

**CITY COUNCIL**

ANDY RYDER

Mayor

MALCOLM MILLER

Deputy Mayor

LENNY GREENSTEIN

MICHAEL STEADMAN

CAROLYN COX

ED KUNKEL

ROBIN VAZQUEZ

CITY MANAGER

SCOTT SPENCE

LACEY CITY COUNCIL AGENDA**JULY 7, 2022****6:00 P.M.****REMOTE AND IN-PERSON ATTENDANCE**

The Lacey City Council meeting will be conducted both remote and in person.

The public may attend the meeting in person in the Council Chambers at Lacey City Hall, 420 College Street SE, Lacey, Washington, or you may view or listen to the meeting by using one of the 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_6db9GSYGQta94p4tY5-eqQ

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 **870 5478 8361**

CALL TO ORDER:**1. PLEDGE OF ALLEGIANCE****2. APPROVAL OF AGENDA & CONSENT AGENDA ITEMS***

- A. [Council Meeting minutes of June 2, 2022](#)
- B. [Council Worksession minutes of June 9, 2022](#)
- C. [Council Meeting minutes of June 16, 2022](#)
- D. [A motion to approve payment of claims, wages, and transfers for June 10, through June 29, 2022.](#)

**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:

- A. Recap of 2020-2021 Police Department Awards (Chief Robert Almada)

4. PUBLIC COMMENT:**VERBAL PUBLIC COMMENT**

Those wishing to provide verbal public comment may do so in-person or by Zoom:

In-Person: Use the sign-up sheet located in the Council Chambers.

By Zoom: Preregister using the following Zoom link no later than **4:00 p.m. on July 7, 2022:**

https://us02web.zoom.us/webinar/register/WN_6db9GSYGQta94p4tY5-eqQ. Instructions and access details will be provided once registration is complete.

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 **4:00 p.m. on July 7, 2022.**

5. PUBLIC HEARING:
6. PROCLAMATIONS:
 - A. [Parks & Recreation Month Proclamation \(Jen Burbidge, Parks, Culture & Recreation Director\)](#)
7. REFERRAL FROM PLANNING COMMISSION:
8. REFERRAL FROM HEARINGS EXAMINER:
9. RESOLUTIONS:
10. ORDINANCES:
11. MAYOR'S REPORT:
12. CITY MANAGER'S REPORT:
 - A. [2022 Sidewalk Repair Bid Award \(Ashley Smith, Capital Projects Engineer\)](#)
 - B. [2022 Overlay Bid Award \(Scott Egger, Public Works Director\)](#)
 - C. [Electric Vehicle Bid Award \(Martin Hoppe, Transportation Manager\)](#)
 - D. [Memorandum of Understanding- Rights of Way Initiative \(Scott Spence, City Manager\)](#)
13. STANDING GENERAL COMMITTEE:
 - A. [Finance & Economic Development Committee \(05.24.2022\)](#)
 - B. [Community Relations & Public Affairs Committee \(06.06.2022\)](#)
 - C. [Utilities Committee \(06.06.2022\)](#)
 - D. [Transportation Committee \(06.07.2022\)](#)
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 Malcolm Miller:
 1. Economic Development Council (CDC)
 2. Lodging Tax Advisory Committee (LTAC)
 3. Thurston County Coalition Against Trafficking (TCCAT)
 4. Thurston Thrives
 - C. Councilmember Carolyn Cox:
 1. Climate Action Steering Committee
 2. LOTT Clean Water Alliance
 3. Regional Housing Council
 - D. Councilmember Lenny Greenstein:
 1. Emergency Medical Services (EMS)
 2. TCOMM911

F. Councilmember Ed Kunkel:

1. Joint Animal Services Commission (JASCOM)
2. Lacey South Sound Chamber
3. Olympia-Lacey-Tumwater Visitor & Convention Bureau (VCB)
4. Solid Waste Advisory Committee (SWAC)

G. Councilmember Robin Vazquez:

1. Intercity Transit Authority
2. Olympic Region Clean Air Agency (ORCAA)
3. Thurston Regional Planning Council (TRPC)

16. ADJOURN



MINUTES OF A REGULAR MEETING OF THE LACEY CITY COUNCIL THURSDAY, JUNE 2, 2022, REMOTE AND IN PERSON

To hear Council's full discussion of a specific topic, or the complete meeting, watch the video-stream available on YouTube – <https://youtu.be/DCKAwfWhpUM>

CALL TO ORDER

Deputy Mayor Miller called the meeting to order at 6:00 p.m.

1. PLEDGE OF ALLEGIANCE

Deputy Mayor Miller led the Pledge of Allegiance.

Council Present:

Deputy Mayor Malcolm Miller
Councilmember Carolyn Cox
Councilmember Lenny Greenstein
Councilmember Michael Steadman (*remote*)
Councilmember Ed Kunkel
Councilmember Robin Vazquez

Council Excused

Mayor Ryder

Staff Present:

Scott Spence, City Manager
Shannon Kelley-Fong, Assistant City Manager
Robert Almada, Chief of Police
Scott Egger, Public Works Director
Dave Schneider, City Attorney
Rick Walk, Community & Economic Development Director
Troy Woo, Finance Director
Kelly Adams, Special Projects Administrator
Grant Beck, Planning & Community Development Manager
Sarah Schelling, Senior Planner
Samra Seymour, Senior Planner
Peri Edmonds, City Clerk

2. APPROVAL OF AGENDA AND CONSENT AGENDA

Consent Agenda Items:

- A. Council Meeting minutes of May 5, 2022.
- B. Council Worksession minutes of May 12, 2022.
- C. A motion to approve payment of claims, wages and transfers for May 11, 2022, through May 27, 2022.

COUNCILMEMBER GREENSTEIN MOVED TO APPROVE THE AGENDA AND CONSENT AGENDA. COUNCILMEMBER KUNKEL SECONDED. MOTION CARRIED.

3. PUBLIC RECOGNITIONS AND PRESENTATIONS

- A. **Lacey Youth Council Recognition:** Kelly Adams, Special Projects Administrator, recognized the Lacey Youth Council for their participation in the 2021-2022 school year.

4. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Public Comments:

Virtual - The deadline to pre-register to speak remotely was 4:00 p.m. the day of the meeting. No virtual public comments were provided.

In Person – Two members of the public signed up to speak at the meeting.

Jeff Browning, Lacey resident. The City Council did not take their public comment since it related to a quasi-judicial matter (Agenda Item 8.B)

Leslie Gessler, Lacey resident, expressed concern with the increase in crime and the unhoused in the City.

Written Public Comments - The deadline to submit written public comments was 4:00 p.m. the day of the meeting. Written comments are not addressed during the meeting; however, they are added to the official record. No written public comments were received.

5. PUBLIC HEARING

6. PROCLAMATIONS

- A. **Ride Transit Month.** Deputy Mayor Miller and Council proclaimed the month of June 2022 as Ride Transit Month. Ann Freeman-Manzanares, Executive Director with Intercity Transit, accepted the proclamation.

7. REFERRAL FROM PLANNING COMMISSION

8. REFERRAL FROM HEARINGS EXAMINER

- A. **MultiCare Conditional Use Permit Project #21-306:** Sarah Schelling, Senior Planner, presented the MultiCare Conditional Use Permit pertaining to Project #21-306.

Dave Schneider, City Attorney, provided procedural information on the quasi-judicial matters before Council (Agenda Items 8.A. and 8.B).

City Attorney Schneider asked each Councilmember the following three questions. See **Table 1** for Council's response to each question.

1. Do you have any personal interests that would be affected by making a decision on the requested conditional use permit before Council now?
2. Have you had any ex parte communication concerning the requested use with either proponents or opponents while this matter was before Council?
3. Is there any reason why you cannot consider the requested application in a fair and impartial manner?

Table 1

COUNCIL	QUESTION 1	QUESTION 2	QUESTION 3
VAZQUEZ	No	No	No
KUNKEL	No	No	No
COX	No	Yes. As a Councilmember and speaking to various groups the question has come up, but has refrained from commenting on it and explaining the Council's role in the quasi-judicial process.	No
GREENSTEIN	No	Yes. As the EMS Board Chair, the topic came up for conversation and recused himself from the conversation and refrained from being involved in the conversation or the vote.	No
MILLER	No	No	No
STEADMAN	He has a concern that he serves as the alternate on the EMS Board, but also heavily involved in Thurston County emergency management and attended retreats, but have not discussed this in any fashion that he is aware of or can remember.	No	No

City Attorney Schneider asked if there was anyone in the public who wished to raise a challenge with any Councilmember based on the Appearance of Fairness Doctrine. No one from the public responded.

COUNCILMEMBER GREENSTEIN MOVED ACCEPTANCE OF THE FINDINGS ON THE HEARINGS EXAMINER FOR THE MULTICARE OFF-CAMPUS EMERGENCY DEPARTMENT CONDITIONAL USE PERMIT PROJECT NO. #21-306. COUNCILMEMBER KUNKEL SECONDED.

Councilmember Vazquez noted the Conditional Use Permit came in well before the City Council made changes to the regulations relating to electric vehicle charging stations. They are not required to provide that in their development, but recommended it be considered.

COUNCILMEMBER GREENSTEIN MOVED TO AMEND THE MAIN MOTION TO REPLACE “MOVED ACCEPTANCE OF THE FINDINGS ON THE HEARINGS EXAMINER” WITH “MOVED TO APPROVE THE APPLICATION AND ADOPT THE HEARING EXAMINER’S FINDINGS OF FACT AND CONCLUSIONS OF LAW.” DEPUTY MAYOR MILLER SECONDED. MOTION CARRIED TO AMEND THE MAIN MOTION.

COUNCILMEMBER GREENSTEIN MOVED TO APPROVE THE AMENDED MOTION TO APPROVE THE APPLICATION AND ADOPT THE HEARING EXAMINER’S FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR THE MULTICARE OFF-CAMPUS EMERGENCY DEPARTMENT CONDITIONAL USE PERMIT PROJECT #21-306. COUNCILMEMBER KUNKEL SECONDED. AMENDED MOTION CARRIED.

- B. **Meridian Market & Gas Conditional Use Permit Project #20-310:** Dave Schneider, City Attorney, asked if there was any Councilmember who had a conflict with this agenda item.

Councilmember Steadman recused himself due to the Appearance of Fairness Doctrine.

Samra Seymour, Senior Planner, and Dave Schneider, City Attorney, presented the Meridian Market & Gas Conditional Use Permit pertaining to Project #20-310.

City Attorney Schneider asked the following three questions of each Councilmember. See **Table 2** below for Council’s response to each question.

1. Do you have any personal interests that would be affected by making a decision on the requested application?
2. Have you had any ex parte communication, either written or oral, concerning the application requested use with either proponents or opponents while this matter was before Council?
3. Is there any reason why you cannot consider the requested application in a fair and impartial manner?

Table 2

COUNCIL	QUESTION 1	QUESTION 2	QUESTION 3
VAZQUEZ	No	Yes. She received a great deal of email from folks in the community concerned about the conditional use permit application. She said about 97 percent of the email traffic she saw were opposed to the conditional use permit. She did not respond to any of those emails.	No
KUNKEL	No	Yes. He received many emails from local residents and, like Councilmember Vazquez stated, about 97 percent were opposed in to approving this gas station.	No
COX	No	Yes. When she was doing public speaking, she would say she could not comment on this or talk about it. She received the same emails that all Councilmember received, with the vast majority of the dozens of dozens of emails being opposed.	No
GREENSTEIN	No	Yes. Like his fellow Councilmembers, he received a lot of emails; unlike them he has not replied to the vast majority of the emails. If he did, his answer was always the same. It was because this is a quasi-judicial situation and he could not discuss the matter, but thanked them for reaching out to Council.	No
MILLER	No	Yes. He received a lot of emails and also received some handwritten letters, with comments that they were vehemently opposed to this situation.	Yes. He drove out to the site and talked to the people who lived there, viewed the site personally, walked it, went to the park, hung out, and came to a very similar conclusion. He said he thought he would be biased because of the trip he took to the property and the communication he had with the neighbors.

Deputy Mayor Miller recused himself due to the Appearance of Fairness Doctrine.

COUNCILMEMBER COX MOVED TO NOMINATE COUNCILMEMBER GREENSTEIN AS CHAIR FOR THE REMAINDER OF THE HEARING. COUNCILMEMBER KUNKEL SECONDED. MOTION CARRIED.

City Attorney Schneider asked if there was anyone from the public who wished to raise a challenge based on the Appearance of Fairness Doctrine.

Sarah Daniels, 9212 Periwinkle Loop NE, Lacey, Washington: The City Council did not receive their public comments since a challenge was not raised to a Councilmember on the Appearance of Fairness Doctrine.

Ron Hall, 8972 Campus Meadows Loop NE: The City Council did not receive their public comments since a challenge was not raised to a Councilmember on the Appearance of Fairness Doctrine.

Councilmember Greenstein convened the meeting to a 5-minute recess at 7:10 p.m.
Councilmember Greenstein reconvened the meeting at 7:15 p.m.

COUNCILMEMBER KUNKEL MOVED TO APPROVE MERIDIAN MARKET & GAS CONDITIONAL USE PERMIT FOR PROJECT #20-310. COUNCILMEMBER GREENSTEIN SECONDED.

COUNCILMEMBER KUNKEL MOVED TO AMEND THE MAIN MOTION TO STRIKE “MOVED TO APPROVE MERIDIAN MARKET & GAS CONDITIONAL USE PERMIT FOR PROJECT #20-310” AND REPLACE WITH “MOVED TO APPROVE THE APPLICATION AND ADOPT THE HEARINGS EXAMINER’S FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR THE MERIDIAN MARKET & GAS CONDITIONAL USE PERMIT PROJECT #20-310.” COUNCILMEMBER GREENSTEIN SECONDED. MOTION CARRIED TO AMEND THE MAIN MOTION.

COUNCILMEMBER KUNKEL MOVED TO APPROVE THE APPLICATION AND ADOPT THE HEARINGS EXAMINER’S FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR THE MERIDIAN MARKET & GAS CONDITIONAL USE PERMIT PROJECT #20-310. COUNCILMEMBER GREENSTEIN SECONDED. AMENDED MOTION CARRIED.

**FOR: COUNCILMEMBERS GREENSTEIN, KUNKEL, AND VAZQUEZ
AGAINST: COUNCILMEMBER COX
RECUSED: DEPUTY MAYOR MILLER AND COUNCILMEMBER STEADMAN**

Councilmember Greenstein convened to a 2-minute recess at 7:24 p.m.
Deputy Mayor Miller reconvened the Council meeting at 7:26 p.m.

9. RESOLUTIONS

- A. **Resolution No. 1117 – Bond Reimbursement:** Troy Woo, Finance Director, presented Resolution 1117 relating to Bond Reimbursement.

COUNCILMEMBER GREENSTEIN MOVED TO APPROVE RESOLUTION NO. 1117 FOR BOND REIMBURSEMENT. COUNCILMEMBER KUNKEL SECONDED. MOTION CARRIED.

- B. **Resolution No. 1118 – Council Policies Related to Public Comment:** Shannon Kelley-Fong, Assistant City Manager, presented Resolution 1118 relating to Council Policies regarding Public Comments.

COUNCILMEMBER KUNKEL MOVED TO APPROVE RESOLUTION NO. 1118 TO AMEND COUNCIL POLICIES RELATING TO PUBLIC COMMENT. COUNCILMEMBER VAZQUEZ SECONDED. MOTION CARRIED.

10. ORDINANCES

11. MAYOR’S REPORT

12. CITY MANAGER’S REPORT

13. STANDING COMMITTEES

- A. Community Relations & Public Affairs
Councilmember Steadman reported on the May 2, 2022, meeting.
- B. Utilities Committee
Councilmember Kunkel reported on the May 2, 2022, meeting.
- C. Transportation Committee
Deputy Mayor Miller reported on the May 3, 2022, meeting.

14. OTHER BUSINESS

15. BOARDS, COMMISSIONS AND COMMITTEE REPORTS

- A. Mayor Ryder
 - 1. Mayor’s Forum – **No Report**
 - 2. Thurston Chamber Shared Legislative Committee – **No Report**
 - 3. Transportation Policy Board – **No Report**
- B. Deputy Mayor Miller
 - 1. Economic Development Council (EDC) – **Report Made**
 - 2. Lodging Tax Advisory Committee (LTAC) – **No Report**
 - 3. Thurston County Coalition Against Trafficking (TCCAT) – **No Report**
 - 4. Thurston Thrives – **No Report**
- C. Councilmember Cox
 - 1. Climate Mitigation Steering Committee – **Report Made**
 - 2. LOTT Clean Water Alliance – **Report Made**
 - 3. Regional Housing Council – **Report Made**

- D. Councilmember Greenstein
 - 1. Emergency Medical Services (EMS) – **Report Made**
 - 2. LEOFF 1 Disability Board – **No Report**
 - 3. TCOMM911 – **Report Made**
- E. Councilmember Steadman
 - 1. Community Action Council – **No Report**
 - 2. Nisqually River Council – **No Report**
 - 3. Thurston County Law & Justice – **No Report**
- F. Councilmember Kunkel
 - 1. Joint Animal Services Commission (JASCOM) – **Report made**
 - 2. Lacey South Sound Chamber – **No Report**
 - 3. Olympia-Lacey-Tumwater Visitor & Convention Bureau (VCB) – **Report Made**
 - 4. Solid Waste Advisory Committee (SWAC) – **Report Made**
- G. Councilmember Vazquez
 - 1. Intercity Transit – **Report Made**
 - 2. Olympic Region Clean Air Agency – **Report Made**
 - 3. Thurston Regional Planning Council – **No Report Made**

16. ADJOURN

Deputy Mayor Miller adjourned the Council Meeting at 8:07 p.m.

MAYOR: _____

ATTESTED BY CITY CLERK: _____

DATE APPROVED: _____

MINUTES OF THE LACEY CITY COUNCIL WORKSESSION

THURSDAY, JUNE 9, 2022

6:00 P.M. – 7:30 P.M.

REMOTE AND IN-PERSON

To hear the full discussion of a specific topic, or the complete meeting, you may watch the video-stream available on the City of Lacey's YouTube Channel:

<https://www.youtube.com/watch?v=vduDSGaPFc0>

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

COUNCIL EXCUSED: COUNCILMEMBER VAZQUEZ

STAFF PRESENT: S. SPENCE, S. KELLEY-FONG, D. SCHNEIDER, R. WALK, T. WOO,
G. BECK, R. ANDREWS, E. FONTAINE

Mayor Ryder amended the agenda to add the item *Juneteenth Event & Flag*

ACTION: APPROVE AMENDED WORKSESSION AGENDA

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

BOND ISSUANCE

STAFF: TROY WOO, FINANCE DIRECTOR
DAVE TRAGESER, MANAGING DIRECTOR, DA DAVIDSON

ACTION: INFORMATION ONLY

Troy Woo, Finance Director, introduced Dave Trageser, Managing Director with DA Davidson.

The Council received a presentation on bond issuance and types of bonds, as well as an overview of the City's credit rating and bond buyer index history. It was noted that the City of Lacey is the only municipality in Thurston County with a credit rating of AAA.

Staff also reviewed the following future financings and provided a timeline example:

- Tolmie Estates Sewer Utility Local Improvement District (ULID)
- New Lacey Police Station

TRAKiT PERMIT SYSTEM

STAFF: RICK WALK, COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR
GRANT BECK, PLANNING & DEVELOPMENT SERVICES MANAGER
RYAN ANDREWS, PLANNING MANAGER
ACTION: INFORMATION ONLY

Grant Beck, Planning & Development Services Manager, and Ryan Andrews, Planning Manager, presented on the Community & Economic Development Department's new permitting system, TRAKiT.

Staff provided a demonstration, detailing internal reports and the updated internal processes. Staff also outlined the public experience with obtaining permits, scheduling inspections and reviewing current permit status.

LACEY CITY COUNCILMEMBER TO SERVE ON BOARD OF HEALTH

STAFF: SCOTT SPENCE, CITY MANAGER
ACTION: INFORMATION ONLY

During the 2021 Legislative Session, Engrossed Second Substitute House Bill (ESSHB 1152) was approved and signed by the Governor into law amending RCW 70.05. The bill requires the expansion of local Boards of Health by July 2022 within Washington State.

Thurston County is requesting the Lacey City Council to designate a representative to serve first in the rotation on the Board of Health no later than July 15, 2022, in order for the Board to formally affirm the appointment by the end of July 2022.

Councilmember Vazquez submitted a letter to the Mayor and Council expressing interest in serving on the Board as Lacey's representative. Councilmember Steadman expressed interest in serving as an alternate.

A recommendation for the Lacey representative assignment to the Board of Health will come before Council for final decision at the June 16 Council meeting.

JUNETEENTH CELEBRATION AND REQUEST TO DISPLAY JUNETEENTH FLAG

STAFF: SHANNON KELLEY-FONG, ASSISTANT CITY MANAGER
ACTION: APPROVE DISPLAY OF THE JUNETEENTH FLAG ON JUNE 18-19
MOTION: MADE, SECONDED AND CARRIED BY COUNCILMEMBERS GREENSTEIN
AND KUNKEL

Shannon Kelley-Fong, Assistant City Manager, presented on the upcoming Juneteenth Celebration Event and Juneteenth History.

The Commission on Equity received a community request regarding a Juneteenth Celebration, and identified a collaboration opportunity with the Fred U. Harris Lodge, who hosts an existing event for the past 40 years. The event is presented by the Fred U. Harris Lodge with partnerships with the cities of Lacey and Tumwater.

The 2022 Juneteenth Celebration is currently scheduled for Saturday, June 18 from 12:00 p.m. – 4:00 p.m. at the Regional Athletic Center (RAC).

The Commission on Equity made a recommendation to Council to display the Juneteenth Flag at the RAC and/or City Hall on June 18-19, as well as pursue future incorporation within the Flag Policy (Section 5.12 - City Council Policy and Procedures Manual). Council approved flags currently include the Sister City Flag and Pride Flag.

Council expressed support for the Commission on Equity to review the Flag Policy in order to make additional recommendations. Mayor Ryder asked that the Commission look into incorporating the Nisqually Tribe Flag into the policy as well.



MINUTES OF A REGULAR MEETING OF THE LACEY CITY COUNCIL THURSDAY, JUNE 16, 2022, REMOTE AND IN PERSON

To hear Council's full discussion of a specific topic, or the complete meeting, watch the video-stream available on YouTube – <https://youtu.be/i1waiHzlCng>

CALL TO ORDER

Mayor Ryder called the meeting to order at 6:00 p.m.

1. PLEDGE OF ALLEGIANCE

Mayor Ryder led the Pledge of Allegiance.

Council Present:

Mayor Ryder
Deputy Mayor Malcolm Miller
Councilmember Carolyn Cox
Councilmember Michael Steadman
Councilmember Ed Kunkel
Councilmember Robin Vazquez

Council Excused

Councilmember Lenny Greenstein

Staff Present:

Scott Spence, City Manager
Shannon Kelley-Fong, Assistant City Manager
Robert Almada, Chief of Police
Scott Egger, Public Works Director
Dave Schneider, City Attorney
Rick Walk, Community & Economic Development Director
Ryan Andrews, Planning Manager
Doug Christenson, Water Resources Engineer
Puna Clark, Utility Engineer
Peri Edmonds, City Clerk

2. APPROVAL OF AGENDA AND CONSENT AGENDA

Consent Agenda Items:

- A. Council Worksession minutes of May 26, 2022
- B. A motion to approve payment of claims, wages and transfers for May 28, 2022, through June 9, 2022.

COUNCILMEMBER STEADMAN MOVED TO APPROVE THE AGENDA AND CONSENT AGENDA. COUNCILMEMBER KUNKEL SECONDED. MOTION CARRIED.

3. PUBLIC RECOGNITIONS AND PRESENTATIONS

- A. **Recognition of Pope John Paul II High School Girls Track & Field Team State Champions and Boys Team 3rd Place Accomplishments:** Council recognized the Pope John Paul II High School Girls and Boys Teams for their accomplishments. Athletic Director, Anthony Herness thanked Council and staff for the recognition.
- B. **Recognition of Joe Svoboda for service as City Prosecutor:** Dave Schneider, City Attorney, recognized Joe Svoboda for his 38 years of service as the City of Lacey Prosecutor and congratulated him on his retirement.

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

Public Comments:

Virtual - The deadline to pre-register to speak remotely was 4:00 p.m. the day of the meeting. The following public comments were provided via Zoom.

Sue Medeiros, a Lacey resident, spoke against Ordinance No. 1617 relating to tree regulations.

Dan Tufford, a Lacey resident, spoke against Ordinance No. 1617 relating to tree regulations.

Tyra Zeigler, an Olympia resident, spoke against Ordinance No. 1617 relating to tree regulations,

Geoff Browning, a Lacey resident, spoke about a discrepancy in LMC 16.36.010(c).

In Person – five (5) members of the public signed up to speak at the meeting.

John Woodford, who lives in the UGA, commented on the City's consideration of the Long Lake parcel acquisition.

Sarah Daniels, a Lacey resident, commented on the recent decision on the Meridian Market & Gas application and the City's development codes.

Doug Catey, a Lacey resident, spoke in favor of the Long Lake Park property acquisition and suggested other properties.

Ernest Byford, a Lacey resident, commented on developments in the Hawks Prairie area, outdated codes, and current zoning.

Rene Savage, a Lacey resident, commented on the City's development code and land use permits.

Written Public Comments - The deadline to submit written public comments was 4:00 p.m. the day of the meeting. Written comments are not addressed during the meeting; however, they are added to the official record. Fifteen (15) written public comments were received and will be made part of the meeting record.

5. PUBLIC HEARING

6. PROCLAMATIONS

- A. **Juneteenth Day Proclamation:** Mayor Ryder and Council proclaimed June 18, 2022, as Juneteenth Day. Melvin Butler and Lester Dickson, members of the Fred U. Harris Masonic Lodge #70 PHA, accepted the proclamation.

7. REFERRAL FROM PLANNING COMMISSION

8. REFERRAL FROM HEARINGS EXAMINER

9. RESOLUTIONS

10. ORDINANCES

- A. **Ordinance No. 1617 – LMC 14.32 Tree Regulations:** Ryan Andrews, Planning Manager, presented Ordinance 1617 relating to LMC 14.32 Tree Regulations.

COUNCILMEMBER STEADMAN MOVED TO ADOPT ORDINANCE 1617, WITH AN AMENDMENT OF REJECTING PROPOSED CHANGES TO LMC 14.32.050(D), ADDING FURTHER AMENDMENTS TO CHANGE EXISTING LANGUAGE FROM “NO MORE THAN FIVE (5) TREES IN ANY THIRTY-SIX MONTHS” TO NO MORE THAN THREE (3) TREES IN ANY SIXTY CONSECUTIVE MONTHS. COUNCILMEMBER VAZQUEZ SECONDED. MOTION CARRIED.

**FOR: DEPUTY MAYOR MILLER, AND COUNCILMEMBERS STEADMAN, COX,
AND VAZQUEZ
AGAINST: MAYOR RYDER AND COUNCILMEMBER KUNKEL**

- B. **Ordinance No. 1620 – Stormwater Design Manual Update:** Doug Christenson, Water Resources Engineer, presented Ordinance 1620 relating to the Stormwater Design Manual Update.

**COUNCILMEMBER STEADMAN MOVED TO APPROVE ORDINANCE 1620
ADOPTING THE CITY OF LACEY'S 2022 STORMWATER DESIGN MANUAL
UPDATE AS RECOMMENDED. COUNCILMEMBER KUNKEL SECONDED.
MOTION CARRIED.**

11. MAYOR'S REPORT

- A. **Reappointment of Deputy Mayor Miller, Ruth Weigelt, and Susana Matis to the Lodging Tax Advisory Committee (LTAC):** Mayor Ryder recommended the following reappointments to the Lodging Tax Advisory Committee.

**MAYOR RYDER MOVED TO REAPPOINT DEPUTY MAYOR MILLER, RUTH
WEIGELT, AND SUSANA MATIS TO THE LODGING TAX ADVISORY
COMMITTEE. COUNCILMEMBER STEADMAN SECONDED. MOTION
CARRIED.**

- B. **Lacey City Councilmember to serve on the Board of Health:** Mayor Ryder recommended Councilmember Vazquez to serve on the Board of Health as the Lacey City Council representative.

**COUNCILMEMBER STEADMAN MOVED TO APPOINT COUNCILMEMBER
VAZQUEZ TO SERVE AS LACEY CITY COUNCIL'S REPRESENTATIVE ON
THE THURSTON COUNTY BOARD OF HEALTH AS LACEY CITY COUNCIL'S
REPRESENTATIVE. COUNCILMEMBER COX SECOND. MOTION CARRIED.**

**DEPUTY MAYOR MILLER MOVED TO APPOINT COUNCILMEMBER
STEADMAN TO SERVE AS LACEY CITY COUNCIL'S ALTERNATE ON THE
THURSTON COUNTY BOARD OF HEALTH. COUNCILMEMBER COX
SECONDED. MOTION CARRIED.**

Mayor Ryder recommended the Community and Economic Development Department staff review the City's zoning codes.

Staff will schedule the audit zoning and quasi-judicial process at a future August Worksession.

12. CITY MANAGER'S REPORT

- A. **Lift Station 19 Replacement Project PW 2016-12:** Puna Clarke, Utility Engineer, presented Lacey Contract Number PW 2016-12 to Pacific Civil & Infrastructure, Inc. from Tacoma, WA, in the amount of \$3,225,356.78 for the Lift Station 19 Replacement Project.

COUNCILMEMBER STEADMAN MOVED TO APPROVE CONTRACT NUMBER PW 2016-12 TO PACIFIC CIVIL & INFRASTRUCTURE, INC. IN THE AMOUNT OF \$3,225,356.78 FOR THE LIFT STATION 19 REPLACEMENT PROJECT. DEPUTY MAYOR MILLER SECONDED. MOTION CARRIED.

- B. **Long Lake Parcel Acquisition:** Dave Schneider, City Attorney, presented on the City's proposal to purchase a real property located at 2802 Boat Launch Street SE, immediately adjacent to Long Lake Park.

COUNCILMEMBER STEADMAN MOVED TO APPROVE THE PURCHASE OF REAL PROPERTY LOCATED AT 2802 BOAT LAUNCH STREET SE FOR \$962,000 AND AUTHORIZE THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO COMPLETE THE ACQUISITION. DEPUTY MAYOR MILLER SECONDED. MOTION CARRIED.

- C. Scott Spence, City Manager, provided information on two recently-signed Interlocal Agreements:

- Master Interlocal Cooperative Purchasing Agreement with OMNIA and Participating Public Agencies.
- Interlocal Agreement with the City and WSDOT for clean-up efforts on WSDOT right-of ways.

13. STANDING COMMITTEES

- A. Finance & Economic Development Committee

Due to the time, Mayor Ryder will provide his report on the May 24, 2022, meeting at the next Council meeting.

14. OTHER BUSINESS

15. BOARDS, COMMISSIONS AND COMMITTEE REPORTS

Due to the time, the Boards, Commissions and Committee Reports were moved to the July 7, 2022, Council meeting.

- A. Mayor Ryder

1. Mayor's Forum – **No Report**
2. Thurston Chamber Shared Legislative Committee – **No Report**
3. Transportation Policy Board – **No Report**

- B. Deputy Mayor Miller

1. Economic Development Council (EDC) – **No Report**

2. Lodging Tax Advisory Committee (LTAC) – **No Report**
 3. Thurston County Coalition Against Trafficking (TCCAT) – **No Report**
 4. Thurston Thrives – **No Report**
- C. Councilmember Cox
1. Climate Mitigation Steering Committee – **No Report**
 2. LOTT Clean Water Alliance – **No Report**
 3. Regional Housing Council – **No Report**
- D. Councilmember Greenstein
1. Emergency Medical Services (EMS) – **No Report**
 2. LEOFF 1 Disability Board – **No Report**
 3. TCOMM911 – **No Report**
- E. Councilmember Steadman
1. Community Action Council – **No Report**
 2. Nisqually River Council – **No Report**
 3. Thurston County Law & Justice – **No Report**
- F. Councilmember Kunkel
1. Joint Animal Services Commission (JASCOM) – **No Report**
 2. Lacey South Sound Chamber – **No Report**
 3. Olympia-Lacey-Tumwater Visitor & Convention Bureau (VCB) – **No Report**
 4. Solid Waste Advisory Committee (SWAC) – **No Report**
- G. Councilmember Vazquez
1. Intercity Transit – **No Report**
 2. Olympic Region Clean Air Agency – **No Report**
 3. Thurston Regional Planning Council – **No Report**

16. ADJOURN

Mayor Ryder adjourned the Council Meeting at 8:40 p.m.

MAYOR: _____

ATTESTED BY CITY CLERK: _____

DATE APPROVED: _____

CITY OF LACEY

Official Proclamation

WHEREAS, parks and recreation is an integral part of communities throughout this county, including Lacey; and

WHEREAS, parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS, parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimer's; and

WHEREAS, parks and recreation encourages physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS, parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, Lacey, Washington recognizes the benefits derived from parks and recreation resources; and

NOW, THEREFORE, I, Andy Ryder, Mayor of the City of Lacey, on behalf of the Lacey City Council, do hereby proclaim July 2022, as

Parks and Recreation Month



Mayor Andy Ryder
July 7, 2022



LACEY CITY COUNCIL MEETING July 7, 2022

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 6/10/2022 through 6/29/2022. The disbursements consist of the following:

Checks:	<u>Week of</u>	<u>Beg. Check No.</u>	<u>End. Check No.</u>	<u>Amount</u>
	6/10/2022	263898	263989	135,596.42
	6/17/2022	263990	264116	1,999,589.16
	6/24/2022	264117	264207	521,821.66
	*6/30/2022	264208	264211	2,074.13

Electronic Transfers:	<u>Week of</u>	<u>Amount</u>
	6/10/2022	384,270.48
	6/10/2022	60.45
	6/10/2022	167.30
	6/14/2022	13,798.05
	6/14/2022	297.52
	6/17/2022	392,698.21
	6/16/2022	89.00
	6/17/2022	100,605.02
	6/24/2022	151,341.47
	6/21/2022	1,244.00
	6/13/2022	44,074.77
	6/27/2002	96.93
	6/28/2020	435.00
	6/27/2022	18,370.47
	6/29/2022	56,781.90
	6/30/2022	39,904.60
	6/30/2022	1,534,574.97

Payroll:

Month Ended:
*6/30/22

Wages
1,704,941.61

Significant Disbursements:

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>
Aclara Technologies	\$ 117,933.20	Water Meter Transmission Units
Baker Underground & Const	\$ 115,159.58	2022 Manhole Rehabilitation
Active Construction	\$ 514,047.74	Capitol City Golf Course Ph. 2
Homes First	\$ 150,000.00	Genesis House
Hough Beck & Baird, Inc.	\$ 56,062.49	Cuoio Park Phase 1
LOTT Wastewater Alliance	\$1,206,489.82	ERU's/ LOTT Reserve Cap Fees
Puget Sound Energy	\$ 57,322.08	Utilities
Thurston Co. Public Health	\$ 229,817.89	Unity Commons Phase 2

* Disbursements for employee out-of-pocket deductions and employee benefits.



LACEY CITY COUNCIL MEETING July 7, 2022

SUBJECT: 2022 Sidewalk Repair

RECOMMENDATION: Motion to award Lacey Contract Number PW 2022-15 to low bidder Simmons & Sons Contracting, Inc. from Montesano, Washington in the amount of \$461,020.00.

STAFF CONTACT: Scott Spence, City Manager *SS*
Scott Egger, P.E., Public Works Director *SE*
Ashley Smith, P.E., Acting Design and Construction Manager *AS*
Lisa Hull, Project Administrator *LH*
Brett Boogerd, Capital Projects Engineer *BB*

ORIGINATED BY: Public Works Department

ATTACHMENTS: None

FISCAL NOTE: 2022 Sidewalk Repair was anticipated and included in Lacey's 2022 Budget. Funding for the project is provided under the Transportation Benefit District, fund source ST22SR 103-4301-595.90-06.

A budget amendment is required.

PRIOR REVIEW: N/A

BACKGROUND:

This contract provides for the removal of tree stumps, installation of root barrier, replacement of topsoil to grade, removal and replacement of traffic curb, sidewalk and driveway entrances, restoration of landscaping, and other work as outlined in bid documents in the area of Parkside Dr SE (RAB-South), Willows Crossing/Rosewood neighborhoods, 6th Ave SE (at Golf Club Pl SE), and Sleater Kinney Rd SE (at Civic Plaza).

The project was advertised for two weeks and bids were opened June 23, 2022. Five (5) bids were received. The bids ranged from a low of \$461,020.00 to a high of \$698,957.00. Simmons & Sons, Inc. of Montesano, Washington was low bidder at \$461,020.00. All Seasons Landscaping of Mason County LLC from Shelton, Washington submitted the apparent low bid, which was ultimately rejected due to a bid bond error. The Engineer's Estimate is \$410,260.00. A Bid Summary Sheet is attached.

Simmons & Sons, Inc. is qualified and capable of performing the work. Start date of the project is anticipated to be August 2022, and there are 80 working days allotted.

ADVANTAGES:

1. The replacement of raised sidewalk and driveway panels is necessary to protect public safety and minimize the City's liability.
2. Appropriate street trees will be replanted by the City following completion of this work.

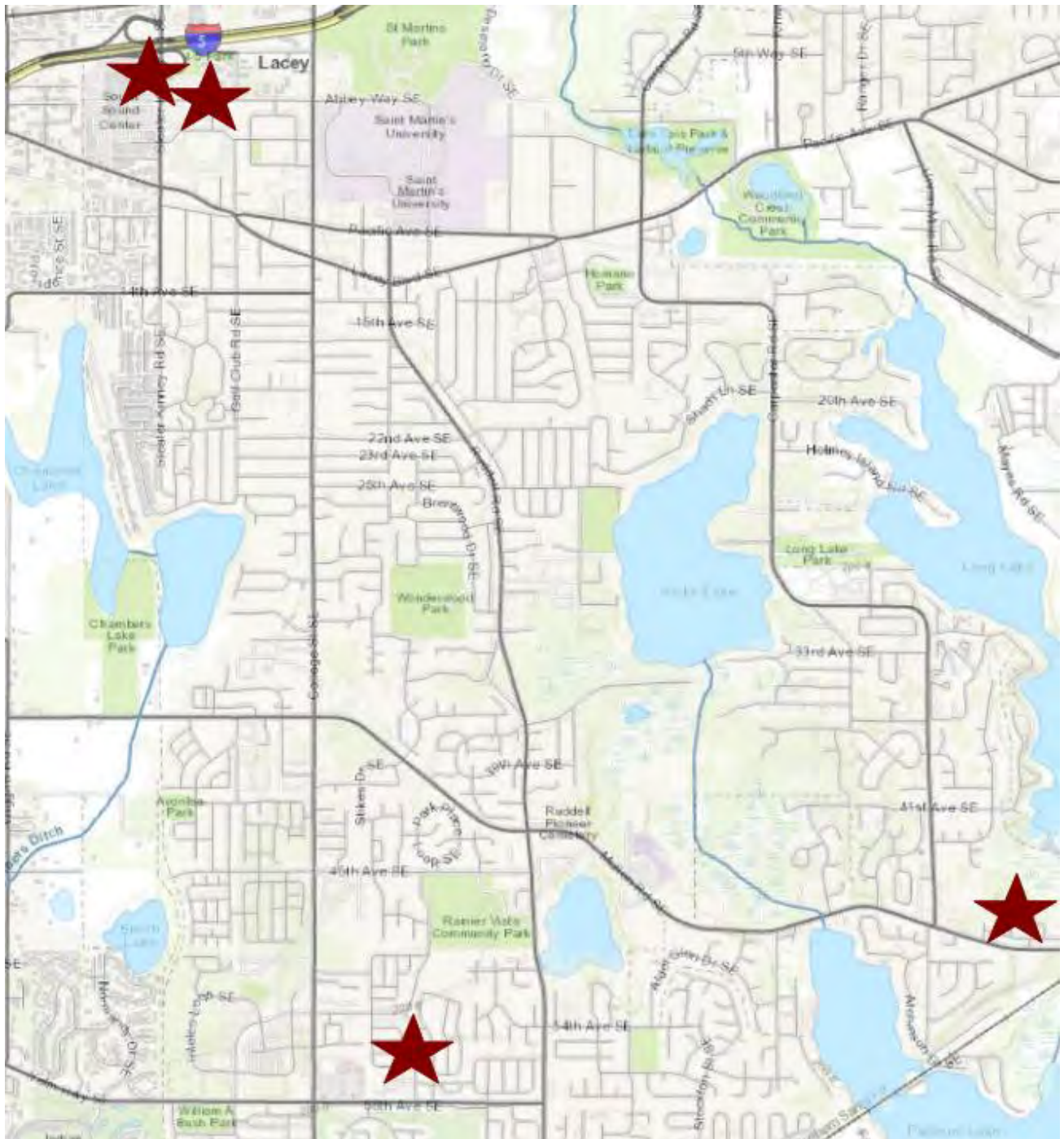
DISADVANTAGES:

1. Typical traffic delays can be expected during construction to the minimum extent practical.

**CITY OF LACEY
2022 Sidewalk Repair
PW 2022-15**

CONTRACTOR	LOCATION	BID	POS.
All Seasons Landscaping of Mason County LLC	Shelton, WA	REJECTED	
Simmons & Sons Contracting	Montesano, WA	\$461,020.00	1
R.W. Scott Construction Co.	Aubourn, WA	\$541,025.00	2
Dirtworks Northwest LLC	Aubourn, WA	\$665,275.00	3
Northwest Cascade, Inc.	Puyallup, WA	\$698,957.00	4
ENGINEER'S ESTIMATE \$410,260.00			

Project Area





LACEY CITY COUNCIL MEETING July 7, 2022

SUBJECT: 2022 Overlay Project

RECOMMENDATION: Motion to award Lacey Contract Number PW 2022-17 to low bidder Lakeside Industries, Inc. from Lacey, Washington in the amount of \$2,397,360.00.

STAFF CONTACT: Scott Spence, City Manager *SS*
Scott Egger, P.E., Public Works Director *SE*
Aubrey Collier, P.E., S.E., City Engineer *AC*
Ashley Smith, P.E., Acting Design and Construction Manager *AS*
Lisa Hull, Project Administrator *LH*
Justin Knox, P.E., Design Engineer *JK*

ORIGINATED BY: Public Works Department

ATTACHMENTS: NONE

FISCAL NOTE: 2022 Overlay was anticipated and included in Lacey's 2022 Budget. Funding for the project is provided under the fund code ST22OL through the fund source of Transportation Benefit District Funds, 103-4301-595.90-03.

PRIOR REVIEW: N/A

BACKGROUND:

This contract provides for street reconstruction and hot mix asphalt overlays of fourteen (14) streets & (1) roundabout to include road removal, minor reconstruction, adjustments of utility appurtenances, striping and other work. This project will pave approximately 6 lane miles.

The project was advertised for two weeks and bids were opened June 27, 2022. Five (5) bids were received. The bids ranged from a low of \$2,397,360.00 to a high of

\$3,575,170.00. Lakeside Industries, Inc. from Lacey, Washington, is low bidder at \$2,397,360.00. The Engineer's Estimate is \$2,400,000.00. A Bid Summary Sheet is attached.

Lakeside Industries is qualified and capable of performing the work. Start date of the project is anticipated to be August 2022, and there are 50 working days allotted.

ADVANTAGES:

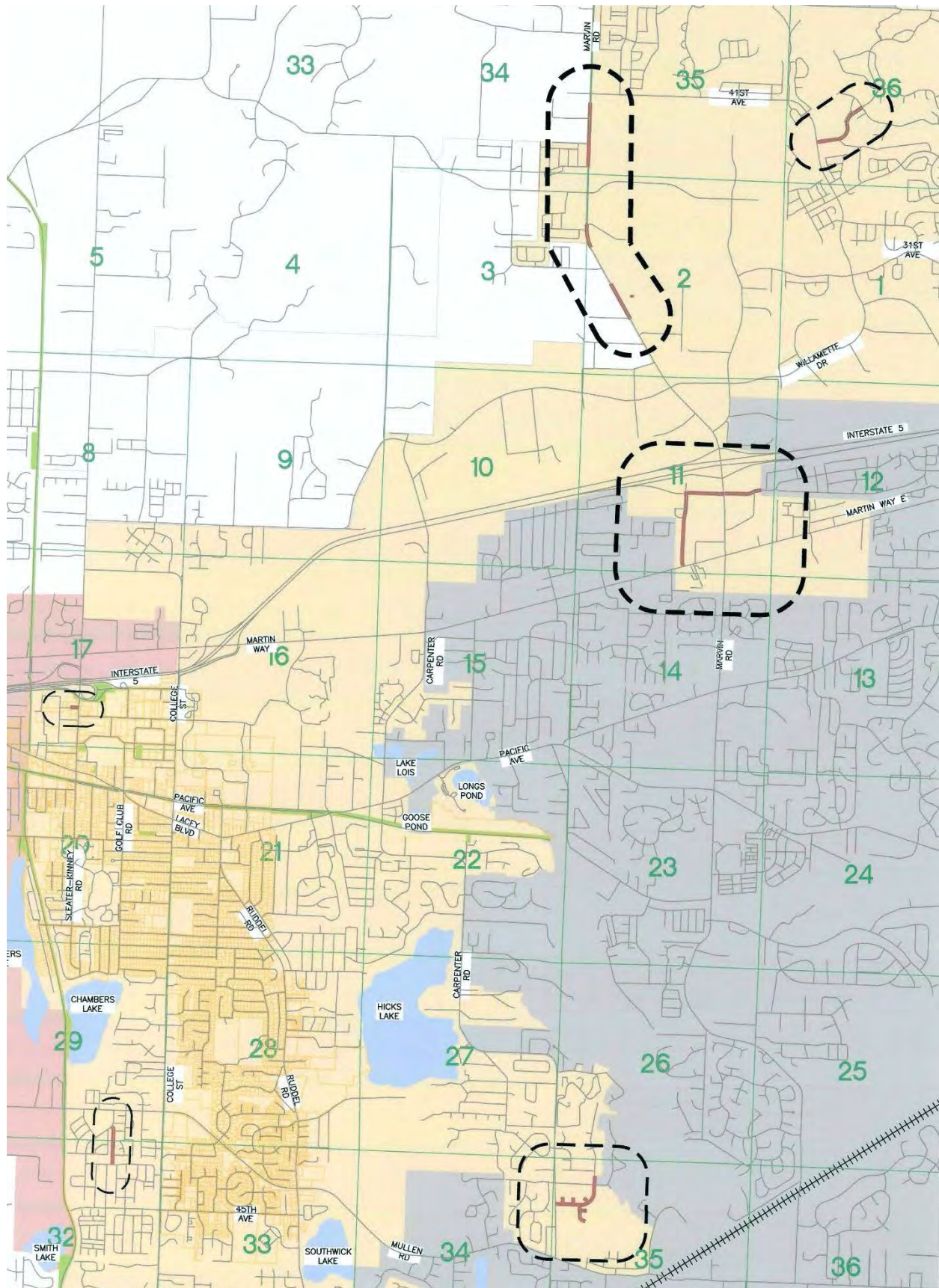
1. Provides new asphalt wearing surface.

DISADVANTAGES:

1. Typical traffic delays can be expected during construction.

**CITY OF LACEY
2022 Overlay
PW 2022-17**

CONTRACTOR	LOCATION	BID	POS.
Lakeside Industries Inc.	Lacey, WA	\$2,397,360.00	1
Miles Resources LLC.	Puyallup, WA	\$2,626,627.00	2
Granite Construction Co.	Olympia, WA	\$2,836,633.00	3
Tucci & Sons Inc.	Tacoma, WA	\$2,842,018.00	4
Central Paving	Ellensburg, WA	\$3,575,170.00	5
ENGINEER'S ESTIMATE \$2,400,000.00			





CITY COUNCIL MEETING July 7, 2021

SUBJECT: Electric Vehicle Charging Stations

RECOMMENDATION: Award Lacey Contract Number PW 2020-20 to low bidder Elcon Corporation from Everett, Washington in the amount of \$462,767.47.

STAFF CONTACT: Scott Spence, City Manager *SS*
Scott Egger, Public Works Director *SE*
Aubrey Collier, City Engineer *AC*
Martin Hoppe, Transportation Manager *MH*
Chris Stolberg, Transportation Engineer *CS*

ORIGINATED BY: Public Works Department

ATTACHMENTS: [Attachment #1 Bid Tab Summary](#)
[Attachment #2 Project Vicinity Map](#)

FISCAL NOTE: Funding for this contract is provided through a Federal grant and Arterial Street funds. Project fund code ST19EV.

PRIOR REVIEW: Electric Vehicle Charging Stations project was approved in the 2022 budget and the 6-year TIP.

BACKGROUND:

The Electric Vehicle (EV) Charging Stations is a joint project with North Thurston Public Schools (NTPS) to install charging stations at City Hall, Library, NTPS Administrative Building, and the Community Center. This project was awarded a Congestion Mitigation Air Quality Federal Grant.

The project was advertised for four weeks and bids were opened June 1, 2022. Eight bids were received. Four bids were rejected due to incomplete bids and bid irregularities. The responsive bids ranged from a low of \$462,767.47 to \$684,324.35. Elcon Corporation from Everett, Washington, is the low bidder with a bid of \$462,767.47. The Engineer's Estimate is \$194,458.50. A Bid Summary Sheet is attached.

Elcon Corporation is qualified and capable of performing the work. Project start date is anticipated in August 2022 with 80 working days allotted to complete the work. The project is expected to be completed by the end of the year.

These bids are much higher than expected, which appears to be a consistent theme throughout the state on recent bids. WSDOT Local Programs has developed a new program that covers the cost of higher bids. This program will provide 86.5% of the difference between the low bid and the engineer's estimate, which is an additional \$268,308 for a total grant of \$514,076. The City will still spend a total of \$150,000 to \$200,000 of Arterial Street Funds for required match and ineligible items.

ADVANTAGES:

1. This project will provide charging stations at key public facilities within the City.
2. The infrastructure will be in place for future expansion.

DISADVANTAGES:

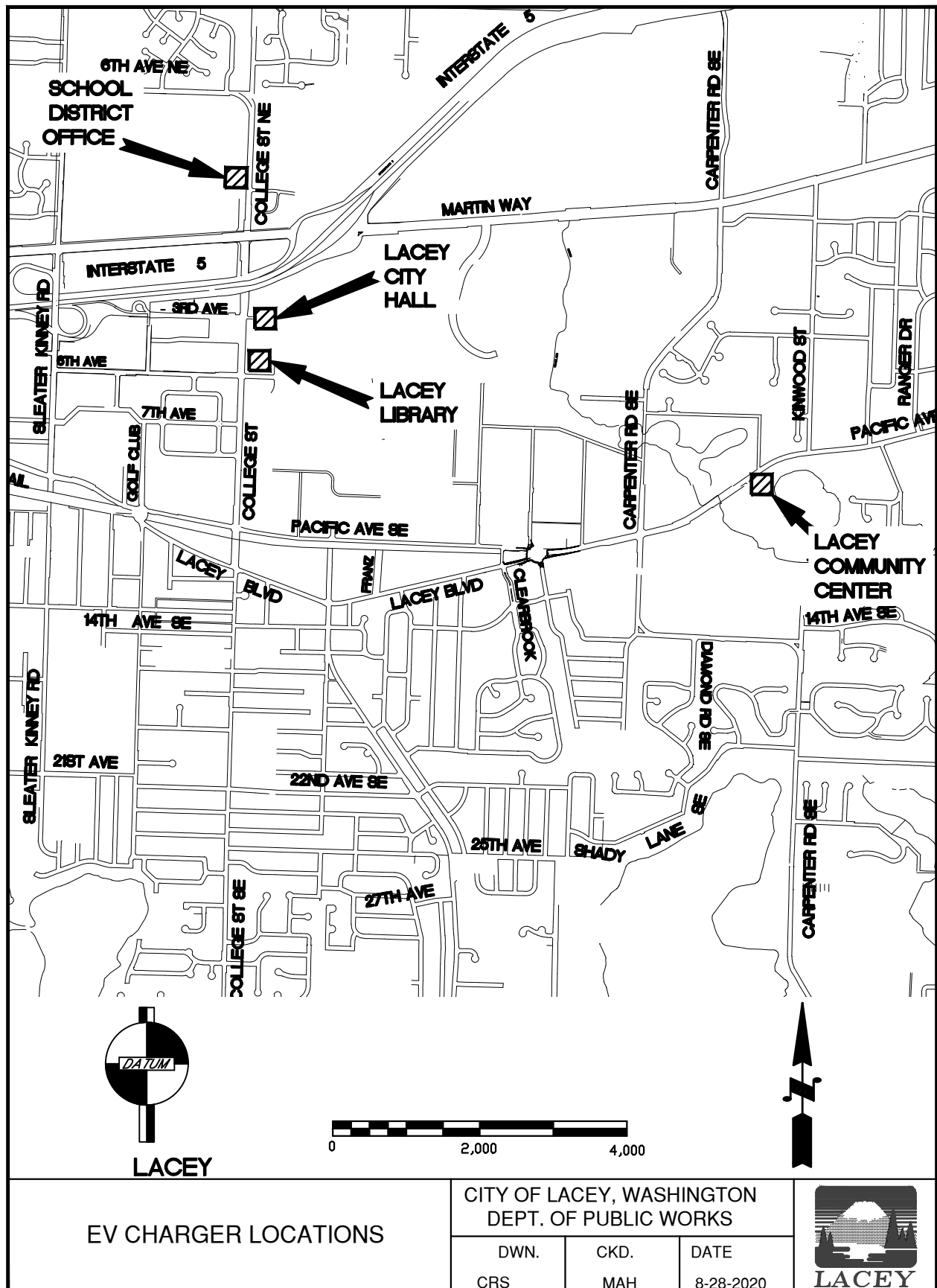
1. Costs are higher than expected. With the current inflation, these costs will not go down anytime soon.

CITY OF LACEY

Electric Vehicle Charging Stations

PW 2020-20

[illegible]





LACEY CITY COUNCIL MEETING July 7, 2022

SUBJECT: State of Washington Rights of Way Initiative - MOU

RECOMMENDATION: Authorize City Manager to sign the Rights of Way Initiative Memorandum of Understanding that provides an opportunity to partner with the State of Washington for Housing Resources to address homelessness.

STAFF CONTACT: Shannon Kelley-Fong, Assistant City Manager (Acting City Manager) ^{SKF}
Rick Walk, Community and Economic Development Director ^{RW}

ORIGINATED BY: Community and Economic Development

ATTACHMENTS: 1. [MOU – Rights of Way Initiative](#)

FISCAL NOTE: NA

PRIOR REVIEW: Council Worksession - Briefing on June 23, 2022

BACKGROUND:

The Governor's Office has directed the Department of Transportation, the State Patrol and Department of Commerce to address homeless individuals living within state rights-of-way by funding or creating new housing resources. By creating housing options, individuals living in the State's rights-of-way can transition out of these areas into safer living environments. Priority areas identified by the State include the counties of King, Pierce, Snohomish, Spokane, and Thurston.

In order to achieve the goal of establishing new housing resources in the identified counties, the State is proposing a Memorandum of Understanding (MOU) that creates a framework to explore potential housing options with local jurisdictions. This initiative responds to the increased presence of homelessness within the State's rights-of-way, and sets up a pathway to reduce it.

As an identified priority county, the State approached Thurston County and the cities of Lacey, Olympia, and Tumwater with the proposed MOU. Projects under consideration include acquisition of existing units, new construction, and ongoing funding for operations for developed housing resources.

By signing the MOU, the jurisdiction agrees to work with the State to identify potential projects that meets the goal of the State's rights-of-way initiative. If the State and a local jurisdiction find a project to pursue, an additional agreement would be required setting out the terms and condition of the proposal.

ADVANTAGES:

1. The proposed MOU sets up a process to explore and identify housing solutions/proposals with the State.
2. The proposed MOU is a clear commitment by the State to address homelessness within the State's rights of way.
3. The proposed MOU identifies the State as a key funding partner if housing solutions are identified.

DISADVANTAGES:

1. No disadvantages. Signing the MOU does not commit a local jurisdiction to a specific project.

MEMORANDUM OF UNDERSTANDING

Transitioning people out of state rights of way in Thurston County

PARTIES

This is an agreement of the following parties:

- Washington State Department of Commerce ("COM")
- Washington State Department of Transportation ("WSDOT")
- Washington State Patrol ("WSP")
- City of Olympia
- City of Lacey
- City of Tumwater
- Thurston County

PURPOSE

This memorandum establishes an understanding between the parties regarding the resources and processes that will be deployed to assist people in moving out of state rights of way and into housing.

GUIDING PRINCIPLES

The signatories understand that it will require working in a collaborative fashion to achieve the short-term goal of transitioning people from specific prioritized state rights of way into housing by implementing the following strategies:

- Promptly identifying shelter and housing that people living in rights of way can be referred to.
- Engaging people living in rights of way to assess their needs and refer them to identified emergency and other housing and other available services with their selected belongings prior to the clearing of rights of way.
- Identify and implement strategies to keep cleared sites uninhabited.
- Identify strengths and weaknesses in the short-term strategy to implement a more comprehensive long-term approach to individuals and families living in public places.

GOALS AND OBJECTIVES

The signatories understand that it will require working in a collaborative fashion to achieve the short-term goal of transitioning people from specific prioritized state rights of way into housing by implementing the following strategies:

- Promptly identifying existing emergency and other housing that people living in rights of way can be referred to.
- Engaging people living in rights of way to assess their needs through coordinated entry or other assessments and refer them to identified emergency and other housing and other available services.
- Immediately begin to create additional emergency and other housing dedicated to people living in rights of way.
- Identify and implement strategies to keep cleared sites uninhabited.
- Identify strengths and weaknesses in the short-term strategy to implement a more comprehensive long-term approach to individuals and families living in public places.

STRUCTURE

- **COMMERCE** shall be represented by Diane Klontz, Assistant Director, Telephone: (360) 725-4142, Email: diane.klontz@commerce.wa.gov.
- **WSDOT** shall be represented by Amy Scarton, Deputy Secretary - Transportation, Telephone: (206) 515-3401, Email: scartoa@wsdot.wa.gov.
- **WSP** shall be represented by John Batiste, Chief of the Washington State Patrol, Telephone: (360) 596-4000, Email: john.batiste@wsp.wa.gov.
- **Thurston County** shall be represented by Tom Webster, Office of Housing and Homeless Prevention, Telephone: (360) 867-2531, Email: thomas.webster@co.thurston.wa.us.
- **City of Lacey** shall be represented by Rick Walk, Director of Community and Economic Development, Telephone: (360) 438-2638, Email: RWALK@ci.lacey.wa.us.
- **City of Olympia** shall be represented by Darian Lightfoot, Housing Programs Manager, Telephone: (360) 753-8033, Email: dlightfo@ci.olympia.wa.us.
- **City of Tumwater** shall be represented by Brad Medrud, Long Range Planning Manager, Telephone: (360) 754-4180, Email: BMedrud@ci.tumwater.wa.us.

COMMITMENTS

The Parties to this MOU agree that:

COM, WSP, and WSDOT will commit and prioritize available appropriations and other state capacities at the scale necessary to address people living in state rights of way sites identified by the WSDOT.

Local governments will expand and prioritize local capacity to perform outreach and provide housing to individuals and families living in state rights of way identified by WSDOT.

WSDOT and WSP will work with local governments to maintain and secure sites that have been relocated from the state rights of way.

It is the intent of the parties to this agreement to pursue specific agreements to implement the following to address people living in state rights of way identified by WSDOT, subject to change as needed to address changing circumstances. Commitments to projects and funding beyond the first year are subject to review under the required stakeholder feedback process, the results of which may necessitate changes to the agreement and related contracts. The specifics of how funding will flow from the state and who will execute the work will be determined later, specified in contracts separate from this agreement:

1. Outreach to people living in WSDOT identified state rights of way, including offering them coordinated entry intake and assessment and referrals and/or placement in emergency or other housing starting in June 2022, funded by the state for three years.
2. Prioritization of at least 24 existing shelter beds for people living in WSDOT identified state rights of way starting June 2022, funded by the state for three years.
3. Expansion of existing hotel leasing, case management, and support services for domestic violence survivors, homeless youth, and other people living in identified state rights of way for which regular shelter placements are not appropriate, starting in July 2022; funded by the state for three years.
4. Siting, site improvements, and acquisition or building of fifty new tiny homes (capacity for about sixty people) prioritized for people living in WSDOT identified state rights of way, each with a

window and locking door, with ready access to hygiene and food, occupancy goal of September 2022, or as soon as possible thereafter; funded by the state.

5. State capital and long-term operating and service funding, increased or decreased based on the number of units available, agreed to, and provided, for the purchase and renovation of a hotel, or other existing high-density housing, that would provide approximately 100 units with an initial occupancy availability goal of September 2022, or as soon as possible thereafter. Up to half of the units will be prioritized for people living in or relocated from WSDOT-identified state rights of way, in alignment with the portion of project funding derived from sources dedicated to housing people living in state rights of way.
6. State capital and long-term operating and service funding, increased or decreased based on the number of units available, agreed to, and provided, for the siting and construction of approximately 50 new units of permanent housing with necessary services. At least half of the units will be prioritized for people living in or relocated from WSDOT-identified state rights of way, in alignment with the portion of project funding derived from sources dedicated to housing people living in state rights of way
7. Additional state capital and long-term operating and service funding for the project(s), based on the number of units available, agreed to, and provided, currently under development to address funding gaps and that is associated with people living in or relocated from WSDOT identified state rights of way.
8. Adequate funding for staff time associated with coordination and administration of rights of way activities; funded by the state for three years.
9. State Patrol engaged with serving notice to and removal as needed of people on WSDOT identified state rights of way.
10. State Patrol is readily available to assist with people living on WSDOT-identified rights of way through regular monitoring of sites by local governments.
11. WSDOT cleans sites after people have been relocated and makes site improvements to prevent future occupancy. WSDOT will respond to requests for additional or ongoing site changes identified by local governments to help prevent re-occupancy.
12. WSDOT and WSP will coordinate with local governments to monitor and maintain cleared state rights of way sites.

This agreement covers WSDOT-identified state rights of way sites that will be mutually agreed to by the parties to this agreement. The number of sites and people addressed through this agreement is subject to increase or decrease based on a good faith review of the adequacy of committed and available resources and what is needed to address the identified sites and the individuals and families living on them.

AMENDMENTS

Any amendments to this Agreement shall be in writing and agreed to by all parties.

TERMS

The parties to this agreement are required to give 90 days advance notice of their intent to withdraw from the agreement. At this time the term of this Memorandum is open-ended and will remain so until the majority of signatories decide to terminate the partnership.

SIGNATURES

Washington State Department of Commerce

Signature of Diane Klontz

Date

Washington State Department of Transportation

Signature of Amy Scarton

Date

Washington State Patrol

Signature of John Batiste

Date

Thurston County

Signature of Ramiro Chavez

Date

City of Lacey

Signature of Scott Spence

Date

City of Olympia

Signature of Jay Burney

Date

City of Tumwater

Signature of Debbie Sullivan

Date

FINANCE & ECONOMIC DEVELOPMENT COMMITTEE MINUTES

MAY 24, 2022

8:30 A.M. – 9:22 A.M.

REMOTE & IN-PERSON ATTENDANCE

To hear the full discussion of a specific topic, or the complete meeting, you may watch the video-stream available on the City of Lacey's YouTube Channel: <https://youtu.be/dsxnkG7rnFo>

COUNCIL PRESENT: DEPUTY MAYOR MILLER, COUNCILMEMBER GREENSTEIN

COUNCIL EXCUSED: MAYOR RYDER

STAFF PRESENT: SCOTT SPENCE, SCOTT EGGER, TROY WOO, PERI EDMONDS

ACTION: APPROVE FINANCE & ECONOMIC DEVELOPMENT COMMITTEE AGENDA

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

2021 YEAR-END FINANCIAL REPORT

STAFF: TROY WOO, FINANCE DIRECTOR

ACTION: INFORMATION ONLY

Troy Woo, Finance Director, presented an overview of the 2021 year-end financial report. Adjustments may need to be made to the report, so it is considered preliminary until the annual audit is complete.

As of December 31, 2021, the total General Fund Expenditures were \$50,804,140 or 84.1 percent of the adopted 2021 Budget. This is a total increase of \$575,802 or 1.2 percent compared to the 2020 total expenditure level. The net increase is a result of higher salaries, benefits, and capital transfers, which were offset by decreases relating to one-time 2020 CARES Act expenditures and 2020 Veterans Services Hub capital improvements.

All expenditures categories reported variances from the previous year. The most significant and noteworthy variances were highlighted.

As of December 31, 2021, the total General Fund Revenues were \$56,584,886 or 93.7 percent of the adopted budget. Overall General Fund Revenues increased \$2,468,166 compared to 2020. The one-time 2020 CARES Act distributions and transfers did offset revenue increases.

Year-end operating expenditures for the City's utilities were consistent with the budget projections. Operating revenues for the utilities are meetings projections and consistent with approved rate increases and customer growth.

The year-end revenue and expenditure results do not warrant any department from Lacey's conservative approach. This approach has and continues to provide financial flexibility and ability to weather sudden downturns to the economy.

1ST QUARTER FINANCIAL REPORT

STAFF: TROY WOO, FINANCE DIRECTOR

ACTION: INFORMATION ONLY

Troy Woo, Finance Director, presented a review of the first quarter financial report for 2022, which focused on the General Fund.

As of March 31, 2022, total General Fund Expenditures were \$10,538,838 or 16.9 percent of the adopted 2022 Budget. This is a total decrease of \$203,859 or 1.9 percent compared to the first quarter 2022 total expenditure level. The overall 2022 decrease is primarily due to one-time 2021 Veterans Services Hub building and U.S. Veteran Affairs Outstation Center improvement expenditures. It was also noted that the majority of first quarter salaries and benefits do not include cost of living adjustments due to ongoing labor negotiations.

The first quarter expenditure categories show variances from the previous year. The most significant variances were highlighted.

As of March 31, 2022, total General Fund Revenues were \$13,202,477 or 20.1 percent of the adopted budget. Last year at this same time, revenues were 16.6 percent of budget. First quarter General Fund revenues increased \$3,386,299 compared to the previous year. A significant portion of the increase relates to capital project reimbursements relating to the and Veterans Services Hub and U.S. Veteran Affairs Outstation Center projects.

First quarter 2022 operating expenditures for the City's utilities were consistent with projections. The Water Utility Maintenance and Operations Fund expenditures were \$107,813 or 4.3 percent lower in 2022. Wastewater Utility Maintenance and Operations Fund expenditures were \$209,461 or 6.1 percent higher in 2022. The LOTT revenue remittance was \$144,840 higher during 2022. The Stormwater

Maintenance and Operations Fund expenditures were \$470 or 0.1 percent higher than the previous year.

Operating revenues for utilities are meeting projections and are consistent with approved rate increases and customer growth. The 2021 utility rate increases were delayed until July 1, so the first quarter comparisons for 2022 include the impacts of two rate increases.

BOND REIMBURSEMENT RESOLUTION

STAFF: TROY WOO, FINANCE DIRECTOR
ACTION: FORWARD THE RECOMMENDED BOND REIMBURSEMENT RESOLUTION TO FULL COUNCIL FOR ADOPTION
MOTION: MADE, SECONDED AND CARRIED BY COUNCILMEMBER GREENSTEIN AND DEPUTY MAYOR MILLER

Troy Woo, Finance Director, presented the recommended bond reimbursement resolution for review.

The proposed resolution authorizes the City Manager or the Finance Director to designate expenditures for reimbursement from bond proceeds that may be authorized for issuance by the City Council in the future. This resolution does not authorize capital expenditures nor obligates the City to issue any debt. Both capital expenditures and the issuance of debt require separate action or approval by the City Council.

Staff recommended the adoption of a reimbursement resolution delegating the authority to the City Manager and Finance Director to declare the intent to reimburse the City for the costs of certain capital projects from the future proceeds of debt obligations.

LOCAL REVITALIZATION FINANCING PROGRAM UPDATE

STAFF: TROY WOO, FINANCE DIRECTOR
ACTION: INFORMATION ONLY

Troy Woo, Finance Director, presented on the Local Revitalization Financing Program (LRF). The City was approved to receive an LRF project award. Action is needed prior to June 1, 2022, to avoid forfeiting the project award. The City will not meet the deadline in order to use the award.

COMMUNITY RELATIONS & PUBLIC AFFAIRS COMMITTEE MINUTES

JUNE 6, 2022

11:00 A.M. – 11:30 A.M.

REMOTE AND IN PERSON ATTENDANCE

To hear the complete meeting or to listen to a specific topic, please watch the recorded meeting available on City of Lacey's YouTube Channel: <https://youtu.be/e6d-sK6imnU>

COUNCIL PRESENT: COUNCILMEMBERS COX (CHAIR ALTERNATE) AND KUNKEL

COUNCIL EXCUSED: COUNCILMEMBER STEADMAN (CHAIR)

STAFF PRESENT: SCOTT SPENCE, JENNIFER BURBIDGE, SHANNON KELLEY-FONG, SUE FALASH, RAFAEL FERNANDEZ, ELISSA FONTAINE

ACTION: APPROVE COMMUNITY RELATIONS & PUBLIC AFFAIRS COMMITTEE AGENDA

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

JULY 3RD FIREWORKS SPECTACULAR

STAFF: JEN BURBIDGE, PARKS, CULTURE & RECREATION DIRECTOR
SUE FALASH, RECREATION MANAGER

ACTION: INFORMATION ONLY

Sue Falash, Recreation Manager, advised the City of Lacey July 3rd Fireworks Spectacular is back at Rainier Vista Park with live music, food trucks, kids inflatables and characters.

The July 3rd Fireworks Show is sponsored by the following:

- TwinStar Credit Union
- Interstate Batteries & Capital
- Development/South Sound Center

The event is made possible with the support of the entire City, including Parks, culture, & Recreation Department, Police Department, Public Affairs Department, Public Works Department, Community & Economic Development, and FD3.

The event will also include a high energy dance party by Beat Frequency at 5:00 p.m., and a Beach Boys tribute band by Good Vibrations at 8:00 p.m.

LACEY PARKS, CULTURE & RECREATION – 2022 SUMMER ACTIVITIES

STAFF: JEN BURBIDGE, PARKS, CULTURE & RECREATION DIRECTOR
SUE FALASH, RECREATION MANAGER
ACTION: INFORMATION ONLY

Sue Falash, Recreation Manager, presented an overview of the 2022 Summer Activities within the Lacey Parks, Culture & Recreation Department.

Programs include the Children's Entertainment Series, Concerts and Movies at Dusk, as well as Play in the Parks, a traveling series that brings games, animals, and music to neighborhood parks throughout the summer.

Summer Daycamps and Playground Pals were also highlighted, as well as various youth sports. Staff advised that water programs are still experiencing a lifeguard shortage.

JUNETEENTH EVENT AND FLAG

STAFF: SHANNON KELLEY-FONG, ASSISTANT CITY MANAGER
RAFAEL FERNANDEZ, MANAGEMENT ANALYST
ACTION: INFORMATION ONLY

Shannon Kelley-Fong, Assistant City Manager, introduced Rafael Fernandez, Management Analyst.

Staff presented on the upcoming Juneteenth Celebration Event and Juneteenth History. The Commission on Equity received a community request regarding a Juneteenth Celebration, and identified a collaboration opportunity with the Fred U. Harris Lodge, who hosts an existing event for the past 40 years. The event is presented by the Fred U. Harris Lodge and partnered with cities of Lacey and Tumwater.

The 2022 Juneteenth Celebration is currently scheduled for Saturday, June 18 from 12:00 p.m. – 4:00 p.m. at the Regional Athletic Center (RAC).

The Commission on Equity has made a recommendation to display the Juneteenth Flag at the RAC and/or City Hall on June 18-19, as well as pursue future incorporation within the Flag Policy (Section 5.12 - City Council Policy and Procedures Manual). Council approved flags currently include the Sister City Flag and Pride Flag.

Committee members directed staff to present the Commission on Equity's recommendation to the full Council at the June 9 Worksession.

UTILITIES COMMITTEE MINUTES
JUNE 6, 2022
12:00 P.M. – 12:48 P.M.
REMOTE AND IN PERSON ATTENDANCE

To hear the full discussion of a specific topic, or the complete meeting, you may watch the video-stream available on the City of Lacey's YouTube Channel:

<https://youtu.be/sjfyk4nCjX4>

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

COUNCIL EXCUSED: COUNCILMEMBER STEADMAN

STAFF PRESENT: SCOTT SPENCE, SCOTT EGGER, TROY WOO, PETER BROOKS, DOUG CHRISTENSON, CAROL HELICKSON, ELISSA FONTAINE

ACTION: APPROVE UTILITIES COMMITTEE AGENDA

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

UTILITY BILLING ONLINE PAYMENT PORTAL DEMONSTRATION

PRESENTERS: TROY WOO, FINANCE DIRECTOR

CAROL HELICKSON, UTILITY BILLING SUPERVISOR

LISA SHILDT, PAYMENTUS

ACTION: INFORMATION ONLY

Troy Woo, Finance Director, introduced Carol Hellickson, Utility Billing Supervisor.

Staff and Committee Members received a demonstration on the updated utility billing online payment portal, provided by merchant account vendor, Paymentus.

The demonstration included one-time bill pay, auto pay options, linking multiple accounts and payment history.

Staff advised the estimated launch date for the online payment portal is currently in negotiation.

2022 STORMWATER DESIGN MANUAL

STAFF: SCOTT EGGER, PUBLIC WORKS DIRECTOR
PETER BROOKS, WATER RESOURCES MANAGER
DOUG CHRISTENSON, WATER RESOURCES ENGINEER
ACTION: FORWARD TO THE FULL CITY COUNCIL FOR REVIEW AND APPROVAL
MOTION: MADE, SECONDED AND CARRIED BY COUNCILMEMBERS KUNKEL AND COX.

Doug Christenson, Water Resources Engineer, provided an update on the 2022 Stormwater Design Manual.

The City of Lacey's Stormwater Design Manual (SDM) regulates stormwater management for development projects and construction sites. The SDM is a technical manual containing requirements and guidance applicable to virtually any land-altering project in the city, public or private. The SDM provides design criteria for best management practices (BMPs) for runoff treatment and flow control to protect water quality and prevent flooding, along with guidance for site plan/report submittals for project permit approval. The SDM is based on the Department of Ecology's *Stormwater Management Manual for Western Washington* for minimum requirements, applicability thresholds, definitions, limitations, and design criteria.

The 2022 Stormwater Design Manual must be formally adopted by the Lacey City Council and made effective no later than June 30, 2022, for compliance with the 2019-2024 Western Washington Phase II Municipal Stormwater Permit.

TRANSPORTATION COMMITTEE MINUTES
JUNE 7, 2022
11:00 A.M. – 11:26 A.M.
REMOTE AND IN PERSON ATTENDANCE

To hear the full discussion of a specific topic or the complete meeting, you may watch the video-stream available on the City of Lacey's YouTube Channel: <https://youtu.be/6dOM1N48Aag>

COUNCIL PRESENT: DEPUTY MAYOR MILLER (CHAIR), COUNCILMEMBERS VAZQUEZ
(REMOTE) AND STEADMAN (REMOTE)

STAFF PRESENT: SCOTT SPENCE, SCOTT EGGER, ROGER SCHOESSEL, MARTIN
HOPPE, AUBREY COLLIER, ELISSA FONTAINE

ACTION: APPROVE TRANSPORTATION COMMITTEE AGENDA

MOTION: MOTION MADE, SECONDED AND CARRIED BY COUNCILMEMBERS
STEADMAN AND VAZQUEZ

SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM

STAFF: MARTIN HOPPE, TRANSPORTATION MANAGER

ACTION: INFORMATION ONLY

Martin Hoppe, Transportation Manager, reviewed the Six Year Transportation Improvement Program (TIP).

The City is required to prepare an annual TIP and submit it to the Washington State Department of Transportation (WSDOT) and Thurston Regional Planning Council by July 31 each year.

The primary purpose of the TIP is to track Federal Transportation and State Transportation Improvement Board funds. The funds shown do not obligate the City to any specific amount of matching dollars. All projects on the TIP are consistent with the Transportation Comprehensive Plan and staff have recommended four projects to be removed. The Planning Commission will hold a hearing on June 7, 2022.

The proposed 2023 Six Year TIP is scheduled to come before the full Council at the July 21, 2022, Council meeting