



Don Anderson  
Mayor

Jason Whalen  
Deputy Mayor

Mary Moss  
Councilmember

Michael D. Brandstetter  
Councilmember

John Simpson  
Councilmember

Marie Barth  
Councilmember

Paul Bocchi  
Councilmember

John J. Caulfield  
City Manager

January 24, 2014

## NOTICE

### LAKWOOD CITY COUNCIL SPECIAL MEETING

AND

### LAKWOOD CITY COUNCIL STUDY SESSION

Notice is hereby given that the Lakewood City Council will hold a Special Meeting on Monday, January 27, 2014, at 7:00 p.m., in the City Council Chambers, Lakewood City Hall, 6000 Main Street SW, Lakewood, Washington.

The purpose of the special meeting is to consider approving the submittal of an energy grant application for converting streetlights to energy-efficient light emitting diode (LED).

Following the special meeting of the City Council, the Lakewood City Council will hold its regular Council Study Session at the same location.

Alice M. Bush, MMC  
City Clerk



## LAKWOOD CITY COUNCIL AGENDA

Tuesday, January 21, 2014

7:00 P.M.

City of Lakewood

City Council Chambers

6000 Main Street SW

Lakewood, WA 98499

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Page No.

### Call to Order

### Roll Call

### Flag Salute

### City Manager Report

### Proclamations and Presentations

Proclamation declaring the week of February 2 - 8, 2014 as Toastmasters international Week. - *Ms. Julie Skaw, Lakewood Toastmaster Member and Area Governor*

### Public Comments

## C O N S E N T A G E N D A

- ( 1 ) A. Approval of the minutes of the City Council meeting of January 6, 2014.
- ( 7 ) B. Approval of the minutes of the City Council Special Meeting of January 7, 2014.
- ( 8 ) C. Approval of the minutes of the City Council Study Session of January 13, 2014.

*The Council Chambers is accessible to persons with disabilities. Equipment is available for the hearing impaired. Persons requesting special accommodations or language interpreters should contact the City Clerk's Office, 589-2489, as soon as possible in advance of the Council meeting so that an attempt to provide the special accommodations can be made.*

<http://www.cityoflakewood.us>

*The Council Chambers will be closed 15 minutes after adjournment of the meeting.*

- (12) D. Items Filed in the Office of the City Clerk:
1. Lakewood Arts Commission meeting minutes of November 4, 2013.
  2. Community Development Block Grant Citizens Advisory Board meeting minutes of November 6, 2013.
  3. Redevelopment Advisory Board meeting minutes of October 8, 2013.

## R E G U L A R   A G E N D A

### Appointments

- (20) Motion No. 2014-01

Appointing Jean Witte to serve on the Arts Commission through October 15, 2016. - *Mayor*

- (24) Motion No. 2014-02

Appointing Matthew Wallin to serve on the Redevelopment Advisory Board through May 23, 2017. - *Mayor*

### Resolutions

- (32) Resolution No. 2014-01

Authorizing the execution of an interlocal agreement with Pierce County amending the Pierce County Countywide Planning Policies Centers of Local Importance. - *Assistant City Manager for Development Services*

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(48) Resolution No. 2014-02

Amending the Comprehensive Plan to recognize City of Lakewood Centers of Local Importance. - *Assistant City Manager for Development Services*

**Unfinished Business****New Business**(59) Motion No. 2014-03

Authorizing the execution of a grant agreement with the Washington State Department of Energy, in the amount of \$150,000, to prepare a lake management plan for Waughop Lake. - *Public Works Director*

**Briefing by the City Manager****City Council Comments****Adjournment**

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**LAKWOOD CITY HALL**  
6000 Main Street SW, Lakewood, WA 98499-5027  
(253) 589-2489

**MEETING SCHEDULE**  
**January 20, 2014 – January 24, 2014**

Date	Time	Meeting	Location
January 20		City Hall Closed In Observance of Martin Luther King, Jr. Day	
January 21	6:00 P.M.	Youth Council	Lakewood City Hall 3rd Floor, Conference Room 3A
	7:00 P.M.	City Council	Lakewood City Hall Council Chambers
	7:00 P.M.	Northeast Neighborhood Association	Lakewood Fire Department 10928 Pacific Highway SW
January 22	5:30 P.M.	Community Development Block Grant Citizens' Advisory Board	Lakewood City Hall 3rd Floor, Conference Room 3A
January 23	3:30 P.M.	City Talk with the Mayor Or another Councilmember. Please call 253-589-2489 for an appointment	Lakewood City Hall 3rd Floor, Mayor's Office
	6:00 P.M.	Landmark's & Heritage Advisory Board	Lakewood City Hall 3 <sup>rd</sup> Floor, Conference Room 3A
January 24	No Meetings Scheduled		

**TENTATIVE MEETING SCHEDULE**  
**January 27, 2014– January 31, 2014**

Date	Time	Meeting	Location
January 27	7:00 P.M.	City Council Special Meeting	Lakewood City Hall Council Chambers
	<i>Following Council Special Meeting</i>	City Council Study Session	Lakewood City Hall Council Chambers
January 28	5:30 P.M.	Citizen's Transportation Advisory Committee	Lakewood City Hall 1 <sup>st</sup> Floor, Conference Room 1E
	5:30 P.M.	Parks and Recreation Advisory Board	Lakewood City Hall 1 <sup>st</sup> Floor, Conference Room 1D
	6:00 P.M.	Pacific Neighborhood Association	Children of Light Ministries 5105 Solberg Dr. SW
January 29	No Meetings Scheduled		
January 30	No Meetings Scheduled		
January 31	No Meetings Scheduled		

NOTE: The City Clerk's Office has made every effort to ensure the accuracy of this information. Please confirm any meeting with the sponsoring City department or entity.



## LAKWOOD CITY COUNCIL MINUTES

January 6, 2014  
City of Lakewood  
City Council Chambers  
6000 Main Street SW  
Lakewood, WA 98499

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### CALL TO ORDER

Mayor Anderson called the meeting to order at 7:00 p.m.

### ROLL CALL

Councilmembers Present: 7 – Mayor Don Anderson; Deputy Mayor Jason Whalen; Councilmembers Mary Moss, Mike Brandstetter, John Simpson, Marie Barth and Paul Bocchi.

### FLAG SALUTE

The Pledge of Allegiance was led by request of Mayor Anderson.

### SWEARING-IN CEREMONY

Judge Jack Nevin administered the oath of office for Grant Blinn as Lakewood Municipal Court Judge.

Judge Grant Blinn administered the Oath of Office for Mike Brandstetter, Mary Moss, John Simpson and Jason Whalen as Lakewood City Councilmembers.

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Council recessed at 7:05 and reconvened at 7:10 p.m.

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### NOMINATION AND ELECTION OF MAYOR AND DEPUTY MAYOR

MAYOR ANDERSON OPENED THE FLOOR FOR NOMINATIONS FOR THE POSITION OF MAYOR. DEPUTY MAYOR WHALEN NOMINATED DON ANDERSON FOR THE OFFICE OF MAYOR. VOICE VOTE WAS TAKEN AND UNANIMOUSLY CARRIED FOR DON ANDERSON TO SERVE AS MAYOR.

MAYOR ANDERSON OPENED THE FLOOR FOR NOMINATIONS FOR THE POSITION OF DEPUTY MAYOR. COUNCILMEMBER BOCCHI NOMINATED

JASON WHALEN FOR THE OFFICE OF DEPUTY MAYOR. VOICE WAS TAKEN AND UNANIMOUSLY CARRIED FOR JASON WHALEN TO SERVE AS DEPUTY MAYOR.

## **REPORTS BY THE CITY MANAGER**

City Manager Caulfield indicated that he would defer his report to later in the agenda.

## **PROCLAMATIONS AND PRESENTATIONS**

### **Youth Council Report.**

The Youth Council reported on the tree lighting ceremony, the RACE exhibit, and Holiday Fare event.

### **Proclamation declaring January 20, 2014 as Martin Luther King, Jr. Day and February 2014 as Black History Month.**

COUNCILMEMBER MOSS PRESENTED A PROCLAMATION DECLARING JANUARY 20, 2014 AS MARTIN LUTHER KING, JR. DAY AND FEBRUARY 2014 AS BLACK HISTORY MONTH TO MS. JOETHEL SMITH, FOUNDER AND MEMBER OF MARTIN LUTHER KING JR. COMMITTEE.

### **Clover Park School District Board Report.**

Clover Park School District (CPSD) Board Director Joe Vlaming reported that Walt Kellcy will be serving as Board member to fill an unexpired term. He then provided an update on the results of a CPSD survey that is conducted every two years, and he provided a progress report on the construction at various schools.

### **Proclamation declaring the month of January 2014 as School Board Recognition Month.**

COUNCILMEMBER BRANDSTETTER PRESENTED A PROCLAMATION DECLARING JANUARY 2014 AS SCHOOL BOARD RECOGNITION MONTH TO MR. JOE VLAMING, CLOVER PARK SCHOOL DISTRICT BOARD MEMBER.

### **South Sound 911 update.**

South Sound 911 Executive Director Andrew Neiditz provided an update on South Sound 911.

Discussion ensued on South Sound 911's cost savings relative to facilities consolidation; is there consideration of working with call centers in Spokane or centers out of state as it relates to emergency preparedness; is there cross-training

between police and fire dispatching; what is the formula of the cost allocation for the budget (based on calls for service less fire calls and police traffic stops); how is fire com funded; and when will capital infrastructure acquisition be completed.

## **PUBLIC COMMENTS**

Speaking before the Council were:

*Dennis Haugen, Lakewood resident*, showed a video about Governor Nikki Haley holding colleges accountable.

*Glen Spieth, Lakewood resident*, spoke about trains in Lakewood and expressed concerns that the only way to get out of Lakewood through the east is by Gravelly Lake Drive and it took 35-40 minutes to wait for a train. He suggested that there needs to be one above-grade crossing perhaps at 100<sup>th</sup> Street.

## **C O N S E N T   A G E N D A**

- A. Approval of the minutes of the City Council Retreat of December 14, 2013.
- B. Approval of the minutes of the City Council meeting of December 16, 2013.
- C. Approval of payroll checks, in the amount of \$2,335,497.56, for the period November 16, 2013 through December 15, 2013.
- D. Approval of claim vouchers, in the amount of \$1,432,518.99, for the period November 27, 2013 through December 27, 2013.
- E. Items Filed in the Office of the City Clerk:
  - 1. Parks and Recreation Advisory Board meeting minutes of November 26, 2013.
  - 2. Planning Advisory Board meeting minutes of November 20, 2013.

DEPUTY MAYOR WHALEN MOVED TO ADOPT THE CONSENT AGENDA AS PRESENTED. SECONDED BY COUNCILMEMBER BARTH. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

## **R E G U L A R   A G E N D A**

## **UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

None.

**BRIEFING BY THE CITY MANAGER**

City Manager Caulfield congratulated the newly elected Councilmembers and the election of Mayor and Deputy Mayor.

He reported that the new historical driving tour map has been finalized by the Lakewood Historical Society and copies are in the Council's mail boxes.

He reported that on January 7, 2013, the Council and Legislators meeting will be held at 6:00 p.m. at Carrs Restaurant to review the 2014 legislative agenda.

He then reported that the State closed the application deadline for marijuana licenses. Lakewood received seven applications and the State Liquor Board should be contacting the City relative to the applications. He indicated that the Board is looking to license producers and processors first.

The 2014 Comprehensive Plan process is now open and applications will be accepted until March 3, 2014.

He reported that the City Connections Winter newsletter was mailed last week and the City has been receiving positive comments.

He reported that a State of the City PowerPoint presentation will be made available to the Council and that the Mayor will be making a presentation on the State of the City before the Chamber of Commerce.

He announced that the Public Works Department is proposing to conduct an energy audit to convert 3,500 City streetlights to LEDs. A more detailed update will be presented to the Council at the January 13, 2014 Council Study Session.

He reported that Public Works is submitting a physical improvement/infrastructure application for CDBG funds.

He noted that CDBG entitlement funds has decreased from \$950,000 to approximately \$450,000 since 2000 and this is a matter that staff will be raising with the federal delegation.

He then reported on a meeting he attended with the City's Economic Development Manager and American Life relative to the challenges with EB5 funding. He indicated that a report will be provided to the Council.

He announced that on January 13, 2014 at 6:30 p.m., a group photo of the Council will be taken in the Council Chambers.

He also announced on January 14, 2014, at 11:30 a.m., a presentation of the Rose Murphy Endowment check to the Lakewood Community Foundation Fund will be held at 11:30 a.m. at City Hall.

On January 14, 2014, at 7:00 p.m, the Council and Youth Council meeting will be held in Conference Room 1E to discuss the RACE exhibit.

On January 18, 2014, the Martin Luther King, Jr. celebration will be held at the McGavick Center at 10:00 a.m.

On January 29 and 30, 2014, the AWC Legislative Conference will be held at the Red Lion Hotel in Olympia.

He reported that the Camp Murray tour has been rescheduled to Saturday, May 3, 2014.

He noted that the Change of Command event is scheduled for February 21, 2014 at 6:00 p.m., at the Thornewood Castle.

With regard to the Council's appointment of liaisons to the Citizens' Advisory Boards and Committees, he suggested that the Council might consider having a discussion on this topic at the Council's January 13 Study Session.

He reported that the topic of lodging tax guidelines and code amendments scheduled for the January 13, 2014 Study Session is being rescheduled to January 27, 2014.

Councilmember Barth asked about publicly recognizing Judge Heller. City Manager Caulfield indicated that Mr. Heller asked not to be publicly recognized and staff has recognized his service privately. She publicly thanked Judge Heller for his service to our community.

## **CITY COUNCIL COMMENTS**

Councilmember Moss wished everyone a happy and successful 2014. She announced that she will be attending the Western Air Defense Sector awards ceremony on Friday, January 10, 2014.

Councilmember Bocchi commented on the Tillicum/Woodbrook Neighborhood Association meeting he attended and thanked Assistant City Manager Dave Bugher and Public Works Director Don Wickstrom and other staff for attending.

Councilmember Brandstetter indicated that on January 15, 2014 he will be attending the Public Facilities District Board meeting relative to the Greater Tacoma Convention Center.

Councilmember Barth wished everyone a happy new year.

Councilmember Simpson commented on the Tillicum/Woodbrook Neighborhood Association meeting and thanked Assistant City Manager Dave Bugher for reporting on Camp Murray gate. He indicated that the number of City staff in attendance at the meeting had shown a representation of community support. He then disclosed that he and his wife own a drive-through coffee business, and asked what options the City had about suspending the issuance of business licenses relative to "lingerie-type" coffee businesses, specifically to such businesses on Bridgeport Way, one of the City's main entrances to Lakewood.

Deputy Mayor Whalen expressed his appreciation for being elected to serve as Deputy Whalen for the next two years. He then made positive comments about the State of City message and how it will serve to have a meaningful dialogue with citizens and businesses.

Mayor Anderson spoke about the City's facebook. He expressed his appreciation for being elected to serve as Mayor for the next two years.

#### **ADJOURNMENT**

There being no further business, the meeting adjourned at 8:50 p.m.

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DON ANDERSON, MAYOR

ATTEST:

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ALICE M. BUSH, MMC  
CITY CLERK



## LAKWOOD CITY COUNCIL MINUTES SPECIAL MEETING WITH STATE LEGISLATORS

Tuesday, January 7, 2014  
Carrs Restaurant  
11006 Bridgeport Way SW  
Lakewood, Washington 98499

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### CALL TO ORDER

Mayor Anderson called the meeting to order at 6:30 p.m.

### ATTENDANCE

Councilmembers Present: 5 – Mayor Don Anderson; Councilmembers Mary Moss, Mike Brandstetter, Marie Barth and Paul Bocchi.

Councilmembers Excused: 2 - Councilmember John Simpson and Deputy Mayor Whalen.

State Legislators Present: 5 - Senator Steve O'Ban, Representatives Tami Green, Steve Kirby, Dick Muri and David Sawyer.

Others Present: John Caulfield, City Manager; Heidi Wachter, City Attorney; Bret Farrar, Police Chief; Adam Lincoln, Assistant to the City Manager/Executive Assistant; Briahna Taylor, Gordon Thomas Honeywell; and Russell Krautz, Representative Dick Muri's Legislative Assistant.

### 2014 LEGISLATIVE AGENDA

Discussion ensued on the 2014 legislative agenda.

### ADJOURNMENT

There being no further business, the meeting adjourned at 7:00 p.m.

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DON ANDERSON, MAYOR

ATTEST:

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ALICE M. BUSH, MMC  
CITY CLERK



## **LAKWOOD CITY COUNCIL STUDY SESSION MINUTES**

January 13, 2014  
City of Lakewood  
City Council Chambers  
6000 Main Street SW  
Lakewood, WA 98499

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### **CALL TO ORDER**

Mayor Anderson called the meeting to order at 7:00 p.m.

### **ROLL CALL**

Councilmembers Present: 7 – Mayor Don Anderson; Deputy Mayor Jason Whalen; Councilmembers Mary Moss, Mike Brandstetter, John Simpson, Marie Barth and Paul Bocchi.

### **ITEMS FOR DISCUSSION:**

#### **Review of a proposed energy savings grant for converting 3,000 City streetlights to energy-efficient light emitting diode (LED) streetlights.**

Transportation Manager Desiree Winkler reviewed an energy savings proposal to convert City street lights to energy-efficient light emitting diodes (LEDs).

Ms. Lisa Steel from Washington Department of Enterprise Services reviewed the performance contracting service and financing options offered by the State.

Discussion ensued on what is the State's management fee and what are the utility rebates.

Mr Jason Prall, Project Manager from Ameresco, provided an overview of their organization and conducting energy audits. He then reviewed streetlight comparisons using LED lighting.

Discussion ensued on replacement of light heads and/or entire poles; how was the 12 year loan payback determined and who set that standard; can streetlights that are privately-owned be included in the energy audit; is there an inflation factor included in the power saving estimates; who pays for the energy audit (City through project costs); why can't the lights be replaced when they burn out; concerns about funding for street maintenance and funding streetlights; and when will empirical data be provided to make a decision on this project; if the City was successful in receiving a grant when would a project be completed to show citizens (sometime in 2015); and potentially using CDBG funds for streetlights in underserved areas.

**Review of proposed Parks code amendments and fee changes.**

Parks and Recreation Director Dodsworth reviewed the proposed Parks code amendments and proposed fee schedule changes.

Discussion ensued on State law definition of enclosed areas; concerns that citizens should have a right to smoke in open areas; what were the recommendations of the Parks and Recreation Advisory Board; concerns about authorizing alcohols in parks; is the City responsible if there was an accident in the parks due to alcohol (third party liability); consider having designated areas for smoking; is there sufficient language to cover other intoxicating substances; what was the impetus for allowing for alcohol in parks; expanding section 08.76.550 to clarify the unlawfulness to be intoxicated in the parks; impact of tobacco used in congested areas (beach areas, picnic areas, dog park area); concern about smoking in certain areas when there is dry vegetation during the summer and concern about filth and littering of tobacco filters; consider drafting tobacco restricted parks; and having the Parks and Recreation Advisory Board review a restricted tobacco usage and drafting same type of language on the use of alcohol.

Ms. Dodsworth then reviewed proposed fee changes for permitting fees for use of alcohol in parks and Farmers Market fees and Special Event application fees.

Discussion ensued if vendors are required to obtain a business license for working at the Farmers Market.

**Review of a proposed interlocal agreement with Pierce County, amending the Pierce County Countywide Planning Policies, centers of local importance.**

Assistant City Manager Bugher reviewed the proposed amendments to the Pierce County Countywide Planning policies centers of local importance and the proposed interlocal agreement. He then reviewed the history of regional growth centers.

Discussion ensued on ratification of the proposed interlocal agreement.

**Designating City of Lakewood centers of local importance.**

Principal Planner Dan Catron reviewed the locations of the City of Lakewood's proposed centers of local importance.

Discussion ensued on whether SSMCP action is needed to be taken by the political arm; possibly adding another center of local importance at American Lake Veterans Hospital and the area surrounding Washington Boulevard and North Gate.

**Status report on building permitting software.**

Assistant City Manager Bugher and Senior Planner Marc Amrine provided a brief status report on the building permitting software and improvements that have been made to the system.

Discussion ensued on appreciation for the permitting improvements and if there had been any input from the public.

### **Designating 2014 Council liaisons to Citizens' Advisory Boards and Committees and external committees**

City Clerk Alice Bush noted that Council may wish to consider assigning Council liaisons to the City's Citizens Advisory Boards and Committees and Council representatives to external committees. Mayor Anderson requested that Council provide him with their input on Council liaison assignments.

### **BRIEFING BY THE CITY MANAGER**

City Manager Caulfield reported that the legislature has kicked off its session today.

He reported that on January 14, 2014, 11:30 a.m., the Rose Murphy endowment check will be presented to Lakewood Community Foundation Fund.

He reported that on January 14, 2014, at 7:00 p.m, the Council and Youth Council meeting will be held in Conference Room 1E to discuss the RACE exhibit.

He reported that staff is working on roads and streets financing options and the Parks Legacy Plan is scheduled to come before the Council in March, 2014 in order to be eligible for RCO grants.

### **ITEMS TENTATIVELY SCHEDULED FOR THE JANUARY 21, 2014 REGULAR CITY COUNCIL MEETING:**

1. Review of a proposed energy savings grant for converting 3,000 City streetlights to energy-efficient light emitting diode (LED) streetlights.
2. Review of a proposed interlocal agreement with Pierce County, amending the Pierce County Countywide Planning Policies, centers of local importance.
3. Designating City of Lakewood centers of local importance.
4. Proclamation declaring February 2-8, 2014 as Toastmasters International Week.  
*Ms. Julie Skaw, Lakewood Toastmaster Member and Area Governor*
5. Appointing an individual to serve on the Redevelopment Advisory Board.
6. Appointing an individual to serve on the Arts Commission.

- 7. Authorizing the execution of a grant agreement with the Washington State Department of Energy, in the amount of \$150,000, to prepare a lake management plan for Waughop Lake.

It was noted that the proposed parks code amendments and fee schedule would come back before the Council for further consideration at the February 20, 2014 Council Study Session and February 18 regular meeting.

**CITY COUNCIL COMMENTS**

Councilmember Moss reported that she represented the City at the Western Air Defense Sector’s Annual Awards Ceremony on Friday, January 10, 2014. The event was held at the Tacoma Landmark Convention Center where the Civilian of the Year, Top Grade Officers, Non-Commissioned Officers and Airman of the Year were recognized.

She also noted that she attended the Clover Park School Board meeting and gave a brief update on the State of the City and shared the last newsletter for CISL. She reported that she will be attending the Planning Advisory Board meeting on January 15, 2014 and the Martin Luther King Jr. celebration on January 18, 2014.

Deputy Mayor Whalen spoke about the annual Chamber of Commerce meeting he attended where Mayor Anderson presented the State of the City. He noted that hat he will not be attending the January 18, 2014 Martin Luther King Jr. celebration event.

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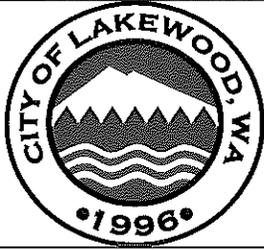
**ADJOURNMENT**

There being no further business, the meeting adjourned at 9:40 p.m.

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DON ANDERSON, MAYOR

ATTEST:

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ALICE M. BUSH, MMC  
CITY CLERK



**LAKWOOD ARTS COMMISSION  
REGULAR MEETING MINUTES  
MONDAY, NOVEMBER 4, 2013 - 4:30 PM TO 6:00 PM  
Lakewood City Hall Conference Room 3A  
6000 Main Street SW  
Lakewood, WA 98499**

### **CALL TO ORDER**

Chair Sandra Calvillo called the meeting to order at 4:30 pm

### **ATTENDANCE**

Arts Commission Members Present: Sandra Calvillo, chair; Marquita Hunt; Retha Hayward; Werner Dillenburger; Kat Flores; Susan Coulter; Katrina Redding

**Arts Commission Members Resigned:** Jan Giroux (received Nov 7, 2013)

**Arts Commission Members Absent:** Jeff Greenwell; Robert Lawrence; Phillip Raschke

**Council Member:** Jason Whalen

**Staff Present:** Dennis Higashiyama, recreation coordinator; Suzi Riley, administrative assistant

**Guests:** Jean Witte

**APPROVAL OF MINUTES:** A motion to approve the meeting minutes from October 7, 2013, was made by Retha Hayward and seconded by Susan Coulter. The minutes were accepted as presented.

**PUBLIC COMMENTS:** Mrs. Witte introduced herself to the Commission members. She indicated she was a 50+ resident of Lakewood who is retired from Multi-Care and creates designs in fiber art. She is considering applying for membership and was attending her first meeting to 'check us out.'

Mrs. Calvillo reported that other prospective applicants were unable to attend the meeting, but would join us as guests in the future. Others have indicated they've submitted applications for consideration of appointment by the City Council.

### **UNFINISHED BUSINESS:**

**Installation of Final Leaf on the Transit Center Arch:** The final leaf was installed October 25, 2013. This installation completed the Transit Center art project. The artist, David Eisenhour, was present for the final step in the installation process and has received full payment for his work.

**ArtsFEST.** Neither Mr. Lawrence nor Mr. Raschke was present at the meeting, so no update was available. Mrs Hunt, and former Commission member Shirley Petersen, have volunteered to coordinate a juried art show to be included in this event, and Mrs. Hunt indicated that the prospectus for the event has been finalized and is ready for distribution. It will be placed on the event web-site very soon. The next ArtsFEST meeting is scheduled November 6, 2013.

Ms. Riley reported to Mrs. Hunt that the City of Centralia just held an art tour and suggested that the Centralia community may be able to provide a list of artists who might be interested in showing at the Rotary Club event scheduled April 25, 26 and 27 at Pierce College in conjunction with the City's Sister City organization annual event. Ms. Riley will provide Mrs. Hunt and Mrs. Petersen with contact information. (Done)

**Community Garden:** Mr. Higashiyama indicated that he had purchased the wood materials needed for the garden gate/archway and Mr. Dillenburger stated he would contact our parks crew for follow-up on its fabrication.

**Study Session – Joint Meeting with City Council.** Mr. Higashiyama thanked the Commission members who were able to attend the joint session and participate in the discussion and pose questions. He reported that the Council appeared to be receptive and supportive of the Arts Commission work plan and programs.

Members were told there is no funding for the Arts Commission regular tasks in 2014 – the only funding available will be the public art revenue from the City's McGavick Center reservations. Any money taken from that fund would reduce what would be available for public art, and the public art fund is designated solely for public art. No infrastructure funds will be taken from this revenue stream. The Arts Commission and the Parks/Recreation and Community Services Department are not responsible for public art infrastructure – that funding will come from Public Works.

The Commission understood that there was a 'rush' to place public art at the Bridgeport Way and Pacific Highway intersection prior to the start of the 2015 US Open Golf Tournament, but that understanding is in error. The Council agrees that this project cannot be rushed and that proper procedures for recruiting artists, securing designs, seeking public input, securing adequate funding, fabrication of art, decisions on placement and installation should all be followed appropriately and not rushed. Especially since this is the Commission's first big public art project, it should be done thoughtfully and properly. Consideration should be made with the community's input toward this expenditure. If economic recovery is not complete or if it stalls, there may not be public support or interest in the placement of an expensive piece of statuary or ironwork, and future support could be lessened.

Since there are no funds budgeted in the City's 2014 budget for the Commission's standard projects, the Commission will need to ask Council for funding for our operating budget.

Members suggested prints, posters, t-shirts, a spaghetti feed to raise funds. A question was asked if the Bylaws for the Arts Commission need to be revised if this group is now able to solicit funding?

**Stationary:** Mrs. Calvillo indicated that she would like to have a copy of the Commission's logo so that it could be included on stationery for thank you notes or formal letters. Mr. Higashiyama indicated the logo is on the banner, and he had a copy of it and would forward it to her and to Mrs. Hayward.

**WA State Mentors:** Administrative Assistant Riley shared information about a writing contest sponsored by the Washington State Mentors and will provide that information to Brent Champaco, the City's new communication manager for distribution.

**Martin Luther King Literary Competition:** The MLK contest for the January, 2014, event closes in mid-December and the finalists and 'winner' will be chosen prior to the Christmas holidays. The members asked that each entrant receive a certificate recognizing their participation and the finalists and winner receive plaques. Ms. Riley is to be provided with a list of all of the names of participants and winners with assurance that all of the names are spelled correctly for each participant.

It was asked if a banner will be used to promote this event – will the AC logo be on the banner? Is the AC logo on the plaque to be placed on the Community Garden project?

In 2014, the contest will begin again immediately after the January 18, program, so that high school students are involved in the competition at the same time they are actually studying the civil rights movement and Martin Luther King. The contest will be directed to high school students from 2014 forward.

**SummerFEST 2014:** The City's SummerFEST event has been changed back into a one day event and will be held in 2014 on July 12 at Fort Steilacoom Park. The Arts Commission will be responsible for booking the acts onto the AC stage that day with no fee being paid to performers and arranging for a children's activity. One or two people should consider volunteering to coordinate the acts and the activity.

**Membership:** It was suggested that a Youth Council member participate in the Arts Commission, so that information on programs and activities targeting school age students can be shared appropriately with that population.

Mr. Clayton DeNault, director of the Lakewood YMCA, has indicated his willingness to serve on the Arts Commission and has submitted an application for membership consideration. He also indicated he might be able to provide volunteers from the YMCA for our events and would be willing to display artwork at the YMCA to help brand us in the community. Other potential applicants have indicated interest and, hopefully, will follow up. Currently, the Commission is involved in:

- MayFEST – Lakewold Gardens
- SummerFEST – City of Lakewood
- ArtsFEST – Rotary Club fundraiser
- MLK Literary Competition
- Martin Luther King Day Celebration
- Asian Film Fest – volunteer support only
- Community Garden – public art work display
- City Hall Rotating Art Gallery
- Banners announcing programs/events

**MayFEST:** Ms. Hayward reported that the Commission will have the full upstairs area of the Lakewold Gardens mansion in which to display art. The intake day is scheduled April 30 with judging to occur that same day. The reception is May 1. Lakewold will provide the tables, linens.

It was suggested we have a fine quality post-card – brochure – be prepared to distribute at our events.

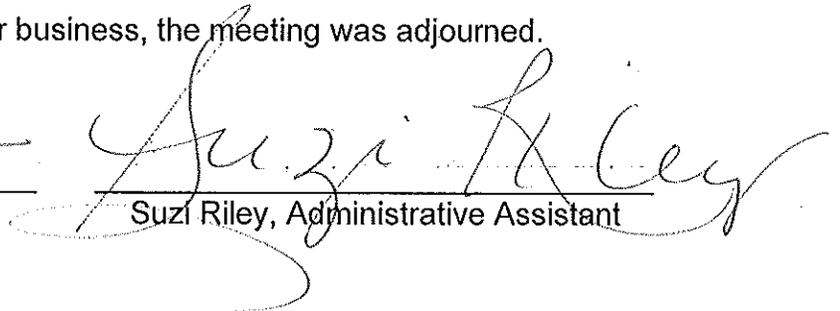
**Gallery Art:** Mrs. Hunt volunteered to have her art work on display beginning in January in the City Hall gallery. Samples of her work should be provided to members for review either through e-mail to Dennis only at this time – or by sharing samples at the December 2 meeting.

**Torch Awards:** The deadline for submitting nominations to the Torch Award program honoring volunteers is December 1, 2013. Members were encouraged to submit nominations after reading about this program on the web.

**ADJOURNMENT:** With no further business, the meeting was adjourned.



Sandra Calvillo, Chair



Suzi Riley, Administrative Assistant



COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)  
CITIZENS ADVISORY BOARD  
Regular Meeting Minutes  
WEDNESDAY – November 6, 2013,  
Lakewood City Hall, Conference Room 3A  
6000 Main Street SW, Lakewood, WA

**CALL TO ORDER**

Chair Edith Owen Wallace called the meeting to order at 5:35 p.m.

**ATTENDANCE**

Board Members Present: Chair Edith Owen Wallace, Michael Lacadie, Laurie Maus, Sharon Taylor, Kathleen Lind, and Mumbi Ngari-Turner.

Council Liaison Present: Councilmember Marie Barth

City Staff Present: Jeff Gumm, Martha Larkin

**APPROVAL OF MINUTES – SEPTEMBER 18, 2013 AND SEPTEMBER 25, 2013**

MICHAEL LACADIE MOVED TO APPROVE THE SEPTEMBER 18, 2013 AND SEPTEMBER 25, 2013 CDBG CITIZEN'S ADVISORY BOARD MEETING MINUTES AS WRITTEN. THE MOTION WAS SECONDED BY LAURIE MAUS. VOICE VOTE WAS TAKEN AND THE MOTION CARRIED UNANIMOUSLY.

**NEW BUSINESS**

Introduction of new Board Members – Kathleen Lind and Mumbi Ngari-Turner

Everyone introduced themselves and welcomed the new members.

Discussion/Review of LASA/THA Prairie Oaks Homeless/Client Services Center

Jeff Gumm reviewed the proposed project which will be fully funded with the proposed \$300,000 Section 108 loan. The Prairie Oaks project will include 15 units of housing for homeless families and a client services center. Its funding sources include City of Lakewood HOME, CDBG, and Section 108 loan, Pierce County CDBG and 2163, Washington State Housing Trust Fund, and a Tacoma Housing Authority bridge loan. Mr. Gumm explained how the loans would work, the budget, and the cash flow needed to service the debt.

**PUBLIC HEARING**

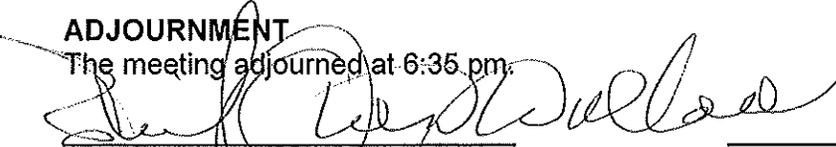
A Public Hearing on the proposed FY 2013 Annual Action Plan Amendment for the Proposed Section 108 Loan Guarantee Application for the LASA/THA Prairie Oaks project was held, however, there was no one present who wished to comment.

**NEXT MEETING**

The next meeting will be held on January 8, 2014 at 5:30 p.m. in Conference Room 3A.

**ADJOURNMENT**

The meeting adjourned at 6:35 pm.

  
Edith Owen Wallace, Chair

Date 11/20/13



## REDEVELOPMENT ADVISORY BOARD (REDAB)

**TUESDAY – OCTOBER 8, 2013 – 10:00 a.m.**  
**Lakewood City Hall, Conference Room 1E**  
**6000 Main Street SW, Lakewood, WA 98499**

**CALL TO ORDER:** Dan Durr called the meeting to order at 10:00 a.m.

### **ROLL CALL**

REDAB Members Present: Bruce Bodine, Chair Jim Charboneau (arrived late), Dan Durr, James Guerrero, Louis Imhof, Thomas James and Timothy Johnson

REDAB Members Absent: Denise Yochum

City Council Liaison Present: Councilmember Jason Whalen

Staff Present: City Manager John Caulfield; Economic Development Manager Ellie Chambers-Grady; Attorney Nicole Hay of Kenyon Disend, PLLC; Economic Development Specialist Becky Newton; Administrative Assistant Melody Perrussel; and City Attorney Heidi A. Wachter

**APPROVAL OF MINUTES:** Bruce Bodine moved and Thomas James seconded the motion to approve the July 9, 2013, REDAB minutes. The motion passed unanimously.

**PUBLIC COMMENTS:** None.

**COMMUNITY ENCOURAGEMENT:** Economic Development Specialist Becky Newton announced that seven 'Habitat for Humanity' homes have been completed in Tillicum, and four are under construction. When all are complete, there will be a total of 31 new homes.

### **OLD BUSINESS: EB-5 PROGRAM**

Economic Development Manager Ellie Chambers-Grady recalled there were two EB-5 presentations given to REDAB about five years earlier. Of the two, this board chose Henry Liebman's program with American Life, Inc. Members of the other business had done an EB-5 program before, but not together as one business.

At their joint City Council/REDAB meeting in July, the Council asked REDAB to get an update on the EB-5 program and send them a memo on its status. Ms. Chambers-Grady reintroduced Henry Liebman.

Mr. Liebman said the EB-5 program began in 1996, and he has lately been working on funding for Lakewood's proposed two Marriott Hotels, the Courtyard and Residence Inn. He stated the EB-5 program has been facing a lot of head winds since it started.

1. The program is still temporary and has opposition.
2. VISA's take longer to get; about 1 ½-2 years now instead of 3-4 months as was the case earlier.
3. The United States (U.S.) is not the *only* provider of VISA programs. There is a lot of competition, especially from Spain and Portugal.
4. The U.S. has started litigating and has gotten granular on details and audits.

The purpose of the EB-5 zone is to spur growth in the Targeted Employment Areas (TEA) in rural or high unemployment areas. It's not just to increase employment in the specific

area, but also indirect employment. The Federal Government wants to be shown that people would never have come to the project area so its employees are new. It's a high bar.

Ms. Liebman stated he has to demonstrate an area is booming, and the EB-5 zone is showing over-demand. He indicated more people are needed to campaign for the program and to talk favorably about the program to Federal U.S. Representatives.

Mr. Liebman restated that the U.S. has gotten so granular about the program. Investors may be in the program for two years and then the U.S. litigates over a few thousand dollars. All the cases are adjudicated in California; there is no discourse or discussion; there is no one to talk to, not even a case officer.

American Life can show there is an increase in employment using any accepted methodology. Normally a business center can calculate numbers using Dean Runyan data; this much money equals so many jobs. The U.S. Immigration Department says numbers can only be used if it can be proven the visitors wouldn't be here if not for the project.

Mr. Liebman stated the fear of immigrants and immigration is an industry problem. The Immigration Department says a 'new' job has to be demonstrated, but he is unsure what 'new' means. The U.S. doesn't care about the economic development part of the program.

Mr. Liebman says money is invested on a certain date, but there is a problem with unemployment rate-dropping. Also, the job is reflected where the employee's *home* is located and not where the job is. Layoffs are typically in pockets. He stated no government money is involved, plus the government charges fees. It's hard to tell people overseas they have to wait for two years for a VISA.

Attorney Nicole Hay asked Mr. Liebman to walk through the process:

- 1) Look for a project that makes sense. Investors want a return and in a TEA.
- 2) Immigration asks if any infrastructure is in place.
- 3) Determine if the military base is growing or shrinking.
- 4) Know where and the number of employees to be working indirectly.

Mr. Durr said we're all faced with challenges. Attendees to this meeting have small businesses and development businesses. REDAB wants to know more about American Life's promotional financing vehicle for outside development.

Mr. Liebman asked city staff about the number of projects that had been referred to American Life. Ms. Chambers said staff has sent eight or more projects to American Life that were in the right areas and needed financing. The hotels were originally going to provide 25% of their financing and the bank the balance. The recession flipped things, and now the hotels need alternative financing to cover 50-75% of their underwriting.

Mr. Durr said he has concerns about future projects and asked how Mr. Liebman promotes his program. Mr. Liebman said it is hard to underwrite projects. On the two hotels, American Life would be a part owner and wants to develop the projects. To a certain extent, his EB-5 program works against banks that don't develop.

Mr. Durr stated REDAB originally misunderstood what American Life was going to do in Lakewood. REDAB initially thought American Life was going to add another economic development tool for *broad-based development in our community*, and not just a

development tool to primarily benefit Mr. Liebman's company. The city's EB-5 zone was especially designed for American Life.

Mr. Liebman responded that American Life's program evolved into doing more development over time. Foreign investors want projects to work. One Congressman has stated he thinks EB-5 is a money laundering scheme.

Mr. Liebman will send contact names and different talking points to REDAB. He asked them to contact government officials about the EB-5 program. Mr. Durr restated that it was an honor for Lakewood to support giving American Life EB-5 districts here. REDAB recommended the decision, and he's disappointed the EB-5 program is on shaky ground.

Ms. Chambers-Grady had hoped there would already be EB-5 projects completed locally, as the City of Tacoma has more than one. She's not sure if EB-5 is as viable an investment source as it was and wondered if our current EB-5 region could respond if a large amount of project funding is needed.

**NEW BUSINESS: MOTORIST INFORMATIONAL & SERVICE CLUB SIGNS**

City Attorney Heidi Wachter talked about proposed sign code amendments to ensure traffic and pedestrian safety while providing motorists with directional information and allowing service club logo signage with meeting information. The code may affect two separate business licenses. Community members are being asked for input on the proposed amendments prior to being revisited by the City Council.

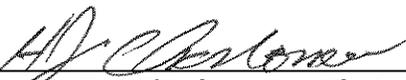
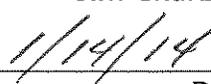
Public Works Director Don Wickstrom talked about working with wayfinding signage which the state regulates. The amendments have no restriction on number of signs allowed and there will be a fee. Pierce County manufactures City of Lakewood signs.

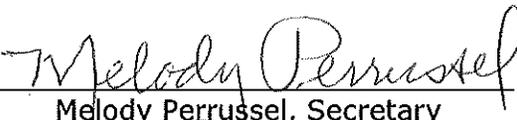
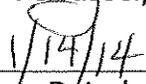
The Council is interested in having the public comment on the proposals; it's hoped that the Lakewood Chamber and Lakewood Towne Center will review and respond. Ms. Wachter will attend the next meeting to gather proposal comments from REDAB.

**OTHER BUSINESS:** None.

**NEXT MEETING DATE:** November 12, 2013 at 7:30 a.m.

**ADJOURNMENT:** Chair Charboneau adjourned the meeting at 10:59 a.m.

  
\_\_\_\_\_  
Jim Charboneau, Chair  
  
\_\_\_\_\_  
Dated

  
\_\_\_\_\_  
Melody Perrussel, Secretary  
  
\_\_\_\_\_  
Dated

# REQUEST FOR COUNCIL ACTION

<b>DATE ACTION IS REQUESTED:</b> January 21, 2014  <b>REVIEW:</b>	<b>TITLE:</b> Appointing Jean Witte to serve on the Lakewood Arts Commission through October 15, 2016.  <b>ATTACHMENTS:</b> Candidate application	<b>TYPE OF ACTION:</b> <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input checked="" type="checkbox"/> MOTION NO. 2014-01 <input type="checkbox"/> OTHER
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**SUBMITTED BY:** Alice M. Bush, MMC, City Clerk for Mayor Don Anderson

**RECOMMENDATION:** It is recommended that the City Council confirm the Mayor’s appointment of Jean Witte to serve on the Lakewood Arts Commission through October 15, 2016.

**DISCUSSION:** A news release was sent to THE NEWS TRIBUNE AND THE SUBURBAN TIMES advertising four (4) vacancies on the Lakewood Arts Commission. Notices were posted at the Tillicum Community Center, Tillicum Library, Lakewood Community Center, Lakewood Library and City Hall. One (1) application was received and transmitted to the Council on December 23, 2013. A Notice of Vacancy will be advertised again for filling the remaining three (3) positions.

The role of the Lakewood Arts Commission is to assess needs, establish priorities and make recommendations for enrichment of the community and promotion of its cultural vitality through the arts.

The Lakewood Arts Commission will do the following:

- Promote the visual, performing and literary arts;
- Encourage the creative contribution of local artists;
- Make recommendations for Public Art to the City Council;
- Support community-building events; and
- Foster the City’s cultural heritage.

**ALTERNATIVE(S):** The Council could choose not to confirm the appointments or re-advertise for these positions.

**FISCAL IMPACT:** There is no fiscal impact.

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ARTS COMMISSION  
APPLICATION FILED

	<b>MAYOR'S APPOINTMENTS</b>	<b>TERMS</b>
		<b>1 - unexpired term through 10/15/14</b> <b>3 - 3 year terms through 10/15/2016</b>
Jean Witte	Appoint	3 year term through 10/15/2016

CITY OF LAKEWOOD  
6000 Main Street SW  
Lakewood, WA 98499  
Phone: (253) 589-2489 Fax: (253) 589-3774

RECEIVED

DEC 02 2013

APPLICATION FOR APPOINTMENT CITY OF LAKEWOOD

The information in this document is subject to public disclosure and can be made available to the public.

I wish to be considered for appointment to the following committee, board or commission:

- Arts Commission
- Citizens' Transportation Advisory Committee
- \*Civil Service Commission – (Please see box below for additional questions.)
- Community Development Block Grant (CDBG) Citizens Advisory Board
- Human Services Funding Advisory Board
- Lakewood's Promise Advisory Board
- Landmarks and Heritage Advisory Board
- Lodging Tax Advisory Committee- (Organizations representing businesses required to collect hotel/motel tax, and organizations involving in activities authorized to be funded by hotel/motel taxes and local agencies involved in tourism promotion.)
- Parks and Recreation Advisory Board
- Planning Advisory Board
- Public Safety Advisory Committee
- Redevelopment Advisory Board

Name: JEAN A. WITTE

Current Home Address: 7401 7<sup>(Please Print)</sup> ST AVE. CT. SW

City: LAKWOOD State: WA Zip: 98498

Home Phone Number: 253.584.6658 E-mail: jeanliberwine7@gmail.com

Present Employer: RETIRED MULTICARE HEALTH SYSTEM

Address: \_\_\_\_\_ Work Phone: \_\_\_\_\_

CIVIL SERVICES COMMISSION APPLICANTS. PLEASE ANSWER QUESTIONS BELOW.

\*How long have you resided at the home address above? 16 Years \_\_\_\_\_ Months

\*Prior Home Address: GLENWOOD AVE SW LAKEWOOD WA how long? 25 yrs.

\*Are you a citizen of the United States? Yes  No \_\_\_\_\_ (\*Submit I-9 Form attached)

\*Are you a registered voter of Pierce County? Yes  No \_\_\_\_\_

\*What political party are you affiliated with? 1

\*Requirement of RCW 41.12 for Civil Service Commission appointments

Hobbies/Interests: AMMOM FIBER ART - KNIT, SPIN, WEAVE

Have you previously served or are you currently on one of the Boards or Commissions listed above? Yes \_\_\_ No  If yes, please explain: \_\_\_\_\_

Date available for appointment: now

Are you available to attend evening meetings? Yes  No \_\_\_

Are you available to attend daytime meetings? Yes  No \_\_\_

Approximately how many hours each month can you devote to City business? 4-6

Recommended by: Marie Barth

Education: BSN - UW Tacoma, Master of Nursing - UW Seattle

from

Professional and/or community activities: none at this time other than Olympia Weavers Guild, NW regional spinners membership

Please share some of your experiences or qualifications that you have relating to the work of this board, committee or commission: \_\_\_\_\_

Professional nursing career, now retired, gavel auction committee

Please explain why you would like to be part of this board, committee or commission: \_\_\_\_\_

long-term resident of Lakewood - 50 yrs. interest in art, willingness to volunteer

If necessary, are you available for an interview prior to appointment? Yes  No \_\_\_  
Attach additional pages, if needed.

**ATTENDANCE:** Individuals appointed are expected to attend meetings regularly. The Council expects to be informed in the event any Committee, Board or Commission member has three unexcused absences. The Council, may in the event of three unexcused absences, dismiss the individual from service.

**EXPECTATIONS:** Adhere to City of Lakewood's Code of Ethics, regular attendance at meetings (three or more unexcused absences may be cause for removal), mutual respect among members, good listener, and flexible.

**PLEASE RETURN THIS FORM TO:**

City of Lakewood  
City Clerk's Office  
6000 Main Street SW  
Lakewood, WA 98499  
(253) 589-2489 Fax: (253) 589-3774

I hereby certify that this application and any other materials and/or documents provided in this application process contains no willful misrepresentation and that the information given is true and complete to the best of my knowledge.

Signature: Graci A. White Date: 12-2-13

# REQUEST FOR COUNCIL ACTION

<b>DATE ACTION IS REQUESTED:</b> January 21, 2014	<b>TITLE:</b> Appointing Matthew Wallin to serve on the Redevelopment Advisory Board through May 23, 2017.	<b>TYPE OF ACTION:</b>  <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input checked="" type="checkbox"/> MOTION NO. 2014-02 <input type="checkbox"/> OTHER
<b>REVIEW:</b>	<b>ATTACHMENTS:</b>  Candidate Applications	

**SUBMITTED BY:** Alice M. Bush, MMC, City Clerk on behalf of Mayor Don Anderson

**RECOMMENDATION:** It is recommended that the City Council confirm the Mayor’s appointment of Matthew Wallin to serve on the Redevelopment Advisory Board (RDAB) through May 23, 2017.

**DISCUSSION:** A Notice of Vacancy to fill an unexpired term on the RDAB was advertised in the SUBURBAN TIMES AND THE NEWS TRIBUNE and posted at the Tillicum Community Center, Tillicum Library, Lakewood Community Center, Lakewood Library and City Hall on November 15, 2013. Two (2) applications were received and transmitted to the Council on December 27, 2013. Because the vacant position is to fill an unexpired term through May 23, 2014 (within 4 months), an additional 3 years is added to this position with a term expiration date of May 23, 2017.

The Redevelopment Advisory Board was created to assist and advise the City Council in connection with issues and programs involving commercial business development and retention as may be referred to the Advisory Board by the City Council which may include: - Continued on page 2.

**ALTERNATIVE(S):** The Council could choose not to confirm the appointments or re-advertise for this position.

**FISCAL IMPACT:** There is no fiscal impact.

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- A. Facilitate cooperation and coordination between various business groups and impacted neighborhoods on business issues;
- B. Facilitate the formation of specific neighborhood commercial business groups to assist in the enhancement of various existing commercial areas, aid in stabilizing and retaining commercial enterprises within these areas to maintain viability as a commercial area, and help in identifying specific needs of businesses within various commercial areas.
- C. Make recommendations to the City Council and to City staff for programs in which the City could or should participate to enhance commercial development opportunities in the City, which programs may be in cooperation with any appropriate private, public, civic or community agency, group or association of or in the City, county, state or federal government;
- D. Recommend ways and means of obtaining private, local, county, state or federal funds and other participation for the promotion of business development projects within the City, especially those of an incubator type;
- E. Work with City of Lakewood staff, City Council committees, task forces and other City/community based groups, as directed by the City Council, on relevant issues and projects; and
- F. Assist in database development for the creation and maintenance of a community profile.

**REDEVELOPMENT ADVISORY BOARD**

**APPLICATIONS FILED**

December 23, 2017

NAME	MAYOR'S APPOINTMENT	TERM 1 - unexpired term through May 23, 2014 plus 3 years
Roger Thompson		
Matthew Wallin	Appoint	Appoint through May 23, 2017

NOV 19 2013

APPLICATION FOR APPOINTMENT

CITY OF LAKEWOOD

The information in this document is subject to public disclosure and can be made available to the public.

I wish to be considered for appointment to the following committee, board or commission:

- Arts Commission
- Citizens' Transportation Advisory Committee
- \*Civil Service Commission – (Please see box below for additional questions.)
- Community Development Block Grant (CDBG) Citizens Advisory Board
- Human Services Funding Advisory Board
- Lakewood's Promise Advisory Board
- Landmarks and Heritage Advisory Board
- Lodging Tax Advisory Committee- (Organizations representing businesses required to collect hotel/motel tax, and organizations involving in activities authorized to be funded by hotel/motel taxes and local agencies involved in tourism promotion.)
- Parks and Recreation Advisory Board
- Planning Advisory Board
- Public Safety Advisory Committee
- Redevelopment Advisory Board

Name: Roger Thompson

Current Home Address: 10634 S Yakima (Please Print)

City: Toconama State: WA Zip: 98444

Home Phone Number: 206-851-7877 E-mail: rthompson197511@yahoo.com

Present Employer: NA

Address: \_\_\_\_\_ Work Phone: \_\_\_\_\_

CIVIL SERVICES COMMISSION APPLICANTS. PLEASE ANSWER QUESTIONS BELOW.

\*How long have you resided at the home address above? \_\_\_ Years 3 Months

\*Prior Home Address: 2224 E. Michigan Ave For how long? 6 yrs

\*Are you a citizen of the United States? Yes  No \_\_\_ (\*Submit I-9 Form attached)

\*Are you a registered voter of Pierce County? Yes  No \_\_\_

\*What political party are you affiliated with? Independent

\*Requirement of RCW 41.12 for Civil Service Commission appointments

Hobbies/Interests: playing drums, woodworking, praising GOD

Have you previously served or are you currently on one of the Boards or Commissions listed above? Yes \_\_\_ No  If yes, please explain: \_\_\_\_\_

Date available for appointment: 11-20-13

Are you available to attend evening meetings? Yes  No \_\_\_

Are you available to attend daytime meetings? Yes  No \_\_\_

Approximately how many hours each month can you devote to City business? 100

Recommended by: \_\_\_\_\_

Education: Purdue University B.S 2010

Professional and/or community activities: \_\_\_\_\_

Please share some of your experiences or qualifications that you have relating to the work of this board, committee or commission: \_\_\_\_\_

advisor to parks and recreation dept. Evansville, IN

Please explain why you would like to be part of this board, committee or commission: \_\_\_\_\_

To be a part of what makes the City of Lake wood great

If necessary, are you available for an interview prior to appointment? Yes  No \_\_\_  
Attach additional pages, if needed.

**ATTENDANCE:** Individuals appointed are expected to attend meetings regularly. The Council expects to be informed in the event any Committee, Board or Commission member has three unexcused absences. The Council, may in the event of three unexcused absences, dismiss the individual from service.

**EXPECTATIONS:** Adhere to City of Lakewood's Code of Ethics, regular attendance at meetings (three or more unexcused absences may be cause for removal), mutual respect among members, good listener, and flexible.

**PLEASE RETURN THIS FORM TO:** City of Lakewood  
City Clerk's Office  
6000 Main Street SW  
Lakewood, WA 98499  
(253) 589-2489 Fax: (253) 589-3774

I hereby certify that this application and any other materials and/or documents provided in this application process contains no willful misrepresentation and that the information given is true and complete to the best of my knowledge.

Signature:  Date: 11-19-13

CITY OF LAKEWOOD  
6000 Main Street SW  
Lakewood, WA 98499  
Phone: (253) 589-2489 Fax: (253) 589-3774

**APPLICATION FOR APPOINTMENT**

*The information in this document is subject to public disclosure and can be made available to the public.*

I wish to be considered for appointment to the following committee, board or commission:

- Arts Commission
- Citizens' Transportation Advisory Committee
- \*Civil Service Commission – (Please see box below for additional questions.)
- Community Development Block Grant (CDBG) Citizens Advisory Board
- Human Services Funding Advisory Board
- Lakewood's Promise Advisory Board
- Landmarks and Heritage Advisory Board
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- Parks and Recreation Advisory Board
- Planning Advisory Board
- Public Safety Advisory Committee
- Redevelopment Advisory Board

Name: Matthew J. Willin

(Please Print)

Current Home Address: 815 S Oxford St

City: Tacoma State: WA Zip: 98465

Home Phone Number: (253) 359-6790 E-mail: meff@momentum-partners.net

Present Employer: Momentum Partners Inc

Address: 4002 Tacoma Mall Blvd Ste 102 Work Phone: 866 826 6001 x102  
Tacoma, WA 98409

**CIVIL SERVICES COMMISSION APPLICANTS. PLEASE ANSWER QUESTIONS BELOW.**

\*How long have you resided at the home address above? \_\_\_ Years \_\_\_ Months

\*Prior Home Address: \_\_\_\_\_ For how long? \_\_\_\_\_

\*Are you a citizen of the United States? Yes \_\_\_ No \_\_\_ (\*Submit I-9 Form attached)

\*Are you a registered voter of Pierce County? Yes \_\_\_ No \_\_\_

\*What political party are you affiliated with? \_\_\_\_\_

\*Requirement of RCW 41.12 for Civil Service Commission appointments

(-OVER-)

Hobbies/Interests: See Attached

Have you previously served or are you currently on one of the Boards or Commissions listed above? Yes \_\_\_ No X If yes, please explain: \_\_\_\_\_

Date available for appointment: 12-18-13

Are you available to attend evening meetings? Yes X No \_\_\_

Are you available to attend daytime meetings? Yes X No \_\_\_

Approximately how many hours each month can you devote to City business? 10-20 hrs / week

Recommended by: Collic Chamber, Grady

Education: See Attached

Professional and/or community activities: See Attached

Please share some of your experiences or qualifications that you have relating to the work of this board, committee or commission: See Attached

Please explain why you would like to be part of this board, committee or commission: See Attached

If necessary, are you available for an interview prior to appointment? Yes X No \_\_\_  
Attach additional pages, if needed.

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**EXPECTATIONS:** Adhere to City of Lakewood's Code of Ethics, regular attendance at meetings (three or more unexcused absences may be cause for removal), mutual respect among members, good listener, and flexible.

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6000 Main Street SW  
Lakewood, WA 98499  
(253) 589-2489 Fax: (253) 589-3774

I hereby certify that this application and any other materials and/or documents provided in this application process contains no willful misrepresentation and that the information given is true and complete to the best of my knowledge.

Signature: Mick W... Date: 12-18-13

## **Application for Appointment Attachment:**

### **Hobbies/Interests:**

As the parent of a 15 month old, my hobbies and interests have shifted quite drastically over the past year. I enjoy lifting weights and seasonal sports with friends from church. However, with the addition of the baby I have begun to enjoy reading books to my son and pushing him on the swings at the park. My wife and I enjoy church events at Life Center in Tacoma where she sings in choir and we actively participate in the music program.

### **Education:**

I am a graduate of Bellarmine Preparatory School, class of 2001. I graduated from the University of Portland in 2005 with a Bachelor in Business Administration and emphasis in accounting.

### **Professional and/or Community Activities:**

My wife recently resigned from the Rescue Mission to be with my son full time. In the five years she was there I enjoyed helping with Rescue Mission events in the volunteer department and community relations. I am an active participant in church events at Life Center, including the Backpack Outreach and consult on Serve the City projects. I am an active member of the Youth Leadership Group at the Urban Land Institute.

### **Experiences and Qualifications:**

As partner and co-owner of a local Real Estate Development Company, Momentum Partners, Inc. I have participated in multiple development projects in the South Sound area. I have performed gap and demand analysis for the entire region and feel comfortable analyzing market segments to demonstrate areas for opportunity, improvement, and growth. The Company's primary project for the past two years is located in the city of Lakewood. Managing this project has provided a hands-on opportunity to meet and work closely with City officials, and thereby gain a valuable understanding of the community as well as the vision and strategic plan for the future of City of Lakewood.

### **Desire to Participate:**

As a young professional with a wife and 15 month old son I have been actively seeking a community to raise our family. Through my relationship with Ellie Chambers, I have begun to understand Lakewood on a deeper level. What I discovered is the City of Lakewood and I have an alignment in values and desire to improve. Professionally, I know the City has excellent metrics because I have analyzed them myself. Personally, my family and I come to Lakewood frequently to visit friends, shop, and play at the park. I would like to participate on the Redevelopment Advisory Board to serve my community and effect

change. I also believe my age is a strong advantage for selection. As a 30 year old, I believe I represent a large demographic of people we desire to live in our community. Through my profession as a developer and strong ties with the Urban Land Institute (ULI), I am privileged to development and demographic trends that will enhance the future construction of the City. I am a great listener, hard worker, and I'm not afraid to "roll up my sleeves" and get to work on the Board's initiatives.

Thank you for considering me for the Redevelopment Advisory Board.

Sincerely,

A handwritten signature in cursive script that reads "Matt Wallin".

Matt Wallin

# REQUEST FOR COUNCIL ACTION

<b>DATE ACTION IS REQUESTED</b> January 21, 2014	<b>TITLE:</b> Proposed Interlocal Agreement with Pierce County, amending the Pierce County Countywide Planning Policies, Centers of Local Importance (CoLIs)	<b>TYPE OF ACTION:</b> — ORDINANCE NO. ✓ RESOLUTION NO. 2014-01 — MOTION NO. — OTHER
<b>REVIEW:</b> January 13, 2014	<b>ATTACHMENTS:</b> 1. Lakewood City Council Resolution 2. Pierce County Ordinance No. 2013-53s 3. Exhibit A to Ordinance No. 2013-53s 4. Exhibit B to Ordinance No. 2013-53s 5. Exhibit C to Ordinance No. 2013-53s	

**SUBMITTED BY:** David Bugher, Assistant City Manager / Community Development Director.

**RECOMMENDATION:** It is recommended that the City Council adopt a resolution amending the Pierce County Countywide Planning Policies establishing Centers of Local Importance (CoLI). (The resolution would contain two attachments: 1) an executed interlocal agreement; and 2) the actual CoLI text.)

(Councilmembers do not have the ability to make line item modifications; this is a pass or fails policy choice.)

**DISCUSSION:** The attached interlocal agreement is between the cities of Pierce County and Pierce County, the purpose of which is to amend the Pierce County Countywide Planning Policies. If adopted, the interlocal agreement would create a new type of center for land use and transportation planning purposes. This new center designation is referred to as a Centers of Local Importance (CoLI). A CoLI serves to promote compact, pedestrian-oriented development with a mix if uses, proximity to diverse services and a variety of appropriate housing options, or be in an established industrial area.

*(See next page.)*

**ALTERNATIVE(S):** Pass a resolution in opposition to the proposed amendment.

**FISCAL IMPACT:** .If the City Council were to adopt the attached resolution, it increases opportunities for the City to receive grants for transportation funding through the Pierce County Regional Council. Adoption of this resolution will also require the City to incorporate the CoLIs into its comprehensive plan.

_____ Prepared by  _____ Department Director	 _____ City Manager Review
--	--

**DISCUSSION, CONTINUED:** The CoLI concept came about as a result of the unintended consequences of Regional Growth Centers (RGCs) being established in selected urban areas of Pierce County, namely, downtown Tacoma, the Tacoma Mall area, downtown Puyallup, South Hill, and the central business district and parts of the I-5 Corridor in the City of Lakewood. Under current rules, RGCs receive higher priority for transportation funding. However, smaller municipalities objected since their transportation projects would be less competitive. Through the actions of the Pierce County Transportation Coordinating Committee Chair, the Pierce County Growth Management Coordination Committee (GMCC) was requested to review a proposal to establish local centers. It was through this process that the CoLI concept evolved. The CoLI enables smaller cities transportation projects to compete more favorably for pass-down funding from the Puget Sound Regional Council. A CoLI is in effect a “mini-RGC.” To-date, 23 CoLIs has been proposed countywide.

The CoLI was reviewed by the GMCC, and the Pierce County Planning Commission. Both advisory groups recommended approval. The amendments were submitted to the Pierce County Council and were adopted by Ordinance No. 2013-53s on September 24, 2013. This Ordinance is not in effect until 60% of the jurisdictions representing 75% of the population in the county have approved the proposal. There is one exception to this rule: A jurisdiction shall be deemed as casting an affirmative vote if it has not taken legislative action to disapprove a proposed amendment within 180 days from the date Pierce County Council formally authorizes the Pierce County Executive to enter into the local agreement (March 23, 2014). For a proposal to not be ratified, more than 40% of the jurisdictions representing more than 25% of the population has to take a legislative action stating opposition to a proposal for ratification to fail. (Pierce County Countywide Planning Policy AT 1.2.1)

Lakewood has one RGC and no CoLI's, and for this transportation funding cycle, it places the City in a disadvantageous position. Thus, Lakewood CoLI's are being proposed as a means to enhance transportation funding opportunities.

RESOLUTION NO. 2014-01

A RESOLUTION of the City Council of the City of Lakewood, Washington, in support of the Pierce County's Countywide Planning Policies.

WHEREAS, on October 12, 2013, Pierce County Ordinance 2013-53s (the "Ordinance") became effective; and

WHEREAS the Ordinance sets forth a framework for local jurisdictions to ratify certain amendments to the Pierce County Countywide Planning Policies (CCPs); and

WHEREAS the City of Lakewood is in support of the amendments to the Pierce County CCPs.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DOES RESOLVE as Follows:

Section 1. The City of Lakewood approves the amendments to the Pierce County Countywide Planning Policies (CCPs). The City Manager or designee is authorized to execute the Proposed Amendment to the Pierce County Countywide Planning to Incorporate Criteria for the Designation of Centers of Local Importance, which is attached to this Resolution.

Section 2. Severability. If any sections, sentence, clause or phrase of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution or its application to any other person, property or circumstance.

Section 3. Contingent Effective Date. This Resolution shall be in full force and effect upon passage of Resolution 2014-02 entitled “A RESOLUTION of the City Council of the City of Lakewood, Washington, amending the City of Lakewood Comprehensive Plan to Recognize Centers of Local Importance.”

Section 4. The City Clerk is directed to transmit two certified copies of this Resolution to Pierce County Planning and Land Services.

PASSED by the City Council this 21st day of January, 2014.

CITY OF LAKEWOOD

\_\_\_\_\_  
Don Anderson, Mayor

Attest:

\_\_\_\_\_  
Alice M. Bush, MMC, City Clerk

Approved as to Form:

\_\_\_\_\_  
Heidi A. Wachter City Attorney

1 Sponsored by: Councilmembers Rick Talbert and Stan Flemming  
2 Requested by: Executive/Planning and Land Services  
3  
4  
5

6 **ORDINANCE NO. 2013-53s**  
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9 **An Ordinance of the Pierce County Council Acknowledging its Approval of**  
10 **a Proposed Amendment to Incorporate Criteria for the**  
11 **Designation of Centers of Local Importance in the Pierce**  
12 **County Countywide Planning Policies as Recommended by**  
13 **the Pierce County Regional Council; Authorizing the Pierce**  
14 **County Executive to Execute Interlocal Agreements with the**  
15 **Cities and Towns of Pierce County to Ratify the Proposed**  
16 **Amendments; and Adopting Findings of Fact.**  
17

18 **Whereas**, the Pierce County Regional Council (PCRC) was created in 1992 by  
19 interlocal agreement among the cities and towns of Pierce County and Pierce County  
20 Government (the County), and charged with responsibilities, including: serving as a  
21 local link to the Puget Sound Regional Council, promoting intergovernmental  
22 cooperation, facilitating compliance with the coordination and consistency requirements  
23 of the Growth Management Act (Chapter 36.70A., Revised Code of Washington [RCW])  
24 and the Regional Transportation Planning Organization (Chapter 47.80 RCW), and  
25 developing a consensus among jurisdictions regarding the development and  
26 modification of the Pierce County Countywide Planning Policies; and  
27

28 **Whereas**, the Pierce County Countywide Planning Policies (CPPs) are written  
29 policy statements which are to be used solely for establishing a countywide framework  
30 from which the County and municipal comprehensive plans are developed and adopted;  
31 and  
32

33 **Whereas**, the framework is intended to ensure that the County and municipal  
34 comprehensive plans are consistent; and  
35

36 **Whereas**, the County adopted its initial CPPs on June 30, 1992; and  
37

38 **Whereas**, the Pierce County Growth Management Coordinating Committee  
39 (GMCC) is a technical subcommittee to the PCRC, and the GMCC includes staff  
40 representatives from the County and the cities and towns within Pierce County; and  
41

42 **Whereas**, the PCRC, based upon the recommendation from the GMCC and its  
43 own discussions, recommended approval of the proposal at its March 21, 2013 meeting;  
44 and  
45

46 **Whereas**, amendments to the Pierce County Countywide Planning Policies must  
47 be adopted through amendment of the original interlocal agreement or by a new

1 interlocal agreement ratified by 60 percent of member jurisdictions in Pierce County  
2 representing 75 percent of the total population; and  
3

4 **Whereas**, demonstration of ratification shall be by execution of an interlocal  
5 agreement or the absence of a legislative action to disapprove a proposed amendment;  
6 and  
7

8 **Whereas**, an Interlocal Agreement entitled "Amendments to the Pierce County  
9 Countywide Planning Policies" has been developed for this purpose, and is included as  
10 Exhibit B to this Ordinance; and  
11

12 **Whereas**, a jurisdiction shall be deemed as casting an affirmative vote if it has  
13 not taken legislative action to disapprove a proposed amendment within 180 days from  
14 the date the Pierce County Council formally authorizes the Pierce County Executive to  
15 enter into an interlocal agreement; and  
16

17 **Whereas**, when ratified by the necessary number of cities and towns, Section  
18 19D.240 of the Pierce County Code (PCC), "Pierce County Countywide Planning  
19 Policies", shall be amended by a subsequent ordinance of the County Council to  
20 incorporate the recommended proposal; and  
21

22 **Whereas**, the Pierce County Planning Commission, at its May 28, 2013, regular  
23 public hearing, reviewed the proposed amendments to the Pierce County Countywide  
24 Planning Policies and recommended denial; and  
25

26 **Whereas**, an environmental review of the proposed amendments to the Pierce  
27 County Countywide Planning Policies was conducted pursuant to Chapter 43.21C RCW  
28 and a Determination of Nonsignificance was issued on June 26, 2013; and  
29

30 **Whereas**, after a properly noticed public hearing, the Community Development  
31 Committee of the Pierce County Council considered oral and written testimony and  
32 forwarded its recommendation to the full County Council; and  
33

34 **Whereas**, the County Council held a public hearing on September 10, 2013,  
35 where oral and written testimony was considered; and  
36

37 **Whereas**, the County Council finds that it is in the public interest to authorize the  
38 Pierce County Executive to execute the interlocal agreement; **Now Therefore**,

39  
40 **BE IT ORDAINED by the Council of Pierce County:**  
41

42 Section 1. The Pierce County Council acknowledges its approval of the  
43 amendments to the Pierce County Countywide Planning Policies recommended by the  
44 Pierce County Regional Council as set forth in Exhibit A, which is attached hereto and  
45 incorporated herein by reference.  
46

1        Section 2. The Pierce County Council authorizes the Pierce County Executive to  
2 execute Interlocal Agreements as set forth in Exhibit B, which is attached hereto and  
3 incorporated herein by reference, thereby ratifying the attached amendments to the  
4 Pierce County Countywide Planning Policies as recommended by the Pierce County  
5 Regional Council.

6  
7        Section 3. The Pierce County Council adopts Findings of Fact as shown in  
8 Exhibit C, which is attached hereto and incorporated herein by reference.

9  
10        PASSED this 24<sup>th</sup> day of September, 2013.

11  
12 ATTEST:

PIERCE COUNTY COUNCIL  
Pierce County, Washington

13  
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15 Denise D. Johnson  
16 Denise D. Johnson  
17 Clerk of the Council

Joyce McDonald  
18 Joyce McDonald  
19 Council Chair

20  
21 Pat McCarthy  
22 Pat McCarthy  
23 Pierce County Executive  
24 Approved  ~~Wetted~~, this  
25 2 day of October,  
26 2013.

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28 Date of Publication of

29 Notice of Public Hearing: August 14, 2013

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31 Effective Date of Ordinance: October 12, 2013

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Proposed Amendment  
to the  
Pierce County Countywide Planning  
to  
Incorporate Criteria for the Designation  
of  
Centers of Local Importance

1 *All text shown below is new.*

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3  
4 **Centers of Local Importance (CoLI) – Page 60:**

5  
6 ***Introduction language***

7 CoLIs are designated for the purpose of identifying local centers and activity nodes that are  
8 consistent with VISION 2040's Multi-county Planning Policies. Such areas promote compact,  
9 pedestrian-oriented development with a mix of uses, proximity to diverse services, and a variety  
10 of appropriate housing options, or be in an established industrial area.

11  
12 **Rural Areas – Page 62:**

13  
14 Rur-21. A CoLI may be located in a rural designated area.

15  
16 21.1 A CoLI within a rural area shall encompass similar design features as  
17 identified in UGA-48 through UGA-52.

18  
19 21.2 To be officially recognized, a CoLI within a rural area shall meet the same  
20 implementation strategy/process as set forth in UGA-53 through UGA-55.

21  
22 **Starting on Page 81:**

23  
24 ***Introduction language***

25 CoLIs are designated for the purpose of identifying local centers and activity nodes that are  
26 consistent with VISION 2040's Multicounty Planning Policies. Such areas promote compact,  
27 pedestrian-oriented development with a mix of uses, proximity to diverse services, and a variety  
28 of appropriate housing options, or be in an established industrial area.

29  
30 **Urban Growth Areas - Page 104:**

31  
32 ***Centers of Local Importance (CoLI)***

33 ***Concepts and Principles***

34  
35 UGA-49. A CoLI may be located in either an urban or rural area, and shall include activities  
36 that provide a focal point or sense of place for a community and its surrounding  
37 area.

38  
39 ***Design Features of CoLIs***

40  
41 UGA-50. A CoLI is characterized by a concentration of land uses or activities that provide a  
42 sense of place or gathering place for the community and neighborhood residents.  
43 A CoLI should include one or more the following characteristics:

44  
45 50.1 Civic services

46 50.2 Commercial areas

47 50.3 Recreational areas

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- 50.4 Industrial areas
- 50.5 Cultural facilities/activities
- 50.6 Historic buildings or sites
- 50.7 Residential areas

UGA-51. The size of a CoLI and the mix and density of uses are to be locally determined to meet community goals.

UGA-52. Each jurisdiction shall define the role that the CoLI plays in supporting planned growth.

UGA-53. A variety of appropriate transportation options and pedestrian-friendly design should be available or planned within a CoLI.

*Implementation Strategies*

UGA-54. A CoLI shall be locally adopted; approval by the PCRC or other regional organization shall not be required.

- 54.1 A jurisdiction shall document how an area meets the Design Features (UGA-48 through UGA-52) of a CoLI in its comprehensive plan.
- 54.2 The documentation should include examples, plans, or other information that supports the designation of a CoLI.
- 54.3 An area adopted as a CoLI shall be definitively delineated on a map within a jurisdiction's comprehensive plan.
- 54.4 A CoLI shall have appropriate land use designations, zoning regulations, and infrastructure plans for existing and planned development.
- 54.5 A comprehensive plan that utilizes an alternative label to refer to a CoLI shall be accompanied with adopted findings of fact that recognizes the area as a CoLI per the Pierce County CPPs.

UGA-55. A jurisdiction shall provide the PCRC notice of its intention to locally adopt a CoLI or recognize formally adopted CoLIs that meet the criteria.

- 55.1 The notice shall be provided to the PCRC 60 days (minimum) prior to the expected dated of adoption.
- 55.2 The notice shall provide information that identifies the location of the proposed CoLI and documents how the location meets the CoLI policies.

UGA-56. A locally adopted CoLI shall be recognized in Appendix B of the CPPs.

56.1 Jurisdictions shall forward a map of locally adopted CoLIs together with the comprehensive plan citations to the PCRC for inclusion into Appendix B. The adopted CoLIs shall be attached to the CPP publications as Appendix B for ease of reference. Appendix B shall not be considered a component of the CPPs and, accordingly, an update to Appendix B shall not constitute an amendment to the CPPs requiring ratification by Pierce County jurisdictions.

**INTERLOCAL AGREEMENT**

**AMENDMENTS TO THE PIERCE COUNTY  
COUNTYWIDE PLANNING POLICIES**

This agreement is entered into by and among the cities and towns of Pierce County and Pierce County. This agreement is made pursuant to the provisions of the Interlocal Cooperation Act of 1967, Chapter 39.34 RCW. This agreement has been authorized by the legislative body of each jurisdiction pursuant to formal action and evidenced by execution of the signature page of this agreement.

**BACKGROUND:**

- A. The Pierce County Regional Council (PCRC) was created in 1992 by interlocal agreement among the cities and towns of Pierce County and Pierce County. The organization is charged with responsibilities, including: serving as a local link to the Puget Sound Regional Council, promoting intergovernmental cooperation, facilitating compliance with the coordination and consistency requirements of the Growth Management Act (Chapter 36.70A RCW) and the Regional Transportation Planning Organization (Chapter 47.80 RCW), and developing a consensus among jurisdictions regarding the development and modification of the Countywide Planning Policies.
- B. The Pierce County Countywide Planning Policies provide for amendments to be adopted through amendment of the original interlocal agreement, or by a new interlocal agreement. The Pierce County Countywide Planning Policies may be amended upon the adoption of amendments by the Pierce County Council and ratification by 60 percent of the jurisdictions in Pierce County representing 75 percent of the total Pierce County population as designated by the State Office of Financial Management at the time of the proposed ratification.
- C. A demonstration of ratification shall be by execution of an interlocal agreement or the absence of a legislative action to disapprove a proposed amendment.
- D. A jurisdiction shall be deemed as casting an affirmative vote if it has not taken legislative action to disapprove a proposed amendment within 180 days from the date the Pierce County Council formally authorizes the Pierce County Executive to enter into an interlocal agreement.
- E. The amendment incorporates new policies that set criteria and a process for the formal recognition of areas that serve as important centers within Pierce County communities. This formal recognition may be used in future countywide project evaluations.
- F. The Pierce County Regional Council recommended adoption of the proposed amendment on March 21, 2013.

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**PURPOSE:**

This agreement is entered into by the cities and towns of Pierce County and Pierce County for the purpose of ratifying and approving the attached amendment to the Pierce County Countywide Planning Policies (Attachment).

**DURATION:**

This agreement shall become effective upon execution by 60 percent of the jurisdictions in Pierce County, representing 75 percent of the total Pierce County population as designated by the State Office of Financial Management at the time of the proposed ratification. This agreement will remain in effect until subsequently amended or repealed as provided by the Pierce County Countywide Planning Policies.

**SEVERABILITY:**

If any of the provisions of this agreement are held illegal, invalid, or unenforceable, the remaining provisions shall remain in full force and effect.

**FILING:**

A copy of this agreement shall be filed with the Secretary of State, Washington Department of Commerce, the Pierce County Auditor, and each city and town clerk.

IN WITNESS WHEREOF, this agreement has been executed by each member jurisdiction as evidenced by the signature page affixed to this agreement.

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**INTERLOCAL AGREEMENT**

**AMENDMENTS TO THE PIERCE COUNTY  
COUNTYWIDE PLANNING POLICIES**

Signature Page

The legislative body of the undersigned jurisdiction has authorized execution of the Interlocal Agreement, Amendments to the Pierce County Countywide Planning Policies.

IN WITNESS WHEREOF

This agreement has been executed by \_\_\_\_\_  
(Name of City/Town/County)

BY: \_\_\_\_\_  
(Mayor/Executive)

DATE: \_\_\_\_\_

Approved:

BY: \_\_\_\_\_  
(Director/Manager/Chair of County Council)

Approved as to Form:

BY: \_\_\_\_\_  
(City Attorney/Prosecutor)

Approved:

BY: \_\_\_\_\_  
(Pierce County Executive)

FINDINGS OF FACT

The Pierce County Council finds that:

1. The Pierce County Regional Council (PCRC) was created in 1992 by interlocal agreement among the cities and towns of Pierce County and Pierce County Government (the County), and charged with responsibilities, including: Serving as a local link to the Puget Sound Regional Council (PSRC), promoting intergovernmental cooperation, facilitating compliance with the coordination and consistency requirements of the Growth Management Act [GMA] (Chapter 36.70A RCW) and the Regional Transportation Planning Organization (Chapter 47.80 RCW), and developing a consensus among jurisdictions regarding the development and modification of the Countywide Planning Policies.
2. The GMA required the County to adopt a countywide planning policy in cooperation with the cities and towns located within Pierce County.
3. The Countywide Planning Policies are to be used for establishing a county-wide framework from which the comprehensive plans for Pierce County and the cities and towns within Pierce County are developed and adopted.
4. On June 30, 1992, the Pierce County Council passed No. Ordinance 92-74 adopting the initial Pierce County Countywide Planning Policies.
5. The GMA requires the central Puget Sound region to adopt multi-county planning policies.
6. The PSRC membership is comprised of central Puget Sound counties (King, Pierce, Snohomish, and Kitsap), cities and towns, ports, tribes, and transit agencies.
7. The PSRC is the regional authority to adopt multi-county planning policies.
8. The PSRC adopted VISION 2040 at its May 2008 General Assembly meeting.
9. VISION 2040 is the central Puget Sound region's multi-county planning policies.
10. VISION 2040 recognizes "many secondary hubs and concentrations of development also serve important roles as places for concentrating jobs, housing, shopping, and recreational opportunities."
11. VISION 2040 recognizes "small neighborhood centers and even activity hubs that serve as the crossroads in cities and communities of all sizes are also key in implementing a centers-based approach to development in the region."
12. VISION 2040 policy MPP-DP-13 "directs subregional funding, especially county-level and local funds, to centers designated through countywide processes, as well as town centers, and other activity nodes."
13. The PCRC directed the Growth Management Coordinating Committee to recommend policies to designate Centers of Local Importance (CoLI).

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14. The GMCC recommended new policies that set criteria and a process for the formal recognition of areas that serve as important centers within Pierce County communities.
15. This formal recognition may be used in future countywide project evaluations.
16. Designated CoLI may be incorporated into scoring criteria for the future distribution of subregional funding.
17. The PCRC based upon the recommendation from the GMCC, and its own discussions, recommended approval of the proposal at their March 21, 2013 meeting.
18. The Pierce County Planning Commission recommended denial of the proposal at its May 28, 2013 meeting.
19. The Pierce County Planning Commission recommendation to disapprove the proposal was the result of a tie vote (2-2).
20. An environmental review of the proposed amendments to the Pierce County Countywide Planning Policies was conducted pursuant to Chapter 43.21C RCW, and a Determination of Nonsignificance was issued on June 26, 2013.
21. The Pierce County Countywide Planning Policies include provisions addressing procedures for amending the Countywide Planning Policies.
22. The Pierce County Countywide Planning Policies require amendments to the Countywide Planning Policies to be adopted through an amendment of the original Interlocal Agreement or by a new interlocal agreement. The amendment will become effective when 60 percent of the cities, towns, and the County, representing 75 percent of the total population as designated by the State Office of Financial Management at the time of the proposed ratification become signatories to the agreement.
23. A demonstration of ratification shall be by execution of an interlocal agreement or the absence of a legislative action to disapprove a proposed amendment.
24. A jurisdiction shall be deemed as casting an affirmative vote if it has not taken legislative action to disapprove a proposed amendment within 180 days from the date the Pierce County Council formally authorizes the Pierce County Executive to enter into an interlocal agreement.
25. The Community Development Committee of the County Council, after a properly noticed public hearing, considered oral and written testimony, and forwarded its recommendation to the full Council.
26. The County Council held a public hearing on September 10, 2013, where oral and written testimony was considered.
27. It is in support of the amendment for providing consistency between the Pierce Countywide Planning Policies and VISION 2040.

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- 28. A subsequent ordinance of the County Council shall be necessary to acknowledge the ratification process and amend Section 19D.240 PCC, "Pierce County Countywide Planning Policies".
- 29. It is in the public interest to authorize the Pierce County Executive to execute the interlocal agreements.



# REQUEST FOR COUNCIL ACTION

<b>DATE ACTION IS REQUESTED</b> January 21, 2014	<b>TITLE:</b> Establishment of Centers of Local Importance	<b>TYPE OF ACTION:</b> <input type="checkbox"/> ORDINANCE NO. <input checked="" type="checkbox"/> RESOLUTION NO. 2014-02 <input type="checkbox"/> MOTION NO. <input type="checkbox"/> OTHER
<b>REVIEW:</b> January 13, 2014 January 15, 2014 (PAB)	<b>ATTACHMENTS:</b> 1. Draft Resolution & 2. CoLI Map	

**SUBMITTED BY:** Dan Catron, Principal Planner.

**RECOMMENDATION:** It is recommended that the City Council adopt a resolution identifying seven “Centers of Local Importance” within Lakewood’s incorporated limits and direct the Planning Advisory Board to amend Lakewood’s Comprehensive Plan accordingly.

**DISCUSSION:** In 2012 the Pierce County Regional Council (PCRC) gave direction to the Growth Management Coordinating Committee (GMCC) to draft criteria for adopting “local centers/activity nodes”. This was to aid the Transportation Coordinating Committee (TCC) in determining where “centers” were located for the purposes of allocating transportation funding. In January, 2013, the GMCC recommended draft policy amendments to the County-wide Planning Policies (CWPPs) regarding “**Centers of Local Importance**” (CoLI).

The GMCC recommendations were eventually adopted by the Pierce County Council as Ordinance 2013-53s on September 24, 2013<sup>1</sup>. (*See next page.*)

**ALTERNATIVE(S):** The Council could reduce or expand the number or the configurations of the proposed centers, or the Council could decline to establish any centers of local importance.

**FISCAL IMPACT:** There is no negative fiscal impact resulting from the designation of local centers. It is the intent of the designation that certain projects will be more successful in the competition for regional transportation funding.

Prepared by _____  Department Director	 _____ City Manager Review
--	--

<sup>1</sup> The approved amendments to the CWPPs are subject to ratification by 60 percent of the jurisdictions in Pierce County representing 75 percent of the total Pierce County population.

According to newly adopted CWPPs, Centers of Local Importance located within urban areas would be a focal point or sense of place for the community. These areas are expected to include a concentration of land uses or activities that provide a “sense of place” for the community. A CoLI should include one or more of the following land use resources:

- Civic services
- Commercial areas
- Recreational areas
- Industrial areas
- Cultural facilities/activities
- Historic buildings or sites
- Residential areas

Centers of Local Importance are designated by the local government with jurisdiction. Approval by the County, PCRC, or other state or regional organization is not required. A minimum 60-day notice to PCRC is required, and a local jurisdiction must also document how a CoLI meets the design features criteria. CoLI areas must be clearly delineated on a map and included in the jurisdiction’s comprehensive plan.

The Community Development Department is recommending that the following areas be designated as Centers of Local Importance:

1. Tillicum
2. Fort Steilacoom/ Oakbrook
3. Custer Road
4. Lakewood Industrial Park/ CPTC
5. South Tacoma Way
6. Springbrook
7. Woodbrook

The proposed designations have been reviewed by the Planning Advisory Board. A draft resolution is provided for the Council’s consideration which identifies the proposed center areas and describes the land use resources in each area that satisfy the requirements for designation of a CoLI. Designation of these areas pursuant to the CWPP criteria will give these areas more weight when competing for transportation funding at the county-wide level.

**Request by Council to Expand the Number of Centers:** At the City Council Study Session there was discussion about establishing an eighth center on the west side of the City where the boundaries of JBLM intersect with Nottingham Road SW, North Gate Road SW, and Meyers. The basis for the request centered on the ongoing transportation problems with this part of the City’s transportation system being used as a cut-through route by local JBLM traffic. This request, referred to as “Lake City West” has been added, although it is not as strong a candidate as the other proposed center locations. The rationale for the proposal is contained in the draft resolution.

RESOLUTION NO. 2014-02

A RESOLUTION of the City Council of the City of Lakewood, Washington, amending the City of Lakewood Comprehensive Plan to Recognize Centers of Local Importance.

WHEREAS, the Washington State Growth Management Act (GMA) requires cities such as the City of Lakewood to prepare a comprehensive plan with certain required elements; and,

WHEREAS, the Washington State Growth Management Act requires that local comprehensive plans be consistent with one another; and

WHEREAS, Pierce County has adopted County-wide Planning Policies (CWPPs) as a framework to help ensure consistency between the comprehensive plans of differing jurisdictions, including the County, as required by RCW 36.70A.100; and

WHEREAS, The Puget Sound Regional Council (PSRC) has been formed to coordinate growth on a region-wide basis; and

WHEREAS, the PCRC has adopted the VISION 2040 plan which promotes an environmentally friendly growth pattern that will contain the expansion of urban growth areas, conserve farm and forest lands, support compact communities where people may both live and work, and will focus new employment and housing in vibrant urban centers; and

WHEREAS, The VISION 2040 plan includes a set of multicounty planning policies (required by the Growth Management Act) that provide an integrated framework for addressing land use, economic development, transportation, public facilities, and environmental issues; and

WHEREAS, VISION 2040 provides clear and specific guidance for the distribution of population and employment growth into types of places defined as “regional geographies.” The largest share of growth is distributed to metropolitan and core cities — places with designated

regional growth centers that are already connected by major transportation corridors and high capacity transit; and

WHEREAS, within the metropolitan and core cities, VISION 2040 supports concentrating population and employment growth in regionally designated growth centers. These centers serve as hubs for regional transportation, public services and amenities; and

WHEREAS, the Pierce County County-wide Planning Policies are proposed to be amended as outlined in Pierce County Ordinance No. 2013-53s to provide for designation of Centers of Local Importance (CoLIs) for the purpose of identifying local centers and activity nodes consistent with VISION 2040's Multicounty Planning Policies. Such areas promote compact, pedestrian-oriented development with a mix of uses, proximity to diverse services, and a variety of appropriate housing options, or are located in an established industrial area; and

WHEREAS, designated Centers of Local Importance will be used as one of several criteria to rank proposals for transportation funding administered through the Pierce County Transportation Coordinating Committee (TCC) and the Pierce County Regional Council (PCRC); and

WHEREAS, Pierce County Ordinance No. 2013-53s sets forth criteria and a process for local jurisdictions to designate Centers of Local Importance; and

WHEREAS, after significant public participation and review, and after environmental review consistent with the Washington State Environmental Policy Act (SEPA), the Lakewood City Council adopted its first permanent Comprehensive Plan on the 20<sup>th</sup> day of July, 2000; and

WHEREAS, following that Comprehensive Plan adoption, and in accordance with the statutory scheme for comprehensive plan amendments, the City may engage in the process to review requests and proposals for amendment of the Comprehensive Plan only once each year;

and

WHEREAS, in 2014 the Lakewood Planning Advisory Board has reviewed proposed amendments to the City's comprehensive plan that would delineate and designate several Centers of Local Importance as shown on the attached Figure 1; and

WHEREAS the Planning Advisory Board has held a duly noticed public hearing and considered citizen input regarding establishment of the proposed CoLIs as an amendment to the comprehensive plan; and

WHEREAS, the Planning Advisory Board has found that the proposed CoLIs are consistent with the concepts, principles, and design features of CoLIs as outlined in CWPP Sections UGA-48 through UGA-52.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DOES RESOLVE as Follows:

Section 1. Centers of Local Importance identified.

The following areas shown on the map attached as **Figure 1** are hereby designated as Centers of Local Importance pursuant to the Pierce County County-wide Planning Policies (CWPP) as amended by Pierce County Council Ordinance No. 2013-53s:

- A. Tillicum
- B. Fort Steilacoom/ Oakbrook
- C. Custer Road
- D. Lakewood Industrial Park/ CPTC
- E. South Tacoma Way
- F. Springbrook
- G. Woodbrook
- H. Lake City West

Section 2. Rationale and Required Findings

Centers of Local Importance are described in the CWPPs as areas that “promote compact, pedestrian-oriented development with a mix of uses, proximity to diverse services, and a variety of appropriate housing options, or be in an established industrial area.”

CWPP Policy UGA-49 states that “A CoLI may be located in either an urban or rural area, and shall include activities that provide a focal point or sense of place for a community and its surrounding area”; and UGA-50 states “A CoLI is characterized by a concentration of land uses or activities that provide a sense of place or gathering place for a community and its surrounding area.”

The seven CoLIs are designated based on the following rationale:

### Tillicum

The community of Tillicum is designated as a Center of Local Importance based on its characteristics as a compact, walkable community with its own unique identity and character. The area is located just outside the main gates of both Joint Base Lewis-McChord (JBLM) and Camp Murray National Guard Base (“Camp Murray”). The area is geographically isolated from the rest of Lakewood because of inadequate street connections. The only practical access to the area is provided by Interstate 5. This center provides a sense of place and serves as a gathering point for both neighborhood residents and the larger region with regard to the resources it provides for Camp Murray, JBLM, and access to American Lake.

The Tillicum area includes many of the design features for a Center of Local Importance (CoLI) as described in CWPP UGA-50, including:

- Civic services including the Tillicum Community Center, Tillicum Elementary School, a fire station, JBLM and Camp Murray, the Tillicum Youth and Family Center, and several veterans service providers.
- Commercial properties along Union Ave. SW that serve highway traffic from I-5, personnel from JBLM and Camp Murray, and local residents.
- Recreational facilities including Harry Todd Park, the Commencement Bay Rowing Club, and a WDFW boat launch facility that attracts boaters from around the region.
- Historic resources including Thornewood Castle. Much of the area was developed between 1908 and the 1940s. The street pattern around Harry Todd Park reflects the alignment of a trolley line that served the area in the early 1900’s.
- Approximately 62 acres partially developed with, and zoned for, multi-family residential uses.

The Tillicum area is subject to specific treatment in the Comprehensive Plan (Section 3.10, Goal LU-52, LU-53 and Policies LU-53.1 through LU-53.4.) Also, the City adopted the Tillicum Neighborhood Plan in June 2011.

### Fort Steilacoom/Oakbrook

The Fort Steilacoom/Oakbrook area is being designated as a CoLI based on its characteristics as a discrete area providing resources of both local and statewide importance. Fort Steilacoom was one of earliest outposts of European settlement in the Northwest. The Fort was later expanded and converted to Western State Hospital. The hospital currently serves approximately 800 patients and employs approximately 1,850 staff. Pierce College was developed on approximately 75 acres of surplus hospital property beginning in 1967. The remaining hospital farmland south of Steilacoom Boulevard became Fort Steilacoom Park in the late 1970s. The designated CoLI area includes Western State Hospital, the Pierce College campus, Fort Steilacoom Park, and commercial and multi-family residential development immediately adjacent to the east.

The designated center area includes many of the design features for a Center of Local Importance (CoLI) as described in CWPP UGA-50, including:

- Civic services, including Western State Hospital, the Oakbrook Fire Station, Pierce College, Custer Elementary and Hudtloff Junior High Schools, commercial areas, recreational areas, cultural facilities and activities, historic buildings and sites, and residential areas.
- Commercial services in the Oakbrook and Thunderbird Plaza shopping centers;
- Recreational resources in Fort Steilacoom Park including Waughop Lake and the Fort Steilacoom Golf Course;
- Cultural and Historic Resources in the Western State Hospital and Fort Steilacoom buildings and the Fort Steilacoom History Museum; and,
- Residential resources in the multi-family residential areas north of the Oakbrook and Thunderbird Plaza commercial areas.

Further development at Western State Hospital and Pierce College is guided by master plan documents developed for each entity and implemented through discretionary land use permits (administrative use permits and conditional use permits) issued by the City. Fort Steilacoom Park is managed through the City's Legacy Plan which guides development of the City's parks and recreation programs.

### Custer Road

The Custer Road area is being designated as a CoLI based on its emerging status as a significant urban node of the City. The area is bounded by Flett Creek on the west, the Flett Wetlands to the south, Leach Creek and Meadowpark Golf Course to the north, and the City boundary/ Calvary cemetery and Mount Tahoma High School to the east. Custer Road is a Principal Arterial street supporting numerous retail facilities and restaurants. The designated center area includes many of the

design features for a Center of Local Importance (CoLI) as described in CWPP UGA-50, including:

- Important commercial resources including a Wal-Mart Superstore, H and L Produce and a variety of resident-serving commercial uses along Custer Road through this area;
- Industrial facilities (Mutual Materials and Sound Glass);
- Residential resources in the underdeveloped areas south of Custer Road which are zoned for multi-family and mixed residential uses.

### Lakewood Industrial Park/ CPTC

The Lakewood Industrial Park/Clover Park Technical College (LIP/CPTC) area is designated as a Center of Local Importance based on its status as an intense industrial and educational activity hub for the City. The designated center area includes many of the design features for a Center of Local Importance (CoLI) as described in CWPP UGA-50, including:

Civic services: CPTC has an average enrollment of approximately 3,400 students and employs approximately 475 faculty. The CoLI area also includes the Lakewood YMCA, the Lakewood Police Department Headquarters, a Fire Station, the Clover Park School District Auxiliary Services Center, and the newly constructed Harrison Preparatory Academy serving approximately 1,450 K-12 students.

Industrial areas: The Lakewood Industrial Park is located on 170 acres and supports 64 businesses with 1,250 employees. The delineated area also includes a Lowe's Home Improvement Center on 100<sup>th</sup> Street SW. The Lakewood Industrial Park has access to the Sound Transit railroad right-of-way along Lakeview Drive SW.

Development in the Lakewood Industrial Park and Clover Park Technical College is guided by master plans adopted for both facilities.

### South Tacoma Way

South Tacoma Way is designated as a CoLI based on its commercial significance to the City. Prior to the construction of Interstate 5 in the late 1950's, South Tacoma Way was part of State Route 99, the primary north-south highway through the Puget Sound region. The South Tacoma Way area is now the City's most prolific commercial area and home to a nascent "International District". The area supports a number of commercial establishments, Pierce Transit headquarters, and other businesses.

### Springbrook

The area just outside the gate to JBLM on Bridgeport Way SW is designated as a CoLI based on its importance to the City and special status as a compact high-density residential area. The area includes the main access gate to the air-field portion of JBLM. The area currently includes Springbrook Park, CenterForce Industries, neighborhood commercial uses, and approximately 100 acres of multi-family residential zoning currently developed with approximately 1,565 multi-family dwelling units. A new water line has recently been extended to the area which will help accommodate additional growth.

### Woodbrook

The central Woodbrook area is proposed to be designated as a CoLI based on its emergence as an important industrial node. Approximately 170 acres have been zoned for industrial uses. Sewers have been extended to the area and roadway improvements have been made to accommodate redevelopment of the area with industrial uses and to facilitate traffic using the JBLM Logistics gate at the end of Murray Road SW. Additional improvements are planned. One 45,000 sq. ft. industrial building has been constructed, and approximately 700,000 sq. ft. of additional industrial space has been approved for development. The City adopted the Woodbrook Business Park Development Report in July, 2009, which analyzes development issues and makes recommendations regarding redevelopment of the area with industrial uses.

### Lake City West

The area just outside the North Gate Road at JBLM has emerged as a major traffic corridor with the expansion of North Gate on JBLM. A major expansion of North Gate has occurred with hundreds of new low - and medium - density single family residences, two new elementary schools, and military barracks serving military personnel and their families. North Gate has also expanded to include new military industrial warehousing. Consequently, these land use changes have modified the City's street classification system and impacted existing residential neighborhoods. Traffic currently moves from North Gate to Lake City West, and then to Washington Boulevard SW, which operates at a designated Level of Service rating of "F."

Section 2. Comprehensive Plan amendment. The Lakewood City Council hereby expresses its intent to add a new Section 2.5 to the text of the Comprehensive Plan as part of the 2014 amendment package as follows:

## 2.5 Centers of Local Importance

Centers of Local Importance (CoLI), shown in **Figure 1**, are designated pursuant to the Pierce County County-wide Planning Policies for the purpose of identifying local centers and activity nodes that are consistent with VISION 2040's Multicounty Planning Policies. Such areas promote compact, pedestrian oriented development with a mix of uses, proximity to diverse services, and a variety of appropriate housing options, or are located in an established industrial area.

The existing Section 2.5- Urban Growth Areas shall be renumbered as Section 2.6.

Section 3. Severability. If any portion of this Resolution or its application to any person or circumstances is held invalid, the remainder of the Resolution or the application of the provision to other persons or circumstances shall not be affected.

Section 4. Effective Date. That this Resolution shall be in full force and effect immediately upon its adoption by the Lakewood City Council.

ADOPTED by the City Council this 21st day of January, 2014.

CITY OF LAKEWOOD

Attest:

\_\_\_\_\_  
Don Anderson, Mayor

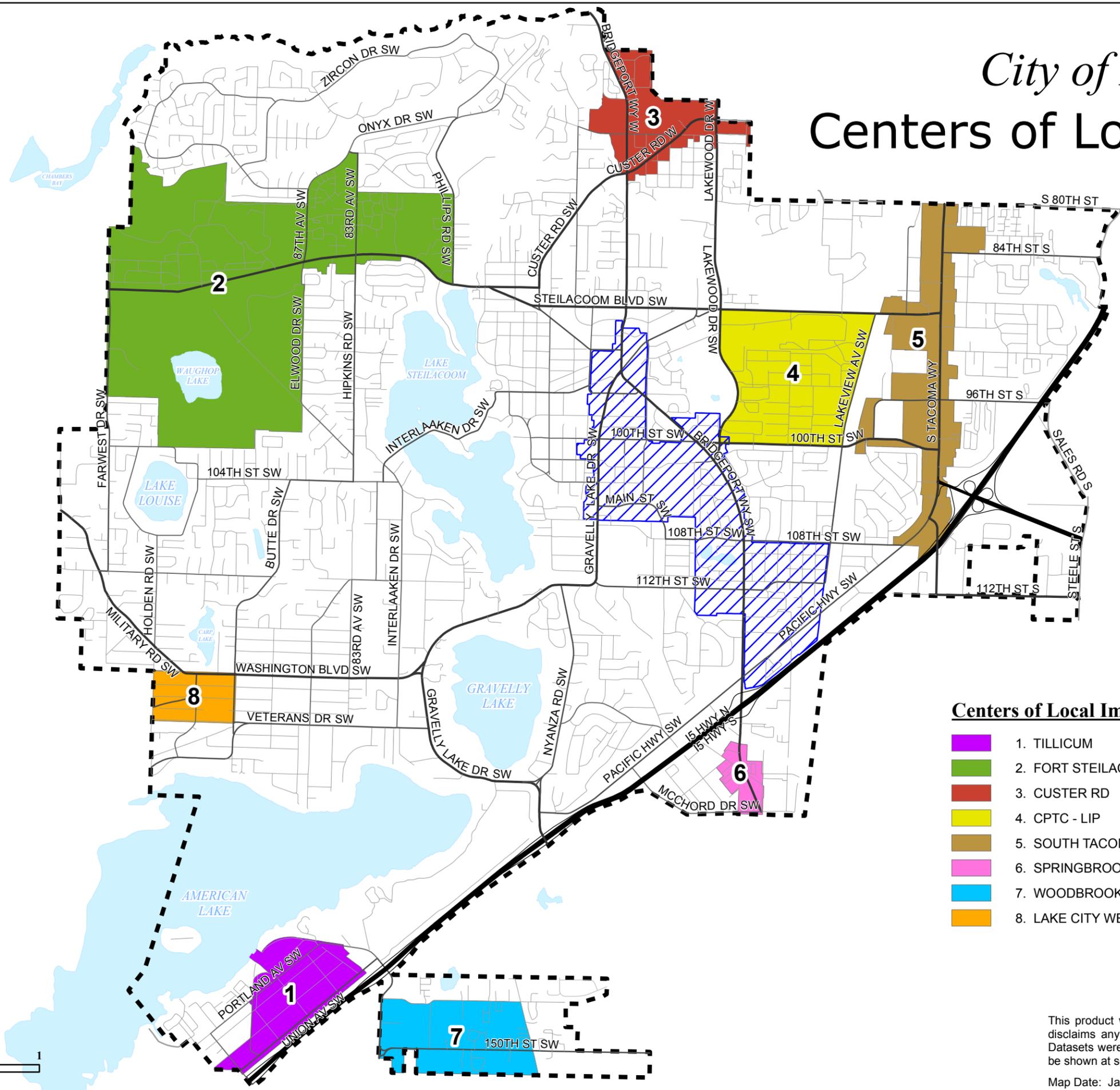
\_\_\_\_\_  
Alice M. Bush, CMC, City Clerk

Approved as to Form:

\_\_\_\_\_  
Heidi Ann Wachter, City Attorney

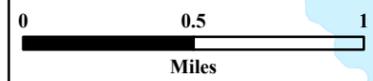


# City of Lakewood Centers of Local Importance



### Centers of Local Importance:

-  1. TILlicUM
  -  2. FORT STEILACOOM
  -  3. CUSTER RD
  -  4. CPTC - LIP
  -  5. SOUTH TACOMA WAY
  -  6. SPRINGBROOK
  -  7. WOODBROOK
  -  8. LAKE CITY WEST
-  Urban Center
  -  Lakewood City Limit



This product was prepared with care by City of Lakewood GIS. City of Lakewood expressly disclaims any liability for any inaccuracies which may yet be present. This is not a survey. Datasets were collected at different accuracy levels by various sources. Data on this map may be shown at scales larger than its original compilation. Call 253-589-2489 for further information.

Map Date: January 15, 2014

# REQUEST FOR COUNCIL ACTION

<b>DATE ACTION IS REQUESTED:</b> January 21, 2014	<b>TITLE:</b> Department of Ecology Centennial Clean Water Program Grant, Agreement # G1400475	<b>TYPE OF ACTION:</b> — ORDINANCE — RESOLUTION <u>X</u> MOTION 2014-03 — OTHER
<b>REVIEW:</b> January 21, 2014	<b>ATTACHMENTS:</b> Grant Agreement Project Vicinity Map	

**SUBMITTED BY:** Don E. Wickstrom, Public Works Director

**RECOMMENDATION:** It is recommended that the City Council authorize the City Manager to execute the Washington Department of Ecology Centennial Clean Water Program Grant, Agreement # G1400475. The agreement sets the terms and conditions of the \$150,000 grant for preparation of a lake management plan for Waughop Lake located in Ft. Steilacoom Park.

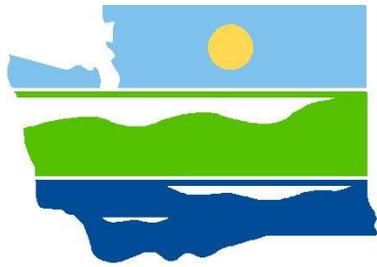
**DISCUSSION:** Waughop Lake has excess nutrients in the water and sediment, which results in frequent toxic algae blooms and posted closures of the lake. A lake management plan will help determine what efforts are needed to improve the water quality and restore the lake to a more usable condition. The anticipated project schedule is as follows:

Hire a consultant to assist with plan preparation:	February – March 2014
Public involvement/stakeholder process:	Throughout life of project
Draft plan preparation (including lake monitoring, etc.):	April 2014 – July 2015
Final lake management plan:	September 2015

**ALTERNATIVE(S):** An alternative would be to decline executing the grant agreement. The project is not otherwise funded.

**FISCAL IMPACT:** The match requirement for this grant is 25% or \$50,000, which would be paid for from the SWM – 401 Fund.

Prepared by _____  _____ Department Director	 _____ City Manager Review
---	--



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

**CENTENNIAL CLEAN WATER PROGRAM (CENTENNIAL)**

**GRANT FUNDING AGREEMENT BETWEEN  
THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY  
AND THE**

**CITY OF LAKEWOOD**

**GRANT AGREEMENT NUMBER  
G1400475**

**WAUGHOP LAKE MANAGEMENT PLAN**

TABLE OF CONTENTS

PART I. GENERAL INFORMATION ..... 1

PART II. PROJECT SUMMARY ..... 2

PART III. PROJECT BUDGET ..... 3

PART IV. PROJECT GOALS AND OUTCOMES ..... 3

PART V. SCOPE OF WORK..... 4

PART V(A). SPECIAL TERMS AND CONDITIONS ..... 5

PART VI. ALL WRITINGS CONTAINED HEREIN ..... 6

ATTACHMENT I: GENERAL PROJECT MANAGEMENT REQUIREMENTS ..... 7

    BEST MANAGEMENT PRACTICES (BMP) IMPLEMENTATION.....7

    BMP TRACKING/INVOICING .....7

    CENTENNIAL-FUNDED PROJECTS USED TO MATCH SECTION 319-FUNDED PROJECTS .....7

    CULTURAL AND HISTORIC RESOURCES PROTECTION .....7

    EDUCATION AND OUTREACH.....8

    EFFECTIVE DATE.....8

    FUNDING RECOGNITION .....8

    INCREASED OVERSIGHT (IF APPLICABLE).....9

    INDIRECT RATE .....9

    TO ACKNOWLEDGE OVERHEAD COSTS, THE RECIPIENT MAY CHARGE AN INDIRECT RATE OF UP TO 25 PERCENT  
    BASED ON EMPLOYEES’ DIRECT SALARY AND BENEFIT COSTS INCURRED WHILE CONDUCTING PROJECT-RELATED  
    WORK. THE DEPARTMENT’S FINANCIAL MANAGER MAY REQUIRE A LIST OF ITEMS INCLUDED IN THE INDIRECT RATE  
    AT ANY TIME.....9

    MATCHING REQUIREMENTS .....9

    MINORITY AND WOMEN’S BUSINESS PARTICIPATION .....9

    PAYMENT REQUEST SUBMITTALS.....10

    NEW ELECTRONIC SYSTEM: ECOLOGY ADMINISTRATION OF GRANTS AND LOANS (EAGL).....12

POST PROJECT ASSESSMENT.....	12
PROCUREMENT .....	12
PROGRESS REPORTS .....	12
REQUIRED DOCUMENT SUBMITTALS .....	12
VOLUNTEER TIME DOCUMENTATION .....	13
WATER QUALITY MONITORING.....	13
<b>ATTACHMENT II: GENERAL TERMS AND CONDITIONS PERTAINING TO GRANT AND LOAN AGREEMENTS OF THE DEPARTMENT OF ECOLOGY .....</b>	<b>15</b>
A. RECIPIENT PERFORMANCE .....	15
B. SUBGRANTEE/CONTRACTOR COMPLIANCE.....	15
C. THIRD PARTY BENEFICIARY .....	15
D. CONTRACTING FOR SERVICES (BIDDING).....	15
E. ASSIGNMENTS .....	15
F. COMPLIANCE WITH ALL LAWS.....	15
G. KICKBACKS.....	16
H. AUDITS AND INSPECTIONS .....	16
I. PERFORMANCE REPORTING.....	16
J. COMPENSATION.....	16
K. TERMINATION.....	17
L. WAIVER .....	18
M. PROPERTY RIGHTS .....	18
N. SUSTAINABLE PRODUCTS.....	19
O. RECOVERY OF PAYMENTS TO RECIPIENT .....	19
P. PROJECT APPROVAL.....	20
Q. DISPUTES .....	20
R. CONFLICT OF INTEREST .....	20
S. INDEMNIFICATION .....	20
T. GOVERNING LAW .....	21
U. SEVERABILITY .....	21
V. PRECEDENCE.....	21
W. FUNDING AVAILABILITY .....	21

**CENTENNIAL CLEAN WATER PROGRAM (CENTENNIAL)**

**FUNDING AGREEMENT BETWEEN  
THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY  
AND THE  
CITY OF LAKEWOOD**

THIS is a binding agreement between the state of Washington Department of Ecology (DEPARTMENT) and the City of Lakewood (RECIPIENT). The purpose of this agreement is to provide funds to the RECIPIENT, who will carry out the requirements described in this agreement.

**PART I. GENERAL INFORMATION**

Project Title:	Waughop Lake Management Plan
Grant Number:	G1400475
State Fiscal Year:	2014
Total Project Cost:	\$200,000
Total Eligible Cost:	\$200,000
DEPARTMENT Share:	\$150,000
RECIPIENT Share:	\$50,000
DEPARTMENT Maximum Percentage:	75%
Effective Date:	January 1, 2014
Expiration Date:	December 31, 2015

**RECIPIENT Information**

RECIPIENT Name:	City of Lakewood
Mailing Address:	6000 Main Street SW Lakewood, WA 98499
Fax Number:	(253) 512-2268
Federal Taxpayer ID Number:	91-1698185
Data Universal Numbering System (DUNS) Number:	949462758
PROJECT Manager:	Greg Vigoren
Email Address:	gvigoren@cityoflakewood.us
Phone Number:	(253) 983-7795

PROJECT Financial Officer: DJ Lietzau  
Email Address: dlietzau@cityoflakewood.us  
Phone Number: (253) 983-7795

**DEPARTMENT Contact Information**

Project Manager: Tammy Riddell  
Email Address: tammy.riddell@ecy.wa.gov  
Phone Number: (360) 407-6295  
Fax Number: (360) 407-407-6305  
Address: WA State Department of Ecology  
Southwest Regional Office  
P.O. Box 47775  
Olympia, WA 98504-7775

Financial Manager: Lori Gregg  
Email Address: lori.gregg@ecy.wa.gov  
Phone Number: (360) 407-6541  
Fax Number: (360) 407-7151  
Address: WA State Department of Ecology  
Water Quality Program, FMS  
P.O. Box 47600  
Olympia, WA 98504-7600

**CHECK ALL THAT APPLY:**

- Section 319 Funds: (Catalog of Federal Domestic Assistance No. 66.460)  
 Yes Amount:  No
- Centennial Funds (state funds):  Yes Amount: **\$150,000**  No
  - If Yes, will this project be used to match Section 319 funds?  
 Yes  No
- Increased Oversight:  Yes  No

**PART II. PROJECT SUMMARY**

The purpose of the project is to prepare a lake management plan for Waughop Lake located in Fort Steilacoom Park in Lakewood. Waughop Lake has excess nutrients in the water and sediment, which results in frequent toxic algae blooms. A lake management plan will help determine what efforts are needed to improve the water quality and restore the lake to a more usable condition.

**PART III. PROJECT BUDGET**

<b>Waughop Lake Management Plan</b>		
<b>TASKS</b>	<b>TOTAL PROJECT COST</b>	<b>TOTAL ELIGIBLE COST (TEC)</b>
1 – Project Administration/Management	\$10,000	\$10,000
2 – Lake Management Plan for Waughop Lake	\$190,000	\$190,000
Total	\$200,000	\$200,000
<b>The DEPARTMENT's Fiscal Office will track to the Total Eligible Cost.</b>		
<b>MATCHING REQUIREMENTS</b>		
DEPARTMENT Share: 75% of TEC		\$150,000
RECIPIENT Share: 25% of TEC		\$50,000
Cash                 \$ Interlocal           \$ In-kind                \$ Is any combination of the above match allowed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

**PART IV. PROJECT GOALS AND OUTCOMES**

- A. Financial Assistance Water Quality Project Goals: One or more of the selected following goals apply to this project.
- Severe Public Health Hazard or Public Health Emergency eliminated.
  - Designated beneficial uses will be restored or protected, 303(d)-Listed water bodies restored to water quality standards, healthy waters prevented from being degraded.
  - Regulatory compliance with a consent decree, compliance order, TMDL or waste load allocation, etc., achieved.
- B. Water Quality and Environmental Outcomes: The following are the anticipated water quality and environmental improvements from the project.
- Water quality needs identified for future corrective action.

- C. Performance Items and Deliverables: The following are the anticipated action items playing an integral role in implementation of the project.
1. Development of lake management plan.
  2. Water quality monitoring plan if additional water quality data is necessary.

## **PART V. SCOPE OF WORK**

### **Task 1 - Project Administration/Management (Total Task Cost: \$10,000)**

- A. The RECIPIENT will administer the project. Responsibilities will include, but not be limited to: maintenance of project records; submittal of payment vouchers, fiscal forms, and progress reports; compliance with applicable procurement, contracting, and interlocal agreement requirements; application for, receipt of, and compliance with all required permits, licenses, easements, or property rights necessary for the project; and submittal of required performance items.
- B. The RECIPIENT must manage the project. Efforts will include: conducting, coordinating, and scheduling project activities and assuring quality control. Every effort will be made to maintain effective communication with the RECIPIENT's designees; the DEPARTMENT; all affected local, state, or federal jurisdictions; and any interested individuals or groups. The RECIPIENT must carry out this project in accordance with any completion dates outlined in this agreement.
- C. The RECIPIENT will submit to the DEPARTMENT's Project Manager the following documents and in the quantities identified:
- Draft project completion report – one copy.
  - Final project completion reports – five copies.
  - Electronic copy of completion report – one copy.

The project completion report will contain deliverables (milestones) from each task, a summary page stating the items completed in each task, and a table of contents. The draft completion report will be due 45 days before the project expiration date.

#### **Required Performance:**

1. Effective administration and management of this grant project.
2. Timely submittal of all required performance items, progress reports, and financial vouchers.
3. Submittal of **draft** project completion report to the DEPARTMENT's Project Manager no later than **November 15, 2015 (approximately 45 days from expiration date)**.
4. Submit at least five hard copies and one electronic copy of the final project report after a draft has been approved by the DEPARTMENT.

**Task 2 – Lake Management Plan for Waughop Lake (Total Task Cost: \$190,000)**

- A. The RECIPIENT will select a consultant to assist with plan preparation using their standard consultant selection process. The process includes advertising the project in the City’s newspaper of record stating the requirements of the Lake Management Plan, and requesting Statement of Qualifications (SOQ) from potential applicants. SOQs will be evaluated and rated, the top three applicants will be chosen and interviewed, and a final selection will be made. Record of this process will be kept for potential future review and archiving.
- B. The RECIPIENT will develop and hold a public involvement/stakeholder process. This process will include, but not be limited to, holding public meetings at key junctures during the plan preparation to describe findings and recommendations and obtain public input.
- C. The RECIPIENT will prepare a lake management plan based on monitoring results, hydrogeological data, historical land use data, and public involvement.
- D. If it is determined through the public involvement/stakeholder process there is a need for additional water quality monitoring data, the RECIPIENT will develop a Quality Assurance and Project Plan (QAPP) using DEPARTMENT guidelines. The QAPP will be submitted to the DEPARTMENT for review, comment, and approval before initiating monitoring activities eligible for grant funding/reimbursement.

**Required Performance:**

- 1. Select a consultant and keep a record of consultant selection process.
- 2. Develop and keep a record of public involvement/stakeholder process.
- 3. Submit draft QAPP to DEPARTMENTs Project Manager for review and approval.
- 4. Submit water quality data into Environmental Information Monitoring (EIM) by November 1, 2015.
- 5. Final lake management plan completed by September 2015.

**PART V(a). SPECIAL TERMS AND CONDITIONS**

- A. The DEPARTMENT will evaluate the status of this project, 18 months from the effective date of the agreement. The DEPARTMENT’s Project Manager and Financial Manager will meet with the RECIPIENT to review spending trends, completion of outcome measures, and overall project administration and performance. Failure to make satisfactory progress toward achieving project outcomes may result in changes in scope of work, reduction of funds, or increased oversight measures as determined by the DEPARTMENT.

**PART VI. ALL WRITINGS CONTAINED HEREIN**

The following contain the entire understanding between the parties, and there are no other understandings or representations other than as set forth, or incorporated by reference, herein:

- This agreement
- Attachment I: General Project Management Requirements
- Attachment II: General Terms and Conditions
- The effective edition, at the signing of this agreement, of the DEPARTMENT's "Administrative Requirements for Recipients of Ecology Grants and Loans"
- Funding Guidelines FY 2014 – 2015.
- The applicable statutes and regulations

No subsequent modifications or amendments of this agreement will be of any force or effect unless signed by authorized representatives of the RECIPIENT and the DEPARTMENT and made a part of this agreement, EXCEPT that in response to a request from the RECIPIENT, the DEPARTMENT may redistribute the grant budget. The DEPARTMENT or the RECIPIENT may change their respective staff contacts without the concurrence of either party.

The RECIPIENT acknowledges that they have had the opportunity to thoroughly review the terms of this agreement, the attachments, all incorporated or referenced documents, as well as all applicable statutes, rules, and guidelines mentioned in this agreement.

IN WITNESS WHEREOF, the parties hereby execute this agreement:

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

CITY OF LAKEWOOD

\_\_\_\_\_  
DONALD A. SEEBERGER                      DATE  
WATER QUALITY ACTING PROGRAM  
MANAGER

\_\_\_\_\_  
JOHN J. CAULFIELD                      DATE  
CITY MANAGER

(Revised July 2013)

ATTEST:

By: \_\_\_\_\_  
Alice M. Bush, MMC/AAE, City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Heidi Ann Wachter, City Attorney

## **ATTACHMENT I: GENERAL PROJECT MANAGEMENT REQUIREMENTS**

### **BEST MANAGEMENT PRACTICES (BMP) IMPLEMENTATION**

If the RECIPIENT installs BMPs that are not consistent with current funding guidelines and approved by the DEPARTMENT prior to installation, the RECIPIENT assumes the risk that part or all of the reimbursement for that activity may be delayed or ineligible. Refer to the current Water Quality Financial Assistance Funding Guidelines for more information about eligibility requirements.

### **BMP TRACKING/INVOICING**

If the RECIPIENT implements an off-stream water facility, livestock feeding area BMPs, or a direct seed program the RECIPIENT must track the costs by landowner in vouchers submitted to the DEPARTMENT in order to ensure that the entire eligible cost of that BMP is reimbursed in full and does not exceed the financial assistance limit established in the BMP guidance.

### **CENTENNIAL-FUNDED PROJECTS USED TO MATCH SECTION 319-FUNDED PROJECTS**

Projects used by the DEPARTMENT to meet a matching requirement for the Section 319 program (as indicated on page 3 of this agreement), require the RECIPIENT to comply with Federal Section 319 reporting requirements. Required reporting includes project data on BMP implementation and annual pollutant load reduction.

Section 319 Reporting Requirements. The RECIPIENT must complete the DEPARTMENT's "Clean Water Act Section 319 Initial Data Reporting Sheet." This form must be submitted to the DEPARTMENT's Financial Manager with the first progress report.

The RECIPIENT must complete the DEPARTMENT's "Federal Clean Water Act Section 319 Grant Load Reductions Reporting Form." This form is used to gather information on load reduction for each BMP installed for the project. This form must be submitted electronically to the DEPARTMENT'S Financial Manager by January 15 of each year, and at project close-out. Payments will be held until the form has been completed and submitted to the financial manager.

### **CULTURAL AND HISTORIC RESOURCES PROTECTION**

The RECIPIENT must comply with all requirements listed in Section 106 of the National Historic Preservation Act or Executive Order 05-05 prior to implementing any project that involves soil disturbing activity.

The RECIPIENT must conduct and submit a cultural resources survey or complete and submit an EZ-1 Form to the DEPARTMENT's project manager prior to any soil disturbing activities. The DEPARTMENT will contact the Department of Archaeology and Historic Preservation (DAHP) and affected tribes regarding the proposed project activities in order to fulfill Section 106 or Executive Order 05-05 requirements. Any prior communication between the RECIPIENT, the

DAHP, and the tribes is not sufficient to meet requirements. Any mitigation measures as an outcome of this process will be requirements of this agreement.

Any soil disturbing activities that occur prior to the completion of the Section 106 or Executive Order 05-05 process will not be eligible for reimbursement. Activities associated with cultural resources review are grant eligible and reimbursable.

The Department of Archaeology and Historic Preservation has provided guidance that can be accessed online at: <http://www.dahp.wa.gov/>

## **EDUCATION AND OUTREACH**

The RECIPIENT must do a regional search for existing materials before producing any new educational flyers or pamphlets. The RECIPIENT must request the use of those materials before time and resources are invested to duplicate materials that are already available.

The RECIPIENT must also check the Washington Waters website [http://www.ecy.wa.gov/washington\\_waters/index.html](http://www.ecy.wa.gov/washington_waters/index.html) for useful educational materials. These materials are available for public use and can be downloaded directly from the website.

The RECIPIENT must provide the DEPARTMENT up to two copies and an electronic copy of any tangible educational products developed under this grant, such as brochures, manuals, pamphlets, videos, audio tapes, CDs, curriculum, posters, media announcements or gadgets, such as a refrigerator magnet with a message. If this is not practical, the RECIPIENT must provide a complete description including photographs or printouts of the product.

The RECIPIENT must also supply the DEPARTMENT with the names and contact information of local project leads.

If there are a significant number of people in the community that speak languages other than English, the RECIPIENT must produce all pamphlets, fliers, meeting notices, reports, and other educational and public outreach materials in English and in the other prevalent language.

## **EFFECTIVE DATE**

The Effective Date of this grant agreement is the date agreed to by the DEPARTMENT and the RECIPIENT during the development of this grant agreement and should be no earlier than the date the RECIPIENT began incurring eligible project costs. Any work performed prior to the Effective Date of this agreement will be at the sole expense and risk of the RECIPIENT. Reimbursement for eligible costs incurred will not be released by the DEPARTMENT until the grant agreement is signed.

## **FUNDING RECOGNITION**

The RECIPIENT must inform the public about DEPARTMENT or EPA funding participation in this project through the use of project signs, acknowledgement in published materials, reports, the news media, websites, or other public announcements. Projects addressing site-specific

locations must utilize appropriately sized and weather-resistant signs. Sign logos are available from the DEPARTMENT upon request.

### **INCREASED OVERSIGHT (IF APPLICABLE)**

The DEPARTMENT's Project Manager will establish a schedule for additional site visits to provide technical assistance to the RECIPIENT and verify progress or payment information.

### **INDIRECT RATE**

To acknowledge overhead costs, the RECIPIENT may charge an indirect rate of up to 25 percent based on employees' direct salary and benefit costs incurred while conducting project-related work. The Department's Financial Manager may require a list of items included in the indirect rate at any time.

### **MATCHING REQUIREMENTS**

Cash Match Requirement. If grant funds awarded are more than \$250,000, the RECIPIENT share for the project must be entirely in the form of cash or interlocal contributions.

If grant funds awarded are \$250,000 or less, any combination of cash, interlocal, or in-kind + match is allowed. Interlocal contributions will also count as cash match.

Stormwater hardship grants require cash match only.

Interlocal Match Requirement. The RECIPIENT certifies by signing this agreement that all negotiated interlocal agreements are consistent with all of the following:

- Terms of this grant agreement
- The edition of "Administrative Requirements for Ecology Grants and Loans" that is effective at the signing of this agreement.
- Chapter 39.34 RCW Interlocal Cooperation Act

In-Kind Match Requirement. If in-kind match is specified in the project budget, property and services donated by organizations or individuals may be used.

Documentation will be required for all donated property and services.

### **MINORITY AND WOMEN'S BUSINESS PARTICIPATION**

The RECIPIENT agrees to solicit and recruit, to the extent possible, certified minority-owned (MBE) and women-owned (WBE) businesses in purchases and contracts initiated after the effective date of this agreement.

Contract awards or rejections cannot be made based on MBE or WBE participation. M/WBE participation is encouraged, however, and the RECIPIENT and all prospective bidders or persons submitting qualifications should take the following steps, when possible, in any procurement initiated after the effective date of this agreement:

- a) Include qualified minority and women's businesses on solicitation lists.
- b) Assure that qualified minority and women's businesses are solicited whenever they are potential sources of services or supplies.
- c) Divide the total requirements, when economically feasible, into smaller tasks or quantities, to permit maximum participation by qualified minority and women's businesses.
- d) Establish delivery schedules, where work requirements permit, which will encourage participation of qualified minority and women's businesses.
- e) Use the services and assistance of the State Office of Minority and Women's Business Enterprises (OMWBE) and the Office of Minority Business Enterprises of the U.S. Department of Commerce, as appropriate.

The RECIPIENT must report to the DEPARTMENT at the time of submitting each invoice, on forms provided by the DEPARTMENT (*Form D: Contractor Participation Report*), payments made to qualified firms. Please include the following information:

- a) Name and state OMWBE certification number (if available) of any qualified firm receiving funds under the invoice, including any sub-and/or sub-subcontractors.
- b) The total dollar amount paid to qualified firms under this invoice.

**PAYMENT REQUEST SUBMITTALS**

Frequency. The RECIPIENT must submit payment requests at least quarterly but no more often than monthly, unless allowed by the DEPARTMENT’s Financial Manager. The DEPARTMENT’s Financial Manager may require the RECIPIENT to submit regular payment requests to ensure efficient and timely use of funds.

Supporting Documentation. The RECIPIENT must submit all payment request vouchers and supportive documentation to the DEPARTMENT’s Financial Manager. Payment request voucher submittals are based on match requirements found in the budget.

Required Forms.

<u>Any Match Combination</u>	<u>Cash Only Match</u>	<u>Where Applicable</u>
Form A19-1A (original signature)	Form A19-1A (original signature)	Form E (ECY 060-12)
Form B1 (ECY 060-3)	Form B2 (ECY 060-7)	Form F (ECY 060-13)
Form C1 (ECY 060-8)	Form C2 (ECY 060-9)	Form H (F-21)
Form D (ECY 060-11)	Form D (ECY 060-11)	Form I (ECY 060-15)

Reporting eligible costs. The RECIPIENT must report all eligible costs incurred on the project, regardless of the source of funding for those costs. This includes costs used as match. All eligible and ineligible project costs must be separate and identifiable.

Reimbursements. Payments will be made on a cost-reimbursable basis.

### **Requests for Reimbursement**

Instructions for submitting payment requests are found in ADMINISTRATIVE REQUIREMENTS, PART IV available on the DEPARTMENT website or in hard copy upon request.

1. Procedure. Payment requests will be submitted by the RECIPIENT to the Financial Manager and the Project Manager of the DEPARTMENT. All payment requests will include a progress report. No reimbursement will be made without the appropriate back-up documentation and the progress report.
2. Cost Reimbursable Basis: Payments to the RECIPIENT will be made on a “reimbursable basis” no more often than once per month unless allowed by the DEPARTMENT’s Financial Manager. The DEPARTMENT’s Financial Manager may require the RECIPIENT to submit regular payment requests to ensure efficient and timely use of funds.
3. Documentation: Each request for payment will include back-up documentation of the eligible expenses being requested for reimbursement and a progress report.
4. Required Forms: The RECIPIENT will submit all forms, supportive documentation, and progress report to the DEPARTMENT’s Financial Manager and Project Manager. Invoice voucher submittals will include:
  - State of Washington Invoice Voucher Form A19-1A
  - Form B2 (ECY 060-7)
  - Form C2 (ECY 060-9)
  - Form D (ECY 060-11)
5. Period of Payment. Payments will only be made for eligible costs of the PROJECT pursuant to this agreement and performed after the effective date and prior to the expiration date of this agreement, unless those dates are specifically modified in this agreement.
6. Ineligible Costs. Payments will be made only for eligible PROJECT costs incurred and will not exceed the grant amount. If any audit identifies grant funds which were used to support ineligible costs, such funds may be immediately due and payable to the DEPARTMENT notwithstanding any provision to the contrary herein.
7. Overhead Costs. No payment for overhead costs in excess of 25 percent of salaries and benefits of the RECIPIENT will be allowed without prior approval.
8. Certification. Each payment request will constitute a certification by the RECIPIENT to the effect that all representations and warranties made in this agreement remain true as of the date of the request and that no adverse developments, affecting the financial condition of the RECIPIENT or its ability to complete the PROJECT have occurred since the date of this agreement.

## **NEW ELECTRONIC SYSTEM: ECOLOGY ADMINISTRATION OF GRANTS AND LOANS (EAGL)**

The DEPARTMENT is currently developing a web-based grant and loan management system. The DEPARTMENT will be transitioning to this new web-based system in the future. Once the transition has taken place payment requests and progress reports will be submitted electronically.

## **POST PROJECT ASSESSMENT**

The RECIPIENT agrees to participate in a brief survey regarding the key project results or water quality project outcomes and the status of long-term environmental results or goals from the project approximately three years after project completion. A representative from the DEPARTMENT's Water Quality Program will contact the RECIPIENT to request this data. The DEPARTMENT may also conduct site interviews and inspections, and may otherwise evaluate the Project, as part of this assessment.

## **PROCUREMENT**

The RECIPIENT certifies by signing this agreement that all applicable requirements have been satisfied in the procurement of any professional services.

## **PROGRESS REPORTS**

The RECIPIENT will submit a progress report to the DEPARTMENT at least quarterly or such other schedule as set forth herein. The RECIPIENT will submit a copy of each progress report along with the payment request to both the Financial Manager and the Project Manager of the DEPARTMENT. Quarterly reports will cover the periods:

- January 1 through March 31
- April 1 through June 30
- July 1 through September 30
- October 1 through December 31

Quarterly reports are due 15 days following the end of the quarter being reported. Payment requests will not be processed without a progress report. A progress report must be submitted even if no progress has occurred.

A Progress Report Form is available on the DEPARTMENT's website. At a minimum, all progress reports must contain the items outlined in the DEPARTMENT's Progress Report Form. The DEPARTMENT may request additional information as necessary.

The RECIPIENT will also report in writing to the DEPARTMENT any problems, delays, or adverse conditions which will materially affect its ability to meet PROJECT objectives or time schedules. This disclosure will be accompanied by a statement of the action taken or proposed and any assistance needed from the DEPARTMENT to resolve the situation.

## **REQUIRED DOCUMENT SUBMITTALS**

The RECIPIENT must submit the following documents to the DEPARTMENT as requested by the DEPARTMENT's Project Manager or Financial Manager:

- Draft project completion report
- Electronic copy of final project completion report
- Final project completion report
- Educational products developed under this agreement
- Interlocal agreements
- Land owner agreements
- Professional services procurement agreements
- Department of Archaeology and Historic Preservation's EZ-1 Form – 1 copy to the DEPARTMENT's Project Manager, per site, prior to ground disturbing activities.

Additional Required Document Submittals for the Federal Clean Water Act Section 319 Funded Projects and Centennial projects used by the DEPARTMENT to satisfy its Section 319 matching requirement.

- Clean Water Act Section 319 Initial Data Reporting Sheet – 1 copy to DEPARTMENT's Financial Manager during the first quarter following the effective date of the agreement.
- Federal Clean Water Act Section 319 Grant Load Reductions Reporting Form – 1 copy to the DEPARTMENT's Financial Manager by January 15 of each year and at the end of the project.

## **VOLUNTEER TIME DOCUMENTATION**

The RECIPIENT must report to the DEPARTMENT the total number of volunteer (unpaid) hours contributed to the restoration or monitoring project, including time not being credited for matching purposes. This information will be conveyed to the Governor of the State of Washington in fulfillment of a request for state agencies to collect information about volunteers working for clean water.

## **WATER QUALITY MONITORING**

Quality Assurance Project Plan (QAPP). Prior to initiating water quality monitoring activities, the RECIPIENT must prepare a Quality Assurance Project Plan (QAPP). The QAPP must follow Ecology's *Guidelines for Preparing Quality Assurance Project Plans for Environmental Studies (Guidelines)*, July 2004 (Ecology Publication No. 04-03-030). The applicant may also reference the *Technical Guidance for Assessing the Quality of Aquatic Environments*, revised February 1994 (Ecology Publication No. 91-78) or more current revision, in developing the QAPP.

The RECIPIENT must submit the QAPP to the DEPARTMENT's Project Manager for review, comment, and must be approved before starting the environmental monitoring activities.

The RECIPIENT must use an environmental laboratory accredited by Ecology to analyze water samples for all parameters to be analyzed that require bench testing. Information on currently accredited laboratories and the accreditation process is provided on the Department of Ecology's Environmental Assessment Program's website.

The RECIPIENT should manage all monitoring data collected or acquired under this agreement in order to be available to secondary users and meet the "ten-year rule." The ten-year rule means that data documentation is sufficient to allow an individual not directly familiar with the specific

monitoring effort to understand the purpose of the data set, methods used, results obtained, and quality assurance measures taken ten years after data are collected.

Monitoring Data Submittal/Environmental Information Management System. Funding RECIPIENTS that collect environmental monitoring data must submit all data to the DEPARTMENT using the Environmental Information Management System (EIM). Data must be loaded into EIM following instructions on the EIM website at <http://www.ecy.wa.gov/eim>. and approved by the DEPARTMENT's Project Manager. Final payment requests will be withheld until data has been approved in EIM.

The data submittal portion of the EIM website provides information and help on formats and requirements for submitting tabular data. Specific questions about data submittal may be directed to the EIM Data Coordinator.

If Geographic Information System (GIS) data is collected, RECIPIENTS are required to follow DEPARTMENT data standards when GIS data are collected and processed as documented at <http://www.ecy.wa.gov/services/gis/data/standards/standards.htm>. RECIPIENTS must submit copies to the DEPARTMENT of all final GIS data layers, imagery, related tables, raw data collection files, map products, and all metadata and project documentation.

## **ATTACHMENT II: GENERAL TERMS AND CONDITIONS PERTAINING TO GRANT AND LOAN AGREEMENTS OF THE DEPARTMENT OF ECOLOGY**

### **A. RECIPIENT PERFORMANCE**

All activities for which grant/loan funds are to be used shall be accomplished by the RECIPIENT and RECIPIENT's employees. The RECIPIENT shall only use contractor/consultant assistance if that has been included in the agreement's final scope of work and budget.

### **B. SUBGRANTEE/CONTRACTOR COMPLIANCE**

The RECIPIENT must ensure that all subgrantees and contractors comply with the terms and conditions of this agreement.

### **C. THIRD PARTY BENEFICIARY**

The RECIPIENT shall ensure that in all subcontracts entered into by the RECIPIENT pursuant to this agreement, the state of Washington is named as an express third-party beneficiary of such subcontracts with full rights as such.

### **D. CONTRACTING FOR SERVICES (BIDDING)**

Contracts for construction, purchase of equipment and professional architectural and engineering services shall be awarded through a competitive process, if required by State law. RECIPIENT shall retain copies of all bids received and contracts awarded, for inspection and use by the DEPARTMENT.

### **E. ASSIGNMENTS**

No right or claim of the RECIPIENT arising under this agreement shall be transferred or assigned by the RECIPIENT.

### **F. COMPLIANCE WITH ALL LAWS**

1. The RECIPIENT shall comply fully with all applicable Federal, State and local laws, orders, regulations and permits.

Prior to commencement of any construction, the RECIPIENT shall secure the necessary approvals and permits required by authorities having jurisdiction over the project, provide assurance to the DEPARTMENT that all approvals and permits have been secured, and make copies available to the DEPARTMENT upon request.

2. Discrimination. The DEPARTMENT and the RECIPIENT agree to be bound by all Federal and State laws, regulations, and policies against discrimination. The RECIPIENT further agrees to affirmatively support the program of the Office of Minority and Women's Business Enterprises to the maximum extent possible. If the agreement is federally-funded, the RECIPIENT shall report to the DEPARTMENT the percent of grant/loan funds available to women or minority owned businesses.
3. Wages And Job Safety. The RECIPIENT agrees to comply with all applicable laws, regulations, and policies of the United States and the State of Washington which affect wages and job safety.
4. Industrial Insurance. The RECIPIENT certifies full compliance with all applicable state industrial insurance requirements. If the RECIPIENT fails to comply with such laws, the DEPARTMENT shall have the right to immediately terminate this agreement for cause as provided in Section K.1, herein.

## **G. KICKBACKS**

The RECIPIENT is prohibited from inducing by any means any person employed or otherwise involved in this project to give up any part of the compensation to which he/she is otherwise entitled or, receive any fee, commission or gift in return for award of a subcontract hereunder.

## **H. AUDITS AND INSPECTIONS**

1. The RECIPIENT shall maintain complete program and financial records relating to this agreement. Such records shall clearly indicate total receipts and expenditures by fund source and task or object. All grant/loan records shall be kept in a manner which provides an audit trail for all expenditures. All records shall be kept in a common file to facilitate audits and inspections.

Engineering documentation and field inspection reports of all construction work accomplished under this agreement shall be maintained by the RECIPIENT.

2. All grant/loan records shall be open for audit or inspection by the DEPARTMENT or by any duly authorized audit representative of the State of Washington for a period of at least three years after the final grant payment/loan repayment or any dispute resolution hereunder. If any such audits identify discrepancies in the financial records, the RECIPIENT shall provide clarification and/or make adjustments accordingly.
3. All work performed under this agreement and any equipment purchased, shall be made available to the DEPARTMENT and to any authorized state, federal or local representative for inspection at any time during the course of this agreement and for at least three years following grant/loan termination or dispute resolution hereunder.
4. RECIPIENT shall meet the provisions in OMB Circular A-133 (Audits of States, Local Governments & Non Profit Organizations), including the compliance Supplement to OMB Circular A-133, if the RECIPIENT expends \$500,000 or more in a year in Federal funds. The \$500,000 threshold for each year is a cumulative total of all federal funding from all sources. The RECIPIENT must forward a copy of the audit along with the RECIPIENT'S response and the final corrective action plan to the DEPARTMENT within ninety (90) days of the date of the audit report.

## **I. PERFORMANCE REPORTING**

The RECIPIENT shall submit progress reports to the DEPARTMENT with each payment request or such other schedule as set forth in the Special Conditions. The RECIPIENT shall also report in writing to the DEPARTMENT any problems, delays or adverse conditions which will materially affect their ability to meet project objectives or time schedules. This disclosure shall be accompanied by a statement of the action taken or proposed and any assistance needed from the DEPARTMENT to resolve the situation. Payments may be withheld if required progress reports are not submitted.

Quarterly reports shall cover the periods January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31. Reports shall be due within thirty (30) days following the end of the quarter being reported.

## **J. COMPENSATION**

1. Method of compensation. Payment shall normally be made on a reimbursable basis as specified in the grant agreement and no more often than once per month. Each request for

payment will be submitted by the RECIPIENT on State voucher request forms provided by the DEPARTMENT along with documentation of the expenses. Payments shall be made for each task/phase of the project, or portion thereof, as set out in the Scope of Work when completed by the RECIPIENT and approved as satisfactory by the Project Officer.

The payment request form and supportive documents must itemize all allowable costs by major elements as described in the Scope of Work. Instructions for submitting the payment requests are found in "Administrative Requirements for RECIPIENTS of Ecology Grants and Loans", part IV, published by the DEPARTMENT. A copy of this document shall be furnished to the RECIPIENT. When payment requests are approved by the DEPARTMENT, payments will be made to the mutually agreed upon designee. Payment requests shall be submitted to the DEPARTMENT and directed to the Project Officer assigned to administer this agreement.

2. **Period of Compensation.** Payments shall only be made for actions of the RECIPIENT pursuant to the grant/loan agreement and performed after the effective date and prior to the expiration date of this agreement, unless those dates are specifically modified in writing as provided herein.
3. **Final Request(s) for Payment.** The RECIPIENT should submit final requests for compensation within forty-five (45) days after the expiration date of this agreement and within fifteen (15) days after the end of a fiscal biennium. Failure to comply may result in delayed reimbursement.
4. **Performance Guarantee.** The DEPARTMENT may withhold an amount not to exceed ten percent (10%) of each reimbursement payment as security for the RECIPIENT's performance. Monies withheld by the DEPARTMENT may be paid to the RECIPIENT when the project(s) described herein, or a portion thereof, have been completed if, in the DEPARTMENT's sole discretion, such payment is reasonable and approved according to this agreement and, as appropriate, upon completion of an audit as specified under section J.5. herein.
5. **Unauthorized Expenditures.** All payments to the RECIPIENT may be subject to final audit by the DEPARTMENT and any unauthorized expenditure(s) charged to this grant/loan shall be refunded to the DEPARTMENT by the RECIPIENT.
6. **Mileage and Per Diem.** If mileage and per diem are paid to the employees of the RECIPIENT or other public entities, it shall not exceed the amount allowed under state law for state employees.
7. **Overhead Costs.** No reimbursement for overhead costs shall be allowed unless provided for in the Scope of Work hereunder.

## **K. TERMINATION**

1. **For Cause.** The obligation of the DEPARTMENT to the RECIPIENT is contingent upon satisfactory performance by the RECIPIENT of all of its obligations under this agreement. In the event the RECIPIENT unjustifiably fails, in the opinion of the DEPARTMENT, to perform any obligation required of it by this agreement, the DEPARTMENT may refuse to pay any further funds there under and/or terminate this agreement by giving written notice of termination.

A written notice of termination shall be given at least five working days prior to the effective date of termination. In that event, all finished or unfinished documents, data studies, surveys, drawings, maps, models, photographs, and reports or other materials prepared by the RECIPIENT under this agreement, at the option of the DEPARTMENT, shall become Department property and the RECIPIENT shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials.

Despite the above, the RECIPIENT shall not be relieved of any liability to the DEPARTMENT for damages sustained by the DEPARTMENT and/or the State of Washington because of any breach of agreement by the RECIPIENT. The DEPARTMENT may withhold payments for the purpose of setoff until such time as the exact amount of damages due the DEPARTMENT from the RECIPIENT is determined.

2. **Insufficient Funds.** The obligation of the DEPARTMENT to make payments is contingent on the availability of state and federal funds through legislative appropriation and state allotment. When this agreement crosses over state fiscal years the obligation of the DEPARTMENT is contingent upon the appropriation of funds during the next fiscal year. The failure to appropriate or allot such funds shall be good cause to terminate this agreement as provided in paragraph K.1 above.

When this agreement crosses the RECIPIENT's fiscal year, the obligation of the RECIPIENT to continue or complete the project described herein shall be contingent upon appropriation of funds by the RECIPIENT's governing body; provided, however, that nothing contained herein shall preclude the DEPARTMENT from demanding repayment of ALL funds paid to the RECIPIENT in accordance with Section O herein.

3. **Failure to Commence Work.** In the event the RECIPIENT fails to commence work on the project funded herein within four months after the effective date of this agreement, or by any date agreed upon in writing for commencement of work, the DEPARTMENT reserves the right to terminate this agreement.

## **L. WAIVER**

Waiver of any RECIPIENT default is not a waiver of any subsequent default. Waiver of a breach of any provision of this agreement is not a waiver of any subsequent breach and will not be construed as a modification of the terms of this agreement unless stated as such in writing by the authorized representative of the DEPARTMENT.

## **M. PROPERTY RIGHTS**

1. **Copyrights and Patents.** When the RECIPIENT creates any copyrightable materials or invents any patentable property, the RECIPIENT may copyright or patent the same but the DEPARTMENT retains a royalty-free, nonexclusive and irrevocable license to reproduce, publish, recover or otherwise use the material(s) or property and to authorize others to use the same for federal, state or local government purposes. Where federal funding is involved, the federal government may have a proprietary interest in patent rights to any inventions that are developed by the RECIPIENT as provided in 35 U.S.C. 200-212.
2. **Publications.** When the RECIPIENT or persons employed by the RECIPIENT use or publish information of the DEPARTMENT; present papers, lectures, or seminars involving information supplied by the DEPARTMENT; use logos, reports, maps or other data, in

printed reports, signs, brochures, pamphlets, etc., appropriate credit shall be given to the DEPARTMENT.

3. Tangible Property Rights. The DEPARTMENT's current edition of "Administrative Requirements for Recipients of Ecology Grants and Loans", Part V, shall control the use and disposition of all real and personal property purchased wholly or in part with funds furnished by the DEPARTMENT in the absence of state, federal statute(s), regulation(s), or policy(s) to the contrary or upon specific instructions with respect thereto in the Scope of Work.
4. Personal Property Furnished by the DEPARTMENT. When the DEPARTMENT provides personal property directly to the RECIPIENT for use in performance of the project, it shall be returned to the DEPARTMENT prior to final payment by the DEPARTMENT. If said property is lost, stolen or damaged while in the RECIPIENT's possession, the DEPARTMENT shall be reimbursed in cash or by setoff by the RECIPIENT for the fair market value of such property.
5. Acquisition Projects. The following provisions shall apply if the project covered by this agreement includes funds for the acquisition of land or facilities:
  - a. Prior to disbursement of funds provided for in this agreement, the RECIPIENT shall establish that the cost of land/or facilities is fair and reasonable.
  - b. The RECIPIENT shall provide satisfactory evidence of title or ability to acquire title for each parcel prior to disbursement of funds provided by this agreement. Such evidence may include title insurance policies, Torrens certificates, or abstracts, and attorney's opinions establishing that the land is free from any impediment, lien, or claim which would impair the uses contemplated by this agreement.
6. Conversions. Regardless of the contract termination date shown on the cover sheet, the RECIPIENT shall not at any time convert any equipment, property or facility acquired or developed pursuant to this agreement to uses other than those for which assistance was originally approved without prior written approval of the DEPARTMENT. Such approval may be conditioned upon payment to the DEPARTMENT of that portion of the proceeds of the sale, lease or other conversion or encumbrance which monies granted pursuant to this agreement bear to the total acquisition, purchase or construction costs of such property.

## **N. SUSTAINABLE PRODUCTS**

In order to sustain Washington's natural resources and ecosystems, the RECIPIENT is encouraged to implement sustainable practices where and when possible. These practices include use of clean energy, and purchase and use of sustainably produced products (e.g., recycled paper). For more information, see <http://www.ecy.wa.gov/sustainability/>.

## **O. RECOVERY OF PAYMENTS TO RECIPIENT**

The right of the RECIPIENT to retain monies paid to it as reimbursement payments is contingent upon satisfactory performance of this agreement including the satisfactory completion of the project described in the Scope of Work. In the event the RECIPIENT fails, for any reason, to perform obligations required of it by this agreement, the RECIPIENT may, at the DEPARTMENT's sole discretion, be required to repay to the DEPARTMENT all grant/loan funds disbursed to the RECIPIENT for those parts of the project that are rendered worthless in the opinion of the DEPARTMENT by such failure to perform.

Interest shall accrue at the rate of twelve percent (12%) per year from the time the DEPARTMENT demands repayment of funds. If payments have been discontinued by the DEPARTMENT due to insufficient funds as in Section K.2 above, the RECIPIENT shall not be obligated to repay monies which had been paid to the RECIPIENT prior to such termination. Any property acquired under this agreement, at the option of the DEPARTMENT, may become the DEPARTMENT'S property and the RECIPIENT'S liability to repay monies shall be reduced by an amount reflecting the fair value of such property.

## **P. PROJECT APPROVAL**

The extent and character of all work and services to be performed under this agreement by the RECIPIENT shall be subject to the review and approval of the DEPARTMENT through the Project Officer or other designated official to whom the RECIPIENT shall report and be responsible. In the event there is a dispute with regard to the extent and character of the work to be done, the determination of the Project Officer or other designated official as to the extent and character of the work to be done shall govern. The RECIPIENT shall have the right to appeal decisions as provided for below.

## **Q. DISPUTES**

Except as otherwise provided in this agreement, any dispute concerning a question of fact arising under this agreement which is not disposed of in writing shall be decided by the Project Officer or other designated official who shall provide a written statement of decision to the RECIPIENT. The decision of the Project Officer or other designated official shall be final and conclusive unless, within thirty days from the date of receipt of such statement, the RECIPIENT mails or otherwise furnishes to the Director of the DEPARTMENT a written appeal.

In connection with appeal of any proceeding under this clause, the RECIPIENT shall have the opportunity to be heard and to offer evidence in support of this appeal. The decision of the Director or duly authorized representative for the determination of such appeals shall be final and conclusive. Appeals from the Director's determination shall be brought in the Superior Court of Thurston County. Review of the decision of the Director will not be sought before either the Pollution Control Hearings Board or the Shoreline Hearings Board. Pending final decision of dispute hereunder, the RECIPIENT shall proceed diligently with the performance of this agreement and in accordance with the decision rendered.

## **R. CONFLICT OF INTEREST**

No officer, member, agent, or employee of either party to this agreement who exercises any function or responsibility in the review, approval, or carrying out of this agreement, shall participate in any decision which affects his/her personal interest or the interest of any corporation, partnership or association in which he/she is, directly or indirectly interested; nor shall he/she have any personal or pecuniary interest, direct or indirect, in this agreement or the proceeds thereof.

## **S. INDEMNIFICATION**

1. The DEPARTMENT shall in no way be held responsible for payment of salaries, consultant's fees, and other costs related to the project described herein, except as provided in the Scope of Work.
2. To the extent that the Constitution and laws of the State of Washington permit, each party shall indemnify and hold the other harmless from and against any liability for any or all

injuries to persons or property arising from the negligent act or omission of that party or that party's agents or employees arising out of this agreement.

#### **T. GOVERNING LAW**

This agreement shall be governed by the laws of the State of Washington.

#### **U. SEVERABILITY**

If any provision of this agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this agreement which can be given effect without the invalid provision, and to this end the provisions of this agreement are declared to be severable.

#### **V. PRECEDENCE**

In the event of inconsistency in this agreement, unless otherwise provided herein, the inconsistency shall be resolved by giving precedence in the following order: (a) applicable Federal and State statutes and regulations; (b) Scope of Work; (c) Special Terms and Conditions; (d) Any terms incorporated herein by reference including the "Administrative Requirements for Recipients of Ecology Grants and Loans"; and (e) the General Terms and Conditions.

#### **W. FUNDING AVAILABILITY**

The DEPARTMENT's ability to make payments is contingent on availability of funding. In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date and prior to completion or expiration date of this agreement, the DEPARTMENT, at its sole discretion, may elect to terminate the agreement, in whole or part, or to renegotiate the agreement subject to new funding limitations and conditions. The DEPARTMENT may also elect to suspend performance of the agreement until the DEPARTMENT determines the funding insufficiency is resolved. The DEPARTMENT may exercise any of these options with no notification restrictions.

SS-010 Rev. 04/04

## Waughop Lake – Ft. Steilacoom Park

- Ft. Steilacoom Park is bordered by Pierce College to the west, which discharges stormwater into the lake.
- The park used to contain a working farm, which was operated by patients from Western State Hospital located just north of the park. A pedestrian tunnel still exists under Steilacoom Blvd. linking the hospital and the park.
- A number of houses located in neighborhoods upgradient and southwest of Waughop Lake are on septic systems. These systems are suspected of contributing to the nutrient loading in the lake.

North ↑

