rep & Maint - Sewer Maint		430 000 535 Sewer Fund (dep	53.60	Pest Control - PW - 04/2023
	542 30 48 01 Rep & Maint - Street Maint		101 000 542 City Street Fund	53.61	Pest Control - PW - 04/2023
Total Sentinel Pest Control Inc				334.53	
29293	03/31/2023	04/11/2023	4060 Sir Speedy	67.10	2023 Car Show Dash Plaques Artwork Setup Fee
	573 90 49 01 Community Events		001 000 573 General Fund	67.10	2023 Car Show Dash Plaques Artwork Setup Fee
29291	03/31/2023	04/11/2023	9888 T-Mobile (Cell Phone Bill)	1,086.41	City Cell Phones & Air Cards 03/2023
	513 10 42 00 Communication - Admin		001 000 513 General Fund	29.86	City Manager 03/2023 - C Corcoran
	518 30 42 00 Communication - Fac/Equip		001 000 518 General Fund	89.58	Maint. Lead, 2 Workers 03/2023
	521 22 42 00 Communication - Police		001 000 521 General Fund	577.74	Police Officers, Chief and Air Cards 03/2023
	524 20 42 00 Communication- Building		001 000 524 General Fund	14.93	Admin Svcs Dir. 03/2023
	531 50 42 00 Communication - Storm		415 000 531 Storm Drain	59.72	Public Works Crew, Director, Billing Clerk 03/2023
	534 10 42 00 Communication - Water Adr		425 000 534 Water Fund (dep	90.63	Public Works Crew, Director, Billing Clerk, PW Water Meter Collector 03/2023
	535 10 42 01 Communication - Sewer Adr		430 000 535 Sewer Fund (dep	59.72	Public Works Crew, Director, Billing Clerk 03/2023

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542 30 42 00	Communication - Street Reg		101 000 542 City Street Fund	59.72	Public Works Crew, Director, Billing Clerk 03/2023
558 60 42 00	Communication - Planning		001 000 558 General Fund	14.93	Admin Svcs Dir. 03/2023
576 80 42 00	Communication - Parks		001 000 576 General Fund	89.58	P/R Director, Events, Maint. Worker 03/2023
29294	03/31/2023	04/11/2023	4130 Tacoma P C Health Dept	1,020.00	Swimming Pool Permits - 2023
576 20 49 02	Miscellaneous - Pool		001 000 576 General Fund	1,020.00	Swimming Pool Permits - 2023
29317	04/04/2023	04/11/2023	4322 Tacoma, City of - POWER	441.15	Power - Various Locations - March 2023
534 80 47 01	Utility Services/Pumping		425 000 534 Water Fund (de	218.25	Weathervane Booster Power - Mar 2023
535 80 47 01	Utility Services/Pumping		430 000 535 Sewer Fund (de	222.90	Pump #3, /S Power - Mar 2023
29324	04/06/2023	04/11/2023	2753 Torres, Jesus	12.63	06-00870.0 - 1560 WEATHERVANE DR
343 10 00 00	Storm Drain Revenues		415 000 340 Storm Drain	-18.96	
343 40 00 00	Sale Of Water		425 000 340 Water Fund (de	-16.99	
343 50 00 00	Sewer Revenues		430 000 340 Sewer Fund (de	23.32	
29298	04/03/2023	04/11/2023	5934 US Bank, City Hall Account	2,972.33	P-Card Charges thru 3/25/23
513 10 49 01	Reg & Tuition - Admin		001 000 513 General Fund	40.00	MRSC Webinar - PRA Deep Dive - A Burkhart
513 10 49 02	Dues/Member/Subscription:		001 000 513 General Fund	310.00	Annual Dues - 2023 - IIMC - A Burkhart, J Westman
514 23 49 01	Reg & Tuition - Finance		001 000 514 General Fund	375.00	WPTA 2023 Annual Conference Registration - M Ryan
517 90 31 01	Oper Supplies - Wellness Pr		001 000 517 General Fund	119.10	Wellness Supplies
518 10 42 01	Postage - Non Dept		001 000 518 General Fund	395.65	Postage - Passport & Admin
518 81 35 00	Small Tools & Equip - I/S		001 000 518 General Fund	39.24	Ethernet Adapter
518 81 49 01	Software Licenses		001 000 518 General Fund	1,583.34	Acrobat Pro Software Licenses (5)
524 20 49 01	Reg & Tuition - Building		001 000 524 General Fund	110.00	Goods or Services Webinar - K Singh
29297	04/03/2023	04/11/2023	8482 US Bank, Police Department Account	23.61	P-Card Charges thru 3/25/23
521 22 35 00	Small Tools & Equip - Police		001 000 521 General Fund	23.61	Computer Speakers
29295	03/31/2023	04/11/2023	8483 US Bank, Public Works Dept Account	2,568.23	P-Card Charges thru 03/25/23
534 80 35 00	Small Tools & Equip - Water		425 000 534 Water Fund (de	848.75	Shovels (16); Harnesses for Bucket Truck (3)
535 80 35 00	Small Tools & Equip - Sewer		430 000 535 Sewer Fund (de	173.84	Shovels (16)
542 30 35 00	Small Tools & Equip - Street		101 000 542 City Street Fund	173.84	Shovels (16)
542 63 35 00	Small Tools & Equip - St Lig		101 000 542 City Street Fund	674.89	Harnesses for Bucket Truck (3)
542 80 35 00	Small Tools & Equip - St Be		101 000 542 City Street Fund	674.89	Harnesses for Bucket Truck (3)
571 10 35 00	Small Tools & Equip - Rec		001 000 571 General Fund	22.02	Cart Wheels for Volleyball
29300	04/03/2023	04/11/2023	8484 US Bank, Recreation Dept Account	1,898.24	P-Card Charges thru 3/25/23
571 10 31 00	Office Supplies - Rec		001 000 571 General Fund	39.58	Miscellaneous Office Supplies

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571 10 31 01	Oper Supplies - Rec		001 000 571 General Fund	54.98	Miscellaneous Operating Supplies
571 10 31 02	Senior Program Supplies		001 000 571 General Fund	134.90	Senior Morning Supplies
571 10 35 00	Small Tools & Equip - Rec		001 000 571 General Fund	128.03	Coffee Maker for Rentals & Coffee Brew Basket
571 10 49 00	Miscellaneous - Rec		001 000 571 General Fund	42.88	Clock for Office
571 20 49 03	Indoor Soccer		001 000 571 General Fund	142.80	Indoor Soccer Supplies
573 90 49 01	Community Events		001 000 573 General Fund	510.73	Community Event Supplies
576 20 31 00	Office Supplies - Pool		001 000 576 General Fund	25.29	Binder for Pool Office
594 76 62 03	Buildings & Structures - PBC		301 000 594 Park Bond Capit	819.05	P#64 Storage Containers, SAA #1893 Samsung Galaxy Tablet PRO & Case
29289	03/31/2023	04/11/2023	4179 Unum Life Insurance Company of America	56.90	Retired Benefits - Apr 2023
521 22 20 02	LEOFF I Long Term Care Pre		001 000 521 General Fund	56.90	Retired Benefits - Apr 2023
29302	04/04/2023	04/11/2023	4180 Utilities Underground	64.79	Locates 03/2023
534 10 49 00	Miscellaneous - Water Admi		425 000 534 Water Fund (de	32.40	Locates 03/2023
535 10 49 00	Miscellaneous - Sewer Admi		430 000 535 Sewer Fund (de	32.39	Locates 03/2023
29296	04/03/2023	04/11/2023	3645 WEX BANK, Wright Express FSC	1,464.99	Gas/Fuel March 2023
548 65 31 05	Gas - Non Dept		501 000 548 Equipment Rent	81.86	Non-Dept 03/2023
548 65 31 08	Gas - Police		501 000 548 Equipment Rent	1,383.13	Police 03/2023
29277	03/31/2023	04/11/2023	9997 Walter E Nelson Co	98.34	New Brushes for IMop
571 10 31 04	Janitorial Supplies - Rec Bldg		001 000 571 General Fund	98.34	New Brushes for IMop
29237	03/24/2023	04/11/2023	4229 Washington State Patrol	600.00	Access User Fee - 1st Quarter 2023
521 22 41 03	WACIC/NCIC		001 000 521 General Fund	600.00	Access User Fee - 1st Quarter 2023
29282	03/31/2023	04/11/2023	4231 Water Mgmt Labs Inc	234.00	Coliform Testing - 03/2023
534 80 41 00	Water Testing		425 000 534 Water Fund (de	234.00	Coliform Testing - 03/2023
29284	03/31/2023	04/11/2023	4256 Winning Seasons	42.90	Sweatshirts For J Marzano (Quantity 2)
531 50 20 01	Contract Benefits - Storm		415 000 531 Storm Drain	10.72	Sweatshirts For J Marzano (Quantity 2)
534 10 20 01	Contract Benefits - Wtr Adm		425 000 534 Water Fund (de	10.72	Sweatshirts For J Marzano (Quantity 2)
535 10 20 01	Contract Benefits - Sewer Ac		430 000 535 Sewer Fund (de	10.73	Sweatshirts For J Marzano (Quantity 2)
542 30 20 01	Contract Benefits - Street Re		101 000 542 City Street Fund	10.73	Sweatshirts For J Marzano (Quantity 2)
29279	03/31/2023	04/11/2023	10035 Zoom Video Communications	1,576.85	Monthly Phone Rental - 3/31/23-4/29/23
512 50 35 00	Small Tools & Equip - Court		001 000 512 General Fund	148.41	Annual Fee (Court) - 3/31/23-4/29/23
513 10 42 00	Communication - Admin		001 000 513 General Fund	83.60	Meeting Webinar & Recording - 3/31/23-4/29/23

ACCOUNTS PAYABLE

City Of Fircrest

Time: 15:56:16 Date: 04/06/2023

As Of: 04/11/2023

Page: 9

Accts Pay #	Received	Date Due	Vendor	Amount	Memo
518 10 42 00			Communication - Non Dept	1,344.84	Monthly Phone Rental - 3/31/23-4/29/23

Report Total:	145,562.94
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Fund	
001 General Fund	34,416.32
101 City Street Fund	5,466.04
301 Park Bond Capital Fund	19,497.58
415 Storm Drain	863.67
425 Water Fund (department)	3,164.27
426 Water Improvement Fund	77,357.50
430 Sewer Fund (department)	640.36
501 Equipment Rental Fund	4,157.20

This report has been reviewed by:

REMARKS:	Signature & Title	Date
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CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

Mayor Brett L. Wittner called the regular meeting to order at 7:00 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. Officer Lease Introduction & Swearing In Ceremony

Police Chief Cheesman introduced Officer Jacob Lease and stated that he previously worked for the Longview Police Department. Administrative Services Director/ City Clerk–Westman swore in Officer Jacob Lease.

B. Presentation: City Attorney Council Rules and Etiquette

City Attorney Zeinemann gave a presentation on Council Rules and Etiquette.

CITY MANAGER COMMENTS

A. City Manager Recruitment Update

Colin Baeniziger & Associates representative, Lynelle Klein provided a recruitment update and recommended extending the deadline for applications. Discussions included recruitment timelines, group discussions, and candidate reports.

B. Council Photos Discussion

Interim City Manager Corcoran briefed the Council on setting a date for the Council group photo. There was a brief discussion on council member schedules and locations. There were no noted objections to having the Council photo taken outdoors. City Staff will provide dates and times via email.

DEPARTMENT HEAD COMMENTS

- Public Works Director Bemis reported on items including upcoming public works projects, Orchard Street and Center Street intersection maintenance, and the Water Well 7 repair.
- Police Chief Cheesman reported on the Coffee with a Cop event and provided an update on the recent lateral police officer oral board.
- Parks & Recreation Director Grover reported on the Fircrest Tennis Court bid.
- Interim Finance Director Chambers reported on her completion of the Northwest Woman’s Leadership Academy and thanked the City of Fircrest for their support.

COUNCILMEMBER COMMENTS

- Andrews commented on local schools’ sports.
- Bufford stated that 28th Legislative District State Representative Mari Leavitt and Dan Bronoske will be hosting a Community Town Hall on March 28, 2023, at Clover Park Technical College.
- George congratulated Interim Finance Director Chambers on her completion of the Northwest Woman’s Leadership Academy.
- Reynolds; no comment.
- Viafore thanked and welcomed former Fircrest Public Works Director Burlingame for attending the meeting and commented on the City Manager recruitment process.

- Wittner congratulated [Interim Finance Director Chambers](#) on her completion of the Northwest Woman’s Leadership Academy.

There was a brief discussion on holding an executive session for a Council discussion on the city manager recruitment. There were no noted objections to a group discussion and abstaining from individual phone calls.

PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Wittner invited public comment; the following individuals provided comments:

- Vince Navarre, 1205 Del Monte Ave, provided history on Thea Foss for Woman’s History Month.

COMMITTEE, COMMISSION, AND LIAISON REPORTS

A. Administration

There was no report provided.

B. Environmental, Planning, and Building

George reported on items including passports appointments, and the comprehensive plan, and provided an update on the Prose development.

C. Finance, IT, Facilities

Reynolds reported that the finance department is preparing for the state report and the deadline to submit a request for proposals (RFP) for Information Technology Services has been rescheduled to April 07, 2023.

D. Other Liaison Reports

There were no other reports.

CONSENT CALENDAR

Wittner requested the City Clerk read the Consent Calendar: approval of Voucher No. 219288 through Voucher Check No. 219346 in the amount of \$59,373.48; approval of Payroll Check No. 14238 through Payroll Check No. 14239 in the amount of \$9,406.80; approval of Payroll Check No. 14240 through Payroll Check No. 14245 in the amount of \$58,383.33; approval of Payroll electronic funds transfer in the amount of \$143,449.83; approval of February 14, 2023, Regular Meeting minutes; and approval of February 28, 2023, Regular Meeting minutes. **George MOVED to approve the Consent Calendar as read; seconded by Barrentine.** Viafore requested to remove the February 28, 2023, Regular Meeting minutes. **The Motion to Approve the Consent Calendar Carried (7-0) as amended.**

PUBLIC HEARING

There was no public hearing scheduled.

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

A. Ordinance No. 1705: Amending Sewer Connection Schedule of Fees

Public Works Director Bemis briefed the Council on the proposed ordinance and highlighted that it will increase the sewer system General Facilities Charge’s (GFC’s), Service Connection Fee, and Inspection Fee. **George MOVED to adopt Ordinance No. 1705, amending Ordinance No. 1690 Section 1 and FMC 20.04.025 General Facilities Charge; amending Ordinance No. 1690 Section 2 and FMC 20.04.030 Service Connection Fees and Inspection Fees; seconded by Barrentine.** Wittner invited councilmember comment; there were none. Wittner invited public comment; there were none. **The Motion Carried (7-0).**

B. Ordinance No. 1706: Amending Water Connection Schedule of Fees

Public Works Director Bemis briefed the Council on the proposed ordinance and highlighted that it will increase the water system General Facilities Charges (GFC’s), Service Connection Fees, and Water Meter Drop-In Fees. **Reynolds MOVED to adopt Ordinance No. 1706, amending Ordinance No. 1691 Section 1 and FMC 21.01.030 General Facilities Charge; amending Ordinance No. 1691 Section 2 and FMC 21.04.130 Service Connection Fees and Water Meter Drop-In Fees; seconded by Barrentine.** Wittner invited councilmember comment; there was none. Wittner invited public comment; there was none. **The Motion Carried (7-0).**

CALL FOR FINAL COMMENTS

- Andrews and Viafore welcomed Mimi’s Tea business owner and Fircrest resident, Cheryl Burlingame [and thanked for her community support.](#)
- Chief Cheesman thanked meeting attendees, [former Fircrest Police Officer and current Pierce County Sergeant Tacoma Police Detective](#) Robert LaTour and retired [Pierce County Detective, and Fircrest resident](#) Theresa Burg.

EXECUTIVE SESSION

At 8:09 P.M., Wittner reported that the Council would take a six-minute recess and convene into Executive Session, not to exceed sixty (60) minutes to review the performance of a public employee per RCW 42.30.110 (1)(g) and to discuss potential litigation per RCW 42.30.110 (1)(i). Interim City Manager Corcoran and City Attorney Zeinemann were invited to the Executive Session.

ADJOURNMENT

Bufford MOVED to adjourn the meeting at 9:15 P.M., seconded by Barrentine. 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 study session to order at 6:03 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.

PRESENTATION: SOUTH SOUND 911

South Sound 911 Executive Director, Deborah Grady gave a presentation on South Sound 911 and the services it provides. There was a brief discussion on South Sound 911 funding and touring the center.

BATHROOM LOCKS DISCUSSION

Public Works Director Bemis and Parks & Recreation Director Grover briefed the Council on options for locking the Fircrest Parks bathrooms. Discussions included cost-effective options, utilizing current staff, and possible Fircrest Police Officer presence.

COUNCIL PROCLAMATION DISCUSSION

Discussions included Council policies, suspension of proclamations, and proclamation sponsorship. There were no noted objections to adding the proclamation discussion to the May Study Session agenda.

REMOTE ATTENDANCE FOR COUNCIL MEETINGS

Discussions included encouraging in-person attendance, Council policies, presiding officer in-person attendance, and camera use during motions. There were no noted objections to continuing the use of remote attendance.

INTRODUCTION OF COUNCIL GOALS

Interim City Manager Corcoran provided a brief overview of the process of the Council's goals and requested Council to start prioritizing goals. There was a brief discussion on pedestrian and public safety work plan.

Bufford MOVED to extend the March Study Session to 9:00 P.M.; seconded by George. The Motion Carried (7-0).

EXECUTIVE SESSION

At 7:33 P.M., Wittner reported that the Council would take a seven-minute recess and convene into Executive Session, not to exceed sixty (60) minutes to evaluate the qualifications of an applicant for public employment per RCW 42.30.110 (1)(g) and to discuss potential litigation per RCW 42.30.110 (1)(i). Interim City Manager Corcoran and City Attorney Zeinemann were only invited to the Executive Session under RCW 42.30.110 (1)(i). Colin Baeniziger & Associates representative, Lynelle Klein was only invited to the Executive Session under RCW 42.30.110 (1)(g).

ADJOURNMENT

Bufford MOVED to adjourn the meeting at 8:15 P.M., seconded by Viafore. The Motion Carried (7-0).

MARCH 20, 2023

FIRCREST CITY COUNCIL MEETING MINUTES – STUDY SESSION 2

Jayne Westman, City Clerk

CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

Mayor Brett L. Wittner called the regular meeting to order at 7:00 P.M. and led the Pledge of Allegiance. Councilmembers David M. Viafore, Shannon Reynolds, Joe Barrentine, Nikki Bufford, and Jim Andrews were present. Councilmember George was absent and excused.

PRESIDING OFFICER’S REPORT

A. Motion: Setting Special Meetings on April 20, 2023

Barrentine MOVED to set a special meeting on April 20, 2023, at 5:30 P.M. for the sole purpose of City Manager Interviews; seconded by Bufford. Wittner invited councilmember comment; none were provided. Wittner invited public comment; none were provided. **The Motion Carried (6-0).**

B. Motion: Setting Special Meetings on April 21, 2023

Barrentine MOVED to set a special meeting on April 21, 2023, at 7:45 A.M. for the sole purpose of City Manager Interviews; seconded by Bufford. Wittner invited councilmember comment. Reynolds stated that she will be unavailable. Viafore commented on the location of the meetings. Wittner stated that the meetings will be hosted at Fircrest City Hall. Wittner invited public comment; none were provided. **The Motion Carried (6-0).**

CITY MANAGER COMMENTS

Interim City Manager Corcoran commented on the locations of the special meetings. City Attorney Zeinemann stated that the special meeting motions will need to be amended to state location.

Viafore MOVED to change the location of the special meeting on April 20, 2023, at 5:30 P.M. for the sole purpose of City Manager Interviews from Fircrest City Hall to the Fircrest Community Center; seconded by Barrentine. Wittner invited councilmember comment. Viafore asked if the meetings were open to the public. Interim City Manager Corcoran stated that April 20, 2023, is a community event, and will be open to the public, however the April 21, 2023, City Manager's interviews will be done in an executive session. There was a brief discussion on public notices of executive sessions. Wittner invited public comment; none were provided. **The Motion Carried (6-0).**

Interim City Manager Corcoran provided updates on the City Manager and Police Chief recruitments.

DEPARTMENT HEAD COMMENTS

None.

COUNCILMEMBER COMMENTS

- Andrews; no comment.
- Bufford; no comment.
- Barrentine; no comment.
- Reynolds commented on the Fircrest pool and recreational class registrations via phone.
- Viafore; no comment.
- Wittner thanked the meeting attendees.

PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

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

- Vince Navarre, 1205 Del Monte, commented on the use of proclamations and Council rules.

COMMITTEE, COMMISSION, AND LIAISON REPORTS

A. Parks & Recreation

Barrentine reported on resident-only pool season passes, the Whitter Master Plan RFQ, the City of Fircrest, and the Fircrest Parks and Recreation Foundation memorandum of understanding.

B. Pierce County Regional Council

Reynolds reported on the Puyallup-White River Local Integrating Organization presentation, affordable housing tax, and upcoming agenda items.

C. Public Safety, Courts

Viafore reported on Chief Cheesman’s retirement and stated that he would like to honor Chief Cheesman’s service and dedication at an upcoming Council meeting.

D. Street, Water, Sewer, and Storm Drain

Bufford reported on the Thelma Gilmur Park crosswalk signal, Well 7 repairs, and the Department of Ecology annual report.

E. Other Liaison Reports

There was no report.

CONSENT CALENDAR

Wittner requested the Deputy City Clerk read the Consent Calendar: approval of Voucher No. 219347 through Voucher Check No. 219414 in the amount of \$270,676.18; approval of Payroll electronic funds transfer in the amount of \$145,083.14; Setting a public hearing on April 11, 2023, at 7:15 pm or thereafter to receive comments on the Stormwater Management Program Plan (SWMP); Registering no objections to the Stina’s Cellars Liquor License Renewal; approval of the February 28, 2023, Regular Meeting minutes; and approval of the March 14, 2023, Regular Meeting minutes. **Bufford MOVED to approve the Consent Calendar as read; seconded by Barrentine.**

Viafore stated that he was having difficulties with audio and visual on Zoom. Viafore requested to remove the February 28, 2023, Regular Meeting minutes and the March 14, 2023, Regular Meeting minutes. **The Motion to Approve the Consent Calendar Carried as amended (6-0).**

PUBLIC HEARING

There was no public hearing scheduled.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

A. 1st Budget Adjustment, 1st Reading

Interim Finance Director Chambers briefed the Council on the first reading of the budget adjustment to the Adopted 2023 Budget and reported on the proposal for additional appropriations for

anticipated revenues and expenditures not provided for in the Adopted 2023 Budget. Wittner invited councilmember comment; none were provided.

B. Resolution No. 1823: Tennis Court Resurfacing Contract Agreement

Parks & Recreation Director Grover briefed the Council on the proposed resolution and highlighted that the City received a grant from the Recreation and Conservation Office for a \$16,000 match that will be used towards the project. **Bufford MOVED to adopt Resolution No. 1823 authorizing the Interim City Manager to execute an agreement between NW Court Consultants and the City of Fircrest for the resurfacing of the Fircrest Park tennis courts; seconded by Barrentine.** Wittner invited councilmember comment. Wittner commented on the Tennis Court color and noise levels. Parks & Recreation Director Grover stated that there will be public outreach regarding color and courts will open at 8:00 A.M. to limit the noise levels. Wittner invited public comment; none were provided. **The Motion Carried (6-0).** Councilmember Viafore’s vote was inaudible.

C. Resolution No. 1824: Parametrix Sewer Agreement

Interim City Manager Corcoran briefed the Council on the proposed resolution and stated that the agreement will provide project management services relating to connecting sewer services. **Bufford MOVED to adopt Resolution No. 1824 authorizing the Interim City Manager to execute a professional service agreement with Parametrix, Inc. with a not to exceed amount of \$3,000 to provide project management services relating to connecting sewer service to the City of Fircrest’s sewer system; seconded by Barrentine.** Wittner invited councilmember comment; none were provided. Wittner invited public comment; none were provided. **The Motion Carried (6-0).** Councilmember Viafore’s vote was inaudible.

CALL FOR FINAL COMMENTS

Chief Cheesman reported on Officer Lease, lateral officer candidates' backgrounds, and Narcan supply.

Wittner stated that he will not sponsor proclamations until further notice.

EXECUTIVE SESSION

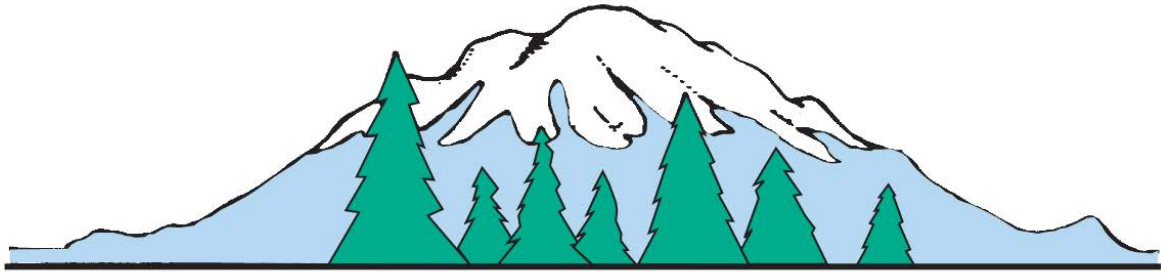
No executive session was scheduled.

ADJOURNMENT

Bufford MOVED to adjourn the meeting at 7:48 P.M., seconded by Barrentine. The Motion Carried (7-0).

Brett L. Wittner, Mayor

Arlette Burkhart, Deputy City Clerk



THE CITY OF FIRCREST

STORMWATER MANAGEMENT PROGRAM (SWMP) PLAN

**The City of Fircrest
115 Ramsdell St
Fircrest, WA 98466**

2023

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Acronyms and Abbreviations

AKART	All Known and Reasonable Technologies
BMP	Best Management Practice
CESCL	Certified Erosion and Sediment Control Lead
Ecology	Washington State Department of Ecology
EPA	United States Environmental Protection Agency
FC	Flow Control
FMP	Fircrest Municipal Code
IDDE	Illicit Discharge Detection and Elimination
LID	Low Impact Development
MEP	Maximum Extent Practicable
MS4	Municipal Separate Storm Sewer System
NPDES	National Pollutant Discharge Elimination System
O&M	Operation and Maintenance
ROW	Right-of-way
RSMP	Regional Stormwater Monitoring Program
SIDIR	Source Identification Information Repository
SMAP	Stormwater Management Action Plan
SWMMWW	Stormwater Management Manual for Western Washington
SWMP	Stormwater Management Program
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load
Unk	Unknown
USGS	United States Geological Survey
WS	Watershed
WQ	Water Quality

CHAPTER 1 – BACKGROUND

1.1 THE STORMWATER MANAGEMENT PROGRAM PLAN DOCUMENT

This Stormwater Management Program (SWMP) Plan has been prepared to satisfy Special Condition S5 of the current Western Washington Phase II Municipal Stormwater Permit (Permit), of which the City of Fircrest is a Permittee.

Section S5.A.2 of the Permit states:

Each Permittee shall prepare written documentation of the SWMP, called the SWMP Plan. The SWMP Plan shall be organized according to the program components in S5.C or a format approved by Ecology and shall be updated at least annually for submittal with the Permittee’s annual reports to Ecology. The SWMP Plan shall be written to inform the public of the planned SWMP activities for the upcoming calendar year.

The current Permit became effective on August 1, 2019 and expires on July 31, 2024.

This SWMP Plan has been organized as follows:

- **Chapter 1** provides an introduction to underlying permit requirements, required program components, City stormwater codes, stormwater utility, and a description of how the program is managed in Fircrest.
- **Chapters 2 - 9** address each of the SWMP Components required by the Permit, including a summary of the specific permit requirement and current City activities to comply.
- **Chapters 10** provides a summary of additional SWMP requirements that will be included in the 2019-2024 Permit, and the City’s planned initial efforts towards compliance for this year.

1.2 NPDES PHASE II MUNICIPAL STORMWATER PERMIT

1.2.1 PERMIT BACKGROUND

In 1987 the US Congress revised the Clean Water Act to include stormwater discharges in the National Pollutant Discharge Elimination System (NPDES) Permit program. The US Environmental Protection Agency (EPA) developed rules for the implementation of the new stormwater requirements and separated them into two phases. The State of Washington, through Ecology, implements these stormwater rules through the Municipal Stormwater Permit program. As an owner and operator of a small municipal separate storm sewer system (MS4), Fircrest is required to be covered by, and comply with, the current Western Washington Phase II Municipal Stormwater Permit (Permit). The Permit allows Fircrest to discharge stormwater from its MS4 into waters of the State of Washington.

1.2.2 REQUIRED SWMP COMPONENTS

The Permit requires the development and implementation of a SWMP to control discharge into and from the City's system. The SWMP includes five specific components that are designed to reduce the discharge of pollutants from Fircrest's MS4 to the maximum extent practicable:

This SWMP Plan has been organized as follows:

- Develop/implement a stormwater planning program
- Develop/implement a public education and outreach program
- Create opportunities for public involvement in stormwater plans and initiatives
- Develop a program to improve mapping and documentation of MS4
- Continue implementation and tracking of illicit discharge detection and elimination (IDDE) program
- Adopt or amend ordinances for improved control of runoff from new development, redevelopment, and construction activities
- Develop/implement an operations and maintenance (O&M) program regulating impacts of City sites and activities on the MS4
- Establish a source control program for existing development

1.3 FIRCREST'S STORMWATER PROGRAM

1.3.1 STORMWATER CODES

Legal authority for several components of the stormwater program has been established by ordinances approved by City Council and incorporated into the City of Fircrest Municipal Code (FMC).

FMC 20.24 – Stormwater Management

This chapter defines the required stormwater drainage requirements in the City, low impact development, and long-term operation and maintenance of stormwater facilities. This chapter also defines the City's rights to inspect permitted stormwater facilities on private property and procedures for enforcement of maintenance standards.

FMC 20.25 – Illicit Discharge Detection and Elimination

This chapter specifies substances that are prohibited to be discharged into the storm drainage system, allowable discharges, and conditional discharges. This chapter also prohibits illicit (non-permitted) connection to the City's storm drainage system and describes enforcement procedures.

1.3.2 COORDINATION AND RESPONSIBILITY

Managing the stormwater program and achieving compliance with Permit mandates in Fircrest is coordinated by the Public Works Department, with program administration the responsibility of the Public Works Director. This responsibility includes:

- Implementing the SWMP (Permit Section S5.A.1)
- Preparing the SWMP Plan (S5.A.2)

- Tracking SWMP costs (S5.A.3.a)
- Tracking the number of inspections, official enforcement actions and types of public education activities required by program components (S5.A.3.b)
- Continue implementation of existing stormwater management programs until they begin implementation of the updated stormwater management program (S5.A.4)
- Coordinating between other Permittees, e.g. adjacent municipalities (S5.A.5.a)
- Maintaining coordination between City departments related to the SWMP (S5.A.5.b)

The City of Fircrest Public Works has implemented an Asset Management/Work Order program. All assets within the City's system have been GIS mapped including Storm, Water and Sewer. Yearly inspections, historic maintenance records and emergency response efforts are tracked within this system.

1.3.3 MONITORING AND ASSESSMENT

Section S8 of the Permit requires the City to:

- Provide a description of any stormwater monitoring or stormwater-related studies conducted during the reporting period
- Pay into a collective fund to implement a Regional Stormwater Monitoring Program (RSMP) that includes the following components:
 - Status and trends monitoring (small stream and marine nearshore)
 - Stormwater management program effectiveness studies
 - Source identification and diagnostic monitoring to implement the Source Identification Information Repository (SIDIR)

The City of Fircrest contributes to the SAM Program \$1,410 annually towards regional status and trends monitoring, effectiveness studies and source identification and the SIDIR. The City does not plan any additional stormwater monitoring or stormwater-related studies that would require reporting to Ecology.

The City of Fircrest is not required to conduct water quality monitoring for compliance with total maximum daily loads (TMDLs) pursuant to Section S7 and Appendix 2 of the Permit. Applicable TMDLs are those that have been approved by EPA on or before February 15, 2007. Currently the City of Fircrest is not subject to any TMDLs. However, the City of Fircrest was awarded a Storm Water Treatment Outfall Grant in 2020 that will require quarterly reporting to Ecology. In 2021, the City selected Parametrix Inc. to complete the design of the project (the Stormwater Pretreatment Outfall Project), which is currently under construction as of March 2023 and will be completed Spring 2023.

1.3.4 SWMP REPORTING

Section S9 of the Permit requires the City to submit the following on March 31 of each year:

- A copy of the current SWMP Plan
- Annual Report form (Appendix 3 of the Permit) describing the status of implementation of the requirements of the Permit during the reporting period.
- Notifications of any annexations or jurisdictional boundary changes.

The City will submit its Annual Report and SWMP Plan to Ecology by March 31 of each year.

CHAPTER 2 – STORMWATER PLANNING

Per Section S5.C.1 of the 2019-2024 Phase II Permit, the City shall implement a Stormwater Planning program to inform and assist in the development of policies and strategies as water quality management tools to protect receiving waters. Components of this program can be summarized as follows:

- Convene an inter-disciplinary team to inform and assist in the development, progress, and influence of this program no later than August 1, 2021
- Coordination with long-range plan updates
- Low impact development (LID) code-related requirements
- Comply with Stormwater Management Action Planning (SMAP) requirements in a similar process and range of issues as outlined in the Stormwater Management Action Planning Guidance (Ecology, 2019; Publication 19-10-010). The City may rely on another jurisdiction to meet all or part of SMAP requirements at a watershed-scale, provided a SMAP is completed for at least one priority catchment located within the City's jurisdiction.

2.1 2019-2024 Phase II PERMIT REQUIREMENTS

The following are requirements for the 2019-2014 Phase II Permit:

- Coordination with long-range plan updates: The City shall describe how stormwater management needs and protection/improvement of receiving water health are (or are not) informing the planning update processes and influencing policies and implementation strategies. The report shall describe the water quality and watershed protection policies, strategies, codes, and other measures intended to protect and improve local receiving water health through planning or considering stormwater management needs or limitations.
 - On or before March 31, 2021, the City shall respond to the series of Stormwater Planning Annual Report questions to describe how anticipated stormwater impacts on water quality were addressed during the 2013-2019 permit term in updates to the Comprehensive Plan (or equivalent).
 - On or before January 1, 2023, the City shall submit a report responding to the same questions from above, to describe how water quality is being addressed during this permit term in updates to the Comprehensive Plan (or equivalent)
- Low impact development code-related requirements: the City shall continue to require LID Principles and LID BMPs when updating, revising, and developing new local development-related codes with the intent to make LID the preferred and commonly used approach to site development. Code revisions shall also be designed to minimize impervious surfaces, native vegetation loss, and stormwater runoff in all types of development situations, where feasible.
 - Annually, the City shall assess and document any newly identified administrative or regulatory barriers to implementation of LID Principles or LID BMPs since local codes were updated in accordance with the 2013 Permit, and the measures developed to address the barriers.

- Stormwater Management Action Planning (SMAP). The City shall conduct a similar process and consider the range of issues outlined in the Stormwater Management Action Planning Guidance (Ecology, 2019; Publication 19-10-010). The City may rely on another jurisdiction to meet all or part of SMAP requirements at a watershed scale, provided a SMAP is completed for at least one priority catchment located within the City’s jurisdiction.
 - Receiving Water Assessment. The City shall document and assess existing information related to local receiving waters and contributing area conditions to identify which receiving waters are most likely to benefit from stormwater management planning.
 - By March 31, 2022, the City shall submit a watershed inventory and include a brief description of the relative conditions of the receiving waters and the contributing areas.
- Receiving Water Prioritization: Informed by the assessment of receiving water conditions defined above, and other local and regional information the City shall develop and implement a prioritization method and process to determine which receiving waters will receive the most benefit from implementation of stormwater facility retrofits, tailored implementation of SWMP actions, and other land/development management actions.

No later than June 30, 2022, the City shall document the prioritized and ranked list of receiving waters, including the identification of high priority catchment area(s) for focus of the SMAP.

- Stormwater Management Action Plan (SMAP): no later than March 31, 2023, the City shall develop a SMAP for at least one high priority catchment area, identifying factors as described in the permit.

2.2 City Coordination

The City’s stormwater management program is maintained by an interdisciplinary team consisting of City of Fircrest staff and the Police Department. The City’s inter-disciplinary stormwater team consists of:

- Tyler Bemis – Public Works Director
- Vicky Walston – Utility Billing Clerk
- Jeff Davis – Utility Foreman
- Bryce Wakefield – Maintenance Lead
- Jayne Westman – Planning Director
- John Cheesman – Chief of Police

Implementation, documentation, and emergency response activities are performed through internal coordination within the City. Feedback and reporting are shared among the groups for future Stormwater planning and implementation. The following NPDES permit responsibilities are primarily maintained through the following City Departments:

NPDES Permit Responsibilities	City Department
Primary planning, administration, and development of the NPDES program and coordination within other divisions and departments	Tyler Bemis, Public Works Director
Inspections and Maintenance of City owned or operated stormwater facilities, as well as pollution prevention practices	Public Works Staff
Stormwater site plan review	Planning & Building Department / Public Works
Maintains and updates mapping of MS4	Planning & Building Department / Public Works
Stormwater incident response and code enforcement for violations	Planning & Building Department / Public Works
Emergency Response	Public Works Department

2.3 2023 PROGRAM ACTIVITY

The City’s interdisciplinary team has undergone staff changes and inclusion of different groups to enhance coordination.

The City has completed the current permitted tasks for SMAP including receiving water prioritization assessment and the Stormwater Management Action Plan (SMAP) document. The City is prioritizing Upper Leech Creek and SMAP for Upper Leech Creek is included in Appendix A.

Revisions to section 20.25 of the City of Fircrest Municipal Code were passed that require the application of source control BMPs for pollutant generating sources associated with existing land uses and activities. The City has also passed revisions that implement a progressive enforcement policy that

require sites to comply with the stormwater requirements, in anticipation of the January 1, 2023 deadline. The City has created an inventory of all publicly and privately owned institutional, commercial, and industrial sites which have the potential to generate pollutants to the MS4 and is currently training staff responsible for implementing the source control program in conducting the activities required by the program.

CHAPTER 3 – PUBLIC EDUCATION AND OUTREACH

3.1 PERMIT REQUIREMENTS

Section S5.C.2 of the 2019-2024 Phase II Permit requires the City to develop and implement a public education and outreach program with the goal of

- i) building general awareness about methods to address and reduce impacts from stormwater runoff,
- ii) effect behavior change to reduce or eliminate behaviors and practices that cause or contribute to adverse stormwater impacts, and
- iii) create stewardship opportunities that encourage community engagement in addressing the impacts from stormwater runoff.

These three elements are further detailed below, followed by a table containing the City's education and outreach activities planned for the upcoming year.

The City's education and outreach program is specifically required to:

- i. Build general awareness, selecting from the following target audiences and subject areas:
 - a. General public and businesses:
 - General impacts of stormwater on surface waters
 - Impacts from impervious surfaces
 - Impacts of illicit discharges and how to report them
 - Low impact development (LID) principles and LID BMPs
 - Opportunities to become involve in stewardship activities
 - b. Engineers, contractors, developers and land use planners:
 - Technical standards for stormwater site and erosion control plans
 - LID principals and LID BMPs
 - Stormwater treatment and flow control BMPs/facilities
- ii. Effect behavior change, selecting from the following target audiences and BMPs:
 - a. General public and businesses:
 - Use and storage of automotive chemicals, hazardous cleaning supplies, carwash soaps and other hazardous materials
 - Equipment maintenance
 - Prevention of illicit discharges

- b. Residents, landscapers, and property managers/owners:
 - Yard care techniques protective of water quality
 - Use and storage of pesticides and fertilizers and other household chemicals
 - Carpet cleaning and auto repair and maintenance
 - Vehicle, equipment, and home/building maintenance
 - Pet waste management and disposal
 - LID principles and LID BMPs
 - Stormwater facility maintenance
 - Dumpster and trash compactor maintenance

- iii. The City must also create stewardship opportunities and/or partner with existing organizations to encourage residents to participate in activities such as stream teams, storm drain marking, volunteer monitoring, riparian plantings, and education activities.

The City is required to measure the understanding and adoption of the targeted behavior for at least one target audience in at least one subject area. The resulting measurements are to be used to direct education and outreach resources most effectively, as well as to evaluate adoption of the targeted behaviors.

No later than July 1, 2021, the City shall conduct a new evaluation of the effectiveness of an ongoing behavior change campaign including documentation of lessons learned and recommendations for which option to select from permit section S5.C.2.a.ii.(c) (summarized by section C2.2.c of this plan, below). The City may forgo the above evaluation requirement if staff opt for strategy S5.C.2.a.ii.(c)3 (summarized by C2.2.c.iii of this plan, below), and it is deemed an evaluation will not add value to the overall behavior change program.

3.2 2023 PROGRAM ACTIVITY

3.2.1 PUBLIC EDUCATION AND OUTREACH

The following are activities the City has planned for public education and outreach:

a) Low Impact Development Education

The City will continue its annual program to develop and distribute an activities calendar that includes artwork with stormwater pollution prevention themes for each month. This effort targets the public, including not only the school age children who develop the artwork, but also the residential population and city employees that the calendar is distributed to.

The program runs as follows:

An entry form will be supplied to each child that attends the one elementary school that lies within the City. The children will be able to pick from multiple categories focusing on pollution prevention.

All entries will be evaluated, with the top-rated entries published in the City of Fircrest Calendar (grand prize winner on the cover, 12 top rated entries will be featured during each month, and approximately 12 selected for “honorable mention” at the end of the calendar). The grand prize winner will receive a

pizza feed for their entire class, and all other artists will attend an ice cream social at the school. Once the calendars are produced, each child at the school will be provided with a calendar, and a calendar will be delivered to every residence within the City of Fircrest.

Target Audience: School-age children

Date: Annually

Goals:

- Increase awareness of general impacts of stormwater on surface waters
- Educate students on pollution prevention strategies

b) Low Impact Development Education

The City provides educational outreach on low impact and pollution prevention gardening to homeowners at two public events: Fircrest Fun Days and National Night out Against Crime. The City also provides information and guidance on utilizing rain gardens and rain barrels for homeowners.

Target Audience: Homeowners

Date: Annually

Goals:

- Increase awareness of general impacts of stormwater on surface waters
- Educate homeowners on select LID practices

c) Low Impact Development Education

The City provides educational outreach on yard care techniques that are protective of water quality including use and storage of pesticides and fertilizers as well as pet waste management and disposal. These are provided in the spring and fall utility billing flyers. In addition, the City publishes an educational article in one Town Topics, a local newsletter, annually.

Target Audience: Homeowners

Date: Biannually

Goals:

- Increase awareness of general impacts of stormwater on surface waters
- Educate homeowners on select LID practices

3.2.2 EFFECTING BEHAVIOR CHANGE

a) Fish-friendly Car Wash Kit

The City of Fircrest received a local grant from Pierce County Surface Water Program to provide a “Fish Friendly Car Wash” kit that is available for any organization that wishes to check out the kit for fund-raising car wash events. The car wash kit is advertised on the City’s website and kits are also available at two public events: Fircrest Fun Days and National Night out Against Crime

Target Audience: General public

Date: Ongoing

Goals:

- Pollution prevention strategies

b) Dumpster Lid Outreach Campaign

In 2023, the City will launch a Dumpster Lid Outreach campaign to educate businesses about the hazards of improper dumpster use and about proper dumpster use. A task force of volunteers will be formed to approach businesses with educational tools and resource assistance. Materials will be obtained through the Regional Dumpster Outreach Group (DOG) of Washington.

Target Audience: Businesses

Date: Summer 2023

Goals:

- Pollution prevention strategies

3.2.3 CREATING STEWARDSHIP OPPORTUNITIES

The following stewardship opportunities will be provided in Fircrest during 2023:

Thelma Gilmur Park Habitat Stewardship Work Parties (held monthly) provide opportunities for residents and volunteers to help remove invasive plants near the trail system. In cooperation with Pierce Conservation District. These work parties are advertised on the City's activities calendar.

Other regional stewardship opportunities exist through the following organizations:

Pierce Conservation District:

www.piercecountycd.org

Pierce Conservation District's programs focusing on water quality improvement include:

- Storm Drain Curb Marking
- Rain Garden Assistance
- Urban Tree Planting
- Habitat Stewardship Program

Chambers-Clover Watershed Council:

<https://www.co.pierce.wa.us/1860/Chambers---Clover-Watershed-Council>

Chambers-Clover Creek Watershed Council (Pierce County) promotes the protection and enhancement of the Chambers-Clover Creek Watershed, in which Fircrest is located. The Council provides an opportunity for local agencies and citizen groups to coordinate their efforts to benefit the watershed.

3.2.4 MEASURING UNDERSTANDING AND ADOPTION OF TARGETED BEHAVIORS

The City has begun a new effecting behavior change program in 2023, targeting dumpster pollution, and the City is exploring methods to monitor the affect this behavior change has going forward. The fish-friendly car kit behavior change program is ongoing but is not monitored for performance.

CHAPTER 4 – PUBLIC INVOLVEMENT AND PARTICIPATION

4.1 PERMIT REQUIREMENTS

Section S5.C.3 of the Permit requires the City to provide ongoing opportunities for public involvement participation through advisory councils, public hearings, watershed committees, participation in developing rate-structures or other similar activities. The City must comply with applicable state and local public notice requirements when developing elements of the SWMP.

Minimum performance measures are:

- a. Create opportunities for the public to participate in the decision-making processes involving the development, implementation, and update of the City’s SMAP and SWMP.
- b. Post on City website the SWMP Plan and the annual report required under S9.A of the Permit no later than May 31st each year. All other submittals shall be available to the public upon request.

4.2 2023 PROGRAM ACTIVITY

4.2.1 Decision-Making Process Opportunities

The SWMP Plan will be presented to the City Council at a general city meeting on March 28, 2023. During the meeting, any member of the public who wishes to comment on the SMAP or SWMP will be given the opportunity to provide comments. The City of Fircrest will notify the public of stormwater related discussions outside of the SMAP or annual SWMP via the City website and mailers.

4.2.2 SWMP and Annual Report Posting

This SWMP Plan document and Permit annual report is posted on the City’s website in the current year prior to May 31. The SWMP will be available to the public, upon request, in the Public Works building.

CHAPTER 5 – MS4 MAPPING AND DOCUMENTATION

5.1 PERMIT REQUIREMENTS

The City shall implement a program for maintaining mapping and documentation of the MS4. Minimum performance measures are:

- Ongoing Mapping: The City shall maintain mapping data for the features listed:
 - Known MS4 outfalls and known MS4 discharge points.
 - Receiving waters, other than groundwater
 - Stormwater treatment and flow control BMPs/facilities owned or operated by the Permittee.
 - Geographic areas served by the City's MS4 that do not discharge stormwater to surface waters.
 - Tributary conveyances to all known outfalls and discharge points with a 24-inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems. The following features or attributes (or both) shall be mapped:
 - Tributary conveyance type, material, and size where known.
 - Associated drainage areas.
 - Land use.
 - Connections between the MS4 owned or operated by the Permittee and other municipalities or public entities.
 - All connections to the MS4 authorized or allowed by the Permittee after February 16, 2007.

- New Mapping: The City shall:
 - No later than January 1, 2020, begin to collect size and material for all known MS4 outfalls during normal course of business (e.g., during field screening, inspection, or maintenance) and update records.
 - No later than August 1, 2023, complete mapping of all known connections from the MS4 to a privately-owned stormwater system.
 - No later than August 1, 2021, the required format for mapping is electronic (e.g., Geographic Information System, CAD drawings, or other software that can map and store points, lines, polygons, and associated attributes), with fully described mapping standards.
 - To the extent consistent with national security laws and directives, the City shall make available to Ecology, upon request, available maps depicting the information required in S5.C.4.a through c, above.
 - Upon request, and to the extent appropriate, the City shall provide mapping information to federally recognized Indian Tribes, municipalities, and other Permittees. This Permit does not preclude Permittees from recovering reasonable costs associated with fulfilling mapping information requests by federally recognized Indian Tribes, municipalities, and other Permittees.

5.2 2023 PROGRAM ACTIVITY

The City of Fircrest's MS4 has been previously mapped including the elements required by the current Permit. The data is available within ArcGIS Online, with fully described mapping standards, and layered in the City's Asset Management software, which is utilized while performing annual inspections. Any new catch basins and pipe diameter and materials of unknown private connections to the MS4 will also be discovered/updated, if discovered while conducting CB inspections.

Mapping of all known connections from the MS4 to privately-owned stormwater systems will be completed no later than August 1, 2023.

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CHAPTER 6 – ILLICIT DISCHARGE DETECTION AND ELIMINATION

6.1 PERMIT REQUIREMENTS

Section S5.C.5 of the Permit requires the SWMP to include an ongoing program designed to prevent, detect, characterize, trace, and eliminate illicit connections and illicit discharges into the MS4. The required program has minimum performance measures as summarized below (see Permit for complete text):

- The program shall include procedures for reporting and correcting or removing illicit connections, spills, and other illicit discharges when they are suspected or identified. The program shall also include procedures for addressing pollutants entering the MS4

Illicit connections and illicit discharges must be identified through, but not limited to: field screening, inspections, complaints/reports, construction inspections, maintenance inspections, source control inspections, and/or monitoring information, as appropriate.
- Permittees shall inform public employees, businesses, and the general public of hazards associated with illicit discharges and improper disposal of waste.
- Each Permittee shall implement an ordinance or other regulatory mechanism to effectively prohibit non-stormwater, illicit discharges into the Permittee’s MS4 to the maximum extent allowable under state and federal law.
- Implement an ongoing program designed to detect and identify non-stormwater discharges and illicit connections into the City’s MS4, including the following components:
 - Procedures for conducting investigations of the City’s MS4, including field screening and methods for identifying potential sources, implementation of a field screening methodology, and completing field screening for at least 12% of the MS4 each year. Permittees shall annually track total percentage of the MS4 beginning August 1, 2019.
 - A publicly listed and publicized hotline or other telephone number for public reporting of spills and other illicit discharges.
 - An ongoing training program for a municipal field staff.
- Implement an ongoing program designed to address illicit discharges, including spills and illicit connections, into the City’s MS4, including:
 - Procedures for characterizing the nature and potential public environmental threat of an illicit discharge
 - Procedures for tracing the source of an illicit discharge
 - Procedures for eliminating the illicit discharge
 - Meet the following timelines in addressing illicit discharges:
 - Immediate response to illicit discharges, including spills, which are determined to constitute a threat to human health, welfare, or the environment

- Investigate within 7 days, on average, any complaint, report or monitoring information that indicates a potential illicit discharge
 - Initiate an investigation within 21 days of any report or discovery of a suspected illicit connection
 - Upon confirmation of an illicit connection, use the compliance strategy in a documented effort to eliminate the illicit connection within 6 months
- Train staff responsible for identification, investigation, termination, cleanup, and reporting of illicit discharges, including spills, and illicit connections, to conduct these activities. Provide follow-up training as needed. Document and maintain records of training.
 - Recordkeeping: Track and maintain records of the activities conducted to meet the requirements for illicit discharge detection and elimination (IDDE).

6.2 2023 PROGRAM ACTIVITY

6.2.1 IDDE Ordinance

Fircrest has previously adopted an ordinance that prevents illicit non-stormwater discharges into the MS4, as found in FMC 20.25. The ordinance outlines prohibited discharges, allowed discharges, conditional discharges, prohibits illicit connections, monitoring, as well as enforcement.

6.2.2 Program to Detect and Identify Illicit Discharge

The City of Fircrest will continue its existing Illicit Discharge Detection and Elimination (IDDE) program, which relies on complaints from the public or identification by City staff during system maintenance. Additionally, the City will continue to complete field screening for an average of 12% of the MS4 each year. To comply with the current Permit, the following program enhancements will be maintained for 2023:

Field Screening Methodology

Fircrest's IDDE program utilizes the Outfall Reconnaissance Inventory field screening methodology, as described in Chapter 11 of the Center for Urban Watershed Protection's *Illicit Discharge Detection and Elimination* guidance manual (IDDE Manual) dated October 2004. Screening methods utilize the newly implemented Asset Management software will assist in tracking historic data related to IDDE's and Spills.

IDDE Training Program

Fircrest staff involved in IDDE underwent training in 2021. Additional training will be provided in 2023 as needed due to staff changes.

Hotline for Public Reporting of Spills and other Illicit Discharges

The City Hall telephone number listed on the City's website for reporting will be identified on the City's website specifically for reporting spills and other illicit discharges. Afterhours calls are communicated to

and responded to by PW staff via contact from an on-call service then also emailed to PW Staff to be input into the database.

Illicit Discharge Public Education

Illicit discharge public education to inform public employees, businesses, and the public of hazards associated with illicit discharges and improper storage of waste have been integrated into the public education efforts at various community events in addition to local schools providing ecology awareness-based artwork for a Citywide calendar.

Source Control Business Inspection Program

In addition to the Source Control Programs for Existing Development that have already been implemented in previous years, the Source Control Business Inspection program is underway. The program educates and communicates with local businesses that may qualify under Appendix 8 of the Permit. Information is provided via utility billing mailers, available at the Public Works office and provided at community outreach events.

6.2.3 Program to Address Illicit Discharges

The City utilizes the following procedures to address illicit discharges reported by the public or detected through field screening:

- When a spill or illicit discharge is reported or detected that has an obvious nature based on distinct odors, colors, or visual indicators, the Public Works Director or designee will take appropriate action to minimize the threat to human health, welfare, and/or the environment, and will comply with the reporting requirements of General Condition G3 of the Permit. If the nature of the spill or illicit discharge constitutes a threat to human health, welfare, or the environment, action will be taken immediately. Other potential illicit discharges will be investigated within 7 days.
- When an illicit discharge is detected that is not obvious in nature or threat level, indicator sampling will be carried out in accordance with Chapter 4 of *Illicit Connection and Illicit Discharge field Screening and Source Tracing Guidance Manual*, May 2013, prepared by Herrera Environmental Consultants for the Washington State Department of Ecology (IC/ID Guidance Manual). A private contractor will be utilized to perform indicator sampling, when required.
- The source of reported or detected illicit discharges will be traced in accordance with the methodologies described in Chapter 5 of the ID/IC Guidance Manual, utilizing City maintenance staff and/or private contractors, as required.
- Illicit connections, when reported or discovered, will be investigated within 21 days to determine the source of the connection, nature, and volume of the discharge through the connection, and the party responsible for the connection.
- Illicit connections will be remedied within a period as specified by the City in accordance with FMC 20.25.090.

6.2.4 Illicit Discharge Training

Fircrest Utility staff responsible for the IDDE program attended a training seminar in 2021. No changes were made to the program based on this training. Additional training was provided in 2022, and additional training will be provided in 2023 as needed due to staff changes.

6.2.5 Illicit Discharge Recordkeeping

All recordkeeping associated with the City's IDDE program is maintained within an internal Asset Management/Work Order program. IDDE's and spills are reported and documented in this program, whether the request originates from a citizen or City staff. Records are kept by the Public Works department and include the following:

- Field Screening Data
- Records of all detected illicit discharges and actions taken
- Reports of all reported spills and illicit discharges and actions taken
- Records of illicit connections and actions taken

All IDDE incidences are reported to the WQ WebIDDE app for reporting to Ecology.

CHAPTER 7 – CONTROLLING RUNOFF FROM NEW DEVELOPMENT, REDEVELOPMENT AND CONSTRUCTION SITES

7.1 PERMIT REQUIREMENTS

Section S5.C.6 of the Permit requires that the City implement and enforce a program to reduce pollutants in stormwater runoff to its MS4 from new development, redevelopment, and construction site activities. The program must apply to both private and public development, including roads. The program is required to have several components as summarized below (see Permit for complete text):

- a. Implement an ordinance or other enforceable mechanism that addresses runoff from new development, redevelopment, and construction site projects, no later than 06/30/22. The ordinance shall apply to all new applications on or after 07/01/22 or previous applications prior to 01/01/2017 that have not started construction by 01/01/22 or all applications between 01/02/17 to 07/01/22 that have not started construction by 07/01/2027.
- b. The ordinance or other enforceable mechanism shall include, at a minimum:
 - i. The Minimum Requirements, thresholds, and definitions in Appendix 1 or a program approved by Ecology under the 2013 NPDES Phase I Municipal Stormwater Permit amended to include the changes identified in Appendix 10, or Phase I program approved by Ecology and amended to include Appendix 10, for new development, redevelopment, and construction sites. Adjustment and variance criteria equivalent to those in Appendix 1 shall be included. More stringent requirements may be used, and/or certain requirements may be tailored to local circumstances through the use of Ecology-

approved basin plans or other similar water quality and quantity planning efforts. Such local requirements and thresholds shall provide equal protection of receiving waters and equal levels of pollutant control to those provided in Appendix 1.

- ii. The local requirements shall include the following requirements, limitations, and criteria that, when used to implement the minimum requirements in Appendix 1 (or program approved by Ecology under the 2019 Phase I Permit), will protect water quality, reduce the discharge of pollutants to the MEP, and satisfy the State requirement under chapter 90.48 RCW to apply AKART prior to discharge:
 - Site planning requirements
 - BMP selection criteria
 - BMP design criteria
 - BMP infeasibility criteria
 - LID competing needs criteria
 - BMP limitations

Permittees shall document how the criteria and requirements will protect water quality, reduce the discharge of pollutants to the MEP, and satisfy State AKART requirements.

Permittees who choose to use the requirements, limitations, and criteria above in the *Stormwater Management Manual for Western Washington*, or a Phase I program approved by Ecology, may cite this choice as their sole documentation to meet this requirement.

- iii. The legal authority, though the approval process for new development and redevelopment, to inspect and enforce maintenance standards for private stormwater facilities approved under the provisions of this section that discharge to the City's MS4.
- c. The program shall include a permitting process with site plan review, inspection and enforcement capability to meet the following standards:
 - i. Review of all stormwater site plans for proposed development activities
 - ii. Inspect, prior to clearing and construction, all permitted development sites that have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 7 of the Permit, or all construction sites that meet the minimum thresholds in Appendix 1 of the Permit.
 - iii. Inspect all permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls.
 - iv. Each Permittee shall manage maintenance activities to inspect all stormwater treatment and flow control BMPs/facilities, and catch basins, in new residential developments every six months, until 90% of the lots are constructed to identify maintenance needs and enforce compliance with maintenance standards as needed.
 - v. Inspect all permitted developments upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent stormwater facilities.
 - vi. Compliance with the inspection requirements in (ii) through (v), above, shall be determined by the presence and records of an established inspection program designed to inspect all sites. Compliance during this permit term shall be

determined by achieving at least 80% of required inspections. The inspections may be combined with other inspections provided they are performed using qualified personnel.

- vii. The program shall include a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, and other enforcement records. Records of maintenance inspections and maintenance activities shall be maintained.
 - viii. An enforcement strategy shall be implemented to respond to issues of noncompliance.
- d. The program shall make available, as applicable, the link to the electronic *Construction Stormwater General Permit* Notice of Intent (NOI) form for construction activity and, as applicable, a link to the electronic *Industrial Stormwater General Permit* NOI form for industrial activity to representatives of proposed new development and redevelopment. Permittees shall continue to enforce local ordinances controlling runoff from sites that are also covered by stormwater permits issued by Ecology.
 - e. Each Permittee shall ensure that all staff whose primary job duties are implementing the program to control stormwater runoff from new development, redevelopment, and construction sites, including permitting, plan review, construction site inspections, and enforcement, are trained to conduct these activities. Follow-up training must be provided as needed to address changes in procedures, techniques or staffing. Permittees shall document and maintain records of the training provided and the staff trained.

7.2 2023 PROGRAM ACTIVITY

The City of Fircrest has an ongoing program for controlling runoff from new development, redevelopment and construction sites that will be expanded in 2023. The following sections describe existing program elements to comply with Permit requirements, as well as specific program enhancements planned for 2023.

7.2.1 Stormwater Ordinance

Fircrest Municipal Code (FMC) 20.24.030 adopts the most recent version Ecology's Stormwater Management Manual for Western Washington (SWMMWW). Currently the City enforces the requirements in the SWMMWW for all new development, redevelopment, and construction sites, both public and private, including roads. By adopting the SWMMWW, the City is complying with the requirement of S5.C.4.a.ii of the Permit to include requirements, limitations, and criteria for site planning and BMPs for protection of water quality and reduction of pollutant discharge.

The legal authority to inspect and enforce maintenance standards for private stormwater facilities through the approval process for new development and redevelopment is currently established by FMC 20.24.

7.2.2 Stormwater Permitting Process

The City will continue its current stormwater permitting process with plan review, inspection, and enforcement capability to ensure compliance with code requirements for both private and public projects, using qualified personnel. This includes:

- Meet with the City Planning Department to discuss impacts from new development, redevelopment, and construction sites
- Review of all stormwater site plans
- Inspection of all submitted development sites that have a high potential for sediment transport prior to clearing and construction
- Inspection of all permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls with enforcement as necessary, based on the inspections
- Inspection of all permitted development sites upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent stormwater controls, such as stormwater facilities and structural BMPs
- Verification that a maintenance plan has been completed and responsibility for maintenance has been assigned with enforcement as necessary, based on the inspections
- Ensuring compliance with inspection requirements by the presence and records of an established inspection program that is designed to inspect all sites and achieve at least 80% of scheduled inspections

The City will document all site inspections performed as part of the permitting process. A shared documentation process between the Public Works department the Planning Department has been established. This program, Jot Form, streamlines the permitting process and ensures the appropriate department signs off on each phase of a project.

7.2.3 Enforcement of Stormwater Ordinance for Sites with Ecology Permits

The City will enforce local ordinances controlling runoff from sites that are also covered by stormwater permits by Ecology.

7.2.4 Training

Public Works staff members completed CESCL training in 2022. Additional training will be provided in 2023 as needed due to staffing changes.

Records of staff that have received training are maintained by the Public Works Director.

7.2.5 Low Impact Development

The City will continue to require LID Principles and LID BMPS when updating, revising, and developing new local development-related codes, rules, standard, or other enforceable documents, as needed.

CHAPTER 8 – MUNICIPAL OPERATIONS AND MAINTENANCE

8.1 PERMIT REQUIREMENTS

Section S5.C.7 of the Permit requires that the City document and implement a program to regulate maintenance activities and training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. The program is required to have several components as summarized below (see Permit for complete text):

- a. Implement maintenance standards that are as protective, or more protective, of facility function than those specified in *Stormwater Management Manual for Western Washington* or Phase I program approved by Ecology. For facilities which do not have maintenance standards, the City is required to develop a maintenance standard. Maintenance standards were required to be implemented no later than June 30, 2022.
 - i. The purpose of the maintenance standard is to determine if maintenance is required.
 - ii. When an inspection identifies an exceedance of the maintenance standard, maintenance is required to be performed:
 - Within 1 year for typical maintenance of facilities, except catch basins
 - Within 6 months for catch basins
 - Within 2 years for maintenance that requires capital construction of less than \$25,000

Circumstances beyond the Permittee's control include denial or delay of access by property owners, denial or delay of necessary permit approvals, and unexpected reallocations of maintenance staff to perform emergency work. For each exceedance of the required timeframe, the Permittee shall document the circumstances and how they were beyond their control.

- b. Maintenance of stormwater facilities regulated by the Permittee
 - i. The program shall include provisions to verify adequate long-term O&M of stormwater treatment and flow control BMPs/facilities that are permitted and constructed pursuant to S.5.C.6.c and shall be maintained in accordance with S5.C.7.a.

The provisions shall include:

- (a) Implementation of an ordinance or other enforceable mechanism that:
 - Clearly identifies the party responsible for maintenance in accordance with maintenance standards established under S5.C.7.a.
 - Requires inspection of facilities in accordance with the requirements in (b), below.
 - Establishes enforcement procedures.
- (b) Perform annual inspection of all City-owned or operated permanent stormwater and flow control BMPs/facilities that discharge to the MS4 and were permitted by the Permittee according to S5.C.6c, including those permitted in accordance with requirements adopted pursuant to the 2007-2019 Ecology municipal stormwater permits, unless there are maintenance records to justify a different frequency.

Permittees may reduce the inspection frequency based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experience and shall be certified in accordance with G19 – *Certification and Signature*.

- ii. Compliance with the inspection requirements in (b), above, shall be determined by the presence and records of an established inspection program designed to inspect all facilities, and achieving at least 80% of required inspections.
 - iii. The program shall include a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, and other enforcement records. Records of maintenance inspections and maintenance activities shall be maintained.
- c. Maintenance of stormwater facilities owned or operated by the Permittee.
- i. Each Permittee shall implement a program to annually inspect all municipally owned or operated stormwater treatment and flow control BMPs/facilities, and taking appropriate maintenance actions in accordance with the adopted maintenance standards.

Permittees may reduce the inspection frequency based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experience and shall be certified in accordance with G19 – *Certification and Signature*.

- ii. Perform spot checks of potentially damaged permanent stormwater treatment and flow control BMPs/facilities after major storm events (24 hour storm event with a 10 year or greater recurrence interval).
- iii. Each Permittee shall inspect all catch basins and inlets owned or operated by the Permittee every two years. Clean catch basins if the inspection indicates cleaning is needed to comply with maintenance standards established in the *Stormwater Management Manual for Western Washington*.

The following alternatives to the standard approach of inspecting all catch basins every two years may be applied to all or portions of the system:

- (a) The catch basin inspection schedule of every two years may be changed as appropriate to meet the maintenance standards based on maintenance records of double the length of time of the proposed inspection frequency.
- (b) Inspections every two years may be conducted on a “circuit basis” whereby

25% of catch basins and inlets within each circuit are inspected to identify maintenance needs. Include an inspection of the catch basin immediately upstream of any MS4 outfall, discharge point, or connections to public or private storm systems, if applicable.

- (c) The Permittee may clean all pipes, ditches, and catch basins and inlets within a circuit once during the permit term. Circuits selected for this alternative must drain to a single point.
- iv. Compliance with inspection requirements in S5.C.7.c i-iii, above, is determined by the presence of an established inspection program designed to inspect all sites and achieving at least 95% of inspections.
- d. Implement practices, policies and procedures to reduce stormwater impacts associated with runoff from all lands owned or maintained by the City, and road maintenance activities under the control of the City. No later than December 31, 2022, document the practices, policies, and procedures. Lands owned or maintained by the Permittee include, but are not limited to streets, parking lots, roads, highways, buildings, parks, open space, road rights-of-way, maintenance yards, and stormwater treatment and flow control BMPs/facilities. The following activities shall be addressed:
- Pipe cleaning
 - Cleaning of culverts
 - Ditch maintenance
 - Street cleaning
 - Road repair and resurfacing, including pavement grinding
 - Snow and ice control
 - Utility installation
 - Pavement striping maintenance
 - Maintaining roadside areas, including vegetation management
 - Dust control
 - Application of fertilizers, pesticides, and herbicides according to the instructions for their use, including reducing nutrients and pesticides using alternatives that minimize environmental impacts
 - Sediment and erosion control
 - Landscape maintenance and vegetation disposal
 - Trash and pet waste management
 - Building exterior cleaning and maintenance
- e. Implement an ongoing training program for City employees whose primary construction, operations or maintenance job functions may impact stormwater quality. The training program shall address the importance of protecting water quality, operation and maintenance standards, inspection procedures, selecting appropriate BMPs, ways to perform their job activities to prevent or minimize impacts to water quality, and procedures for reporting water quality concerns. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements, or staffing. Permittees shall document and maintain records of training provided and the staff trained.

- f. Implement a Stormwater Pollution Prevention Plan (SWPPP) for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the Permittee in areas subject to this Permit that are not required to have coverage under the *Industrial Stormwater General Permit* or another NPDES permit that authorizes stormwater discharges associated with the activity. As necessary, update SWPPPs no later than December 31, 2022, to include the following information. At a minimum, the SWPPP shall include:
 - i. A detailed description of the operational and structural BMPs in use at the facility and a schedule for implementation of additional BMPs when needed. BMPs selected must be consistent with the Stormwater Management Manual for Western Washington, or a Phase I program approved by Ecology. The SWPPP must be updated as needed to maintain relevancy with the facility.
 - ii. At minimum, annual inspections of the facility, including visual observations of discharges, to evaluate the effectiveness of the BMPs, identify maintenance needs, and determine if additional or different BMPs are needed. The results of these inspections must be documented in an inspection report or check list.
 - iii. An inventory of the materials and equipment stored on-site, and the activities conducted at the facility which may be exposed to precipitation or runoff and could result in stormwater pollution.
 - iv. A site map showing the facility's stormwater drainage, discharge points, and areas of potential pollutant exposure.
 - v. A plan for preventing and responding to spills at the facility which could result in an illicit discharge.
- g. Maintain records of inspections and maintenance or repair activities conducted by the City.

8.1.1 Operations and Maintenance of Permitted Stormwater Facilities Program

The City requires property owners to maintain, inspect and clean their privately maintained facilities. City staff is not responsible for inspecting private systems. New construction as-built records are available in the Public Works building.

8.2 2023 PROGRAM ACTIVITY

The City of Fircrest has an established program for municipal operation and maintenance, which will continue in 2023. The following sections describe current program elements to comply with Permit requirements.

8.2.1 Maintenance Standards

The City utilizes the maintenance standards specified in Appendix V-A of Volume V of the 2019 *Stormwater Management Manual for Western Washington* for operation and maintenance of the City's stormwater systems. Any updates to maintenance standards provided in the future *Stormwater Management Manual for Western Washington* will be adopted by the City.

8.2.2 Inspection of Municipal Stormwater Facilities

In 2022, inspections of 100 percent of the municipal stormwater system took place, and cleaning took place within 6 months for structures that did not pass inspections. The following procedures will be performed in 2023:

Annual Inspections: There are currently two publicly maintained stormwater treatment and flow control facilities in the City of Fircrest that require annual inspection. One LID BMP also exists, permeable pavement sidewalks along Emerson Street, which will continue to be inspected annually.

Spot Checks: Spot checks will be performed at culvert crossings along Leach Creek after each major storm event (10-year, 24-hour storm event). The two City-maintained treatment and flow control facilities will also be checked if the potential for damage is suspected.

Catch Basin Inspections and Cleaning: City staff will continue to inspect and clean all catch basins at least once every two years, with half of the City completed in each year of the two-year cycle. Decant water from the catch basin cleaning effort will be disposed of in accordance with the requirements set forth in Permit Appendix 6, Street Waste Disposal.

8.2.3 Stormwater Impact Reduction Procedures

The City has implemented the following practices, policies, and procedures to reduce stormwater impacts:

City Parks: City of Fircrest Parks and Recreation Department operates six park sites. Practices, policies, and procedures to reduce stormwater impacts at these sites consist of the following, which will be continued in 2023

- Use fertilizers, pesticides, and herbicides according to the manufacture's specifications. All applications follow state and local and guidelines and are used only after consultation with the Management Team and Public Works Department.
- Regularly consult with the Management Team and Public Works Department and receive specific guidelines from Pierce Conservation District regarding landscape maintenance and vegetation removal.
- Use environmentally friendly cleaning solutions for all exterior cleaning and maintenance.

Road and Street Maintenance: The City of Fircrest performs street sweeping of major streets monthly, weather permitting. Roadside area and vegetation are maintained while minimizing the use of herbicides or pesticides. Road repair and resurfacing is performed by contractors in accordance with requirements for construction stormwater pollution prevention as documented in the 2019 SWMMWW. Fircrest performs snow and ice control as required, using manufacturer's application rate for minimally environmentally toxic deicing chemicals. See Appendix B for documentation on the policies, practices, and procedures the City has adopted to reduce stormwater impacts from City-owned or maintained lands to meet section SC5.7 of the NPDES Permit.

8.2.4 Training

Field staff receive monthly training in Operations & Maintenance that is relevant to each department. Pollution prevention training will be continued by sending appropriate staff to training courses when needed due to staff change or to increase knowledge.

8.2.5 Stormwater Pollution Prevention Plan (SWPPP)

A SWPPP has been prepared for the City's main maintenance/storage facility located on Ramsdell Street. A copy is kept on-site and was updated in December 2022.

8.2.6 Municipal O&M Recordkeeping

The Public Works Director or designee will continue to maintain records of all inspections and maintenance activities.



Figure 1 – City of Fircrest Public Works Department Staff

CHAPTER 9 – SOURCE CONTROL PROGRAMS FOR EXISTING DEVELOPMENT

9.1 PERMIT REQUIREMENTS

The City shall maintain a program dedicated to the prevention and reduction of pollutant runoff from areas which discharge to the MS4. The success of this program relies on a comprehensive and up-to-date catalog of all publicly and privately owned institutional, commercial, and industrial sites with the potential to generate pollutants within discharge range of the MS4.

Development, application, and enforcement of a source control program will require the implementation of several key components over the next three years.

- Application of operational source control BMPs, and if necessary, structural source control BMPs or treatment BMPs/facilities, or both, to pollution generating sources associated with existing land uses and activities.
- Inspections of pollutant generating sources at publicly and privately owned institutional, commercial, and industrial sites to enforce implementation of required BMPs to control pollution discharging into the MS4.
- Application and enforcement of local ordinances at sites, identified pursuant to S5.C.8.b.ii, including sites with discharges authorized by a separate NPDES permit. Permittees that are in compliance with the terms of this Permit will not be held liable by Ecology for water quality standard violations or receiving water impacts caused by industries and other Permittees covered, or which should be covered under an NPDES permit issued by Ecology.
- Practices to reduce polluted runoff from the application of pesticides, herbicides, and fertilizers from the sites identified in the inventory.

9.2 2019-2024 PERMIT REQUIREMENTS

- No later than August 1, 2022, Permittees shall adopt and make effective an ordinance(s), or other enforceable documents, requiring the application of source control BMPs for pollutant generating sources associated with existing land uses and activities (see Appendix 8 to identify pollutant generating sources).
- No later than August 1, 2022, the Permittees shall establish an inventory that identifies publicly and privately owned institutional, commercial, and industrial sites which have the potential to generate pollutants to the MS4.
 - Businesses and/or sites identified based on the presence of activities that are pollutant generating (refer to Appendix 8).
 - Other pollutant generating sources, based on complaint response, such as: home-based businesses and multi-family sites.

- No later than January 1, 2023, Permittees shall implement an inspection program for sites identified pursuant to S5.C.8.b.ii, above.
 - All identified sites with a business address shall be provided information about activities that may generate pollutants and the source control requirements applicable to those activities. This information shall be provided by mail, telephone, electronic communications, or in person. This information may be provided all at one time or spread out over the permit term to allow for tailoring and distribution of the information during site inspections.
 - The Permittee shall annually complete the number of inspections equal to 20% of the businesses and/or sites listed in their source control inventory to assess BMP effectiveness and compliance with source control requirements. The Permittee may count follow-up compliance inspections at the same site toward the 20% inspection rate. The Permittee may select which sites to inspect each year and is not required to inspect 100% of sites over a 5-year period. Sites may be prioritized for inspection based on their land use category, potential for pollution generation, proximity to receiving waters, or to address an identified pollution problem within a specific geographic area or sub-basin.
 - Each Permittee shall inspect 100% of sites identified through credible complaints.
 - Permittees may count inspections conducted based on complaints, or when the property owner denies entry, to the 20% inspection rate.

- No later than January 1, 2023, each Permittee shall implement a progressive enforcement policy that requires sites to comply with stormwater requirements within a reasonable time period as specified below:
 - If the Permittee determines, through inspections or otherwise, that a site has failed to adequately implement required BMPs, the Permittee shall take appropriate follow-up action(s), which may include phone calls, reminder letters, emails, or follow-up inspections.
 - When a Permittee determines that a site has failed to adequately implement BMPs after a follow-up inspection(s), the Permittee shall take enforcement action as established through authority in its municipal codes or ordinances, or through the judicial system.
 - Each Permittee shall maintain records, including documentation of each site visit, inspection reports, warning letters, notices of violations, and other enforcement records, demonstrating an effort to bring sites into compliance. Each Permittee shall also maintain records of sites that are not inspected because the property owner denies entry.
 - A Permittee may refer non-emergency violations of local ordinances to Ecology, provided, the Permittee also makes a documented effort of progressive enforcement. At a minimum, a Permittee's enforcement effort shall include documentation of inspections and warning letters or notices of violation.

- Permittees shall train staff who are responsible for implementing the source control program to conduct these activities. The ongoing training program shall cover the legal authority for source control, source control BMPs and their proper application, inspection protocols, lessons learned, typical cases, and enforcement procedures. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements, or staff. Permittees shall document and maintain records of the training provided and the staff trained.

9.3 2023 PROGRAM ACTIVITY

Existing ordinances related to enforcing source control for existing development are under FMC 20.24 and FMC 20.25. In 2022, the City revised section 20.24 of the Fircrest municipal Code to allow the City to inspect and enforce source control BMPs at existing developed sites.

The City has implemented a program to identify commercial and industrial sites which have the potential to generate pollutants to the MS4 to meet the August 1, 2022 deadline. The City is aware of all commercial sites within the City Limit and has begun an updated private stormwater inspection program. There are no identified commercial sites that would produce pollutants to the MS4. The City reviewed all business licenses to identify potential home businesses that may impact the MS4.

Once the assessment was completed, the City developed a source control inventory of all businesses and properties identified as conducting activities that are pollutant generating and may impact the MS4. Identified sites included governmental sites, mobile or home-based businesses, and sites that received complaints indicating it may be pollution generating.

APPENDIX A
CITY OF FIRCREST SMAP RECEIVING BASIN PRIORITIZATION

DRAFT

A-1 Overview

A receiving water assessment was performed for the City of Fircrest to assess and document the existing information and conditions related to local receiving waters and contributing areas. The purpose of the assessment is to aid in identifying the receiving waters that would most likely benefit from stormwater management planning.

The NPDES permit requires a watershed inventory, provided as a table, to be submitted no later than March 31, 2022, and a brief description of the receiving waters that are in Fircrest. A single waterbody, Leach Creek, with three contributing area assessment units, was identified as a receiving water for the City of Fircrest. Assessment was performed using 303(d) listing information, Environmental Justice Screening and Mapping Tool, Puget Sound Watershed Characterization Project, and the Coastal Atlas Map.

A-2 Receiving Water and Assessment Unit Areas

The City has a single receiving water, Leach Creek, a sub-watershed of the Clover-Chambers Creek watershed. Leach Creek is over 2 miles long and the contributing watershed area consists of 1,867 acres, of which 40% is residential, 37% is commercial, 20% is open space, and 3% is Industrial. The existing stormwater pipe network of Fircrest, University Place, and Tacoma discharges to Leach Creek holding basin. Discharges from Leach Creek holding basin, as well as stormwater runoff from Fircrest, University Place, and Lakewood, supply flows to Leach Creek downstream of the holding basin prior to confluence with Chamber Creek. The lower reaches of Leach Creek contain salmonid spawning habitat.

A 303(d) listing, per Section 303(d) of the federal Clean Water Act, exists for Leach Creek for mercury and bacteria.

Three assessment unit areas, as defined by Puget Sound Watershed Characterization Project, exist within Fircrest. The southwestern corner of Fircrest lies within basin 12003 and contributes runoff to Lower Leach Creek prior to confluence with Chambers Creek. The total area of basin 12003 is 1,189 acres. The City of Fircrest comprises 24 acres, or 2% of this basin. Lower Leach Creek has the designated use of anadromous fishery. The Water flow assessment revealed moderate surface storage for this area and the basin has a “moderate” ranking for water flow importance for Leach Creek. Water quality assessment review showed moderate-to-high levels of sediment, phosphorous, metals, nitrogen, and pathogens for this basin.

Basin 12004 represents the area that contributes runoff to Upper Leach Creek, downstream of the Leach Creek Holding Basin. The total area of Basin 12004 is 1,959 acres. Fircrest makes up 35%, or 690 acres of this basin. Upper Leach Creek has the designated use of anadromous fishery. The Water flow assessment revealed moderate surface storage for this area, with high degradation of water flow. Additionally, this basin is rank “high” for water flow importance to Leach Creek. Water quality assessment review showed moderate-to-high levels of sediment, phosphorous, metals, nitrogen, and pathogens for this basin.

The northernmost watershed of Fircrest, Basin 12005, contains the contributing area that drains to Leach Creek Holding basin in Tacoma. This basin is the most upstream basin of the three basins in Fircrest. The total area of this watershed is 1,774 acres, of which 290 acres, or 16%, are within Fircrest City Limits. The Leach Creek Holding basin is used as a regional stormwater management facility. The Water flow assessment revealed low surface storage for this area; however, this basin also has a designation of

“low water flow importance.” Water quality assessment review revealed moderate-to-high levels of sediment, phosphorous, metals, nitrogen, and pathogens for this basin.

A-3 Stormwater Management Action Plan Assessment Table

The following table summarizes the results of the watershed inventory assessment for the City of Fircrest.

DRAFT

APPENDIX B
S5.C.7 DOCUMENTATION

DRAFT

Memorandum

To: Tyler Bemis – Project Manager
City of Fircrest

CC: Terry Wright, PE – KPG Psomas
Sam Wilson, PE – KPG Psomas

From: Kristen Powers, EIT – KPG Psomas

Date: 12/14/2022

Re: City of Fircrest Documentation of Policies, Practices, and Procedures to reduce SW impacts from permittee land

Project No: 19016W11 (KPG Psomas)

This memorandum documents the City of Fircrest practices, policies and procedures to reduce stormwater impacts from all City owned and maintained lands in accordance with S5.C.7.d and S5.C.7.e of the Phase III NDPES permit.

Practices, policies, and procedures

The Phase II permit requires the City to develop and implement practices, policies, and procedures to reduce stormwater impacts associated with runoff from all lands owned or maintained by the City, and road maintenance activities under the functional control of the City. Lands owned or maintained by the City to which this requirement applies include, but are not limited to parking lots, streets, roads, highways, buildings, parks, open space, road right-of-way, maintenance yards, and stormwater treatment and flow control BMPs/facilities.

The City's practices, policies, and procedures mentioned above must address the following activities: pipe cleaning; cleaning of culverts that convey stormwater in ditch systems; ditch maintenance; street cleaning; road repair and resurfacing, including pavement grinding; snow and ice control; utility installation; maintaining roadside areas, including vegetation management; dust control; pavement striping maintenance; application of fertilizers, pesticides, and herbicides according to the instructions for their use, including reducing nutrients and pesticides using alternatives that minimize environmental impacts; sediment and erosion control; landscape maintenance and vegetation disposal; trash and pet waste management; and building exterior cleaning and maintenance.

The City departments that have custodial responsibility related to the activities above are Public Works and Parks & Recreation.

The City of Fircrest maintains practices for reducing stormwater impacts associated with runoff from all lands owned or maintained by the City including road maintenance activities under the functional control of

the City. These practices and policies were developed through combined efforts implemented by the City and Pierce County.

The City has adopted the following guidelines for inspection and maintenance activities:

- WSDOT Regional Road Maintenance Endangered Species Act Program Guidance
- Applicable source control BMPs listed in the Stormwater Management Manual for Western Washington, Volume IV
- Condition Assessment Manuals, developed by Pierce County (need list, should include vegetation or pest management if available)
- Integrated Pest Management Plan, developed by Pierce County Conservation District
- Stormwater Pollution Prevention Plans (SWPPPs) developed for S5.C.7.f or other site-specific SWPPPs by other applicable NPDES stormwater permit guidelines.

Training

Ongoing training for with primary operations or maintenance job functions that may impact stormwater quality are trained in topics relevant to their job descriptions. Instructions including the above guidelines is provided, as relevant to their duties and roles, with follow up training, as needed, along with IDEE and CECSL training. Records of training provided including dates, activities or course descriptions, and names and positions of staff in attendance are kept in the Public Works office.

FIRCREST CITY COUNCIL AGENDA SUMMARY

NEW BUSINESS: Budget Amendment, 2nd Reading for Adoption
ITEM: 13A
DATE: 04/11/2023
PRESENTED BY: Lindsay Chambers, Interim Finance Director

RECOMMENDED MOTION: I move to adopt Ordinance No. ____, authorizing revenues and expenditures of funds for matters not provided for in the adopted City of Fircrest 2023 Annual Budget.

PROPOSAL: This is a request for additional appropriations for anticipated revenues and expenditures not provided for in the adopted City of Fircrest 2023 Annual Budget.

FISCAL IMPACT: The fiscal impact of this proposal results in increases in expenditures with corresponding increases in revenue or corresponding decreases in fund balance as follows:

Fund	Account	Title	In(de)crease	Ref
General	308.91.00.01	Unassigned BFB - General	604,232	1
	308.51.00.02	Assigned BFB - 44th Alameda	54,866	1
	308.51.00.01	Assigned BFB - Light Fund	14,079	1
	308.31.00.01	Restricted BFB - ARPA	(60,000)	1, 5
	513.10.41.00	Professional Services - Admin	29,500	2
	515.41.41.03	City Prosecutor	20,500	3
	521.22.41.00	Professional Services - Police	17,500	2
	571.10.31.02	Senior Program Supplies	15,000	4
	571.10.41.00	Senior Trips	4,564	4
	594.18.64.01	Mach & Equip – Fac.	9,333	5
	594.21.64.00	Mach & Equip - Police	25,667	5
	594.21.64.00	Mach & Equip - Police	2,524	5
	508.31.00.01	Restricted EFB - ARPA	(97,524)	5
	594.76.64.00	Mach & Equip - Parks	17,552	6
	594.76.63.01	Other Improvements - Parks	35,000	7
	508.51.00.02	Assigned EFB - 44th Alameda	19,866	1
	508.51.00.01	Assigned EFB - Light Fund	14,079	1
	508.91.00.01	Unassigned EFB - General	499,616	1
Street	308.91.01.01	Unassigned BFB - Street	187,110	1
	334.03.81.00	State Grant - TIB	678,471	8
	595.10.63.06	Project Eng. - Street	84,103	8
	595.32.63.01	Street Improvements	669,753	8
	508.91.01.01	Unassigned EFB - Street	111,725	1
Police Inv.	308.31.01.05	Restricted BFB - Police Inv.	201	1

	521.21.49.00	Miscellaneous Investigations	201	1
Cumulative Reserve	308.41.01.50	Committed BFB - C.R. General	3,692	1
	308.41.01.51	Committed BFB - C.R. Street	(150,000)	1
	308.41.01.52	Committed BFB - C.R. Sewer	(369,250)	1
	308.41.01.53	Committed BFB - C.R. Water	(11,513)	1
	508.41.01.51	Committed EFB - C.R. General	3,692	1
	508.41.01.52	Committed EFB - C.R. Street	(150,000)	1
	508.41.01.53	Committed EFB - C.R. Sewer	(369,250)	1
	508.41.01.54	Committed EFB - C.R. Water	(11,513)	1
Park Bond debt	308.31.02.01	Restricted BFB - Park Bond Debt	(148,054)	1
	508.31.02.01	Restricted EFB - Park Bond Debt	(148,054)	1
Park Bond Cap	308.31.03.01	Restricted BFB - PBCF	493,372	1
	334.04.20.01	State RCO Grant - PCBF	174,515	9
	594.76.63.03	Other Improvements - PBCF	15,520	9
	508.31.03.01	Restricted EFB - PBCF	652,367	1
REET	308.31.03.11	Restricted BFB - REET 1	(5,884)	1
	308.31.03.12	Restricted BFB - REET 2	(4,517)	1
	508.31.03.11	Restricted EFB - REET 1	(5,884)	1
	508.31.03.12	Restricted EFB - REET 2	(4,517)	1
Storm	308.51.04.15	Assigned BFB - Storm	49,021	1
	334.03.10.00	State Grant - NPDES	25,000	10
	508.51.04.15	Assigned EFB - Storm	74,021	1
Storm Cap	308.51.04.16	Assigned BFB - Storm Capital	220,167	1
	334.03.10.01	State Grant - Storm capital	345,239	11
	337.00.00.01	PC Flood District Grant	78,263	11
	594.31.63.00	Storm Imp. - Storm Capital	374,701	11
	594.31.63.01	Project Eng. - Storm Capital	34,180	11
	508.51.04.16	Assigned EFB - Storm Capital	234,788	1
Water	308.51.04.25	Assigned BFB - Water	(95,059)	1
	508.51.04.25	Assigned EFB - Water	(95,059)	1
Water Cap	308.51.04.26	Assigned BFB - Water Capital	13,830	1
	308.31.04.26	Restricted BFB - Water ARPA	(1)	1
	594.34.64.00	Mach & Equip - Water Capital	59,800	12
	508.51.04.26	Assigned EFB - Water Capital	(45,970)	1
	508.31.04.26	Restricted EFB - Water ARPA	(1)	1
Sewer	308.51.04.30	Assigned BFB - Sewer	202,947	1
	508.51.04.30	Assigned EFB - Sewer	202,947	1
Sewer Cap	308.51.04.32	Assigned BFB - Sewer Capital	421,537	1
	594.35.63.01	Other Imp. - Sewer Capital	200,000	13
	594.35.63.03	Project Eng. - Sewer Capital	100,000	13
	508.51.04.32	Assigned EFB - Sewer Capital	121,537	1

ERR	308.51.05.01	Assigned BFB - ERR	295,491	1
	594.48.64.12	ERR Capital - Street	140,021	14
	508.51.05.01	Assigned EFB - ERR	155,470	1

The City of Fircrest adopts an annual budget at the fund level. The above adjustments will result in an Amended City of Fircrest 2023 Annual Budget by the fund as follows:

	FUND	ORIGINAL	ADJUSTMENT	AMENDED
001	General	11,980,954	613,177	12,594,131
101	Street	964,797	865,581	1,830,378
105	Police Investigation	12,750	201	12,951
150	Cumulative Reserve	2,506,577	(527,071)	1,979,506
201	Park Bond Debt Service	725,016	(148,054)	576,962
301	Park Bond Capital	2,434,634	667,887	3,102,521
310	REET	2,855,958	(10,401)	2,845,557
415	Storm	884,985	74,021	959,006
416	Storm Capital	903,048	643,669	1,546,717
425	Water	1,551,461	(95,059)	1,456,402
426	Water Capital	695,483	13,829	709,312
430	Sewer	4,016,648	202,947	4,219,595
432	Sewer Capital	1,164,460	421,537	1,585,997
501	ERR	2,021,231	295,491	2,316,722
	TOTAL ALL FUNDS	32,718,002	3,017,755	35,735,757

ADVANTAGE: This proposal will provide the necessary budget for the following:

1. Match Budgeted Beginning & Ending Fund Balances to actual in all funds
2. Recruitment fees for City Manager and Police Chief
3. Additional cost for City Prosecutor contract (approved after Budget adoption)
4. Increase budget amount using remaining Edwards family donation
5. Retention bonuses, AED's and police shields/desks purchased using ARPA
6. Rollover Parks Gator funds from 2022 (delivered in 2023)
7. Rollover Whittier Park master plan funds from 2022
8. Add TIB grant revenue and expenditures for Orchard St Overlay
9. Rollover RCO grant revenue, add'l expenditure for Fircrest tennis courts resurfacing
10. Rollover NPDES grant revenue from 2022
11. Rollover grant revenue and expenditures for Stormwater Pretreatment project
12. Rollover balance of Weathervane booster pump generator (installed in 2023)
13. Rollover engineering and construction expenditures for 44th St Liftstation project
14. Rollover ERR funds for Bucket Truck replacement (delivery due in 2023)

Attachment(s): [Ordinance](#)

**CITY OF FIRCREST
ORDINANCE NO. _____**

**AN ORDINANCE OF THE CITY OF FIRCREST,
WASHINGTON, AMENDING ORDINANCE NO. 1698 TO
AUTHORIZE ADDITIONAL EXPENDITURES OF FUNDS FOR
MATTERS NOT FORESEEN AT THE TIME OF FILING THE
CITY OF FIRCREST 2023 ANNUAL BUDGET, PROVIDING
SEVERABILITY, AND ESTABLISHING AN EFFECTIVE
DATE.**

WHEREAS, the City anticipates certain revenues and expenditures not foreseen at the time of filing the City of Fircrest 2023 Annual Budget; and

WHEREAS, the City of Fircrest adopts an annual budget at the fund level; and

WHEREAS, the City of Fircrest adopted its 2023 Annual Budget on November 22, 2022, through Ordinance No. 1698; and

WHEREAS, the City Council, after due consideration, has deemed that it is necessary and in the best interest of the City of Fircrest to amend Ordinance No. 1698, the adopted City of Fircrest 2023 Annual Budget, to defray the anticipated expenditures.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FIRCREST DO ORDAIN AS FOLLOWS:

Section 1. Amendment. Ordinance No. 1698, the adopted City of Fircrest 2023 Annual Budget, is hereby amended as set forth in Section 2 below.

Section 2. Amendment. The anticipated revenues and expenditures will result in the amendment of the City of Fircrest 2023 Annual Budget by fund as follows:

2023 REVENUES, EXPENDITURES & BALANCES BY FUND

<u>FUND</u>	<u>ORIGINAL</u>	<u>ADJUSTMENT</u>	<u>AMENDED</u>
General	11,980,954	613,177	12,594,131
Street	964,797	865,581	1,830,378
Police Investigation	12,750	201	12,951
Cumulative Reserve	2,506,577	(527,071)	1,979,506
Park Bond Debt Service	725,016	(148,054)	576,962
Park Bond Capital	2,434,634	667,887	3,102,521
REET	2,855,958	(10,401)	2,845,557
Storm	884,985	74,021	959,006
Storm Capital	903,048	643,669	1,546,717
Water	1,551,461	(95,059)	1,456,402
Water Capital	695,483	13,829	709,312
Sewer	4,016,648	202,947	4,219,595
Sewer Capital	1,164,460	421,537	1,585,997
ERR	2,021,231	295,491	2,316,722
Total	32,718,002	3,017,755	35,735,757

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Section 3. Non-emergency. The revenues and expenditures set forth in Section 2 above are not one of the emergencies specifically enumerated in RCW 35A.33.080.

Section 4. Corrections. The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Section 5. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this ordinance.

Section 6. Effective Date. This ordinance shall take effect five days after its passage, approval, and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON, at a regular meeting thereof this 11th day of April 2023.

APPROVED:

Brett L. Wittner, Mayor

ATTEST:

Jayne Westman, City Clerk

APPROVED AS TO FORM:

City Attorney

Publication Date:

Effective Date:

FIRCREST CITY COUNCIL AGENDA SUMMARY

COUNCIL MEETING DATE: April 11, 2023

SUBJECT: 13B Resolution To Enter Into An Independent Contractor Agreement With Phoebe Mulligan, LICSW

FROM: John Cheesman, Police Chief

RECOMMENDED MOTION: I move to adopt Resolution No.____, authorizing the Interim City Manager to sign an Independent Contractor Agreement with Phoebe Mulligan, LICSW.

PROPOSAL: Council is being asked to adopt a resolution directing the City Manager to sign an Independent Contractor Agreement with Phoebe Mulligan, LICSW to provide the City of Fircrest, Police Department with peer support training, mental health support services as needed, and to perform department training as requested and agreed upon.

FISCAL IMPACT: The City of Fircrest Police Department will pay Phoebe Mulligan, LICSW a rate of \$150.00 per hour. The City of Fircrest Police Department will not pay for any additional hours beyond the approved amount for each identified service. The City of Fircrest, Police Department will provide no other compensation or benefits to Phoebe Mulligan, LICSW except as specifically identified in the Agreement.

ADVANTAGE: Law enforcement officers are routinely exposed to highly stressful and traumatizing events that can have lasting effects on their mental health. Phoebe Mulligan, LICSW will provide training and mental health support to the police department as needed. It will be beneficial for police officers of the City of Fircrest, Police Department to develop a relationship with a trained professional who understands their job.

DISADVANTAGES: None noted.

HISTORY: Traditionally, the City of Fircrest, Police Department has not had a relationship with a licensed independent clinical social worker/LICSW. Phoebe Mulligan is a licensed therapist who is specially trained in helping people deal with challenging situations. Phoebe Mulligan teaches at the state Criminal Justice Training Center/CJTC and contracts with several other agencies in Pierce County. Phoebe Mulligan's offices are located in the City of Fircrest.

Attachments: [Resolution](#)
[Independent Contractor Agreement](#)

**CITY OF FIRCREST
RESOLUTION NO. _____**

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**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, AUTHORIZING THE INTERIM
CITY MANAGER TO SIGN AN INDEPENDENT
CONTRACTOR AGREEMENT WITH PHOEBE MULLIGAN,
LICSW TO PROVIDE THE CITY OF FIRCREST, POLICE
DEPARTMENT WITH PEER SUPPORT TRAINING,
MENTAL HEALTH SUPPORT SERVICES AS NEEDED AND
DEPARTMENT TRAINING AS REQUESTED AND AGREED
UPON.**

WHEREAS, the City of Fircrest maintains a significant investment in our police officers; and

WHEREAS, law enforcement officers are routinely exposed to highly stressful and traumatizing events; and

WHEREAS, the health and well-being of our police officers are of the utmost importance; and

WHEREAS, a contract with Phoebe Mulligan, LICSW, will provide training and resources to assist our police officers with the impacts of their job.

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

Section 1. The Interim City Manager is hereby authorized and directed to sign the Independent Contractor Agreement with Phoebe Mulligan, LICSW.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON,** at a regular meeting thereof this 11th day of April 2023.

APPROVED:

Brett L. Wittner, Mayor

ATTEST:

Jayne Westman, City Clerk

APPROVED AS TO FORM:

Robert Zeinemann, City Attorney

INDEPENDENT CONTRACTOR AGREEMENT

This contract for services is made effective as of April 12, 2023, by and between the City of Fircrest Police Department of 302 Regents Blvd, Fircrest, WA 98466, and Phoebe Mulligan, LICSW (#LW60170219) of 3223 Deer Island Drive E., Lake Tapps, WA 98391.

WHEREAS, the City of Fircrest Police Department desires to have certain services provided by Phoebe Mulligan, LICSW for its peer support and training program, and

WHEREAS, Phoebe Mulligan, LICSW agrees to perform such services under the terms and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained in this Agreement, the City of Fircrest Police Department and Phoebe Mulligan, LICSW agree as follows:

- 1. DESCRIPTION OF SERVICES.** Beginning on April 12, 2023, Phoebe Mulligan, LICSW will provide to the City of Fircrest Police Department the following services (collectively, the “Services”):

 - Assist with training of the peer support team.
 - Provide mental health support services as needed (preparation for incident debriefs, critical incident stress debriefing, individual meeting/support)
 - Training as requested and agreed upon.

- 2. DURATION OF AGREEMENT.** This contract is ongoing and may be terminated at any point by either party upon 30 days written notice from either party which will be hand-delivered or sent via U.S. mail, certified mail, postage prepaid to the addresses listed above.

- 3. PAYMENT.** The City of Fircrest Police Department will pay Phoebe Mulligan, LICSW a rate of \$150.00 per hour. Payments to Phoebe Mulligan, LICSW for Services will be made no later than 30 days following the submission of an invoice for Services. The City of Fircrest Police Department will not pay for any additional hours beyond the approved amount for each identified service. The City of Fircrest Police Department will provide no other compensation or benefits to Phoebe Mulligan, LICSW except as specifically identified in this Agreement.

- 4. TAXES.** Phoebe Mulligan, LICSW is solely responsible for the proper withholding and timely payment of all taxes owed as a result of work performed under this agreement, whether local, state or federal, including but not limited to federal income tax liability, self-employment tax, and social security (FICA) tax. Except as otherwise ordered by the IRS or other government agency to withhold funds, the City of Fircrest Police Department shall not deduct any taxes from payments. Phoebe Mulligan, LICSW agrees to indemnify and hold harmless the City of Fircrest Police Department, in the event that

Phoebe Mulligan, LICSW fails to withhold or pay any applicable taxes or contributions associated with this Agreement.

- 5. INDEPENDENT CONTRACTOR RELATIONSHIP OF PARTIES.** The City of Fircrest Police Department and Phoebe Mulligan, LICSW understand and acknowledge that an independent contractor relationship exists and is created by this Agreement, and in no circumstance is Phoebe Mulligan, LICSW, an employee of the City of Fircrest Police Department. The City of Fircrest Police Department is interested primarily in the results to be achieved by Phoebe Mulligan, LICSW and the conduct and control of the work will rest solely with Phoebe Mulligan, LICSW. Phoebe Mulligan, LICSW agrees to perform such services to the best of her ability and to the satisfaction of The City of Fircrest Police Department. It is understood by both parties that the City of Fircrest Police Department does not agree to contract with Phoebe Mulligan, LICSW exclusively and may choose to contract with other providers for the same or similar services. Likewise, Phoebe Mulligan, LICSW is free to contract for similar performance of services with other entities while under agreement with the City of Fircrest Police Department. In this regard, Phoebe Mulligan, LICSW will not assign the City of Fircrest Police Department designated work or projects to other individuals without prior consent of the City of Fircrest Police Department.
- 6. CONFIDENTIALITY.** For the duration of this Agreement and thereafter, Phoebe Mulligan, LICSW, agrees to keep the terms and conditions of this Agreement confidential, as well as other confidential and/or proprietary information obtained through her Services to the City of Fircrest Police Department and shall not disclose such confidential information to any other person without a need to know, and without prior notification to and express authorization from the City of Fircrest Police Department.
- 7. INTERPRETATION.** If for any reason any provision or terms of this Agreement is found by a court of proper jurisdiction be invalid or unenforceable, such determination shall not affect or alter any other part of this Agreement, and the remaining provisions shall remain in full force and effect.
- 8. GOVERNING LAW AND VENUE.** This Agreement shall in all respects be subject to and governed by the internal laws of the State of Washington, and not its law of conflicts. The parties agree that any legal action related to this Agreement will be filed and heard in Pierce County, WA.
- 9. COMPLIANCE WITH LAWS.** Phoebe Mulligan, LICSW, shall be duly licensed and comply with all applicable laws, ordinances, and codes of the federal, state, and local governments, and must possess a City of Fircrest business license.
- 10. ENTIRE AGREEMENT.** This Agreement contains the entire agreement and understanding by and between the City of Fircrest Police Department and Phoebe

Mulligan, LICSW with respect to the performance of services by Phoebe Mulligan, LICSW. Representations, promises, agreements or understanding not contained in this Agreement, either written or oral, shall have no force or effect.

11. INSURANCE REQUIREMENTS. Phoebe Mulligan, LICSW is required to provide her own Liability Insurance Coverage as detailed below and will provide the City of Fircrest Police Department with a current copy of the insured certificate(s). Phoebe Mulligan, LICSW must also have an independent clinical social worker license/LICSW for Washington state in good standing at all times during this contract.

a. Minimum Insurance

- i. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be as least as broad as Insurance Services Office (ISO) form CA 00 01. Insurance shall be maintained with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
- ii. Commercial General Liability insurance shall be as least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, and personal injury. The City of Fircrest Police Department shall be named as an additional insured with respect to the Services using an additional insured endorsement at least as broad as ISO CG 20 26. Commercial General Liability insurance shall be written with limits of no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
- iii. Professional Liability insurance appropriate to the Services hereunder shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

12. INDEMNIFICATION. Phoebe Mulligan, LICSW shall defend, indemnify, and hold the City of Fircrest Police Department, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or in connection with performance of this Agreement, except for injuries and damages caused by the sole negligence of the City of Fircrest Police Department.

IN WITNESS WHEREOF, the City of Fircrest and Phoebe Mulligan have willingly and voluntarily signed this Agreement.

Phoebe Mulligan, LICSW

Signature _____

EIN: 83-3964179

Professional License #: LW60170219

Date _____

Interim Fircrest City Manager

Colleen Corcoran

Signature _____

Date _____