

**FIRCREST CITY COUNCIL
REGULAR MEETING
AGENDA**

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

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

Pg. #

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. PRESIDING OFFICER'S REPORT**
 - A. Police Chief Schaub Pinning Ceremony
 - B. Appointment of Streets, Facilities, & Equipment Council Liaison
- 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 2
 - B. [Rollin' 253 Liquor License Application](#) 14
There was no objection registered for the approval of this liquor license.
 - C. Approval of Minutes: [September 18, 2023, Special Meeting](#) 15
- 11. PUBLIC HEARING**
- 12. UNFINISHED BUSINESS**
- 13. NEW BUSINESS**
 - A. [End of Pool Season Summary](#) 16
 - B. [Alliance/ Prose Project Memorandum of Understanding Discussion](#) 20
 - C. Comprehensive Plan Vision Statement Discussion
 - D. [Resolution: KBH Change Order](#) 26
- 14. CALL FOR FINAL COMMENTS**
- 15. EXECUTIVE SESSION**
- 16. ADJOURNMENT**

Join the Zoom *Dial-in Information*: 1-253-215-8782 Webinar ID: 846 5985 5658 Password: 848037

ACCOUNTS PAYABLE

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Accts Pay #	Received	Date Due	Vendor	Amount	Memo
30696	10/05/2023	10/10/2023	10588 AHBL, Inc.	932.40	P#78 Whittier Park Master Plan - Professional Services - 07/26/23-08/25/23
	594 76 63 01	Other Improvements - Parks	001 000 576 General Fund	932.40	P#78 Whittier Park Master Plan - Professional Services - 07/26/23-08/25/23
30683	10/04/2023	10/10/2023	3705 Alpine Products Inc	135.55	Signs for Well #7 Fencing - No Trespassing
	534 50 31 01	Oper Supplies - Water Main	425 000 534 Water Fund (de	135.55	Signs for Well #7 Fencing - No Trespassing
30706	10/05/2023	10/10/2023	10562 Amazon Capital Services	769.60	Galaxy Tablet
	531 50 35 00	Small Tools & Equip - Storm	415 000 531 Storm Drain	192.40	Galaxy Tablet
	534 80 35 00	Small Tools & Equip - Water	425 000 534 Water Fund (de	192.40	Galaxy Tablet
	535 80 35 00	Small Tools & Equip - Sewer	430 000 535 Sewer Fund (de	192.40	Galaxy Tablet
	542 30 35 00	Small Tools & Equip - Street	101 000 542 City Street Fund	192.40	Galaxy Tablet
30707	10/05/2023	10/10/2023	10562 Amazon Capital Services	29.99	Portable DVD Writer Drive
	521 22 35 00	Small Tools & Equip - Police	001 000 521 General Fund	29.99	Portable DVD Writer Drive
30708	10/05/2023	10/10/2023	10562 Amazon Capital Services	27.49	Printer Cable Cord (Qty 2)
	521 22 35 00	Small Tools & Equip - Police	001 000 521 General Fund	27.49	Printer Cable Cord (Qty 2)
30709	10/05/2023	10/10/2023	10562 Amazon Capital Services	25.30	Ethernet Switch
	512 51 35 00	Small Tools & Equip - Court	001 000 512 General Fund	25.30	Ethernet Switch
Total Amazon Capital Services				852.38	
30677	10/04/2023	10/10/2023	7066 Apex Engineering	210.00	Task Order 2022-003 Prose Property Engineering Consultation - August 2023
	531 50 41 00	Prof Svcs - Storm	415 000 531 Storm Drain	70.00	Task Order 2022-003 Prose Property Engineering Consultation - August 2023
	534 10 41 00	Prof Svcs - Water Admin	425 000 534 Water Fund (de	70.00	Task Order 2022-003 Prose Property Engineering Consultation - August 2023
	535 10 41 00	Prof Svcs - Sewer Admin	430 000 535 Sewer Fund (de	70.00	Task Order 2022-003 Prose Property Engineering Consultation - August 2023
30678	10/04/2023	10/10/2023	7066 Apex Engineering	210.00	Task Order 2022-002 1345 Regents Utility Easement Project - August 2023
	531 50 49 00	Miscellaneous - Storm	415 000 531 Storm Drain	70.00	Task Order 2022-002 1345 Regents Utility Easement Project - August 2023

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534 10 49 00	Miscellaneous - Water Admi		425 000 534 Water Fund (dep	70.00	Task Order 2022-002 1345 Regents Utility Easement Project - August 2023
535 10 49 00	Miscellaneous - Sewer Admi		430 000 535 Sewer Fund (dep	70.00	Task Order 2022-002 1345 Regents Utility Easement Project - August 2023
Total Apex Engineering				420.00	
30618 09/26/2023 10/10/2023 1418			Baldwin, Donald	78.00	Library Reimbursement - 1 Year
572 21 49 00	Library Services		001 000 572 General Fund	78.00	Library Reimbursement - 1 Year
30610 09/26/2023 10/10/2023 6502			Ballew's Hitch Truck & RV	330.90	#68057D Repair Welding on Arm (Vactor)
548 65 48 12	O & M - Street		501 000 548 Equipment Rent	41.36	#68057D Repair Welding on Arm (Vactor)
548 65 48 13	O & M - Storm		501 000 548 Equipment Rent	41.37	#68057D Repair Welding on Arm (Vactor)
548 65 48 14	O & M - Water/Sewer		501 000 548 Equipment Rent	248.17	#68057D Repair Welding on Arm (Vactor)
30604 09/25/2023 10/10/2023 3572			CED	80.47	Lights for Parking Lot (6)
518 30 31 04	Oper Supplies - CH		001 000 518 General Fund	80.47	Lights for Parking Lot (6)
30649 10/02/2023 10/10/2023 3572			CED	135.27	Lights for Parking Lot (12)
518 30 31 04	Oper Supplies - CH		001 000 518 General Fund	135.27	Lights for Parking Lot (12)
Total CED				215.74	
30602 09/25/2023 10/10/2023 6018			Canon Financial Services Inc	159.81	Police Copier/Fax Rental September 2023
591 21 70 22	Lease Payments - Police		001 000 591 General Fund	159.81	Police Copier/Fax Rental September 2023
30611 09/26/2023 10/10/2023 4315			Cities Insurance Assoc of WA	1,000.00	Insurance Deductible - 6/18/23 Fircrest Garden Apartments*C2550
518 30 46 01	Insurance Deductible		001 000 518 General Fund	1,000.00	Insurance Deductible - 6/18/23 Fircrest Garden Apartments*C2550
30662 10/02/2023 10/10/2023 10296			CodePros, LLC	6,541.14	Building Official/Inspection Services - April 2023 - Prose Project
524 20 41 01	Bldg Inspec/Plan Review		001 000 524 General Fund	6,541.14	Building Official/Inspection Services - April 2023 - Prose Project
30710 10/06/2023 10/10/2023 10296			CodePros, LLC	14,133.48	Building Official/Inspection Services - Jan-Aug 2023

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524 20 41 01	Bldg Inspec/Plan Review		001 000 524 General Fund	14,133.48	Building Official/Inspection Services - Jan-Aug 2023
			Total CodePros, LLC	20,674.62	
30615 09/26/2023 10/10/2023 5972			Colyer, Marjorie	78.00	Library Reimbursement - 1 Year
572 21 49 00	Library Services		001 000 572 General Fund	78.00	Library Reimbursement - 1 Year
30613 09/26/2023 10/10/2023 9303			Deal, Robert L.	405.10	Police Background Checks (6 Hrs) & Mileage 9/18/23
521 22 41 00	Prof Svcs - Police		001 000 521 General Fund	405.10	Police Background Checks (6 Hrs) & Mileage 9/18/23
30639 10/02/2023 10/10/2023 9254			Doyle Printing Company	46.24	Business Cards - M. Newman (500)
518 10 34 02	Printing & Binding - Central		001 000 518 General Fund	46.24	Business Cards - M. Newman (500)
30676 10/04/2023 10/10/2023 9254			Doyle Printing Company	35.23	Business Cards - J. Villamor (250)
521 22 31 00	Office & Oper Sup - Police		001 000 521 General Fund	35.23	Business Cards - J. Villamor (250)
			Total Doyle Printing Company	81.47	
30690 10/05/2023 10/10/2023 8561			Duncan, Douglas	29.79	02-01080.4 - 337 CONTRA COSTA AVE
343 10 00 00	Storm Drain Revenues		415 000 340 Storm Drain	-6.60	
343 40 00 00	Sale Of Water		425 000 340 Water Fund (dep	-7.23	
343 50 00 00	Sewer Revenues		430 000 340 Sewer Fund (dep	-15.96	
30609 09/26/2023 10/10/2023 8543			Enviro-Clean Equipment, Inc.	2,103.37	#68057D Replacement Suction Elbow Apparatus for Vactor Truck
548 65 48 12	O & M - Street		501 000 548 Equipment Rent	262.92	#68057D Replacement Suction Elbow Apparatus for Vactor Truck
548 65 48 13	O & M - Storm		501 000 548 Equipment Rent	262.92	#68057D Replacement Suction Elbow Apparatus for Vactor Truck
548 65 48 14	O & M - Water/Sewer		501 000 548 Equipment Rent	1,577.53	#68057D Replacement Suction Elbow Apparatus for Vactor Truck
30667 10/03/2023 10/10/2023 3638			Fircrest Golf Club	1,366.81	Land Rental for Water Tank on Golf Course Property - October 2023
591 34 70 00	Lease Payments - Water Adr		425 000 591 Water Fund (dep	1,366.81	Land Rental for Water Tank on Golf Course Property - October 2023
30687 10/04/2023 10/10/2023 9338			Fuelman Fleet Program	2,647.07	Gas/Fuel September 2023

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548 65 31 06	Gas - Facilities		501 000 548	194.96	Facilities 09/2023	
548 65 31 08	Gas - Police		501 000 548	1,771.31	Police 09/2023	
548 65 31 11	Gas - Parks/Rec		501 000 548	48.74	Parks 09/2023	
548 65 31 12	Gas - Street		501 000 548	287.50	Street 09/2023	
548 65 31 14	Gas - Water/Sewer		501 000 548	344.56	W/S 09/2023	
30646	10/02/2023	10/10/2023	10226	Graber, Sara	78.00	Library Reimbursement - 1 Year
	572 21 49 00	Library Services	001 000 572	General Fund	78.00	Library Reimbursement - 1 Year
30608	09/26/2023	10/10/2023	6774	Greenleaf Landscaping 1 Inc	2,752.50	Replaced Caliper Crimson Sentry Maple Tree at Emerson Island (Hit by Driver)
	542 80 48 00	Street Tree Maintenance (co	101 000 542	City Street Fund	2,752.50	Replaced Caliper Crimson Sentry Maple Tree at Emerson Island (Hit by Driver)
30673	10/04/2023	10/10/2023	6774	Greenleaf Landscaping 1 Inc	5,286.25	Monthly Landscape Service -September 2023
	518 30 41 01	Contract Maintenance	001 000 518	General Fund	3,964.69	Monthly Landscape Service - September 2023
	542 80 49 03	Beautification Services (cont	101 000 542	City Street Fund	1,321.56	Monthly Landscape Service -September 2023
				Total Greenleaf Landscaping 1 Inc	8,038.75	
30643	10/02/2023	10/10/2023	10050	Greenmore, Anastasia	78.00	Library Reimbursement - 1 Year
	572 21 49 00	Library Services	001 000 572	General Fund	78.00	Library Reimbursement - 1 Year
30642	10/02/2023	10/10/2023	10305	Gunderson Law Office PLLC	12,000.00	City of Fircrest - September 2023
	515 41 41 03	City Prosecutor	001 000 515	General Fund	12,000.00	City of Fircrest - September 2023
30640	10/02/2023	10/10/2023	2456	Hamilton, Craig	78.00	Library Reimbursement - 1 Year (Jill)
	572 21 49 00	Library Services	001 000 572	General Fund	78.00	Library Reimbursement - 1 Year (Jill)
30606	09/26/2023	10/10/2023	3692	Home Depot Credit Services	88.85	Concrete for Whittier Tennis Courts
	576 80 31 02	Oper Supplies - Parks	001 000 576	General Fund	88.85	Concrete for Whittier Tennis Courts
30607	09/26/2023	10/10/2023	3692	Home Depot Credit Services	42.99	Tarp for Pool Starting Blocks
	576 20 31 03	Oper Supplies - Pool	001 000 576	General Fund	42.99	Tarp for Pool Starting Blocks
30647	10/02/2023	10/10/2023	3692	Home Depot Credit Services	34.16	Painting Supplies for Projects
	518 30 31 00	Oper Supplies - Facilities	001 000 518	General Fund	34.16	Painting Supplies for Projects
30648	10/02/2023	10/10/2023	3692	Home Depot Credit Services	19.25	Bolts for Benches at Masko Park

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576 80 31 02	Oper Supplies - Parks		001 000 576 General Fund	19.25	Bolts for Benches at Masko Park
				185.25	
30680	10/04/2023	10/10/2023	4131 Humane Society - Tacoma	747.00	October 2023 Boarding Contract
554 30 41 00	Animal Control		001 000 554 General Fund	747.00	October 2023 Boarding Contract
30644	10/02/2023	10/10/2023	8122 Jean, Robert W.	6,250.00	Project Coordinator Services - September 2023
535 10 41 00	Prof Svcs - Sewer Admin		430 000 535 Sewer Fund (de	6,250.00	Project Coordinator Services - September 2023
30660	10/02/2023	10/10/2023	5428 Jeff Boers	1,121.25	Land Use Consulting (9.75 Hrs) - September 2023
558 60 41 00	Prof Svcs - Planning		001 000 558 General Fund	1,121.25	Land Use Consulting (9.75 Hrs) - September 2023
30672	10/03/2023	10/10/2023	6883 L.N. Curtis & Sons	214.31	Patches for Vest - J Villamor
521 22 49 01	Uniforms/Clothing/Laundry		001 000 521 General Fund	214.31	Patches for Vest - J Villamor
30637	10/02/2023	10/10/2023	9704 Lindstrom, Lisa	78.00	Library Reimbursement - 1 Year
572 21 49 00	Library Services		001 000 572 General Fund	78.00	Library Reimbursement - 1 Year
30612	09/26/2023	10/10/2023	3791 Lowe's Company-#338954	11.07	Stakes for Sewer Locates
535 50 31 01	Oper Supplies - Sewer Main		430 000 535 Sewer Fund (de	11.07	Stakes for Sewer Locates
30645	10/02/2023	10/10/2023	10447 Masko, Dawn	197.24	AWC Member Expo City Manager's Meeting Airfare & Meal Reimbursement
513 10 43 00	Travel - Admin		001 000 513 General Fund	197.24	AWC Member Expo City Manager's Meeting Airfare & Meal Reimbursement
30688	10/05/2023	10/10/2023	10297 Nelson, Nicolas	23.51	01-02690.5 - 114 FARALLONE AVE
343 10 00 00	Storm Drain Revenues		415 000 340 Storm Drain	-5.21	
343 40 00 00	Sale Of Water		425 000 340 Water Fund (de	-5.70	
343 50 00 00	Sewer Revenues		430 000 340 Sewer Fund (de	-12.60	
30656	10/02/2023	10/10/2023	3923 Orca Pacific Inc	1,455.94	Hypochlorite Solution (220 Gal); Muriatic Acid (30 Gal)
576 20 31 01	Oper Supplies - Pool Chemi		001 000 576 General Fund	1,455.94	Hypochlorite Solution (220 Gal); Muriatic Acid (30 Gal)
30599	09/25/2023	10/10/2023	2462 Ostmann, Stephanie	78.00	Library Reimbursement - 1 Year

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	572 21 49 00	Library Services	001 000 572 General Fund	78.00	Library Reimbursement - 1 Year
30638	10/02/2023	10/10/2023	10244 Owen Kari, DBA ASL Professionals	232.68	ASL Services 9/12/23 Council Meetings (2 Hrs plus Mileage)
	511 60 41 00	Prof Svcs - Legisl	001 000 511 General Fund	232.68	ASL Services 9/12/23 Council Meetings (2 Hrs plus Mileage)
30697	10/05/2023	10/10/2023	10244 Owen Kari, DBA ASL Professionals	260.84	ASL Services 8/22/23 Council Meetings (2 Hrs plus Mileage)
	511 60 41 00	Prof Svcs - Legisl	001 000 511 General Fund	260.84	ASL Services 8/22/23 Council Meetings (2 Hrs plus Mileage)
Total Owen Kari, DBA ASL Professionals				493.52	
30605	09/26/2023	10/10/2023	3958 PC Budget & Finance - Jail	932.18	Jail Services - August 2023
	523 60 40 01	Jail	001 000 523 General Fund	932.18	Jail Services - August 2023
30668	10/03/2023	10/10/2023	3961 PCRCD, LLC dba LRI-HV	1,215.44	Dump Fees - Street Sweeping - September 2023
	531 50 47 01	Dumping Fees - Storm	415 000 531 Storm Drain	1,215.44	Dump Fees - Street Sweeping - September 2023
30601	09/25/2023	10/10/2023	8993 Pacific Office Automation - A/R	549.59	Copier Lease - 08/01/23 - 09/01/23
	591 12 70 00	Lease Payments - Court	001 000 591 General Fund	104.42	Court 08/01/23-09/01/23
	591 18 70 10	Lease Payments - Non-Dept	001 000 591 General Fund	203.44	City Hall 08/01/23-09/01/23
	591 31 70 00	Lease Payments - Storm	415 000 591 Storm Drain	31.92	Storm 08/01/23-09/01/23
	591 34 70 00	Lease Payments - Water Adr	425 000 591 Water Fund (de	31.92	Water 08/01/23-09/01/23
	591 35 70 00	Lease Payments - Sewer	430 000 591 Sewer Fund (de	31.91	Sewer 08/01/23-09/01/23
	591 71 70 00	Lease Payments - Recreatior	001 000 591 General Fund	102.65	Rec 08/01/23-09/01/23
	591 76 70 80	Lease Payments - Parks	001 000 591 General Fund	11.41	Parks 08/01/23-09/01/23
	591 95 70 00	Lease Payments - Street	101 000 591 City Street Fund	31.92	Street 08/01/23-09/01/23
30600	09/25/2023	10/10/2023	8626 Pacific Office Automation Inc	152.83	Postage Meter Rental - October 2023
	591 18 70 10	Lease Payments - Non-Dept	001 000 591 General Fund	152.83	Postage Meter Rental - October 2023
30698	10/05/2023	10/10/2023	4680 Parametrix Engineering	475.00	P#64 Prof Services through 08/26/23
	594 76 62 03	Buildings & Structures - PBC	301 000 594 Park Bond Capit	475.00	P#64 Prof Services through 08/26/23
30616	09/26/2023	10/10/2023	8470 Petersohn, Suzanne	78.00	Library Reimbursement - 1 Year
	572 21 49 00	Library Services	001 000 572 General Fund	78.00	Library Reimbursement - 1 Year

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30636	10/02/2023	10/10/2023	3956 Petty Cash-Corcoran	97.62	Petty Cash Reimbursement 10/10/23
	571 10 31 02	Senior Program Supplies	001 000 571 General Fund	97.62	Senior Morning Supplies
30657	10/02/2023	10/10/2023	10221 Petty Cash-ParksRec	119.50	Petty Cash Reimbursement 10/10/23
	571 10 31 02	Senior Program Supplies	001 000 571 General Fund	119.50	Senior Morning Supplies
30658	10/02/2023	10/10/2023	10209 Polly L. MacLean, CSC	221.60	ASL Interpreting 9/12/23 Council Meeting (2 hrs plus mileage)
	511 60 41 00	Prof Svcs - Legisl	001 000 511 General Fund	221.60	ASL Interpreting 9/12/23 Council Meeting (2 hrs plus mileage)
30689	10/05/2023	10/10/2023	1131 Potucek, Jeff	81.23	01-01250.2 - 122 GOLDEN GATE AV
	343 10 00 00	Storm Drain Revenues	415 000 340 Storm Drain	-36.75	
	343 40 00 00	Sale Of Water	425 000 340 Water Fund (de	-20.19	
	343 50 00 00	Sewer Revenues	430 000 340 Sewer Fund (de	-24.29	
30681	10/04/2023	10/10/2023	3751 Psomas, DBA KPG Psomas	28,896.50	P#77 Professional Services Through 07/27/23
	595 10 63 06	Project Engineering - Street	101 000 594 City Street Fund	28,896.50	P#77 Orchard St. Overlay 06/30/23-07/27/23
30682	10/04/2023	10/10/2023	3751 Psomas, DBA KPG Psomas	8,381.50	P#77 Professional Services Through 08/24/23
	595 10 63 06	Project Engineering - Street	101 000 594 City Street Fund	8,381.50	P#77 Orchard St. Overlay 7/28/23-08/24/23
			Total Psomas, DBA KPG Psomas	37,278.00	
30694	10/05/2023	10/10/2023	3986 Puget Sound Energy, BOT-01H	1,046.51	Natural Gas - Pool/Bathhouse - September 2023
	576 20 47 00	Public Utility Services - Pool	001 000 576 General Fund	1,046.51	Natural Gas - Pool/Bathhouse - September 2023
30695	10/05/2023	10/10/2023	3986 Puget Sound Energy, BOT-01H	71.55	Natural Gas - Rec Center - September 2023
	571 10 47 00	Public Utility Services - Rec	001 000 571 General Fund	71.55	Natural Gas - Rec Center - September 2023
			Total Puget Sound Energy, BOT-01H	1,118.06	
30665	10/03/2023	10/10/2023	3989 Puget Sound Regional Council	2,447.00	FY24 Membership Dues 7/1/23-6/30/24
	511 60 49 02	Dues/Member/Subscription:	001 000 511 General Fund	2,447.00	FY24 Membership Dues 7/1/23-6/30/24
30693	10/05/2023	10/10/2023	5710 Rainier Connect, Mashell Telecom	106.95	Internet Access Fee - City Hall - October 2023
	518 81 42 00	Communication/Internet - I/	001 000 518 General Fund	106.95	Internet Access Fee - City Hall - October 2023

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30659	10/02/2023	10/10/2023	9360 RecDesk LLC	6.00	Variable Invoice for Additional Revenue above \$500,000
	576 80 41 00	Prof Svcs - Parks	001 000 576	6.00	Variable Invoice for Additional Revenue above \$500,000
30692	10/05/2023	10/10/2023	9611 Repar, Tiffany	57.60	07-00240.1 - 1446 CHERRY AVE
	343 10 00 00	Storm Drain Revenues	415 000 340	-27.28	Storm Drain
	343 40 00 00	Sale Of Water	425 000 340	-23.16	Water Fund (de)
	343 50 00 00	Sewer Revenues	430 000 340	-7.16	Sewer Fund (de)
30596	09/25/2023	10/10/2023	337 Roberts, Christopher	25.00	Gym Fees Reimbursement - August 2023
	521 22 20 00	Personnel Benefits - Police	001 000 521	25.00	Gym Fees Reimbursement - August 2023
30598	09/25/2023	10/10/2023	7820 Roberts, John H	10.01	Gas Reimbursement - Return from Federal Way Warrant
	548 65 31 08	Gas - Police	501 000 548	10.01	Gas Reimbursement - Return from Federal Way Warrant
30603	09/25/2023	10/10/2023	8007 Saidily, Rohey	39.00	Library Reimbursement - 1/2 Year
	572 21 49 00	Library Services	001 000 572	39.00	Library Reimbursement - 1/2 Year
30650	10/02/2023	10/10/2023	4035 Sarco Supply	486.77	Janitorial Supplies - Rec Bldg
	571 10 31 04	Janitorial Supplies - Rec Bldg	001 000 571	486.77	Janitorial Supplies - Rec Bldg
30651	10/02/2023	10/10/2023	4035 Sarco Supply	237.96	Janitorial Supplies - Pool
	576 20 31 02	Janitorial Supplies - Pool	001 000 576	237.96	Janitorial Supplies - Pool
30652	10/02/2023	10/10/2023	4035 Sarco Supply	110.02	Janitorial Supplies - Parks Structures
	576 80 31 01	Janitorial Supplies - Parks St	001 000 576	110.02	Janitorial Supplies - Parks Structures
30653	10/02/2023	10/10/2023	4035 Sarco Supply	102.95	Operating Supplies - City Hall
	518 30 31 04	Oper Supplies - CH	001 000 518	102.95	Operating Supplies - City Hall
30654	10/02/2023	10/10/2023	4035 Sarco Supply	146.75	Janitorial Supplies - Public Works
	518 30 31 03	Oper Supplies - PWF	001 000 518	146.75	Janitorial Supplies - Public Works
30655	10/02/2023	10/10/2023	4035 Sarco Supply	295.20	Janitorial Supplies - PSB
	518 30 31 02	Oper Supplies - PSB Bldg	001 000 518	295.20	Janitorial Supplies - PSB

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Accts Pay #	Received	Date Due	Vendor	Amount	Memo
			Total Sarco Supply	1,379.65	
30617	09/26/2023	10/10/2023	8344 Sawahata, Takao David	78.00	Library Reimbursement - 1 Year (Chiaki)
	572 21 49 00	Library Services	001 000 572 General Fund	78.00	Library Reimbursement - 1 Year (Chiaki)
30671	10/03/2023	10/10/2023	6088 Sentinel Pest Control Inc	214.61	Pest Control - PW - 10/2023
	531 50 48 00	Rep & Maint - Storm	415 000 531 Storm Drain	53.65	Pest Control - PW - 10/2023
	534 50 48 01	Rep & Maint - Water Maint	425 000 534 Water Fund (dep	53.65	Pest Control - PW - 10/2023
	535 50 48 00	Rep & Maint - Sewer Maint	430 000 535 Sewer Fund (dep	53.65	Pest Control - PW - 10/2023
	542 30 48 01	Rep & Maint - Street Maint	101 000 542 City Street Fund	53.66	Pest Control - PW - 10/2023
30634	10/02/2023	10/10/2023	7749 Sound Uniform Solutions Inc	38.54	Uniform Alterations - R Schaub
	521 22 49 01	Uniforms/Clothing/Laundry	001 000 521 General Fund	38.54	Uniform Alterations - R Schaub
30663	10/02/2023	10/10/2023	9888 T-Mobile (Cell Phone Bill)	1,097.90	City Cell Phones & Air Cards 09/2023
	513 10 42 00	Communication - Admin	001 000 513 General Fund	30.22	City Manager 09/2023
	518 30 42 00	Communication - Fac/Equip	001 000 518 General Fund	90.66	Maint. Lead, 2 Workers 09/2023
	521 22 42 00	Communication - Police	001 000 521 General Fund	583.23	Police Officers, Chief and Air Cards 09/2023
	524 20 42 00	Communication- Building	001 000 524 General Fund	15.11	Admin Svcs Dir. 09/2023
	531 50 42 00	Communication - Storm	415 000 531 Storm Drain	60.44	Public Works Crew, Director, Billing Clerk 09/2023
	534 10 42 00	Communication - Water Adr	425 000 534 Water Fund (dep	91.59	Public Works Crew, Director, Billing Clerk, PW Water Meter Collector 09/2023
	535 10 42 01	Communication - Sewer Adr	430 000 535 Sewer Fund (dep	60.44	Public Works Crew, Director, Billing Clerk 09/2023
	542 30 42 00	Communication - Street Rec	101 000 542 City Street Fund	60.44	Public Works Crew, Director, Billing Clerk 09/2023
	558 60 42 00	Communication - Planning	001 000 558 General Fund	15.11	Admin Svcs Dir. 09/2023
	576 80 42 00	Communication - Parks	001 000 576 General Fund	90.66	P/R Director, Events, Maint. Worker 09/2023
30685	10/04/2023	10/10/2023	4135 Tacoma Screw Products Inc	192.08	Fall Protection Lanyards for Bucket Truck
	542 63 35 00	Small Tools & Equip - St Lig	101 000 542 City Street Fund	192.08	Fall Protection Lanyards for Bucket Truck
30684	10/04/2023	10/10/2023	4322 Tacoma, City of - POWER	849.56	Power - Various Locations - September 2023
	534 80 47 01	Utility Services/Pumping	425 000 534 Water Fund (dep	287.66	PW, Weathervane Booster 09/2023
	535 80 47 01	Utility Services/Pumping	430 000 535 Sewer Fund (dep	528.13	Pumps 09/2023
	542 30 47 03	Electricity/Traffic Lights	101 000 542 City Street Fund	22.14	Traffic Control 09/2023
	542 63 47 00	Electricity/Street Lights	101 000 542 City Street Fund	11.63	Street Lights 09/2023
30675	10/04/2023	10/10/2023	5934 US Bank, City Hall Account	2,207.74	P-Card Charges thru 09/25/23
	512 51 31 00	Office & Oper Sup - Court	001 000 512 General Fund	109.20	Next Pro Yearly Subscription for Court Readings

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512 51 31 01	Publications - Court Rules		001 000 512 General Fund	761.89	Publication Bars Code for WA Court Rules
513 10 31 00	Office & Oper Sup - Admin		001 000 513 General Fund	28.10	Frame & Award Certificates for Employee Awards
513 10 35 00	Small Tools & Equip - Admin		001 000 513 General Fund	13.20	Monitor Cables for D. Masko
513 10 49 00	Miscellaneous - Admin		001 000 513 General Fund	45.53	Business Lunch - D. Masko
514 23 49 01	Reg & Tuition - Finance		001 000 514 General Fund	140.00	BARS Cash Webinar & Beginning Excel Webinar - M. Ryan
517 90 31 01	Oper Supplies - Wellness Pr		001 000 517 General Fund	132.27	Wellness Program - Skeletons of Fircrest
518 10 42 01	Postage - Non Dept		001 000 518 General Fund	212.30	Postage - Passports
518 10 49 04	Reg & Tuition - Non Dept		001 000 518 General Fund	125.00	BARS Cash Webinar - S. Lee
518 81 49 01	Software Licenses		001 000 518 General Fund	152.66	Acrobat Pro License - M. Newman
521 10 49 00	Miscellaneous - Civil Svc		001 000 521 General Fund	84.83	Oral Board Refreshments & Snacks for Oral Board on 09/01/23
521 10 49 01	Meals - Other Than Travel/T		001 000 521 General Fund	124.75	Oral Board Lunch on 09/01/23
558 60 49 00	Miscellaneous - Planning		001 000 558 General Fund	224.09	Refreshments & Snacks for Comp Plan Community Workshop on 09/18/23
594 11 64 00	Machinery & Equipment - Lt		001 000 511 General Fund	53.92	Display Port Splitter for A/V System
30670	10/03/2023	10/10/2023	8482 US Bank, Police Department Account	7.79	P-Card Charges thru 09/25/23
521 22 49 00	Miscellaneous - Police		001 000 521 General Fund	7.79	Postage to Send DUI Blood Kit
30669	10/03/2023	10/10/2023	8483 US Bank, Public Works Dept Account	976.73	P-Card Charges thru 09/25/23
531 50 31 01	Office Supplies - Storm		415 000 531 Storm Drain	79.74	Door Hangers & Office Supplies
534 10 31 00	Office Supplies - Water Adm		425 000 534 Water Fund (de	79.74	Door Hangers & Office Supplies
534 80 35 00	Small Tools & Equip - Water		425 000 534 Water Fund (de	254.09	Fluoride Meter
535 10 31 00	Office Supplies - Swr Admin		430 000 535 Sewer Fund (de	79.74	Door Hangers & Office Supplies
542 30 31 01	Office Supplies - Street Reg		101 000 542 City Street Fund	79.75	Door Hangers & Office Supplies
548 65 48 14	O & M - Water/Sewer		501 000 548 Equipment Rent	108.46	#63581D - Oil & Filter Change
576 80 31 02	Oper Supplies - Parks		001 000 576 General Fund	295.21	Concrete Blocks for Whittier Field Lights
30666	10/03/2023	10/10/2023	8484 US Bank, Recreation Dept Account	1,521.05	P-Card Charges thru 09/25/23
571 10 31 02	Senior Program Supplies		001 000 571 General Fund	768.86	Senior Morning Supplies
571 10 31 03	Youth Supplies		001 000 571 General Fund	32.84	Youth Supplies
571 10 31 04	Janitorial Supplies - Rec Bldg		001 000 571 General Fund	31.76	Janitorial Supplies - Rec
571 10 41 00	Senior Trips		001 000 571 General Fund	156.00	Senior Trip to Washington State Fair
573 90 49 01	Community Events		001 000 573 General Fund	531.59	Community Event Supplies
30679	10/04/2023	10/10/2023	4178 University Place Refuse Inc	931.63	Dumping Fees - 09/2023
531 50 47 01	Dumping Fees - Storm		415 000 531 Storm Drain	636.13	Dumping Fees - Storm 09/2023
534 80 47 02	Dumping Fees - Water		425 000 534 Water Fund (de	53.88	Dumping Fees - Water 09/2023
535 80 47 02	Dumping Fees - Sewer		430 000 535 Sewer Fund (de	53.88	Dumping Fees - Sewer 09/2023

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542 30 47 01	Dumping Fees - Street		101 000 542 City Street Fund	93.88	Dumping Fees - Street 09/2023
576 80 47 01	Dumping Fees - Parks		001 000 576 General Fund	93.86	Dumping Fees - Parks 09/2023
30641	10/02/2023	10/10/2023	4179 Unum Life Insurance Company of America	56.90	Retired Benefits - October 2023
521 22 20 02	LEOFF I Long Term Care Pre		001 000 521 General Fund	56.90	Retired Benefits - October 2023
30674	10/04/2023	10/10/2023	4180 Utilities Underground	36.49	Locates 09/2023
534 10 49 00	Miscellaneous - Water Admi		425 000 534 Water Fund (de	18.25	Locates 09/2023
535 10 49 00	Miscellaneous - Sewer Admi		430 000 535 Sewer Fund (de	18.24	Locates 09/2023
30597	09/25/2023	10/10/2023	339 Villamor, John	9.91	Air Tank Refill for Less Lethal Rifles
521 22 35 00	Small Tools & Equip - Police		001 000 521 General Fund	9.91	Air Tank Refill for Less Lethal Rifles
30686	10/04/2023	10/10/2023	3645 WEX BANK, Wright Express FSC	1,072.90	Gas/Fuel - September 2023
548 65 31 08	Gas - Police		501 000 548 Equipment Rent	741.65	Police 09/2023
548 65 31 12	Gas - Street		501 000 548 Equipment Rent	331.25	Street 09/2023
30635	10/02/2023	10/10/2023	4229 Washington State Patrol	600.00	Access User Fee - 3rd Qtr 2023
521 22 41 03	WACIC/NCIC		001 000 521 General Fund	600.00	Access User Fee - 3rd Qtr 2023
30614	09/26/2023	10/10/2023	4231 Water Mgmt Labs Inc	318.00	Coliform & Fluoride Testing - 08/22/23
534 80 41 00	Water Testing		425 000 534 Water Fund (de	318.00	Coliform & Fluoride Testing - 08/22/23
30691	10/10/2023	10/10/2023	6733 Zeller, Gayle	115.48	07-02170.3 - 4311 67TH AVE W, UNIT A
343 10 00 00	Storm Drain Revenues		415 000 340 Storm Drain	-25.60	
343 40 00 00	Sale Of Water		425 000 340 Water Fund (de	-28.00	
343 50 00 00	Sewer Revenues		430 000 340 Sewer Fund (de	-61.88	
30664	10/03/2023	10/10/2023	10035 Zoom Video Communications	1,417.17	Monthly Phone Rental - 09/30/23-10/30/23
513 10 42 00	Communication - Admin		001 000 513 General Fund	79.64	Meeting Webinar & Recording - 09/30/23-10/30/23
518 10 42 00	Communication - Non Dept		001 000 518 General Fund	1,005.08	Monthly Phone Service - 09/30/23-10/30/23
591 18 70 10	Lease Payments - Non-Dept		001 000 591 General Fund	332.45	Monthly Phone Rental - 09/30/23-10/30/23

Report Total: 120,771.59

Fund	
001 General Fund	58,773.59
101 City Street Fund	42,089.96
301 Park Bond Capital Fund	475.00
415 Storm Drain	2,511.16

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			425 Water Fund (department)	3,107.82	
			430 Sewer Fund (department)	7,541.35	
			501 Equipment Rental Fund	6,272.71	

This report has been reviewed by:

REMARKS:

Signature & Title

Date

LIQUOR LICENSE REQUEST

Applicant Information

Licensee Name: Stang Entertainment, LLC
Establishment Name: Rollin' 253
Address: 2101 Mildred St W
License Number: 423763
Request Received: 09/25/23
Expiration Date: 10/20/24

Department Comments

Finance

No concerns.

Planning and Building

This is a permitted use in the Mixed-Use Neighborhood and Mixed-Use Urban Zoning Districts for indoor sale only. I have no objection to the license renewal.

Police

We have no concerns surrounding the service of alcohol at this establishment.

Colleen Concoran

Director Signature

10/03/23

Date

Mark Newman

Director Signature

10/03/23

Date

Ronald Schaub

Director Signature

10/05/23

Date

CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

Mayor Brett L. Wittner called the special 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 Hunter T. George was absent.

INTERIM POLICE CHIEF LATOUR FARWELL

Interim Police Chief LaTour thanked the City for the Interim Police Chief opportunity.

COMPREHENSIVE PLAN UPDATE DISCUSSION

Project Coordinator Bob Jean briefed the Council on the City’s 2024 comprehensive plan update and provided an update on the new middle housing laws.

Councilmember Reynolds left the Council Chambers at 7:19 P.M. and returned at 7:23 P.M.

BHC Consultants, Talia Tittelfitz and Eli Mulberry provided an overview of the comprehensive plan, including current housing analysis, community engagement, and additional housing unit impacts.

Councilmember Reynolds left the Council Chambers at 7:28 P.M. and returned at 7:30 P.M.

Councilmember George entered the Council Chambers at 7:30 P.M.

In-person meeting attendees collected into small groups to discuss important City attributes, and housing types to enhance the community and retain its character. Council discussions included population target planning, infrastructure concerns, socioeconomic status, preserving the Fircrest “feel” while complying with state mandates, and continuing community engagement. The Council thanked all meeting attendees.

ADJOURNMENT

Viafore MOVED to adjourn the meeting at 9:14 P.M., seconded by Barrentine. The Motion Carried (7-0).

Brett L. Wittner, Mayor

Arlette Burkhart, Acting City Clerk

FIRCREST CITY COUNCIL AGENDA SUMMARY

DATE: October 10, 2023

AGENDA ITEM: Edwards Family Aquatic Center 2023 End of Season Report

ITEM: 13A

FROM: Jeff Grover, Parks & Recreation Director

BACKGROUND: In 2023, the Fircrest Pool experienced a significant increase in revenue, reflecting successful strategic changes and a continued commitment to serving the community's needs. The pool's diverse program offerings catered to a wide range of preferences, and responsible financial management ensured a commendable cost recovery rate. Visitor numbers remained strong, and various enhancements enhanced the overall pool experience. This year marked a period of growth and improved accessibility for the pool, cementing its role as a valuable community resource.

ATTACHMENTS: Edwards Family Aquatic Center 2023 End of Season Report

MEMO: Edwards Family Aquatic Center 2023 End of Season Report

DATE: October 10, 2023

TO: Dawn Masko, City Manager

FROM: Jeff Grover, Parks & Recreation Director

In 2023, the Fircrest Pool experienced a significant boost in revenue, with a total of \$281,712 collected, marking a remarkable 17.3% increase over the previous year's revenue of \$240,110.

The pool's revenue sources encompassed a range of programs, including Open Swim & Lap Swim General Admission, Season Passes, Punch Cards, Swim Lessons, Swim Team, and Pool & Party Room Rentals. These diverse offerings cater to the diverse needs and preferences of the community.

On the expenditure side, the pool incurred costs in categories such as Salaries and Wages, Personnel Benefits, Supplies, Chemicals, Utilities, and Excise Taxes, totaling \$317,745.92 as of October 4, 2023. It's important to note that Utility Services and Pool Chemicals will continue to incur minimal expenses through the end of 2023.

While expenditures exceeded revenue by \$36,033.92 it's worth highlighting that this still represents a commendable 88.6% cost recovery rate, indicating efficient financial management.

The pool's visitor statistics were robust, with 26,077 total visits from General Admission, Season Pass holders, and Punch Pass users. Additionally, Resident Family Season Passes, totaling 755, were a popular choice, providing a convenient and cost-effective option for the community.

Changes made in 2023 included the decision not to offer Non-Resident Season Passes and the introduction of resident-only season Passes. This strategic shift was accompanied by the issuance of "Membership Cards" to streamline access for Fircrest residents. Furthermore, the implementation of a Separate Express Entry Line for pre-paid season pass holders, along with expanded open swim sessions on weekends, enhanced the overall pool experience.

In conclusion, 2023 has been a successful year for the Fircrest Pool, characterized by increased revenues, strategic improvements, and a continued commitment to providing quality pool services to the Fircrest community. The changes made have not only contributed to financial growth but have also enhanced the accessibility and convenience of the pool for residents and visitors alike.

2023 Pool Revenues

Pool revenue includes pool fees collected from the following programs:

- Open Swim & Lap Swim General Admission = \$137,176.50
- Season Passes = \$37,465.00
- Punch Cards = \$17,820.00
- Swim Lessons = \$55,244.50
- Swim Team = \$6,025.00
- Pool & Party Room Rentals = \$27,984.51

Total 2023 Pool Revenue = \$281,712 (+17.3% increase over 2022 revenue: \$240,110)

2023 Pool Expenditures

Pool expenditures include expenses from the following budgeted lines:

- Salaries and Wages + Casual Seasonal = \$188,178.11
- Personnel Benefits = \$34,373.57
- Supplies = \$26,638.45
- Chemicals = \$21,814.75
- Utilities = \$26,170.53
- Excise Taxes = \$20,450.91

Total 2023 Pool Expenditures as of 10/02/2023 = \$317,745.92

(Utility Services and Pool Chemicals will continue to incur minimal expenses through the end of 2023.)

Revenue Less Expenditures = 36,033.92

Cost Recovery Rate = 88.6%

Visits, Season Passes, & Punch Passes

Resident Family Season Passes = 755

- Primary Pass Holders = 285 (1st pass is \$70.00)
- Secondary Pass Holders = 470 (additional passes are \$40.00)
- 7042 Fircrest Resident Season Pass Visits to Pool
- An average of 69.72 season pass holders visited the pool daily.

10 Visit Punch Passes = 250

- 104 Resident Punch Passes Sold x \$45
- 146 Non-Resident Punch Passes Sold x \$90
- Around 800 Unused Visits out of 2500
- Resident 41.6% / Non-Resident 58.4%

General Admission (Does not include visits by Season Pass or Punch Card Holders)

Fees: Resident \$5.00 – Non-Resident \$10.00

- Resident Lap Swim = 145 Visits

- Non-Resident Lap Swim = 220 Visits
- Afternoon Open Swim Resident = 2625 Visits
- Afternoon Open Swim Non-Resident = 8642 Visits
- Night Swim Resident = 1584 Visits
- Night Swim Non-Resident = 4119 Visits
- Resident 4,354 / Non-Resident 12,981

Total visits from General Admission, Season Passes, and Punch Passes = 26,077

Lessons and Swim Team

Swim Lessons – 947 Individual Lessons Registrations

- Resident 60% / Non-Resident 40%

Swim Team – 64 Individual Registrations

- Resident = 41
- Non-Resident = 23
- Resident 64% / Non-Resident 36%

Changes made for 2023

1. Did not offer Non-Resident Season Passes
2. Offered Resident Only Season Passes
 - a. Conducted an off-season audit of Fircrest Resident RecDesk accounts. Verified that only Fircrest Residents and their household members received season passes.
 - b. Issue “Membership Cards” with season passes loaded on them.
3. Separate Express Entry Line/Entrance into the pool at the beginning of the session
 - a. This was exclusively for pre-paid season pass holders “Membership Card” through the side gate.
 - b. Offered Express Entry through the entirety of each swim session through a separate line at the main gate.
4. Added additional open swim sessions on Saturday and Sunday
 - a. 2022 Afternoon Swim Hours – 1:00-5:00 pm
 - b. 2023 Afternoon Swim Hours– 11:00 am -2:00 pm & 2:30 -5:30 pm
 - i. This added a 3rd swim session and an additional 2 hours of open swim on Saturday and Sunday and provided more opportunities for open swim.

FIRCREST CITY COUNCIL AGENDA SUMMARY

NEW BUSINESS: Discussion of Alliance/Prose Project Memorandum of Understanding (MOU)
ITEM: 13B
DATE: October 10, 2023
FROM: Bob Jean, Project Coordinator

RECOMMENDED MOTION: I move to set the Alliance/Prose MOU for Action on October 24, 2023.

PROPOSAL: The City and the Alliance/Prose Project developers have been working collaboratively to develop a Win-Win agreement addressing the sewer availability for the Project and help in reducing the City's overall existing Infiltration and Inflow to Tacoma's wastewater treatment plant. This MOU is a voluntary contribution of \$180,000 to Fircrest to reduce Infiltration and Infill into the treatment plant.

The MOU is above and beyond the standard conditions of development and related fees and charges to be applied to the project. In return for the Alliance/Prose Project financial contributions, the City has agreed to undertake the various intergovernmental coordination and actions necessary for the project to proceed. The City has also obtained at no cost the public sewer right-of-way for the Project.

The Project is a high-quality mixed-use commercial and residential project adding to the City's housing mix and providing considerable long-term financial benefits to the community as a whole. The Project itself will meet about one-third of the City's state-mandated future population growth. This in turn may help protect existing neighborhoods from some infill housing pressure. The City has not provided any tax incentives or other financial considerations for the Project. If, for any reason, the Project is sold or transferred to a different developer, the conditions of the MOU transfer to any new developer. The Alliance team agrees to notify the City of its next steps no later than December 15, 2023.

FISCAL IMPACT: The Alliance/Prose Project will make timed payments as the Project advances totaling \$180,000 towards its share of Infiltration and Inflow reduction and sewer availability. Any City funds expended in this effort are related to existing ongoing City obligations, but reimbursable in this MOU. The Project's capital contributions are above and beyond the City's ongoing I&I reduction program.

ADVANTAGE: The Project's voluntary \$180,000 contribution towards I&I reduction would otherwise be an obligation of existing sewer customers. I&I reduction is better for the environment, due to reduced wastewater overflows, and better for customers by holding down the City's wastewater treatment plant costs and billings. The Alliance/Prose Project itself helps meet the City's State-mandated future housing goals and provides long-term financial contributions beneficial to the community as a whole.

DISADVANTAGES: None.

ALTERNATIVES: Deny the MOU and proceed with I&I reduction obligations at full city-only cost.

ATTACHMENTS: Memorandum of Understanding Fircrest/Alliance

PROSE PROJECT MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is made and entered into by the City of Fircrest (“City”) and Alliance Realty Partners, LLC (“Developer”), and their successors and assigns (collectively the “Parties”) which desire that the Developer’s Prose Project, located at 2119 Mildred Street West in Fircrest, Washington (“Project”), continues to move forward in a timely manner for the Parties mutual benefit.

WHEREAS, the number of City staff available to conduct Project Coordination, including intergovernmental coordination, is severely limited, and the amount of such coordination required by the City for the Prose Project is substantially beyond the City’s usual permit related fees for Planning and Building reviews and services; and

WHEREAS, the City’s base capacity for sanitary sewer flow has constraints pursuant to the City’s sewer service agreement with the City of Tacoma; and

WHEREAS, sanitary sewer availability to the Prose Project is contingent on additional reductions to Infiltration and Inflow (“I&I”) into the City’s sanitary sewer system that comply with the City’s sewer service agreement with the City of Tacoma; and

WHEREAS, certain monetary contributions and guarantees to the City by the Developer to cover the City’s costs related to the Prose Project are necessary for issuance of Prose Project sewer availability commitments by the City prior to land purchase closing for the Prose Project by the Developer; and

WHEREAS, the City’s Planning and Building Department’s review of the Prose Project pursuant to the City’s Form Based Code and the conditions and requirements in Fircrest Hearings Examiner’s Finding of Fact, Conclusions of Law and Final Decision issued March 14, 2023, are ongoing.

NOW THEREFORE, in consideration of the understandings, covenants, assurances, and mutual promises in this MOU, the Parties mutually agree to the following terms:

1. City’s Commitments. The City promises to undertake the following actions:

- A. Issue a Sewer Availability letter for the Prose Project upon signing of this MOU by the Parties;
- B. Support, issue, and legally defend the Sewer Availability letter for the Project;
- C. Ongoing Project and Intergovernmental Coordination for the Project will be provided by a dedicated City of Fircrest Project Coordinator consultant at \$6,250/month for 5 months or by other means as determined by the City;
- D. Provide the necessary sewer line construction right-of-way for the sanitary sewer connection to the southeast of the Prose Project.
- E. Seek to amend the Sewer Basin designation in which the Prose Project is located from Pierce County to the City of Tacoma;
- F. Initiate a Scope of Work Request for Proposal for an I&I Study of the City that identifies priority improvements and ongoing maintenance needs to the City’s sanitary sewer system;

G. Initiate in the City a community education and information program, and subsequent testing for gutter downspout connections to side yard/back yard sanitary sewer lines, and subsequent inspection/disconnections program;

H. Provide for pipe-bursting and other City sanitary sewer system improvements to reduce I&I beyond the City's present ongoing actions through use of the additional financial support provided to the City as agreed and promised by the Developer herein; I. Provide the Developer with relevant updates regarding the negotiations between the City of Tacoma, Pierce County, and the City regarding sewer service for the Project. Provide the Developer with relevant communications between the City, the City of Tacoma, and Pierce County regarding sewer service for the Project, including progress regarding the I & I study and implementation. Provide the Developer with any information that may indicate there may be a problem in the negotiations or the I & I study that could prevent the Project from obtaining sewer service;

J. Diligently review and issue the various permits necessary to construct the Project to the extent required pursuant to the City codes and Washington state statutes, without unreasonable delays.

2. Developer's Commitments. The Developer promises to undertake the following actions:

A. The Developer will provide payments according to the following schedule to assist in funding costs associated with the Ongoing Project, Intergovernmental Coordination, and I & I Study for the Project. Developer must give City the notice of intent to proceed to trigger the payments to the City according to the following schedule, which may be modified to be delayed by the City for good cause shown:

i. Developer provides the City with a notice of intent to proceed with the Project no later than December 15, 2023;

ii. Developer provides a reimbursement payment of \$15,000 to the City on or before January 15, 2024 to cover a portion of the costs associated with the Ongoing Project and Intergovernmental Coordination for the Project;

iii. Developer provides a reimbursement payment of \$15,000 to the City on or before July 31, 2024 to cover a portion of the costs associated with the Ongoing Project and Intergovernmental Coordination for the Project, contingent on the issuance of a site development permit for the Project;

iv. Developer provides payment of \$50,000 to the City on or before July 31, 2024 to be used by the City for an sanitary sewer system I&I study, contingent on the issuance a site development permit for the Project;

v. . Developer provides payment of \$50,000 to the City on or before January 31, 2025 to be used for capital improvements to the City's sanitary sewer system that reduce I&I, contingent on the issuance of one or more building permits for the Prose Project;

vi. . Developer provides payment of \$50,000 to the City on or before January 31, 2026 to be used for capital improvements to the City’s sanitary sewer system that reduce I&I. I, contingent on the issuance of one or more building permits for the Prose Project;

vii. Planning and building-related fees and services shall be paid by the Developer as required under the Fircrest Municipal Code, written City policies, and preliminary site plan application approval under the Findings of Fact, Conclusions of Law and Final Decision, File No. 22-01, issued by the City Hearing Examiner on March 14, 2023;

B. If the Developer intends not to continue with permitting/construction of the Project, it must give the City notice of such decision in writing (the “Termination Notice”). The Termination Notice shall terminate this MOU and all future payments according to the schedule in this Subsection 2.A of the MOU are canceled. Following issuance of the Termination Notice, Developer is not entitled to any refunds of payments related to the Ongoing Project, Intergovernmental Coordination, or I&I study/work previously paid to the City.

3. Force Majeure. The performance of this MOU by either party is subject to acts of God, war, government regulation or advisory, disasters, fire, accidents or other casualty, strikes or threat of strikes, civil disorder, acts and/or threats of terrorism, or curtailment of transportation services or facilities, or similar causes beyond the control of either party making it illegal or impossible to meet the commitments and promises made herein. Either party may terminate or suspend its obligations under this MOU if such obligations are prevented by any of the above events to the extent such events are beyond the reasonable control of the party whose reasonable performance is prevented.

4. Prevailing Party Attorneys’ Fees. In any legal action to enforce the terms of this MOU or declare rights hereunder, the prevailing party in such action shall be entitled to recover its reasonable attorneys’ fees, costs and third-party expenses incurred in prosecuting or defending such legal action and enforcing any judgment, ruling, order or award granted thereby.

5. Jurisdiction and Venue. Pierce County Superior Court shall have jurisdiction over any litigation arising under this MOU, and the venue for any such litigation shall be the Pierce County Superior Court in Tacoma, Washington.

6. Successors and Assigns. This MOU is effective on the successors and assigns in interest of the Developer and the City. The Parties successors and assigns shall be entitled to the benefits of, and subject to the commitments and obligations created by, this MOU.

7. Modification or Amendment. This MOU may be amended or modified only by the agreement of the City and the Developer or their successors in interest and no such amendment or modification will be effective unless it is in writing and signed by both Parties.

8. Counterparts. This MOU may be executed in a number of identical counterparts with the same effect as if the signatures to each counterpart were upon a single instrument, and all such counterparts together will be deemed an original of this MOU.

IN WITNESS WHEREOF, the Parties have executed this Memorandum of Understanding effective as of this ___ day of September 2023.

CITY OF FIRCREST

ALLIANCE REALTY PARTNERS, LLC

Dawn Masko
City Manager

Jeremiah Jolicoeur
Vice President

FIRCREST CITY COUNCIL AGENDA SUMMARY

NEW BUSINESS: A resolution authorizing the City Manager to execute a contract change order for additional construction services for the Fircrest Park Athletic Fields Improvement project with KBH Construction Co.

ITEM: 13D

DATE: October 10, 2023

FROM: Jeff Grover, Parks and Recreation Director

RECOMMENDED MOTION: I move to adopt Resolution No. _____ authorizing the City Manager to execute a contract change order for additional construction services for the Fircrest Park Athletic Fields Improvement project with KBH Construction Co.

PROPOSAL: Council is being asked to authorize the City Manager to execute a contract change order for additional construction services for the Fircrest Park Athletic Fields Improvement project with KBH Construction Co.

FISCAL IMPACT: The change is \$23,950 exclusive of taxes and includes grubbing, stripping, and hauling the remaining sod using a dozer blade, along with some extra sod and soil removal around the site's perimeter.

ADVANTAGE: A little over half of the site has already been stripped using a fraise mower. KBH had to halt the fraise mowing due to heavy rain and unexpected buried objects that posed a threat to the fraise mower. About half of the area has already been mowed and switching to grubbing is the most suitable approach to remove the remaining sod areas.

DISADVANTAGES: None.

ALTERNATIVES: None.

HISTORY: KBH Construction provided a total base bid, including alternates, of \$207,730, excluding tax, which was the lowest responsible bid. This project will be funded by a Recreation and Conservation Office (RCO) Youth Athletic Facilities matching grant in the amount of \$158,515. Fircrest will contribute the remaining cost of the project, utilizing funds from the Park Bond Capital Fund.

ATTACHMENTS: Resolution
Change Order Agreement

**CITY OF FIRCREST
RESOLUTION NO. _____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, AUTHORIZING THE CITY
MANAGER TO EXECUTE A CONTRACT CHANGE ORDER FOR
ADDITIONAL CONSTRUCTION SERVICES FOR THE FIRCREST
PARK ATHLETIC FIELDS IMPROVEMENT PROJECT WITH
KBH CONSTRUCTION CO.**

WHEREAS, the City of Fircrest recently awarded the construction contract for the Fircrest Park Athletic Field Improvement project to KBH Construction Co.; and

WHEREAS, the City has a professional services agreement with Robert W. Droll, Landscape Architect, PS to lead the City through this project; and

WHEREAS, KBH Construction Co. had to pause fraise mowing due to difficult weather conditions and previously unknown buried objects including concrete rubble, rebar, and large cobbles near the surface; and

WHEREAS, KBH Construction Co. issued a change order to Robert W. Droll, Landscape Architect, PS for additional construction services and will need to switch to grubbing for the remaining sod areas and sloped areas along the sidewalks; Now, Therefore,

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

Section 1. The City Manager is hereby authorized and directed to execute a contract change order for additional construction services for the Fircrest Park Athletic Field Improvement project with KBH Construction Co.

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

APPROVED:

Brett L. Wittner, Mayor

ATTEST:

Arlette Burkhart, Acting City Clerk

APPROVED AS TO FORM:

Robert Zeinemann, City Attorney

Change Order Agreement

Project: Fircrest Park Athletic Field Improvements

Contractor: KBH Construction

Change Order# _____ Date: October 2, 2023

The Contractor agrees to comply with the following changes from the contract plans and specifications:

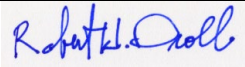
Item	Quantity	Unit Price	Increase \$	Decrease \$
Strip and Haul Offsite Sod after Fraize Mowing failed to finish due to saturated soils per Lump Sum.	1	\$ 13,800.00	\$ 13,800.00	
Strip, regrade, and sod 3,500 square foot sloped grass area along sidewalk per Lump Sum.	1	\$ 10,150.00	\$ 10,150.00	
Amount of Original Contract:				\$ 207,730.00
Change Orders 0 through 0 (Addition/Reduction)				\$ -
Revised Contract Amount				\$ 207,730.00
Addition/Reduction This Change Order				\$ 23,950.00
New Contract Amount				\$ 231,680.00
Addition, Deduction of days of contract time for this Change Order:				0 Calendar Days
Revised Completion Date				
Total of Change Orders				\$ 23,950.00

Change Order Costs do not include WA Sales Tax.

This document shall become a supplement to the Contract and all provisions of the Contract shall apply thereto.

Accepted by: _____ Date: _____
Contractor

Recommended by: _____ Date: _____
Owner

Recommended by: Bob Droll, ASLA, ASBA  Date: 10/2/23
Landscape Architect