



City Council Regular Meeting **Amended*** Agenda

Refer to the bottom of the agenda for meeting information.

Tuesday, August 18, 2026

6:00 PM

Council Chambers and Online

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Land Acknowledgement

We, the City of Lacey, are on the ancestral land of the Tribal People of the Treaty of Medicine Creek, including the Nisqually Indian Tribe and Squaxin Island Tribe. We acknowledge and remember those Tribal People not recognized today who were absorbed or relocated into other tribes for survival. We recognize the ancestors and their descendants who are still here. We recognize and respect the Tribal People of the Treaty of Medicine Creek as the traditional stewards of this land since time immemorial and their role today in taking care of these lands in perpetuity. We recognize and have the responsibility to call attention to the histories of dispossession, forced removal, and abridged treaty rights that allowed our nation, state, and city to develop as they have today. We recommend that community members read the Medicine Creek Treaty of 1854.

5. Approval of Agenda and Consent Agenda Items

- A. July 28, 2026, Worksession Minutes
- B. August 3, 2026, Informational Dinner Minutes
- C. August 3, 2026, Council Minutes
- D. Approval of Payment of Claims, Wages, and Transfers for July 27 - August 7, 2026

6. Public Recognitions, Proclamations, and Presentations

A. Proclamation: Overdose Awareness Day

Katie Strozyk, Thurston County Opioid and Overdose Response Program Manager

B. Councilmember Recognition*

**Item added August 18, 2026*

7. Public Comment

Refer to the bottom of the agenda for instructions on how to provide public comment.

8. Agenda Items

A. Reappointment: Kevin Wyckoff, Historical Commission

Andy Ryder, Mayor

- B. **Appointments: TJ Tenari and John Dziedzic, Historical Commission**
Andy Ryder, Mayor
- C. **Appointment: Angela Christiansen, Library Board**
Andy Ryder, Mayor
- D. **Appointment: Barbara Mock, Parks, Culture, and Recreation Board**
Andy Ryder, Mayor
- E. **Public Art Donation Policy Briefing**
Shanelle Pierce, Special Projects Administrator
- F. **Flag Policy Update**
Shannon Kelley-Fong, Assistant City Manager
- G. **Economic Development Update**
Sarah Schelling, Current Planning and Economic Development Manager
- H. **Council Vacancy Appointment Process**
Rick Walk, City Manager

9. City Manager's Report

10. Mayor's Report

11. Council Reports

- A. Deputy Mayor Malcolm Miller
- B. Councilmember Lenny Greenstein
- C. Councilmember Carolyn Cox
- D. Councilmember Nicolas Dunning
- E. Councilmember Maren Turner
- F. Councilmember Ryan Siu

12. Worksession

- A. ~~**Public Works Bidding Process**~~
~~Aubrey Collier, City Engineer~~
~~Ashley Smith, Engineering Design Manager~~
~~*Item removed August 18, 2026~~

13. Adjourn

Attendance and Public Comment

Attend Remotely or in Person

The public may attend the meeting in person, or you may view or listen to the meeting using one of the following platforms:

In Person	Council Chambers at Lacey City Hall 420 College Street SE, Lacey, WA 98503
Zoom:	https://us02web.zoom.us/webinar/register/WN_asPSRgZgQsqFDUXdPqZDRQ

Website: <https://cityoflacey.org/government/public-meetings/>
Facebook: <https://www.facebook.com/cityoflacey>
YouTube: <https://www.youtube.com/watch?v=de1NH27NJXw>

Cable: Channel 77 with your local cable provider
Phone: (888) 788-0099 or (877) 853-5247 (Webinar ID 834 3233 6781)

Verbal Public Comment

Each speaker is limited to three minutes. Comments are welcome on matters connected to City business or specific agenda items.

Prior to starting your comments, please provide your:

- a. Name
- b. City of residence or connection to the City
- c. Topic or subject matter of your comments

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.
Zoom: Preregister using the following Zoom link no later than two hours prior to the meeting:
https://us02web.zoom.us/webinar/register/WN_asPSRgZgQsqFDUXdPqZDRQ

Instructions and access details will be provided once registration is complete.

Written Public Comment

Public comments may also be submitted by email to PublicComment@cityoflacey.org. The commenting period will close two hours before the meeting time. 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.



Lacey City Council Worksession Minutes

Tuesday, July 28, 2026

Council Chambers and Online

1. Call to Order

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

2. Roll Call

Council Present

Mayor Andy Ryder
Councilmember Lenny Greenstein
Councilmember Carolyn Cox
Councilmember Nicolas Dunning (remote)
Councilmember Maren Turner
Councilmember Ryan Siu

Council Excused

Deputy Mayor Malcolm Miller

Staff Present

Rick Walk, City Manager
Dave Schneider, City Attorney
Troy Woo, Finance Director
Vince McGowan, Interim Public Works Director
Aubrey Collier, City Engineer
Scott Devlin, Operations Manager
Ryan Jewell, Stormwater Engineering Manager
Royce Young, Stormwater Permit Coordinator
Jamie Conner, Transportation Project Manager
Paul J. White, Deputy City Clerk

3. Land Acknowledgement

Mayor Ryder presented the abbreviated Land Acknowledgement.

4. Approval of the Revised Agenda

Councilmember Greenstein moved to approve the revised agenda.
Councilmember Siu seconded. The motion carried.

5. Public Comment

Verbal Public Comment

Four (4) people signed up to speak at the meeting:

Margaret Green, Lacey resident, commented on sidewalk repair, tree retention, and applicability of State Environmental Policy Act (SEPA) review.

John Green, Lacey resident, commented on trees in the Jubilee neighborhood and ongoing maintenance of sidewalks and newly planted trees.

Fred Kubasak, Lacey resident, commented on tree removal in the Jubilee neighborhood and the need for safe sidewalks.

Charlene McQuari, Treasurer, Jubilee Community Association Board of Directors, commented on sidewalk repair and tree removal in the Jubilee neighborhood.

No one registered to speak remotely.

Written Public Comment

Ten (10) written public comments were received.

6. Agenda Items

A. Stormwater Strategic Plan

Vince McGowan, Interim Public Works Director
Ryan Jewell, Stormwater Engineering Manager
Royce Young, Stormwater Permit Coordinator

Young presented the 2026-2035 Stormwater Strategic Plan, formerly called the Stormwater Comprehensive Plan. The plan aligns the City's stormwater utility goals with the Comprehensive Plan to guide programs, capital projects, activities, and personnel. Young described the public engagement process for the strategic plan, including an April 6, 2026, open house and a public hearing on July 22, 2026. The activities of the stormwater utility that serve the Lacey community were summarized, including pollution prevention, public engagement, and compliance with state and federal requirements. Young reported on the City's Stormwater Management Program components, state requirements, and current emphases. Required and recommended levels of service within the Stormwater Strategic Plan were summarized. Program staffing and resources were presented. Program funding scenarios were introduced based on possible receipt of grant funding. Discussion ensued.

B. Sidewalk Repair Project Overview

Vince McGowan, Interim Public Works Director
Aubrey Collier, City Engineer
Scott Devlin, Operations Manager

Jamie Conner, Transportation Project Manager
Kevin McFarland, Sound Urban Forestry

Collier presented the 2026 Sidewalk Repair Project. Assessment of the City's sidewalks and related policy-making were summarized. The factors affecting temporary and permanent sidewalk repairs were listed. The repair project scope was described and includes removal of approximately 185 trees in the Jubilee and Merriwood neighborhoods. The project timeline and next steps were shared, and discussion ensued.

C. Sidewalk Capital Funding Strategy

Rick Walk, City Manager
Troy Woo, Finance Director
Vince McGowan, Interim Public Works Director
Aubrey Collier, City Engineer

Collier presented the Sidewalk Gap Strategy, addressing missing links in the City's sidewalk network and the process for evaluating when and where to install connections. A survey of existing sidewalk gaps has begun and is expected to take a year to complete. Factors influencing sidewalk design were described, and the Planning Commission is expected to consider associated updates to the City's development guidelines.

Woo presented funding sources and strategies for connecting the City's sidewalk network, including fuel taxes, real estate excise tax, and transportation benefit district sales tax. Competing City commitments for tax revenue were noted. Staff recommends shifting current sidewalk maintenance funding from the Street Fund to Transportation Benefit District funding, allocating approximately \$300,000 of General Fund resources annually to fund sidewalk gap projects, updating the Pedestrian and Bicycle Plan to address connectivity, priorities, and cost estimates, and developing non-permanent sidewalk standards for minimum safety and Americans-with-Disabilities-Act compliance. Discussion ensued.

D. Council Reports

Councilmember Greenstein commented on the July 23, 2026, coffee with Council event at Cutters Point and a recent Fire District 3 emergency preparedness symposium.

Councilmember Turner commented on the July 23, 2026, coffee with Council event.

Councilmember Dunning provided a report from the Regional Housing Council.

Mayor Ryder commented on Lacey Youth Council interviews and acknowledged the death of recently retired Fire District 3 paramedic Brett Jackson.

7. Adjourn

Mayor Ryder adjourned the meeting at 8:13 p.m.

DRAFT



Lacey City Council Informational Dinner Meeting Minutes

Monday, August 3, 2026

Lacey City Hall Community Room

1. Call to Order

Deputy Mayor Miller called the meeting to order at 4:31 p.m.

2. Roll Call

Council Present

Deputy Mayor Malcolm Miller
Councilmember Lenny Greenstein
Councilmember Carolyn Cox
Councilmember Maren Turner
Councilmember Ryan Siu

Council Excused

Mayor Andy Ryder
Councilmember Nicolas Dunning

Staff Present

Rick Walk, City Manager
Elissa Fontaine, City Clerk

3. Land Acknowledgement

Deputy Mayor Miller presented the abbreviated Land Acknowledgement.

4. Approval of the Agenda

Councilmember Greenstein moved to approve the agenda and consent agenda. Councilmember Siu seconded. The motion carried.

5. Discussion on Local and Regional Matters

Discussion ensued on the following topics:

1. Franz Anderson ILA
2. Maple Court operations
3. Puget Sound Energy electricity rates

4. Nisqually Tribe Update
5. Historical Commission vacancy
6. Business and Occupational Tax software
7. Water Meter Replacement Project
8. Police Station opening

No final action was taken per Lacey City Council Policies and Procedures, Chapter 7.01.

6. Adjourn

The meeting was adjourned at 5:36 p.m.



City Council Regular Meeting Minutes

Monday, August 3, 2026

Council Chambers and Online

1. Call to Order

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

2. Roll Call

Council Present

Deputy Mayor Malcolm Miller
Councilmember Lenny Greenstein
Councilmember Carolyn Cox
Councilmember Nicolas Dunning (remote)
Councilmember Maren Turner
Councilmember Ryan Siu

Council Excused

Mayor Andy Ryder

Staff Present

Rick Walk, City Manager
Dave Schneider, City Attorney
Troy Woo, Finance Director
Chelsea Knight, Deputy Finance Director
Jamie Conner, Project Manager Public Works Transportation
Sadie Siglin, Management Analyst
Elissa Fontaine, City Clerk

3. Pledge of Allegiance

Deputy Mayor Miller led the flag salute.

4. Land Acknowledgement

Deputy Mayor Miller presented the abbreviated Land Acknowledgement.

5. Approval of Agenda and Consent Agenda Items

A. Minutes of July 14, 2026

- B. Minutes of July 21, 2026
- C. Payment of claims, wages, and transfers for July 7-24, 2026

Councilmember Greenstein moved to approve the agenda and consent agenda. Councilmember Siu seconded. The motion carried.

6. Public Recognitions, Proclamations, and Presentations

A. Proclamation: National Purple Heart Day

Tony Barth, Sergeant First Class (Retired)

Deputy Mayor Miller and Council proclaimed August 7, 2026, as National Purple Heart Day. Tony Barth, Sergeant First Class Retired, was present to accept the proclamation.

7. Public Comment

Verbal Public Comment

No verbal public comment was received.

Written Public Comment

Two (2) written public comments were received.

8. Agenda Items

A. Lacey Youth Council 2026-2027 Appointments

Sadie Siglin, Management Analyst

Siglin presented on the 2026-2027 Lacey Youth Council recruitment efforts. The following applicants were recommended for appointment:

- | | | |
|--------------------|---------------------|------------------------------|
| • Isabella Valerio | • Michelle Ewig | • Julia Chong |
| • Makayla Lesane | • Anthony Pham | • Logan Morvant |
| • Harmony Johnson | • Josiah Tucker | • Razan Al-Nuaimi |
| • Heeyoung Kim | • Luis Mata | • Sydney Mercado (Alternate) |
| • Luka Froehlich | • Caralynn Garwood | • Elijah Delfin (Alternate) |
| • Jennifer Zheng | • Izabelle Triplett | |

Councilmember Greenstein moved to approve appointment of the 2026-2027 Lacey Youth Council as shown in Tables A and B. Councilmember Turner seconded. The motion carried.

B. Contract Award: 2026 Sidewalk Repair (PW2026-15)

Aubrey Collier, City Engineer

Jamie Conner, Project Manager Public Works Transportation

Conner presented the contract award for the 2026 Sidewalk Repair Project. The project outlines a long-term solution that restores safe pedestrian access and reduces ongoing maintenance costs by providing a full sidewalk replacement with root barrier and planting tree species better suited for the available planting space. The start date of the project is anticipated for September 2026 with 90 working days allotted.

Deputy Mayor Miller moved to award contract number PW 2026-15 to the qualified low bidder, P&A Civil, in the amount of \$1,083,296.00. Councilmember Greenstein seconded.

Councilmembers Cox and Turner abstained from voting and stated their individual reasons.

**The motion carried, 4-0:
In favor: Miller, Greenstein, Dunning, Siu
Opposed: None
Abstaining: Cox, Turner**

C. 2026 Mid-Year Financial Report

Troy Woo, Finance Director
Chelsea Knight, Deputy Finance Director

Woo and Knight presented the 2026 Mid-Year Financial Report, which focuses on the general fund. A detailed review of revenue and expenditures, utility expenses, projected labor costs, and long-term considerations were presented. Discussion surrounding the utility expenditure amendments and projections related to electricity rate increases ensued. Staff recommend a conservative tone for the 2027 Budget Call, and advised that the June 15, 2026, instructions memorandum remains warranted.

D. 2026 Quarter 2 Investment Report

Troy Woo, Finance Director

Woo presented the investment report in detail for 2026 Quarter 2. The investment report is prepared by the City's investment advisor, Government Portfolio Advisors (GPA). The main components of the quarterly report include market outlook, strategic outlook updates, asset allocation changes, historical balances, and a summary of the total invested funds.

9. City Manager's Report

Walk reported that National Night Out is scheduled for Tuesday, August 4, 2026. The event aims to strengthen relationships between residents and law enforcement through neighborhood gatherings.

10. Mayor's Report

Deputy Mayor Miller provided an update on recent advisory board recruitment efforts.

11. Council Reports

- A. Deputy Mayor Malcolm Miller
Deputy Mayor Miller did not provide any reports.
- B. Councilmember Lenny Greenstein
Councilmember Greenstein did not provide any reports.
- C. Councilmember Carolyn Cox
Councilmember Cox did not provide any reports.
- D. Councilmember Nicolas Dunning
Councilmember Dunning did not provide any reports.
- E. Councilmember Maren Turner
Councilmember Turner did not provide any reports and invited the public to engage in a recent survey launched by Thurston Regional Planning Council.
- F. Councilmember Ryan Siu
Councilmember Siu did not provide any reports and commented on recent attendance at the Thurston County Fair.

12. Adjourn

Deputy Mayor Miller adjourned the meeting at 7:07 p.m.



STAFF REPORT

Council Regular Meeting
August 18, 2026

Subject: Disbursement Approval
To: Lacey City Council
Prepared by: Carrie Bode, Accounting Technician
Department Director: Troy Woo, Finance Director *tw*
Reviewed By: Troy Woo, Finance Director
Final Review: Same as Department Director

Purpose: Action Item

Recommendation: Motion to Approve

Brief: The action requested of the City Council is by motion to approve payment of claims, wages and transfers for 7/27/2026 through 8/7/2026. The disbursements consist of the items below.

Alternatives:

Not Applicable

Prior Review:

Not Applicable

Advisory Board Recommendation(s):

Not Applicable

Fiscal Impact:

Budgeted Item: No

Disbursements consist of the following:

Checks:

<u>Week of</u>	<u>Beg. Check No.</u>	<u>End. Check No.</u>	<u>Amount</u>
7/31/2026	285143	285313	477,759.72
7/31/2026*	285314	285317	9,121.61
8/7/2026	285318	285387	2,409,527.10

Electronic Transfers:

<u>Week of</u>	<u>Amount</u>
7/27/2026	73,412.80
7/31/2026	1,105,678.24
7/31/2026	69,696.38
7/31/2026*	22,031.83
7/31/2026*	2,119,313.92
8/5/2026	186,325.38
8/5/2026	111.10
8/5/2026	7,895.15
8/5/2026	10,015.98
8/5/2026	718.33
8/5/2026	259.53
8/7/2026	289,287.08

Payroll:	<u>Month End</u>	<u>Wages</u>
	7/31/2026*	2,549,323.66

Significant Disbursements:

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>
US Bank PCard	73,412.80	Employee Credit Card Charges
Bud Clary Chevrolet Cadillac	60,488.03	Parks Department 15 Passenger Van
Bud Clary Ford/Hyundai	84,529.90	Ford F-350 (Replacement Vehicle)
Pacific Civil & Infrastructure	466,431.87	Lift Station 23 Improvements
Platt Electric Supply	87,748.88	LED Lighting/Street Lights
Prospect Construction, Inc.	219,505.61	Lift Station 3 Replacement
Olympia-CARPFD	69,696.38	July 2026 CARPFD
Department of Revenue	186,325.38	July 2026 Excise Taxes
Bud Clary Ford/Hyundai	82,767.32	Ford F-350 (Replacement Vehicle)
LOTT Wastewater Alliance	538,665.06	July 2026 Reserve Capacity
LOTT Wastewater Alliance	1,436,794.78	July 2026 ERU's
Northwest Land & Water, Inc.	57,937.02	TQU Aquifer & MR & MC Wells Projects
Thurston County District Court	53,004.00	April 2026 Violations
WA St. Dept. of Transportation	113,274.55	E-Bike Overpayment Refund
4K Contractors, Inc.	103,298.65	2023-2024 Lift Station Awnings

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



CITY OF LACEY ***Official Proclamation***

WHEREAS, International Overdose Awareness Day shares the message that overdose deaths occur in all communities and among people from every walk of life; and

WHEREAS, the City of Lacey stands beside and uplifts those who have lost loved ones to an overdose and those who have a substance use disorder and are diligently working toward recovery; and

WHEREAS, overdose deaths are preventable and can be caused by alcohol, over-the-counter medications, stimulants, opioids, and other substances; and

WHEREAS, like many communities across Washington State, the national opioid epidemic and other overdoses pose a significant threat to public health in Lacey, and people who experience an overdose deserve quality care and kindness; and

WHEREAS, the City of Lacey has joined with other Washington communities in the One Washington Memorandum of Understanding to access funds vital to responding to the opioid epidemic in our community; and

WHEREAS, Washington State has implemented a State Opioid Response Plan; and

WHEREAS, anyone can visit the statewide resource www.stopoverdose.org and the Recovery Help Line at 1-866-789-1511 for 24-hour information and help; and

NOW, THEREFORE, I, Andy Ryder, Mayor of the City of Lacey, on behalf of the Lacey City Council, do hereby proclaim August 31, 2026, as

Overdose Awareness Day

in the City of Lacey and encourage anyone whose life has been impacted by a substance use disorder to call the Washington Recovery Helpline at 1-866-789-1511.



Andy D. Ryder

Mayor Andy Ryder
August 18, 2026



STAFF REPORT

Council Regular Meeting
August 18, 2026

Subject: Historical Commission Reappointment
To: Lacey City Council
Prepared by: Elissa Fontaine, City Clerk
Department Director: Shannon Kelley-Fong, Assistant City Manager
Reviewed By:
Final Review: Rick Walk, City Manager

RW

Purpose: Action Item

Recommendation: Motion to Approve the reappointment of Kevin Wyckoff to the Historical Commission as recommended.

Brief: Kevin Wyckoff was appointed to fill an unexpired term in 2022 and was reappointed for a first full term in 2023. Kevin is eligible and interested in serving a second full term. The recommendation is to re-appoint Wyckoff to another Historical Commission full term.

Alternatives:

1. Do not re-appoint; seek additional applicants for consideration.
2. Some other option not contemplated in the above.

Prior Review:

Not applicable

Fiscal Impact: No fiscal impact

Budgeted Item: No

Amount: \$

Project Code:

Funding Source: Not applicable

Attachments:

1. None.

Policy or Legal Alignment:

1. [LMC 2.42](#)

Background:

Pursuant to [LMC 2.42.020](#), the City's Historical Commission is composed of seven (7) general members appointed by the Mayor, subject to confirmation by the City Council. General membership shall always include at least two professionals who have experience in evaluating historic resources and are selected from among the disciplines of history, architecture, architectural history, historic preservation, planning, cultural anthropology, archaeology, cultural geography, or American studies. Members shall reside in the city of Lacey or reside in Lacey's urban growth area, except when needing to fulfill the professional membership requirement.

Kevin Wyckoff was appointed to fill an unexpired term in 2022 and was reappointed for a first full term in 2023. Wyckoff is eligible and interested in serving a second full term and currently serves as Chair. With support of the Historical Commission and staff liaison, the recommendation is to re-appoint Wyckoff to serve a second term on the Historical Commission.



STAFF REPORT

Council Regular Meeting
August 18, 2026

Subject: Historical Commission Appointments
To: Lacey City Council
Prepared by: Elissa Fontaine, City Clerk
Department Director: Shannon Kelley-Fong, Assistant City Manager
Reviewed By:
Final Review: Rick Walk, City Manager

RW

Purpose: Action Item

Recommendation: Motion to Approve the appointment of TJ Tenari and John Dziedzic to the Historical Commission as recommended.

Brief: Three (3) vacancies were created on the Historical Commission due to a resignation, and completion of terms by Commissioners. Out of the applications received, two (2) applicants expressed interest in serving on the Historical Commission.

Alternatives:

1. Do not appoint; seek additional applicants for consideration.
2. Some other option not contemplated in the above.

Prior Review:

Not applicable

Fiscal Impact: No fiscal impact

Budgeted Item: No

Amount: \$

Funding Source: Not applicable

Project Code:

Attachments:

1. Application Packet TJ Tenari
2. Application Packet John Dziedzic

Policy or Legal Alignment:

1. [LMC 2.42](#)

Background:

Pursuant to [LMC 2.42.020](#), the City's Historical Commission is composed of seven (7) general members appointed by the Mayor, subject to confirmation by the City Council. General membership shall always include at least two professionals who have experience in evaluating historic resources and are selected from among the disciplines of history, architecture, architectural history, historic preservation, planning, cultural anthropology, archaeology, cultural geography, or American studies. Members shall reside in the city of Lacey or reside in Lacey's urban growth area, except when needing to fulfill the professional membership requirement.

Three (3) vacancies were created following a resignation and completion of Commissioner terms. The City conducted a recruitment process to fill the following vacancy on the Historical Commission:

- An unexpired term, expiring September 13, 2027. Applicants must reside within the Lacey City Limits, or depending on Commission membership the Urban Growth Area.
- First full term, expiring September 13, 2029. Applicants should be professionals with experience in evaluating historic resources and have backgrounds in disciplines of history, architecture, architectural history, historic preservation, planning, cultural anthropology, archaeology, cultural geography, or American studies.
- First full term, expiring September 13, 2029. Applicants should be professionals with experience in evaluating historic resources and have backgrounds in disciplines of history, architecture, architectural history, historic preservation, planning, cultural anthropology, archaeology, cultural geography, or American studies.

A total of two (2) applications expressing interest in the Historical Commission were received. The recommendations for appointments are outlined in **Table A**.

Table A	
Name	Designation
TJ Tenari (City)	An unexpired term, expiring September 13, 2027. Applicants must reside within the Lacey City Limits, or depending on Commission membership the Urban Growth Area.
John Dziedzic (City)	First full term, expiring September 13, 2029. Applicants should be professionals with experience in evaluating historic resources and have backgrounds in disciplines of history, architecture, architectural history, historic preservation, planning, cultural anthropology, archaeology, cultural geography, or American studies.





Application for Appointment to Lacey City Council Boards & Commission

Please Note: Applicant entries are not modified or edited

DATE OF APPLICATION:	03/18/26		
APPLICATION FOR:	Parks, Culture and Recreation Board, Commission on Equity, H		
APPLICANT:	TJ		Tenari
ADDRESS:	Ruddell Rd SE 13B	WA	
EMAIL:			

Home Phone Number:	
Cell Phone Number:	
Work Phone Number:	

Do you live within the City Limits or the Urban Growth Area?
City of Lacey
How long have you been a resident?
14 years
What is your interest/objective in serving on this Board or Commission?
Learning more about local governance
What is your education?
BA from The Evergreen State College

Do you have other civic obligations and/or memberships in professional organizations?
The Recording Academy (The GRAMMYS, Pacific Northwest Chapter) Student Ambassador, The Evergreen State College

Application for Appointment to Lacey City Council Boards & Commissions

Please Note: Applicant entries are not modified or edited.

What previous experience do you have serving on a board, committee, or commission?
None
Approximately how many hours each month can you volunteer for this appointment?
20
Briefly describe any special knowledge, skills, or experience that qualifies you for this appointment?
An appetite for learning and recruiting skill.
Where are you currently employed?
Ambassador, The Recording Academy 2025-Present JENIA VILES (she/her/hers) GRAMMY U REPRESENTATIVE, PACIFIC NORTHWEST CHAPTER 360.674.6300 (m)
Briefly explain why you would like to serve on a Council Board or Commission.
I am a Lacey resident and a future Master of Public Administration (MPA) student at The Evergreen State College. I am applying because I want to help preserve and share the diverse stories that make Lacey unique. As I am currently in the planning stages of a new nonprofit called Global Community Effort and am active in the local music scene, I believe I offer a fresh perspective on how we celebrate our heritage. I am particularly excited about the development of the new Lacey Museum and the city's upcoming 60th anniversary. My goal is to use my background in policy and community advocacy to ensure our history is accessible, inclusive, and engaging for all residents.

Cover Letter

To: Lacey City Council and the Historical Commission

From: TJ Tenari

Subject: Application for Lacey Historical Commission

Dear Honorable Mayor and Councilmembers,

I am writing to formally express my enthusiastic interest in serving as a member of the Lacey Historical Commission. As a Lacey resident and a future Master of Public Administration (MPA) student at The Evergreen State College, I am deeply committed to the idea that a city's future is built on the strength and inclusivity of its history.

Lacey is currently at a pivotal moment in its historical journey. With the development of the **new Lacey Museum** and the upcoming **60th-anniversary celebrations**, we have a unique opportunity to redefine how we share our stories. I want to help ensure that these projects reflect the full diversity of our community, including the voices of our Polynesian, AAPI, and working-class neighbors.

Through my current work in the **strategic planning phase of my non-profit, Global Community Effort**, I have learned how to build organizations from the ground up with a focus on equity. Additionally, my background as a **local musician and creative producer** gives me a unique perspective on "living history"—the music, arts, and stories that connect generations. I believe these skills will be an asset as the Commission works to make our local heritage more engaging for younger residents and newcomers alike.

I am eager to contribute to the Commission's work in identifying historic landmarks and expanding our digital archives. I believe my academic training in policy and my hands-on experience in community advocacy will allow me to be a productive, data-informed member of this team.

Thank you for your time and for the opportunity to serve the City of Lacey. I look forward to the possibility of discussing how I can support the Commission's upcoming initiatives.

Sincerely,

TJ Tenari

TJ Tenari

Lacey, WA |

Professional Profile

Dedicated community advocate and Master of Public Administration (MPA) candidate with a focus on social equity, cultural preservation, and inclusive governance. Proven track record in creative production and strategic planning, seeking to leverage a background in the arts and public service to support the Lacey Historical Commission's mission.

Core Competencies

- **Public Administration:** Policy analysis, strategic planning, and municipal budget awareness.
- **Community Engagement:** Skilled in grassroots outreach and building partnerships within diverse communities.
- **Cultural Advocacy:** Active participant in the local music scene with a focus on oral history and creative storytelling.
- **Project Leadership:** Experienced in managing complex timelines and multidisciplinary teams.

Professional & Community Experience

Global Community Effort | Lacey, WA

Lead Strategist & Founder (Strategic Planning Phase) | 2025 – Present

- Developing the organizational framework for a local non-profit focused on community equity and resource accessibility.
- Conducting needs assessments and feasibility studies to align services with current Lacey community goals.

Independent Musician & Cultural Advocate | Thurston County, WA

Performing Artist & Member of Oly-A/MUO/LUO | 2022 – Present

- Active contributor to the regional music scene, fostering community through performance and cultural education.
- Engaging in the preservation of musical traditions and oral histories within the local Polynesian and arts communities.

Inter Tribal Youth Film Project | Regional

1st Assistant Director – "Basket Lady" | 2023

- Coordinated production schedules and managed on-site logistics for a cultural preservation film project.
- Collaborated with community stakeholders to ensure authentic representation of tribal history and narratives.

Education

The Evergreen State College | *Olympia, WA*

Master of Public Administration (MPA) – Candidate, Fall 2026

Tyee High School | *SeaTac, WA*

High School Diploma

Creative Projects & Affiliations

- **Member:** The Recording Academy (GRAMMY U).
 - **Member:** Pike Place Market Busking Program.
 - **Creative Writing:** Author of the original screenplay, "The Janitor."
-
-



Application for Appointment to Lacey City Council Boards & Commissions

Please Note: Applicant entries are not modified or edited.

DATE OF APPLICATION:			
APPLICATION FOR:	Historical Commission		
APPLICANT:	JOHN	F.	DZIEDZIC
ADDRESS:	LACEY, WA 98516-1631		
EMAIL:			

Home Phone Number:	
Cell Phone Number:	
Work Phone Number:	

Do you live within the City Limits or the Urban Growth Area?
City of Lacey
How long have you been a resident?
From September 1960 through August 1973 and since 7/2/2026 to current
What is your interest/objective in serving on this Board or Commission?
I have been involved with the Lacey Historical Society for the past two or three years.
What is your education?
Graduated from North Thurston High School in 1973. Graduated summa cum laude from WSU in 1977. Attended UW Dan Evans School of Public Affairs and TESC Graduated summa cum laude from UPS School of Law in 1993.

Do you have other civic obligations and/or memberships in professional organizations?
None, other than my current role as Secretary of the Lacey Historical Society, I have no other civic obligations.



Application for Appointment to Lacey City Council Boards & Commissions

Please Note: Applicant entries are not modified or edited.

What previous experience do you have serving on a board, committee, or commission?
Lacey's Citizen representative on the InterCity Transit Board Lacey Planning Commission State of Washington Combined Fund Drive Government Lawyers Bar Association Crisis Clinic of Thurston-Mason Counties
Approximately how many hours each month can you volunteer for this appointment?
15 hours
Briefly describe any special knowledge, skills, or experience that qualifies you for this appointment?
I am the middle child of a large family. To the extent I grew up, I grew up in Lacey.
Where are you currently employed?
Retired attorney
Briefly explain why you would like to serve on a Council Board or Commission.
It seems like it could be fun

JOHN F. DZIEDZIC

Admitted to the Washington Bar – 1994 – Retired

LAW-RELATED EXPERIENCE	Manager; Adjudicative Processes Program; Business and Professions Div.; Dept. of Licensing. Oct. 2007 – Aug. 2015
	Chief; Office of Policy, Planning, and Legislative Relations; Div. of Alcohol and Substance Abuse, DSHS. Oct. 2006 – Oct. 2007
	Counsel; Washington State Senate Labor, Commerce, and Research and Development Committee. Oct. 2002 – Oct. 2006
	Assistant Attorney General; Labor and Personnel, Governmental Relations, and Revenue Divisions. Nov. 1996 – Oct. 2002
	Judicial Law Clerk; Washington Supreme Court Justices Gerry Alexander and Barbara Madsen. Aug. 1994 – Oct. 1996
	Judicial Extern; The Honorable Eugene A. Wright, Senior Judge; United States Court of Appeals, Ninth Circuit. Spring 1994
LAW-RELATED EDUCATION	University of Puget Sound School of Law; Juris Doctor, <i>summa cum laude</i> . University Scholar for the Study of Law. Authored <i>Krishna v. Lee</i> <i>Extricates the Inextricable</i> , published in UPS Law Review. 1991 – 1994
OTHER PROFESSIONAL EXPERIENCE	Deputy Secretary of State; Office of the Secretary of State, Olympia. Managed external relations and monitored legislation. Feb. 1985 – Aug. 1991
	Management Analyst, Washington State Employees Credit Union, Olympia Coordinated installation of new services and systems. Sept. 1978 – Feb. 1985
	Consultant, Jackson & Associates, Olympia. Developed Affirmative Action plans and audited compliance with the Federal Education for All Handicapped Children Act. Jan. 1977 – Sept. 1978
OTHER EDUCATION	University of Washington School of Public Affairs Winter/Spring 1978
	The Evergreen State College Spring 1977
	Washington State University - Bachelor of Arts in Political Science. Graduated <i>summa cum laude</i> . Phi Beta Kappa, Phi Kappa Phi. Feb. 1977
PRIOR COMMUNITY ACTIVITIES	Treasurer and CLE Coordinator, Government Lawyers Bar Association. Chair, Combined Fund Drive state-wide governing committee. Treasurer, Thurston/Mason County Crisis Clinic Board of Directors. Vice-Chair, Intercity Transit Commission, Olympia, WA. Member, City of Lacey Planning Commission.

Vashon Drive NE
Lacey, WA 98516-1361

(land)
(cell)



STAFF REPORT

Council Regular Meeting
August 18, 2026

Subject: Library Board Appointment
To: Lacey City Council
Prepared by: Elissa Fontaine, City Clerk
Department Director: Shannon Kelley-Fong, Assistant City Manager
Reviewed By:
Final Review: Rick Walk, City Manager

RW

Purpose: Action Item

Recommendation: Motion to Approve the appointment of Angela Christiansen to the Library Board.

Brief: One vacancy was created on the Library Board due to a resignation. The recruitment was posted and applicants were invited to interview. Out of the applications received, one (1) applicant expressed interest in serving on the Library Board. Interviews were conducted with Deputy Mayor Miller, Jen Burbidge, Parks, Culture and Recreation Director, and Brandy Legomina, Deputy City Clerk.

Alternatives:

1. Do not appointment; seek additional applicants for consideration.
2. Some other option not contemplated in the above.

Prior Review:

Not applicable

Fiscal Impact: No fiscal impact

Budgeted Item: No

Amount: \$

Project Code:

Funding Source: Not applicable

Attachments:

1. Application Packet

Policy or Legal Alignment:

1. [LMC 2.46](#)

Background:

The City Council appoints community representatives on a variety of advisory boards. Advisory Board members review and make recommendations to the City Council on issues related to land use, zoning, social services, parks, library services, historical matters, and diversity, equity, and inclusion measures.

The Lacey Library Board assists in developing long-range plans for library services in the City and provides suggestions and recommendations for physical improvements to the Lacey Library facility.

The Pursuant to [LMC 2.46.020](#), the City's Library Board is composed of five (5) members appointed by the Mayor, subject to confirmation by the City Council. At least four (4) of the general board members shall be residents of the City of Lacey. The fifth general board member may either be a resident of the City or reside in Lacey's Urban Growth Area (UGA). Terms for the general members shall be for five years.

One (1) vacancy was created following a resignation. The City conducted a recruitment process to fill the following vacancy on the Parks, Culture and Recreation Board:

- An unexpired term, expiring February 2, 2029. Applicants for this vacancy must reside within the Lacey City Limits.

A total of one (1) application expressing interest in the Library Board was received. The recommendation for appointment is outlined in **Table A**.

Table A	
Name	Designation
Angela Christiansen (City)	Appointing an unexpired term, expiring February 2, 2029





Application for Appointment to Lacey City Council Boards & Commissions

Please Note: Applicant entries are not modified or edited.

DATE OF APPLICATION:	06/10/26		
APPLICATION FOR:	Parks, Culture and Recreation Board, Library Board		
APPLICANT:	Angela		Christiansen
ADDRESS:	wallingford lane ne	Lacey, WA 98516	
EMAIL:			

Home Phone Number:	
Cell Phone Number:	
Work Phone Number:	

Do you live within the City Limits or the Urban Growth Area?
City of Lacey
How long have you been a resident?
5 years
What is your interest/objective in serving on this Board or Commission?
As our community in Lacey continues to grow—not only in population but in diversity—I'm committed to improving our parks so that all residents, young and old, can enjoy and fully immerse themselves in the outdoors. By enhancing the accessibility and experience of our local parks, we can create spaces that truly reflect the vibrant, diverse community we are becoming.
What is your education?
B.A Business Administration, Saint Martin's University 2011

Do you have other civic obligations and/or memberships in professional organizations?
Currently serving as my HOA's President

Application for Appointment to Lacey City Council Boards & Commissions

Please Note: Applicant entries are not modified or edited.

What previous experience do you have serving on a board, committee, or commission?
2021-Current HOA president for community of 55 homes 2019-2026 Serving on various employee sponsored inclusion networks (parents and women groups) Undergrad-Served on student government for 4 years, and served as student representation for St. Martin's board of trustees
Approximately how many hours each month can you volunteer for this appointment?
5-10
Briefly describe any special knowledge, skills, or experience that qualifies you for this appointment?
Professionally, I work in a role that requires detailed analysis of large data sets and collaboration across teams to meet shared goals. As an employee at REI—a company that values making the outdoors accessible for all—I live out the co-op's mission in both my work and personal life. I bring a high level of attention to detail and strong time management skills to everything I do, and I'm committed to using those strengths to continue improving our neighborhood. Personally, I have served on my HOA board for almost 4 years. I have brought a "grassroots" approach to tackling large infrastructure projects in our neighborhood that balance a tight budget and community needs.
Where are you currently employed?
Inventory Replenishment Analyst, REI, 2021-Current, Tracy Condie-Number available upon request
Briefly explain why you would like to serve on a Council Board or Commission.
Within just four months of moving into our community, I discovered that our HOA board had become inactive due to COVID-19 and the departure of key members. Recognizing the importance of strong leadership and structure, I took the initiative to help re-establish the board and create a fiscally responsible operating budget. One of our community's most valuable assets is its expansive green space, which includes a playground. At the time, the playground was in poor condition—deteriorating quickly and becoming increasingly unsafe for children. Rather than outsourcing the installation of a new playground at a cost of \$8,000, our newly formed board, along with several dedicated homeowners, came together to complete the project ourselves. In less than a month, we successfully constructed a \$25,000 playground, saving thousands of dollars while creating a safe and beautiful space for our families. Our green space is now a source of pride for our neighborhood. Improving it not only boosted curb appeal but reinforced the sense of community we all value. My family moved here when my son was just one year old, and we've loved exploring all of our local parks ever since. We also make a point to support the nearby shops and businesses that help make this area so special. I'm committed to continuing to serve this community I care so deeply about. I hope to use both my professional analytical skills and my passion for local improvement to keep making a difference on the HOA board.

Angela Christiansen

Skills

- Outstanding team player and servant leader, highly capable of working with cross functional teams
- Ability to adapt to ever changing business models and environments; champion of change
- Proven track record of attracting, hiring and developing top talent
- Strong analytical skills, able to review large volumes of data and interpret results
- Exceptional communication skills, able to clearly convey messages to the right person at the right time
- A retail partner focused on fostering strong and collaborative relationships
- Capability to quickly make decisions based on current priorities, business models, and partnerships

Experience

May 2023 – Current / Replenishment Analyst

REI | Remote | Seattle, WA

- Analyze sales trends, historical data, and regional performance to inform inventory deployment across omnichannel networks, supporting a \$25 million dollar a year department
- Partner with Merchandising, Planning, and Visual teams to align floor sets and product availability, launching a pilot collaboration model to be adopted by Women's Sportswear team
- Support the Pant Authority initiative by leading detailed class/brand/size/district sales analysis, enabling data-driven investment decisions and countering leadership concerns
- Developed a revised allocation strategy for REI's Anniversary Sale by pushing event inventory pre-event; improved initial in-stocks and post-event recovery, contributing to stronger in-stocks in key programs
- Collaborate cross-functionally to ensure alignment between forecast, Open to Buy, and replenishment execution across multiple business channels
- Deliver regular reporting on KPI performance and inventory health; surface opportunities for reallocation, risk mitigation, and strategy refinement
- Identify and execute ad-hoc inventory pushes to optimize performance during key seasonal events and promotions

December 2021 –2023 / Planning Assistant

REI | Remote | Seattle, WA

- Execute daily, weekly and monthly category specific reporting; providing analysis on outliers and inventory improvements
- Manage start to finish in season purchase orders for over 300 vendors across multiple departments within Outdoor Hardgoods
- Work cross functionally with multiple teams to ensure inventory arrives in DC and stores according to release dates, launches, and beginning of season start dates
- Troubleshoot supply chain delays, advocate for vendor and shipping partnership, and escalate patterns or trend to traffic
- Began stretch assignment in Summer of 2023 with replenishment team to release trim orders and execute ad-hoc inventory pushes, covered interim LOA
- Daily email communication with vendors and nurturing strong vendor partnerships

January 2019 – December 2021 / Merchandise Analyst, Nordstrom Merchandising Group

Nordstrom | Seattle, WA

- Completed daily category, supplier and class specific analysis for Kids buying pods
- Executed markdowns, RTV's, re-orders and Dropship feed management
- Maximized open to buy through in season and/or chase orders
- Partnered with allocation team to increase depth of product based on class/category performance
- Built size profiles for in season utilizing SKU/class level performance
- Developed relationships with partners and vendors, maximizing productivity, and speed of goods to the customer

- Developed an understanding of how our customer shops, and helped increase assortment in key categories based on analytical trends and sales reporting
- Submitted and maintained full cycle item set ups; including style/creative changes, and price management (MAP)
- Daily maintenance of PO management including tracking, reporting and fulfillment status

June 2018 – January 2019 / Customer Care Supervisor, Nordstrom.com
Nordstrom | Seattle, WA

- Effectively managed a team of in office and work from home customer care specialists
- Worked closely with lower level leadership and multiple cross functional teams
- Drove an increase in customer care specialist metrics, including SLA and customer service survey results

Feb. 2017 – June 2018 / Applicant Support Team Supervisor, Talent Acquisition
Nordstrom | Seattle, WA

- Supported entry level hiring needs of all Nordstrom and Nordstrom Rack retail locations in US and CA
- Conducted daily phone interviews, screened candidate applications, and coordinated in store interviews
- Supported recruiting efforts and partnered with stores to increase candidate flow with in store recruiting events
- Helped lead multiple companywide process improvement projects from beginning to end; including changing company wide external posting titles for hourly roles in both Nordstrom Rack and Nordstrom stores

Nov. 2012 – Feb. 2017 / Assistant Department Manager & Department Manager
Nordstrom | Portland, OR--Vancouver, WA--Salt Lake City, UT—Seattle, WA

- Managed multiple divisions including Men's, Women's Trend, Kids wear/Kids Shoes, and Accessories ranging between 2-6 million dollars in annual volume and teams of 5-20 employees
- Actively led effective recruiting efforts within stores for salespeople from neighboring retail locations in predominantly hard to hire markets
- Recognized by multiple peers and leaders as effective leader of change
- Developed a strong promotable bench, promoted over 10 employees to larger store assignments or merchandising and supported 3 All-Star sellers

Education

May 2011 / Bachelors in Business Administration & Religious Studies
 Saint Martin's University-Lacey, WA



STAFF REPORT

Council Regular Meeting
August 18, 2026

Subject: Parks, Culture and Recreation Board Appointment
To: Lacey City Council
Prepared by: Elissa Fontaine, City Clerk
Department Director: Shannon Kelley-Fong, Assistant City Manager
Reviewed By:
Final Review: Rick Walk, City Manager

RW

Purpose: Action Item

Recommendation: Motion to Approve the appointment of Barbara Mock to the Parks, Culture and Recreation Board.

Brief: One vacancy was created on the Parks, Culture and Recreation Board when commissioners fulfilled their terms. The recruitment was posted and applicants were invited to interview. Four (4) interviews were conducted with Deputy Mayor Miller and Jen Burbidge, Parks, Culture and Recreation Director.

Alternatives:

1. Do not appoint; seek additional applicants for consideration.
2. Some other option not contemplated in the above.

Prior Review:

Not applicable

Fiscal Impact: No fiscal impact

Budgeted Item: No

Amount: \$

Project Code:

Funding Source: Not applicable

Attachments:

1. Application Packet

Policy or Legal Alignment:

1. [LMC 2.44](#)

Background:

The City Council appoints community representatives on a variety of advisory boards. Advisory Board members review and make recommendations to the City Council on issues related to land use, zoning, social services, parks, library services, historical matters, and diversity, equity, and inclusion measures.

The Parks, Culture, and Recreation Board plans for the acquisition and development of all parks and trail systems within the city and offers recommendations to Council regarding planning, acquisition, construction, development, and operation of Lacey's public recreation facilities and recreational programs.

Pursuant to [LMC 2.44.020](#), the City's Parks, Culture and Recreation Board is composed of seven (7) members appointed by the Mayor, subject to confirmation by the City Council. At least five (5) members must be residents of the City of Lacey, while up to two (2) members may reside within the City or within Lacey's Urban Growth Area (UGA). Commissioners serve three-year terms and may serve no more than two full terms.

One (1) vacancy was created following the completion of a term by a previous commissioner. The City conducted a recruitment process to fill the following vacancy on the Parks, Culture and Recreation Board:

- A first term, expiring August 3, 2029. Applicants for this vacancy must reside within the City of Lacey, or Urban Growth Area.

A total of six (6) applications were received; however, two (2) applicants could not be reached. The remaining four (4) applicants were interviewed, and the recommendation for appointment is outlined in **Table A**.

Table A	
Name	Designation
Barbara Mock (UGA)	Appointing a first full term, expiring August 3, 2029





Application for Appointment to Lacey City Council Boards & Commissions

Please Note: Applicant entries are not modified or edited.

DATE OF APPLICATION:	06/15/26		
APPLICATION FOR:	Parks, Culture and Recreation Board		
APPLICANT:	Barbara	J	Mock
ADDRESS:	Arrowroot Loop SE	Olympia, WA 98513	
EMAIL:			

Home Phone Number:	
Cell Phone Number:	
Work Phone Number:	

Do you live within the City Limits or the Urban Growth Area?
Lacey UGA
How long have you been a resident?
3 years 7 month
What is your interest/objective in serving on this Board or Commission?
My objective is to help where I can to further the goals of the Parks Plan and make connections within the existing trail system for now and into the future.
What is your education?
Snohomish High School Graduate, Attended Everett community College. Received my certificate in Project Management from the University of Washington Certificate program. Various trainings associated with the time I served in local government in Snohomish County.

Do you have other civic obligations and/or memberships in professional organizations?
I am retired so I have no other civic obligations.

Application for Appointment to Lacey City Council Boards & Commissions

Please Note: Applicant entries are not modified or edited.

What previous experience do you have serving on a board, committee, or commission?
I served as co-chair of the Puget Sound Regional Council (PSRC) Planning Committee - coordinating with four counties (Pierce, Kitsap, King and Snohomish County) on transportation and planning issues. As a planning director I was a co-chair with the other Planning Directors from the City of Everett for Snohomish County Tomorrow(SCT), As department director I staffed the Snohomish County Planning Commission which prepared recommendations to the Snohomish County Executive and County Council for comprehensive plan amendments and changes to our development regulations.
Approximately how many hours each month can you volunteer for this appointment?
12 - 20 hours
Briefly describe any special knowledge, skills, or experience that qualifies you for this appointment?
Experienced planning professional, former Planning Director, certificate in project management, strong oral and written skills, able to communicate across many disciplines, ability to build teams and collaborate with diverse groups. Experience with GIS, Technology, Human Resources, Marketing, Recruiting and building high performing teams.
Where are you currently employed?
I have been retired since May of 2021
Briefly explain why you would like to serve on a Council Board or Commission.
I am interested in serving in my new community. I worked in local government for 44 years with Snohomish County Planning and Development Services. I retired from my position as Planning Director in May of 2021. I have the time to make a contribution and my experience is relevant to the Parks Board. I have an interest in the Parks Board because I am a user of the trails as a bicyclist and spend a great deal of time in local parks watching my grandchildren play sports.

Lacey Parks Board
C/o Elissa Fontaine, CMC City Clerk
City of Lacey
420 College Street SE
Lacey, WA 98503

Re: Application to Vacant Position - City of Lacey Parks Board

Dear Ms. Fontaine:

I am delighted to submit my application to the Lacey Parks Board to serve the unexpired term through August 3, 2029 (posted on June 9, 2026). With a strong background serving in local government, my deep knowledge of long range planning and permitting and many years of co-chairing similar boards and commissions, I am confident in my ability to positively contribute to the board.

My professional journey began as a receptionist in 1977 at Snohomish County Planning and Development Services (PDS). Throughout my 44 year career at PDS, I served in increasingly responsible roles in permitting, planning, business process redesign, and technology. During my last five years, I was appointed by county executive Dave Somers and served as the Planning Director. I retired in May of 2021, moved to Lacey in November of 2023 and currently reside in the Lacey Urban Growth Area.

Serving in varied leadership roles in a large executive branch department, I gained valuable experience collaborating with all branches of government. A few of the boards, committees and commissions I was affiliated with include the Snohomish County Council, Planning Commission and the Snohomish County Tomorrow Steering Committee (SCT). Regionally, I was appointed as one of four co-chairs with the Puget Sound Regional Council (PSRC) Staff Committee, a transportation and planning body for King, Pierce, Snohomish and Kitsap counties. I also worked on a regular basis with the twenty cities and towns in Snohomish County as well as with the Washington State Planning Directors association, and MyBuildingPermit.com in King county.

I understand how local government is organized, have significant experience with creating and implementing budgets and appreciate the challenges that the mandates required to comply with federal and state regulations can have on a department. I greatly enjoyed working collaboratively with our Parks, Public Works, Information and Technology and Surface Water Management Directors on interdepartmental projects. I am proud of my efforts to create positive relationships with the Tulalip and Stillaguamish Tribes, Master Builders, Board of Realtors as well as elected officials throughout the region.

Since moving to Lacey after retirement to be near our grandchildren, I have appreciated the amazing park facilities in the region. I spend many nights and weekends at baseball and soccer fields throughout the area. Last year I joined the Ovation Bicycling Club and am a user of the existing trails that are available. I have a special interest in the Karen Fraser Woodland Trail and desire to contribute to finding ways that I can help to complete the extension near my home at Ovation at Oak Tree.

I am looking forward to hearing from you and hope that you believe I would be a good fit for the Lacey Parks Board vacancy.

Sincerely,

Barbara Mock
Arrowroot Loop SE
Olympia WA 98513

PROFESSIONAL PROFILE

Leadership: Experienced charismatic leader who achieves measurable outcomes by providing positive leadership through storytelling, mentoring, training and coaching. A servant leader willing to invest time and effort into motivating and inspiring employees at all levels of the organization to achieve sustainable results. Ability to tackle the most difficult human resource and personnel issues through using a well developed problem-solving tool box, coupled with numerous real world experiences in a government and regulatory environment.

Customer Service Focus: Developed successful methods to engage customers and stakeholders to assure the “voice of the customer” was elevated to the same level as the “voice of the process” during technology and process redesign implementation. Established minimum customer service levels and metrics along with focusing on the customer experience before, during and after the permit application process. Developed and delivered specific and on-going Customer Service Training for front counter, records, and permitting teams to align with the department mission and vision to be known as the “Best Permitting Agency” in the state.

Current and Long Range Planning: Experienced current planner who issued thousands of permits and processed hundreds of land use applications. Deep experience with the Washington State Growth Management and planning for the future through the preparation and adoption of the Comprehensive Plan while incorporating demographic and economic analysis, GIS, regional and local land use policy as well as federal and state mandates. Specific expertise in mediation and collaboration with local cities and native Indian tribes including state agencies and special purpose districts. Ability to plan and translate policy direction into code writing projects and create and execute implementation plans to assure that staff and residents are educated on the new policies and codes.

PLANNING, PERMITTING AND COMMUNITY DEVELOPMENT EXPERIENCE

Snohomish County Planning and Development Services

Director (January 2016 - March 2021)

- Appointed Director and served at the pleasure of County Executive Dave Somers
- Responsible to organize, manage and administer the activities of the Department of Planning and Development Services, a department of approximately 140 - 150 diverse professionals
- Advised the County Executive and County Council on all Planning and Development related matters
- Served as Secretary to the Snohomish County Planning Commission
- Developed and oversaw the department business plans as well as the Executive directed work plans which were designed to translate broad policy strategies into specific objectives and actions plans
- Developed the organization’s vision, mission and values in alignment with Executive priorities
- Development and presentation of the annual departmental budget request assisted by the Finance Manager
- Point of contact for a variety of legislative and policy issues
- Maintained effective, collaborative working relationships with elected officials, labor representatives and members of numerous city, county, state and federal agencies
- Promoted good customer service and positive stakeholder and public relations
- Specific Leadership Roles included: Co-chair of the Planning Advisory Committee (PAC) leading Snohomish County cities and state agencies and Co-Chair of the Puget Sound Regional Council (PSRC) Regional Staff Committee
- Implemented a Mentorship Program and Leadership Academy
- Created and developed various customer service trainings
- Speaker and panelist at the Annual Washington State Planning Directors Conference

Planning and Technology Manager (September 2009-December 2015)

- Directed the actions of the division in support of the departments strategic goals
- Managed and directed the work of a diverse team responsible to implement the county's comprehensive plan required under the State Growth Management Act
- Long Range Planning - Created and implemented planning activities to accommodate county wide growth in conjunction with 20 cities for a 20 year planning horizon to 2040 for Land Use, Transportation and Light Rail
- Mapping and Data Analysis - Cartography, GIS and Demographics for the Buildable Land Report
- Business Process Improvements - Technology Team including Business Process Analysts, System Administrators, Internal Non-IT Technical Support, AMANDA Permit tracking system, mybuildingpermit.com, On-line permitting and Inspections
- Managed and directed the work of supervisors, team leads and project managers
- Developed division work programs, established staffing and scheduling needs

Business Process and Technology Manager (June 2004 - September 2009)

- Lead a multi-disciplinary team to implement on-line permitting for the department to process and issue plumbing, mechanical and re-roof permits in March of 2005
- Created a job description for the first county Business Process Analyst, gained budget approval and completed the recruitment process
- Lead an innovative project to issue Basic Permits online, (structural plans that are built repetitively on pre-approved platted lots) integrating AMANDA (permit tracking system) with a web based application
- Developed a 10 Year PDS Strategic Technology Enhancement Plan (STEP) and gained support for the plan by working collaboratively with the IT department
- Sponsored and initiated a GIS Summit across all county departments to create a GIS Strategic Plan
- Developed a Business and Operations plan combined with a budget to support future technology investments
- Wrote and presented a code amendment to adopt a 3% technology fee to support technology initiatives that benefited permit fee payers

Planning and Development Reinvention Team (September 2002 - May 2004)

- Selected by the County Executive's Office to serve on an 8-person redesign team for 18 months with the assistance of a consultant with the assignment to map, analyze and redesign all of PDS's business processes to deliver a higher level of service for customers
- Conducted interviews with internal and external customers, stakeholder representatives and all levels of PDS staff
- Mapped all known work flows and business processes
- Analyzed and made recommendations on the priority processes to be redesigned
- Implemented specific redesign projects
- Developed communication plans and strategies to implement the recommended changes
- During implementation delivered numerous presentations to Elected Officials, Department Heads and Professional Building and Planning Organizations

Barbara Mock

Senior Planner, Subdivision Team Lead (January 1999 - September 2002)

- Provided leadership as the team lead to a staff of ten professionals from various disciplines who processed complex land use, (rezones, special and conditional use permits, site plan approvals) large commercial and building projects. Teams members included Planners, Senior Planners, Engineers, Biologist, Fire Reviewers, supported by a permit coordinator, records specialist and a secretary.
- Processed complex plats, planned residential developments, condominium and apartment projects that had numerous environmental challenges such as geologic hazards, critical areas, streams and wetlands, access issues
- Made work assignments, assisted staff with problem solving and decision making
- Acted as lead to address conflicts between regulations and customer requests balancing the concern of neighboring land owners
- Served as liaison with the county hearing examiners office and the prosecuting attorneys office
- Assisted with recruitment and disciplinary actions
- Provided staff training and mentoring
- Implemented newly adopted land use codes

Senior Planner (September 1996-December 1998)

- Processed plats and short plats and planned residential developments, subdivisions, short subdivisions with county road dedication
- Processed land use approvals including conditional use permits, special use permits, variances, and temporary dwellings before the county hearing examiner
- Assured zoning and bulk regulation compliance, coordinated all internal and external project conflicts found during the review process
- Wrote and developed a staff recommendation for incorporation into the final Hearing Examiner decision
- Completed field visits to verify site conditions
- Served as the single point of contact with the professional consultants hired by the developer of the project

Planner (March 1996 - September 1996)

- Processed short subdivisions and administrative discretionary permits
- Provided customer service and technical assistance to internal staff, outside agencies and various customer groups, such as builders, developers, planners, engineers, professional surveyors, and non-professional customers
- Performed research and data analysis
- Responded to inquiries for information on development regulations and permit processes
- Participated in public meetings, hearings and council sessions
- Conducted environmental review under the Washington State Environmental Policy Act (SEPA)

Residential Permit Coordinator (October 1982 - March 1996)

- Provided technical assistance to single family residential applicants with environmental constraints on the parcel they were seeking to develop
- Coordination of multiple review disciplines associated with the residential permitting process including private and public road access, flood hazard zones, critical areas, grading, drainage, erosion and landslide hazard areas, lot status, easements, state agencies for Hydraulic Project Approvals and federal permits, septic and drain fields
- Assisted as a team member with the implementation of the permit tracking system AMANDA for six months prior to going live in October of 1994

Barbara Mock

Land Development Specialist (April 1980 - September 1982)

- Received, reviewed and coordinated technical submittals and permit applications for residential, commercial and land use construction projects
- Reviewed for completeness, provided customer assistance, worked with applicants to address processing problems and resolve conflicts
- Project manager and lead reviewer for complex projects
- Tracked timelines to assure department performance metrics were met
- Advised customers of land use and development regulations
- Answered general questions from the public concerning zoning, administrative and conditional use permits, permitted uses, setbacks, bulk regulations, building height and parking
- Procedural and technical resource for the permit review process and current code requirements

Permit Assistance Coordinator (April 1978 - March 1980)

- Researched, reviewed and coordinated permit applications, plan reviews and submittals, project approvals and permit issuance.
- Provided information and guidance to builders, developers, contractors, engineers, architects and project managers on the review status of applications and permit process
- Advised applicants, calculate fees and determine minimum submittal requirements
- Determined and verify submittal requirements are met and a complete application is accepted
- Coordinated the permit review process
- Tracked the process of applications, prepare a coordinated list of requirements to the applicants
- Researched and responded to technical project questions

Receptionist (March 1977 - April 1978)

- Greeted and assisted customers in Long Range Planning Division
- Managed the department switchboard
- Provided administrative assistance to Planners, Supervisors, Managers, and Deputy Director
- Filed correspondence and fulfilled records requests
- Took minutes at various meetings
- Typed Letters for various staff members
- Reviewed and edited letters, reports, and planning documents

EDUCATION

University of Washington - Certificate Program in Project Management 2005 - 2006

Performance Leadership Group - 9 month leadership training program

Attended Everett Community College

Graduate of Snohomish High School

PRESENTATIONS and TRAININGS DELIVERED

Customer Service Training for mybuildingpermit.com (MBP) and ECityGovAlliance

Passing the baton: PDS Mentoring Program, Washington State Planning Director's Conference

PDS Customer Service Training - Front Counter

Creating a Culture of Customer Service, Washington State Planning Director's Conference

Key Note Speaker MBP Annual Meeting 2011

After Retirement - Panelist at Washington State Planning Director's Conference 2021



STAFF REPORT

Council Regular Meeting
August 18, 2026

Subject: Public Art Donation Policy Briefing
To: Lacey City Council
Prepared by: Shanelle Pierce, Special Projects Administrator
Department Director: Shannon Kelley-Fong, Assistant City Manager
Reviewed By: Not Applicable
Final Review: Rick Walk, City Manager

SEP

RW

Purpose: Briefing

Recommendation: Review only.

Brief: Propose updates to the existing Council Policies and Procedures Manual on 10.03 Public Art to include a new subsection on private donations from individuals or organizations. The proposal would add a subsection to section 10.03 with guidelines and minimum standards for expanding the public art collection through private donations. Building on the previous Council presentation, this briefing will emphasize maintenance responsibilities and approval thresholds.

Alternatives:

1. Direct staff to provide additional information at a future Worksession.
2. Direct staff to make additional changes before adopting the policy.
3. Some other option not contemplated in the above

Prior Review:

Commission on Equity – 3/23/2026 [Link](#)

Parks, Culture, and Recreation Commission – 4/1/2026 [Link](#)

Historical Commission – 4/15/2026 [Link](#)

Council Worksession – 4/28/2026 [Link](#)

Advisory Board Recommendation(s):

Commission on Equity - Approved a recommendation to adopt, with a modification

Parks, Culture, and Recreation Board - Approved a recommendation to adopt

Historical Commission - Approved a recommendation to adopt

Fiscal Impact:

Amount: Not applicable

Project Code: Not applicable

Budgeted Item: No

Funding Source: Not applicable

Attachments:

1. Public Art Donation Policy

Policy or Legal Alignment:

1. [10.03 Public Art Policy](#)

Background: On June 9, 2011, the Lacey City Council adopted the Council Policies and Procedures Manual (Council Policy) to standardize the process for implementing current and new Council policies, practices, and procedures. From time to time, the Lacey City Council adopts amendments to the manual, including periodic updates to the Council Policy on 10.03 Public Art. Community organizations have shown interest in donating art, which highlighted this gap and led to the development of this policy. Currently, the policy does not address private donations from individuals or organizations.

Below is a summary of the proposed updates in **Attachment 1**:

Adds a subsection to the existing Council Policy 10.03 with guidelines and minimum standards for expanding the public art collection through private donations from individuals or organizations. The subsection includes:

- Outlines the purpose of the policy.
- Defines terms and phrases used in the policy.
- Establishes a process for considering proposals for private donations of public art.
- Defines criteria and conditions for acquiring donated public art.
- Clarifies procedures and roles involved in acquiring private-public art donations, including entering into maintenance agreements.

Between March and April 2026, the Commission on Equity, the Parks, Culture, and Recreation Board, and the Historical Commission recommended amendments to 10.03 adding a subsection that sets out guidelines and minimum standards for expanding the public art collection through private donations from individuals or organizations. The Commission on Equity requested one modification: language allowing the donor to reclaim a donated object if the City removes it for any reason. This change was incorporated into **Attachment 1**. Additionally, the Lacey Youth Council reviewed the policy on April 21, 2026.

On April 28, 2026, during a Council Worksession, staff briefed the City Council on proposed amendments to 10.03, which would add a subsection establishing guidelines and minimum standards for expanding the public art collection through private donations from individuals or organizations. Specific questions and concerns were centered around maintenance responsibilities of donated art. The City Council directed staff to provide additional information at a future Worksession.

On August 18, 2026, during the Council Meeting, staff will seek further guidance from the Council on maintenance responsibilities and approval thresholds for the proposed subsection. The discussion will focus on how the City plans to ensure proper maintenance and care of donated objects.

The Council will consider various options for handling maintenance responsibilities, including any combination of the following:

- City maintains all donated objects, regardless of their size, complexity, or location; or
- City maintains select donated objects based on factors such as scale, material, location, value, and vandalism risk; or



- City negotiates a one-time maintenance endowment with the donor for large or complex objects, based on factors such as scale, materials, location, value, and risk of vandalism; or
- Donors maintain the object themselves.

Staff reviewed maintenance endowment policies from other municipal governments and can provide additional detail on these policies, if necessary. To summarize the findings, each jurisdiction's policies are unique; however, notably, several of the city policies studied required an endowment and/or a maintenance agreement.

The proposed subsection sets the approval threshold at \$7,500. Staff reviewed approval-threshold policies from other municipal governments and can provide additional details on these policies, if necessary. As above, there is variation in approval thresholds among jurisdictions; however, notably, a staff-level approval threshold was common.

City of Lacey Public Art Donation Policy

1. Purpose

This policy outlines the guidance and minimum standards the City will follow to expand its public art collection through private donations from individuals or organizations, enhancing the community's experience. This policy aims to create a clear, consistent, and transparent process for reviewing, accepting, installing, maintaining, and, if needed, removing donated works of art on City properties. The City seeks to ensure that donated objects serve the public interest, reflect community values, align with the City's public art policy, maintain artistic and technical quality, and do not create unfunded or unreasonable long-term obligations.

Artists, donors, community organizers, and others interested in collaborating on a public art project may be eligible to participate by donating funds for public art acquisitions, commissioning new art, or contributing objects directly to the collection.

2. Exclusions

This policy does not apply to donations covered in the Parks, Culture, and Recreation Department's Enhancements Program Policy. Such donations must be reviewed by the Parks, Culture, and Recreation Board in accordance with the Department's policy. Additionally, this policy does not apply to donations for the commemorative naming of public facilities or memorial roadways, which must follow the policy on naming public facilities and memorial roadways.

3. Definitions

Unless otherwise specified by the context, the definitions below apply to the terms and phrases used in this document.

"Acquisition" refers to adding objects to the City's permanent collection through commissioning, purchase, donation, or other means.

"Appraisal" denotes a professional, certified evaluation of objects, including its authenticity, condition, and provenance, to determine its monetary value.

"Artist" describes an individual recognized by peers, critics, and art professionals as consistently producing art, demonstrating a serious, ongoing commitment to the fine arts.

"Bequest" is a gift or donation made through a will.

"City" refers to the City of Lacey.

"City Council" refers to the Council of the City of Lacey as appointed at that time.

"City Manager" is the city's then-appointed city manager and/or their designee.

"City Manager's Office" is the City Manager's staff or another department designated by the City Manager.

"City Property" refers to City-owned or managed real property or related assets.

"Donation" refers to the voluntary transfer of art, a series of works of art, or a monetary gift to the City, intended for long-term public display and intended to transfer title of ownership to the City.

"Maintenance" refers to routine inspection and care of public art by the City or designee.

"Mural" refers to a large-scale painting or other object executed directly on or attached to a wall, street, or sidewalk.

"Object" is an original work of art in various media, including but not limited to any portable or permanently fixed sculpture, monument, mural, painting, drawing, earthwork, mixed media work, or time-based work (moving images or sound-based art), created by a professional artist or collaborative team.

"Public art" is an original object by an artist(s) that is publicly visible on a City-owned or managed site and intended to enhance the environment for community members.

"Site" refers to real property or land owned, leased, or operated by the City of Lacey.

4. **Process for Consideration**

- A. **Donor submits a public art donation application.** A donor interested in donating art must submit a City-approved application to the City Manager's Office. The application should include, but is not limited to:
- a. A cover letter describing the donation, explaining how it aligns with the City's public art policy, and why it should be part of the City's Public Art Collection.
 - b. Drawings, photographs, or models, showing details such as scale and materials. When appropriate, a small-scale three-dimensional model may be requested. Photos of models will be kept with the application, and all physical models will be returned after review, regardless of the application outcome. If an artist or applicant does not pick up the model within 30 days, it may be disposed of.

- c. Artist's resume.
- d. Installation details — including engineered plans, if needed — may be required by the City. The City will require the applicant to bear the associated costs.
- e. Description of routine maintenance and an estimate of annual and long-term maintenance costs.
- f. Estimated value for insurance purposes.
- g. Budget and preferred schedule.
- h. The applicant's preferred site location, if known.
- i. The applicant's level of interest in retrieving the object if the City decides to remove it for any reason.

Other materials may be requested at the City's determination.

- B. **Initial review.** The City Manager's Office will acknowledge receipt of the proposal. They will then review the proposal to determine if the application meets the selection criteria and public art objectives. If additional information or clarification is needed, the City will reach out to the applicant. This information should be provided within two weeks or within another timeframe mutually agreed upon to support a timely, collaborative review process.
- C. **Internal preliminary technical review.** Once the City Manager's Office verifies that the proposal meets public art criteria, it is forwarded to the appropriate City departments, including but not limited to Parks, Culture, and Recreation; Public Works; and Community and Economic Development, for preliminary technical assessments and risk reviews. These reviews shall consider public safety, installation feasibility, maintenance requirements, and structural stability. The proposal must comply with any and all applicable safety standards (including the Americans with Disabilities Act), be structurally sound, and integrate appropriately with surrounding infrastructure, such as landscaping, utilities, and lighting.
- D. **Acceptance or rejection decision.** All decisions to accept or reject public donations are in the sole discretion of the City. For donations of \$7,500 or less, the City Manager shall make the final decision. The City Manager may seek recommendations and input from an Advisory Board before making that decision and may bring it to the City Council for final approval.

For donations of over \$7,500, the City Manager's Office will seek review by an art committee. If no art committee is in place, an Advisory Board designated by the City Manager's Office will review the proposal and provide a recommendation to the City Manager's Office. Additional reviews by other Advisory Boards may also be required. The City Manager's Office will then present its findings, recommendations, and input from the Advisory Boards and community to the City Council for a final decision. If,

after receiving this recommendation, the Council may, at its discretion, gather additional community feedback before making its final decision. The City Manager's Office will notify the applicant of any decision.

- E. **Donation agreement.** If the proposal is approved, the applicant and the City will sign a memorandum of agreement (MOA) outlining the conditions for donation. The MOA will include, among other things, requirements on:
- a. selection and design of the site, including all technical reviews and permits required by City, State, or Federal regulations
 - b. maintenance responsibilities
 - c. a project timeline for completion
 - d. a professional appraisal by a qualified conservator of public art for insurance purposes
 - e. the object's expected lifespan and anticipated display period
 - f. if feasible, the conditions under which the object can be returned if the City removes it and the donor requests its return

If the donor and the City are unable to reach an agreement on the terms of the MOA, the acquisition process ends. The City Manager or the City Council will be notified. The applicant can appeal the decision to terminate the acquisition process to the City Council.

5. Selection Criteria for the Acquisition of Donated Public Art

- A. All objects approved by the City for the City's public art collection must satisfy the following criteria:
- a. **Clear title.** Objects proposed to be transferred to the City by title must be conveyed with a clear title. Objects that are gifted, donated, deeded, or contributed to the City must be accompanied by a deed of gift.
 - b. **Original art and authentication.** Only original objects may be donated to the City's public art collection. Copies or reproductions, whether authorized or not, will not be considered. Donors are responsible for establishing the object's authenticity. If the City Manager's Office is not satisfied with the object's authenticity, the City Manager's Office may request additional information from the donor and will take reasonable steps to confirm the object's authenticity.
 - c. **Reflects community values and forum disclaimer.** The City reserves the right with or without cause to decline any object or donated materials and may decline any proposals that are inconsistent with the community's values and character or include overt advertising, religious references, sexual content, negative imagery, or political partisanship. All submissions must be inclusive, culturally sensitive, and respectful of all community members, and must comply with applicable laws, including copyright, intellectual property,

and local regulations. Acceptance of a donation does not create a public forum, and the City retains sole discretion over the display, use, or removal of the donated objects. This determination is made to ensure public safety, maintain community harmony, and protect the integrity of public sites.

- d. **Free of advertising or promotional content.** The object or identifying plaque must not include advertising or promotional content relating to living individuals or to organizations, institutions, or businesses currently in operation. A plaque that accompanies the object and displays the name of the donor, artist, or artwork will not be considered advertising.
 - e. **Restrictions.** Objects added to the City's public art collection must be given with no contingencies or obligations. The City may make reasonable efforts to recognize the artists and donors.
 - f. **Suitability.** The City will not accept objects that cannot be displayed, sustainably maintained, and securely protected.
- B. **Attributes.** The City considers the following attributes when acquiring objects for inclusion in its collection:
- a. **Artistic excellence.** The originality and aesthetic quality or value of the object should be comparable to or exceed those of pieces already in the collection and would contribute to the collection's overall diversity and quality.
 - b. **Condition.** The object must be in good condition.
 - c. **Durability.** The object's materials, finishes, and construction should be chosen to ensure lasting quality and to resist vandalism.
 - d. **Local artist.** A strong preference is given to objects created by local artists from the greater Puget Sound area. The artist's credentials, reputation, and quality of their work will be evaluated.
 - e. **Maintenance.** Because the City must be able to provide proper storage and care, no objects requiring extensive or extraordinary preservation and care will be accepted.
 - f. **Safety.** Objects should be safe for people interacting with them. Safety conditions and factors that may affect liability must be considered, and objects should also be designed to comply with the Americans with Disabilities Act and related federal, state, and local codes.
 - g. **Site specific.** Objects must be appropriate for the selected site. The City makes the final decision on the location of the object's display.

6. **Maintenance Responsibilities**

Funding to maintain the City's public art collection is limited. Therefore, donors are required to sign a maintenance agreement and/or establish a maintenance endowment when donating to ensure proper care.

The donor shall provide a contribution to a maintenance endowment fund equal to a maximum of 10% of the value of the object, as determined by a qualified appraiser approved by the City, or an amount mutually agreed upon by the City and the donor.

However, the City may, on a case-by-case basis, accept an agreement from a donor to maintain objects in perpetuity and in accordance with City standards rather than a cash contribution to an endowment fund; however, this will require the City to incur additional effort and cost. For any case-by-case donor maintenance agreement, the City will require an up-front deposit to cover at least one year's maintenance of the object to protect the City against future default.

7. **Conditions**

Art ownership and use. Donors must agree that once their donations are accepted, all items included in the City's public art collection automatically become the exclusive property of the City. If there are no restrictions, these works may be displayed, loaned, retained, or disposed of in a manner that the City determines best serves the collection. Accepting donated objects does not guarantee permanent installation and may be subject to removal or relocation at a later time.

Appraisals. The City does not provide art appraisals. The IRS requires a written appraisal from a qualified appraiser for donations exceeding \$5,000.

Compliance with laws. All objects donated shall comply with all applicable local, state, and federal laws.

Public Art Donation Policy Briefing

Council Worksession | August 18, 2026



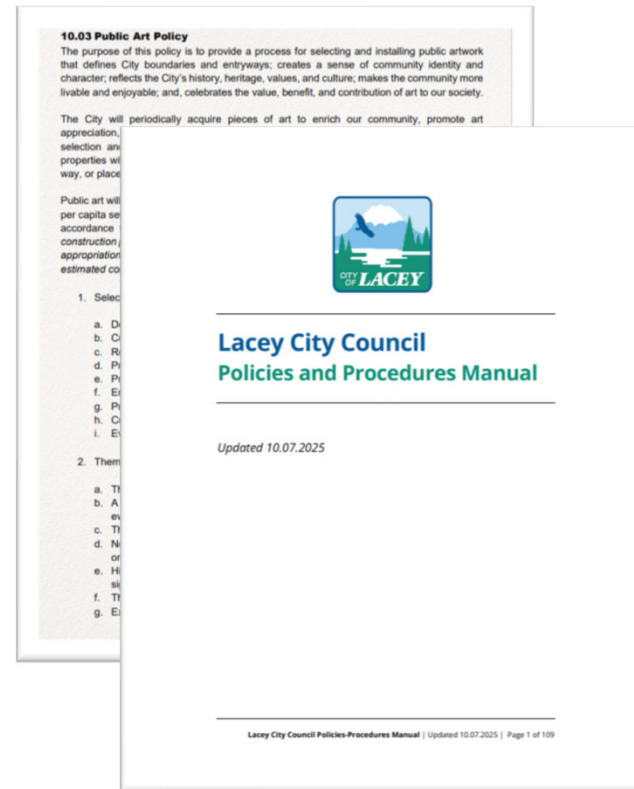
10.03 Public Art Policy

Current Public Art Policy

- Does not address private donations

Purpose of Policy Updates

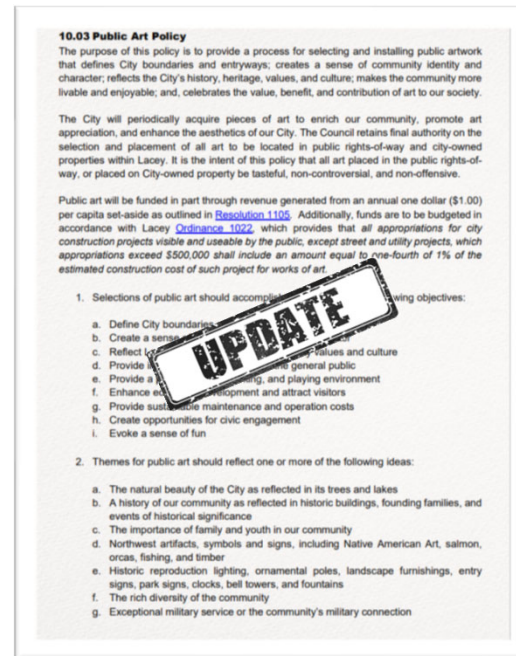
- Introduces a subsection on private donations
- Establishes guidelines and minimum standards for accepting private donations



Donation Policy

Policy Updates Presented

- Staff introduced draft updates to the City Council during a Worksession on April 28, 2026.
- The Council directed staff to provide additional information on maintenance responsibilities and approval thresholds



Direction: Maintenance Responsibilities

1



Donor maintains the
object themselves

AGREEMENT

2



Donor makes a one-time
contribution

ENDOWMENT

3



City maintains regardless of
size, location, or complexity

NONE



Outdoor Objects Face Environmental Wear

Art Material	Typical Maintenance Required	Why Cities Require a Donor Endowment
Bronze Statues	Washing, chemical corrosion stripping, hot wax buffing	Needs treatment every 1–3 years
Painted Murals	Clear UV-resistant topcoats, structural masonry repair	Sun exposure causing fading requires specialized repainting
Steel / Kinetic	Joint lubrication, rust prevention, electrical wiring checks	High risk of mechanical failure or structural public safety hazards



Direction: Maintenance Responsibilities

1



Donor maintains the
object themselves

AGREEMENT

2



Donor makes a one-time
contribution

ENDOWMENT

3



City maintains regardless of
size, location, or complexity

NONE



For Consideration: Strike Section 6

6.—Maintenance Responsibilities

Funding to maintain the City's public art collection is limited. Therefore, donors are required to sign a maintenance agreement and/or establish a maintenance endowment when donating to ensure proper care.

The donor shall provide a contribution to a maintenance endowment fund equal to a maximum of 10% of the value of the object, as determined by a qualified appraiser approved by the City, or an amount mutually agreed upon by the City and the donor.

However, the City may, on a case-by-case basis, accept an agreement from a donor to maintain objects in perpetuity and in accordance with City standards rather than a cash contribution to an endowment fund; however, this will require the City to incur additional effort and cost. For any case-by-case donor maintenance agreement, the City will require an up-front deposit to cover at least one year's maintenance of the object to protect the City against future default.



For Consideration: Add to Section 5

5. Selection Criteria for the Acquisition of Donated Public Art

...

B. **Attributes.** The City considers the following attributes when acquiring objects for inclusion in its collection:

...

e. **Maintenance.** Because the City must be able to provide proper storage and care, no objects requiring extensive or extraordinary preservation and care will be accepted. Furthermore, at its discretion, the City may request that the donor establish an endowment or maintenance agreement for objects requiring substantial maintenance.



Proposed Approval Thresholds

Approval Limits	Approving Authority	Approval Limits, Over	Approving Authority
Up to \$7,500	City Manager	Over \$7,500	City Council







STAFF REPORT

Council Regular Meeting
August 18, 2026

Subject: Update City Flag Policy
To: Lacey City Council
Prepared by: Shannon Kelley-Fong
Department Director: Shannon Kelley-Fong, Assistant City Manager
Reviewed By: David Schneider, City Attorney
Final Review: Rick Walk, City Manager

SKF

RW

Purpose: Briefing

Recommendation: Review only. The City Council could consider a resolution to amend Council Policies and Procedures, Chapter 5.11, Flag Policy, at a future meeting.

Brief: The proposed amendments to Council Policies and Procedures, Chapter 5.11, Flag Policy would add additional flagpoles and City-owned Poles with flag brackets; see **Attachment 2**.

Alternatives:

1. Make amendments to the proposed changes.
2. Do not proceed with any amendments.
3. Some other option not contemplated in the above.

Prior Review:

Informational Dinner Meeting – 06/02/2025 – No Link Available

Advisory Board Recommendation(s):

None

Fiscal Impact:

Budgeted Item: No

Amount: \$0

Funding Source: N/A

Project Code: N/A

Attachments:

1. Draft Amended Language
2. Sunrise Lions Agreement

Policy or Legal Alignment:

1. [City Council Policies and Procedures](#)

Background: The City of Lacey (City) has an established Flag Policy found in Section 5.11 of the Lacey City Council Policies and Procedures Manual. The last update to this policy occurred on September 15, 2022. Since then, the City has added new flag poles. In addition, the City has an existing agreement with the Sunrise Lions to display United States of America flags on City-owned poles with flag brackets from Memorial Day to Labor Day; see **Attachment 2**. At a previous Informational Dinner Meeting, the City Council expressed interest in learning more about the potential of displaying other City Council-approved flags on City-owned poles with flag brackets.

The proposed amendments, see **Attachment 1**, would add the new flagpoles and formalize the display of City Council-approved flags at the City's discretion on City-owned poles with flag brackets.

The proposed amendments would:

1. **Add new City flagpoles:** At Rainier Vista Park and Lacey Police Department.
2. **Add City-owned Poles with flag brackets:** Provides that flags could be displayed on these poles but would be restricted to Council-approved flags. These flags could be displayed by the City or through an agreement with a third-party provider.

Council-approved flags would not change and would continue to include:

- **Sister City Flag:** The flag of Lacey's sister city may be flown during the visit of a sister city delegation to City Hall.
- **The Progress Pride Flag:** The Progress Pride Flag will be flown annually from June 1 to June 30, with the exception of when the Juneteenth Flag is flown (see below).
- **The Juneteenth Flag:** The Juneteenth Flag will be flown annually from June 19 to the third weekend of June or the third weekend of June to June 19 depending on which comes first, at City Hall and the Regional Athletic Complex.
- **The Nisqually Indian Tribe Flag:** The Nisqually Indian Tribe Flag will be flown annually from November 1 to November 15 provided the City annually receives consent from the Nisqually Indian Tribe.
- **Squaxin Island Tribe Flag:** The Squaxin Island Tribe Flag will be flown annually from November 16 to November 30 provided the City annually receives consent from the Squaxin Island Tribe.



5.11 Flag Policy

The purpose of the policy is to establish guidelines in order to ensure that the flags are used only for government speech and that they reflect the views, values, and goals of the city. The City's flagpoles are not intended to serve as a forum for free expression by the public. The City will not display a ceremonial flag based on a request from a third party, nor will the City use its flagpoles to sponsor the expression of a third party. Flags shall be displayed in conformance with Federal and State laws and policies, as stated in the federal "The Flag" publication of the Congress, Title 4, Chapter, 1 of the United States Code, and the State of Washington Revised Code of Washington [35A.21.180](#) and [RCW 1.20.017](#).

Based on guidance from the Washington Secretary of State, the Washington State flag should be displayed in the highest position of honor after the U.S. flag and the flags of any other nations. The Washington State flag should be displayed in a higher position of honor than the flags of other states, counties, cities, or any other entity. When the U.S. flag should be on top, followed by POW-MIA flag and then the Washington State flag. If there are two poles, the POW/MIA flag should be flown under the U.S. flag while the Washington State flag is on the other pole.

Any flag ~~flown~~ displayed by the City must be purchased and owned by the City, except for those displayed on City-owned Poles with flag brackets, as approved by the City.

Alternatives to Displaying the City Flag:

This policy shall apply to all City-owned locations at which the City flag is displayed unless otherwise noted.

Location	# of Flag Poles	Flags Presented
City Hall	3	US Flag POW Flag Washington State City of Lacey
Public Works Shop (Commonly referred to as “the Shop”)	1	US Flag City of Lacey
RAC	1	US Flag City of Lacey
Lacey Civic Plaza	3	US Flag POW Flag Washington State City of Lacey
Woodland Community Center	1	US Flag City of Lacey
Hawks Prairie (near Home Depot)	2	US Flag Washington State (Poles are not tall enough to fly two flags)
<u>Rainier Vista Park</u>	<u>1</u>	<u>US Flag</u> <u>City of Lacey</u>
<u>Police Station</u>	<u>3</u>	<u>US Flag</u> <u>POW Flag</u> <u>Washington State</u> <u>City of Lacey</u>
<u>City-owned Poles with flag brackets</u>	<u>Numerous throughout the city</u>	<u>Typically, none are displayed; however, with City approval, US Flags and Council-Approved Flags may be displayed.</u>

The City’s flagpoles are to be used exclusively by the City, where the Council may display a commemorative flag as a form of government expression. The Lacey Council may choose to fly a different flag in place of the City flag. Any decision to fly a different flag must be made independently by the Council. The Council may request the Commission on Equity to review and provide recommendations on flag displays. The approval to fly a flag in place of the City flag must be made by a majority of the Council at a regular Council meeting. The Council approval will include a description of the flag to be displayed and the dates for display of the particular flag, including if whether the flag will be displayed on an annual basis. Flags authorized by the Council to be displayed on an annual basis should be incorporated into this policy.

Council-Approved Flags

- **Sister City Flag:** The flag of Lacey's sister city may be flown during the visit of a sister city delegation to City Hall.
- **The Progress Pride Flag:** The Progress Pride Flag will be flown annually from June 1 to June 30, with the exception of when the Juneteenth Flag is flown (see below).
- **The Juneteenth Flag:** The Juneteenth Flag will be flown annually from June 19 to the third weekend of June or the third weekend of June to June 19 depending on which comes first, at City ~~hall~~ Hall and the Regional Athletic Complex.
- **The Nisqually Indian Tribe Flag:** The Nisqually Indian Tribe Flag will be flown annually from November 1 to November 15 provided the City annually receives consent from the Nisqually Indian Tribe.
- **Squaxin Island Tribe Flag:** The Squaxin Island Tribe Flag will be flown annually from November 16 to November 30 provided the City annually receives consent from the Squaxin Island Tribe.

City-owned Poles with flag brackets

At times, Council-approved flags may be displayed on City-owned poles. These flags may be installed by the City or through an agreement with a third-party provider. If provided by a third-party provider, the flags may not be City-owned, as approved by the City.

**Agreement between the City of Lacey
And the Lacey Sunrise Lions Club Regarding the U.S. Flag Display Program**

This Agreement is made and entered into as of the date of the last signature heron by and between the City of Lacey, a municipal corporation (hereinafter referred to as “City”), and the Lacey Sunrise Lions Club (hereinafter referred to as the (“LSLC”), together referred to as the “Parties,” for the purpose of continuing the U.S. Flag Display Program,

WITNESSETH:

WHEREAS, the City has partnered with the LSLC in the U.S. Flag Display Program since 1987; and

WHEREAS, the City recognizes the importance of celebrating our nation and our special relationship with our military community; and

WHEREAS, LSLC wished to continue its ongoing commitment to selfless community service and its ongoing support of our active duty and veteran military communities; and

WHEREAS, the Parties desire to enter an agreement to clarify each other’s roles and responsibilities with the U.S. Flag Display Program.

NOW, THEREFORE, the City and the LSLC, in consideration of the mutual terms, conditions, covenants, and provisions contained herein, and the mutual benefits received hereunder, agree as follows:

1. The LSLC does hereby agree:
 - a. To conduct activities in a safe manner and comply with all applicable federal and state laws together with any additional conditions as may be required by the City for safety of the participants. Safety is the first and most important priority of the program.
 - b. That all participants will be covered under automobile liability insurance and general liability insurance policies with the following limits:
 - i. Automobile liability insurance with a minimum combined single limit for bodily injury and property damage of no less than \$1,000,000 per accident.
 - ii. Commercial general liability insurance shall be written with limits no less than \$1,000,000 for each occurrence, and \$2,000,000 for general aggregate.

- c. To assign a contact person responsible for the implementation and adherence of this agreement. Contact information will be provided to the City. Any changes will be reported to the City's representative, or designee, within three (3) working days.
- d. To have all participants wear high-visibility vests when working within the right-of-way.
- e. To have a first aid kit available at all times.
- f. To have at least one person with a valid First Aid Card be present during all activities under this Agreement.
- g. To have a cellular phone onsite during all activities in case of emergency.
- h. To have no more than one vehicle working on a roadway corridor at a time.
- i. Participants shall be 18 years of age or older and must be a member or authorized volunteer in good standing of LSLC.
- j. Participants who find deficiencies in hardware serviceability shall report it to their crew leader at the end of their activity. The crew leader will mark the location with orange engineering tape and report the location(s) to the City within three (3) working days.
- k. LSLC personnel are restricted from installing, modifying, repairing, or relocating flag holding hardware and all other hardware or signing within the City rights-of-way.
- l. To establish a crew leader that shall be onsite during all activities in case of an emergency. The crew leader shall report any injuries incurred by participants during activities to the City's representative, or designee, within three (3) working days of the injury.
- m. To provide the City with a copy of the following year's flag-flying schedule no later than December 15th each calendar year.
- n. To provide the City with timely request for new flag holder installation locations.
- o. To hang flags uniformly, with no more than one flag per pole in designated areas as approved by the City.

2. LSLC shall assume responsibility for clean-up and disposal of any materials that were placed on City property by LSLC or that was removed from its intended placement by LSLC or inclement weather on City property.
3. LSLC shall ensure flags are in good condition and are responsible to replace flags that appear damaged or in poor condition.
4. The City does hereby agree:
 - a. To allow LSLC to install and remove LSLC owned U.S. Flags withing approved locations of the City rights-of-way in accordance with the terms and condition set forth in Section (1) of this Agreement.
 - b. To furnish, install, and repair all approved flag holder installations.
 - c. Upon timely notification, to have reported deficiencies repaired before the next scheduled date of flag display.
 - d. To schedule newly approved installations as soon as is practical based on current workload priorities.
 - e. To provide timely review of new flag-holder installation requests and reply with final determinations within sixty (60) days. The City's determination shall be final.
5. Upon direction of the City, which direction may be given at any time and at the City's sole discretion, the LSLC shall suspend all activity in areas where roadway maintenance and/or construction is required.
6. **Termination.** This Agreement shall remain in effect until terminated. Either party may terminate this Agreement upon written notice. Upon termination, the flag-holding hardware shall be retained by the City.
7. The terms and conditions of this Agreement may be amended or extended by mutual consent of the Parties.
8. **Representatives and Notice.** Each party to this Agreement shall have a representative. Each representative shall serve as the administrator for their respective party, for purposes of this Agreement. Notice required under this Agreement shall be sent to the address designated for the Parties, below. Notice will be deemed to be received three (3) business days following deposit in the U.S. Mail, postage prepaid.

CITY-CONTRACTS:

Name: Sadie Siglin
Phone: 360-456-7788
Address: 420 College St SE
Lacey, WA 98503

CITY- MAINTENANCE:

Name: Scott Johnston
Phone: 360-412-2896
Address: 420 College St SE
Lacey, WA 98503

LSLC:

Name: Michael Ragan
Phone: 360-480-8288
Address: P.O. Box 3626
Lacey, WA 98509

9. **Indemnification and Hold Harmless.** LSLC shall, at its sole expense, defend, indemnify, and hold harmless the City and its officers, agents, and employees, from any and all claims, actions, suits, liability, loss, costs, attorney's fees, cost of litigation, expenses, injuries, and damages of any nature whatsoever relating to or arising out of the wrongful or negligent acts, errors, or omissions in the services provided by LSLC, it's agents, subcontractors, subconsultants, and employees to the fullest extent permitted by law. LSLC hereby certifies that this indemnification provision was mutually negotiated.
10. **Assignment and Delegation.** Neither party shall assign, transfer, or delegate any or all of the responsibilities of this Agreement or the benefits received hereunder without prior written consent of the other Party.
11. **Entire Agreement.** This written Agreement constitutes the entire and complete agreement between the Parties and Supersedes any prior oral and written agreements. This Agreement may not be changed, modified, or altered except in writing signed by the Parties hereto.
12. Nothing in this Agreement shall confer the approval of U.S. Flag Display Program placement on privately owned poles. Any such placement shall be the sole responsibility of LSLC and the property owner.
13. This Agreement shall be governed by the laws of the State of Washington as to interpretation and performance. The Parties hereby agree that venue for enforcement of this Agreement shall be the Superior Court of Thurston County.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement this _____ day of 7/9/2024, 2024.

SIGNATURE PAGE FOLLOWS

CITY OF LACEY

DocuSigned by:
Rick Walk
By: FB22A0AE8911409...
Rick Walk, City Manager
Date: 7/9/2024

LSLC

DocuSigned by:
Michael Ragan
By: 2DE8FE86D210499...
Michael Ragan, President LSLC
Date: 7/2/2024

Approved as to form:

DocuSigned by:
David Schneider
David Schneider, City Attorney
E60EBB47FE4C4D1

City Flag Policy Update

City Council Meeting | 08.18.2026



Background

Review only. Potential action at future Council meeting

City Council Policies and Procedures, Section 5.11

- Last updated in 2022
- Added new flag poles
- Existing Agreements / Consider Future Displays
- Amend by Resolution



New Flag Poles

- Lacey Police Station
- Rainier Vista



City-owned Poles with flag brackets

- Formalize existing agreement with Sunrise Lions, see **Attachment 2**
- **Proposed Update:**
 - Allow for display of other Council-approved flags
 - Agreements with other third parties



Council-Approved Flags:

- US
- Sister City
- Progress Pride
- Juneteenth Flag
- Nisqually Indian Tribe
- Squaxin Island Tribe



Questions?





STAFF REPORT

Council Regular Meeting
August 18, 2026

Subject: Economic Development Update
To: Lacey City Council
Prepared by: Shannon Vincent, Senior Project Planner  & Sarah Schelling,
Current Planning & Economic Dev. Manager 
Department Director: Vanessa Dolbee, CED Director 
Reviewed By: Not Applicable
Final Review: Rick Walk, City Manager 

Purpose: Informational

Recommendation: Review only.

Brief: Staff will provide a brief presentation on private development and economic development activity in the City of Lacey during 2026.

Alternatives:

Not Applicable.

Prior Review:

Not Applicable.

Advisory Board Recommendation(s):

Not Applicable

Fiscal Impact:

Budgeted Item: No

Attachments:

None.

Policy or Legal Alignment:

N/A

Background:

Staff will provide a brief presentation on private development and economic development activities in 2026. The presentation will include an overview of current housing and commercial market data, updates on the 2026 Lacey Night Market and Food Depot Hub, Midtown investments and improvements, new and ongoing construction projects, and other key economic development initiatives.

Economic Development Update

City Council Meeting | August 18, 2026



Night Market & Food Truck Depot

In 2026

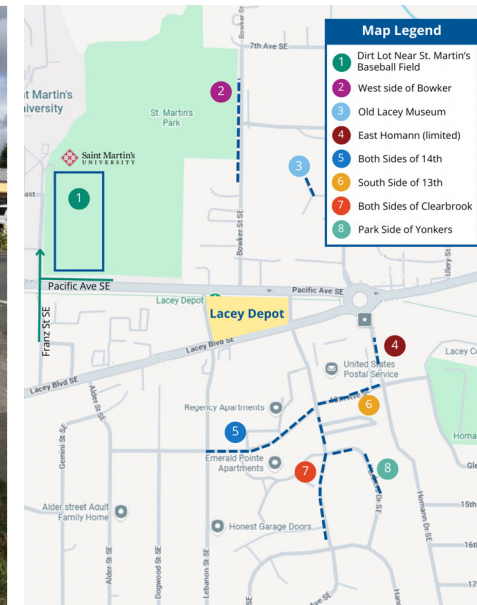
- 3rd Night Market season
- Average 78 vendors per event
- Average 7,734 attendees per event (5,570 in 2025)
- Upcoming themes include Country Night, Latin Night, and Fall Fest
- Commission on Equity participation in Juneteenth Night and Pride Night!



Night Market & Food Truck Depot

In 2026

- Partnered with Saint Martin's University for use of campus lot
- Provide signage
- Improved communication regarding parking, and alternative transportation options
- On-site market staff parking control and direction



Economic Development Work Plan

- Street merchant ordinance
- Food Truck Depot ADA Improvements
- Depot Feasibility Study
- Huntamer Park
- Economic Development Vision



2026/2027 ECONOMIC DEVELOPMENT WORK PROGRAM

GOAL 1
Define and promote Lacey's economic identity.

Action 1B: Define and adopt an economic development vision

Category	Work Item	Implementation Steps	Resources Needed	Start year
Visual development	Formulate and adopt economic development vision statement	Engage with council and city leadership to refine and validate the draft vision statement	Staff time	2026

Action 1C: Communicate Lacey's economic identity with targeted investors and developers

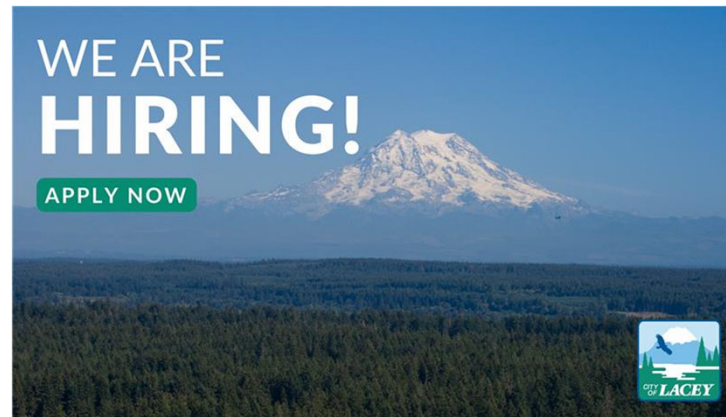
Category	Work Item	Implementation Steps	Resources Needed	Start year
Brand Development	Develop and simplify Lacey's economic vision into a clear brand and pitch	- Finalize economic development vision - Create concise brand messaging and visual identity - Develop pitch materials for investors and developers	Design tools; printing budget (\$1,000) (Shannon)	2026
Investor Outreach	Meet with brokerage firms to promote Lacey's brand and investment opportunities	- Identify and prioritize brokerage firms - Schedule meetings and presentations - Share Lacey's strengths and investment opportunities - Follow up with tailored materials	Presentation materials (Wesley)	2026
Digital Presence	Maintain clear, accessible websites with opportunity site maps, permitting guides, and local data	- Audit current website content - Update and expand opportunity site maps - Add local economic data - Highlight key development projects and priority sites	Web development support (Shannon & Wesley)	On-going

Approved by Lacey City Council March 3, 2026

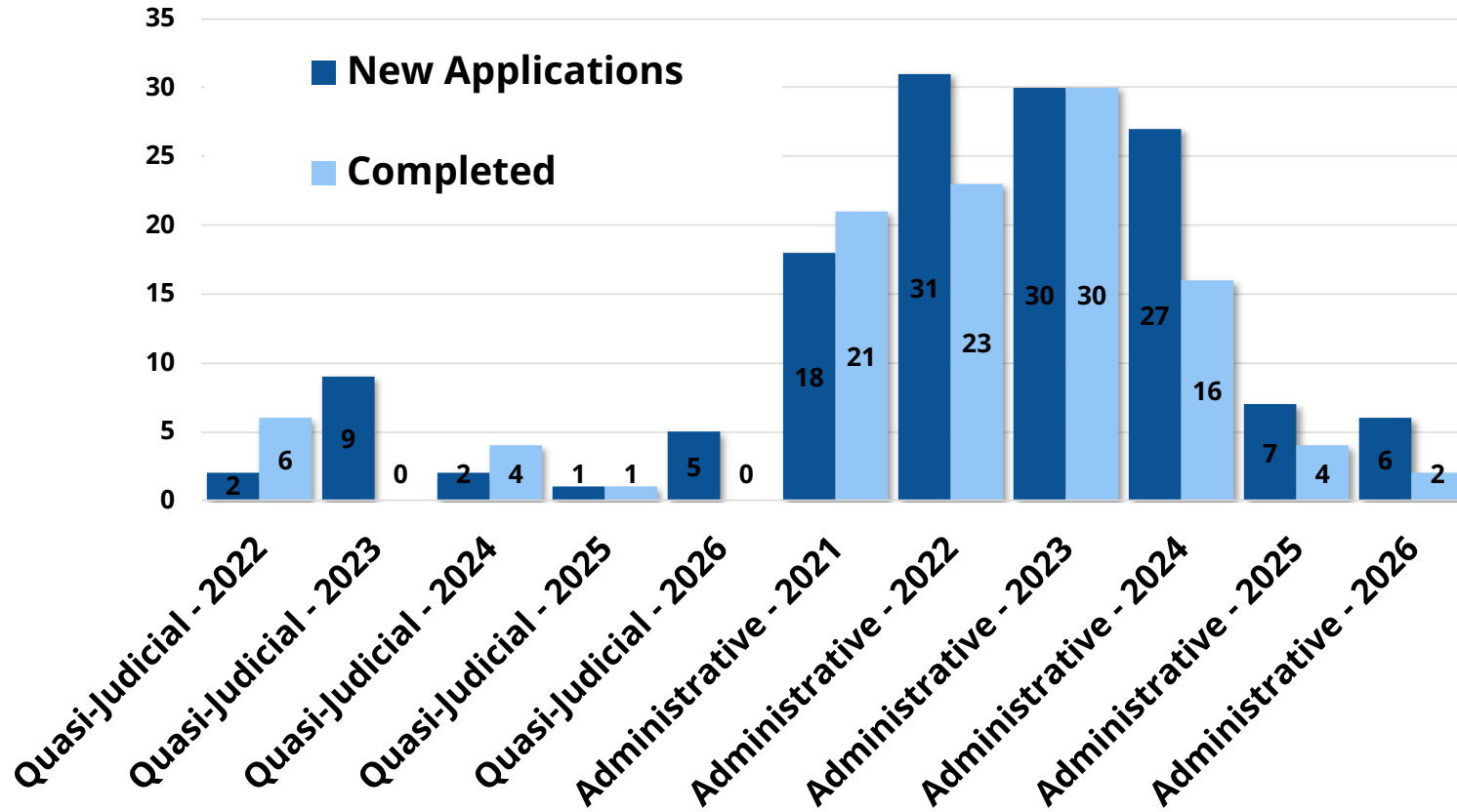


We Are Hiring!

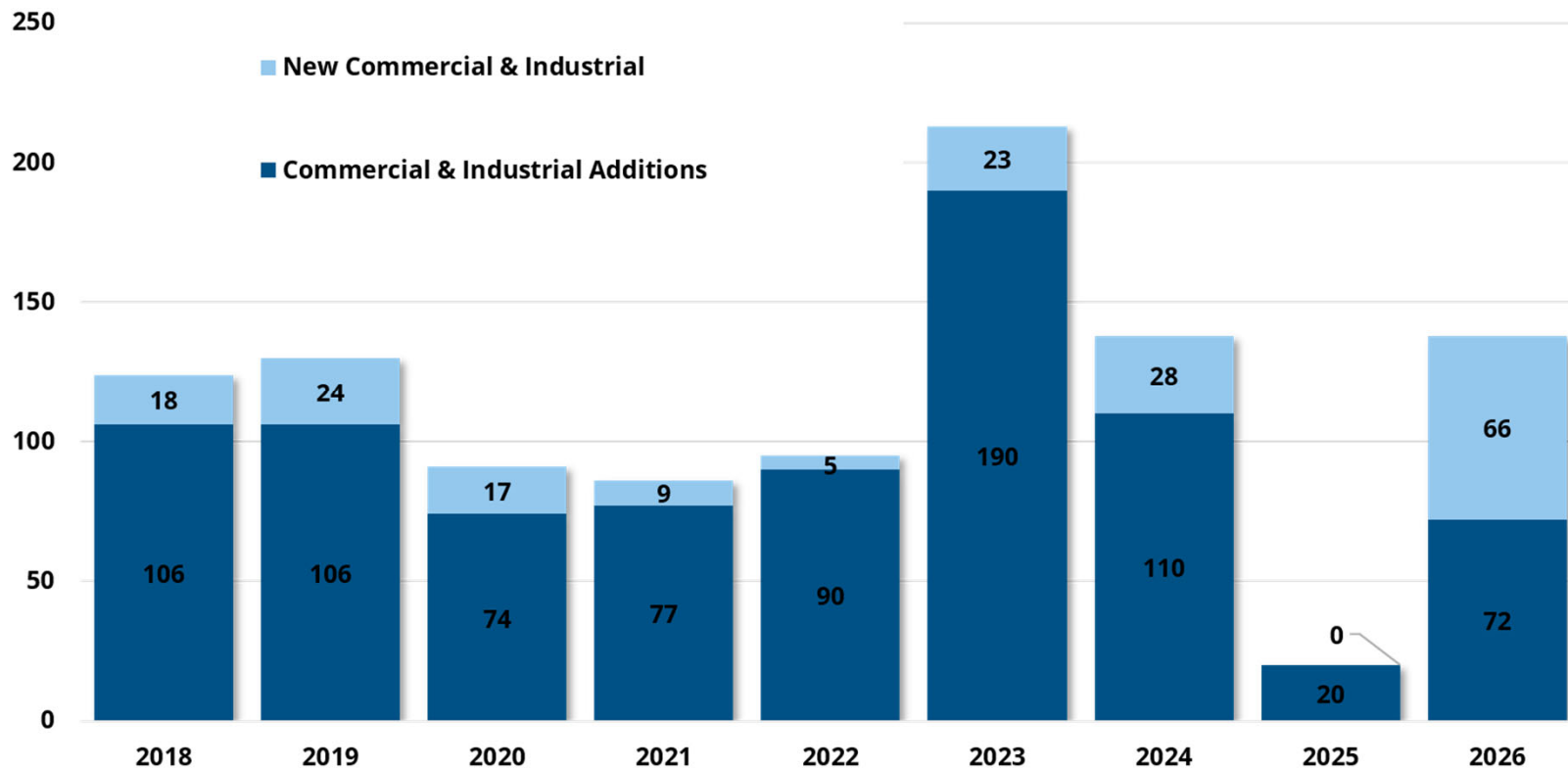
- Economic Development Strategist
- First Interviews August 17th



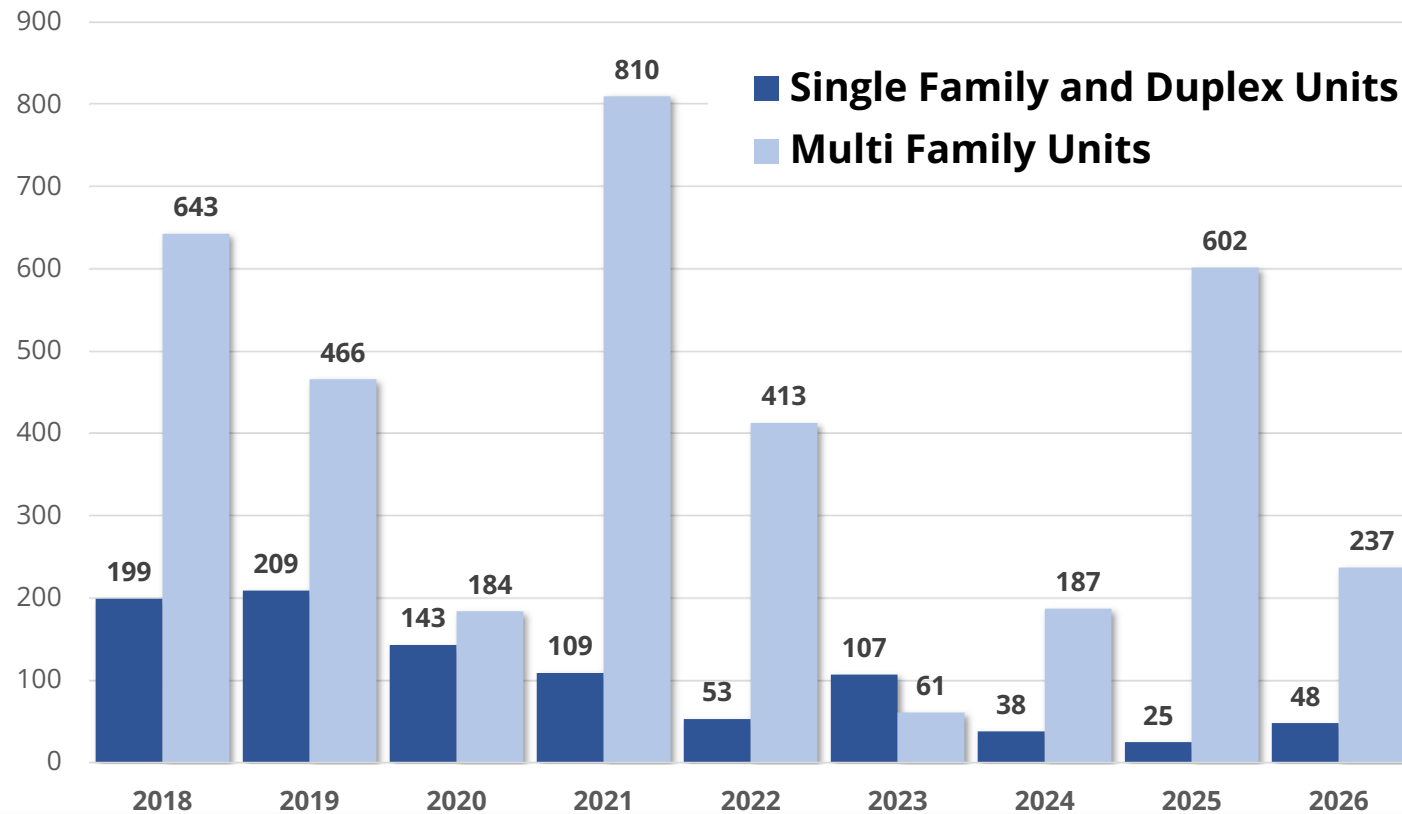
Land Use Permits



Commercial & Industrial Building Permits



Housing Statistics

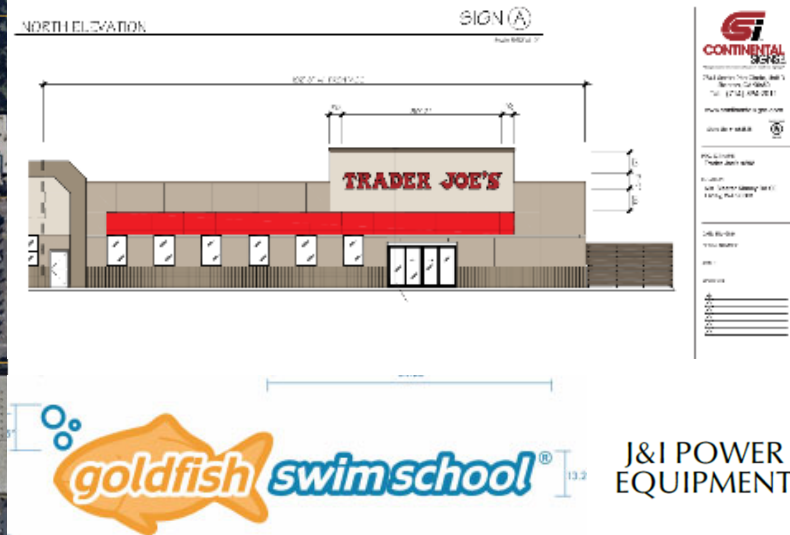


Midtown 7th Avenue Apartments



The Yard





15th Avenue Development

Ventura Crossing Single Family
Canfield and Cypress Multi-family
363 new residential units!



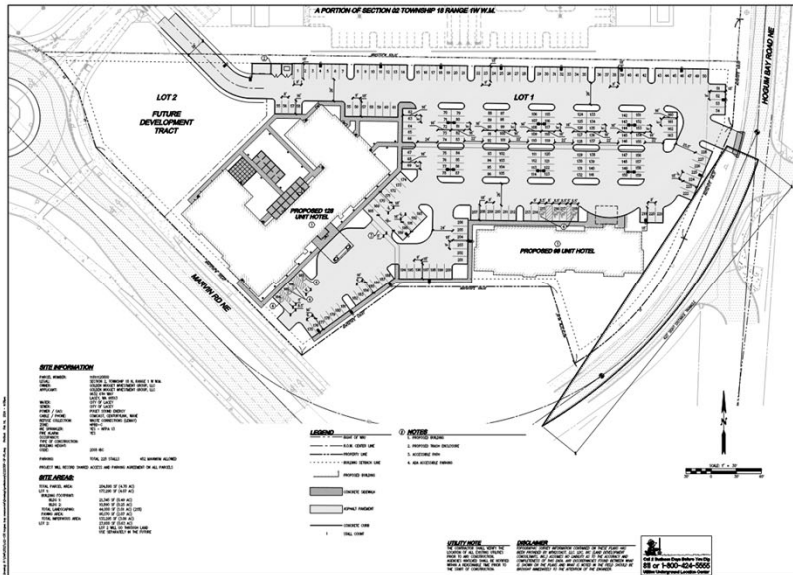
The Hickory



Hogum Bay Town Center



Hogum Bay Hotels



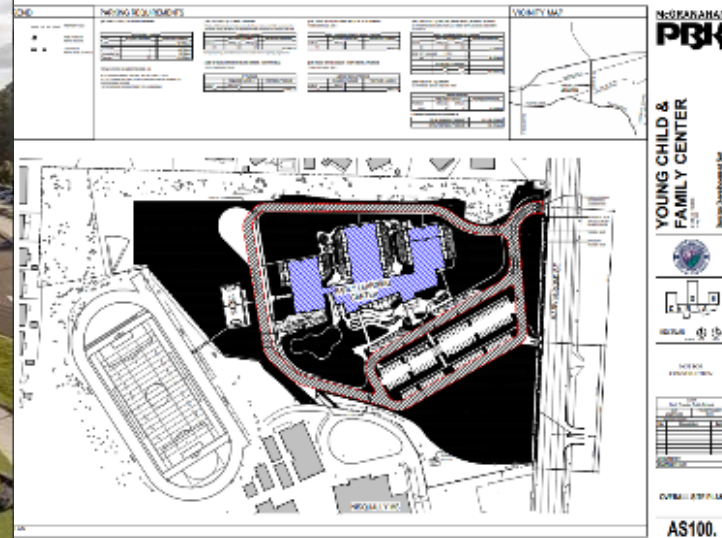
Homes on Martin



An aerial photograph of a new residential development. The houses are modern, with dark roofs and light-colored siding. A large, well-maintained green lawn is visible in the center. A winding road with a white curb runs through the development. The surrounding area is heavily wooded with tall evergreen trees. In the background, a range of mountains is visible under a clear blue sky.



Lacey Education and Family (LEAF) Center



New Land Use Applications

- McClanahan Village & Neil Commons
- Taylorwood Cottages
- Parkside Place Subdivision and Rezone
- The Cove at Long Lake
- Calvary Chapel
- [Current Projects - City of Lacey](#)



Pre-Approved ADU Plans

Artisan Designs

- Continue to offer preapproved design options at 400, 600, and 800, and now 1,000 square feet

Two Other Designs In the Works

- Construction Affordability
- ADA Accessible
- “Net zero” energy efficiency



1,000 Sq. Ft. Rambler ADU



480 Sq. Ft. South Sound ADU



Questions?





STAFF REPORT

Council Regular Meeting

August 18, 2026

Subject: City Council Vacancy Appointment Process
To: Lacey City Council
Prepared by: Elissa Fontaine, City Clerk
Department Director: Not Applicable
Reviewed By: Shannon Kelley-Fong, Assistant City Manager
Final Review: Rick Walk, City Manager

RW

Purpose: Action Item

Recommendation: Motion to Accept the resignation of Councilmember Nic Dunning effective at the adjournment of this August 18, 2026 Council Meeting.

Brief: In accordance with the City Council Policies and Procedures, the resignation of a City Councilmember is to be submitted in writing, and the City Council is to take formal action to accept the resignation by motion and vote of the Council.

After Council action, staff will brief the council on the process for filling a vacant council position seat based on statutory requirements, and the City Council Policy and Procedures Manual. The Council will have the opportunity to review and provide direction on application format, questions and schedule.

Alternatives:

1. Do not seek an appointment.
2. Provide directions to staff on process modification.
3. Some other option is not contemplated in the above.

Prior Review:

Not Applicable

Fiscal Impact: No fiscal impact

Budgeted Item: Yes

Amount: \$ TBD

Funding Source: General Fund

Budget Account Code or delete

001-0301.511.10-01

Attachments:

1. [Draft Application Questions and Draft Application](#)
2. [Draft Attributes](#)
3. [Draft Press Release](#)

Policy or Legal Alignment:

1. [RCW 35.23.101](#), [RCW 42.04.020](#), and [RCW 29A.24.075](#)
2. [City Council Policy and Procedures Manual, Section 2.09](#)

BACKGROUND: Municipal Research Services Center provides complete guidance on how to fill a vacancy, see [Filling a Vacancy in City or Town Councils](#). The City of Lacey (City) must follow [RCW 35.23.101](#) as a code city with a council-manager form of government. To summarize, the article and state law:

1. There is no legally required process; the process is determined by the Lacey City Council (City Council).
2. Should the City Council fail to fill the vacancy within ninety (90) days, the City Council loses the authority to appoint, and that authority goes to the Thurston County Board of Commissioners (BOCC). Should the BOCC fail to appoint a qualified person within one hundred and eighty (180) days, then the City or BOCC could petition the Governor of Washington to appoint a qualified person to fill the vacancy.
3. Candidates must, on the day of appointment, meet the same qualifications as would be required to be eligible to be elected to the position.
4. While the City Council may consider and discuss qualifications in Executive Session, any interviews and selection must be held in public, pursuant to the Open Public Meetings Act (OPMA).

[RCW 42.12.070](#) details how nonpartisan vacancies shall be filled. Pursuant to RCW 42.12.070(6), persons appointed to fill a vacancy would do so until a person is elected for that council position at the next election at which a member of the governing body normally would be elected for the same council position. The elected person immediately assumes office to serve the remainder of the unexpired term.

To run for City Council per state law, the individual would need to meet the requirements of [RCW 42.04.020](#) and [RCW 29A.24.075](#):

- Be a United States citizen
- Be 18 years of age or older
- Be a registered voter within the jurisdiction/district they seek to represent (all candidates should make sure their voter registration information is up-to-date)
- Be a resident of the state, county, and precinct for at least 30 days before they file the declaration of candidacy. In addition, for Council-Manager code cities, each candidate must be a city resident for at least one year.
- Not be currently incarcerated for a felony

In addition to the above, for optional municipal code cities, like Lacey, the following is required:



Each candidate must be a city resident for at least one year before their election and may hold no other public office or employment within the city except as permitted under [chapter 42.23 RCW](#).

Timeline in terms of legal requirements:

1. August 18, 2026: Upon adjournment of the August 18, 2026, City Council meeting, Councilmember Dunning's resignation becomes effective, resulting in a vacancy of City Council Position #3.
2. August 18, 2026 - November 15, 2026: The ninety (90) days period during which the City retains the authority to appoint a candidate to fill the vacancy.
3. November 2, 2027: Is the date scheduled for the next General Election at which time City Council position #3 is up for election. Election results are certified no later than 30 days after the General Election.
4. Upon Certification of the November 2, 2027, General Election 2027: The person elected to City Council position #3 immediately assumes office to serve the remainder of the unexpired term.

Lacey City Council Policies and Procedures Manual: The [City Council Policy and Procedures Manual, Section 2.09](#), Council Vacancy, provides direction on how to address Council vacancies. In brief, the City Manager's office coordinates the recruitment process with the following steps:

1. Preparing, overseeing, and advertising the vacancy, process, and application materials
2. Routing all materials to Council
3. City Council agrees on interview questions
4. City publishes notices for meetings, including interviews

This section also outlines interview requirements and voting procedures.

Previous Lacey City Councilmember Vacancy Process: In Spring 2019, then-Councilmember Rachel Young resigned her position on the City Council effective April 30, 2019. Following this, the City solicited candidates to fill the vacancy.

The City opened a recruitment process for two and a half weeks (April 8 to April 26, 2019). Interested parties were asked to submit an application and letter of interest; a resume was optional.

The 2019 application included the following questions:



1. Contact information (Name, Home Address, Phone Number, Email Address)
2. Outline your educational, life, and work experiences which have prepared you for appointment to this position. (References to your resume are acceptable.)
3. Why are you interested in serving as a Lacey City Councilmember?
4. What are the key priorities you believe the City needs to work on and what would you propose to address these issues?
5. How would you balance the community's interest in environmental stewardship with the need for economic development and jobs?
6. How have you contributed to the betterment of the Lacey community?
7. Please list the special skills, qualifications, or attributes you bring to this position.
8. Yes/No Questions:
 - a. Have you been a registered voter of the city at the time of filing your declaration of candidacy?
 - b. Have you lived within the Lacey City limits for at least one year?
 - c. Are you interested in running for election in November 2019?
9. Three personal references
10. Applicant's Certification and Agreement

For this recruitment, the City Council received fourteen applications. One applicant withdrew, one applicant was not eligible as they lived outside of City limits, and one applicant did not attend their scheduled interview. In total, on May 7, 2019, eleven applicants were interviewed in the order their applications were submitted. Six questions were asked of each candidate, 10 minutes were allowed for each interview, and 3-minute closing remarks by each candidate. After concluding the applicant interviews, the City Council continued the meeting, deliberated on the applicants, and then called for nominations. Six applicants were nominated. The City Council deliberated on the nominations and voted to move forward with three candidates. After two rounds of voting, an applicant, Lynda Zeman, received the necessary votes (4) to be appointed to the City Council.

Potential Vacancy Process: The City Council may employ this same process, use this process with modification, or develop an entirely new process. As stated above, there is no legally required process; the process is determined by the City Council.

City staff recommends a modified process. To reduce barriers and redundancy of materials, City staff recommends limiting the application to a City Council-agreed-upon set of application questions, which would include a question on why they are interested (effectively a cover letter) and experience (effectively a resume). Applicants would not be requested to provide additional materials, such as a resume, as application questions would gather this type of information.



Recommended application questions are:

1. Contact information (Name, Home Address, Phone Number, Email Address)
2. Statement of Interest: Why are you interested? (effectively a cover letter)
3. Outline your educational, life, and work experiences which have prepared you for appointment to this position. (effectively a resume)
4. What special skills or talent do you bring to the City Council?
5. What is your vision for the City of Lacey?
6. What are the top three priorities you believe the City Council should focus on in 2026-2027?
7. What do you see are gaps in the diversity of representation currently existing on the City Council and how would your participation address that perceived gap in a positive way?
8. Do you meet state requirements (Yes / No):
 - a. Be a United States citizen
 - b. Be 18 years of age or older
 - c. Be a registered voter within the jurisdiction/district they seek to represent (all candidates should make sure their voter registration information is up-to-date)
 - d. Be a resident of Lacey for at least a one year
 - e. Not be currently incarcerated for a felony
9. How long have you lived within the Lacey City limits? (minimum 1-year of residency required)
10. Are you interested in running for election in November 2027?
11. Applicant's Certification and Agreement



Potential Vacancy Process Timeline: Table A provides a proposal for the City Council to appoint a candidate to fill the vacancy within the legal timeline:

Table A		
Potential Vacancy Process Timeline		
Event	Target Date	Note
Public Meeting: Announcement of resignation effective at the adjournment of the August 18 th Council Meeting.	August 11	Worksession
Public Meeting: Council receives written notice of resignation and officially accepts by formal motion and vote. High-level introduction to process and seek direction on recruitment materials: • Finalize Application • Finalize Candidate Attributes • Start thinking about Interview Questions • Determine Special Meeting dates for interview(s)	August 18	Regular Council Formally accept written notice of resignation Refine and agree upon selection process Determine special meeting date(s)
Finalize Application	August 19 - 21	City staff lead
Recruitment Opens Newspaper/Press Release/Social media/Website/LaceyWeekly/Email list serves	August 24	City staff lead
Finalize interview questions	September 1 and/or September 15	Regular Council Worksession
Recruitment Closes	September 18	City Staff reviews for eligibility
Application Review	September 22 to October 6	Council receives and reviews applicants in a packet
Public Meeting* : Select Applicants for Interview	October 6	Discuss and select applicants to interview
Public Meeting* : Interviews / Vote	Schedule for between October 7 – October 29th Regular or Special Meeting(s)	Special Meeting(s) *Potential Executive Session
Deadline: 90-day appointment deadline	November 15	

August 2026

Sun	Mon	Tue	Wed	Thu	Fri	Sat
26	27	28	29	30	31	1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31	1	2	3	4	5

September 2026

Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	1	2	3

October 2026

Sun	Mon	Tue	Wed	Thu	Fri	Sat
27	28	29	30	1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November 2026

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	1	2	3	4	5

Attachment 1

WILL PDF: [City Council Application for Appointment](#)

Draft Application Questions

1. Contact information (Name, Home Address, Phone Number, Email Address)
2. Statement of Interest: Why are you interested? (effectively a cover letter)
3. Outline your educational, life, and work experiences which have prepared you for appointment to this position. (effectively a resume)
4. What special skills or talent do you bring to the City Council?
5. What is your vision for the City of Lacey?
6. What are the top three priorities you believe the City Council should focus on in 2026-2027?
7. What do you see are gaps in the diversity of representation currently existing on the City Council and how would your participation address that perceived gap in a positive way?
8. Do you meet state requirements (Yes / No):
 - a. Be a United States citizen
 - b. Be 18 years of age or older
 - c. Be a registered voter within the jurisdiction/district they seek to represent (all candidates should make sure their voter registration information is up-to-date)
 - d. Be a resident of Lacey for at least a one year
 - e. Not be currently incarcerated for a felony
9. How long have you lived within the Lacey City limits? (minimum 1-year of residency required)
10. Are you interested in running for election in November 2027?
11. Applicant's Certification and Agreement



Attachment 2

Draft Candidate Attributes:

1. Ability to work with others
2. Connections to Lacey and/or Community Involvement
3. Prior experience on Lacey Advisory Board demonstrated interest in community by participation in other community organizations or nonprofits
4. Reasonable tenure as Lakewood resident (at least 3-5 years).
5. Expressed interest in desired contribution to the City Council's goals and objectives and/or expressed vision for what the candidate would bring to the City Council and would hope to achieve.



Attachment 3

Draft Press Release

LACEY CITY COUNCIL ACCEPTING APPLICATIONS FOR COUNCIL VACANCY

LACEY, WA, DATE, 2026: City Councilmember **PERSON** resigned their position on the Lacey City Council, effective DATE, 2016.

The City Council has 90 days from this date to fill this vacancy. The Lacey City Council is accepting applications for appointment to the Position #X vacancy until 5:00 p.m., Friday, DATE, 2016.

Applicants must reside within Lacey city limits for at least one year prior to appointment and be a registered voter of the City at the time of filing their application for appointment to the Lacey City Council. Applicants must commit personal time preparing for and attending Council meetings, council assignments, and community activities as needed.

The successful applicant will have a demonstrated interest and involvement in the community. Council is looking for a person with strong interpersonal, problem-solving, and collaboration skills.

Interested parties can fill out an application online at **INSERT**.

City Council plans to conduct interviews on the evening of **DATE**, in the Lacey City Hall Council Chambers. Interviews are open to the public. For more information, contact the City Manager's Office at (360) 491-3214.

The Lacey City Council is the community's legislative body responsible for adopting ordinances and policies, approving the budget, and establishing City goals and priorities. City Council members serve the community at large. All Council positions are non-partisan.



Filling Council Vacancy

City Council Meeting | Tuesday, August 18, 2026



Filling Council Vacancy Subject to RCW.23.101

August 18 Council Meeting (Tonight)

- There is no legally required process; the process is determined by the Lacey City Council
- Should the City Council fail to fill the vacancy within ninety (90) days, the authority goes to the Thurston County Board of Commissioners (BOCC). Should the BOCC fail to appoint a qualified person within 180 days, the City or BOCC could petition the Governor of Washington to appoint a qualified person to fill the vacancy.
- Candidates must, on the day of appointment, meet the same qualifications as would be required to be eligible to be elected to the position.
- While the City Council may consider and discuss qualifications in Executive Session, any interviews and selection must be held in public, pursuant to the Open Public Meetings Act.



Eligibility

To qualify, you must be

- A United States citizen
- 18 years of age or older
- A registered voter within the jurisdiction/district they seek to represent (all candidates should make sure their voter registration information is up-to-date)
- A resident of the state, county, and precinct for at least 30 days before they file the declaration of candidacy. In addition, for Council-Manager code cities, each candidate must be a city resident for at least one year.
- A city resident for at least one year before their election and may hold no other public office or employment within the city except as permitted under [chapter 42.23 RCW](#).

And:

- **Not** be currently incarcerated for a felony



Time Line

- **August 18, 2026:** Upon adjournment of the August 18, 2026, City Council meeting, Councilmember Dunning's resignation becomes effective, resulting in a vacancy of City Council Position #3.
- **November 15, 2026:** The ninety (90) day period during which the City retains the authority to appoint a candidate to fill the vacancy.
- **November 2, 2027:** Is the date scheduled for the next General Election at which time City Council position #3 is up for election. Election results are certified no later than 30 days after the General Election.
- Upon Certification of the November 2, 2027, General Election 2027:
The person elected to City Council position #3 immediately assumes office to serve the remainder of the unexpired term.



Appointment Process Timeline

DATE	ACTION
August 18	Public Meeting: Council receives written notice of resignation and officially accepts formal motion and vote.
August 18	Public Meeting: High-level introduction to process and provide direction on recruitment materials.
August 19 - 21	Finalize Application
August 24	Recruitment Opens: Newspaper, Press Release, Social media, Website, LaceyWeekly, Email
Sept. 15 (or sooner)	Finalize interview questions
Sept. 18	Recruitment Closes
Sept. 22 & Oct. 6	Application Review
Oct. 6	Public Meeting*: Select Applicants for Interview
Schedule between Oct. 7 –29	Public Meeting*: Interviews / Vote
November 15	Deadline: 90-day appointment deadline



Council Direction

August 18 Council Meeting (Tonight)

- Application Format, Information & Questions
- Applicant Profile or Attributes for notice
- Schedule



Recommended Application questions (attachment 1)

- Contact information (Name, Home Address, Phone Number, Email Address)
- Statement of Interest: Why are you interested? (effectively a cover letter)
- Outline of educational, life, and work experiences which have prepared you for appointment to this position. (effectively a resume)
- What special skills or talent do you bring to the City Council?
- What is your vision for the City of Lacey?
- What are the top three priorities you believe the City Council should focus on in 2026-2027?



Recommended Application questions - continued

- What do you see as gaps in the diversity of representation currently existing on the City Council, and how would your participation address that perceived gap in a positive way?
- Do you meet state requirements (Yes / No):
 - Be a United States citizen
 - Be 18 years of age or older
 - Be a registered voter within the jurisdiction/district they seek to represent
(all candidates should ensure their voter registration information is up-to-date)
 - Be a resident of Lacey for at least one year
 - Not be currently incarcerated for a felony



Recommended Application questions - continued

- How long have you lived within the Lacey City limits?
(minimum 1-year of residency required)
- Are you interested in running for election in November 2027?
- Applicant's Certification and Agreement





STAFF REPORT

Council Worksession
August 18, 2026

Subject: Public Works Procurement Briefing

To: Lacey City Council

Prepared by: Aubrey Collier, City Engineer *AC*

Department Director: Vince McGowan, Interim Public Works Director *VMc*

Final Review: Rick Walk, City Manager *RW*

Purpose: Informational

Recommendation: N/A

Brief: This briefing will provide information on the City's policies and procedures related to bidding and award of capital construction projects, which fall under the Public Works Procurement Policy and Public Works Procedures documents.

Alternatives:

N/A

Prior Review:

N/A

Advisory Board Recommendation(s):

N/A

Fiscal Impact:

Budgeted Item: No

Amount: Not applicable

Project Code: Not applicable

Funding Source: Not applicable

Attachments:

1. Public Works Procurement Policy
2. Public Works Procedures

Policy or Legal Alignment:

LMC 2.11 & 2.72, Resolution 1158
RCW's 39.04, 35.21, 35.23, 39.26, 39.34

Defined in Revised Code of Washington (RCW) 39.04.010, a “Public Work” means all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the state or of any municipality, or which is by law a lien or charge on any property therein.

The City has written policies and procedures to ensure that we are meeting state requirements with regard to the expenditure of public funds. The purpose of the policy is to provide a fair and transparent process for those interested in bidding on public works contracts, and to help ensure that public contracts are performed satisfactorily and efficiently at least cost to the public, while avoiding fraud, waste, and favoritism in their award.

This briefing will highlight the signing limits, which determine when projects are brought before Council versus the City Manager. Staff will also provide an overview of the various types of Public Work procurement methods, including direct negotiation, small works program.

The primary focus of the staff briefing will be on the formal advertisement process that require formal council action. We will discuss the minimum mandatory requirements for bidders, as well as optional supplementary requirements, and other contracting requirements such as apprenticeship utilization and prevailing wages. We will explain the entire bid process and steps that are taken to ensure that bids being brought before Council meet all legal and policy requirements and that bidders are responsible and qualified to execute the public works contract.



CITY OF LACEY

PROCUREMENT POLICY FOR WORK DEFINED AS "PUBLIC WORKS"

A handwritten signature in blue ink, appearing to read "Rick Walk", is positioned above a horizontal line.

RICK WALK, CITY MANAGER

DATE

Rev: March 2025

CITY OF LACEY PROCUREMENT POLICY (PW)

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1 Policy

The purpose of this policy is to implement the requirements of state law and, when applicable, federal guidance with regards to procurement of public works. It is the City's policy to follow state and, when applicable, federal requirements with regard to the expenditure of public funds, to provide a fair forum for those interested in bidding on public contracts, and to help ensure that public contracts are performed satisfactorily and efficiently at least cost to the public, while avoiding fraud, waste, and favoritism in their award. For federally funded purchases and contracts, the purpose of this policy is to also ensure that there is no abuse of federal funds and that all allowable costs are accorded consistent treatment.

Except as otherwise expressly provided herein, the provisions of this policy are intended solely as a convenience and reference guide for City officials and employees. Nothing in this policy is intended to create any liability for or against the City. Without limitation of the foregoing, nothing in this policy is intended to create any enforceable right, entitlement, or cause of action in or for any third-parties.

2 General Provisions

2.1 Applicability

This policy applies to:

- All City Employees
- Public Works, as defined by RCW 39.04

2.2 Procedures and Guidelines

The Director of Finance and Director of Public Works are authorized to establish procedures and guidelines for the implementation of this policy.

2.3 Controlling Laws

The expenditure of public funds for the purchase of and contracting for goods, services, supplies, and materials shall comply with all applicable state law requirements as set forth in the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC). Where this policy conflicts with state law requirements, the more restrictive provision shall prevail. Where this policy is silent with regards to purchasing and/or bidding requirements, state law shall prevail.

Purchases and/or contracts that include grant or state funding shall also comply with the terms of the grant award and/or state guidelines.

Purchases and/or contracts that include federal funding shall also comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, published under Title 2 of the Code of Federal Regulations (2 CFR 200), hereinafter referred to as the Uniform Purchasing Guidance.

2.4 Monitoring and Compliance

The department director shall implement, monitor, and enforce these policies. In the event of any conflict in procurement requirements or questions about proper procedure or other requirements, the matter shall be referred to the City Manager or their designee for further action. Willful or intentional violations of public procurement requirements may result in personal penalties, financial liabilities, and/or discipline (RCW 39.30.020).

2.5 Signature Authority and Approval

The City Manager has the designated authority by Council to sign contracts and binding agreements for the City in accordance with LMC Chapter 2.11 and 2.72. The City Manager or their designee may, upon their own volition, place any specific contract on the City Council agenda for individual City Council authorization as they may see fit.

Signature authority is delegated per the table below, consistent with state and local laws within the prescribed limits. Procurement requirements may not be artificially divided so as to constitute a lesser approval under this section. Public Works Director may delegate authority in writing with specified amounts. Any construction change order resulting in an overrun of the project specific budget, with the exception of transportation or utility source funded projects, will follow the City's budget amendment process. Construction change orders resulting in an overrun of the transportation or utility source funds will follow the City's budget amendment process.

Public Works		
Public Works Contracts	Up to \$200,000	Public Works Director
	Up to \$350,000	City Manager
	≥\$350,000	City Council Approval
Construction Change Orders		
Public Works Contracts	Up to \$50,000	Engineering Design Manager or Engineering Construction Manager
	<\$100,000	City Engineer
	<\$200,000	Public Works Director
	<\$350,000	City Manager
	≥\$350,000 ***	City Council Approval

Table 2.1 - Signature Authority

***In the event unforeseen conditions necessitate an immediate change to avoid a contractor's claim against the City for delays, the City Manager may authorize and direct work irrespective of the limits above, upon verification by the Finance Director that budgeted funds are available. Any work change directive issued in excess of the City Manager's authority shall be incorporated into a change order and presented to the City Council as soon as practicable.

CITY OF LACEY PROCUREMENT POLICY (PW)

Delegated Authority

The following authority is delegated to the Public Works Director:

- A. Deem a contractor not responsible and/or reject bids for any public works project that falls within the City Manager's contract authority under this chapter.

Only authorized employees acting within the scope of their authority may obligate the City in the acquisition of goods or services. Any employee purchasing goods on behalf of the City without proper authorization may be personally liable to the vendor and/or to the City and subject to disciplinary action. This does not prohibit employees from obtaining price quotes and product information. Caution must be exercised when obtaining price quotes so as not to obligate the City in any manner. The City cannot and will not be responsible for payment of supplies, materials, and equipment that have not been procured through established standards and procedures. Failure to follow these procedures may result in disciplinary action.

2.6 Public Works

The procurement of public works (work, construction, alteration, repair or improvement other than ordinary maintenance as defined in the Glossary) shall follow the following cost thresholds and applicable competitive process.

The City utilizes MRSC Rosters for solicitation of bids under the below applicable processes. Refer to Public Works Procedures for additional information pertaining to required process, documentation and reporting.

Bid Thresholds

Contract Amount	Process	All public works contracts must be managed by the Public Works Department.
< \$150,000 ¹	Small Works Roster Direct Contracting	Bid splitting is prohibited.
< \$350,000 ¹	Small Works Roster (if <\$150,000, direct contracting is optional)	Prevailing wages required.
< \$75,000 If Single Trade ² < \$150,000 If Multiple Trade ²	Direct Negotiation (Requires approval by PW Director)	Apprenticeship Utilization, Insurance, Bid Guarantee, Bidder Responsibility, Retainage, Payment/Performance Bond, Non-Collusion Affidavit, and Subcontractor List may be required.
≥\$350,000 ²	Formal Bid Process (Advertisement)	See Public Works Procedures document for full requirements and instructions for all processes.
N/A	Emergency ³ (Direct Negotiation)	
¹ RCW 39.04.151, RCW 39.04.152, and Resolution 1158 ² RCW 35.23.352 ³ RCW 39.26.130		

Table 2.3 - Public Works Bid Process and Reference RCWs

Day Labor

The City may use its own employees to perform public works as defined in RCW 39.04.010(4) within the prescribed limits for single trade or multiple trades (as detailed in RCW 35.23.352 and referenced in Table 1.3). Ordinary Maintenance is not considered "Day Labor".

See Public Works Procedures document for full requirements and instructions.

Alternative Public Works Contracts

RCW 39.10 allows for alternative contracting procedures in addition to those listed above, including design-build, general contractor/construction manager, and job order contracting.

See Public Works Procedures document for full requirements and instructions.

2.7 Exceptions to Competitive Process

Applicability

State statutes contain exceptions to the previously described bidding requirements. It is important to note that only the requirement for competitive bidding or advertising is waived. It does not waive any other statutory requirements, contractual requirements, approvals, signature authority, administrative or insurance requirements.

Brand Name Bidding

The City may advertise for bids with a particular brand name in the specification if the responsible officials have exercised their judgment and determined that a certain brand name is of higher quality or is better suited to the municipality's needs. There is no requirement that bid specifications naming a particular brand also include a phrase such as "or an equal brand."

Sole Source Purchases

RCW 39.04.280(1)(a) authorizes sole source procurement. To use this process, the City Council must either apply a previously-adopted written policy or pass a resolution that states "the purchase is clearly and legitimately limited to a single source or supply." If the City Council waives the bid requirement through application of a written policy, it must, immediately following the award of the contract, set out the factual basis for the waiver.

All of the following requirements must be met for a sole source purchase:

- A. The city department has conducted a screening process whereby it can justify purchase of a specific product, as documented on the Sole Source Justification Form.
- B. There are legitimate specifications, to which only one vendor can successfully respond,
- C. The product is available only through one manufacturer (or distributor, and the manufacturer so certifies), which is clearly documented, and
- D. Reasonable efforts to ensure the lowest price are documented.

Intergovernmental Cooperative Contracting and Interlocal Agreements

RCW 39.34.030 authorizes cooperative action, including joint purchases, by different governmental entities. An advantage to using this process is that, as long as the lead agency awarded the contract following statutory requirements, the City has the opportunity to “piggyback” on that competitive process, thus eliminating the need to perform our own competitive process.

The use of joint purchasing contracts and purchasing cooperatives must comply with the following requirements:

- A. An interlocal agreement must be in place to utilize another jurisdiction’s contract. Accepted memberships to purchasing cooperatives are not substitutes for authorized interlocal agreements.
- B. The awarding entity must have posted the bid or solicitation notice on its website or provide an access link to the notice.
- C. The awarding entity must ensure that its request for bids and final contract allow for the contract to be used by more than one local government.

The City may also use the authority granted in RCW 39.34.030 to make purchases through state contracts as long as a Master Contracts Usage Agreement (MCUA) with the Department of Enterprise Services (DES) is in effect.

Procurement by this method waives competitive bidding requirements because the other organization has already done this process. It does not waive any other requirements for the type of procurement such as signature authority for approval, documentation, insurance, bonding, prevailing wages, etc.

Purchase orders entered for procurement under this section must list the awarded contract number in effect at the time of award. Public works procured under this section may still require a general construction contract detailing time for completion and contractor responsibilities.

The City of Lacey also has multiple interlocal agreements with other agencies to make the most efficient use of resources by enabling agencies to cooperate by providing staff support, equipment, and materials when available on a reimbursable basis as well as for use in urgent circumstances or for work that requires coordination between jurisdictions.

Special Market Conditions

RCW 39.04.280(1)(b) also provides a “special market conditions” waiver from the bidding requirements for purchases of materials, supplies, or equipment. To use this exemption, the city must pass a resolution stating “the factual basis for the exception”.

If the city wishes to invoke “special market conditions” to waive the bidding requirements, the city attorney should be consulted.

Emergency Purchases

RCW 39.04.280(1)(c) specifically authorizes the City to waive competitive bidding requirements for purchases “in the event of an emergency.” The term “emergency” is defined by statute to mean

unforeseen circumstances beyond the control of the municipality that either: (a) presents a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life, if immediate action is not taken.

The City Council may, by resolution, declare an emergency and may waive all requirements for public bidding for purchases, public works, and services deemed necessary, in the opinion of the City Manager, to respond to the emergency. If a contract is awarded without competitive bidding due to an emergency, written findings of the existence of an emergency must be made by the governing body or its designee and entered into its record no later than two weeks following the contract's award.

Procurement by this method waives competitive bid/quote requirements. It does not waive any other requirements for the type of procurement such as signature authority for approval, documentation, insurance, bonding, prevailing wages, etc.

Volunteer Projects

RCW 35.21.278 authorizes the City to contract with certain groups to do neighborhood or other public improvement projects without going out to bid. These groups include chambers of commerce, service organizations, community, youth, or athletic associations, or other similar associations located in and providing service to the immediate neighborhood, for drawing design plans, making improvements to a park, school playground, or public square, site, installing equipment or artworks, or providing maintenance services for a facility or facilities as a community or neighborhood project, or environmental stewardship project.

The Contracting Association may use volunteers in the project and provide the volunteers with clothing or tools; meals or refreshments; accident/injury insurance coverage; and reimbursement of their expenses. The City may reimburse the Contracting Association for these expenses. The consideration received by the City (the improvements, artwork, etc.) must be at least equal to three times the City's payment to the Association. All payments made by a public entity under the authority of this section for these types of contracts in any one year shall not exceed \$25,000 or \$2 per resident within city limits, whichever is greater.

All contracts with community service organizations for volunteer work on public improvements must be approved by the Finance Director.

3 Glossary

Bid Splitting (Reference RCW 39.04.151(1)(f))

The prohibited process of breaking up a project into units or phases if done for the purposes of avoid bid limits and/or thresholds.

Ordinary maintenance (WAC 296-127-010(7)(b)(ii))

Maintenance work performed by the regular employees of the state or any county, municipality, or political subdivision created by its laws.

Small Works Roster Process (Reference RCW 39.04.452)

A Contracting method to complete and/or award public works projects using a pre-established list of responsible contractors.

[Public Work](#) (Reference RCW 39.04.010, WAC 296-127-010)

All work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the state or of any municipality, or which is by law a lien or charge on any property therein.

4 Reference Documents

[Public Works Procedures](#)

[Small Works Business Utilization Plan](#)

[Sole Source Justification](#)

PUBLIC WORKS PROCEDURES

PROCUREMENT PROCEDURES FOR WORK DEFINED AS “PUBLIC WORKS”

Rev: October 2024

Procurement Procedures for Public Works

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1 Applicability

This section covers procurement of all work, construction, alteration, repair or improvement other than ordinary maintenance in accordance with 39.04 RCW.

Ordinary maintenance is generally considered to be work performed by City staff (WAC 296-127-010(7)(b)(ii)). It is work not performed by contract and that is performed on a regularly scheduled basis (e.g., daily, weekly, seasonally, semiannually, but not less frequently than once per year), to service, check, or replace items that are not broken; or work not performed by contract that is not regularly scheduled but is required to maintain an asset so that repair does not become necessary.

Materials, supplies, and equipment not used in connection with a public work project or improvement are not covered under these procedures. However, if the acquisition of these items requires installation of other components (e.g. cables, conduits, mounting, or infrastructure of any kind), public works requirements may be applicable.

Any public works project, including small works, needs to be funded (or have funding allocated) before inviting bids (RCW 39.04.020).

2 Requirements for Vendors

When hiring anyone on behalf of the City, the following requirements must be met:

2.1 Certificates of Insurance

Current Certificate of Insurance (COI) for each project, including:

- Current effective period and expiration
- Description of project and/or applicability
- City of Lacey listed as additional insured
- Automobile Liability
 - \$1,000,000 combined single limit (minimum)
- Commercial General Liability
 - \$1,000,000 per occurrence (minimum)
 - \$2,000,000 aggregate (minimum)
- Builder's Risk
 - Required for facility construction
- Errors & Omissions
 - Optional for consultant agreements of complex nature

See the PW Engineering Division for example Insurance Specifications. Variation from minimum prescribed limits require consultation with City Attorney.

2.2 City of Lacey Business License

Required for all businesses located within city limits, or conducting business within city limits.

Vendors can apply for a City of Lacey Business License at cityoflacey.org/business-licensing

2.3 PaymentWorks

The City of Lacey has partnered with PaymentWorks for the collection, validation, and management of all vendor information. New vendors will receive an invitation from the Finance Department to create an account and input their information.

3 Bid Thresholds and Requirements

The total cost of each project must be estimated in order to correctly apply bid limit dollar amounts to determine if a public works project must be competitively bid. The estimate shall include a fair and reasonable value of the work for all phases and anticipated contracts for the entirety of the project, and include materials, supplies, equipment, and labor on the construction of that project and applicable sales and use taxes.

For bid limit purposes, sales tax should be included when determining the total cost of a public work. The rate used varies by the location of work performed and should be verified with the Department of Revenue. Roadway projects are likely exempt, at least in part, from sales and use tax under RCW 82.04.050(10) (see also WAC 458-20-171, nicknamed "Rule 171"): *Labor and services rendered for the building, repairing, or improving of any street, place, road, highway, easement, right-of-way, mass public transportation terminal or parking facility, bridge, tunnel, or trestle owned by a city or town which is used primarily for pedestrian or vehicle traffic.*

If the total project amount is over a specified bid threshold, then all related contracts, no matter the individual dollar amount, must be procured through the applicable bid process.

All public works must require prevailing wages, and in most cases, retention to be withheld and a payment & performance bond provided. It is also standard practice to require a one-year warranty. These requirements must be stated in the bid documents.

Refer to the table below for applicable bid thresholds and applicable requirements outlined in this section:

Public Works Requirements										
Dollar Amount	Process	Prevailing Wages	Plans/Specifications	Bid Guarantee ⁴	Bidder Responsibility ⁵	Retainage ⁶	Payment/Performance Bond ⁷	Non-collusion affidavit ⁸	Subcontractor List (>\$1M) ⁹	Apprenticeship Utilization (>\$2M)
< \$5,000 ¹	Small Works Roster Direct Contracting	X	X		X					
< \$150,000 ¹	Small Works Roster Direct Contracting	X	X		X	*	X			
< \$350,000 ¹	Small Works Roster (if <\$150,000, direct contracting is optional)	X	X	X	X	*	X	X		
< \$75,000 If Single Trade ²	Direct Negotiation/Day Labor (Requires approval by PW Director)	X	*		X	X	X			
< \$150,000 If Multiple Trade ²		X	*		X	X	X			
≥\$350,000 ²	Formal Competitive Bids (Advertisement)	X	X	X	X	X	X	X	X	X
N/A	Emergency ³ (Direct Negotiation)	X			X	X	X			
¹ RCW 39.04.151, RCW 39.04.152, and Resolution 1158 ² RCW 35.23.352 ³ RCW 39.26.130 ⁴ RCW 35A.40.200, RCW 35.23.352 ⁵ RCW 39.04.350 ⁶ RCW 60.28.011 ⁷ RCW 39.08.010 ⁸ RCW 9.18.120, RCW 9.18.130 ⁹ RCW 39.30.060		X = Requirement * = Recommended ⁶ Retainage may not be held on federal transportation projects. ⁶ For contracts <\$150k, contractor may request to withhold additional 10% retainage in lieu of payment/performance bond.								

Table 3.1 - Public Works Requirements and Reference RCWs

3.1 Small Works Roster

When the estimated cost of a public works project is less than \$350,000, the City may follow the Small Works Roster process in lieu of the formal bid process as authorized by RCW and Resolution 1158. The City has contracted with the Municipal Research and Services Center of Washington (MRSC) for the use of their roster services. Consult with PW Engineering to utilize this process.

Bids are solicited by sending an electronic invitation to Bid to the entire List of businesses ("project-specific roster" or "applicable roster") generated for your project. All invitations to bid shall be coordinated with the Engineering Design section Project Administrator.

The Invitation to Bid should contain the following information; items with an asterisk (*) are required by RCW 39.04.152(3):

1. Project name and number (consistent with agency accounting/contracting and/or platform identification)
2. The scope of work* including:
 - a. Existing conditions (as applicable)
 - b. Materials and equipment that will be provided by the public agency* or that the public agency requires
 - c. Current understanding of permitting requirements and authorities having jurisdiction
3. The estimated cost*
4. Project schedule and deadlines for completing the project
5. Information on a site walk and/or pre-bid conference if offered
6. Bid due date and time
7. Bid form
8. Instructions to Bidders, including mandatory bidder responsibility criteria and any supplemental bidder responsibility criteria ([RCW 39.04.350](#))
9. Where and how to submit bids
10. How questions can be submitted and how addendums, if necessary, will be provided and communicated
11. General agency contact information
12. Sample contract (contract form) that will be awarded, including:
 - a. General conditions
 - b. Agency required forms
 - c. Insurance requirements
 - d. Bonding requirements
 - e. Retainage approach
 - f. Payment procedures
 - g. Any other contract or project requirements

At the time at which bids are due, you will then evaluate the bids received, select the lowest responsive bid submitted by a responsible bidder, and proceed to contract award and execution. Any bids submitted by a contractor not active on the roster will not be accepted.

After procurement and award is complete, the Project Administrator will return to the MRSC Rosters system under "Documentation" and manually populate each response to the invitation. For each bid received, the agency or local government will enter the bid amount. Once the information is entered into the system, it is immediately publicly available in accordance with RCW 39.04.152(6).

If no responsive bids from responsible bidders are received, or if otherwise unable to select a contractor or award a project, the project may be canceled and procured through another method or started as a new project. In this case, the project manager shall write a memo for the project file explaining the rationale and the plan to pursue the project later (starting with a different list of businesses) or using a different public works methodology.

3.2 Small Works Roster Direct Contracting

Standard practice is to competitively bid public works whenever practical. If appropriate, and on a case-by-case basis, the Engineering Design Manager or Operations Manager may approve the use of small works roster direct contracting as allowed by law when the estimated cost of a public works project is less than \$150,000. An Engineer's estimate must be completed prior to starting this process.

A Business Utilization Plan must be in place before direct contracting for small works in accordance with RCW 39.04.152, outlining the City's goals for award of contracts to small businesses and businesses owned by minorities, women, and veterans.

When using direct contracting, staff must equitably distribute opportunities using the following rotation procedures:

1. If the project specific roster contains 6 or more Small Businesses, rotation must be applied to those small businesses. Rotation is applied by reviewing the date of the last contract with businesses on the project specific roster in the order they appear. If the last contracted date is within a 12-month period, the next business on the project specific roster is reviewed. This review approach is to continue until a business that has not been contracted with in the last 12-month period is identified.
2. If the project specific roster contains 5 or fewer Small Businesses (or none), rotation must be applied to all businesses within the project specific roster.
3. If there is only one business on the project specific roster, rotation is not practicable. Documentation will include the project specific roster to demonstrate the single contractor.
4. Staff shall document the process and approach used to rotate through responsible contractors on a project specific roster. Documentation could include, but is not limited to, printing the project specific roster, and noting each contractor considered through review of their "last contracted" date and reference to the Small Business Utilization Plan.
5. If rotated business declines to negotiate, staff will first attempt to negotiate with the next rotated business. If all rotated businesses decline to negotiate, staff can elect to revert the solicitation to the competitive process and invite all businesses on a project specific roster, cancel the solicitation all together, or publicly bid.

Using the direct contracting method, select one contractor from the List of Businesses ("project-specific roster" or "applicable roster") for the project type/work category, send an Invitation to Direct Contract directly to the identified contractor; only one contractor will be invited at a time.

Notify the identified contractor that they have one business day to confirm interest or decline the opportunity. Include the project type, work category, estimate, and general description, along with the anticipated timeframe for construction. Should the contractor decline, or not respond within the time frame given, document the outcome and move to the next rotated contractor.

Send invitation and bidding documents *only to the next rotated contractor on the project-specific roster*. Include a time frame to receive the bid. Bid due date and time can be project specific and depends on the level of effort involved in preparing a bid; the default is 10 business days.

The Invitation to Direct Contract/Negotiate should contain the following information; items with an asterisk (*) are required by RCW 39.04.152(3):

1. Project name and number (consistent with agency accounting/contracting and/or platform identification)
2. The scope of work* including:
 - a. Existing conditions (as applicable)
 - b. Materials and equipment that will be provided by the public agency* or that the public agency requires
 - c. Current understanding of permitting requirements and authorities having jurisdiction
3. The estimated cost*
4. Project schedule and deadlines for completing the project
5. Information on a site walk and/or pre-bid conference if offered
6. Bid due date and time
7. Bid/negotiation form, *including instructions on how the agency or local government will agree on the award amount*
8. Instructions for Direct Contracting/Negotiations, including mandatory bidder responsibility criteria and any supplemental bidder responsibility criteria (RCW 39.04.350)
9. Where and how to submit bids
10. How questions can be submitted and how addendums, if necessary, will be provided and communicated
11. General agency contact information
12. Sample contract (contract form) that will be awarded, including:
 - a. General conditions
 - b. Agency required forms
 - c. Insurance requirements
 - d. Bonding requirements
 - e. Retainage approach
 - f. Payment procedures
 - g. Any other contract or project requirements

A bid submitted within the stated contract/project Engineer's estimate should be accepted without negotiation. Only if a bid amount is not acceptable or if the contractor requests negotiations should negotiation be used using the following guidelines:

1. The direct contracting "negotiation" process is intended to the build capacity of small contractors by affording the contractor one-on-one conversation with the agency to prepare a bid without the pressure of competition. It is not intended to be a process to "haggle" or "lower" a bid price. The intent is to build a "pathway to being a prime."
2. Q&A: the bidder may request "negotiations" by submitting questions/clarifications in the form and format provided in the bidding documents. Staff will then respond as appropriate and then issue an addendum that memorializes the new agreed terms, schedule, price, etc. The bidder proceeds to submit a bid on the template bid form.
3. It is the policy of City of Lacey to review all bids received through direct contracting at the "bid item" or "schedule of values" level to help the small business carefully and accurately build a bid. As such, all direct contracting processes will include a review of the bid item breakdown and or schedule of values with the award request.
4. In the uncommon event an award amount cannot be agreed upon, staff will need to send notice to the contractor that the "negotiation process" is terminated and provide 2 business days (protest period) before contacting the next rotated contractor from the project-specific

roster. Should a negotiation process be terminated staff will need to document the rationale in place in the project file.

Allowable rationale for terminating direct contract negotiations is:

- A. Scope. The scope of work cannot be agreed.
- B. Schedule. The schedule cannot be agreed.
- C. Budget.* After confirmation of scope, schedule, and some cost verification, the budget is determined not sufficient.

*If budget/cost is confirmed to be outside of the project estimate, the solicitation is to be cancelled and reassessed. Staff is not allowed to rotate to the next available contractor to try to renegotiate with the next contractor. This will be considered "haggling" and is not compliant with this procedure or our direct contracting policy.

Awarding a small works direct contract is the same as awarding a small works competitive contract and will follow standard public works award processes. The successful contractor will be sent a notice of award and requests for bonding and insurance per the contract documents.

After procurement and award is complete, the Project Administrator will return to the MRSC Rosters system under "Documentation" and manually populate each response to the invitation. Once the information is entered into the system, it is immediately publicly available in accordance with RCW 39.04.152(6).

3.3 City Policy/Day Labor (Direct Negotiation)

Standard practice is to competitively bid public works whenever practical. If appropriate, and on a case-by-case basis, the Public Works Director may approve the use of direct negotiation as allowed by law.

Bids are required whenever the cost of a public work, including the cost of materials, supplies, and equipment, will exceed \$150,000, if more than one craft or trade is involved. If only a single craft or trade is involved, or if the project is one of street signalization or street lighting, bids are required if the cost is greater than \$75,500 (as detailed in RCW 35.23.352 and referenced in Table 3.1).

The City may use its own employees to perform public works within the prescribed limits for single trade or multiple trades. Ordinary Maintenance, as defined in WAC 296-127-010(7)(b)(ii), is not considered "Day Labor". City staff may make minor contributions to a larger project, however that cost must be considered in the total project value and bid appropriately.

They City may have its own regularly employed personnel perform work which is an accepted industry practice under prudent utility management without a contract. For purposes of this section, "prudent utility management" means performing work with regularly employed personnel utilizing material of a worth not exceeding \$300,000 in value without a contract. This limit on value of material being utilized in work being performed by regularly employed personnel shall not include the value of individual items of equipment. For purposes of this section, "equipment" includes, but is not limited to, conductor, cabling, wire, pipe, or lines used for electrical, water, fiber optic, or telecommunications.

There is no threshold on the total amount of work that can be done by city workers for code cities. However, all public works not performed by contract greater than \$5,000 must be reported to the Finance Department for tracking and annual reporting to the State Auditor.

If City forces are used to perform a public work valued at more than \$25,000, a notice including the description and cost estimate must be published in the newspaper 15 days prior to beginning the project. When any emergency requires the immediate execution of a public work project by City forces, publication may be made within seven days after the commencement of the work (RCW 39.04.020).

3.4 Formal Bid Process

When the estimated cost of a public works project is more than \$350,000, the City must follow the formal bid process.

Requests for Proposals are published in the Olympian and the Daily Journal of Commerce at least thirteen days prior to the last date upon which bids will be received. Advertisements in the Olympia must occur on days when a physical paper is published. Advertisements for bids should contain definite specifications and procedures for bidders to use. Plans and specifications are posted on the City website and Builders Exchange of Washington's plan center.

Bids must be sealed and will be accepted and evaluated in accordance with the contract specifications and RCW 35.23.352. A public bid opening is required and is typically live streamed on the City's YouTube channel.

Consult with Engineering Design Manager for guidance on for required documentation to be included with responsive bids.

If no responsive bids are received, the Public Works Director may authorize the Engineering Design Manager to directly negotiate with contractors or suppliers or may authorize to perform work using city employees. In all other cases, the **city may not negotiate** with bidders once the bids have been submitted and opened.

3.5 Unit-Priced Contracts

State statute defines a unit-priced contract as a competitively bid contract in which public works are anticipated on a recurring basis to meet the business or operational needs of the city, under which the contractor agrees to a fixed period indefinite quantity delivery of work, at a defined unit price for each category of work. This authority is provided under RCW 35A.40.210.

While traditional public works contracts are awarded for specific projects/scopes with a specific total dollar value, unit-priced contracts are not associated with a particular project, do not guarantee any amount of work, and do not establish a total dollar value (although the contract may cap the dollar value at a certain level over the life of the contract). Instead, the agency agrees to pay a defined "unit price" for certain types of anticipated (but unplanned) work or trades over a certain time period.

The prices for different tasks may be based on various units – tons, square feet, linear feet, cubic yards, hours, quantity of items, lump sum per task, etc.

When a specific project is identified, individual work orders are authorized based upon either a "not-to-exceed" time and materials basis or a negotiated lump sum amount using the previously established unit prices. Unit-priced contracts are often used for repair, renovation, or maintenance of public facilities, all of which fall under "public work" as defined in RCW 39.04.010(4).

Unit-priced contracts must be procured using the formal competitive process regardless of the estimated contract amount. The invitation for bid must include estimated quantities of the anticipated types of work or trades and specify how the city will issue or release work assignments, work orders, or task authorizations. Whenever possible, the City must invite at least one proposal from a minority or woman contractor.

Like traditional public works contracts, unit-priced contracts must be awarded to the lowest responsible bidder under RCW 39.04.350.

The initial term of a unit-priced contract may not exceed three years, although the city has the option to extend or renew the contract for one additional year.

3.6 Systemwide Maintenance and Repair Contracts

There are also some systemwide maintenance and repair contracts that are sometimes referred to as “on call contracts” but actually fall under traditional public works contracting as long as the scope is clearly and properly defined.

To qualify as a traditional public works contract instead of a unit priced contract, a systemwide maintenance or repair contract must cover specific activities planned in advance and budgeted (as opposed to unit priced contracts which cover activities that are not specifically planned and have no set budget).

Examples include:

- Sewer or storm drain “jetting” (cleaning) up to a certain budget amount, but not an exact number of linear feet
- Sidewalk/trail construction or reconstruction in relation to an agency’s pedestrian master plan (not necessarily a fixed quantity), up to a certain budget amount
- Street lighting and signal maintenance and repair in relation to an annual, systemwide work plan
- Annual contracts for pavement crack sealing, chip seals, overlays, etc.

These contracts can be structured so that they qualify as public works projects with readily determinable quantities and costs related to a fixed scope. Contracts are often awarded on an annual basis, with optional renewals, but multi-year contracts are also common.

However, systemwide maintenance and repair contracts should not cover unanticipated projects or emergency repairs, which would fall under unit priced contracting.

3.7 Job Order Contracts

A Job Order Contract (JOC) is a contract in which the contractor agrees to a fixed period, indefinite quantity delivery order contract. The intended use for Job Order Contracts is for small, time sensitive construction projects with limited or no design. (RCW 39.10.420)

Job order contracts generally have a much wider scope than unit priced contracts, encompassing all conceivable construction tasks/projects, and have a more rigorous solicitation process. Prices for each

work order are based on an established price book. The City utilizes BNldata Cost Books and RS Means for this information.

One of the primary advantages of using JOC is speed. It enables the public agency to complete smaller projects more quickly than is possible through the traditional Design-Bid-Build approach. Complete plans and specifications are not always required. The plans and specifications must be sufficient for any permitting, for ensuring that the contractor understands the project clearly enough so they can price it based on the price book, and for providing the owner with a tool to ensure that the project meets the owner's expectations. However, there is risk of paying more for a project than if the project had been subject to competitive bidding.

Contracts are often awarded on an annual basis, with optional renewals, but multi-year contracts are also common. Systemwide maintenance and repair contracts should not cover unanticipated projects or emergency repairs, which would fall under unit-priced contracting.

Agencies may not have more than three Job Order Contracts at any one time. The maximum total dollar amount that may be awarded under a JOC is \$4 million dollars per year for a maximum of three years. Initial contract terms are not to exceed two years, with the option of extending or renewing. Any unused capacity from the previous year may be carried over for one year and added to the following year's limit subject to the approved City budget.

Each work order is limited to \$500,000 and at least 90% of work contained in a job order must be subcontracted.

Under the JOC method, a public agency selects a contractor based on the evaluation factors established in the Request for Proposals (RFP), which must include price and the ability of the proposer to perform the JOC. The bid is known as the contractor's coefficient and is a percentage markup or markdown off of the prices included in the identified price book that the public agency plans to use. Complete procedures for the contract award process are set out in RCW 39.10.430.

3.8 Design-Build Contracts

Cities may use design-build procedures to contract for public works (RCW 39.10.300). The design-review process allows a city to contract for both the design and construction of a facility valued over \$2 million and where:

1. The construction activities are highly specialized and a design-build approach is critical in developing the construction methodology; or
2. The projects selected provide opportunity for greater innovation or efficiencies between the designer and the builder; or
3. Significant savings in project delivery time would be realized.

This method may also be used for construction of a parking garage, regardless of cost, and construction or erection of portable facilities, pre-engineered metal buildings, or not more than 10 prefabricated modular buildings per installation site, regardless of cost.

The contract is awarded through a competitive process starting with the public solicitation of qualifications for design-build services. The request for qualifications must contain a general

description of the project, the reasons for the design-build procedure, a description of the qualifications required, a description of the process for evaluation of qualifications and proposals, and any other relevant information to the project (RCW 39.10.330).

Up to five finalists will be asked to submit proposals, to be evaluated by a committee that may either award the contract from these proposals or reject all proposals. The firm selected is then required to submit a performance and payment bond, while the other finalists are paid an honorarium in an amount “sufficient to generate meaningful competition among potential proposers.”

Design-build contracting for larger, hard to define projects can provide reduced owner risk, potentially shorter project delivery timelines, and budget predictability. There is added cost for retaining contractor professional services during design. This method is not beneficial for projects with prescriptive design requirements or limited innovation options.

Utilization of this procurement method requires Public Works Director approval.

3.9 General Contractor/Construction Manager Contracts

A general contractor/construction manager (GC/CM) is a firm the city selects and with whom it negotiates a maximum allowable construction cost, guaranteed by the firm.

GC/CM may be used for public works projects meeting at least one of the following criteria (RCW 39.10.340):

- Implementation of the project involves complex scheduling, phasing, or coordination;
- The project involves construction at an occupied facility which must continue to operate during construction;
- The involvement of the general contractor/construction manager during the design stage is critical to the success of the project;
- The project encompasses a complex or technical work environment;
- The project requires specialized work on a building that has historic significance; or
- The project is, and the public body elects to procure the project as, a heavy civil construction project.

Early in the design process, the agency selects the GC/CM through a competitive qualifications-based process through a request for proposals (RFP) and sealed bids for general conditions and fee, according to the requirements of RCW 39.10.350-370. The firm that is selected provides services during the design phase and acts as the construction manager and general contractor through the construction phase (RCW 39.10.210(7)). The process used for selection of a firm is similar to that used to select a design-build contractor, discussed in the section above. The contractor is selected based on the highest scored final proposal using the evaluation factors and relative weighting published in the RFP.

After the selecting the GC/CM, they enter into a preconstruction services contract to assist with estimating, scheduling, constructability reviews, equipment selection, etc.

The maximum allowable construction cost (MACC) is negotiated by the city and the firm selected after the 90% design is completed as outlined in RCW 39.10.370. The MACC, plus the items bid by the contractor (Percent Fee and Specified General Conditions costs) are added together to equal what is

known as the Total Contract Cost. Once the MACC has been negotiated, a GC/CM contract for construction of the project is executed. Additional elements of negotiation exist when the project is procured as a heavy civil construction project, such as (but not limited to) proposed price and scope of work for the negotiated self-perform portion of the project, the scope of work to be procured by bid, and the GC/CM outreach plan.

There are multiple, prescriptive cost categories and tracking requirements associated with this method. 70% of all subcontract work must be competitively bid, with Washington State statutes prescribing several nuances to bidding subcontract work. In the event that the total dollar amount of all the subcontract bid packages as bid equal more than the amount of the negotiated MACC, the contractor is at risk for this shortfall. If, on the other hand, the amount of the subcontract bid packages is less than the negotiated MACC, those savings accrue to the owner. The contract award may include an incentive clause, not to exceed 5% of the maximum construction cost, to be awarded for savings of either time or cost or both.

GC/CM contracting may be well suited for projects with a high level of complexity, such as renovation of a facility that must continue to operate during construction. Major scopes of work such as mechanical, electrical, and plumbing will likely be done by subcontractors participating in the design process; early involvement can help avoid costly changes during construction. Typically, CG/CM contracting is used for larger projects (over \$10M), but could be used for a smaller project with approval of the PRC.

Utilization of this procurement method requires Public Works Director approval.

4 Public Works Requirements

4.1 Prevailing Wage

Chapter 39.12 RCW requires local government contractors and subcontractors to pay prevailing wages to all workers for all public works and maintenance contracts, regardless of the dollar value of the contract. This includes:

- Public works (RCW 39.04.010)
- Building service maintenance – defined as janitors, waxers, shampooers, and window washers (RCW 39.12.020 and WAC 296-127-023)
- Construction, reconstruction, maintenance, or repair (RCW 39.12.030)
- Turn-key leases, rentals, or purchases (RCW 39.04.260)
- Off-site fabrication of non-standard items for a public works project (WAC 296-127-010(5)(b))

The federal government has its own public works prevailing wage requirements, or wage determinations, established by the Davis-Bacon Act (DBA). For any public works project receiving federal funding, contractors must pay the higher of the state or federal wage rates (WAC 296-127-025). This should also be stated in the bid specifications and contracts.

RCW 39.12.040 requires every contractor and subcontractor on the project to file a Statement of Intent to Pay Prevailing Wages. These statements should be filed with L&I immediately after the contract is awarded and before work begins, if possible.

The city may not make any payments under the contract until the contractor has submitted an approved Statement of Intent. Likewise, subcontractors may not receive any payments until they file approved Statements of Intent. This requirement should be stated in the specifications and contract.

RCW 39.12.040 also requires every contractor and subcontractor on the project to file an Affidavit of Wages Paid soon after the work has been completed. The city may not release the retainage until the contractor and subcontractors have filed approved Affidavits of Wages Paid. These requirements should also be stated in the specifications and contract.

4.2 Requests for Bid Documents

The City of Lacey utilizes the Builders Exchange of Washington's online plan center to post project documents using the formal bid process. All solicitations and addenda are also posted and available for download on the City website.

In accordance with RCW 39.04.105, within two business days of the bid opening on a public works project that is the subject of competitive bids, the City will provide, if requested by a bidder, copies of the bids the City received for the public works project. The City will not execute a contract for the public works project for two full business days from the date that copies of the received bids were provided.

4.3 Bid Guarantees

Bid guarantees, also known as bid bonds, are required in order to discourage successful bidders from backing out of a contract. The guarantee amount is 5% of the total contract amount that could be awarded, including additive and alternate bids, and sales tax.

Bid guarantees must be received in the form of a cashier's check, cash, money order, or surety bond. Checks must be deposited into the City's accounts upon receipt. The bid guarantees belonging to the unsuccessful bidders must be returned as soon as practical after contract execution in the form of a check written to the contractor (to provide an adequate audit trail).

The City will hold the bid guarantees of all responsible bidders. If the successful bidder fails to enter into the contract, the bid guarantee is forfeited and the contract is awarded to the next-lowest bidder, according to the procedures in the contract specifications. If the lowest bidder enters into the contract, the guarantee for the second-lowest bidder is returned.

4.4 Non-Collusion

Each bidder shall be required to warrant that their bid is genuine, and that they have not entered into collusion with other bidders, by submitting with their bid a Non-Collusion affidavit.

4.5 Bidder Responsibility Criteria

RCW 39.04.350 establishes the bidder responsibility requirements that a bidder must meet to be considered a responsible bidder and be qualified to be awarded a public works project. Before the City may accept the contractor's bid, the contractor must:

- A. be a registered contractor at the time of bid submittal (RCW 18.27.020);
- B. have a current Unified Business Identifier (UBI) number;
- C. have industrial insurance/workers' comp coverage;
- D. have an Employment Security Department number;

- E. have a state excise tax registration number;
- F. not be disqualified from bidding under RCW 39.06.010 or 39.12.065(3);
- G. not have any apprenticeship violations, if applicable;
- H. certify through a sworn statement that they are not a willful violator of labor laws in reference to RCW 49.48.082; and
- I. Have received training, provided by the Department of Labor and Industries or a provider whose curriculum has been approved by L&I, on the requirements related to public works and prevailing wages. However, bidders that have completed three or more public works projects and maintained a valid business license in Washington for at least three years are exempt from this requirement.

The City may adopt supplemental criteria for a specific project. The bidding documents must include the adopted supplemental criteria and a:

- A. basis for evaluation;
- B. deadline for bidder to submit responsibility documentation; and
- C. deadline for bidder to appeal a “not responsible” determination.

A potential bidder may request changes to the supplemental criteria, and the city must evaluate the request. If the city agrees to change the criteria, an addendum must be issued.

If the City determines a bidder to be not responsible, it must provide, in writing, the reasons for the determination. A bidder can appeal the determination within the time period specified in the bidding documents by presenting additional information to the city. The city must consider the additional information before issuing its final determination. If the final determination affirms that the bidder is not responsible, the city may not execute a contract with any other bidder until two business days after the bidder determined to be not responsible has received the final determination.

4.6 Additional Requirements for Public Works Contractors

Contractors performing work must have:

- A. Valid WA State contractor’s license and trade licenses, as applicable.
- B. State unified business identifier number (UBI)
- C. Employment security department number
- D. State excise tax registration number
- E. Received training related to public works and prevailing wage from LNI.
- F. City of Lacey Business License and Insurance per Chapter 2.

Contractors may not be disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065(3).

Contractors must have no history of citation from LNI or civil judgement for violation of Chapter 49 RCW, Labor Regulations, within the three year period preceding bid solicitation.

4.7 Payment and Performance Bonds

RCW 39.08.010 requires public works contracts to use performance and payment bonds to guarantee that the contractor or the surety itself will complete the project and pay all subcontractors, workers, and suppliers. If the retainage is not enough to cover claims and unpaid fees, the performance and payment bonds will cover the remaining amount. Payment and Performance bonds must equal 100% of the contract value.

Any subcontractors, workers, and suppliers with a claim against the bond have 30 days after the agency accepts the contract as complete to file a claim. If a municipality fails to call for performance and payment bonds, it will be liable to all of those entities for the full amount of the contractor's debts or outstanding payments (RCW 39.08.015).

For public works contracts under \$150,000 that require performance and payment bonds, the contractor may ask the agency to waive the bonds and instead retain 10% of the contract amount (in addition to regular retainage) for 30 days after the date of final acceptance, or until the receipt of all necessary releases from the Department of Revenue and Department of Labor and Industries, whichever is later. This is intended to help small contractors that may have trouble getting a bond.

Performance and payment bonds may be waived for roster projects under \$5,000 (RCW 39.024.152)

4.8 Retainage

RCW 60.28.011 requires agencies to withhold 5% of the value of a public improvement contract, not including sales tax, as retainage until the project is completed and the contract is accepted. This provides a financial incentive for contractors to finish a project, as well as a limited amount of financial protection for the involved parties. The contractor at any time may request the contract retainage be reduced to one hundred percent of the value of the work remaining on the project.

Most public improvement contracts require retainage. However, federally funded transportation projects must rely solely on performance and payment bonds instead.

RCW 39.04.155 allows agencies to waive retainage for small works roster projects, thereby assuming liability for a contractor's nonpayment of (1) laborers, mechanics, subcontractors, suppliers, and (2) taxes, increases, and penalties that may be due. The City will typically consider waiving retainage on small works roster projects estimated at \$50,000 or less or considered low risk (no subcontracted work and limited materials), however waiving recommended retainage requires Public Works Director approval. Additionally, retainage is not required on contracts less than \$5,000. Any retainage reduction or waiver must be provided in bid solicitations.

The agency must release the retainage to the contractor 60 days after the project is completed, minus any claim amounts. All workers, subcontractors, and suppliers have lien rights against the retainage and can claim all or part of the money if the contractor does not pay them. In addition, the Department of Revenue, the Employment Security Department, and the Department of Labor and Industries all have lien rights against the retainage for payment of unpaid excise taxes, industrial insurance/workers' comp, and unemployment compensation. Releases must be received by all three agencies before retainage can be released.

If DOR, L&I, or ESD report that there are unpaid taxes or fees, the City must pay the missing amount to the state within 10 days and subtract it from the retainage (RCW 60.28.060). Prevailing wage claims have priority if there are multiple claims on retainage.

4.9 Subcontractor Retainage Bonds

A subcontractor may request the contractor to submit a retainage bond to the agency for the portion of the subcontractor's retainage (RCW 60.30.020).

The contractor may withhold the subcontractor's portion of the bond premium. Within 30 days, the contractor must submit the retainage bond to the agency, unless the bond is not commercially available or the subcontractor refuses to pay the subcontractor's portion of the bond premium and to provide the contractor with a like bond.

The agency shall accept such a retainage bond from an acceptable bonding company, unless the agency can demonstrate good cause for refusing to accept it. The subcontractor, supplier, or contractor's bond and any proceeds therefrom are subject to all claims and liens and in the same manner and priority as set forth for retained percentages in the contract and other applicable provisions.

4.10 Apprenticeship Utilization

Beginning on July 1, 2024, all public works contracts estimated at \$2 million or more must include a requirement for apprenticeship utilization of 15% or more of the total labor hours (HB 1050, RCW 39.04.010). On July 1, 2026, contracts over \$1.5 million must follow these regulations; in 2028, contracts over \$1 million are also included.

The Public Works Director may authorize adjustments for a specific project for the following reasons:

1. The demonstrated lack of availability of apprentices in specific geographic areas;
2. A disproportionately high ratio of material costs to labor hours, which does not make feasible the required minimum levels of apprentice participation;
3. Participating contractors have demonstrated a good faith effort to comply with the requirements of this section.

Within existing resources, awarding agencies are responsible for monitoring apprenticeship utilization hours by contractors. There must be a specific line item in the contract specifying that apprenticeship utilization goals should be met, monetary incentives for meeting the goals, and monetary penalties for not meeting the goals.

The awarding agency must report the apprenticeship utilization by contractor and subcontractor to the supervisor of apprenticeship at the department of labor and industries by final project acceptance. The electronic reporting system that is being developed by the department of labor and industries may be used for either or both monitoring and reporting apprenticeship utilization hours.

4.11 Public Works Project Closeout

Once the work has been completed and accepted, the final pay estimate will include a Final Contract Voucher Certification, releasing the City from future claims against the contract.

The City will issue a Completion and Final Acceptance notice to the contractor, including completion date and start of the one-year warranty period. FHWA funded transportation projects do not include a warranty period.

Responsible staff are to ensure all project documentation, including all change order backup, is filed appropriately and available for audit or public information requests.

After final acceptance of any project over \$35,000, the City must file a Notice of Completion with the Department of Revenue (DOR), Department of Labor and Industries (L&I), and Employment Security

Department (ESD) (RCW 60.28.051). Once release letters are from the three respective agencies, retainage may be released.

Glossary

Public Work

All work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the state or of any municipality, or which is by law a lien or charge on any property therein.

Ordinary maintenance

Work performed by City staff (WAC 296-127-010(7)(b)(ii)). It is work not performed by contract and that is performed on a regularly scheduled basis (e.g., daily, weekly, seasonally, semiannually, but not less frequently than once per year), to service, check, or replace items that are not broken; or work not performed by contract that is not regularly scheduled but is required to maintain an asset so that repair does not become necessary.

Unit-Priced Contract

A competitively bid contract in which public works are anticipated on a recurring basis to meet the business or operational needs of the city, under which the contractor agrees to a fixed period indefinite quantity delivery of work, at a defined unit price for each category of work. This authority is provided under RCW 35A.40.210.

Reference Documents

Municipal Research and Services Center of Washington (MRSC) (2024). *City Bidding Book for Washington State*. <https://mrsc.org/getmedia/5f218416-8d03-4ab2-b1af-eb86e42b3e87/City-Bidding-Book-Washington-State.pdf?ext=.pdf>

Related Policies and Procedures

Public Works Procurement Policy

Small Works Business Utilization Plan