



TO: Elizabeth A. Pauli, City Manger
FROM: John Burk, P.E., Division Manager, Science & Engineering Division *GMS MPS*
Michael P. Slevin III, P.E., Director, Environmental Services
COPY: City Council; City Clerk; Calvin Taylor, LHG, Science & Engineering; and Shauna Hansen, P.E., Science & Engineering
SUBJECT: Resolution - Interlocal Agreement with the City of Fircrest for Maintenance Access to the Leach Creek Holding Basin – June 29, 2021
DATE: June 4, 2021

SUMMARY AND PURPOSE:

A resolution authorizing the execution of an interlocal agreement with the City of Fircrest to provide access to the Leach Creek Holding Basin for maintenance and operation of the Fircrest outfalls.

BACKGROUND

This Department’s Recommendation is Based On: the City of Tacoma is the sole owner of the property known as the Leach Creek Holding Basin (LCHB). The property covers 31.81 acres, comprised of forested wetland, and an adjacent buffer that possess natural, open space and ecological values. The City of Fircrest is located almost entirely in the LCHB and collects stormwater through its separate municipal storm sewer system for discharge to the LCHB. There are six outfalls between 12 inches and 24 inches in diameter that discharge a portion of stormwater collected in Fircrest directly to the LCHB.

Tacoma and Fircrest desire to enter into this interlocal agreement (ILA) to provide a grant of access to the property for Fircrest’s maintenance and operation of the Fircrest Outfalls and to ensure Fircrest’s activities on the property are in conformance with the Restrictive Covenant, Fircrest’s stormwater National Pollutant Discharge Elimination System (NPDES) permit, and applicable federal, state and local laws.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

During the process to permit the LCHB maintenance project, Environmental Services (ES) staff determined Tacoma did not have an agreement with Fircrest to allow access for Fircrest utility staff to conduct maintenance projects on Fircrest stormwater pipes located in the LCHB. ES staff worked with the Fircrest Public Works Director to prepare the ILA. The objective is to mitigate legal risk for Tacoma and Fircrest from potential accidental property damage or injury to utilities staff. An additional ILA goal is effective communication between Tacoma and Fircrest during planning and utility maintenance project implementation.

2025 STRATEGIC PRIORITIES:

Equity and Accessibility: The ILA will help protect water quality in the wetland located in the LCHB through conditions on access to the LCHB for maintenance projects. This helps to protect and restore salmon populations in Leach Creek benefiting the quality of life for all, especially for Indigenous Peoples including the Puyallup Tribe of Indians.

Livability: Equity Index Score: Moderate Opportunity

Increase positive public perception of safety and overall quality of life.



Explain how your legislation will affect the selected indicator(s).

The ILA will place conditions on Fircrest to protect the wetland and buffer area during maintenance projects conducted in the LCHB. It prevents downstream urban flooding from high stormwater flow events. In addition, protects urban tree canopy to help restore habitat and stream flows to support sustainable salmon recovery in Leach Creek.

ALTERNATIVES:

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. Not approve the Interlocal Agreement with Fircrest.	None.	Fircrest would not have permission to access the LCHB to maintain stormwater outfalls that terminate in the LCHB.

EVALUATION AND FOLLOW UP:

The cities of Tacoma and Fircrest have agreed to periodically review the effectiveness of this ILA no less frequently than every five years following the implementation of this agreement.

STAFF/SPONSOR RECOMMENDATION:

The Environmental Services Department recommends authorizing the execution of an interlocal agreement with the City of Fircrest to provide access to the Leach Creek Holding Basin for maintenance and operation of the Fircrest outfalls.

FISCAL IMPACT:

No fiscal impact.

What Funding is being used to support the expense? None.

Are the expenditures and revenues planned and budgeted in this biennium’s current budget?

NO, PLEASE EXPLAIN BELOW

No, Tacoma will not incur nor need to plan for expenditures related to this ILA.

Are there financial costs or other impacts of not implementing the legislation?

No

Will the legislation have an ongoing/recurring fiscal impact?

No

Will the legislation change the City’s FTE/personnel counts?

No

ATTACHMENTS:

- Interlocal Agreement with the City of Fircrest