



CITY COUNCIL
ANDY RYDER
Mayor

CYNTHIA PRATT
Deputy Mayor

LENNY GREENSTEIN
MICHAEL STEADMAN
CAROLYN COX
ED KUNKEL
MALCOLM MILLER

CITY MANAGER
SCOTT SPENCE

LACEY CITY COUNCIL AGENDA

AUGUST 5, 2021

4:00 P.M.

REMOTE ATTENDANCE

To comply with Governor Inslee's [Proclamation 20-28](#), the City Council meeting will be conducted remotely, not in-person. You may view the Council meeting by watching live using one of following platforms: [Live Meetings](#), [YouTube](#), [Facebook](#), Thurston Community Media, Channel 3 with your local cable provider, or Zoom:

https://us02web.zoom.us/webinar/register/WN_8YfJGnJJT9C1cAjM7DDS1g

The public may listen to the meeting via telephone by dialing toll-free: (888) 788-0099 or (877) 853-5247 - when prompted enter Webinar ID 829 4439 3827

CALL TO ORDER:

1. **PLEDGE OF ALLEGIANCE**
2. **APPROVAL OF AGENDA & CONSENT AGENDA ITEMS:***
 - A. [Council Worksession minutes of July 8, 2021](#)
 - B. [Council Meeting minutes of July 15, 2021](#)
 - C. [A motion to approve payment of claims, wages, and transfers for July 8, 2021, through July 29, 2021](#)

**Items listed under the consent agenda are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

3. **PUBLIC RECOGNITIONS AND PRESENTATIONS:**

4. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA****

****VERBAL PUBLIC COMMENT**

Persons wishing to provide verbal public comment on items NOT on the agenda must preregister to speak at https://us02web.zoom.us/webinar/register/WN_8YfJGnJJT9C1cAjM7DDS1g. Instructions and access details will be provided once registration is complete. Registration for verbal public comment closes at 3:00 p.m. on August 5, 2021.

****WRITTEN PUBLIC COMMENT**

Public comments may also be submitted by email to publiccomment@ci.lacey.wa.us. Written comments will be provided to the City Council electronically prior to the meeting. Comments will not be addressed during the Council meeting; however, comments received will be added to the official record. The commenting period will close at 12:00 p.m. on August 5, 2021.

5. PUBLIC HEARING:
6. PROCLAMATIONS:
7. REFERRAL FROM PLANNING COMMISSION:
8. REFERRAL FROM HEARINGS EXAMINER:
9. RESOLUTIONS:
 - A. [Resolution 1107 – Council & Committee Meetings Time & Procedures](#)
(Dave Schneider)
10. ORDINANCES:
 - A. [Ordinance 1598 – Council & Committee Meetings Time & Procedures](#)
(Dave Schneider)
11. MAYOR'S REPORT:
 - A. [Appointment of 2021-2022 Lacey Youth Councilmembers](#)
(Mayor Andy Ryder)
12. CITY MANAGER'S REPORT:
13. STANDING GENERAL COMMITTEE:
 - A. [Community Relations & Public Affairs Committee \(07.06.2021\)](#)
14. OTHER BUSINESS:
15. BOARDS, COMMISSIONS AND COMMITTEE REPORTS:
 - A. Mayor Andy Ryder:
 1. Mayors' Forum
 2. Thurston Chamber Shared Legislative Committee
 3. Transportation Policy Board (TPB)
 - B. Deputy Mayor Cynthia Pratt:
 1. Joint Animal Services Commission (JASCOM)
 2. LOTT Clean Water Alliance
 3. Olympic Region Clean Air Agency (ORCAA)
 - C. Councilmember Carolyn Cox:
 1. Intercity Transit (IT)
 2. Regional Housing Council
 - D. Councilmember Lenny Greenstein:
 1. Emergency Medical Services (EMS)
 2. TCOMM911

E. Councilmember Malcolm Miller:

1. Lodging Tax Advisory Committee (LTAC)
2. Thurston County Coalition Against Trafficking (TCCAT)
3. Thurston Regional Planning Council (TRPC)
4. Thurston Thrives

F. Councilmember Michael Steadman:

1. Community Action Council
2. Nisqually River Council
3. Thurston County Law & Justice

G. Councilmember Ed Kunkel:

1. Economic Development Council (EDC)
2. Lacey South Sound Chamber
3. Olympia-Lacey-Tumwater Visitor & Convention Bureau (VCB)
4. Solid Waste Advisory Committee (SWAC)

16. ADJOURN

MINUTES OF THE LACEY CITY COUNCIL WORKSESSION

THURSDAY, JULY 8, 2021

4:00 P.M. – 6:32 P.M.

REMOTE ONLY

COUNCIL PRESENT: MAYOR RYDER, DEPUTY MAYOR PRATT, COUNCILMEMBERS
GREENSTEIN, STEADMAN, COX, KUNKEL, MILLER

STAFF PRESENT: S. SPENCE, S. EGGER, S. KELLEY-FONG, D. SCHNEIDER, R. WALK, J.
BRANDT, E. FONTAINE

Mayor Ryder amended the agenda to include the following; *Water Response Strategy*.

ACTION: APPROVE AMENDED WORKSESSION AGENDA

MOTION: MOTION MADE, SECONDED AND CARRIED BY COUNCILMEMBER GREENSTEIN AND
DEPUTY MAYOR PRATT.

LOTT ANNUAL REPORT

PRESENTERS: MIKE STRUB, EXECUTIVE DIRECTOR
MATT KENNELLY, ASSISTANT EXECUTIVE DIRECTOR

ACTION: INFORMATION ONLY

Mike Strub, LOTT Executive Director, and Matt Kennelly, LOTT Assistant Executive Director, presented Council with LOTT Clean Water Alliance's Annual Report.

LOTT provides wastewater management services for the urban area of north Thurston County. LOTT is a non-profit corporation, formed by four government partners – Lacey, Olympia, Tumwater and Thurston County.

LOTT currently services the following:

- 175,000 total population
- 116,000 total sewers
- 55,000 total septic

Budd Inlet Treatment Plant is LOTT's main plant, located in Olympia, and consists of the following:

- 12 million gallons per day (avg)
- Peak flows can exceed 50 million gallons per day
- Treats to strict advanced secondary standards

- Discharges through diffuser pipe into Budd Inlet
- Reclaimed water production

Upcoming Major Projects:

- Biological Process Improvements
- Digester Refurbishment
- Collection System Piping Rehabilitation
- Martin Way Reclaimed Water Plant Upgrades

City of Lacey Collaboration Includes:

- Capital Projects
- Reclaimed Water
- Septic conversion incentives
- Inflow and infiltration
- Water conservation

2020 Performance Objectives Met:

- 0 instances of pollutant exceedances to Budd Inlet
- 608 million gallons of reclaimed water produced
- 7563 wet tons of biosolids generated
- 1.4 m kilowatts of energy generated

LOTT highlighted the following upcoming and ongoing challenges:

- Reclaimed Water Infiltration Study
 - o Pharmaceuticals and personal care products
- Regulatory Changes
 - o Total maximum daily load study for Budd Inlet
 - o Capitol Lake – Deschutes Estuary EIS
 - o Puget Sound Nutrient General Permit
- COVID Revenue Impacts
 - o 7.5M revenue shortfall projected over 5 years

LOTT's treatment process, as well as 2019-2024 Financial Plan and 2021-2022 Budget were also reviewed.

2021 COMPREHENSIVE AMENDMENTS

STAFF: JESSICA BRANDT, ASSOCIATE PLANNER

ACTION: INFORMATION ONLY

Jessica Brandt, Associate Planner, briefed Council on the 2021 Comprehensive amendments for the Thurston Climate Mitigation and Urban Forest Plans.

Thurston Climate Mitigation Plan (TCMP)

As outlined in the Public Participation Plan, the community was invited to a virtual open house April 1 – 30, 2021. An online survey was also available from April 1 – May 15.

The City used a variety of notification methods throughout the project, to get word out to the public, including:

- Social media
- Coordinated with Lacey Cares campaign
- Elected and appointed officials shared links with their networks
- Community presentations to Olympia Master Builders, Panorama, and Thurston Climate Action Team
- Notice included in the Spring 2021 Stream Team Newsletter
- Story in Lacey Utility insert “Lacey Life” for April 2021 – 25,500 households’ distribution
- Planning Commissioners handed out postcards at locations throughout the City of Lacey Notice included in the NTPS “Peach Jar” announcements

Out of participation received, the vast majority of the community was supportive of climate actions by the City, and noted they were willing to take their own actions as well.

The Planning Commission conducted a public hearing on the Thurston Climate Mitigation Plan on May 18th. At the conclusion of the public hearing, the Planning Commission unanimously recommended adoption of the Plan. The Planning Commission recommended implementation of the TCMP is a high priority, however, they did not prioritize local actions within the plan.

With the dozens of local actions identified within the TCMP, staff is recommending a more detailed strategy of implementation be developed that will provide more specific information on how each action meets the objectives of the Plan. Staff will draft a framework of action items for the Planning Commission consideration. This will assist City Council in making decisions that can meet Lacey’s overall carbon reduction

strategy goals. Once the Planning Commission recommends a strategy document, the City Council will review and consider for final adoption at a future meeting.

Council directed staff to also include data on cost and return of investments.

Urban Forest Management Plan

At the Planning Commission's June 15th meeting the Commission made the following unanimous recommendations for Council consideration:

- Urban Forest Management Plan Recommended Amendments:
 - Introductory information about this update.
 - Added language about the importance of enforcement of regulations.
 - Set a tree canopy goal of maintaining the existing 28% coverage identified in the tree canopy analysis; evaluate the canopy analysis on a regular basis; and reevaluate the Plan and regulations if canopy coverage drops below 28%.
 - Appendix 4 – planting details to match Development Guidelines and Public Works Standards, with the exception of tree grates.
 - Updated tree list as provided by the City's contract foresters.
- LMC 14.32 Recommended Amendments:
 - Housekeeping items in definitions.
 - Exemptions (14.32.050)
 - o Maintain tree density minimums using the tree density minimum table and remove language in exemptions on individual lots regarding "5 trees in 36 months" to address equity issues on larger lots, provided that removal of five trees requires tree protection professional review.
 - o City owned property.
 - Remove a substantial portion of the "Revegetation Options" section. City tree protection professionals determined it is no longer necessary to include the entirety of this language in the regulations (14.32.069).

At the June 1st Planning Commission worksession, the Commission provided direction to staff to incorporate a no net loss tree canopy goal, more staffing resources, and establishment of a tree board. A previously proposed amendment was not supported by the Planning Commission that would have allowed HOA's an exemption to remove healthy trees in open spaces (LMC 14.32.050)

Council expressed a need for a modified version of the UFMP to better address the concerns brought up by the HOA's. Staff recommended having it go before the Tree Board to find reasonable solutions before presenting back to Council.

SEPTIC TO SEWER OVERALL STRATEGY

STAFF: SCOTT EGGER, PUBLIC WORKS DIRECTOR

ACTION: INFORMATION ONLY

Scott Egger, Public Works Director, presented the overall septic to sewer strategy and highlighted septic conversion history, and provided priority considerations.

Taking a look at 2030 and beyond, the following was identified and reviewed:

- Septic conversions in Basin-1, LOTT Martin Way Reclaimed Water Plant Basin.
- Septic conversions in Basin-2, LOTT Downtown Olympia Plant.
- Septic neighborhoods inside the City limits before outside the City limits.
- Septic neighborhoods or community systems that negatively impact drinking water wells.
- Septic neighborhoods or community systems that negatively impact surface water quality.
- Failing community septic systems.
- Neighborhood with the oldest and largest number of failing septic systems.
- Septic neighborhoods or community systems that negatively impact groundwater outside of the influence of drinking water wells.
- Covert gravity sewer basins before step sewer basins.
- Coordinate with other infrastructure projects (i.e. waterline replacement projects and road projects).
- Consider lot size/neighborhood density, soil type, etc.

Project priorities are evaluated case by case, with multiple factors that are to be considered.

All septic parcels in UGA

- Inside City limits: 1,981
- Outside City limits: 7,852
- Basin 1 – Olympia: 417
- Basic 2 – Martin Way: 9,416

Septic Parcels Fronting Sewer

- Inside City limits: 493
- Outside City limits: 574
- Basin 1 – Olympia: 64
- Basin 2 – Martin Way: 1,003

Currently the approach to projects for 2030-2038 is that the City pays full cost to connect parcels that are fronting sewer. This will take advantage of the existing infrastructure. The cost per parcel, including connection fees, will be approximately \$20,000 per parcel.

Regarding the approach to projects beyond 2038, staff advised it would be beneficial to receive guidance on the preferred financing model for the future.

Staff presented the following two financial models:

- City pays all costs (Capital City Model)
- City pays for infrastructure in the Right of Way (ROW)

The cost of paying for infrastructure in the ROW is approximately 2/3 of all project costs.

Council expressed support for the City paying all costs, but highlighted concern that this model may move projects along too slowly. Council supports staff researching all applicable grants to offset City costs.

Staff also presented the following information on the Tolmie Park Estates HOA:

- Tolmie is an unplanned project
- The community septic system is failing
- The system negatively impacts surface water
- The system is located at the headwaters of Eagle Creek, which feeds directly into Woodland Creek and Puget Sound
- The engineer for the system doesn't believe that it will last another 2-years.
- ULID is the best tool for financing
- ULID requires approval from the parcel owners

Staff asked for Council direction on the following project participation:

- Option A: ULID with no outside funding
- Option B: ULID with Lacey paying for cost of work in ROW
- Option C: ULID with Lacey paying all costs, Capital City Model

Regarding Tolmie Park Estates HOA, Council supports a modified option of the ULID, with the City paying \$2M towards the conversion. Council noted that Tolmie Park Estates should have priority in 2030 for the City to pay off the remaining balance. This approach puts an estimated \$100-\$110 a month cost to homeowners.

COMMUNITY DEVELOPMENT BLOCK GRANT UPDATE

STAFF: SHANNON KELLEY-FONG, ASSISTANT CITY MANAGER

ACTION: INFORMATION ONLY

Shannon Kelley-Fong, Assistant City Manager, presented an update on the Community Development Block Grant (CDBG).

Thurston County has proposed to renew the Thurston County Urban CDBG program for years 2022-2024.

The City received correspondence from Thurston County asking the City to confirm our continued participation in the Thurston County Urban County CDBG program for an additional three-year period (2022-2024). The County also provided an updated MOU with no change to the allocation method of past agreements.

The following three options were previously considered by Council:

1. No change - Continue as a member in the Thurston County CDBG Urban County Program
2. Become an Entitlement Community - Leave the Thurston County CDBG Urban County Program
3. Renegotiate the terms of the Thurston County Urban County CDBG Program MOU for 2022-2024

Council supported waiting until HUD provides the City more details on the City's entitlement status and potential annual CDBG allocation, as well as the impact on the Thurston County Urban Community Program prior to determine the City's participation in any CDBG program.

Staff confirmed the City received a response from HUD confirming the City's standalone entitlement status, but did not receive comprehensive information on how the City's annual estimate would be calculated, or if Thurston County UGA members would remain eligible as a CDBG Urban Program.

The City has followed up with HUD seeking the additional information. Staff recommends continuing to explore urban county agreement options in the meantime.

An update will be provided to Council at a future meeting, once the additional information is received.

MINUTES OF A REGULAR MEETING OF THE
LACEY CITY COUNCIL HELD THURSDAY,
JULY 15, 2021, REMOTE ATTENDANCE

CALL TO ORDER:

Mayor Ryder called the meeting to order at
4:00 p.m.

PLEDGE OF ALLEGIANCE:

Mayor Ryder led the Pledge of Allegiance.

COUNCIL PRESENT:

A. Ryder, C. Pratt, C. Cox, L. Greenstein, E. Kunkel,
M. Miller, M. Steadman

STAFF PRESENT:

S. Spence, R. Almada, J. Burbidge, S. Egger, M. Hardie,
S. Kelley-Fong, D. Schneider, R. Walk, T. Woo,
P. Edmonds

APPROVAL OF AGENDA
AND CONSENT AGENDA:

Consent Agenda Items:

- A. Council Worksession minutes of June 24, 2021.
- B. Council meeting minutes of July 1, 2021
- C. A motion to approve payment of claims, wages
and transfers for June 23, 2021, through July 7,
2021.

COUNCILMEMBER GREENSTEIN MOVED TO
APPROVE THE AGENDA AND CONSENT AGENDA.
DEPUTY MAYOR PRATT SECONDED. MOTION
CARRIED.

PUBLIC RECOGNITIONS
AND PRESENTATIONS:

Mayor Ryder presented Phil Aasen with a
Certificate of Appreciation. Mr. Aasen, a truck
driver for Harbor Wholesale, has logged over
800,000 miles of safe and essential transportation
in the last 28 years to deliver food service supplies
to Thurston County communities.

PUBLIC COMMENT:

Persons wishing to provide public comment on items not on the agenda must pre-register to speak. Registration closed at 3:00 p.m. today.

The following people spoke in favor of Thurston Climate Mitigation Plan:

Melinda Hughes
Wayne Olsen
Carolyn Treadway
Marianne Tompkins
Sue Medeiros
Barak Gale
Tish Levee

Ashley Stolhand spoke against development of parks in the Woodland Creek/Covington Court neighborhoods.

Public comments may also be submitted by email by 12:00 p.m. today. Comments will be provided to the City Council electronically prior to the meeting. Comments will not be addressed during the meeting; however, comments received will be added to the official record.

Twelve written public comments were received and will be made part of the official record.

REFERRAL FROM PLANNING COMMISSION:

Martin Hoppe, Transportation Manager, presented Resolution 1106 to approve the Six-Year Transportation Improvement Plan (TIP).

The primary purpose of the TIP is to track Federal Transportation and State Transportation Improvement Board funds. All projects on the TIP are consistent with the Transportation Comprehensive Plan. Two projects are recommended to be removed and one project will be combined into a single project. Also, several projects are moved to the next phase or have cost modifications.

The Transportation Mitigation List is also updated with the TIP. The Sleater-Kinney and 14th Ave project is recommended to be removed. The yearly inflation rate

will increase based on the July 1st publication of Engineering News.

COUNCILMEMBER STEADMAN MOVED TO APPROVE RESOLUTION 1106 TO ADOPT THE SIX-YEAR TRANSPORTATION IMPROVEMENT PLAN. DEPUTY MAYOR PRATT SECONDED. MOTION CARRIED.

ORDINANCES:

Matt Sharp, Assistant City Attorney, presented Ordinance 1597 relating to the possession of controlled substances.

In 2012 the State Legislature took its first step in decriminalizing possession of marijuana less than 40 grams (POM<40) by allowing possession of under 40 grams or less if you were 21 or over. The number of Thurston Court District Court filings for POM<40 has dropped to a handful per year.

On February 25, 2021, in State v. Blake, the Washington Supreme Court held that RCW 69.50.4013(1) was unconstitutional because it violated the due process clauses of both the United States Constitution and the Washington State Constitution. The Court reasoned that the due process clause was violated because the statute created a crime of possession without requiring the State to prove any particular mental element, like intent or knowledge.

This ruling, by extension, potentially affects the validity of sections of the Lacey Municipal Code that criminalize possession of marijuana, alcohol, and legend drugs (prescription drugs), without requiring the prosecution to prove a mental element.

In the 2021 Legislative Session, ESB 5476 passed which addressed the Blake issue by adding the “knowledge” element to possession of a controlled substance crimes, as well as making other substantial changes to the statute. ESB 5476 allows personal amounts of controlled substances and lowers the classification of possession crimes from a felony to a misdemeanor. In addition, the Legislature encourages

the prosecutor to divert for treatment. Additional changes to the statute are expected in future legislative sessions.

COUNCILMEMBER STEADMAN MOVED TO ADOPT ORDINANCE 1597 AMENDING SECTIONS OF THE LACEY MUNICIPAL CODE RELATED TO CRIMES OF POSSESSION OF A CONTROLLED SUBSTANCE A MISDEMEANOR CRIME. DEPUTY MAYOR PRATT SECONDED. MOTION CARRIED.

MAYOR'S REPORT:

Mayor Ryder noted he attended the JBLM change of command ceremony.

CITY MANAGER'S REPORT:

Robert Almada, Lacey Police Chief, presented the Mobile Outreach Team and request to fund the new program.

The Lacey Police Department will partner with Olympic Health and Recovery Services to establish a pilot program which allows the City and police officers rapid access to a Mobile Outreach Team. The Team and the Lacey policy will utilize a creative and collaborative approach to improve the quality of life for the client and community.

COUNCILMEMBER GREENSTEIN MOVED TO APPROVE THE PARTNERSHIP WITH OLYMPIC HEALTH AND RECOVERY SERVICES TO ESTABLISH A SEVEN DAY PER WEEK CITY-WIDE MOBILE OUTREACH TEAM THAT CONSISTS OF 4 FTE CONTRACT POSITIONS. COUNCILMEMBER COX SECONDED. MOTION CARRIED.

Shannon Kelley-Fong, Assistant City Manager, provided an update on Community Development Block Grant (CDBG).

The City received a letter from HUD on July 8, 2021, indicating it met the criteria of being an entitlement city (population over 50,000). HUD also confirmed that Thurston County entities would continue to qualify as an

Urban County without Lacey as they met the aggregate preponderance of persons of low and moderate income who reside in the County.

Staff recommends the City continue with the Thurston County Urban CDBG program for fiscal years 2022-2024, and pursue a dedicated set-a-side for permanent supportive housing related projects and programs (20%) to be used across the County. The Council could adopt an Urban County CDBG Entitlement Program Interlocal Cooperation Agreement between the City and Thurston County at the July 22, 2021, Worksession. At a later date, the City could renew the existing MOU between the cities of Lacey and Tumwater, and Thurston County (including south county communities) for distribution of CDBG funding.

There was Council consensus with staff's recommendation.

STANDING COMMITTEES:

General Government & Public Safety Committee

Deputy Mayor Pratt reported the Committee met on June 22, 2021, to discuss the Mobile Outreach Team, new law enforcement legislation, and the Blake decision relating to possession of controlled substance.

BOARDS, COMMISSIONS

AND COMMITTEE REPORTS:

Transportation Policy Board

Mayor Ryder reported on several items:

- Update on call for projects background
- Upcoming 2022 legislative session
- Wrap-up of regional housing plan

Olympic Region Clean Air Agency

Deputy Mayor Pratt reported on several items:

- Air quality
- Recent heat dome
- Burning permits
- Woodstove swap-out program
- New Personnel Committee formed

TCOMM911

Councilmember Greenstein reported on recent communications issues with the new phone system.

Solid Waste Advisory Committee

Councilmember Kunkel reported on the new software upgrade.

Thurston Regional Planning Council

Councilmember Miller reported on the annual 2-day retreat where they will redefine the mission and goals of the council.

Lacey South Sound Chamber

Councilmember Kunkel reported Chief Almada provided a presentation on the new law enforcement legislation.

Lodging Tax Advisory Committee

Councilmember Miller reported the 2022 application process will open next month.

Mayor Ryder adjourned the meeting at 5:43 p.m.

MAYOR: _____

ATTESTED BY CITY CLERK: _____

DATE APPROVED: _____



LACEY CITY COUNCIL MEETING

August 5, 2021

SUBJECT: Disbursement Approval

RECOMMENDATION: By motion, approve payment of claims, wages, and transfers.

STAFF CONTACT: Troy Woo, Finance Director 

ORIGINATED BY: Troy Woo, Finance Department

BACKGROUND:

The action requested of the City Council is by motion to approve payment of claims, wages and transfers for 7/8/2021 through 7/29/2021. The disbursements consist of the following:

Checks:	<u>Week of</u>	<u>Beg. Check No.</u>	<u>End. Check No.</u>	<u>Amount</u>
	7/9/2021	257325	257462	1,365,271.57
	7/16/2021	257463	257541	669,119.45
	7/23/2021	257542	257606	206,324.90

Electronic Transfers:	<u>Week of</u>	<u>Amount</u>
	7/1/2021	375.00
	7/7/2021	0.48
	7/8/2021	17,054.85
	7/9/2021	841,144.06
	7/12/2021	561.00
	7/13/2021	12,401.05
	7/16/2021	501,907.06
	7/16/2021	447.38
	7/16/2021	3,140.92
	7/17/2021	124.80
	7/19/2021	1.20
	7/19/2021	27.45
	7/20/2021	5.15
	7/23/2021	158,572.29
	7/26/2021	93,834.98
	7/29/2021	1,217.83

Significant Disbursements:

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>
LOTT Wastewater Alliance	\$ 950,183.46	ERU's
North Thurston Pub. Sch.	\$ 92,446.68	School Impact Fees
T Bailey, Inc.	\$ 618,119.79	Hawks Prairie Sister Standpipe
Thurston Co. Pub. Works	\$ 55,882.40	Mitigation Fees
DK Boos Glass, Inc.	\$ 103,546.50	Safety Glass
LOTT Wastewater Alliance	\$ 309,198.08	LOTT Reserve Cap Fees
Murraysmith Inc.	\$ 122,694.97	Water Sys Plan/Water Project Design
Sunset Air, Inc.	\$ 224,266.64	Veterans Services Hub
Dept. of Enterprise Services	\$ 64,463.24	ESCO Project Management
Thurston Co. District Court	\$ 50,661.00	Violations



LACEY CITY COUNCIL MEETING

August 5, 2021

SUBJECT: Temporary Procedures in Response to the COVID-19 emergency

RECOMMENDATION: Adopt Resolution No. 1107 amending Resolution No. 1087 related to Temporary Procedures in Response to the COVID-19 emergency.

STAFF CONTACT: Scott Spence, City Manager
Shannon Kelley-Fong, Assistant City Manager – Acting CM *SKF*
Dave Schneider, City Attorney *DS*

ORIGINATED BY: City Attorney's Office

ATTACHMENTS: [Proposed Resolution No. 1107](#)

FISCAL NOTE: None

PRIOR REVIEW: March 26, 2020 City Council Meeting
June 25, 2020 City Council Meeting
June 26, 2021 City Council Worksession
July 22, 2021 City Council Worksession

BACKGROUND: On March 26, 2020, the City Council adopted Resolution No. 1087 providing for temporary procedures in response to the COVID-19 emergency. On June 25, 2020, recognizing that certain provisions were no longer necessary, the Council adopted Resolution No. 1093 which amended Resolution No. 1087 by removing some of the temporary procedures.

Staff now recommends three further amendments:

1. Resolution No. 1087 provides that all City Councilmembers are encouraged to attend all meetings via telephone. Council discussed this matter and expressed interest that Council Meeting attendance be permitted in-person and via telephone. Notably, this recommendation would still temporarily suspend any rule or procedure adopted by

City Council that would prevent or prohibit all City Councilmembers from attending City Council meetings telephonically.

2. Resolution No. 1087 provides for Council Meetings to commence at 4:00pm. Council has discussed this matter and determined that Council Meetings should revert to their regularly scheduled time per Lacey Municipal Code Section 2.04.010.
3. Resolution No. 1087 also contains a provision that allowed businesses to defer payment of first quarter Business and Occupation (B&O) taxes for 2020 until July 31st 2020. This provision is no longer effective and should be removed.

ADVANTAGES:

1. Provides clarity to current Council Meeting Times and procedures.

DISADVANTAGES:

1. None.

RESOLUTION NO. 1107

CITY OF LACEY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LACEY AMENDING RESOLUTION 1087 RELATED TO TEMPORARY PROCEDURES IN RESPONSE TO THE NOVEL CORONAVIRUS (COVID-19).

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public emergency for the novel coronavirus (COVID-19) beginning on January 27, 2020; and

WHEREAS, on February 29, 2020, Governor Jay Inslee signed a Proclamation declaring a State of Emergency exists in all counties in the State of Washington due to the number of confirmed cases of COVID-19 in the state; and

WHEREAS, on March 19, 2020 the Lacey City Council passed Resolution No. 1085 finding the COVID-19 outbreak to constitute an emergency; and

WHEREAS, on March 23, 2020, Governor Jay Inslee imposed a “Stay Home, Stay Healthy” order requiring every Washingtonian to stay home unless they are engaged in an essential activity and banning all gatherings for social, spiritual and recreational purposes and ordering all businesses to close unless they are designated as an essential business; and

WHEREAS, on March 26, 2020 recognizing the health, safety and welfare of City residents, businesses, visitors and staff was of utmost importance to the City and that additional measures were needed to protect and assist the community, the Lacey City Council adopted Resolution 1087 providing for temporary procedures in response to COVID-19; and

WHEREAS, on June 25, 2020, the City Council adopted Resolution 1093 which amended Resolution 1087 by removing some of the temporary procedures; and

WHEREAS, while the emergency related to COVID-19 continues to exist, the Lacey City Council recognizes that further amendment of Resolution 1087 is required.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, that Resolution 1087 of the City of Lacey be further amended to read as follows:

Section 1. Council Procedures. During the term of this Resolution, the following amendments to City Council procedures are hereby adopted:

A. Any rule or procedure adopted by City Council that would prevent or prohibit all City Councilmembers from attending City Council meetings telephonically are temporarily suspended and all City Councilmembers are encouraged to attend all meetings via telephone.

~~B. The requirements of Lacey Municipal Code Section 2.04.010 are amended as follows:~~

~~a. All regular meetings of the city council shall commence at 4:00pm.~~

C.B. Any Council rules that are inconsistent with this Resolution are hereby waived and suspended during the term of this Resolution.

Section 2. Utility Billing. To assist distressed citizens during this emergency:

A. Any section of Title 13 of the Lacey Municipal Code which requires or allows the charging of interest and/or a late fee to delinquent bill balances is hereby suspended. No new interest charges or late fees shall be added to utility bills issued during the effective date of this Resolution.

B. Any section of the Lacey Municipal Code which requires or allows enforcement action to be taken against delinquent accounts is hereby suspended during the effective date of this Resolution.

~~Section 3. Business and Occupation Taxes. To help distressed businesses manage the use of scarce cash resources, the Finance Department is directed and ordered to take administrative action to allow businesses to defer first quarter Business and Occupation (B&O) tax payments until July 31st.~~

Section 34. Carryout Bags. In recognition that retail establishments are disallowing the use of personal reusable bags, the requirements of Chapter 8.06 of the Lacey Municipal Code are hereby suspended.

Section 45. Sign Regulations. To help business owners inform the public via signage of shifts in business operations, the following regulations are temporarily adopted:

A. Professionally made banners and posters may be located flush mounted on the exterior building of a business;

B. One sandwich board ("A" board) type sign or feather type sign shall be allowed along the business property frontage or upon the business property exceeding the maximum 12 foot distance from the entrance of the business;

a. sandwich board sign shall be limited in size to a maximum of 9 sq. ft. per side and a maximum of 3' wide;

- b. signs shall be placed so as not to impede pedestrian movement or cause a vision hazard to vehicles;
 - c. such signs shall be in place only during open business hours.
- C. The Community & Economic Development Director is authorized to take any administrative action the Director finds necessary, in the Director's sole discretion, to allow businesses additional flexibility in the application of temporary signage
- D. Any Council rules or provisions of the Lacey Municipal Code that are inconsistent with this Resolution are hereby waived and suspended during the term of this Resolution.

| Section 56. The provisions of this Resolution shall become effective upon adoption and shall continue until termination of the emergency declared by the City Council on March 19, 2020.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this ____ day
of August, 2021.

LACEY CITY COUNCIL

By _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



LACEY CITY COUNCIL MEETING

August 5, 2021

SUBJECT: Council Meeting Times

RECOMMENDATION: Adopt Ordinance No. 1598 related to Council Meeting Times

STAFF CONTACT: Scott Spence, City Manager
Shannon Kelley-Fong, Assistant City Manager – Acting CM *SKF*
Dave Schneider, City Attorney *DS*

ORIGINATED BY: City Attorney's Office

ATTACHMENTS: [Proposed Ordinance No. 1598](#)

FISCAL NOTE: None

PRIOR REVIEW: June 26, 2021 City Council Worksession
July 22, 2021 City Council Worksession

BACKGROUND: On March 26, 2020, the City Council adopted Resolution 1087 providing for temporary procedures in response to the COVID-19 emergency. One such temporary procedure was to change the commencement time of Council Meetings from 7:00pm to 4:00pm. Council has discussed this matter and determined that the earlier meeting time is no longer necessary. However, Council also noted its preference to meet earlier than the 7:00pm time as codified in Lacey Municipal Code Section 2.04.010.

The proposed ordinance would amend LMC 2.04.010 and establish a meeting time of 6:00pm for both council meetings and worksessions.

ADVANTAGES:

1. Provides clarity to current Council Meeting Times and procedures.
2. Provides greater opportunity for public participation.

DISADVANTAGES:

1. None.

ORDINANCE NO. 1598

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON RELATED TO THE TIME AND PLACE OF CITY COUNCIL MEETINGS, AMENDING SECTION 2.04.010 OF THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON as follows:

Section 1. Section 2.04.010 of the Lacey Municipal Code is hereby amended to read as follows:

The city council shall hold its regular meetings on the first and third Thursdays of each calendar month. All regular meetings of the city council shall commence at ~~6~~7:00 p.m. on such days and shall be held at Lacey City Hall at 420 College Street SE, in the city council chambers at such address, or at such other place as may be determined by the city council in accordance with the requirements of the State Open Meetings Act. Work sessions of the city council which shall be considered regular meetings for purposes of the State Open Meetings Act shall be held at the same time and same place on the second and fourth Thursdays of each month.

Section 2. This Ordinance shall take effect five (5) days after its passage and publication as provided by law.

Section 3. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

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

Section 5. The Summary Attached is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this _____, 2021.

CITY COUNCIL

BY: _____

Mayor

Attest:

Approved as to form:

City Clerk

City Attorney

Published: _____

SUMMARY FOR PUBLIC ATION

ORDINANCE NO _____

CITY OF LACEY

The City Council of Lacey, Washington passed on _____, 2021, Ordinance No. _____, entitled "AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON RELATED TO THE TME AND PLACE OF CITY COUNCIL MEETINGS, AMENDING SECTION 2.04.010 OF THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION."

The main points of the Ordinance are described as follows:

1. The Ordinance amends section 2.04.010 of the Lacey Municipal Code related to the time and place of Council Meetings.
2. The Ordinance approves this summary for Publication.

A copy of the full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: _____, 2021.

Lacey Youth Council 2021-22 Appointees

Laila Markland	River Ridge High School	Senior
Alejandra Linares	North Thurston High School	Senior
Declan Line	Timberline High School	Senior
Justin Begley	Timberline High School	Junior
Alanis Blackburn	River Ridge High School	Junior
Kaydence Husband	River Ridge High School	Junior
Rianna Joseph	River Ridge High School	Junior
Hunter McKay	North Thurston High School	Junior
Nathan Miller	Pope John Paul II High School	Junior
Abigail Asare	North Thurston High School	Sophomore
Romeo Brown	Timberline High School	Sophomore
Ryen Hill	North Thurston High School	Sophomore
Sarah Amanda Towne	North Thurston High School	Sophomore

COMMUNITY RELATIONS & PUBLIC AFFAIRS COMMITTEE MINUTES

JULY 6, 2021

11:00 A.M. – 11:28 A.M.

REMOTE ONLY

COUNCIL PRESENT: COUNCILMEMBERS STEADMAN (CHAIR), COX, AND KUNKEL

STAFF PRESENT: SCOTT SPENCE, SHANNON KELLEY-FONG, BRANDON CARTER,
PERI EDMONDS

ACTION: APPROVE COMMUNITY RELATIONS & PUBLIC AFFAIRS COMMITTEE
AGENDA

MOTION: MOTION MADE, SECONDED AND CARRIED BY COUNCILMEMBERS COX
AND KUNKEL

GOLD STAR MEMORIAL PROPOSAL

PRESENTER: JERRY WILKINS, GOLD STAR MEMORIAL PROJECT

ACTION: FORWARD TO COUNCIL WORKSESSION FOR DISCUSSION

Jerry Wilkins, Board Member of the Lacey Gold Star Memorial Foundation, briefed the Committee on the Gold Star Memorial.

The memorials are reflective of the community's Gold Star Families, families who's loved ones have made a great sacrifice for our country. The memorial would be located at the Lacey Civic Plaza and cost an estimated \$100,000 to complete. The Gold Star Memorial Foundation of Lacey was founded in 2019. They have raised over \$31,000 for the completion of the Lacey monument. Fundraising efforts continue, including the sale of memorial bricks to be placed at the base of the monument.

The Committee agreed to forward to a Worksession for Council discussion.