



CITY COUNCIL

ANDY RYDER

Mayor

MALCOLM MILLER

Deputy Mayor

LENNY GREENSTEIN

MICHAEL STEADMAN

CAROLYN COX

ED KUNKEL

ROBIN VAZQUEZ

CITY MANAGER

SCOTT SPENCE

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

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

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

[Live Meetings](#), [YouTube](#), [Facebook](#), Thurston Community Media, Channel 3 with your local cable provider, or Zoom: https://us02web.zoom.us/webinar/register/WN_4dOnCytQTAKfHnie2eLi6w

The public may listen to the meeting via telephone by dialing toll-free: (888) 788-0099 or (877) 853-5247 - when prompted enter Webinar ID 828 8939 8114

CALL TO ORDER:

1. PLEDGE OF ALLEGIANCE
2. APPROVAL OF AGENDA & CONSENT AGENDA ITEMS*
 - A. [Council Worksession minutes of August 25, 2022](#)
 - B. [Council Worksession minutes of September 8, 2022](#)
 - C. [Council meeting minutes of September 15, 2022](#)
 - D. [A motion to approve payment of claims, wages, and transfers for September 8, through September 28, 2022.](#)

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

3. PUBLIC RECOGNITIONS AND PRESENTATIONS:

4. PUBLIC COMMENT:

VERBAL PUBLIC COMMENT

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

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

By Zoom: Preregister using the following Zoom link no later than **4:00 p.m. on October 6, 2022:**

https://us02web.zoom.us/webinar/register/WN_4dOnCytQTAKfHnie2eLi6w. Instructions and access details will be provided once registration is complete.

WRITTEN PUBLIC COMMENT

Public comments may also be submitted by email to publiccomment@ci.lacey.wa.us. Written comments will be provided to the City Council electronically prior to the meeting. Comments will not be addressed during the Council meeting; however, comments received will be added to the official record. The commenting period will close at **4:00 p.m. on October 6, 2022.**

5. **PUBLIC HEARING:**
6. **PROCLAMATIONS:**
 - A. [Walk to School Month Proclamation](#)
(Kerri Wilson, Intercity Transit, Walk N Roll Program Supervisor & Employee Transportation Coordinator)
7. **REFERRAL FROM PLANNING COMMISSION:**
8. **REFERRAL FROM HEARINGS EXAMINER:**
9. **RESOLUTIONS:**
 - A. [Resolution 1121 – Credit Card Policy \(Troy Woo, Finance Director\)](#)
10. **ORDINANCES:**
11. **MAYOR'S REPORT:**
12. **CITY MANAGER'S REPORT:**
13. **STANDING GENERAL COMMITTEE:**
 - A. [Transportation Committee Minutes \(09.06.2022\)](#)
14. **OTHER BUSINESS:**
15. **BOARDS, COMMISSIONS AND COMMITTEE REPORTS:**
 - A. Mayor Andy Ryder:
 1. Mayors' Forum
 2. Thurston Chamber Shared Legislative Committee
 3. Transportation Policy Board (TPB)
 - B. Deputy Mayor Malcolm Miller:
 1. Economic Development Council (CDC)
 2. Lodging Tax Advisory Committee (LTAC)
 3. Thurston County Coalition Against Trafficking (TCCAT)
 4. Thurston Thrives
 - C. Councilmember Carolyn Cox:
 1. Climate Action Steering Committee
 2. LOTT Clean Water Alliance
 3. Regional Housing Council
 - D. Councilmember Lenny Greenstein:
 1. Emergency Medical Services (EMS)
 2. TCOMM911
 - E. Councilmember Michael Steadman:
 1. Community Action Council
 2. Nisqually River Council
 3. Thurston County Law & Justice Council

F. Councilmember Ed Kunkel:

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

G. Councilmember Robin Vazquez:

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

16. ADJOURN TO WORKSESSION:

- A. 2023 Budget Workshop (*Scott Spence, City Manager; Troy Woo, Director of Finance*)

MINUTES OF THE LACEY CITY COUNCIL WORKSESSION

THURSDAY, AUGUST 25, 2022

6:00 P.M. – 9:09 P.M.

REMOTE AND IN-PERSON

To hear the full discussion of a specific topic, or the complete meeting, watch the recorded meeting available on YouTube – <https://www.youtube.com/watch?v=XSt6-3XOy2U>

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

COUNCIL EXCUSED: MAYOR RYDER, COUNCILMEMBER GREENSTEIN

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

ACTION: APPROVE WORKSESSION AGENDA

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

QUASI-JUDICIAL PROCESS

STAFF: RICK WALK, COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR
GRANT BECK, PLANNING & DEVELOPMENT SERVICES MANAGER

ACTION: INFORMATION ONLY

Rick Walk, Community & Economic Development Director and Grant Beck, Planning & Development Services Manager, presented on the Quasi-Judicial process and the Lacey City Council's role.

Staff highlighted the limitations on Council's ability to respond to citizens and maintaining the appearance of fairness, and due process.

A review of the City's development review process, what other cities are doing and background information on the Quasi-Judicial review authority was provided.

Staff presented the following options to Council:

Option 1: No Change

Retain City Council as final decision on certain land use applications
(*Council involved and subject to appearance of fairness rules*)

Option 2: Board of Adjustment

Create a citizen Board of Adjustment to hear and decide land use permit applications with LUPA appeal (*Council not involved*)

Option 3: Examiner with Local Appeal

Amend process to have Hearing Examiner final decision on all Quasi-judicial matters subject to appeal to Council (*Council involved and subject to appearance of fairness rules*)

Option 4: Examiner with LUPA Appeal

Hearing Examiner final decision on all Quasi-judicial matters subject to appeal to Superior Court (*Council not involved*)

If Council considers a change in their current role, the following procedural steps would be required:

- Amend Chapter 2.32 LMC
- Amend Various Code Sections in Titles 14, 15, and 16
- Amend Chapter 1 D.G.P.W.S.
- Public Hearing and Council Action at Regular Council Meeting
- Amend Contract with Hearing Examiner

Seven (7) members of the public provided public comment, addressing the current Quasi-Judicial process.

Based on Council discussion, staff will prepare an amendment to include Option 4 for Council consideration and action.

AUDIT CURRENT ZONING WITHIN CITY OF LACEY 8:03 PM

STAFF: RICK WALK, COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR
RYAN ANDREWS, PLANNING MANAGER
HANS SHEPHERD, SENIOR PLANNER

ACTION: INFORMATION ONLY

Staff presented on the Neighborhood Commercial Designation Review Process.

The presentation included detailed information on the following:

- History of Neighborhood Commercial Zoning
- Site & Building Design Standards
- Current Site & Building Design Standards
- Comprehensive Plan Policies
- Commercial Centers and Nodes
- Regional Sustainability Plan
- Existing Locations

Staff highlighted and presented demographic profiles for the following eight (8) locations within the Neighborhood Commercial Zones:

- Marvin Road & 41st Ave NE
- Willamette Drive & Campus Glen (Meridian Market)
- Willamette Drive & 31st Ave NE
- College Street SE & Mullen Road SE (The Farm)
- College Street SE & 45th Ave SE
- Yelm Hwy SE & Ruddell Road SE (Thornbury Crossing)
- Yelm Hwy SE & Balustrade Blvd SE (Horizon Pointe)
- Mullen Road SE & Carpenter Road SE

A review of the Neighborhood Commercial Designation Review Process was also outlined. Staff advised the process would take 8-12 months. The process outline includes the following steps:

- Neighborhood forums
- Review comments from forums, conduct research
- Brief Planning Commission, Land Use & Environment Committee
- Develop alternatives
- Present alternatives to neighborhoods for feedback
- Brief Planning Commission, Land Use & Environment Committee
- Public Hearing & Recommendation
- Council Action

Councilmember Steadman moved to place a moratorium to pause allowance of convenience stores, gas stations, variety stores as permitted uses under the neighborhood zone until a full review and public process be conducted. No second. Motion failed.

The majority of Council directed staff to add a discussion for an emergency moratorium process and criteria to a future Worksession.

Staff recommended adding the Neighborhood Commercial Designation Review Process to the Planning Commission Work Plan. The majority of Council expressed support of the recommendation.

MINUTES OF THE LACEY CITY COUNCIL WORKSESSION

THURSDAY, SEPTEMBER 8, 2022

6:00 P.M. – 7:37 P.M.

REMOTE AND IN-PERSON

To hear the full discussion of a specific topic, or the complete meeting, watch the recorded meeting available on YouTube – <https://www.youtube.com/watch?v=d-R2AZ-34w8>

COUNCIL PRESENT: MAYOR RYDER (REMOTE), DEPUTY MAYOR MILLER, COUNCILMEMBERS COX, GREENSTEIN, STEADMAN (REMOTE), KUNKEL AND VAZQUEZ

STAFF PRESENT: S. SPENCE, J. BURBIDGE, S. KELLEY-FONG, D. SCHNEIDER, R. ANDREWS, E. FONTAINE

ACTION: APPROVE WORKSESSION AGENDA

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

CAPITAL FACILITIES PLAN BRIEFING

PRESENTERS: RYAN ANDREWS, PLANNING MANAGER

JULIE BASSUK, PARTNER IN CHARGE, MAKERS ARCHITECTURE &
URBAN DESIGN

BETH BATCHELDER, PROJECT MANAGER, MAKERS ARCHITECTURE &
URBAN DESIGN

ACTION: INFORMATION ONLY

The purpose of the Lacey Capital Facilities Plan is to strategically address deficiencies and manage assets, anticipate growth and constraints, and reflect organizational culture and jumpstart transformations.

Preliminary findings of the study were reviewed and discussed with staff and Council. Highlights included the following:

Key Findings:

- 21% more space required to meet current needs
- 41% more space required to meet future needs
- Public Works Operations space is a critical need

- City Hall exceeds square footage requirements, if harnessed to its potential
- Animal Services is undersized and functioning poorly

Summary Findings:

- Many facilities unable to accommodate growth.
- Public Works and Animal Services facilities require significant investment and additional space.
- City Hall central and east wings (once vacated by Police) can accommodate growth, but require extensive renovation to upgrade building systems, meet current code, and update workspaces.

Specific details on the key findings, draft recommendations and next steps were highlighted for the following areas:

- Public Works Operations
- Joint Animal Services
- Parks, Culture & Recreation
- Administration

Cost estimates, industry price increases and next steps were discussed in detail. Next steps included the following:

- Share project information at Children's Day
- Pause to dig deeper into City Hall and Animal Services solutions
- Collaborate with City Leadership and Finance to develop the citywide phasing and funding plan
- Update the public at a virtual open house in the New Year.

Council expressed support for moving into the next phase.

HISTORICAL COMMISSION TERMS

STAFF: JENNIFER BURBIDGE, PARKS, CULTURE & RECREATION DIRECTOR

ACTION: INFORMATION ONLY

Jen Burbidge, Parks, Culture & Recreation Director, presented proposed changes to the Historical Commission Terms.

The Lacey Historical Commission was formed in 1979. At the time, there were nine Commissioners. Terms were staggered to ensure consistency; every year three

Commissioners' terms would expire. That first year three people had a one-year term, three people had a two-year term, and three people had a three-year term. Thereafter, terms were for three years. Over the years, a number of events occurred that created a situation where in 2022, there are five Commissioners' terms expiring in 2022, two expiring in 2023, and none had expired in 2021.

In order to return to regularly staggered expiration dates, staff proposed term updates. The Historical Commission reviewed and approved the changes at their April 20, 2022, meeting. Council expressed support to the proposed changes. The item will be presented at a future regular meeting for approval.

FLAG POLICY REVIEW

STAFF: SHANNON KELLEY-FONG, ASSISTANT CITY MANAGER
ACTION: INFORMATION ONLY

Shannon Kelley-Fong, Assistant City Manager, reviewed the current Flag Policy and presented the Commission on Equity's (COE) recommended changes.

The COE recommended the following revisions:

- Purpose of the policy
- That City flagpoles are to be used exclusively by the City as a form of government expression
- How flags are to be displayed
- The Commission on Equity's role in the process
- Approval information

The COE also recommended the following Flag additions:

- Display the **Progress Pride Flag** – *June 1 to June 20, exception noted*
- Display the **Juneteenth Flag** – *3rd Weekend to June 19 or June 19 through 3rd Weekend at RAC/City Hall, whichever comes first*
- Display **Nisqually Tribe Flag** – *November 1 to November 15, with consent*
- Display **Squaxin Tribe Flag** – *November 16 to November 30, with consent*

Council directed staff, with consent of the tribe, that the Chehalis Tribe Flag be included in the additions.

Council discussed scheduling conflicts with multiples flags, as well as having the COE be required to review all flags.

Staff will make adjustments based on Council direction and present the item at the September 15, 2022, regular Council meeting for action.

RFP FOR PEG SERVICES

STAFF: SHANNON KELLEY-FONG, ASSISTANT CITY MANAGER

ACTION: INFORMATION ONLY

Shannon KelleyFong, Assistant City Manager, presented on the Public, Educational and Governmental Access (PEG) services and RFP updates.

PEG channels are not mandated by federal law, rather they are a right given to the franchising authority, which it may choose to exercise.

- **Public** access channels are available for use by the general public. They are usually administered either by the cable operator or by a third party designated by the franchising authority.
- **Educational** access channels are used by educational institutions for educational programming. Time on these channels is typically allocated among local schools, colleges and universities by either the franchising authority or the cable operator.
- **Governmental** access channels are used for programming by local governments. In most jurisdictions, the local governments directly control these channels.

Over the past ten years, cable and community access television has rapidly changed due to smartphones and other accessible video technologies, as well as proliferation of social media platforms for communication. Nationally cable subscribers are declining as more consumers are going “cordless” with subscriptions to streaming services.

The Cities of Lacey, Olympia, Tumwater, and Thurston County have entered into an Interlocal Agreement for an RFP for PEG television production and programming services. Each of the jurisdictions have a 10-year non-exclusive franchise agreements with Comcast that expire in 2031.

Staff also highlighted the jurisdictions’ current operating agreements with TCMedia for PEG services which expires on December 31, 2022. TCMedia provides Public Access services with TCTV.

The RFP allows the City to comprehensively evaluate future media services. The anticipated timeline for the RFP includes:

- Issue RFP mid to late September 2022
- Allow time for questions and opportunities to see existing equipment

- Execute a contract no later than mid-December, if desired
- Commence services on January 1, 2023



**MINUTES OF A REGULAR MEETING OF THE
LACEY CITY COUNCIL
THURSDAY, SEPTEMBER 15, 2022,
IN PERSON AND REMOTE ATTENDANCE**

To hear Council's full discussion of a specific topic, or the complete meeting, watch the video-stream available on YouTube – <https://youtu.be/c60DyFbXX7c>

CALL TO ORDER

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

1. PLEDGE OF ALLEGIANCE

Mayor Ryder led the Pledge of Allegiance.

Council Present:

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

Staff Present:

Scott Spence, City Manager
Robert Hollis, Deputy Chief of Police
Jen Burbidge, Parks, Culture & Recreation Director (*remote*)
Scott Egger, Public Works Director
Shannon Kelley-Fong, Assistant City Manager
Dave Schneider, City Attorney
Rick Walk, Community & Economic Development Director
Troy Woo, Finance Director (*remote*)
Kelly Adams, Special Projects Administrator
Rafael Fernandez, Management Analyst
Peri Edmonds, City Clerk

2. APPROVAL OF AGENDA AND CONSENT AGENDA

Consent Agenda Items:

- A. Council Meeting minutes of September 1, 2022
- B. A motion to approve payment of claims, wages and transfers for August 19, 2022, through September 7, 2022

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

3. PUBLIC RECOGNITIONS AND PRESENTATIONS

- A. **Lacey Youth Council Report:** Rafael Fernandez, Management Analyst, introduced the 2022-2023 Lacey Youth Council. They shared their goals and vision for the 2022-2023 Youth Council.

4. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Verbal Public Comments:

Virtual - The deadline to pre-register to speak was 4:00 p.m. the day of the meeting. No members of the public pre-registered to speak.

In Person - One (1) member of the public signed up to speak at the meeting:

Jason Bourgault spoke against the City's Flag Policy and asked Council to adopt a neutral policy.

Written Public Comments: The deadline to submit written public comments was 4:00 p.m. the day of the meeting. Written comments are not addressed during the meeting; however, they are added to the official record.

No written public comments were received.

5. PUBLIC HEARING

6. PROCLAMATIONS

- A. **National Voter Registration Day Proclamation:** Mayor Ryder and Council proclaimed September 20, 2022, as National Voter Registration Day. Mary Hall, Thurston County Auditor, thanked the City Council and accepted the proclamation.

7. REFERRAL FROM PLANNING COMMISSION

8. REFERRAL FROM HEARINGS EXAMINER

9. RESOLUTIONS

- A. **Resolution No. 1120 relating to the Flag Policy:** Shannon Kelley-Fong, Assistant City Manager, presented Resolution No. 1120 relating to the City Council's Flag Policy in Chapter 5.12 of the Council Policies-Procedures Manual.

MAYOR RYDER MOVED TO APPROVE RESOLUTION NO. 1120 RELATED TO THE FLAG POLICY IN CHAPTER 5.12 OF THE COUNCIL POLICIES-PROCEDURES MANUAL. COUNCILMEMBER VAZQUEZ SECONDED. MAYOR RYDER, DEPUTY MAYOR MILLER, AND COUNCILMEMBERS STEADMAN, COX, AND VAZQUEZ VOTED IN FAVOR. COUNCILMEMBERS GREENSTEIN AND KUNKEL VOTED AGAINST. MOTION CARRIED.

10. ORDINANCES

- A. **Ordinance No. 1624 relating to Amendments to Lacey Municipal Code 2.26 and 2.56:** Dave Schneider, City Attorney, presented Ordinance No. 1624, amending LMC 2.26 – Oaths and Performance Bonds and repealing LMC 2.56 – Personnel Policy.

COUNCILMEMBER GREENSTEIN MOVED TO APPROVE ORDINANCE NO. 1624 RELATED TO PERSONNEL POLICY, REPEALING LACEY MUNICIPAL CODE 2.56, AND AMENDING LACEY MUNICIPAL CODE 2.26 RELATED TO OATHS AND PERFORMANCE BONDS. DEPUTY MAYOR MILLER SECONDED. MOTION CARRIED.

11. MAYOR'S REPORT

12. CITY MANAGER'S REPORT

- A. **Council Priorities:** Shannon Kelley-Fong, Assistant City Manager, provided an overview and second draft of the City of Lacey Work Plan, which provides a multiyear strategic guide (2022-2024) for major City initiatives.

COUNCILMEMBER STEADMAN MOVED TO APPROVE THE CITY OF LACEY WORKPLAN 2022-2024. COUNCILMEMBER VAZQUEZ SECONDED. MOTION CARRIED.

- B. **Opioid Litigation Settlement:** Dave Schneider, City Attorney, provided an overview of the Distributors Washington Settlement and Subdivision Settlement Participation Form relating to the opioid litigation.

COUNCILMEMBER COX MOVED TO PARTICIPATE IN THE DISTRIBUTORS WASHINGTON SETTLEMENT AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE SUBDIVISION SETTLEMENT PARTICIPATION FORM. COUNCILMEMBER GREENSTEIN SECONDED. MOTION CARRIED.

- C. **Historical Commission Terms:** Jen Burbidge, Parks, Culture & Recreation Director, presented the Lacey Historical Commission's proposal to change Commissioner's terms.

COUNCILMEMBER GREENSTEIN MOVED TO APPROVE THE LACEY HISTORICAL COMMISSION'S PROPOSAL TO CHANGE COMMISSIONER'S TERMS. COUNCILMEMBER COX SECONDED. MOTION CARRIED.

13. STANDING COMMITTEES

A. Finance & Economic Development

Deputy Mayor Miller reported on the August 23, 2022, meeting.

It was noted that a scrivener's error was in the August 23, 2022, Finance & Economic Development Committee meeting minutes. The title of the first agenda item should be *2022 Budget Amendment*. Staff will correct the error on the final meeting minutes.

B. General Government & Public Safety

Councilmember Greenstein reported on the August 23, 2022, meeting.

14. OTHER BUSINESS

15. BOARDS, COMMISSIONS AND COMMITTEE REPORTS

A. Mayor Ryder

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

B. Deputy Mayor Miller

1. Economic Development Council (EDC) – **No report**
2. Lodging Tax Advisory Committee (LTAC) – **Made report**
3. Thurston County Coalition Against Trafficking (TCCAT) – **No report**
4. Thurston Thrives – **No report**

C. Councilmember Cox

1. Climate Mitigation Steering Committee – **Made report**
2. Lott Clean Water Alliance – **Made report**
3. Regional Housing Council – **Made report**
4. Olympic Region Clean Air Agency – **Made report** (*as alternate*)

D. Councilmember Greenstein

1. Emergency Medical Services (EMS) – **No report**
2. TCOMM911 – **No report**

E. Councilmember Steadman

1. Community Action Council – **No report**
2. Nisqually River Council – **No report**
3. Thurston County Law & Justice – **No report**

- F. Councilmember Kunkel
1. Joint Animal Services Commission (JASCOM) – **Made report**
 2. Lacey South Sound Chamber – **Made report**
 3. Olympia-Lacey-Tumwater Visitor & Convention Bureau (VCB) – **No report**
 4. Solid Waste Advisory Committee (SWAC) – **Made report**
- G. Councilmember Vazquez
1. Intercity Transit – **No Report**
 2. Thurston Regional Planning Council – **Made report**
 3. Thurston County Board of Health – **Made report**

Mayor Ryder adjourned the Council meeting at 7:16 p.m. and announced the Council will take a 5-minute break and reconvene in a Worksession at 7:20 p.m.

Due to technical difficulties, the Worksession convened at 7:30 p.m.

16. ADJOURN TO WORKSESSION:

- A. **Moratorium Criteria and Process:** Rick Walk, Community & Economic Development Director, presented the moratorium procedures, past actions of Council, and information related to Neighborhood Commercial Designation.

The effect of moratoria was presented as follows:

- Provides opportunity for the City to study an emergent land use issue and respond to develop appropriate regulations
- Application Vesting
- Sends Message to Community

The following options were presented to the City Council:

1. Adopt moratorium on development within Neighborhood Commercial Designation
 - a. Hold a public hearing within 60 days
 - b. Develop findings of fact either before or immediately after the public hearing
 - c. Set an expiration date of either 6 months or 1 year based on a work plan
2. Adopt moratorium on applications for specific uses
 - a. Specify specific uses subject to moratorium
 - b. Hold a public hearing within 60 days
 - c. Develop findings of fact either before or immediately after the public hearing
 - d. Set an expiration date of either 6 months or 1 year based on a work plan

3. Do not adopt moratorium

- a. Council has directed the Planning Commission to review Neighborhood Commercial designation and make recommendations to Council
- b. Estimated 8 to 12-month process

COUNCILMEMBER VAZQUEZ MOVED TO ADOPT A MORATORIUM UNDER OPTION 2 ON JUST THE CONDITIONAL USES FOR NEIGHBORHOOD COMMERCIAL. COUNCILMEMBER COX SECONDED. MOTION CARRIED.

COUNCILMEMBER VAZQUEZ AMENDED THE MAIN MOTION TO DIRECT STAFF TO PREPARE DOCUMENTATION FOR COUNCIL CONSIDERATION ON ADOPTING A MORATORIUM UNDER OPTION 2. COUNCILMEMBER COX SECONDED.

**IN FAVOR: COUNCILMEMBERS COX, VAZQUEZ, AND STEADMAN
AGAINST: MAYOR RYDER, DEPUTY MAYOR MILLER, AND
COUNCILMEMBERS GREENSTEIN AND KUNKEL**

MOTION FAILED.

Mayor Ryder adjourned the Worksession at 8:12 p.m.

MAYOR: _____

ATTESTED BY CITY CLERK: _____

DATE APPROVED: _____



LACEY CITY COUNCIL MEETING

October 6, 2022

SUBJECT: Disbursement Approval

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

STAFF CONTACT: Troy Woo, Finance Director *TW*

ORIGINATED BY: Troy Woo, Finance Department

BACKGROUND:

The action requested of the City Council is by motion to approve payment of claims, wages and transfers for 9/8/2022 through 9/28/2022. The disbursements consist of the following:

Checks:	<u>Week of</u>	<u>Beg. Check No.</u>	<u>End. Check No.</u>	<u>Amount</u>
	9/9/2022	265321	265405	1,489,042.22
	9/9/2022	265406	265414	11,273.68
	9/16/2022	265415	265513	90,834.37
	9/23/2022	265514	265648	323,108.50
	9/23/2022	265649	265743	552.73

Electronic Transfers:	<u>Week of</u>	<u>Amount</u>
	9/9/2022	159,924.51
	9/12/2022	40,173.74
	9/12/2022	65.95
	9/13/2022	72.00
	9/13/2022	69.99
	9/13/2022	482.33
	9/16/2022	88,352.24
	9/19/2022	192.46
	9/21/2022	162.00
	9/21/2022	23,046.60
	9/21/2022	8,877.72
	9/22/2022	108.00
	9/23/2022	1,659,881.01

Significant Disbursements:

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>
Hokkaido Drilling, Inc.	\$ 83,779.74	Well Source No. 1
LOTT Wastewater Alliance	\$1,270,251.22	ERU's/ LOTT Reserve Cap Fees
Lakeside Industries, Inc.	\$1,054,808.19	2022 Overlay
Northwest Cascade, Inc.	\$ 457,219.47	Liftstation 12 Abandonment
Puget Sound Energy	\$ 58,826.63	Utilities
Western Equipment Dist.	\$ 115,560.52	Rotary Mower Replacement

CITY OF LACEY

Official Proclamation

WHEREAS, making bicycle and pedestrian safety improvements a priority can help protect the life and safety of Lacey's youth;

WHEREAS, the City of Lacey is working to add bike lanes, trails, sidewalks, and improve street crossings to better connect our neighborhoods and provide safer routes to school; and

WHEREAS, increasing physical activity improves the health of our youth; and

WHEREAS, regularly walking, biking and rolling to school can be fun and increase students' readiness to learn; and

WHEREAS, driving students to school in private vehicles contributes to traffic congestion and air pollution; and

WHEREAS, an important role for parents and caregivers is to teach children how to be safe pedestrians and bicyclists on our streets; and

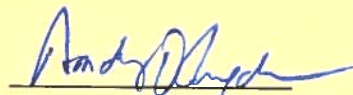
WHEREAS, in October, community leaders, parents, and children from around the world will join together for Walk to School events to increase awareness about the health and environmental benefits of walking and biking to school.

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

Walk to School Month

in the City of Lacey, and encourage all residents of the City of Lacey to promote the safety and health of children this month and throughout the year by supporting pedestrian, bicycle, and active transportation improvements, modeling safe pedestrian and bicycle behaviors, driving responsibly in school zones and practicing an active lifestyle.




Mayor Andy Ryder
October 6, 2022



LACEY CITY COUNCIL MEETING

October 6, 2022

SUBJECT: Credit Card Policy

RECOMMENDATION: Motion to adopt resolution amending the system and policies relating to credit card use.

STAFF CONTACT: Scott Spence, City Manager 
Troy Woo, Finance Director 

ORIGINATED BY: Troy Woo, Finance Department

ATTACHMENTS: 1. [Resolution No. 1121](#)
2. [Proposed Credit Card Policy](#)

FISCAL NOTE:

PRIOR REVIEW: Finance & Economic Development Committee on September 27, 2022

BACKGROUND:

The City's current credit card policies were adopted in February 2020. Due to the COVID-19 public health emergency, the full implementation of the City's credit card policy has been delayed. In the process of implementation planning, staff identified the City's travel process could be more efficient by incorporating the use of credit cards for travel expenses. To include the travel process within the credit card program, staff recommends an increase to the single transaction limit to \$2,500. The current transaction limit is \$1,000.

RCW 43.09.2855 authorizes local governments to use credit cards of official governmental purchases and acquisitions provided the legislative body adopts a credit card system. The system shall include provisions for the following:

- Distribution of the credit cards
- Authorization and control of the use of credit card funds
- Credit limits

- Payment of the bills
- Any other rule necessary to implement or administer the system

The proposed credit card policy changes are limited to two transaction limit increases and housekeeping changes. The proposed policies are as follows:

- Increasing the maximum transaction limit to \$2,500 from \$1,000. The main purposes for the proposed increase are to allow for full incorporation of credit card use within the City's travel practices and rising costs of low value goods and services.
- Increasing the minor equipment limit to \$1,000 from \$500. The proposed limit is consistent with the City's attractive asset definition within the Capital Assets policies and procedures. Attractive assets are defined as assets, which are not capitalized for financial statement purposes, but deemed vulnerable to loss. To safeguard attractive assets, periodic physical inventories are conducted.
- A number of housekeeping items include clarifications of eligibility, State Auditor recommended internal control improvements, and a requirement for employee training on the policy.

At its September 27, 2022, meeting, the Finance and Economic Development Committee reviewed the proposed resolution and credit card use policy and recommended full City Council consideration.

ADVANTAGES:

1. Helps facilitates improvements to the City's travel process.
2. Provides an efficient method of procurement of low value goods and services.
3. Creates good business relationships with suppliers by shortening payment periods.

DISADVANTAGES:

1. None identified.

RESOLUTION NO. 1121

CITY OF LACEY

A RESOLUTION OF THE CITY OF LACEY, WASHINGTON, AMENDING THE SYSTEM AND POLICIES RELATING TO THE USE OF CREDIT CARDS BY THE CITY.

WHEREAS, RCW 43.09.2855 authorizes the use of credit cards by governmental units under rules and procedures to be adopted by the legislative body; and

WHEREAS, the City Council deems that it is the best interest of the City to make certain financial payments by using a credit card, and

WHEREAS, the expansion of credit card uses to include travel related expenses requires an increase to the single transaction limit,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, that Resolution No. 1083 is hereby rescinded and those certain policies set forth in the document entitled City of Lacey Purchasing Card Policy, attached hereto and made a part hereof as though fully set forth at length are hereby approved and adopted as the purchasing card policies to be followed by the City Council and management of the City of Lacey.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this 6th day of October, 2022.

CITY COUNCIL

Mayor

Attest:

Approved as to form:

City Clerk

City Attorney

CITY OF LACEY

PURCHASING CARD POLICY

1. GENERAL

- A. This policy establishes the rules by which the City will conduct the Purchasing Card Program.
- B. Purchasing Cards are designed to provide a convenient and efficient method of procuring low value goods and services. Eligible City users will be able to make these small purchases ~~simply and easily~~efficiently when a need arises. Purchasing Cards will reduce costs associated with processing purchase orders and accounts payable, while creating good business relations with suppliers by ~~speeding-up~~expediting payments ~~to them~~for goods and services. These efficiencies will allow all groups and individuals involved to be more effective and focused on the value-added aspect of their jobs.
- C. This policy is divided into the following sections:

SECTION 1	GENERAL
SECTION 2	EMPLOYEE ELIGIBILITY
SECTION 3	PURCHASING CARD USE
SECTION 4	CARD RESTRICTIONS
SECTION 5	MISUSE OF PURCHASING CARD
SECTION 6	CARD CANCELLATION
SECTION 7	ADMINISTRATION

2. EMPLOYEE ELIGIBILITY

- A. Purchasing Cards will be ~~issued~~available to authorized regular status City employees, who have an identified business need~~only~~. The Department Director is responsible for authorizing an employee to use a Purchasing Card. Temporary or seasonal employees are not eligible to participate in the program.
- B. The employee whose name appears on the card is the only individual who may use the card.
- C. ~~If a~~ Department Director's upon requests, may be issued a non-individualized "department" card, ~~it may be issued~~ for general use by the department, which must have security measures in place to administer its use. The "department" card has a higher potential for misuse and carries higher risk for the City. It is, therefore, generally discouraged.
- D. ~~An a~~ Authorized employees will be required to make-submit an application ~~and sign~~

and abide by a cardholder agreement.

~~D.E.~~ Prior to card issuance, each employee must complete a Purchasing Card training conducted by Finance Department staff.

3 PURCHASING CARD USE

- A. The maximum transaction amount is ~~\$1,000~~\$2,500 including all taxes and shipping charges. Under discretion of the City Manager or his designee, the maximum transaction limit can be increased. The maximum monthly limit per card and the City's aggregate monthly limit will be established by the City Manager or his designee.
- B. ~~A~~-Department Director's may establish lower limits for department employees.
- C. Use of the purchasing card does not relieve the cardholder from complying with City and departmental policies and procedures. The purchasing card is not intended to replace effective procurement planning which can result in quantity discounts, reduced number of trips, and more efficient use of City resources.
- D. The cardholder will be responsible to report a lost or stolen card by phoning the contracting bank and advising the Finance Department immediately. A Police report shall be filed for a stolen credit card. The Finance Department will confirm the loss in writing to the Bank. Only the Finance Department card administrator may authorize a replacement card.
- E. The following conditions must be met when using the Purchasing Card:
- Each single purchase may be comprised of multiple items, but the total must not exceed the ~~\$1,000~~\$2,500, including all taxes and shipping charges, transaction limit.
 - ~~When-If~~ a purchase exceeds the ~~\$1,000~~\$2,500 transaction limit, the purchase shall not be made using a Purchasing Card and the normal procedure of using purchase orders must be followed. Purchases must not be split to circumvent the transaction limit.
 - The least expensive item that meets the needs of the department should be sought.
 - Cardholders must follow their department's administrative control of funds procedures to ensure that sufficient budgeted funds are available for the purchase.
 - The cardholder must obtain an itemized receipt from the vendor and submit the receipt along with their reconciled account statement to the Finance Department for timely payment.

4 CARD RESTRICTIONS

- A. The following list covers purchases for which the Purchasing Cards are specifically prohibited:
- Cash advances or cash refunds
 - Personal use of any kind or any non-City purpose
 - Items purchased for departmental inventories
 - Capital expenditures
 - Minor Equipment over ~~\$500~~\$1,000 (Unless purchases are considered to be telecommunications or computer exemptions)
 - Telecommunications equipment, software or services (Only Information Services and Finance are authorized)
 - Computer hardware, software, or peripherals (Only Information Services employees are authorized)
 - Work considered to be a public work
 - Goods or services that are on current City contracts
- B. A Department Director may specify further restrictions to this list.

5 MISUSE OF THE PURCHASING CARD

- A. If for any reason, disallowed charges are not repaid by the cardholder before the card billing is due and payable, the City shall retain a prior lien against and a right to withhold any and all funds payable to the employee up to an amount of the disallowed charges, any applicable penalties, and interest at the ~~same~~ rate as charged by the purchasing card contractor.
- B. Consequences for misuse of the Purchasing Card can include:
- Permanent revocation of Purchasing Card privileges
 - Assignment of wages for repayment of discrepancies including any applicable penalties and interest charged by the purchasing card contractor
 - Notification to the Finance Director and the Washington State Auditor to investigate the matter further, which may result in the pursuance of criminal charges
 - Disciplinary action

6 CARD CANCELLATION

- A. A Purchasing Card may be canceled for any of the following reasons:
- The card is lost or stolen
 - The employee transfers to another department
 - ~~The cardholder whose name is on the card allows another employee to use the card~~
 - ~~An employee uses a card that is not in their name~~ The Purchasing Card is used or given for use by someone other than the assigned user
 - The employee retires, resigns, or is otherwise ~~terminated~~ separated from City employment

- The authorizing Department Director requests cancellation for any reason
 - At the City Manager or Finance Director discretion
- B. It is the responsibility of the Department Director to advise the Finance Department of the termination or transfer of any cardholder. Finance will then cancel the cardholders Purchasing Card.

7 ADMINISTRATION

- A. The Finance Department is responsible for administering this policy.

TRANSPORTATION COMMITTEE MINUTES
SEPTEMBER 6, 2022
11:00 A.M. – 12:12 P.M.
REMOTE AND IN PERSON ATTENDANCE

To view the full meeting or a specific topic, you may watch the full video-stream which is available on the City of Lacey's YouTube Channel: <https://youtu.be/YGa79SkuErk>

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

STAFF PRESENT: SHANNON KELLY-FONG, SCOTT EGGER, SCOTT DEVLIN, AUBREY
COLLIER, MARTIN HOPPE, SCOTT JOHNSTON, ASHLEY SMITH,
CHRIS STOLBERG, TABETHA RESTOULE

ACTION: APPROVE TRANSPORTATION COMMITTEE AGENDA

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

CONSTRUCTION UPDATE

STAFF: ASHLEY SMITH, DESIGN AND CONSTRUCTION MANAGER

ACTION: INFORMATION ONLY

Staff presented an update on construction projects within the City:

- Electric Vehicle Charging Stations
- 2022 Overlay
- Carpenter Road Overlay/Utilities
- Rainier Road Pavement Repairs
- 2022 Sidewalk Repairs
- Terry Cargil Reservoir
- Hawks Prairie Sister Standpipe
- List Stations 12, 19, and 49
- Manhole and Valve Adjustment
- Depot Site
- Regional Athletic Complex Parking

57TH TRAFFIC CALMING

STAFF: MARTIN HOPPE, TRANSPORTATION MANAGER

ACTION: INFORMATION ONLY

Staff presented an update on the 57th Avenue Traffic calming study. At the request of several members of the public, a speed study was conducted. The study showed 58.06% of vehicles were exceeding the 25 miles per hour posted speed limit, and showed 80.65% were within a 10 mile per hour pace (21 to 30 miles per hour) of the posted speed limit. The location averages about 2,400 cars per day.

Staff will bring two speed calming options to the next Transportation Committee meeting on October 4, 2022.

VOLUNTEER LITTER PICKUP PROGRAM

STAFF: SCOTT JOHNSTON, TRANSPORTATION MAINTENANCE SUPERVISOR

ACTION: INFORMATION ONLY

The Volunteer Trash Pickup Program is a partnership opportunity for citizens to contribute to the cleanliness and appearance with the City of Lacey. The program is for any organization, individual, family, business, or corporation to participate in. All volunteers must sign a release waiver and hold harmless agreement to participate. All participants must be at least 15 years of age and have a signed parental consent.