



February 14, 2014

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

NOTICE

LAKWOOD TRANSPORTATION BENEFIT DISTRICT BOARD MEETING

Notice is hereby given that the Lakewood Transportation Benefit District Board will be meeting on Tuesday, February 18, 2014, following the City Council's regular meeting, which begins at 7:00 p.m., at Lakewood City Hall, Council Chambers, 6000 Main Street SW, Lakewood, Washington.

The purpose of the meeting is to discuss the Transportation Benefit District Annual Report, review of proposed funding options and matters relative to the Transportation Benefit District.

Alice M. Bush, MMC
City Clerk



Don Anderson
Mayor

Jason Whalen
Deputy Mayor

Mary Moss
Councilmember

Michael D. Brandstetter
Councilmember

John Simpson
Councilmember

Marie Barth
Councilmember

Paul Bocchi
Councilmember

Heidi Ann Wachter
Interim City Manager

February 14, 2014

NOTICE

LAKWOOD CITY COUNCIL ATTENDANCE AT CHANGE OF COMMAND GATHERING

Notice is hereby given that the Lakewood City Council will be attending a Change of Command gathering for Colonel Jody Miller, 4-2 Commander on Friday, February 21, 2014, at 6:00 p.m., Thornewood Castle, 8601 North Thorne Lane SW, Lakewood, Washington.

The purpose of the gathering is to recognize Colonel Miller, 4-2 Commander.

Alice M. Bush, MMC
City Clerk



LAKWOOD CITY COUNCIL AGENDA

Tuesday, February 18, 2014

7:00 P.M.

City of Lakewood

City Council Chambers

6000 Main Street SW

Lakewood, WA 98499

Page No.

Call to Order

Roll Call

Flag Salute

City Manager Report

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 February 3, 2014.
- (8) B. Approval of the minutes of the City Council Study Session of February 10, 2014.
- (13) C. Items Filed in the Office of the City Clerk:
 - 1. Landmarks and Heritage Advisory Board meeting minutes of November 21, 2013.

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>

City Hall will be closed 15 minutes after adjournment of the meeting.

R E G U L A R A G E N D A**Appointments**(16) Motion No. 2014-09

Appointing Dr. Lonnie Howard to serve as the representative for Clover Park Technical College on the Lakewood's Promise Advisory Board. - *Mayor*

(19) Motion No. 2014-10

Appointing Deputy Mayor Jason Whalen, Councilmember Paul Bocchi and Councilmember John Simpson, as alternate, to serve as Lakewood's representatives on the Pierce County Regional Council. - *Mayor*

Ordinances(21) Ordinance No. 578

Amending Chapter 2.48 of the Lakewood Municipal Code relative to protection and preservation of landmarks. - *City Attorney*

(44) Ordinance No. 579

Amending Chapter 8.76 of the Lakewood Municipal Code relative to parks. - *Parks, Recreation and Community Services Director*

Resolution(66) Resolution No. 2014-03

Amending the fee schedule relative to parks. - *Parks, Recreation and Community Services Director*

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Unfinished Business

New Business

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
February 17, 2014 – February 21, 2014

Date	Time	Meeting	Location
February 17		City Hall Closed in Observance of Presidents' Day	
February 18	5:30 P.M.	Parks and Recreation Advisory Board	Lakewood City Hall 1st Floor, Conference Room 1D
	6:00 P.M.	Youth Council	Lakewood City Hall 3 rd Floor, Conference Room 3A
	7:00 P.M.	City Council	Lakewood City Hall Council Chambers
	<i>Following City Council meeting</i>	Transportation Benefit District Board	Lakewood City Hall Council Chambers
February 19	6:30 P.M.	Planning Advisory Board	Lakewood City Hall Council Chambers
February 20	4:00 P.M.	Human Services Funding Advisory Board	Lakewood City Hall 3rd Floor, Conference Room 3A
February 21	6:00 P.M.	Change of Command Event for New 4-2 Commander with City Council	Thornewood Castle 8601 North Thorne Lane SW

TENTATIVE MEETING SCHEDULE
February 24, 2014 – February 28, 2014

Date	Time	Meeting	Location
February 24	7:00 P.M.	City Council Study Session	Lakewood City Hall Council Chambers
February 25	No Meetings Scheduled		
February 26	5:30 P.M.	Community Development Block Grant Citizen's Advisory Board	Lakewood City Hall 3 rd Floor, Conference Room 3A
February 27	3:30 P.M. by appointment only	City Talk with the Mayor or another Councilmember. Please call 253-589-2489 for an appointment	Lakewood City Hall 3rd Floor, Mayor's office
February 28	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

February 3, 2014
City of Lakewood
City Council Chambers
6000 Main Street SW
Lakewood, WA 98499

CALL TO ORDER

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

ROLL CALL

Councilmembers Present: 6 – Deputy Mayor Jason Whalen; Councilmembers Mary Moss, Mike Brandstetter, John Simpson, Marie Barth and Paul Bocchi.

Councilmember Excused: 1 – Mayor Don Anderson (arrived at 7:30 p.m.)

FLAG SALUTE

The Pledge of Allegiance was led by Deputy Mayor Whalen.

REPORTS BY THE CITY MANAGER

The City Manager report was deferred to the City Manager's briefing later in the agenda.

PROCLAMATIONS AND PRESENTATIONS

Youth Council Report.

The Youth Council reported on the legislative agenda briefing, legislative youth action Day, RACE Exhibit at the Pacific Science Center and school reports at Harrison Preparatory, Clover Park High School and Lakes High School.

Clover Park School District Board Report.

Clover Park School District (CPSD) Board Director Paul Wagemann reported on former Lakes High School Seahawks player Jermaine Kearse and how he has recognized and commented on Lakes High School, University of Washington and Lakewood. He reported on the Clover Park School District's fiscal audit and award that they received. He indicated that Oakwood Elementary School a Title 1 school was recognized for their reading scores. He provided an update on Harrison

Preparatory construction, and the school construction progress on JBLM. He indicated that redistricting will be on an upcoming Board agenda. He commented on concerns between the legislature and Supreme Court relative to expending money.

PUBLIC COMMENTS

Speaking before the Council were:

Becky Huber, Lakewood resident and Lakewood Historical Society, spoke about presenting a proclamation for Jermaine Kearse and involving him in Lakewood activities. She announced that on February 8, 2014 a recognition event in memory of Mike Carrell will be held in DuPont. Also, an open house for the museum's new exhibit will be held on February 15, 2014 followed by the Lakewood Historical Society's meeting.

Dennis Haugen, Lakewood resident, showed a video on Governor Nikki Haley's 2014 state of the state message.

Mayor Anderson arrived at 7:30 p.m.

Ismal Arslangiray, Tacoma resident, spoke about a graffiti violation letter he had received and expressed concern about being victimized.

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

- A. Approval of the minutes of the City Council Special Meeting of January 14, 2014.
- B. Approval of the minutes of the City Council meeting of January 21, 2014.
- C. Approval of the minutes of the City Council Special Meeting of January 27, 2014.
- D. Approval of the minutes of the City Council Study Session of January 27, 2014.
- E. Approval of payroll checks, in the amount of \$2,254,568.27, for the period December 16, 2013 through January 15, 2014.
- F. Approval of claim vouchers in the amount of \$1,497,674.84, for the period January 8, 2014 through January 22, 2014.

G. Items Filed in the Office of the City Clerk:

1. Planning Advisory Board meeting minutes of December 18, 2013.
2. Human Services Funding Advisory Board meeting minutes of October 24, 2013.
3. Community Development Block Grant Citizens' Advisory Board meeting minutes of January 15, 2014.
4. Public Safety Advisory Committee meeting minutes of November 6, 2013.
5. Citizens' Transportation Advisory Committee meeting minutes of September 24, 2013.

COUNCILMEMBER SIMPSON MOVED TO ADOPT THE CONSENT AGENDA AS PRESENTED. SECONDED BY COUNCILMEMBER BRANDSTETTER. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

R E G U L A R A G E N D A

APPOINTMENT

Motion No. 2014-05 reappointing Jeff Brown and Don Daniels to serve on the Planning Advisory Board through February 11, 2019.

COUNCILMEMBER MOSS MOVED TO CONFIRM THE APPOINTMENT OF JEFF BROWN AND DON DANIELS TO SERVE ON THE PLANNING ADVISORY BOARD THROUGH FEBRUARY 11, 2019. SECONDED BY COUNCILMEMBER BARTH. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

ORDINANCES

Ordinance No. 577 amending Chapter 6.10 of the Lakewood Municipal Code relative to dangerous and potentially dangerous dogs.

COUNCILMEMBER SIMPSON MOVED TO ADOPT ORDINANCE NO. 577. SECONDED BY COUNCILMEMBER MOSS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

COUNCILMEMBER BRANDSTETTER MOVED TO DELETE THE PROPOSED CHANGES IN SECTION 2 A. OF ORDINANCE NO. 577 AND LEAVE THE CURRENT LANGUAGE AS IS. SECONDED BY DEPUTY MAYOR WHALEN. VOICE VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 577 AND THE MOTION FAILED WITH COUNCILMEMBER BRANDSTETTER VOTING FOR THE AMENDMENT AND COUNCILMEMBERS MOSS, SIMPSON, BARTH, BOCCHI, DEPUTY MAYOR WHALEN AND MAYOR ANDERSON VOTING IN OPPOSITION.

VOICE VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 577 AND CARRIED WITH COUNCILMEMBER BRANDSTETTER VOTING IN OPPOSITION.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Motion No. 2014-06 authorizing the execution of an agreement with Cascade Right-of-Way Services, Inc., in an amount not to exceed \$63,365, for appraisal and negotiating services for property acquisition relative to the Madigan Access Improvement Project.

DEPUTY MAYOR WHALEN MOVED TO AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH CASCADE RIGHT-OF-WAY SERVICES INC., IN AN AMOUNT NOT TO EXCEED \$63,365 FOR APPRAISAL AND NEGOTIATING SERVICES FOR PROPERTY ACQUISITION RELATIVE TO THE MADIGAN ACCESS IMPROVEMENT PROJECT. SECONDED BY COUNCILMEMBER MOSS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

Motion No. 2014-07 authorizing the execution of a supplemental agreement with AHBL, Inc. in an amount not to exceed \$23,443 to a maximum amount of \$68,805, for topographic survey and mapping services for the Madigan Access Improvement Project.

COUNCILMEMBER SIMPSON MOVED TO AUTHORIZE THE EXECUTION OF A SUPPLEMENTAL AGREEMENT WITH AHBL, INC. IN AN AMOUNT NOT TO EXCEED \$23,443 TO A MAXIMUM AMOUNT OF \$68,805, FOR TOPOGRAPHIC SURVEY AND MAPPING SERVICES FOR THE MADIGAN ACCESS IMPROVEMENT PROJECT. SECONDED BY COUNCILMEMBER BARTH. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

Motion No. 2014-08 authorizing the execution of a collective bargaining agreement with the Teamsters Local Union 117 from January 1, 2013 through December 31, 2015.

COUNCILMEMBER MOSS MOVED TO AUTHORIZE THE EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT WITH THE TEAMSTERS LOCAL UNION 117 FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2015. SECONDED BY COUNCILMEMBER BRANDSTETTER. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

BRIEFING BY THE CITY MANAGER

City Manager Caulfield reported that the City Clerk will be contacting Councilmembers to schedule distribution and training of the Council's Ipads for the week of February 10 and 17, 2014.

He then reported that the legislative bill cut off date is February 7, 2014. He reported that Senator King will be releasing a transportation proposal for I-5/JBLM that he will be sharing with the Council. City Manager Caulfield indicated that it is not clear exactly what is included in the package. He noted that it probably will not pass but it should be brought back in December 2014.

On the Pt. Defiance Bypass project, City Manager Caulfield reported that work is being done to continue to advocate for improvements. Senators O'Ban and Conway will be asking for funds through the budget process.

He reported that the Towne Center Green proposal has been submitted by all 29th and 28th legislative district representatives for budgeting.

City Manager Caulfield indicated that the State has provided an updated list of marijuana applications. Lakewood has 21 applications. He reported that staff is in the process of mapping the applications and checking its location as it applies to zoning compliance.

City Manager Caulfield reported that the Curbside Motors Section 108 loan that was brought before Council at the January 27, 2014 Study Session has been having some issues and staff will likely not recommend that this loan move forward. The City would be in second position, not first, after the Small Business Administration loan. Based on the appraisal, the loan to value ratio is not sufficient in meeting HUD regulations.

At the February 10, 2014 Study Session, Mr. Danny Sink will be providing an update on the specifics of the US Open and discuss opportunities for volunteers to become involved. Also, the landmarks preservation regulations will be coming forward for the Council's review. In addition, the parks code amendments relative to a tobacco ban and parks fees will be coming back for Council review. The Legacy Plan will also be back before the Council and the focus will be related to financing recommendations in the Plan. It is the desire that the Plan be adopted in March for the City to be eligible to apply for State grants. Also for the Council's review are several proposed transportation improvement projects that staff would like to submit applications for Pierce County Regional Council's transportation grant funding.

On February 18, 2014, a Transportation Benefit District Board meeting is scheduled for considering street projects and associated financing options.

On the February 24, 2014, Study Session agenda is a continued discussion on the Legacy Plan, proposed use of Ft. Steilacoom Park to park 5,000 vehicles/day during the US Open and receive \$40,000 in mitigation funding to bring the park

back to its original condition. Also Economic Development will bring forth a discussion on a multi-year tax credit program and staff will present a contract proposal for public defender services. The Council will also be briefed on the Informational Technology assessment.

He then provided the Council with copies of the State of City PowerPoint presentation. He indicated that presentations are being scheduled and provided to various community groups.

He reported that the Chamber of Commerce Chili cookoff will be held on Thursday, February 6. The Caring for Kids event will be held on February 8. The Change of Command event is scheduled for February 21 and the tour of Camp Murray is scheduled for May 3, 2014.

CITY COUNCIL COMMENTS

Councilmember Bocchi commented on the Citizens Transportation Advisory Committee meeting he attended and their work on the Six Year Transportation Plan and funding.

Councilmember Bocchi commented on the reductions in criminal activity. He encouraged that the public be informed about the progress that has been made in criminal reductions. He then commented on the South Puget Sound 2A and 3A league swimming championships he attended.

Councilmember Moss indicated that she will need to be excused from attending the February 10, 2014 Council meeting. She commented on the AWC conference she attended and the Korean American New Year celebration that she had attended.

Councilmember Barth commented on the AWC Conference she attended and the Korean American celebration she attended. She also commented on the Pacific Neighborhood Association meeting she attended last week.

Councilmember Brandstetter expressed appreciation for the items that are being scheduled for the Transportation Benefit District Board meeting.

For the Chili cookoff, Mayor Anderson asked that each Councilmember use the base chili recipe he provided Councilmembers and then add their own specialty to the base recipe which will all be mixed together to create a diversity chili.

Deputy Whalen spoke about an increase of graffiti and how to be of more help to businesses in the clean-up process. He then commented on the Korean New Year celebration he attended. He noted that he will not be attending Caring for Kids due to a conflict that he has with a Commencement Bay Rowing Club event.

Councilmember Simpson commented on the induction ceremony of Mrs. Joan Shalikashvili to the JBLM Civilian Hall of Fame. He also commented on

the assumption of Command Event for Lt. General Brown to Lt. General Lanza that he will be attending on Thursday, February 6, 2014.

He then asked that the Pierce County Board of Trustees be added to the list for receiving the State of the City presentation.

Mayor Anderson commented on the meeting he attended last week with Representatives Sawyer, Green and Kirby. He also commented on the induction ceremony he attended for Mrs. Shalikashvili.

ADJOURNMENT

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

DON ANDERSON, MAYOR

ATTEST:

ALICE M. BUSH, MMC
CITY CLERK



LAKWOOD CITY COUNCIL STUDY SESSION MINUTES

February 10, 2014
City of Lakewood
City Council Chambers
6000 Main Street SW
Lakewood, WA 98499

CALL TO ORDER

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

ROLL CALL

Councilmembers Present: 6 – Mayor Don Anderson; Deputy Mayor Jason Whalen; Councilmembers Mike Brandstetter, John Simpson, Marie Barth and Paul Bocchi.

Councilmembers Excused: 1- Councilmember Mary Moss.

ITEMS FOR DISCUSSION:

2015 US Open Championship update.

Mr. Danny Sink provided an update on the 2015 US Open Championship. He asked for the City's assistance with parking at Ft. Steilacoom Park to provide shuttle transportation for visitors attending the US Open.

Discussion ensued on when the US Open could return to Chambers Creek (15 years); what can Lakewood do in the next 16 months for the US Open to be successful (consider long-term preparation of what Chambers Bay can do for the community starting now); what is the projection for lodging accommodations; what is the public safety plan; and are there restrictions on air traffic control with nearby airports.

Review proposed amendments to the Lakewood Municipal Code relative to the landmarks preservation program.

Assistant City Attorney Kaser reviewed a draft ordinance relative to the preservation of landmarks. He then reviewed the proposed process for designating a landmark and the concerns relative to owner consent for designating privately-owned properties.

Discussion ensued on what is the guidance to private rights.

Mr. Walter Neary, Landmarks and Heritage Advisory Board Member, indicated that the alternatives proposed do not address publicly-owned property. Mr. Glen Spieth expressed concern about potential historic commercial properties that will eventually deteriorate and could likely get torn down and there would not be an opportunity to preserve such historic structures. He indicated that the Board should be provided the opportunity to make recommendations to the Council.

Further discussion ensued on how code enforcement would work if a private owner did not want their property designated as a landmark and they couldn't afford it; what is the appeal process for a property owner if the owner was not satisfied with the Council's decision; concerns of designating properties if there were not sufficient funding to make some future use of the property; and designating landmarks that will serve as an educational landmark in the future and focusing on properties that are truly historic and try to preserve them sooner from deterioration.

Review of proposed amendments to the Lakewood Municipal Code relative to parks and parks fees.

Parks and Recreation Director Dodsworth reviewed the proposed code amendments relative to parks and the use of alcohol and banning of tobacco in the parks.

Mr. Jason Gerwen, Parks and Recreation Advisory Board Chair, distributed information about tobacco free parks and creating a healthy community. Parks Board Members Iacobazzi and Allen provided information about tobacco free parks in the United States. Parks Board Member Montgomerie spoke about his personal experiences about smoking and its effect, and Parks Board Member Scott also spoke about her personal experience with smoking.

Discussion ensued about concerns to allow alcohol consumption and not tobacco use sends a message that alcohol is okay and not smoking; how will banning of tobacco use be enforced; perhaps designating areas for smoking; where is the empirical data to support the banning of tobacco use; how the policy statement in the Legacy Plan would be incongruent to allow smoking in the parks; how the Metro Parks ban is not a voluntary ban and that smoking is banned in Metro/Tacoma parks; education and history are working positively in reducing smoking; how cities could be more restrictive than State law; and finding a compromise to the proposed ordinance.

Review of the parks Legacy Plan.

Parks and Recreation Director Dodsworth provided an overview of the Legacy Plan and the goals and strategies.

Discussion ensued on placing the Plan's PowerPoint presentation on the website; and that some elements of the Legacy Plan contain policy statements that may be a part of the Comprehensive Plan.

BRIEFING BY THE CITY MANAGER

City Manager Caulfield provided a legislative update. He reported that all budget bills have to pass by February 11, 2014. He reported on revenues from marijuana sales, liquor revenue restoration and the Public Works trust fund loan. He reported on the transportation budget package for the I-5/JBLM corridor project, Pt. Defiance Bypass safety improvements funding request and the Towne Center Green capital budget.

He provided a reported on the Public Works efforts over the weekend to react to the snow.

He noted that a sign-up sheet for Ipad training is being circulated to the Council.

He reported that nominations are open for the AWC Center for quality communities scholarship to recommend an outstanding youth.

He explained that a train derailment center training scenario is being planned as part of an emergency operations effort to involve first responders, Camp Murray and St. Clare Hospital.

He reported that inmates will be working on the Garrison spring hatchery at Western State Hospital.

Staff is currently working on the Curbside Motors project and loan financing options.

Staff has also contacted Puget Sound Energy and Tacoma Power to consider using LED streetlights. Staff is also reviewing franchise agreements as well as the garbage and recycling agreements. On March 1, 2014, garbage rates will be increasing.

He reported that he and Mayor Anderson will be traveling to Washington, DC this week.

He reported that 15 retail and 5 marijuana producer applications have been received. The City has filed a public disclosure request with the State to determine when the applications were filed. He reported that the Building Official will be attending a conference on marijuana legalization.

He announced that a Transportation Benefit District Board meeting is scheduled for February 18, 2014 with approximately \$44 million in transportation improvements.

**ITEMS TENTATIVELY SCHEDULED FOR THE FEBRUARY 18, 2014
REGULAR CITY COUNCIL MEETING:**

1. Amendments to the Lakewood Municipal Code relative to the landmarks preservation program.
2. Amendments to the Lakewood Municipal Code relative to parks
3. Amending the fee schedule relative to parks fees.
4. Appointing a Clover Park Technical College representative to the Lakewood's Promise Advisory Board.

CITY COUNCIL COMMENTS

Councilmember Bocchi commented on the Caring for Kids auction he attended. He then commented on THE NEWS TRIBUNE article about increases in property taxes in Lakewood and how the taxes are calculated relative to new construction. He spoke about charging impact fees and the results for 2013 shows that Lakewood is lagging and not progressing like surrounding communities when it comes to new construction. He expressed concern that the Council needs to take a look at this and discuss what can be done.

Councilmember Simpson asked if businesses should be asked what and where they would like to see Lakewood to be as it relates to economic development.

Deputy Mayor Whalen commented on the Commencement Bay Rowing Club event he attended.

Mayor Anderson commented on the property taxes and comparisons and noted that DuPont, Sumner and Puyallup annexed areas into their cities that added to the increase in their new construction figures. He commented on the Icorp change of command event he attend and the going away dinner for Lt. General Brown.

He asked if there is an interest in changing the representatives serving on the Pierce County Regional Council (PCRC). Mayor Anderson requested that a motion be prepared for the February 18, 2014 Council agenda to appoint Deputy Mayor Whalen and Councilmember Bocchi as Lakewood representatives to the PCRC with Councilmember Simpson as the alternate.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:10 p.m.

DON ANDERSON, MAYOR

ATTEST:

ALICE M. BUSH, MMC
CITY CLERK



LANDMARKS & HERITAGE
ADVISORY BOARD
Thursday, November 21, 2013
First Floor Room1D
6000 Main Street SW
Lakewood, WA 98498

CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Chair Steve Dunkelberger

MEETING PROTOCOL

Roll Call

Landmarks & Heritage Advisory Board Members Present: Chair; Steve Dunkelberger, Vice Chair; Stephanie Walsh, Glen Spieth, Beth Campbell, Joan Cooley, Walter Neary

Landmarks & Heritage Advisory Board Member Excused: Darrell Nelson

Landmarks & Heritage Advisory Board Member Absent: Bill Harrison

Landmarks & Heritage Advisory Board Emeritus Member Absent: Cyrus Happy

Council Liaison to LHAB Present: John Simpson

Staff Present: Dan Catron, Principal Planner; Staci Vukovich, LHAB Secretary; Jennifer Schreck, Preservation Consultant

Changes to Agenda: None

Approval of Minutes: The minutes of September 26, 2013, were unanimously approved.
M/S/C Spieth/Neary

Announcements: Ms. Walsh announced that Lakewold Gardens was approved for an Encore Fellow. One of the tasks for the Fellow will be to assess and determine if Lakewold will go for national registry status. The findings will be taken to Lakewold's board of directors at the end of 2014 and they will determine if Lakewold will make application.

Mr. Spieth noted that Mr. John Simpson, the newly elected council member and the liaison to the LHAB was in the audience. Introductions were made.

Mr. Dunkelberger announced that the book Lakewood History Local Legends will be out on April 17, 2014.

Mr. Spieth shared with the LHAB a historical piece of property/building (7,000 square feet) is available for \$250,000. The property has retail space and two apartments. The property is bank owned and they want to sell. The building could be considered historic. It will probably be torn down. It is next to Burrs Restaurant on Steilacoom Blvd.

Public Communications: None

New Business: Proposed amendment of LMC Section 2.48 – Discussion. Mr. Catron noted that he passed out a new version of the proposed ordinance this evening. The previous version did not include the following city attorney's changes:

Under 02.48.000: "Agency" changed to "Board" throughout the document.

Under 02.48.030:

- Title changed from "authorized" to "created"
- The quorum number changed from "five" to "majority"
- Below H – "Advisory Board records, maps, or other information....." was removed by the city attorney. LHAB wants it reinstated. Mr. Catron will check with city attorney.

Under 02.48.035 – A-B-C: The city attorney inserted several powers of the LHAB that was taken from Tacoma's historic ordinance.

Under 02.48.50 – A: It was LHAB's preference to keep this section "as is"... "Any person, including any member of the Board, may nominate....."

There was a lengthy discussion about owner consent vs LHAB nominating properties without owner consent.

Mr. Spieth: If they are privately owned houses, the owner needs to consent. If it is commercial property, not locally, state or federally owned, then there should be a process for LHAB to nominate in lieu of the owner (i.e. Colonial Center).

Mr. Neary: For private property (residential /commercial) the owner should be involved. If publicly owned anyone should be able to nominate.

Mr. Cooley: Traditionally, privately owned residential properties have come about at the owner's request. LHAB has encouraged private owners to have their properties nominated.

There was a question about distinguishing between residential and commercial (private vs publicly owned). LHAB agreed that they were hoping the city attorney was going to research it. Ms. Schreck said it was good to push for designations of community landmarks before they are lost forever. LHAB does not take nominations lightly, and major landmarks need to be preserved.

Ms. Schreck said there is legal precedence where, for the public good, you can require someone to do something with their property that they may not want to do. She cited Penn Station in New York. The city took the building, instead of selling it because it was such an icon. Ms Walsh asked if everything is so black and white with the language, it feels like "do it, or not". Ms. Schreck said she would like to have the city attorney at an LHAB meeting to discuss.

Under 02.48.050: Mr. Dunkelberger made a motion to retain the language of the Nomination Procedures with a request that legal counsel advise LHAB as to suggested "middle ground" language to give more weight to owner involvement versus public benefit. Mr. Spieth seconded.

Mr. Dunkelberger withdrew his motion, Mr. Spieth seconded.

A motion was made to have LHAB accept the nomination wording in the ordinance with the understanding that the designation criteria found later in section 02.480.60 of the ordinance will include words per the city attorney that recognize the importance of weighing the owner's rights with the public benefit. M/S/C Walsh/Spieth.

A motion was made that LHAB request another meeting of the sub-committee to include a member of the city attorney's office. M/S/C Neary/Walsh.

Mr. Simpson wanted to know if a study been to see if there is an economic gain to the city for preservation of historic buildings. Can the case be made that preserving properties actually benefits the city economically? Mr. Neary replied that locally, no study has been done. Ms. Schreck suggested contacting Don Ripkyma (sp) to see if he could do a Lakewood specific study of the economic benefits of preserving the Colonial Center.

Under 02.48.060: LHAB would like to work with the wording to include "owner interests". They would like to run this by the city attorney.

Under 02.48.090: Mr. Catron stated the next section had to do with appeals. The amendment would direct appeals of LHAB decisions on certificates of appropriateness or the historical officers' decisions to the city's hearing examiner rather than the city council.

Under 02.48.110: Penalties for violations was not included in the earlier version of the ordinance that LHAB received. Mr. Neary stated that he knows the planning department has a large workload and he respectfully suggested that this subject did not come up in front of the sub-committee. There was no discussion about stripping the LHAB in the ordinance of any ability to regulate historic properties. He likes the city attorney's revised version and that there is a penalty if the ordinance is not followed. The sub-committee will bring the issue of penalties up with the city attorney.

Unfinished Business: Lodging Tax Grant – Self Guided Tour Map.

The group spent a good amount of time reviewing the map for accuracy. Members were very thoughtful and several changes and additions were made. Kudos was given to the map committee and Ms. Schreck's diligence in getting the project underway. There was an agreement that properties noted on the map should receive a courtesy letter from LHAB stating that their property is on the map. Ms. Schreck will draft the letter. Once the changes are made, the map will be provided to the sub-committee for one final review.

Next Meeting: January, 23, 2014

Meeting Adjourned: 8:20 pm



~~Steve Dunkelberger, Chair~~
Landmarks & Heritage Advisory Board

STEPHANIE WALSH
VICE CHAIR



Staci Vukovich, Secretary to the
Landmarks & Heritage Advisory Board

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: February 18, 2014	TITLE: Appointing Dr. Lonnie Howard to serve as the Clover Park Technical College representative on the Lakewood's Promise Advisory Board.	TYPE OF ACTION: — ORDINANCE — RESOLUTION <u>X</u> MOTION 2014-09 — OTHER
REVIEW:	ATTACHMENT: Candidate Application	

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

RECOMMENDATION: It is recommended that the City Council confirm the Mayor's appointment of Dr. Lonnie Howard to serve as the Clover Park Technical College representative on the Lakewood's Promise Advisory Board.

DISCUSSION: On March 19, 2012 the City Council adopted Ordinance No. 546 (LMC Chapter 2.38) establishing the Lakewood's Promise Advisory Board. Section 2.38.020 of the LMC provided that there shall be up to 11 members appointed by the Mayor and confirmed by the Council. Four (4) members representing partner agencies - Clover Park School District, Pierce College, Clover Park Technical College, and City of Lakewood have no term limits. With the retirement of John Walstrum, former President of Clover Park Technical College (CPTC) who represented CPTC on the Lakewood's Promise Advisory Board, it is the recommendation of the Board that Dr. Lonnie Howard, President of the CPTC, serve as the CPTC representative on the Lakewood's Promise Advisory Board. Dr. Howard has also expressed interest in serving on the Board.

ALTERNATIVE(S): The City Council could choose to appoint another Clover Park Technical College representative to the Lakewood's Promise Board.

FISCAL IMPACT: There is no fiscal impact from these appointments.

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<hr style="border: none; border-top: 1px solid black;"/> Department Head	

Hobbies/Interests: Fitness

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: Immediately

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? Open

Recommended by: Mary Moss

Education: Ph.D.

Professional and/or community activities: Broad

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

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

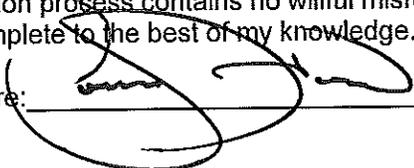
If necessary, are you available for an interview prior to appointment? Yes ___ No ___
Attach additional pages, if needed.

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: 22 JAN 14

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: February 18, 2014	TITLE: Appointing Deputy Mayor Jason Whalen, Councilmember Paul Bocchi and Councilmember John Simpson (alternate) to the Pierce County Regional Council.	TYPE OF ACTION: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION <input checked="" type="checkbox"/> MOTION NO. 2014-10 <input type="checkbox"/> OTHER
ATTACHMENTS:		

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

RECOMMENDATION: It is recommended that the City Council appoint Deputy Mayor Jason Whalen, Councilmember Paul Bocchi and Councilmember John Simpson, as alternate, to serve as Lakewood’s representatives on the Pierce County Regional Council (PCRC).

DISCUSSION: In accordance with the PCRC agreement, the PCRC shall be comprised of representatives from member jurisdictions as follows: four (4) representatives from Pierce County including the County Executive and three members of the County Council; three (3) representatives from the City of Tacoma; two (2) representatives from the City of Lakewood, City of Puyallup, and City of University Place; and one (1) representative from each of the remaining jurisdictions. Each representative shall have one vote.

ARTICLE IV – The Council

Section 1. Purpose: The Council shall direct the affairs of the Pierce County Regional Council between the annual meetings of the General Assembly. The Council shall exercise on behalf of the Pierce County Regional Council all powers and managerial and administrative authority not reserved for the General Assembly.

Section 2. Composition: The Council shall be comprised of voting members who are elected officials representing member agencies as determined in the Interlocal Agreement. Each ex officio associate member shall designate a non-voting representative to the Council. – Continued to page 2

ALTERNATIVE(S): The Council could choose to appoint other elected Council officials.

FISCAL IMPACT: There is no fiscal impact.

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Section 3. Appointment: Representatives to the Council shall be appointed as follows:

- (a) A member jurisdiction granted representation by the Interlocal Agreement shall choose its representative(s) and designated alternates by its own appropriate process. The name and contact information of both the designated representative and his/her alternate, with a copy of the Council minutes designating appointees, shall be transmitted to the Council clerk by the first working day in March of each year.
- (b) Each Council representative and alternate with the authority to vote shall be an elected official and shall be named in advance to the roster maintained by the Council clerk.
- (c) An ex officio associate or associate member may designate its representative and alternate by its own appropriate process. The positions are non-voting.
- (d) The name, mailing and e-mail address, telephone and fax numbers of all representatives and their designated alternates shall be filed in writing with the Council, directed to the Council clerk. Each member jurisdiction may change its designated representative or alternate twice annually. Written notification from the jurisdiction's chief executive or clerk of a change in voting delegates must be received by the Council clerk ten days in advance of a regular Council meeting and twenty days in advance of a General Assembly.
- (e) Other elected officials and staff from member jurisdictions shall be encouraged to attend and participate in Council discussions, but without a vote.

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: February 18, 2014 REVIEW: February 10, 2014 (Study Session)	TITLE AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Chapter 2.48 of the Lakewood Municipal Code relative to the Protection and Preservation of Landmarks. ATTACHMENTS:	TYPE OF ACTION: <input checked="" type="checkbox"/> ORDINANCE NO. 578 <input type="checkbox"/> RESOLUTION NO. <input type="checkbox"/> MOTION <input type="checkbox"/> OTHER
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SUBMITTED BY: Matthew S. Kaser, Assistant City Attorney.
 Dan Catron, Principal Planner

RECOMMENDATION: It is recommended that the City Council amend multiple provisions of Lakewood Municipal Code (LMC) Chapter 2.48 relative to Protection and Preservation of Landmarks.

DISCUSSION: In mid-2013, the Council Subcommittee on Citizens Advisory Boards and Committees (CABCs) reviewed the functions of the Landmarks & Heritage Advisory Board (LHAB). The review surfaced some structural defects in the Code which can be addressed through Council action. A number of changes are recommended to chapter 2.48 LMC in order to legally establish the LHAB and maintain operations consistent with the intent of the City.

The changes are summarized below:

1. Creation of Landmarks and Heritage Advisory Board (LHAB).

Although it is referenced in the current Code, the legislative requirements to establish LHAB have not been satisfied. LHAB will now formally be created as an advisory board of the City. It will consist of no more than nine members, with a majority constituting a quorum.

-- Continued to Page 2 --

ALTERNATIVE(S): The City can choose not to adopt recommended changes to the Lakewood Municipal Code. However, the failure to do could result in defects in those current landmark designations given the ambiguous status of the LHAB.

FISCAL IMPACT: None.

Matthew S. Kaser Prepared by Department Director	 _____ for John J. Caulfield, City Manager
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The role of the LHAB will also be specifically set forth. The primary duty of the LHAB is to identify and actively encourage the conservation of the City's historical resources.

LHAB will also be given a more formal role. It will serve as the initial review board for (1) holding public hearings on nominations for designation and applications for certificates of appropriateness; and (2) reviewing proposals submitted to the City for funds made available for grants under various provisions of state and federal law. It is also identified as the "Local Review Board," for purposes of state landmarks law.

All acts undertaken by the Board to-date will be given retroactive approval.

2. Clarification of Appeal Procedures.

Under the current Code, all local landmark-related appeals (including permit applications) are held before the City Council. This is contrary to the Council's current practice on most matters, whereby nearly all administrative appeals proceed to the City's Hearing Examiner. In those instances, the Hearing Examiner is the final decision-making authority within the City.

The Ordinance moves appeals of all local landmark-related issues, except one, to the Hearing Examiner. In this one instance, the City Council retains its role in being the final decisionmaker on whether a property would be classified as a landmark. The Hearing Examiner would rule on post-designation permit challenges.

For local landmark designations, upon receipt of a petition, the initial review would be by the LHAB. If approved by the LHAB, review is then to the City Council. The LHAB's decision not to identify a property as a local landmark is not reviewable by the Council. As the ultimate decisionmaker, the City Council would be afforded the opportunity to entertain public input and comment before it makes the final decision.

The role of a private property owner whose property is selected for local landmark status is addressed. At the Study Session, two versions of this lanaguge (Proposed LMC 2.48.050(E)) were discussed, one requiring owner agreement for nomination for landmark status, which would have the Council reviewing agreed proposals. The other allows nomination without owner agreement and putting the Council in the position of the resolving the potential disputes that method would put before them. Absent specific direction to the contrary, the original language is proposed.

One final alteration to the Ordinance has been made. Based on comments from the Council, LMC 2.48.090(D) has been altered slightly from the version presented at the Study Session. The re-write clarifies that all final decisions under the chapter are deemed final within twenty-one days, unless judicially challenged.

3. Penalties

The penalty provision under LMC 2.48.110 is revised. Work done without (or in violation of) permits is deemed a civil infraction with a fine of not more than \$500.00 per day. A limited commission officer, i.e. code enforcement officer or building inspector, may issue the citations. In addition, any violations are public nuisances.

Two minor changes from the version presented at the study session should be highlighted. Proposed LMC 2.48.110(A) removes a reference to archeological sites, and grammar was corrected in Proposed LMC 2.48.110(D). Both of these changes are intended to improve the readability of the Ordinance, and any substantive changes are intended to be minimal.

ORDINANCE NO. 578

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Chapter 2.48 of the Lakewood Municipal Code relative to the Protection and Preservation of Landmarks.

WHEREAS, the City of Lakewood has a strong interest to ensure the protection, enhancement, perpetuation, and use of buildings, sites, districts, structures and objects of historical, cultural, architectural, engineering, geographic, ethnic and archaeological significance located in Lakewood in the interest of the prosperity, civic pride and general welfare of the people of Lakewood, while balancing the rights of property owners; and

WHEREAS, in 2000, Ordinance 251 created several options to identify a body to implement the City's landmarks preservation program, one of which was the creation of a Landmarks and Heritage Advisory Board (LHAB); and

WHEREAS, despite the lack of a formal implementing ordinance creating the LHAB, the LHAB has continuously met since 2000; and

WHEREAS, it is desirable to bring the appeal provisions of Chapter 2.48 LMC in line with other provisions of the Code providing for appeals before the City's Hearing Examiner; and

WHEREAS, it is the intention of the City Council to work collaboratively with and assist property owners in the preservation of historic properties and to have designations involve those owners of private property.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON DO ORDAIN as follows:

Section 1: Chapter 2.48 of the Lakewood Municipal Code is amended to read as follows:

02.48.000 - Protection and Preservation of Landmarks.

Chapter 2.48
Protection and Preservation of Landmarks

Sections:

2.48.010 Purpose.

2.48.020 Definitions.

2.48.030 Landmarks and Heritage Advisory Board ~~authorized~~ created.

[2.48.035 Powers of Lakewood Landmarks and Heritage Advisory Board](#)

2.48.040 Designation criteria.

2.48.050 Nomination procedure.

- 2.48.060 Designation procedure.
- 2.48.070 Certificate of appropriateness procedure.
- 2.48.080 Evaluation of economic impact.
- 2.48.090 Appeal procedure.
- ~~2.48.100 Funding.~~
- ~~2.48.110 Penalty for violation of this chapter.~~
- 2.48.120 Special valuation for historic properties.
- 2.48.130 Severability.

02.48.010 - Purpose.

The purposes of this Chapter are to:

- A. Designate, preserve, protect, enhance, and perpetuate those sites, buildings, districts, structures and objects which reflect significant elements of the city's, county's state's and nation's cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, historic and other heritage;
- B. Foster civic pride in the beauty and accomplishments of the past;
- C. Stabilize and improve the economic values and vitality of landmarks;
- D. Protect and enhance the city's tourist industry by promoting heritage-related tourism;
- E. Promote the continued use, exhibition and interpretation of significant sites, districts, buildings, structures, objects, artifacts, materials and records for the education, inspiration and welfare of the people of Lakewood;
- F. Promote and continue incentives for ownership and utilization of landmarks;
- G. Assist, encourage and provide incentives to public and private owners for preservation, restoration, rehabilitation and use of landmark buildings, sites, districts, structures and objects;
- H. Assist, encourage, and provide technical assistance to public agencies, public and private museums, archives and historic preservation associations and other organizations involved in the preservation, exhibition, protection and interpretation of Lakewood's heritage.
- I. Work cooperatively to identify, evaluate and protect historic resources in furtherance of the purposes of this chapter.

(Ord. 251 § 1 (part), 2000.)

02.48.020 - Definitions.

The following words and terms shall, when used in this Chapter, be defined as follows unless a different meaning clearly appears from the context:

- A. "Alteration" is any construction, demolition, removal, modification, excavation, restoration or remodeling of a landmark.
- B. "Building" is a structure created to shelter any form of human activity, such as a house, barn, church, hotel, or similar structure. Building may refer to a historically related complex, such as a courthouse and jail or a house and barn.

- C. "Certificate of appropriateness" is written authorization issued by the [AgencyBoard](#) or its designee permitting an alteration to a significant feature of a designated landmark.
- D. "[AgencyBoard](#)" is the Landmarks and Heritage ~~Agency Advisory Board authorized and empowered by this Chapter, whether through an Advisory Board of the City created through Ordinance or Resolution, through the Lakewood City Council or a Committee thereof, or through a Contract with a public or private entity qualified to act on behalf of the City in connection herewith.~~
- E. "Community landmark" is an historic resource which has been designated pursuant to ~~terms of this ordinance this chapter~~ but which may be altered or changed without application for or approval of a certificate of appropriateness.
- F. "Council" is the Lakewood City Council.
- G. "Designation" is the act of the [AgencyBoard](#) determining that a historic resource meets the criteria established by this chapter.
- H. "Designation report" is a report issued by the [AgencyBoard](#) after a public hearing setting forth its determination to designate a landmark and specifying the significant feature or features thereof.
- I. "District" is a geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history.
- J. "Heritage" is a discipline relating to history, ethnic history, traditional cultures, folklore, archaeology and historic preservation.
- K. "Historic preservation officer" is the Lakewood historic preservation officer or his or her designee, as provided in Paragraph [GF](#) of Section 2.48.030 of this Chapter or its successor provision.
- L. "Historic resource" is a district, site, building, structure or object significant in American and/or local history, architecture, archaeology and/or culture.
- M. "Incentives" are such compensation, rights or privileges or combination thereof, which the [Ceouncil](#) or other local, state or federal public body or agency, by virtue of applicable present or future legislation, may be authorized to grant to or obtain for the owner(s) of designated landmarks. Examples of economic incentives include but are not limited to tax relief, conditional use permits, rezoning, street, vacation, planned unit development, transfer of development rights, façade easements, gifts, preferential leasing policies, private or public grants-in-aid, beneficial placement of public improvements or amenities, or the like.
- N. "Interested person of record" is any individual, corporation, partnership or association which notifies the [AgencyBoard](#) or the [Ceouncil](#) in writing of his/her/its interest in any matter before the [AgencyBoard](#).
- O. "Landmark" is an historic resource designated as a landmark pursuant to this chapter.
- P. "Nomination" is a proposal that a historic resource be designated a landmark.
- Q. "Object" is a material thing of functional, aesthetic, cultural, historical, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.
- R. "Owner" is a person having a fee simple interest, a substantial beneficial interest of record or a substantial beneficial interest known to the [AgencyBoard](#) in a historic

resource. Where the owner is a public agency or government, that agency shall specify the person or persons to receive notices hereunder.

- S. "Person" is any individual, partnership, corporation, group or association.
- T. "Person in charge" is the person or persons in possession of a landmark, including, but not limited to, a mortgagee, or vendee in possession, an assignee of rents, a receiver, executor, trustee, lessee, tenant, agent, or any other person directly or indirectly in control of the landmark.
- U. "Preliminary determination" is a decision of the [Agency Board](#) determining that a historic resource which has been nominated for designation is of significant value and is likely to satisfy the criteria for designation.
- V. "Significant feature" is any element of a landmark which the [Agency Board](#) has designated pursuant to this chapter as ~~of~~ important~~tee~~ to the historic, architectural or archaeological value of the landmark.
- W. "Site" is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains a historical or archaeological value regardless of the value of any existing structures.
- X. "Structure" is any functional construction in addition to that which is described as a "building" hereinabove.

~~"Lakewood Landmarks and Heritage Advisory Board (the 'Advisory Board')" is an option reserved by the Lakewood City Council as a method of accomplishing the purposes hereof, which if created, may be empowered to act as the Landmarks and Heritage Agency, as described herein.~~

(Ord. 251 § 1(part), 2000.)

02.48.030 - Landmarks and Heritage Advisory Board ~~authorized~~ created.

~~The City Council here identifies its authority, as an option to provide the purposes hereof, to create and empower a citizens' committee to act as the Agency for and on the City's behalf, which if so created shall be empowered to function and act as the Agency herein.~~

~~If such Advisory Board is created by separate Ordinance or Resolution, whether as a standing advisory board or an ad hoc committee, its organizational structure shall be governed by the following, unless specifically provided otherwise in the Ordinance or Resolution:~~

~~Membership and organization:~~

- A. ~~There hereby is created a~~ The Lakewood Landmarks and Heritage Advisory Board (Advisory Board), ~~if created, It~~ shall consist of ~~eight no more than nine regular~~ members selected as follows:

- 1. ~~Of the eight regular members of the Advisory Board a~~ At least three shall be professionals who have experience in identification, evaluation, and protection of historic resources and have been selected from among the fields of history, architecture, architectural history, historic preservation, planning, cultural anthropology, archaeology,

cultural geography, landscape architecture, American studies, law or other historic preservation-related disciplines.

2. The ~~eight regular~~ members of the ~~Advisory~~ Board shall be appointed by the Lakewood Mayor, subject to confirmation by the council. All regular members shall have a demonstrated interest in historic preservation.

~~3. In addition to the eight regular members, the Mayor may, at his/her sole discretion, appoint one Landmarks and Heritage Board Member Emeritus. This individual shall be selected based on past Board experience and demonstrated proficiency in the history of the area. The Board Member Emeritus shall serve as a voting member of the Board for whatever term is deemed appropriate by the Mayor.~~

- B. Appointments of ~~Advisory~~ Board members shall be made for a three-year term. Each regular member shall serve until his or her successor is duly appointed and confirmed. Appointments shall be effective on January 1 of each year. In the event of a vacancy, an appointment shall be made to fill the vacancy in the same manner and with the same qualifications as if at the beginning of the term, and the person appointed to fill the vacancy shall hold the position for the remainder of the unexpired term. Any members may be reappointed regardless of the number of terms previously served. The members of the ~~Advisory~~ Board shall serve without compensation.
- C. The chair shall be a member of the ~~Advisory~~ Board and shall be elected annually by the regular ~~Advisory~~ Board members. The ~~Advisory~~ Board shall adopt rules and regulations, including procedures consistent with this chapter. The ~~Advisory~~ Board shall not conduct any public hearing required under this chapter until rules and regulations have been filed with the City Clerk.
- D. A majority of the Advisory Board members ~~(5)~~ shall constitute a quorum for the transaction of business. All official actions of the ~~Advisory~~ Board shall require a majority vote of the members present and eligible to vote on the action voted upon. No member shall be eligible to vote upon any matter which requires a hearing unless that member has attended the hearing or familiarized him or herself with the record. Members must be present to vote; no absentee ballots are allowed.
- E. The ~~Advisory~~ Board may from time to time establish one or more committees to further the policies of the ~~Advisory~~ Board, each with such powers as may be lawfully delegated to it by the ~~Advisory~~ Board.
- F. The director of the City of Lakewood ~~department with authority over landmarks and cultural resources, as designated by the City Manager~~ Community Development Department, shall provide staff support to the ~~Advisory~~ Board, and shall serve as a “historic preservation officer” for the City, or supervise a person functioning in that capacity, as authorized by the City Manager ~~and approved by the City Council~~. The historic preservation officer shall further perform such tasks and provide such other services as are consistent with the City Manager’s direction, including, as applies, use of employment resources, act as custodian of the ~~Advisory~~ Board’s records, and other duties as assigned.
- ~~G. The Advisory Board shall meet at least once each quarter for the purpose of considering and holding public hearings on nominations for designation and applications for~~

~~certificates of appropriateness. Where no business is scheduled to come before the Advisory Board seven days before the scheduled monthly meeting, the chair of the Advisory Board may cancel the meeting. All meetings of the Advisory Board shall be open to the public. The Advisory Board shall keep minutes of its proceedings, showing the action of the Advisory Board upon each question, and shall keep records of all official actions taken by it, all of which shall be filed in the office of the historic preservation officer and shall be public records.~~

~~H.G.~~ At all hearings before and meetings of the ~~Advisory~~ Board, all oral proceedings shall be electronically recorded. Such proceedings may also be recorded stenographically by a court reporter if any interested persons at his or her expense shall provide a court reporter for that purpose. A tape recorded copy of the electronic record of any hearing or part thereof shall be furnished to any person upon request and payment of the reasonable expense thereof.

~~I.H.~~ The ~~Advisory~~ Board is authorized, subject to the availability of funds budgeted for that purpose and approval of the expenditure by the City Council, to expend monies to compensate experts, in whole or in part, to provide technical assistance to property owners in connection with requests for certificates of appropriateness upon a showing by the property owner that the need for such technical assistance imposes an unreasonable financial hardship on such property owner.

~~J.—I.~~ In order to avoid looting or deprivation of any such sites, Advisory Board records, maps, or other information identifying the location or archaeological sites and potential sites shall be exempt from public access as provided in RCW 42.56.300 ~~in order to avoid looting and depredation of such sites.~~

(Ord. 512 § 1, 2010; Ord. 368 § 1, 2004; Ord. 251 § 1(part), 2000.)

02.48.035 – Powers of Lakewood Landmarks and Heritage Advisory Board

A. The primary duty of the Board is to identify and actively encourage the conservation of the City’s historic resources by establishing and maintaining a register of historic landmarks, landmark sites, historic special review districts, and conservation districts; reviewing proposed changes to register properties; raising community awareness of the City’s history and historic resources; and serving as the City’s primary resource in matters of history, historic planning, and preservation, as provided for in this chapter.

B. In carrying out these responsibilities, the Landmarks Preservation Commission shall engage in the following:

1. Serve as liaison to the City Council on matters of historic preservation policy.
2. Review proposals to construct, change, alter, modify, remodel, move, demolish, or significantly affect properties as set forth in this Chapter, and adopt standards, design guidelines, to be used to guide this review and the issuance of a certificate of approval.

3. Actively encourage the conservation of historic materials and make recommendations regarding mitigation measures for projects adversely affecting historic resources.
4. Review, advise, and comment to the Planning Advisory Board and City Council on land use, housing and redevelopment, municipal improvements and other types of planning and programs undertaken by any agency of the City, other neighboring communities, the county, and state or federal governments, as they relate to historic resources within the City.
5. Review nominations to the State and National Registers of Historic Places for historic properties within the City.
6. Make recommendations to the City Council on the use of various federal, state, local, or private funding sources available for preservation purposes within the City.
7. Officially recognize excellence in the rehabilitation of historic buildings, structures, sites, districts, and new construction in historic areas; and encourage appropriate measures for such recognition.
8. Provide information to the public on methods of maintaining and rehabilitating historic properties, incentives for the rehabilitation of historic properties, and the regulations concerning such properties. This may take the form of pamphlets, newsletters, workshops, or similar activities.
9. Adopt and maintain architectural standards and design guidelines for Historic Special Review Districts and historic properties.
10. The Board may, at the request of the historic preservation officer or the City Manager review proposals submitted to the City for funds made available for grants to be made to the City through the Housing and Community Development Act of 1974, 42 U.S.C. 5301 et seq, the State and Local Fiscal Assistance Act of 1971, 31 U.S.C. 1221 et seq., the Museum Assistance Program and other applicable local, state, federal and private foundations funding programs. Upon review of such grant proposals, the Board shall make recommendations to the Council concerning which proposals should be funded, the amount of the grants that should be awarded, the conditions that should be placed on the grant, and such other matters that the Board deems appropriate. The historic preservation officer shall keep the Board apprised of the status of grant proposals, deadlines for submission of proposals and the recipients of grant funds.
11. The Board may, at the request of the historic preservations officer or the City Manager, make and administrate funding grants recieved by the City from both private and public sources for the purposes which promote the goals of this chapter.

12. The Board shall have such further powers and duties as may, from time to time, be delegated to it by the City Council.

C. The Board shall meet at least once each quarter for the purpose of considering and holding public hearings on nominations for designation and applications for certificates of appropriateness. Where no business is scheduled to come before the Board seven days before the scheduled meeting, the chair of the Board may cancel the meeting. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the action of the Advisory Board upon each question, and shall keep records of all official actions taken by it, all of which shall be filed in the office of the office of the historical preservation officer and shall be public records.

02.48.040 - Designation criteria.

- A. An historic resource may be designated as a Lakewood landmark if it is more than fifty years old or, in the case of a landmark district, contains resources that are more than fifty years old, and possesses integrity of location, design, setting, materials, workmanship, feeling and association, and:
1. Is associated with events that have made a significant contribution to the broad patterns of national, state or local history; or
 2. Is associated with the lives of persons significant in national, state or local history; or
 3. Embodies the distinctive characteristics of a type, period, style or method of design or construction, or that represents a significant and distinguishable entity whose components may lack individual distinction; or
 4. Has yielded or may be likely to yield information important in prehistory or history; or
 5. Is an outstanding work of a designer or builder who has made a substantial contribution to the art.
- B. A historic resource may be designated a community landmark because it is an easily identifiable visual feature of a neighborhood or city and contributes to the distinctive quality or identity of such neighborhood or the city or because of its association with a significant historical events or historic themes, association with important or prominent persons in the community or county, or recognition by local citizens for substantial contribution to the neighborhood or community. An improvement or site qualifying for designation solely by virtue of satisfying criteria set out in this section shall be designated a community landmark.
- C. Cemeteries, birthplaces or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past forty years shall not be considered eligible for designation. However, such a property shall be eligible for designation if it is:

1. An integral part of districts that meet the criteria set out in this chapter or if it is:
2. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
3. A building or structure removed from its original location but which is significant primarily for its architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
4. A birthplace, grave or residence of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his or her productive life; or
5. A cemetery that derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
6. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner or as part of a restoration master plan, and when no other building or structure with the same association has survived; or
7. A property commemorative in intent of design, age, tradition, or symbolic value has invested it with its own historical significance; or
8. A property achieving significance within the past forty years if it is of exceptional importance.

(Ord. 251 § 1(part), 2000.)

02.48.050 - Nomination procedure.

- A. Any person, including any member of the [Agency Board](#), may nominate an historic resource for designation as a landmark or community landmark. Procedures set forth may be used to amend existing designations or to terminate an existing designation based on changes which affect the applicability of the criteria for designation. The nomination or designation of an historic resource as a landmark shall constitute nomination or designation of the land which is occupied by the historic resource unless the nomination provides otherwise. Nominations shall be made on official nomination forms provided by the historic preservation officer, shall be filed with the historic preservation officer and shall include all data required.
- B. Upon receipt by the historic preservation officer of any nomination for designation, the officer shall review the nomination, consult with the person or persons submitting the nomination, and the owner, and prepare any amendments to or additional information on the nomination deemed necessary by the officer. The historic preservation officer may refuse to accept any nomination for which inadequate information is provided by the person or persons submitting the nomination. It is the responsibility of the person or persons submitting the nomination to perform such research as is necessary for consideration by the [Agency Board](#). The historic preservation officer may assume responsibility for gathering the required information or appoint an expert or experts to carry out this research in the interest of expediting the consideration.
- C. When the historic preservation officer is satisfied that the nomination contains sufficient information and complies with the [Agency Board](#)'s regulations for nomination, the officer shall give notice in writing, certified mail/return receipt requested, to the owner of the

property or object, to the person submitting the nomination and any interested persons of record that a preliminary or a designation determination on the nomination will be made by the AgencyBoard. The notice shall include:

1. The date, time and place of hearing;
2. The address and description of the historic resource and the boundaries of the nominated resource;
3. A statement that, upon a designation or upon a preliminary determination of significance, the certificate of appropriateness procedure set forth will apply;
4. A statement that, upon a designation or a preliminary determination of significance, no significant feature may be changed without first obtaining a certificate of appropriateness from the AgencyBoard, whether or not a building or other permit is required. A copy of the provisions of this code shall be included with the notice;
5. A statement that all proceedings to review the action of the AgencyBoard at the hearing on a preliminary determination or a designation will be based on the record made at such hearing and that no further right to present evidence on the issue of preliminary determination or designation is afforded pursuant to this chapter.

D. The historic preservation officer shall, after mailing the notice required herein, refer the nomination and all supporting information to the AgencyBoard for consideration on the date specified in the notice. No nomination shall be considered by the AgencyBoard less than thirty nor more than forty-five calendar days after notice setting the hearing date has been mailed ~~except where the historic preservation officer or members of the Agency have reason to believe that immediate action is necessary to prevent destruction, demolition or defacing of a historic resource, in which case the notice setting the hearing shall so state~~. Notice of hearings must be published in a local paper at least 10 days in advance.

E. Before the historic preservation officer shall refer the nomination to the Board, the historic preservation officer shall obtain confirmation from the owner of a parcel of private property that the owner is in agreement with the nomination. If such owner is not in agreement with the nomination, the nomination shall not be forwarded to the Board for consideration.

(Ord. 251 § 1(part), 2000.)

02.48.060 - Designation procedure.

A. After the conclusion of the required public hearing , Tthe AgencyBoard may recommend approve, denialy, amendment or terminatione the designation of a historic resource as a landmark or community landmark-only after a public hearing. At the ~~designation~~ hearing the AgencyBoard shall receive evidence and hear argument only on the issues of (1) whether the historic resource meets the criteria for designation of landmark or community landmark as specified in this chapter and merits designation as a landmark or community landmark, and (2) the significant features of the landmark. The hearing may be continued from time to time at the discretion of the AgencyBoard. In the event the hearing is

continued, the [AgencyBoard](#) may make a preliminary determination of significance if the [AgencyBoard](#) determines, based on the record before it, that the historic resource is of significant value and likely to satisfy the criteria for designation set out in this chapter. Such preliminary determination shall be effective as of the date of the public hearing at which it is made. Where the [AgencyBoard](#) makes a preliminary determination, it shall specify the boundaries of the nominated resource, the significant features thereof and such other description of the historic resource as it deems appropriate. Within five working days after the [AgencyBoard](#) has made a preliminary determination, the historic preservation officer shall file a written notice of such action with the City Manager and mail copies of the same, ~~certified mail/return receipt requested,~~ to the ~~owner, the~~ person submitting the nomination and interested persons of record. Such notice shall include:

1. A copy of the [AgencyBoard](#)'s preliminary determination;
2. A statement that while proceedings pursuant to this chapter are pending, or six months from the date of the notice, whichever is shorter, and thereafter if the designation is approved by the [AgencyBoard](#), the certificate of appropriateness procedures set out in this chapter, a copy of which shall be enclosed, shall apply to the described historic resource whether or not a building or other permit is required. The decision of the [AgencyBoard](#) shall be made after the close of the public hearing or at the next regularly scheduled public meeting of the [AgencyBoard](#) thereafter.

B. Whenever the [AgencyBoard](#) ~~approves-recommends~~ the designation of an historic resource under consideration for designation as a landmark, it shall, within fourteen calendar days of the public meeting at which the decision is made, issue a written ~~designation~~-report which shall include:

1. The boundaries of the nominated resource and such other description of the resource sufficient to identify its ownership and location.
2. The significant features and such other information concerning the historic resource as the [AgencyBoard](#) deems appropriate;
3. Findings of fact and reasons supporting the designation with specific reference to the criteria for designation set forth in this chapter;
4. A statement that no significant feature may be changed, whether or not a building or other permit is required, without first obtaining a certificate of appropriateness from the [AgencyBoard](#) pursuant to the provisions of this chapter, a copy of which shall be included in the designation report. The subsection shall not apply to historic resources designated as community landmarks.

C. Whenever the [AgencyBoard](#) rejects the nomination of an historic resource under consideration for designation as a landmark, it shall, within fourteen calendar days of the public meeting at which the decision is made, issue a written decision including findings of fact and reasons supporting its determination that the criteria set forth in this chapter have not been met. If an historic resource has been nominated as a landmark and the [AgencyBoard](#) designates such historic resource as a community landmark, such designation shall be treated as a rejection of the nomination for Lakewood landmark status and the foregoing requirement for a written decision shall apply. Nothing contained

herein shall prevent renominating any historic resource rejected under this subsection as a Lakewood landmark at a future time.

- D. A copy of the AgencyBoard's ~~designation report or decision rejecting a nomination recommendation~~ shall be delivered or mailed to the owner, to interested persons of record and the City Manager within five working days after it is issued. Upon receipt by the City Manager of the Board's recommendation that a nomination be approved, the recommendation shall also be set for consideration by the City Council no less than thirty and no later than sixty days after the date of the recommendation. The City Council shall be the final authority in approving a nomination. If the Board rejects the nomination and it has made preliminary determination of significance with respect to such nomination, it shall include in the notice to the City Manager a statement that the provisions of this chapter no longer apply to the subject historic resources.
- E. If the Agency-City approves or amends a landmark designation, the provisions of this chapter shall apply as approved or amended. A copy of the Agency's designation report or designation amendment shall be filed with the appropriate City office together with a legal description of the designated resource and notification that the provisions of this chapter apply. If the Agency-City terminates the designation of an historic resource, the provisions of this chapter shall no longer apply to said historic resource.

(Ord. 251 § 1 (part), 2000.)

02.48.070 - Certificate of appropriate procedure.

- A. At any time after a designation report and notice have been filed with the City Manager and for a period of six months after notice of a preliminary determination of significance has been mailed to the owner and filed with the City Manager, a certificate of appropriateness must be obtained from the AgencyBoard before any alterations may be made to the significant features of the landmark identified in the preliminary determination report or thereafter in the designation report. The designation report shall supersede the preliminary determination report. This requirement shall apply whether or not the proposed alteration also requires a building or other permit.
- B. Ordinary repairs and maintenance which do not alter the appearance of a significant feature and do not utilize substitute materials do not require a certificate of appropriateness. Repairs to or replacement of utility systems do not require a certificate of appropriateness provided that such work does not alter a significant exterior feature.
- C. There shall be three types of certificates of appropriateness, as follows:
1. Type I, for restorations and major repairs which utilize in-kind materials.
 2. Type II, for alterations in appearance, replacement of historic materials and new construction.
 3. Type III, for demolition, moving and excavation of archaeological sites.

~~In addition, the Agency shall establish and adopt an appeals process concerning Type I decisions made by the historic preservation officer with respect to the applications for certificates of appropriateness.~~

~~ED.~~ The historic preservation officer may approve Type I certificates of appropriateness administratively without public hearing, subject to procedures adopted by the [AgencyBoard](#). Alternatively the historic preservation officer may refer applications for Type I certificates of appropriateness to the [AgencyBoard](#) for decision. ~~The Agency shall adopt an appeals procedure concerning Type I decisions made by the historic preservation officer.~~

~~FE.~~ Type II and III certificates of appropriateness shall be decided by the [AgencyBoard](#) and the following general procedures shall apply to such [AgencyBoard](#) actions:

1. Application for a certificate of appropriateness shall be made by filling out an application for such certificate with the historic preservation officer on forms provided by the [AgencyBoard](#).
2. If an application is made to the City Manager or designee for a permit for any action which affects a landmark, the City Manager shall promptly refer such application to the historic preservation officer and such application shall be deemed an application for a certificate of appropriateness. The City Manager [or designee](#) may continue to process such permit application, but shall not issue any such permit until the time has expired for filing with the City Manager the notice of denial of a certificate of appropriateness or a certificate of appropriateness has been issued pursuant to this chapter.
3. After the [AgencyBoard](#) has commenced proceedings for the consideration of any application for a certificate of appropriateness by giving notice of a hearing pursuant to subsection 3 of this section, no other application for the same or similar alteration may be made until such proceedings and all administrative appeals therefrom pursuant to this chapter have been concluded.
4. Within forty-five calendar days after the filing of an application for a certificate of appropriateness with the [AgencyBoard](#) or the referral of an application to the [AgencyBoard](#) by the City Manager, except those decided administratively by the historic preservation officer pursuant to subsection 2 of this section, the [AgencyBoard](#) shall hold a public hearing thereon. The historic preservation officer shall mail notice of the hearing to owner, the applicant, ~~if the applicant is not the owner,~~ and parties of record at the designation proceedings, not less than ten calendar days before the date of the hearing. No hearing shall be required if the [AgencyBoard](#), the owner and the applicant, ~~if the applicant is not the owner,~~ agree in writing to a stipulated certificate approving the requested alterations thereof. This agreement shall be ratified by the [AgencyBoard](#) in a public meeting and reflected in the [AgencyBoard](#) meeting minutes. If the [AgencyBoard](#) grants a certificate of appropriateness, such certificate shall be issued forthwith and the historic preservation officer shall promptly file a copy of such certificate with the City Manager.
5. If the [AgencyBoard](#) denies the application for a certificate of appropriateness, in whole or in part, it shall so notify the [applicant, the](#) owner, ~~the person submitting the application~~ and interested persons of record setting forth the reasons why approval of the application is not warranted.

~~GF~~. The [Agency Board](#) shall adopt such other supplementary procedures consistent with the City Code as it determines are necessary to carry out the intent of this section.

(Ord. 251 § 1(part), 2000.)

02.48.080 - Evaluation of economic impact.

- A. At the public hearing on any application for a Type II or Type III certificate of appropriateness, or Type I if referred to the [Agency Board](#) by the historic preservation officer, the [Agency Board](#) shall, when requested by the property owner, consider evidence of the economic impact on the owner of the denial or partial denial of a certificate. In no case may a certificate be denied, in whole or in part, when it is established that the denial or partial denial will, when available incentives are utilized, deprive the owner of a reasonable economic use of the landmark and there is no viable and reasonable alternative which would have less impact on the features of significance specified in the preliminary determination section of the designation report.
- B. To prove the existence of a condition of unreasonable economic return, the applicant must establish, and the [Agency Board](#) must find, both of the following:
 - 1. The landmark is incapable of earning a reasonable economic return without making the alterations proposed. This finding shall be made by considering, and the applicant shall submit to the [Agency Board](#) evidence establishing, each of the following factors:
 - a. The current level of economic return on the landmark as considered in relation to the following:
 - 1. The amount paid for the landmark, the date of purchase, and party from whom purchased, including a description of the relationship, if any, between the owner and the person from whom the landmark was purchased;
 - 2. The annual gross and net income, if any, from the landmark for the previous five years; itemized operating and maintenance expenses for the previous five years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;
 - 3. The remaining balance on any mortgage or other financing secured by the landmark and annual debt service, if any, during the prior five years;
 - 4. Real estate taxes for the previous four years and assessed value of the landmark according to the two most recent valuations;
 - 5. All appraisals obtained within the previous three years by the owner in connection with the purchase, financing or ownership of the landmark;

6. The fair market value of the landmark immediately prior to its designation and the fair market value of the landmark (in its protected status as a designated landmark) at the time the application is filed;
 7. Form of ownership or operation of the landmark, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture, or both;
 8. Any state or federal income tax returns on or relating to the landmark for the past two years.
- b. The landmark is not marketable or able to be sold when listed for sale or lease. The sale price asked, and offers received, if any, within the previous two years, including testimony and relevant documents, shall be submitted by the property owner. The following also shall be considered:
1. Any real estate broker or firm engaged to sell or lease the landmark;
 2. Reasonableness of the price or lease sought by the owner;
 3. Any advertisements placed for the sale or lease of the landmark.
- c. The unfeasibility of alternative uses that can earn a reasonable economic return for the landmark as considered in relation to the following:
1. A report from a licensed engineer or architect (each with experience in historic restoration or rehabilitation) as to the structural soundness of the landmark and its suitability for restoration or rehabilitation;
 2. Estimates or the proposed cost of the proposed alteration and an estimate of any additional cost that would be incurred to comply with the recommendation and decision of the [Agency Board](#) concerning the appropriateness of the proposed alteration;
 3. Estimated market value of the landmark in the current condition after completion of the proposed alteration; and, in the case of proposed demolition, after renovation of the landmark for continued use;
 4. In the case of proposed demolition, the testimony of an architect, developer, real estate consultant, appraiser or other real estate professional experienced in historic restoration or rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing landmark;
 5. The infeasibility of new construction around, above, or below the historic resource.

- d. Potential economic incentives and/or funding available to the owner through federal, state, county, city or private programs.
- 2. The owner has the present intent and the secured financial ability, demonstrated by appropriate documentary evidence, to compete the alteration.
- C. Notwithstanding the foregoing enumerated factors, the property owner may demonstrate other appropriate factors applicable to economic return.
- D. Upon reasonable notice to the owner, and subject to the availability of funds budgeted for that purpose and approval of the expenditure by the City Council, the [AgencyBoard](#) may appoint and hire an expert or experts to provide advice and/or testimony concerning the value of the landmark, the availability of incentives and the economic impacts of approval, the potential for public acquisition, denial or partial denial of a certificate of appropriateness.
- E. Any adverse economic impact caused intentionally or by willful neglect shall not constitute a basis for granting a certificate of appropriateness.

02.48.090 - Appeal procedure.

A. Any person aggrieved by a decision of the [AgencyBoard designating or rejecting a nomination for designation of a landmark or of the historic preservations officer relative to a issuing or denying a certificate of appropriateness](#) may, within ~~thirty-five~~ [fourteen](#) calendar days of mailing of notice of such ~~designation or rejection of nomination, or of such issuance of denial or approval of a certificate of appropriateness~~[decision](#), appeal such decision in writing to the ~~council~~[Hearing Examiner](#). The written notice of appeal shall be filed with the ~~historic preservation officer and the~~ City Clerk, and shall be accompanied by a statement setting forth the grounds of the appeal, supporting documents and argument, and an appeal fee [in accordance with the City's fee schedule as set forth in LMC 3.20.010](#). ~~Unless an appeal fee is set by the City Council specifically applicable to appeals under this Section, the general City of Lakewood fee for filing appeals of administrative decisions shall apply to appeals hereunder.~~

B. If after examination of the written appeal and the record, the ~~City Council~~[Hearing Examiner](#) determines that an error in fact exists in the record, it may remand the proceeding ~~back~~ to the [AgencyBoard or historic preservations officer](#) for reconsideration. Otherwise, it shall accept the facts as determined by the [AgencyBoard or historic preservations officer](#). If the ~~City Council~~[Hearing Examiner](#) determines that the decision of the [AgencyBoard or historic preservations officer](#) is based on an error in the application of City Code provisions, it may modify or reverse the decision ~~of the Agency~~.

C. The ~~City Council~~[Hearing Examiner](#)'s decision shall be based solely upon the closed record, provided that the ~~City Council~~[Hearing Examiner](#) may at ~~its~~ [his/her](#) discretion permit the appellant and the [AgencyBoard](#) or the historic preservation officer, or their representatives to submit argument, and statements explaining their positions, either in writing or orally at a public hearing held for the purpose, or both.

~~D.—The City Council shall take final action on any appeal from a decision of the Agency by passage of a Resolution, setting forth its findings, conclusions and decision, based on the record.~~

~~ED. The A final action of the City Council sustaining, reversing, modifying or remanding a decision of the Agency under this chapter shall be final unless within twenty-one calendar days from the date of the action an aggrieved person seeks review by a court of competent jurisdiction. obtains a Writ of Certiorari from the Superior Court for the purpose of review of the action taken.~~

~~F.It is provided, however, that if the Agency consists of the entire City Council, appeal of any Agency decisions shall be directly to the Superior Court through a Writ of Certiorari.~~

(Ord. 251 § 1(part), 2000.)

~~**02.48.100 – Funding:**~~

~~The Agency shall have the power to make and administer grants of funds received by it from private sources and from local, state and federal programs for purposes of:~~

~~Maintaining, purchasing or restoring historic resources located within the City of Lakewood which it deems significant pursuant to the goals, objectives and criteria set forth in this chapter if such historic resources have been nominated or designated as landmarks pursuant to this chapter or have been designated as landmarks by the State of Washington or are listed on the National Historic Landmarks Register, the National Register of Historic Places; and~~

~~Developing and conducting programs relating to archaeology, cultural heritage and technical assistance to heritage museums, heritage organizations and public agencies. The Agency shall establish rules and regulations consistent with City Code provisions and policies governing procedures for applying for and awarding of grant monies pursuant to this section.~~

~~The Agency may, at the request of the historic preservation officer or the City Manager review proposals submitted to the City for funds made available for grants to be made to the City through the Housing and Community Development Act of 1974, 42 U.S.C. 5301 et seq, the State and Local Fiscal Assistance Act of 1971, 31 U.S.C. 1221 et seq., the Museum Assistance Program and other applicable local, state, federal and private foundations funding programs. Upon review of such grant proposals, the Agency shall make recommendations to the department concerning which proposals should be funded, the amount of the grants that should be awarded, the conditions that should be placed on the grant, and such other matters that the Agency deems appropriate. The historic preservation officer shall keep the Agency apprised of the status of grant proposals, deadlines for submission of proposals and the recipients of grant funds.~~

(Ord. 251 § 1(part), 2000.)

~~**02.48.110 - Penalties for violating this chapter.**~~

- ~~A. Any person violating or failing to comply with the provisions of this chapter shall incur a civil penalty of up to five hundred dollars per day, and each day's violation or failure to comply shall constitute a separate offense; provided, however, that no penalty shall be imposed for any violation or failure to comply which occurs during the pendency of legal proceedings filed in any court challenging the validity of the provision or provisions of this chapter as to which such violations or failure to comply is charged.~~
- A. The performance of alterations, replacement, demolitions, repairs, moving or excavation of a landmark without a required certificate of appropriateness shall be designated as an infraction.
- B. Any person cited for violation of this chapter, shall be subject to a penalty amount not to exceed \$500.00 per day. Each day for which a violation or failure to comply occurs may constitute a separate offense; provided, however, that no penalty shall be imposed for any violation or failure to comply which occurs during the pendency of legal proceedings filing in any court challenging the validity of the provision or provisions of this chapter as to which such violation or failure to comply is charged.
- C. Infraction under this chapter may be issued by a holder of a limited commission under LMC 2.14.110 and LMC 2.14.120.
- D. All violations of this chapter are detrimental to the public health, safety and welfare and are public nuisances. All conditions that are determined after review by the City to be in violation of this chapter are subject to abatement.

(Ord. 251 § 1(part), 2000.)

02.48.120 - Special valuation for historic properties.

- A. There is hereby established and implemented a special valuation for historic properties as provided in Chapter 221, 1986 Laws of Washington and Chapter 84.26 RCW.
- B. The Lakewood Landmark Heritage Agency Board is hereby designated as the "Local Review Board" for the purposes related to Chapter 221, 1986 Laws of Washington, and is authorized to perform all functions required by Chapter 221, 1986 Laws of Washington, Chapter 84.26 RCW, and Chapter 254.20 WAC.
- C. All Lakewood landmarks designated and protected under authority of City Ordinance shall be eligible for special valuation as set forth in Chapter 221, 1986 Laws of Washington and Chapter 84.26 RCW.

(Ord. 251 § 1 (part), 2000.)

02.48.130 - Severability.

- A. If any provisions of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

(Ord. 251 § 1 (part), 2000.)

02.48.140 – Retroactive Approval of Acts

Actions undertaken by the Landmarks and Heritage Advisory Board before the effective date of this Ordinance are hereby ratified.

Section 2. The membership and terms of those members of the Landmarks and Heritage Advisory Board who have been appointed under prior acts of the City Council remain unaffected by this Ordinance and those members shall continue to serve the terms to which they were appointed.

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

Section 4. Effective Date. This ordinance shall take place thirty (30) days after its publication or publication of a summary of its intent and contents.

ADOPTED by the City Council this 18th day of February, 2014.

Don Anderson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney

City of Lakewood
Lakewood City Hall
6000 Main Street SW
Lakewood, WA 98499
(253) 589-2489

(Legal Notice)

February 19, 2014

**NOTICE OF ORDINANCE PASSED
BY LAKEWOOD CITY COUNCIL**

The following is a summary of an Ordinance passed by the City of Lakewood City Council on the 18th day of February, 2014.

ORDINANCE NO. 578

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Chapter 2.48 of the Lakewood Municipal Code relative to the Protection and Preservation of Landmarks.

Section 1 of the Ordinance provides for amending Chapter 2.48.000 to read “Protection and Preservation of Landmarks.”

Section 2 of the Ordinance provides that the membership and terms of those members of the Landmarks and Heritage Advisory Board who have been appointed under prior acts of the City Council remain unaffected by this Ordinance and those members shall continue to serve the terms to which they were appointed.

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

Section 4 of the ordinance provides that this ordinance shall take place thirty (30) days after its publication or publication of a summary of its intent and contents.

The full text of the Ordinance is available at the City Clerk's Office, Lakewood City Hall, 6000 Main Street SW, Lakewood, Washington 98499, (253) 589-2489. A copy will be mailed out upon request.

Alice M. Bush, MMC, City Clerk

Published in the Tacoma News Tribune: _____

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: February 18, 2014	TITLE: Park Code Updates ATTACHMENTS: Draft Ordinance amending Chapter 8.76 of the Lakewood Municipal Code Park Code Amendments 1, 2 & 3	TYPE OF ACTION: <input checked="" type="checkbox"/> ORDINANCE NO. 579 <input type="checkbox"/> RESOLUTION NO. <input type="checkbox"/> MOTION NO. <input type="checkbox"/> OTHER
REVIEW: January 13 and February 10, 2014		

SUBMITTED BY: Mary Dodsworth, Director

RECOMMENDATION: It is recommended that the City Council approve changes to Chapter 8.76 of the Lakewood Municipal Code.

DISCUSSION: The Parks and Recreation Advisory Board (PRAB) worked with staff to review Chapter 8.76 of the Lakewood Municipal Code (LMC) relating to the City of Lakewood Park Code. They approved and provided proposed code changes to Council for review. Code changes were recommended in the following sections: definitions, special use permits, cooking, smoking and tobacco use, parking, boating, tents, horses and firearms. Council reviewed the changes at their January 13 and February 10 study sessions. While most of the code changes were positively addressed, there was not consensus regarding the smoking and tobacco free parks proposal.

ALTERNATIVE(S): Staff provided three alternatives for Council consideration. A draft ordinance is provided with all the recommended changes including banning smoking and tobacco use in parks. Amendment one bans smoking in the parks within 25 feet of specific areas (playgrounds, picnic shelters, beaches, etc). Amendment two removes the section regarding smoking and tobacco use from the code. Amendment three proposes an alternative ban based on distance from specific areas. The City could still restrict smoking in parks or certain areas of parks by administrative policy which would make it voluntary to the park guest and not provide any fine or enforcement options. Education programs including site signage would be included in any smoking changes to the code or park system.

FISCAL IMPACT: There is minimal fiscal impact to this code change. The Tacoma Pierce County Health Department will provide smoke free area signage consistent with other parks in Pierce County. The City will add minimal information to the signs (city logo and LMC references).

Prepared by _____ _____ Department Director	 for John J. Caulfield, City Manager
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Wednesday, February 12, 2014

LETTERS TO THE EDITOR

LAKEWOOD: Make our parks healthier, cleaner

Next week the Lakewood City Council will consider the Parks and Recreation Advisory Board's recommendation to ban tobacco products on park property. Now Lakewood has a tremendous opportunity to protect our youth and families from the dangerous health effects of tobacco use.

As a Lakewood resident and chair of the American Heart Association's South Sound Division board of directors, I urge the Lakewood City Council to adopt the proposed code change to make our parks smoke-free.

Children and families go to parks to use playground equipment, engage in physical activity and enjoy fresh air. We should support and encourage these healthy habits rather than expose kids to unhealthy behaviors and dangerous secondhand smoke.

I encourage the Lakewood City Council to support the proposed

smoke-free parks code change. Let's protect nonsmokers and make our parks safer, cleaner and more enjoyable, while safeguarding our youth from a lifelong and deadly addiction.

NANCY J. SCHAUER
Lakewood



February 10, 2014

Lakewood City Council
6000 Main Street SW
Lakewood WA 98499

President
Mark S. Grubb, MD

President Elect
Keith F. Dahlhauser, MD

Immediate Past President
Daniel C. Ginsberg, MD

Vice President
Steven H. Litsky, MD

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Jennie G. Hendrie, MD
Susan E. McDonald, MD
Kimberly A. Mebust, MD
Aaron K. Pace, MD
Jean M. Riquelme, MD

Executive Director
Sue Asher

Dear Council Members:

As a profession we were extremely disappointed to learn that you made the decision to not move forward with making your city's parks tobacco free - as had been unanimously recommended by your Parks and Recreation Advisory Board.

Setting policies that protect the health of the public, provide good role modeling for children and are in line with the preferences of the majority of residents is a responsibility of civic leadership. We hope you will reconsider.

As was learned when restaurants and other businesses went tobacco-free, people prefer it. Businesses thrived and found they attracted new customers that no longer had to tolerate second-hand smoke, and smoking customers quickly adapted. The popularity and preference of policies that do not allow tobacco use in public has been proven over and over.

We hope that you will align with other major cities in our county such as Puyallup, Gig Harbor and Tacoma and declare your beautiful and well utilized parks tobacco free.

We appreciate your thoughtful consideration of this issue. Implementing this policy will help provide a consistent message in our county that the use of tobacco products should be in private where it doesn't impact anyone else's health, where it doesn't litter or endanger our shared spaces, and where it doesn't send the message to children that tobacco use is acceptable.

Sincerely,

Mark Grubb, MD

Mark Grubb, MD
President

From: David Anderson [mailto:billsboathouse@qwestoffice.net]

Subject: Tillicum Park Tobacco-free and more

Should Tillicum's park go tobacco-free?

City Council member Mary Moss has been asked to address this issue at the Tillicum Woodbrook Neighborhood Association (TWNA) meeting February 6, 2014, 6:30 P.M., Tillicum Community Center, 14916 Washington Ave. SW.

By way of review, the TWNA Board supports the unanimous recommendation of the Lakewood's Parks and Recreation Advisory Board to ban tobacco products and electronic cigarettes on park property.

The Lakewood City Council, on the other hand, does not.

With a decision by the council possible mid-February, be sure to attend the Feb.6 TWNA meeting and click on the hyperlinks above for the latest on this issue.

Alice Bush

From: John Caulfield
Sent: Friday, January 24, 2014 11:52 AM
To: Mary Dodsworth; Alice Bush
Subject: FW: Tobacco-free parks

FYI

John Caulfield, ICMA-CM
City Manager
City of Lakewood
6000 Main Street SW | Lakewood, WA 98499
Ph: 253.983.7703
<https://www.cityoflakewood.us/>
Like us on [Facebook](#)
Follow us on [Twitter](#)

From: Terry Reid [<mailto:treid0505@aol.com>]
Sent: Friday, January 24, 2014 11:40 AM
To: Council
Subject: Tobacco-free parks

Dear Mayor Anderson, Deputy Mayor Whalen and Council Members,

On behalf of the Tobacco-Free Alliance of Pierce County (TAP), I support the Lakewood Parks and Recreation Advisory Board's unanimous recommendation to make their parks tobacco-free.

A few years ago my grandson was playing in a Little League tournament at Ft. Steilacoom Park. Between games we walked by the large playground where a father and his daughter sat atop a picnic table. He was blowing cigarette smoke filled bubbles while she and several other young children watched attentively. It struck me then, as it still does now, that something is very wrong with this picture.

Tobacco use is the leading cause of preventable death and disease in the nation, in Washington State and in Pierce County. Our parks should be healthy and safe places for families to gather and for kids and adults to be physically active. Parks currently regulate the use of alcohol and require owners to clean up after their pets. Eliminating tobacco use from parks makes the air safer to breathe, eliminates toxic cigarette butt litter, reduces dangerous fires and models a fresh air tobacco-free lifestyle for our youth.

In the summer of 2013, TAP surveyed over 200 Pierce County residents at community events including Summerfest in Lakewood. More than 85% of people surveyed wanted their local parks to be tobacco-free. This is about the same level of support that exists for smoke-free restaurants and bars.

Youth know that tobacco-use is harmful to their health. Our health education programs and the media have driven that point effectively now for several years, but tobacco use still remains the leading cause of preventable death in our nation. Now is the time for our elected leaders to behave consistently with the health education messages and protect kids from being introduced to tobacco use and exposed to secondhand smoke.

Respectfully,
Terry R. Reid
Co-chair Tobacco-free Alliance of Pierce County

Disclaimer: Public documents and records are available to the public as required under the Washington State Public Records Act (RCW 42.56). The information contained in all correspondence with a government entity may be disclosable to third party requesters under the Public Records Act.

Letter: Lakewood's New City Promo: 'Join the Party!'

David Anderson | January 23, 2014 | 0 Comments

By David Anderson

The city is looking for a "marketing 'phrase or slogan' to establish community identity/image," one of its New Year's resolutions per last month's annual weekend council retreat.

Maybe "Free the Weed"?

Despite the fact that many of its neighboring municipalities have banned smoking in their respective parks; and even though roughly 1,000 people die annually in Pierce County from tobacco-related diseases; and no matter that smoking bans have proven effective in discouraging teens from taking up the habit; or that the council is self-mandated to ensure quality of life for all residents, still there on those on the council who believe a ban would be unenforceable, a ban is not the government's job and that people have had enough of government's intrusion.

The City Council wants the Parks Department to "compromise" (condone) what Parks has already categorized as incompatible.

How 'bout a brochure then describing "how to blow smoke rings"?

If smoking, according to the surgeon general, that is responsible for 480,000 premature deaths a year; and – for the babies that are born – vision loss, tuberculosis, rheumatoid arthritis, impaired immune function, and cleft palates are found in children of pregnant women who smoke; plus bladder cancer, cervical cancer and on and on all attributable to tobacco as reported just days ago by Richard Cohen, opinion writer for "The Washington Times" – if these are not worthy reasons to ban smoking in parks, maybe outlawing loud conversations are?

Just this January 22, city leaders in Hingham, MA proposed fines of up to \$300 for noise levels that would effectively ban lawn mowers "and even spark fines for loud conversations."

The reason?

"It's really a question of giving police some tools to deal with a quality of life issue," said Hingham Selectman Chairman Bruce Rabuffo.

Quality of life.

The same priority the Lakewood City Council itself declares is its responsibility (number four).

If daytime noise-levels above 55dB (and a normal conversation at three feet is 60-65dB unless of course you're talking to me who am hard of hearing) are subject to fines, then where on the responsibility chart of city duties does tobacco – "a gateway drug to an early grave" fall?

Furthermore, if Lakewood City leaders can't answer that then what will they say in the likely event that pipes, bongs, and blunts are smoked, chewed and vaporized (no)thanks to pending federal approval of recreational marijuana in public places intended for recreation – like parks?

Though City Attorney Heidi Ann Wachter has opined that federal law must first legally 'free the weed' before Lakewood storefronts can open their doors, given the latest from President Obama, dopers and druggers could one day be stumbling down the same path as dog walkers along city park trails.

The head Fed himself said, according to "The Washington Time's" Joseph Curl, "that the legalization trend (in Washington and Colorado) should spread, 'because it's important for a society not to have a situation in which a large portion of people have at one time or another broken the law and only a select few get punished.'"

Ambivalence now, an ambulance then.

TNT 1-23-14

SMOKING: Tobacco-free parks just make sense

Re: "Lakewood backs off ban on tobacco in parks" (TNT, 1-19).

On behalf of the Tobacco-Free Alliance of Pierce County (TAP), I support the Lakewood Parks and Recreation Advisory Board's unanimous recommendation to make the city's parks tobacco-free.

Tobacco use is a leading cause of preventable death and disease in the nation, in Washington state and in Pierce County. Our parks should be healthy and safe places for families to gather and for kids and adults to be physically active.

Parks currently regulate the use of alcohol and require owners to clean up after their pets. Eliminating tobacco use from parks makes the air safer to breathe, eliminates toxic cigarette butt litter, reduces dangerous fires and models a fresh air tobacco-free lifestyle for our youth.

In the summer of 2013,

TAP surveyed more than 200 Pierce County residents at community events including Lakewood's Summerfest. More than 85 percent of people surveyed wanted their local parks to be tobacco-free. This is about the same level of support that exists for smoke-free restaurants and bars.

Youth know that tobacco-use is harmful to their health. Our health education programs and the media have driven that point effectively now for several years, but tobacco use still remains the leading cause of preventable death in our nation.

Now is the time for our adult leaders to behave consistently with the health education messages and protect kids from being introduced to tobacco use and exposed to secondhand smoke.

TERRY R. REID

Lake Tapps

(Reid is co-chair of the Tobacco-free Alliance of Pierce County.)

RE: Consider park smoke ban's effect on mentally ill

Parks

Sent: Wednesday, January 22, 2014 1:28 PM

To: cindy@renander.com

Cc: Mary Dodsworth

Dear Ms. Renander: Thank you for your letter. It will be shared with the Parks and Recreation Advisory Board at its meeting next Tuesday, January 28, 2014, at 5:30 pm here in Lakewood City Hall. You have described your uncle's situation very clearly and I'm sure he appreciates your support. This topic of discussion brings with it many viewpoints.

Suzi Riley
Administrative Assistant
Parks, Recreation and Community Services
City of Lakewood
sriley@cityoflakewood.us

From: Cindy Renander [cindy@renander.com]
Sent: Tuesday, January 21, 2014 12:20 PM
To: Parks
Subject: Consider park smoke ban's effect on mentally ill

Hello,
I sent this email to the council's email address and realized that it was the parks commission that was reviewing this policy and would report back to the council. If this is not the correct email address to contact the parks commission, please forward this.

I also forgot to send the link to the NPR news story last week in which the guest mentions that as much as 40 to 50 percent of smokers are mentally ill. <http://www.npr.org/2014/01/11/261608753/50-years-after-surgeon-generals-warning-smokers-still-light-up>

-Cindy Renander

----- Original Message -----

Subject: Consider park smoke ban's effect on mentally ill
Date: Sun, 19 Jan 2014 14:27:19 -0800
From: Cindy Renander <cindy@renander.com>
Reply-To: cindy@renander.com
To: council@cityoflakewood.us

Hello,
My uncle lives in Lakewood (I'm in UP), and until last fall, he was living on his own with VA benefits, but he suffers from mental illness and has periodically had to be hospitalized. I am against smoking, but people like my uncle are where the phrase "you can't teach an old dog new tricks" comes from. During one of his hospital stays for a bladder infection at St. Clare, he literally put his clothes on over his hospital gown and walked out and didn't even take off one of the monitors that was on his skin! I would urge you to visit the grounds of the VA at American Lake and observe some of the old-timer veterans, and get the staff's perspective on this issue.

I don't know if you know this, but unless people are involuntarily committed, I don't think you can make them stop 100%. My uncle is currently at Georgian House on Steilacoom Blvd, which is a locked facility, because after he spent time in August at the county mental health unit, he couldn't be sent back to live on his own due to his being a fall risk on top of the mental illness. However, at Georgian House, he has the right to refuse medications (!) which we found out a few months ago when he was claiming some caused heartburn. He ended up agitated and had to be taken to St. Clare. I can only guess that if they didn't have smoke breaks at Georgian House, patient management would also be more difficult.

I believe that Western State Hospital might have implemented a smoking ban some time in recent years, and I am curious how that is going. You would not believe how the patients looked for to it!

Anyway, I have taken my uncle along with me in the past while my kids play at the playground at Fort Steilacoom park, and I can't imagine where he would go to try and smoke. I remember being there while the city of Tacoma was debating this, and I was thinking "I'd like to try to see a policeman try to arrest George for smoking."

As I said, I'm against smoking, but I really feel like people have gone too far wishing for a squeaky clean environment. I actually think that some people who want to go this far to remove smoking are simply never around anyone who smokes anymore, so when they smell it, it's an odd sensation! To illustrate that point, I remember getting out of a show last year at the Pantages, walking down the sidewalk, and someone was smoking in front of us a ways. I remember smelling the smoke, which is so rare nowadays, but not really thinking much of it because the crowd was going to disperse pretty quickly. However, someone in front of me said to his companion something disparaging about smoking, or something about how it shouldn't be allowed on sidewalks, and I ALMOST stopped him to point out that he could have just stopped walking for 10 seconds and the smoker would be far enough away!

You may have seen my uncle on the streets in Lakewood, but I'm attaching a picture so that you can get an idea of the kind of people I'm talking about. There are quite a few of them in Lakewood hanging out in various restaurants or public spaces all day.

I also want you to check out the transcript for a segment I heard on NPR last week. Tremendous progress has been made to stop smoking, but at the very end of the interview, the guest made this statement:

"One of the most important issues is worrying about how smoking relates to the mentally ill. We know that 40 to 50 percent of cigarettes and possibly 40 percent or more of smokers have a concurrent mental illness or other substance abuse problem that's diagnosable within the last 30 days. That's something that we in tobacco control mention and then forget all about. It deserves a lot more attention."

-Cindy Renander

--
Cindy Renander
cindy@renander.com

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ORDINANCE NO. 579

AN ORDINANCE of the City Council of the City of Lakewood, Washington amending Sections 8.76.010, 8.76.020, 8.76.050, 8.76.090, 8.76.165, 8.76.190, 8.76.260, 8.76.290, 8.76.300, 8.76.350, 8.76.400, 8.76.440, 8.76.570, of the Lakewood Municipal Code (LMC) and creating Section 8.76.168 LMC; relating to the City of Lakewood Park Code.

WHEREAS, The Lakewood Municipal Code (LMC) 8.76 authorizes the City to establish rules and fees for park and recreation programs and facilities, and,

WHEREAS, in order to address the more particular and specific park needs of the citizens of the City of Lakewood, it is appropriate for the City to amend Chapter 8.76 regarding parks facility use;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as follows:

Section 1. Section 08.76.010 of the Lakewood Municipal Code, entitled "Definitions," is amended to read as follows:

Whenever used in this chapter the following terms shall be defined as herein indicated:

A "Aircraft" means any machine or device designated to travel through the air including but not limited to : airplanes, helicopters and balloons;

~~B.~~ "Alcoholic beverages" or "liquor" includes the four varieties of liquor defined as alcohol, spirits, wine and beer, all fermented, spirituous, vinous, or malt liquor, and all other intoxicating beverages, and every liquor, solid or semisolid or other substance, patented or not, containing alcohol, spirits, wine or beer; all drinks or drinkable liquids and all preparations or mixtures capable of human consumption. Any liquor, semisolid, solid or other substance which contains more than one percent alcohol by weight shall be conclusively deemed to be intoxicating;

~~C.~~—"Associated marine area" means any water area within one hundred feet of any "Lakewood City park area" or "marine facility" such as a dock, pier, float, buoy, log boom, or other object which is part of a "Lakewood City park area", provided that such area does not include private property;

~~D.~~ "Camper" means a motorized vehicle containing sleeping and/or housekeeping accommodations, and shall include a pickup truck with camper, a van-type body, a converted bus, or any similar type vehicle;

~~E.~~ "Camping" means erecting a tent or shelter or arranging bedding or both for the purpose of, or in such a way as will permit remaining overnight, or parking a trailer, camper, or other vehicle for the purpose or remaining overnight;

~~F.~~ "Campsite" means designated camping sites which are designated for the use of camping, and which have no water and/or electrical facilities available for hookup to a trailer or a camper;

~~G.~~ "City" means the City of Lakewood, a municipal corporation in the State of Washington.

~~H.~~ "City Manager" means the City Manager of the City of Lakewood or designee

~~I.~~ "Commercial Use" means any use of a park facility where money is exchanged on site; the area is used as a staging, instruction or display area; or doing work at a park location (i.e. testing engines, storing or delivering goods) that could result in a personal/professional benefit.

~~J.~~ "Community Athletic Programs" means any athletic program that is organized for the purposes of training for and engaging in athletic activity and competition and that is in any way operated, conducted, administered, or supported by a city, town, county, district or school district (other than those athletic programs offered by the school and created solely for the students by the school).

~~K.~~ "Department" means the department of the City of Lakewood that administers and oversees the City Parks, provided that where the context indicates, Department may mean the person or persons responsible for the administration and oversight of the City Parks;

~~L.~~ "Discrimination" means any action or failure to act, whether by single act or part of a practice, the effect of which is to adversely affect or differentiate between or among individuals or groups of individuals, because of race, color, religion, national origin, age, sex, marital status, parental status, sexual orientation, the presence of any sensory mental or physical handicap, or the use of a trained dog guide by a blind or deaf person;

~~M.~~ "Facility" or "facilities" means any building, structure, or park area managed by the City of Lakewood Parks & Recreation Department;

~~N.~~ "Facility Supervisor" refers to a duly appointed City of Lakewood Parks & Recreation Department employee;

~~O.~~ "Gender Equity" means that cities, towns, counties and districts are prohibited from discriminating on the basis of sex in the operation, conduct, or administration of community athletic programs. Third parties who receive a lease or permit from such entities to operate, conduct, or administer a community athletic program are also prohibited from discriminating

on the basis of sex.

~~P.~~ "Holiday" means federally recognized holidays

~~Q.~~ "Motor vehicle" means any self-propelled device capable of being moved upon a road, and in, upon, or by which any persons or property may be transported or drawn, and shall include, but not be limited to, automobiles, trucks, motorcycles, motor scooters, jeeps or similar type four-wheel drive vehicles, snowmobiles and vessels, whether or not they can legally be operated upon the public highways;

~~R.~~ "Overnight" means a 24 hour period of time with a defined start time/end time.

~~S.~~ "Park area" means any area under the ownership, management, or control of the City of Lakewood Parks & Recreation Department;

~~T.~~ "Person" means all natural persons, groups, firms, partnerships, corporations, clubs, and all associations or combination of persons whenever acting for themselves or an agent, servant, or employee;

~~U.~~ "Power Loading" is the use of a boat motor to load a boat onto a boat trailer.

"Recreational Vehicle" shall include vehicles used exclusively for noncommercial purposes which are primarily designed for recreational, camping, or travel use or towing a horse trailer.

~~V.~~ "Resident" means anyone who can verify proof of Lakewood residency with identification such as a public utility bill, Lakewood business license or Washington Drivers' License.

~~W.~~ "Rocket" means any device containing a combustible substance which when ignited propels the device forward;

"Smoking" shall include inhaling, exhaling, burning or carrying any lighted cigar, cigarette, pipe or other lighted or vaporized substance in any manner or form for any purpose.

"Service Animal" means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability.

"Tobacco" means the leaves of various plants which are dried and processed chiefly for chewing or snuffing or smoking in cigarettes, cigars, or pipes.

~~X.~~ "Trail" means any path, track, or right-of-way designed for use by pedestrians, bicycles, equestrians, or other non-motorized modes of transportation

~~Y.~~ "Trailer" means a towed vehicle which contains sleeping or housekeeping

accommodations or used to tow a vessel;

“Vessel” includes every description of watercraft on the water, other than a seaplane, used or capable of being used as a means of transportation on the water. However, it does not include inner tubes, air mattresses, sailboards, and small rafts or flotation devices or toys customarily used by swimmers.

Section 2. Section 08.76.020 of the Lakewood Municipal Code, entitled “Program -- Purpose,” is amended to read as follows:

Our Vision is that Lakewood is a healthy and vibrant community where opportunities abound. The Mission of the Parks, Recreation and Community Services Department is to support an active, engaged and livable Lakewood through quality parks, diverse programs and sustainable practices. ~~The Mission of the Parks and Recreation Department is to create a healthy community through people, parks and programs.~~ The playgrounds, activity centers, and other facilities of the Department are established by law for public recreation purposes.

Section 3. Section 08.76.050 of the Lakewood Municipal Code, entitled “Special Use Permits,” is amended to read as follows:

The City may grant special use permits to individuals and groups who wish to reserve a park area for a designated period of time or for a special use. Based on type of event, number of participants, or other unusual conditions, a special use permit may be required. The special use permit allows the City to gather information regarding the special use and outlines conditions to ensure the park and other park visitors will not be negatively impacted.

Factors to be considered and evaluated in granting or denying an application for a Special Use Permit shall include: the type of event or use, time of facility use, other competing uses and their compatibility, insurance and indemnification, police and fire concerns, parking, number of expected participants and size limitations, methods to ensure that all alcohol will remain ~~indoors~~ in approved areas, and any other factors that warrant consideration based on the event and/or activity involved or local, county or state laws and permit regulations.

The City will charge a fee for special use permits. Where appropriate, additional fees and special conditions of use will be established by the City and so noted on the special use permit. The City is authorized to develop a schedule of fees for such permits, which allow the City to offset impacts caused by the use and/or recover its costs in connection with the use. The schedule of fees shall be posted.

The City may grant special use permits to meet or conduct activities in City parks without charge provided the activities are exclusively for youth eighteen years of age or under, and provided that all of the following conditions are satisfied: the buildings or facilities are not otherwise required by the City, the activities are conducted in accordance with the City’s standards; held without admission charge; not conducted for fundraising or other financial

gain; open to the general public without discrimination; not exclusively planned for one group and scheduled during hours when the facility is regularly open. The City may charge additional fees or require special conditions to offset impacts caused by the use and/or recover its costs in connection with the use.

No alcoholic beverages are allowed at any park facilities or on any park property, other than as provided in Section 8.76.540 of this Chapter, or its successor provision(s).

Selling, possessing or consuming alcoholic beverages in a City park, recreation area, or associated marine area is prohibited, other than in connection with an event or activity ~~in a community center, park building or other indoor structure~~ for which a Special Use Permit or rental contract has been issued and provided that the activities and the use of alcoholic beverages shall conform to the permits therefore, and shall conform to federal, state and local laws, rules and regulations with respect thereto.

~~For the purposes hereof, “community center, park building or other indoor structure” refers to buildings with solid opaque walls such that activity within the buildings is not readily visible outside of the buildings.~~

Facilities cannot be reserved more than one year (12 calendar months) prior to an event. Fees may be adjusted prior to an event as fee schedules are typically adopted in January of each year.

Section 4. Section 08.76.090 of the Lakewood Municipal Code, entitled “Cleanup,” is amended to read as follows:

User groups and individuals will be responsible for set up, break down, and general clean up of their park facility space. Removal and disposal of garbage, decorations, and miscellaneous materials must be completed at the conclusion of the event. In the event that additional cleaning or emergency repairs are needed as a result of an event and can be performed by City staff, then the total hourly staff charges for services will be assessed against the deposit or billed to the user. Up to a 25% administrative charge may be added to the costs.

Depending on the type and nature of use, and the number involved, the City Manager or designee may require the posting of a refundable deposit or other security, in a reasonable amount, to ensure compliance with the requirements of this Section of the Code. The City Manager or designee is authorized to determine and identify criteria to be used in administering the requirement for posting such security deposit.

Section 5. Section 08.76.160 of the Lakewood Municipal Code, entitled “Picnicking, Fires and Cooking,” is amended to read as follows:

No open flame camp fires are permitted. Barbeques, stoves or similar devices or uses are permitted in park facilities if used according to safe procedures, in accordance with individual manufacturer instructions and coals are disposed of in an approved manner.

Section 6. Section 08.76.165 of the Lakewood Municipal Code, entitled “Alcoholic Beverages,” is amended to read as follows:

Selling, possessing or consuming alcoholic beverages in a City park, recreation area, or associated marine area is prohibited, other than in connection with an event or activity ~~in a community center, park building or other indoor structure~~ for which a Special Use Permit or rental contract has been issued by the Department, provided that the activities and the use of alcoholic beverages shall conform to the permits therefore, and shall conform to federal, state and local laws, rules and regulations with respect thereto.

Factors to be considered and evaluated in granting or denying an application for a Special Use Permit shall include: the type of event or use, time of facility use, other competing uses and their compatibility, insurance and indemnification, police and fire concerns, parking, number of expected participants and size limitations, methods to ensure that all alcohol will remain ~~indoors in approved areas~~, and any other factors that warrant consideration based on the event and/or activity involved. The fee for the Alcohol Special Use Permit is the same as the fee for an Administrative Use Permit as is contained in the City’s Fee Schedule and may be determined on a case by case basis depending on those factors noted in this paragraph 08.76.165 .

For the purposes hereof, “community center, park building or other indoor structure” refers to buildings with solid opaque walls such that activity within the buildings is not readily visible outside of the buildings.

Section 7. Section 08.76.168 of the Lakewood Municipal Code, entitled “Smoking and Tobacco Use,” is created to read as follows:

Smoking and Tobacco use is prohibited in City parks and facilities. No person shall use any form of tobacco in City parks, including, but not limited to, restrooms, picnic shelters, beaches, aquatic facilities, playgrounds, trails, athletic fields, natural areas and spectator or concession areas.

Section 8. Section 08.76.190 of the Lakewood Municipal Code, entitled “Motor Vehicles -- Parking,” is amended to read as follows:

No operator of any automobile, trailer, camper, boat trailer, or other vehicle, shall park such vehicle in any park area, except where the operator is using the area for the designated recreational purpose and the vehicle is parked either in the designated parking area, or in another area with the permission of a facility supervisor and for which all applicable fees have been paid. No person shall park, leave standing, or abandon a vehicle in any park area after closing time except persons using park facilities as part of an ~~event~~ activity authorized by the Department. In addition to the penalties found in Part V of this chapter, any vehicle found parked in violation of this section may be towed away at the owner's expense, consistent with signs posted in conformity with State law.

Overnight parking in the American Lake Park Boat Launch parking lot is allowed only if an

overnight pass is purchased from the launch kiosk. The receipt will note the time of purchase and is valid for 24 hours from the dated time stamp. The City of Lakewood is absolved of all liability and/or responsibility for damage to the vehicle or boat trailer parked in the parking lot overnight.

No recreational vehicle may be parked overnight in any City of Lakewood park facility unless authorized by the Department.

Section 9. Section 08.76.260 of the Lakewood Municipal Code, entitled “Vehicle – Vessel – Boating – Occupancy Policy,” is amended to read as follows:

In order to afford the general public the greatest possible use of marine facilities, continuous occupancy of marine facilities by the same person or group in any area is limited to one day in any seven day period, provided that this day shall not include overnight, unless otherwise posted. A boat launch permit must be purchased and the permit/receipt clearly visible. Non motorized vessels do not need a permit to launch. Shorter or longer limitation of occupancy may be established by special permit. In addition to the penalties in Part V of this chapter, any boat/trailer/vehicle found to be in violation of this chapter may be towed away at the owner's expense. No person shall launch a boat in any park except in areas specifically designated and/or marked for that purpose. Float planes may dock on designated docks for up to 14 consecutive days.

Section 10. Section 08.76.290 of the Lakewood Municipal Code, currently entitled “Tents and Shelters on Beaches,” is retitled to read “Tents and Shelters on Beaches and in Parks,” and is amended to read as follows:

No person shall erect, maintain, use or occupy a temporary tent or shelter on any swimming beach and/or in any park area unless there is an unobstructed view through such tent or shelter from at least two sides; provided, however, that nothing in this section shall be construed to authorize overnight camping. (Ord. 126 § 1 (part), 1997.)

Tents in excess of 400 square feet shall not be erected, operated or maintained for any purpose within the boundaries of a City park facility without a City special use permit. A permit is also required from the local Fire District.

Section 11. Section 08.76.300 of the Lakewood Municipal Code, entitled “Indecent Exposure,” is amended to read as follows:

Nudity is not allowed. Clothing shall be worn at all times. Exposure of one’s ~~anus~~, buttocks, genitals and female breasts is not allowed.

Section 12. Section 08.76.350 of the Lakewood Municipal Code, entitled “Horseback Riding – In Designated Areas Only,” is amended to read as follows:

Horses ~~shall be~~ are not permitted only in any park areas that are specifically designated and posted to permit such activity except Fort Steilacoom Park. Horses shall not be permitted in any designated swimming area, sports field, playground, or picnic areas. No person shall allow a horse or other animal to stand unattended or insecurely tied. No person shall ride any horse or other animal in such a manner that could cause physical harm to any person or to any property. Horse riders are expected to pick up their animals’ waste and remove it from the park facility. ~~dispose of it appropriately~~

All persons riding horses within the boundaries of Fort Steilacoom Park are required to purchase an equestrian permit which allows access to ride his/her horse on Fort Steilacoom Park trails. While in the park, all horses are to wear a manure catcher at all times. Horse riders are expected to pick up their animals’ waste and remove it from the park facility

Section 13. Section 08.76.400 of the Lakewood Municipal Code, entitled “Presence in Parks During Hours the Park is Closed,” is amended to read as follows:

No person shall enter or be present in a City park area during hours the park is closed except persons using park facilities as part of an ~~event~~ activity authorized by the City.

Section 14. Section 08.76.440 of the Lakewood Municipal Code, entitled “Moorage in Swimming Area Prohibited,” is amended to read as follows:

No person or persons shall moor, dock, or berth a boat or other object to a dock, pier, log boom or float line which delineates a swimming area in a park area, ~~or~~ associated marine area or where posted.

Section 15. Section 08.76.530 of the Lakewood Municipal Code, entitled “Firearms, Weapons,” is amended to read as follows:

~~No person except duly authorized law enforcement personnel and/or persons licensed to carry a concealed weapon shall possess a firearm in a city park.~~ No person shall possess a bow and arrow, crossbow, or air or gas weapon in a City park. No person shall discharge across, in, or into any park area a firearm, bow and arrow, crossbow, air or gas weapon, or any device capable of injuring or killing any person or animal, or damaging or destroying any public or private property provided that where the Department for good cause has authorized and approved a special recreational activity or a recreational program, upon finding that it is not inconsistent with City park use, this section shall not apply.

Section 16. Section 08.76.570 of the Lakewood Municipal Code, entitled “Infractions,” is amended to read as follows:

A. The failure to perform any act required or the performance of any act prohibited by Part III of this chapter is a civil infraction, punishable by a fine of no more than \$125. ~~shall be~~

~~designated as an infraction.~~

~~B. Any person cited for violation of Part III of this chapter, shall be subject to a penalty amount not to exceed \$125.00.~~

~~C. Any person found guilty of committing an infraction shall be assessed a monetary penalty.~~

~~D. A finding that an infraction has been committed shall not give rise to any other legal disability which is based upon conviction of a crime.~~

Section 17. If any sections, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of component jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not effect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance or its application to any other person, property or circumstance.

Section 18. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary.

ADOPTED by the City Council this ____ day of _____, 2014.

CITY OF LAKEWOOD

Don Anderson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi A. Wachter City Attorney

Amendment 1 to Ordinance No. 579

Strike that portion of Section 7 of Ordinance No. 579 pertaining to Proposed Section 08.76.168 of the Lakewood Municipal Code, entitled “Smoking and Tobacco Use,” and insert the following in its place:

Smoking and Tobacco use are prohibited within 25 feet of the following areas: playgrounds, restrooms, picnic shelters, beaches, aquatic facilities, athletic fields, spectator areas, hard surface trails, off leash areas and concession areas.

Amendment 2 to Ordinance No. 579

Strike that portion of Section 7 of Ordinance No. 579 pertaining to Proposed Section 08.76.168 of the Lakewood Municipal Code, entitled “ Smoking and Tobacco Use.”

Amendment 3 to Ordinance 579

Strike that portion of Section 7 of Ordinance No. 579 pertaining to Proposed Section 08.76.168 of the Lakewood Municipal Code, entitled “Smoking and Tobacco Use,” and insert the following in its place:

No person shall use any form of tobacco within City parks and facilities when such use is within restrooms; within fifty feet of covered picnic shelters, swimming beaches, playgrounds, athletic fields or spectator areas during athletic events, or concession areas.

City of Lakewood
Lakewood City Hall
6000 Main Street SW
Lakewood, WA 98499
(253) 589-2489

(Legal Notice)

February 19, 2014

**NOTICE OF ORDINANCE PASSED
BY LAKEWOOD CITY COUNCIL**

The following is a summary of an Ordinance passed by the City of Lakewood City Council on the 18th day of February, 2014.

ORDINANCE NO. 579

AN ORDINANCE of the City Council of the City of Lakewood, Washington amending Sections 8.76.010, 8.76.020, 8.76.050, 8.76.090, 8.76.165, 8.76.190, 8.76.260, 8.76.290, 8.76.300, 8.76.350, 8.76.400, 8.76.440, 8.76.570, of the Lakewood Municipal Code (LMC) and creating Section 8.76.168 LMC; relating to the City of Lakewood Park Code

Section 1 of the Ordinance provides for amending Section 08.76.010 of the Lakewood Municipal Code, entitled "Definitions."

Section 2 of the Ordinance provides for amending Section 08.76.020 of the Lakewood Municipal Code, entitled "Program -- Purpose."

Section 3 of the Ordinance provides for amending Section 08.76.050 of the Lakewood Municipal Code, entitled "Special Use Permits."

Section 4 of the Ordinance provides for amending Section 08.76.090 of the Lakewood Municipal Code, entitled "Cleanup."

Section 5 of the Ordinance provides for amending Section 08.76.160 of the Lakewood Municipal Code, entitled "Picnicking, Fires and Cooking."

Section 6 of the Ordinance provides for amending Section 08.76.165 of the Lakewood Municipal Code, entitled "Alcoholic Beverages."

Section 7 of the Ordinance provides for amending Section 08.76.168 of the Lakewood Municipal Code, entitled "Smoking and Tobacco Use."

Section 8 of the Ordinance provides for amending Section 08.76.190 of the Lakewood Municipal Code, entitled "Motor Vehicles -- Parking."

Section 9 of the Ordinance provides for amending Section 08.76.260 of the Lakewood Municipal Code, entitled "Vehicle – Vessel – Boating – Occupancy Policy."

Section 10 of the Ordinance provides for retitling and amending Section 08.76.290 of the Lakewood Municipal Code, currently entitled “Tents and Shelters on Beaches,” to read “Tents and Shelters on Beaches and in Parks.”

Section 11 of the Ordinance provides for amending Section 08.76.300 of the Lakewood Municipal Code, entitled “Indecent Exposure.”

Section 12 of the Ordinance provides for amending Section 08.76.350 of the Lakewood Municipal Code, entitled “Horseback Riding – In Designated Areas Only.”

Section 13 of the Ordinance provides for amending Section 08.76.400 of the Lakewood Municipal Code, entitled “Presence in Parks During Hours the Park is Closed.”

Section 14 of the Ordinance provides for amending Section 08.76.440 of the Lakewood Municipal Code, entitled “Moorage in Swimming Area Prohibited,”

Section 15 of the Ordinance provides for amending Section 08.76.530 of the Lakewood Municipal Code, entitled “Firearms, Weapons.”

Section 16 of the Ordinance provides for amending Section 08.76.570 of the Lakewood Municipal Code, entitled “Infractions,”

Section 17 of the Ordinance provides that if any sections, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of component 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 Ordinance or its application to any other person, property or circumstance.

Section 18 of the Ordinance provides that this ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary.

The full text of the Ordinance is available at the City Clerk's Office, Lakewood City Hall, 6000 Main Street SW, Lakewood, Washington 98499, (253) 589-2489. A copy will be mailed out upon request.

Alice M. Bush, MMC, City Clerk

Published in the Tacoma News Tribune: _____

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: February 18, 2014	TITLE: Changes to Fee City Schedule	TYPE OF ACTION: <input type="checkbox"/> ORDINANCE NO. <input checked="" type="checkbox"/> RESOLUTION NO. 2014-03 <input type="checkbox"/> MOTION NO. <input type="checkbox"/> OTHER
REVIEW: January 13 and February 10, 2014	ATTACHMENTS: Resolution amending the City fee schedule	

SUBMITTED BY: Mary Dodsworth, Director

RECOMMENDATION: It is recommended that the City Council approve changes to the City fee schedule regarding parks related programs and services.

DISCUSSION: The Parks and Recreation Advisory Board (PRAB) reviewed and approved recommended changes to the City’s fee scheduled at their January 28, 2014 meeting. Changes were recommended in the following areas:

1. Alcohol Permit Fees – Additional fee added to current special use permit. Fee would be based on the size of the event and similar to the current Special Use Permit Fees.
2. Farmers Market - Small changes to the daily rate for market vendors. Seasonal fees are incentives to encourage vendors to participate all season. We do not charge an application fee or take a percentage of sales. The Farmers Market fees are not currently on our City fee schedule.
3. Special Event Application Fee: Event fees vary based on length of event, vendor type space needed, site needs, number of participants anticipated at the event, etc. We charge an application fee to cover the time and cost to review, approve and manage the vendor areas at special events. This rate has been consistent for the past three years but not currently on our City fee schedule.

ALTERNATIVE(S): Council could choose to approve fee changes. Current fees would be used for 2014 operations.

FISCAL IMPACT: Fiscal impact would be an increase of approximately \$5,000 in general fund revenue. We anticipate generating \$1,000 in alcohol permits (two potential events per year) and \$ 4,000 in farmers market fees. Special event application fee revenue should remain approximately the same.

Prepared by _____ _____ Department Director	 _____ for John J. Caulfield, City Manager
---	--

RESOLUTION NO. 2014-03

A RESOLUTION of the City Council of the City of Lakewood, Washington, amending the City of Lakewood Fee Schedule by revising certain fees.

WHEREAS, in connection with the municipal functions and operations of the City of Lakewood, the City requires certain fees; and

WHEREAS, it is appropriate to review such fees and make adjustments to appropriately address cost; and

WHEREAS, in keeping with the philosophy of setting City fees in amounts reflective of actual costs, it is appropriate at this time to revise certain fees to compensate the City for costs associated with various City functions and facilities; and

WHEREAS it is appropriate to implement changes to the fee schedule when alcohol is present in parks during special events and by special permit.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY RESOLVES as follows:

Section 1. That the Fee Schedule of the City of Lakewood is amended to revise certain fees with the inclusion of the fees for Parks and Recreation Programs hereby amended as set forth in the amended Fee Schedule attached as Exhibit A hereto.

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. This Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 18th day of February, 2014.

CITY OF LAKEWOOD

Don Anderson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi A. Wachter City Attorney

Exhibit A to Resolution 2014-03

<u>Alcohol Permit Fee</u>	<u>Fee</u>
<u>Small events</u> <u>100 – 200 guests</u>	<u>\$200</u>
<u>Large events</u> <u>201 – 500 guests</u>	<u>\$500</u>
<u>Major events</u> <u>Over 500 guests</u>	<u>\$1000</u>

Farmers Market Fees	Daily Rate	Seasonal
Regular Stall 10x10	\$20.00	\$240.00
	<u>\$25.00</u>	<u>\$250.00</u>
10x10 Stall w/Electricity	\$25.00	\$300.00
	<u>\$30.00</u>	
Pull- Through Stall	\$25.00	\$300.00
	<u>\$40.00</u>	<u>\$400.00</u>
Payment Plan Processing	<u>\$35.00</u>	<u>\$35.00</u>

<u>Special Event Fee</u>	<u>Fee</u>
<u>Vendor Application Fee</u>	<u>\$ 25</u>



**LAKWOOD
TRANSPORTATION BENEFIT DISTRICT
BOARD AGENDA**

Tuesday, February 18, 2014
Following the City Council meeting
City of Lakewood
City Council Chambers
6000 Main Street SW
Lakewood, WA 98499

Page No.

Call to Order

Roll Call

- (1) **Approval of the meeting minutes of September 30, 2013.**
- (3) **Review of the Transportation Benefit District Annual Report.**
- (4) **Review of transportation projects funding options.**

Adjournment

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>

City Hall will be closed 15 minutes after adjournment of the meeting.



LAKWOOD TRANSPORTATION BENEFIT DISTRICT BOARD MINUTES

Monday, September 30, 2013
City of Lakewood
City Council Chambers
6000 Main Street SW
Lakewood, WA 98499

CALL TO ORDER

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

ROLL CALL

Board Members Present: 6 – Chair Don Anderson; Board Members Jason Whalen, Mary Moss, Helen McGovern, Marie Barth and Paul Bocchi.

Board Member Absent: 1- Mike Brandstetter.

ITEMS FOR DISCUSSION

Approval of the meeting minutes of July 8, 2013.

Board Member Whalen moved to approve the July 8, 2013 minutes. Seconded by Board Member Moss. Voice vote was taken and carried unanimously.

Review of proposed transportation improvements and funding options.

Chief Executive Officer Caulfield reviewed a set of policy questions to assist the Board in considering pavement preservation and street and sidewalk improvements.

Discussion ensued on the revenue options, what is available to the City Council versus the Transportation Benefit District; is a property tax levy limited; is there a difference in timing of road degradation between residential and arterial streets; should the Lakewood Water District be invited to participate in the TBD and what would be the incentive for the District to participate in street improvements.

Further discussion ensued on street and sidewalk improvements identified by the Ad Hoc Committee and the Citizens' Transportation Advisory Committee; and how much is budgeted for preservation this year (\$0).

It was the consensus of the Board to provide ongoing road maintenance and provide for a number of neighborhood-oriented street improvement projects.

Further discussion ensued on what would be the fall back strategy when the Council has a councilmanic authority of \$20 that would result in \$687,000 annually; what was the budget when the City had a preservation program (the preservation program had not been fully funded with staff noting that \$1.5 - \$2 million annually was needed when the overall pavement rating was 84); if maintaining roads at a rating of 76 has an annual cost of \$4 million what is the difference in the annual costs with a 76 rating for arterials and a lower rating for residential streets; and it appears there has been no voter-approved \$40 vehicle tab fee in the State.

Chair Anderson asked staff to prepare a financial template using \$1 million for preservation including the Ad Hoc Committee's recommended street improvement projects. The Board then identified the highest priority street and sidewalk improvement projects that both the CTAC and Ad Hoc Committee recommended for funding; looking at a property tax levy instead of a car tab fee; comparing a property tax levy (1 year) and general obligation bonds as a TBD versus a nine year Council proposal of taking \$1 million out and bonding capacity; what would a .02 sales tax bring Lakewood to (9.6%) for up to a 10 year limit and do capital items out of a new voter-approved revenue and preservation out of the General Fund or a combination of both.

It was the consensus of the Board to direct staff in preparing financial options to provide for \$1 million in preservation and provide for neighborhood focused improvements following the Ad Hoc Committee and Citizens' Transportation Advisory Committee recommendations and determine the resulting pavement rating estimates. It was the general feeling of the Board that property tax would be preferable to sales tax as the method for funding preservation and street improvements.

Further discussion ensued on election dates and costs; factoring into the cost estimates, the potential participation with the Lakewood Water District; and what revenue options there would be as a TBD versus the City. Chief Executive Officer Caulfield indicated that staff should be able to provide a report by October 28, 2013.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:55 p.m.

DON ANDERSON, CHAIR

ATTEST:

ALICE M. BUSH, MMC
CLERK OF THE BOARD

City of Lakewood Transportation Benefit District 2012-2013 Annual Report

December 12, 2013

Report Purpose

This report provides information on the status of the City of Lakewood Transportation Benefit District (“District”) and fulfills the requirements of the State of Washington and the District for an annual report. Below are excerpts from the relevant state law and local documents.

RCW 36.73.160(2): A district shall issue an annual report, indicating the status of transportation improvement costs, transportation improvement expenditures, revenues, and construction schedules, to the public and to newspapers of record in the district.

Background

Cities and counties are authorized to form Transportation Benefit Districts under state law (Chapter 36.73 RCW) for the purpose of funding transportation projects. A Transportation Benefit District may cover an entire city; if so, it must be governed by a board comprised of the same members that are on the City Council. Funding may be from various sources, including a vehicle license fee.

On August 6, 2012, the Lakewood City Council adopted Ordinance No. 550 to establish a Transportation Benefit District in order to fund selected transportation projects. The new District Board, comprised of City Council members acting in an independent capacity (per state requirement), held its first meeting on March 25, 2013.

On April 1, 2013, Ordinance #560 was adopted which amended Ordinance #550.

On July 8, 2013 the district met regarding funding and possible direction.

On September 30, 2013 the district met to approve of the meeting minutes of July 8, 2013 and to review proposed transportation improvements and funding options.

Transportation Improvement Projects and Costs, Transportation Improvement Expenditures, and Transportation Improvement Revenues

The District was formed prior to the current City administration and during the transition it became evident that a better understanding of City finances is necessary before the district can properly consider projects, expenditures, and revenue. This is expected to occur during the next few months, once completed, the district will address projects, expenditures, and revenue options.



To: Transportation Benefit District Board of Directors
From: Tho Kraus, Assistant City Manager/Administrative Services
Through: John J. Caulfield, Transportation Benefit District Chief Executive Officer
Date: February 18, 2014
Subject: Transportation Projects Funding Options

BACKGROUND/HISTORY:

On August 6, 2012 the Lakewood City Council passed Ordinance #550, which created a Transportation Benefit District (TBD) in the City of Lakewood. A TBD is a quasi-municipal corporation and independent taxing district created for the sole purpose of acquiring, constructing, improving, providing and funding transportation improvements within City limits of Lakewood. It has the authority to impose certain taxes and fees, either through a vote of the people or Board action, for transportation purpose. The TBD is governed by the members of the Lakewood City Council acting as the District's Board of Directors. The Mayor serves as Chair of the Board.

The following is a summary of past TBD meetings and the corresponding follow-up:

March 25, 2013: Reviewed the governing board's authority, Transportation Ad Hoc Committee's recommendations and legislative update.

Board Consensus/Action Items:

- The Board requested staff to draft an ordinance for the appointment of city personnel to provide support for the TBD and amend the municipal code to remove reference specific years "2013-2018" of the six-year transportation improvement plan.

On April 15, 2013 the Lakewood City Council passed Ordinance #560 which addresses administration and personnel.

The City Manager for the City of Lakewood is designated the Chief Executive Officer of the TBD, acting in an ex officio capacity. The City Manager is responsible to the district for the proper administration of all affairs of the district. The City Manager or his/her designee also has the authority to appoint and remove at any time any employees of the City of Lakewood to serve as employees of, and fulfill the purposes of the TBD.

The Assistant City Manager Finance/Administrative Services of the City of Lakewood or his/her designee is the treasurer acting in an ex officio capacity.

The City Attorney for the City of Lakewood or his/her designee is the attorney for the TBD, acting in an ex officio capacity. The City or his/her designee advises the district authorities and officers in all legal matters pertaining to the business of the district and approves all ordinances as to form. He or she represents the district in all actions brought by or against the district or against district officials in their official capacity. He or she performs the other duties as the district by ordinance or resolution may direct.

The City Clerk for the City of Lakewood or his/her designee is the clerk for the district, acting in an ex officio capacity. The city clerk, or his/her designee keeps a full and true record of every act and proceeding of the district and keep such books, accounts and makes such reports as may be required by the state auditor.

Reference to the specific years of the 6-year transportation improvement plan was also removed.

July 8, 2013: Reviewed the State of the Streets power point which was presented at public meetings when the proposal to form a TBD was first introduced; reviewed proposed funding options which included a \$20 annual vehicle fee, a voter approved sales and use tax, a voter approved TBD property tax, and a \$100 annual vehicle fee; and reviewed the proposed Parks and Streets Survey.

Board Consensus/Action Items:

- The Board directed a survey change be made as discussed and to provide the Board with a timeline for distributing and receiving the survey.

The survey was finalized in July and early August 2013. In late August, a random sample of registered voter households were contacted by phone and 800 agreed to take the survey. Over 400 completed the survey in September and early October 2013 via mail in (57%) and online (43%).

At October 28, 2013 City Council Study Session, Tom Beckwith, consultant, reviewed the results of the parks and streets survey to determine interests in City parks and streets to help Council determine resident priorities and look at ways of paying them. 62% of the respondents were aged 62-69. The results as it relates to Streets were: the favorites were traffic signals, street signs and lights and road striping; and the least favorite were pavement, curbs and gutters. On how to pay for streets, at least favorite were license tab fees, property tax lid lift and sales tax increase. If asked to pay, 50% indicated that they would pay \$25 annually.

September 30, 2013: Reviewed a set of policy questions to assist the Board in considering pavement preservation and street and sidewalk improvements and discussed revenue options.

Board Consensus/Action Items:

- It was consensus of the Board to provide ongoing road maintenance and provide for a number of neighborhood-oriented street improvement projects.

- It was also consensus of the Board to direct staff in preparing financial options to provide for \$1 million in preservation and provide for neighborhood focused improvements following the Ad Hoc Committee and Citizens' Transportation Advisory Committee recommendations and determine the resulting pavement rating estimates.

The primary purpose of this memo is to address the follow-up items from the September 30th meeting, including: updated project list, funding options and pavement rating estimates.

DESCRIPTION OF ATTACHMENTS PROVIDED IN THIS REPORT:

Attachment A – Sources and Uses Schedule. The schedule provides a summary of sources by type and uses by project. The primary source of revenues for transportation projects include motor vehicle excise tax, real estate excise tax, transfers in from Surface Water Management fund for storm related costs, and grants. Contributions from private utilities are relatively insignificant due to the fact that the utilities in the past, have not committed to utility replacement projects until after the City has secured construction funds for the project.

Attachment B – Details of Street & Sidewalk Improvements for New and Grant Funded Opportunity Projects. Details include: project description; project limit, length, project scope, explanation of changes in cost estimate; and in which document the project was identified.

Attachment C – Map. All pavement preservation and street and sidewalk improvements, including grant funded opportunities are identified by project number and color coded by project type. Existing sidewalks, freeways/highways, principal and minor arterials, collectors, local access, schools are also identified.

Attachment D – Funding Options. The analysis identifies the funding needs and the potential revenue sources for pay-as-you-go basis for pavement preservation projects and capital financing for street and sidewalk improvement projects.

FUNDING OPTIONS:

The funding options available the City and/or the Lakewood TBD for the purpose of financing the construction of, and operate, improvements to roadways, high capacity transportation systems, public transit systems, and other transportation management programs are as follows:

Revenue options subject to voter approval:

1. *Property tax levy lid lift.* This option is available to the City for funding transportation projects, subject to statutory limits.
2. *Excess property taxes.* May be imposed for one year to fund operations, or for multiple years to repay long-term bonds issued to finance capital projects.
3. *Sales and Use Tax.* Voter approval is required at least every ten years for a sales and use tax of up to 0.2%. If the taxes are “dedicated for the repayment of indebtedness” and initially imposed after July 1, 2010, they may be imposed for a longer period.
4. *Vehicle License Fees (VLFs).* Upon voter approval, VLFs may be increased from a maximum of \$20 per vehicle to a maximum of \$100 per vehicle.

Revenue options not subject to voter approval (requires majority vote of the governing body):

1. *Vehicle License Fees.* Voter approval is not required for VLFs up to the maximum of \$20 per vehicle.

Property Tax (RCW 84.55.050 Levy Lid Lift; RCW 84.52.056 Excess Levy for Capital Purposes)

The property tax, which is the primary source of revenue for local governments, is a tax on the assessed value of property. The maximum regular property tax levy for the City of Lakewood is \$3.60 per thousand dollars (\$1,000) assessed valuation (AV). However the City can never collect \$3.60 per thousand dollars AV because the levy of the special districts (library and fire) must be subtracted from that amount. Both the library and fire district are currently levying the maximum rate of \$0.50 and \$1.50 per \$1,000 AV, respectively. Therefore, the City's levy can be no higher than \$1.60 (\$3.60 - \$0.50 for library - \$1.50 for fire = \$1.60).

Under State law, Lakewood voters can raise property taxes above the statutory 101% limit via a voter-approved levy lid lift as long as the City stays within the total levy rate limit of \$1.60 per \$1,000 AV.

State law allows two ways to execute a voter-approved *levy lid lift*.

1. The first option, known as a *single year or "original flavor" levy lid lift* (RCW 84.55.050(1)) can be for any purpose and can be for any period of time or permanent. If proceeds are used for debt service on bonds, the maximum period is nine years. The initial "lift" occurs in the first year, with annual increases in subsequent years limited to the lesser of one percent (1%) or the implicit price deflator (IPD). This option requires a simple majority vote on any election date.
2. The second option allows a *multi-year levy lid lift* (RCW 84.55.050(2)) for up to six years and the purpose must be stated in ballot measure title. Unlike the first option where voters can only increase the amount once and are then subject to the 1% growth limit thereafter, the multi-year levy lid lift option allows for multiple increases over several years up to six. The lift can be for any period of time or permanent, unless proceeds are used for debt service on bonds, in which case the maximum period is nine years. New funds raised cannot supplant existing funds and a simple majority vote is required at a primary or general election. If the final year is designated on the ballot as the base amount after six years, the increase is limited to the lesser of one percent or the IPD thereafter. If the lift is not made permanent, at the end of the time period specified in the ballot title, the base for future levies will revert to what the dollar amount of the levy would have been if no lift had ever been done.

State law also allows an *excess levy* for capital purposes with the term determined by the life of the proposed bonds. An excess levy requires a supermajority vote (60% approval) plus minimum 40% turnout based on last general election (validation). The election can occur on any election date.

Tool	Vote Required	Could be used for:		Comments
		M&O	Capital	
Single Year or "Original Flavor" Levy Lid Lift	50% + 1	X	X (max 9 yrs debt)	After year 1, increases limited to 1%.
Multi-Year Levy Lid Lift	50% + 1	X	X (max 9 yrs debt)	Subject to non-supplanting. Can increase by more than 1% for up to 6 years.
Excess Levy	60% (w/validation)	-	X (term of bond)	Can only be used for capital.

Sales and Use Tax (RCW 82.14.0455)

A TBD may fix and impose a sales and use tax of up to two-tenths of one percent (0.2%). The tax requires voter approval for a period not exceeding ten years and may be extended for a period not exceeding ten years with voter approval. The tax may be imposed for a period of over ten years if the moneys received are dedicated for the repayment of indebtedness. This tax is in addition to other taxes authorized by state law.

Vehicle License Fee (RCW 82.80.140)

A TBD district may fix and impose an annual vehicle licensing fee, not to exceed one hundred dollars (\$100) per vehicle registered in the district for vehicle license fees.

The TBD may impose an annual vehicle licensing fee of up to twenty dollars (\$20) per vehicle without voter approval. Voter approval is required for fees between \$21 and \$100. A city still has the option of placing either fee to the vote of the people as an advisory vote or an actual requirement of imposition.

The department of licensing administers and collects the fee and deducts a percentage amount not to exceed one percent (1%) of the fees collected, for administration and collection expenses incurred by it. The state treasurer distributes the fees to the TBD on a monthly basis.

Vehicles subject to the fee include: passenger vehicles; trucks that weigh 6,000 pounds or less; motorcycles; commercial passenger vehicles and trucks that weigh 6,000 pounds or less; combination trucks that weigh 6,000 pounds or less; tow trucks; house moving dollies; trucks used exclusively for hauling logs that weigh 6,000 pounds or less; taxicabs; for-hire or stage vehicles with six seats or less; for-hire or stage vehicles with 7 or more seats that weigh 6,000 pounds or less; private use trailers over 2,000 pounds; motorcycle trailers; fixed load vehicles that weigh 6,000 pounds or less; and mobile homes licensed as vehicles.

Vehicles exempt from the fee include: all farm vehicles; campers; off-road vehicles; snowmobiles; mopeds; personal use trailers with a single axles and less than 2,000 pounds scale weight; commercial trailers; trailers exclusively used for hauling logs; horseless carriage, collector, or restored –plate vehicles; converter gear; government vehicles; private school vehicles; and vehicles properly registered to disabled American veterans.

Summary of Funding Options

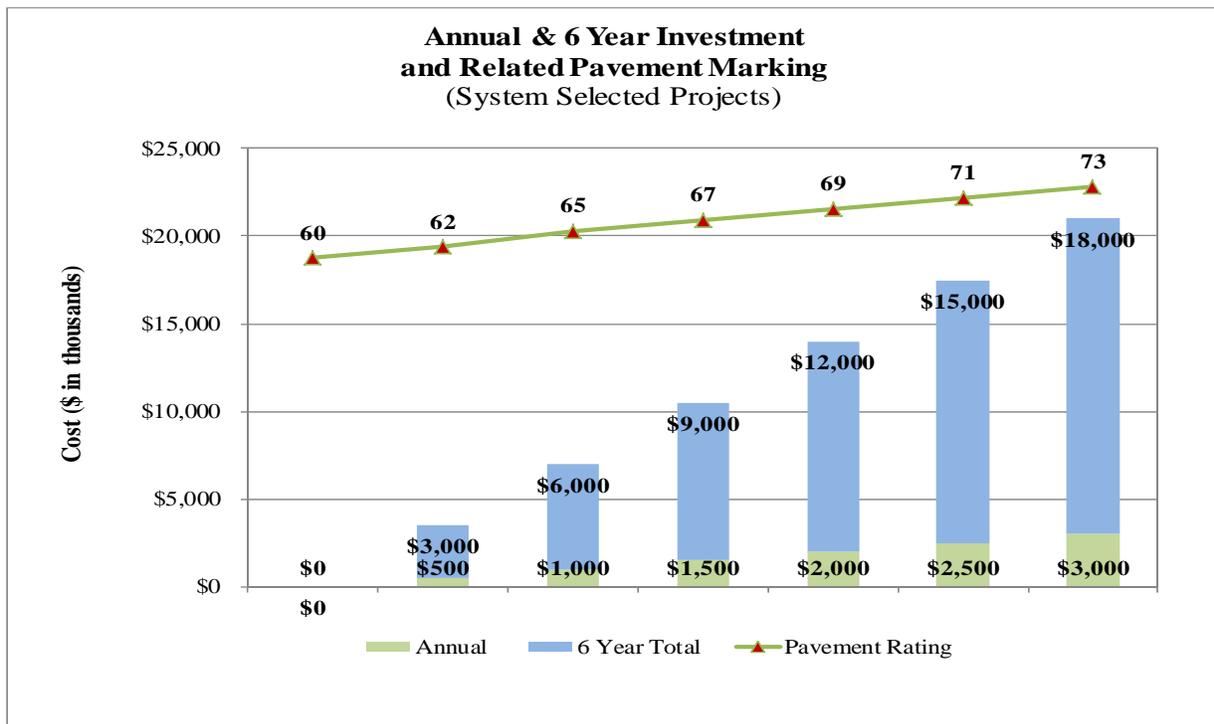
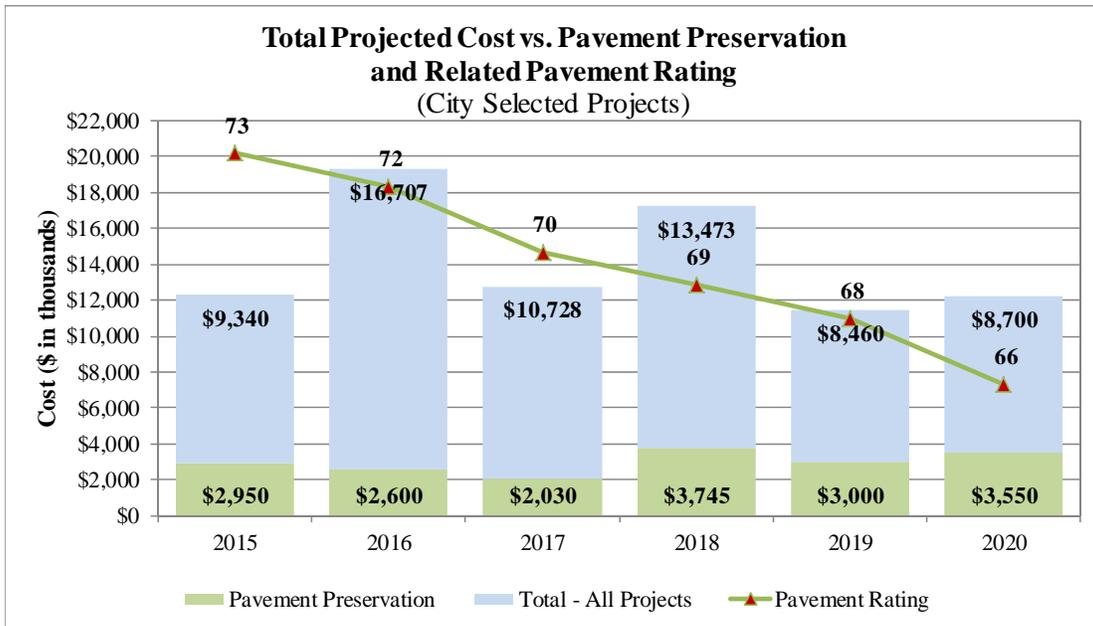
The following table provides and summary of the funding options. Additional detail is provided in Attachment D – Funding Options.

Funding Needs / Options		Total 2015-2020
Pay-As-You-Go		
A) Pavement Preservation		\$ 716,000
LED Street Lights		\$ 975,000
Signal Projects		\$ 390,000
Minor Capital Projects		\$ 200,000
Neighborhood Traffic Safety		\$ 85,000
Personnel, Engineering & Professional Services		\$ 257,000
Total Funding Needed for Pavement Preservation - Current Projects		\$ 2,623,000
Funding Options:		
i) Vehicle Licensing Fee of \$13.00 per vehicle		\$ 2,652,000
ii) Property Tax Levy Lid Lift of \$0.10 per \$1,000 AV		\$ 2,694,000
iii) Sales & Use Tax of 0.05%		\$ 2,748,000
B) Pavement Preservation		
		\$ 6,517,000
Total Funding Needed for Pavement Preservation - New Projects		\$ 6,517,000
Funding Options:		
i) Vehicle Licensing Fee of \$33.00 per vehicle		\$ 6,732,000
ii) Property Tax Levy Lid Lift of \$0.17 per \$1,000 AV		\$ 4,584,000
iii) Sales & Use Tax of 0.12%		\$ 6,588,000
Total Funding Needed for Pavement Preservation (A & B)		
		\$ 9,140,000
Funding Options:		
i) Vehicle Licensing Fee of \$45.00 per vehicle		\$ 9,180,000
ii) Property Tax Levy Lid Lift of \$0.17 per \$1,000 AV		\$ 4,584,000
iii) Sales & Use Tax of 0.17%		\$ 9,336,000
Capital Financing for Street & Sidewalk Improvements		
Current Projects		\$ 65,000
New Projects		\$ 33,622,000
Grant Funded Opportunities		\$ 1,234,000
Total Funding Needed for All Street & Sidewalk Improvements		\$ 34,921,000
Funding Options:		Capital Bond Amount
i) Vehicle Licensing Fee of \$60.00 per vehicle		\$ 34,921,000
ii) Property Tax Levy Lid Lift of \$0.17 per \$1,000 AV		\$ 5,650,000
iii) Property Tax Excess Levy of \$0.46 per \$1,000 AV		\$ 34,921,000
iv) Sales & Use Tax of 0.20%		
a) 10 Year Bond Term		\$ 14,800,000
b) 20 Year Bond Term		\$ 25,000,000
c) 30 Year Bond Term		\$ 31,500,000

PAVEMENT RATING:

Each of the projects identified on the 6-year CIP were input into the pavement management system in order to determine what the pavement rating would be at the end of each year of program implementation. At the end of six years, the pavement rating will fall from the current rating of 75 to 66 for City selected projects as opposed to system selected projects with a similar investment of \$18 million over six years which would result in a pavement rating of 73.

The difference between “city-selected” versus “system-selected” pavement preservation projects is primarily due to the system optimizing the point in time that pavements should be preserved. Optimally, a pavement should be “preserved” at a pavement rating of 70-75. Some of the city-selected projects are being “preserved” when their rating is not optimal. For example, the system would not select paving a road that has not gone passed its optimal useful life or spending a lot of funds on a road that is “too far gone” and will cost the same to reconstruct immediately versus deferring it until a later date.



RECOMMENDED NEXT STEPS:

1. Confirm the 10 pavement preservation projects identified as “new” projects totaling on average \$1.0 million per year for 2015 through 2020 recognizing the pavement rating will fall from the current rating of 75 to 66.
2. Confirm the 10 street and sidewalk improvement projects identified as “new” projects, including project scope.
3. Identify and explore further preferred funding options.

City of Lakewood
6-Year Capital Improvement Plan
Transportation Projects
Years 2015 - 2020

Attachment A - Sources & Uses Schedule

Funding Sources	Total PV	2015	2016	2017	2018	2019	2020	Total
Motor Vehicle Fuel Tax (MVET)	\$ 1,800,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 1,800,000
Real Estate Excise Tax (REET)	4,200,000	600,000	600,000	700,000	700,000	800,000	800,000	4,200,000
Surface Water Mgmt Fund (SWM)	4,385,000	385,000	1,680,000	590,000	885,000	495,000	350,000	4,385,000
Grants - Secured	6,445,000	5,105,000	1,340,000	-	-	-	-	6,445,000
Grants - Anticipated	11,400,000	1,090,000	5,120,000	2,020,000	2,170,000	420,000	580,000	11,400,000
Private Utilities (Water/Sewer)	145,000	45,000	100,000	-	-	-	-	145,000
Total Unfunded (by Category Below):	37,820,000	2,490,000	8,261,000	8,161,000	10,150,000	7,557,000	7,442,000	44,061,000
Pavement Preservation - Current Projects	417,000	355,000	15,000	30,000	196,000	60,000	60,000	716,000
LED Street Lights	900,000	150,000	155,000	160,000	165,000	170,000	175,000	975,000
Signal Projects	300,000	-	-	330,000	-	60,000	-	390,000
Minor Capital	200,000	50,000	50,000	-	50,000	50,000	-	200,000
Neighborhood Traffic Safety	85,000	25,000	25,000	5,000	25,000	5,000	-	85,000
Personnel, Engineering & Professional Services	44,000	20,000	38,000	28,000	42,000	57,000	72,000	257,000
Pavement Preservation - New Projects	5,870,000	900,000	1,155,000	1,103,000	1,404,000	840,000	1,115,000	6,517,000
Street & Sidewalk - Current Projects	-	-	65,000	-	-	-	-	65,000
Street & Sidewalk - New Projects	29,740,000	990,000	6,247,000	6,260,000	8,010,000	6,225,000	5,890,000	33,622,000
Street & Sidewalk - Grant Funded Opportunities	264,000	-	511,000	245,000	258,000	90,000	130,000	1,234,000
Total Funding Sources	\$ 66,195,000	\$ 10,015,000	\$ 17,401,000	\$ 11,771,000	\$ 14,205,000	\$ 9,572,000	\$ 9,472,000	\$ 72,436,000

Project Costs	Total PV	2015	2016	2017	2018	2019	2020	Total
Pavement Preservation - Current Projects:	\$ 4,020,000	\$ 1,500,000	\$ 315,000	\$ 330,000	\$ 1,454,000	\$ 360,000	\$ 360,000	\$ 4,319,000
1 Bridgeport Way - Pac Highway to 112th St	400,000	400,000	-	-	-	-	-	400,000
2 Steilacoom Blvd - Lakewood Dr. to W. of South Tacoma Way	800,000	800,000	-	-	-	-	-	800,000
3 Pacific Highway - 108th to SR512	540,000	-	-	-	595,000	-	-	595,000
4 100th - Lakeview to So. Tacoma Way	480,000	-	-	-	529,000	-	-	529,000
xx Chip Seal Program - Local Access Roads	1,800,000	300,000	315,000	330,000	330,000	360,000	360,000	1,995,000
Pavement Preservation - New Projects	\$ 6,075,000	\$ 900,000	\$ 1,155,000	\$ 1,103,000	\$ 1,404,000	\$ 840,000	\$ 1,320,000	\$ 6,722,000
5 Lakewood Dr-100th to Steilacoom Blvd	900,000	900,000	-	-	-	-	-	900,000
6 Lakewood Dr-Flett Creek to N. City Limits	1,100,000	-	1,155,000	-	-	-	-	1,155,000
7 Main Street - GLD to 108th Street	300,000	-	-	331,000	-	-	-	331,000
8 59th - Main Street to 100th	450,000	-	-	496,000	-	-	-	496,000
9 59th - 100th to Bridgeport	250,000	-	-	276,000	-	-	-	276,000
10 108th - Bridgeport to Pac Hwy	600,000	-	-	-	661,000	-	-	661,000
11 108th - Main Street to Bridgeport	675,000	-	-	-	743,000	-	-	743,000
12 Custer - Steilacoom to John Dower	450,000	-	-	-	-	540,000	-	540,000
13 88th - Steilacoom to Custer	250,000	-	-	-	-	300,000	-	300,000
14 100th - 59th to Lakeview <i>Total project includes \$205K funded by REET.</i>	1,100,000	-	-	-	-	-	1,320,000	1,320,000
Street & Sidewalk Improvements - Current Projects:	\$ 6,120,000	\$ 4,820,000	\$ 1,365,000	\$ -	\$ -	\$ -	\$ -	\$ 6,185,000
17 South Tacoma Way (SR512 to 96th) <i>Total project does not include \$460K for design & ROW in 2013/14.</i>	2,700,000	2,700,000	-	-	-	-	-	2,700,000
18 Steilacoom Blvd - 88th to Custer	1,300,000	1,300,000	-	-	-	-	-	1,300,000
19 Madigan Access Project - City Street Phase 2 (Union Avenue -	720,000	720,000	-	-	-	-	-	720,000
20 So. Tac Way - Steilacoom to 88th <i>Total project does not include \$100K for design in 2013/2014.</i>	1,400,000	100,000	1,365,000	-	-	-	-	1,465,000
Street & Sidewalk Improvements - New Projects:	\$ 32,380,000	\$ 1,100,000	\$ 6,857,000	\$ 6,600,000	\$ 8,745,000	\$ 6,720,000	\$ 6,240,000	\$ 36,262,000
21 Washington Blvd Sidewalks (Butte Drive to Gravelly Lk Dr) <i>Total project includes \$475K funded by SWM.</i>	4,650,000	650,000	4,200,000	-	-	-	-	4,850,000
22 Lake City Business Dist. Sidewalks (American Lake Park to Veterans Dr. /Alameda) <i>Total project includes \$190K funded by SWM.</i>	2,100,000	300,000	1,890,000	-	-	-	-	2,190,000
23 Steilacoom Blvd Improve (87th to 83rd) <i>Total project includes \$65K funded by SWM.</i>	2,080,000	150,000	347,000	1,760,000	-	-	-	2,257,000
24 Oakbrook Sidewalks & Street Lighting (Onyx Dr W (97th to 87th); Onyx Dr E (Garnet to Phillips)) <i>Total project includes \$240K funded by SWM.</i>	3,400,000	-	420,000	3,300,000	-	-	-	3,720,000
25 Steilacoom Blvd Improve (83rd to Weller) <i>Total project includes \$175k funded by SWM.</i>	2,650,000	-	-	825,000	2,090,000	-	-	2,915,000
26 Phillips Road Sidewalks (Steilacoom to Onyx) <i>Total project includes \$280K funded by SWM.</i>	2,800,000	-	-	330,000	2,750,000	-	-	3,080,000
27 Hipkins Road Sidewalks (104th to Steilacoom Blvd) <i>Total project includes \$285K funded by SWM.</i>	3,050,000	-	-	385,000	2,970,000	-	-	3,355,000
28 Mt. Tacoma Drive Sidewalks (Interlaaken to Gravelly Lake Drive) <i>Total project includes \$200K funded by SWM.</i>	2,950,000	-	-	-	385,000	3,120,000	-	3,505,000
29 Gravelly Lake Non-Motorized Trail (Nyanza; & Gravelly Lake Dr - WA to Nyanza) <i>Total project includes \$560K funded by SWM.</i>	5,600,000	-	-	-	550,000	3,120,000	3,000,000	6,670,000
30 South Tacoma Way Improvements (88th to N. City Limits) <i>Total project includes \$170K funded by SWM.</i>	3,100,000	-	-	-	-	480,000	3,240,000	3,720,000
Street & Sidewalk Improvements - Grant Funded Opportunities:	\$ 12,950,000	\$ 1,020,000	\$ 7,015,000	\$ 2,695,000	\$ 1,870,000	\$ 540,000	\$ 780,000	\$ 13,920,000
31 112/111th - Bridgeport to Kendrick	1,900,000	100,000	-	1,980,000	-	-	-	2,080,000
32 Bridgeport Way - JBLM to I-5	4,300,000	470,000	4,022,000	-	-	-	-	4,492,000
33 Gravelly Lake Drive - 100th to Bridgeport	2,550,000	150,000	2,520,000	-	-	-	-	2,670,000
xx Safety Projects - Various	1,800,000	300,000	315,000	330,000	330,000	360,000	360,000	1,995,000
xx Safe Routes to Schools, Pedestrian & Bicycle Safety	2,400,000	-	158,000	385,000	1,540,000	180,000	420,000	2,683,000
Total Pavement Preservation and Street & Sidewalk Improvements	\$ 61,545,000	\$ 9,340,000	\$ 16,707,000	\$ 10,728,000	\$ 13,473,000	\$ 8,460,000	\$ 8,700,000	\$ 67,408,000
Other Pavement Preservation - Current Projects:								
LED Street Lights	\$ 900,000	\$ 150,000	\$ 155,000	\$ 160,000	\$ 165,000	\$ 170,000	\$ 175,000	\$ 975,000
Signal Projects	\$ 600,000	\$ -	\$ -	\$ 330,000	\$ -	\$ 360,000	\$ -	\$ 690,000
Minor Capital Projects	\$ 300,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 300,000
Neighborhood Traffic Safety Program	\$ 150,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 150,000
Personnel (~4 FTE's), Engineering, Professional Services	\$ 2,700,000	\$ 450,000	\$ 464,000	\$ 478,000	\$ 492,000	\$ 507,000	\$ 522,000	\$ 2,913,000
Grand Total - All Transportation Projects	\$ 66,195,000	\$ 10,015,000	\$ 17,401,000	\$ 11,771,000	\$ 14,205,000	\$ 9,572,000	\$ 9,472,000	\$ 72,436,000

Notes:

- 2014 Capital Improvement Projects are excluded from the 6-Year CIP as they will be presented as part of the 2014 budget adjustment; including project #15 (Bridgeport Way Improvements, 83rd to 75th) and #16 (Madigan Access - City Street Phase 1, Berkeley St - Washington to Union and Union Ave-Berkeley to W Thorne)
- Total PV = Total Present Value for years 2015 - 2020.
- Cost Escalators: 2015 reflects current value; add 5% in 2016; add 10% in 2017 and 2018; add 20% in 2019 and 2020
Except for LED Street Lights which increases by \$5,000 per year and Personnel, Engineering, Professional Services which increases by 5% each year.
- Signal projects in 2015 and 2016 are included in various projects and total \$500,000 in 2015 and \$300,000 in 2016, funded by grants that have been secured.
- Minor Capital Projects includes city-wide capital repairs and upgrades including: existing signal upgrades (pole relocation, head addition); roadside upgrades (guardrail, other); structural patching; and striping modifications.
- Neighborhood Traffic Safety are traffic calming improvements including: speed humps; speed radar feedback signs; traffic islands, medians, and curbing; and signage.
- Personnel, Engineering, Professional Services includes costs not allocated to specific projects including: county-wide and regional grant applications; transportation modeling;

**City of Lakewood
6-Year Capital Improvement Plan
Transportation Projects
Years 2015 - 2020**

Attachment B - Details of Street & Sidewalk Improvements for New and Grant Funded Opportunity Projects

Project	Project Limits	Length	Project Scope	Cost Estimate (Present Value)	6-Yr TIP	CTAC	Ad Hoc	NMTP	
Street & Sidewalk Improvements - New Projects:									
21	Washington Blvd Sidewalks	Washington Blvd from Butte Drive to Gravelly Lake Drive	5,300 feet	Curb, gutter, sidewalk, bike lanes, street lights, and associated storm drainage on both sides. HMA overlay full width. Some right-of-way acquisition needed.	\$4,650,000 (Sept 2013 planning level estimate = \$4,000,000. Project estimate increased due to refined planning level estimate).	-	X	X	X
22	Lake City Business District Sidewalks (American Lake Park to Veterans Dr / Alameda)	Vernon Avenue from American Lake Park to Veterans Drive; Veterans Drive from Vernon to Alameda.	2,200 feet	Curb and gutter on both sides and associated storm drainage; sidewalk on one side; HMA overlay all travel lanes; street lighting. Assume constructed within existing rights-of-way	\$2,100,000 (Sept 2013 planning level estimate = \$2,000,000) estimate refined from planning level estimate.	-	-	X	X
23	Steilacoom Blvd Improvements (87th to 83rd)	Steilacoom Blvd from 87th to 83rd	1,500 feet	Curb, gutter, sidewalk, sharrows, streetlights, associate storm drainage on both sides. HMA overlay full width. Some right-of-way acquisition needed.	\$2,080,000 (Sept 2013 planning level estimate = \$2,000,000. Project estimate increased due to refined planning level estimate).	X	X	-	X
24	Oakbrook Sidewalks & Street Lighting	Onyx Drive from 97th to 87th; Onyx Drive E from Garnet to Phillips	6,600 feet	Curb, gutter, sidewalk, street lighting and associated storm drainage on one side. Full width HMA overlay. Assume constructed within existing rights-of-way.	\$3,400,000 (Sept 2013 planning level estimate = \$5,350,000 assumed longer project limits and sidewalks on both sides as identified in the Non-Motorized Transportation Plan).	-	X	X	X
25	Steilacoom Blvd Improvements (83rd to Weller)	Steilacoom Blvd from 83rd to Weller	1,700 feet	Curb, gutter, sidewalk, sharrows, streetlights, associate storm drainage on both sides. HMA overlay full width. Some right-of-way acquisition needed.	\$2,650,000 (Sept 2013 planning level estimate = \$2,800,000. Project estimate decreased due to refined planning level estimate).	X	X	-	X
26	Phillips Road Sidewalks	Phillips Road from Steilacoom Boulevard to Onyx Drive	4,700 feet	Curb, gutter, sidewalk, bike lane, street lighting and associated storm drainage on one side. Full width HMA overlay. Assume constructed within existing rights-of-way.	\$2,800,000 (Sept 2013 planning level estimate = \$2,100,000. Project cost increase due to refined planning level estimate).	-	-	X	X
27	Hipkins Road Sidewalks (104th to Steilacoom Boulevard)	Hipkins Road – from 104th Street to Steilacoom Boulevard (not including areas with existing sidewalks)	2,100 feet	Curb, gutter, sidewalk, street lighting, associated storm drainage, HMA overlay along both sides of street. Assume constructed within existing rights-of-way.	\$3,050,000 (Sept 2013 planning level estimate = \$3,200,000) estimate refined from planning level estimate.	X	X	X	X
28	Mt. Tacoma Drive Sidewalks	Mt. Tacoma Drive: Interlaaken to Gravelly Lake Drive	3,100 feet	Curb gutter on both sides and associated storm drainage; sidewalk on one side; full roadway reconstruct / or crack and seat concrete with structural overlay: street lighting. Assume constructed within existing rights-of-way.	\$2,950,000 (Sept 2013 planning level estimate = 1,500,000) Increase due to unknowns related to existing concrete pavement failures. Assumed worst case	X	X	X	X
29	Gravelly Lake Drive Non Motorized Trail	Nyanza – from Gravelly Lake Drive South to Gravelly Lake Drive North; and Gravelly Lake Drive – from Washington Boulevard to Nyanza (north).	10,000 feet	Curb and gutter on BOTH sides of the project limits and associated storm drainage. HMA non-motorized path along the “lake side” and associated street lighting. HMA overlay of all travel lanes. Assume constructed within existing rights-of-way.	\$5,600,000 (Sept 2013 planning level estimate = \$5,500,000) estimate refined from planning level estimate.	X	X	X	X
30	South Tacoma Way Improvements	South Tacoma Way from 88th to N. City Limits	2,600 feet	Curb, gutter, sidewalk, bike lanes, street lighting, and associated storm drainage on both sides. Full width HMA overlay. Some right-of-way acquisition required at corners.	\$3,100,000 (Sept 2013 planning level estimate = \$3,600,000. Project cost decrease due to refined planning level estimate).	X	X	-	X
Street & Sidewalk Improvements - Grant Funded Opportunities									
31	112th / 111th – Bridgeport to Kendrick <i>(Design Funded)</i>	112th / 111th from Bridgeport Way to Kendrick Street	1,800 feet	Curb, gutter, sidewalk, bike lanes, street lights, and associated storm drainage on both sides. HMA overlay full width. Some right-of-way acquisition needed.	\$1,800,000 (design and right-of-way acquisition is funded)	X	-	-	X
32	Bridgeport Way – JBLM to I-5 <i>(Design Funded)</i>	Bridgeport Way – JBLM to I-5	2,900 feet	Curb, gutter, sidewalk, bike lanes, street lights, and associated storm drainage on both sides. HMA reconstruction full width. Assume completed with existing rights-of-way.	\$4,300,000 for construction (design is funded) (Sept 2013 planning level estimate = 2,800,000. Estimate increased due to high probability of roadway reconstruction versus just overlay. Will refine estimate as design progresses.)	X	-	-	X
33	Gravelly Lake Drive – 100th to Bridgeport <i>(Design Funded)</i>	Gravelly Lake Drive from 100th to Bridgeport	2,100 feet	Curb, gutter, sidewalk, sharrows, street lights on both sides. Storm drainage upgrades. May combine with storm treatment upgrade at downstream outfall. Water District replacing water line. HMA overlay full width.	\$2,xxx,xxx for construction. Design and right-of-way previously funded. (Sept 2013 planning level estimate = \$1,200,000. Estimate updated due to utility upgrades needed and added HMA overlay).	X	-	-	X
xx	Safety Projects	To be determined.		Intersection, signal, roadway and sidewalk projects at various locations. Consistent with Highway Safety Improvement Program (HSIP). Assume 100% grant funded.		X	-	-	X
xx	Safe Routes to Schools / Ped and Bike Funding Grants	To be determined.		Curb, Gutter, Sidewalks, Bike Lanes, Illumination – one or both sides...		X	-	-	X

Projects listed above meet Comprehensive Plan Goal => T-14: Provide safe, convenient, inviting routes for bicyclists and pedestrian

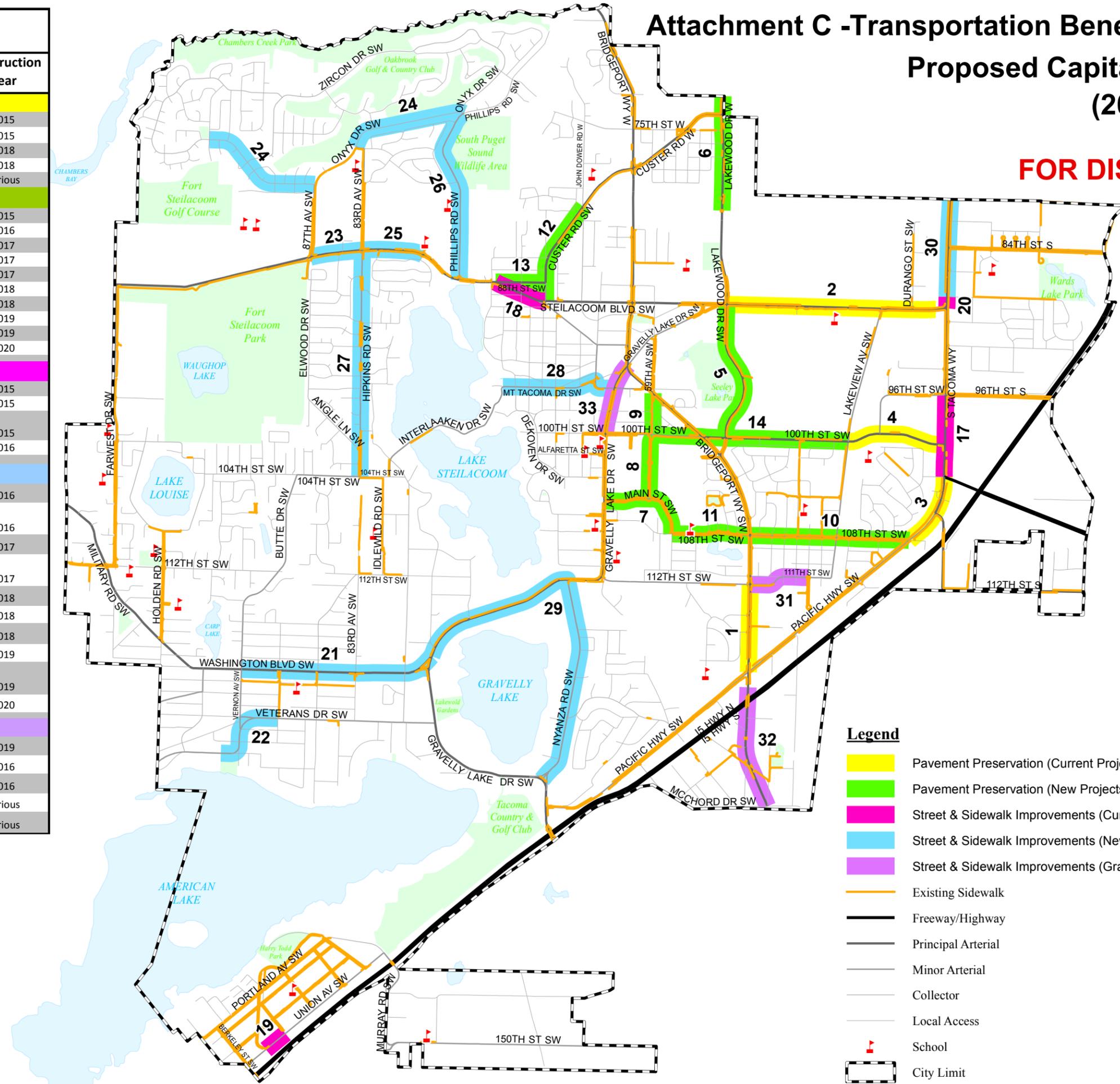
Pavement Preservation / Street and Sidewalk Improvements

City of Lakewood

#	Description	Construction Year
Pavement Preservation (Current Projects)		
1	Bridgeport Way (Pac Hwy to 112th Street)	2015
2	Steilacoom Blvd (Lakewood Dr. to 300 ft. west of So. Tacoma Wy)	2015
3	Pacific Hwy (108th to SR512)	2018
4	100th (Lakeview to So. Tac Way)	2018
xx	Chip Seal Program - Local Access Roads	various
Pavement Preservation (New Projects)		
5	Lakewood Drive (100th to Steilacoom Blvd)	2015
6	Lakewood Drive (Flett Creek to N. City Limits)	2016
7	Main Street (GLD to 108th Street)	2017
8	59th (Main Street to 100th)	2017
9	59th (100th to Bridgeport)	2017
10	108th (Bridgeport to Pac Hwy)	2018
11	108th (Main Street to Bridgeport)	2018
12	Custer (Steilacoom to John Dower)	2019
13	88th (Steilacoom to Custer)	2019
14	100th (59th to Lakeview)	2020
Street & Sidewalk Improvements (Current Projects)		
17	South Tacoma Way (SR512 to 96th)	2015
18	Steilacoom Blvd (88th to Custer)	2015
	Madigan Access Project - City Street Phase 2 - (Union Avenue - W. Thorne to Orchard)	2015
20	So. Tac Way (Steilacoom to 88th)	2016
Street & Sidewalk Improvements (New Projects)		
21	Washington Blvd Sidewalks (Butte Drive to Gravelly Lake Drive)	2016
	Lake City Business District Sidewalks (American Lake Park to Veterans Dr. /Alameda)	2016
22	Steilacoom Blvd Improvements - (87th to 83rd)	2017
	Oakbrook Sidewalks and Street Lighting (Onyx Dr West (97th to 87th); Onyx Dr East (Garnet to Phillips))	2017
23	Steilacoom Blvd Improvements - (83rd to Weller)	2018
24	Phillips Road Sidewalks (Steilacoom to Onyx)	2018
25	Hipkins Road Sidewalks (104th to Steilacoom Blvd)	2018
26	Mt. Tacoma Drive Sidewalks (Interlaaken to Gravelly Lake Drive)	2019
	Gravelly Lake Non-Motorized Trail (Nyanza; and Gravelly Lake Drive - Washington to Nyanza)	2019
29	South Tacoma Way Improvements (88th to N. City Limits)	2020
Street & Sidewalk Improvements (Grant Funded Opportunities)		
31	112th / 111th (Bridgeport to Kendrick)	2019
32	Bridgeport Way (JBLM to I-5)	2016
33	Gravelly Lake Drive (100th to Bridgeport)	2016
xx	Safety Projects - various	various
xx	Safe Routes to Schools, Pedestrian & Bicycle Safety (various)	various

**Attachment C -Transportation Benefit District
Proposed Capital Projects
(2015 - 2020)**

FOR DISCUSSION



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: February 10, 2014

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City of Lakewood
6-Year Capital Improvement Plan
Transportation Projects
Years 2015 - 2020

Attachment D - Funding Options: Pay-As-You-go

	2015	2016	2017	2018	2019	2020	Total 2015 - 2020
1) Pay-As-You-Go							
a) Pavement Preservation - Current Projects							
Funding Needed:							
Pavement Preservation	\$ 1,500,000	\$ 315,000	\$ 330,000	\$ 1,454,000	\$ 360,000	\$ 360,000	\$ 4,319,000
Reduce Funding Needs by Portion Funded by MVET	\$ (300,000)	\$ (300,000)	\$ (300,000)	\$ (300,000)	\$ (300,000)	\$ (300,000)	\$ (1,800,000)
Reduce Funding Needs by Portion Funded by REET	\$ (95,000)	\$ -	\$ -	\$ (208,000)	\$ -	\$ -	\$ (303,000)
Reduce Funding Needs by Portion Funded by Grants Anticipated	\$ (750,000)	\$ -	\$ -	\$ (750,000)	\$ -	\$ -	\$ (1,500,000)
LED Street Lights	\$ 150,000	\$ 155,000	\$ 160,000	\$ 165,000	\$ 170,000	\$ 175,000	\$ 975,000
Signal Projects	\$ -	\$ -	\$ 330,000	\$ -	\$ 360,000	\$ -	\$ 690,000
Reduce Funding Needs by Portion Funded	\$ -	\$ -	\$ -	\$ -	\$ (300,000)	\$ -	\$ (300,000)
Minor Capital Projects	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 300,000
Reduce Funding Needs by Portion Funded	\$ -	\$ -	\$ (50,000)	\$ -	\$ -	\$ (50,000)	\$ (100,000)
Neighborhood Traffic Safety	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 150,000
Reduce Funding Needs by Portion Funded	\$ -	\$ -	\$ (20,000)	\$ -	\$ (20,000)	\$ (25,000)	\$ (65,000)
Personnel, Engineering and Professional Services	\$ 450,000	\$ 464,000	\$ 478,000	\$ 492,000	\$ 507,000	\$ 522,000	\$ 2,913,000
Reduce Funding Needs by Portion Funded	\$ (430,000)	\$ (426,000)	\$ (450,000)	\$ (450,000)	\$ (450,000)	\$ (450,000)	\$ (2,656,000)
Total Funding Needed - PP Current Projects	\$ 600,000	\$ 283,000	\$ 553,000	\$ 478,000	\$ 402,000	\$ 307,000	\$ 2,623,000
Funding Options:							
i) Vehicle Licensing Fee	\$33.00 per vehicle						
ii) Property Tax Levy Lid Lift	\$0.10 per \$1,000 AV						
iii) Sales & Use Tax	0.05% additional rate						
b) Pavement Preservation - New Projects							
Funding Needed:							
Pavement Preservation	\$ 900,000	\$ 1,155,000	\$ 1,103,000	\$ 1,404,000	\$ 840,000	\$ 1,320,000	\$ 6,722,000
Reduce Funding Needs by Portion Funded by REET	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (205,000)	\$ (205,000)
Total Funding Needed - PP New Projects	\$ 900,000	\$ 1,155,000	\$ 1,103,000	\$ 1,404,000	\$ 840,000	\$ 1,115,000	\$ 6,517,000
Funding Options:							
i) Vehicle Licensing Fee	\$33.00 per vehicle						
ii) Property Tax Levy Lid Lift	\$0.17 per \$1,000 AV						
iii) Sales & Use Tax	0.12% additional rate						
Pavement Preservation - TOTAL							
Funding Needed:							
Pavement Preservation - Current Projects	\$ 600,000	\$ 283,000	\$ 553,000	\$ 478,000	\$ 402,000	\$ 307,000	\$ 2,623,000
Pavement Preservation - New Projects	\$ 900,000	\$ 1,155,000	\$ 1,103,000	\$ 1,404,000	\$ 840,000	\$ 1,115,000	\$ 6,517,000
Total Funding Needed - Pavement Preservation	\$ 1,500,000	\$ 1,438,000	\$ 1,656,000	\$ 1,882,000	\$ 1,242,000	\$ 1,422,000	\$ 9,140,000
Funding Options:							
i) Vehicle Licensing Fee	\$45.00 per vehicle						
ii) Property Tax Levy Lid Lift	\$0.17 per \$1,000 AV						
iii) Sales & Use Tax	0.17% additional rate						

City of Lakewood
6-Year Capital Improvement Plan
Transportation Projects
Years 2015 - 2020

Attachment D - Funding Options (continued): Capital Financing

	2015	2016	2017	2018	2019	2020	Total 2015 - 2020		
2) Capital Financing									
Street & Sidewalk Improvements									
Financing Needed:									
Street & Sidewalk Improvements - Current Projects	\$ 4,820,000	\$ 1,365,000	\$ -	\$ -	\$ -	\$ -	\$ 6,185,000		
Reduce Funding Needs by Portion Funded by REET	\$ (20,000)	\$ (160,000)	\$ -	\$ -	\$ -	\$ -	\$ (180,000)		
Reduce Funding Needs by Portion Funded by Surface Water Management Fund	\$ (170,000)	\$ (100,000)	\$ -	\$ -	\$ -	\$ -	\$ (270,000)		
Reduce Funding Needs by Portion Funded by Grants Secured	\$ (4,630,000)	\$ (1,040,000)	\$ -	\$ -	\$ -	\$ -	\$ (5,670,000)		
Subtotal Financing Needed - Current Projects	\$ -	\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ 65,000		
Street & Sidewalk Improvements - New Projects	\$ 1,100,000	\$ 6,857,000	\$ 6,600,000	\$ 8,745,000	\$ 6,720,000	\$ 6,240,000	\$ 36,262,000		
Reduce Funding Needs by Portion Partially Funded by Surface Water Management Fund	\$ (110,000)	\$ (610,000)	\$ (340,000)	\$ (735,000)	\$ (495,000)	\$ (350,000)	\$ (2,640,000)		
Subtotal Financing Needed - New Projects	\$ 990,000	\$ 6,247,000	\$ 6,260,000	\$ 8,010,000	\$ 6,225,000	\$ 5,890,000	\$ 33,622,000		
Street & Sidewalk Improvements - Grant Funded Opportunities	\$ 1,020,000	\$ 7,015,000	\$ 2,695,000	\$ 1,870,000	\$ 540,000	\$ 780,000	\$ 13,920,000		
Reduce Funding Needs by Portion Funded by MVET	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
Reduce Funding Needs by Portion Funded by REET	\$ (55,000)	\$ (14,000)	\$ (180,000)	\$ (42,000)	\$ (30,000)	\$ (70,000)	\$ (391,000)		
Reduce Funding Needs by Portion Funded by Surface Water Management Fund	\$ (105,000)	\$ (970,000)	\$ (250,000)	\$ (150,000)	\$ -	\$ -	\$ (1,475,000)		
Reduce Funding Needs by Portion Funded by Grants Secured	\$ (475,000)	\$ (300,000)	\$ -	\$ -	\$ -	\$ -	\$ (775,000)		
Reduce Funding Needs by Portion Funded by Grants Anticipated	\$ (340,000)	\$ (5,120,000)	\$ (2,020,000)	\$ (1,420,000)	\$ (420,000)	\$ (580,000)	\$ (9,900,000)		
Reduce Funding Needs by Portion Funded by Private Utilities	\$ (45,000)	\$ (100,000)	\$ -	\$ -	\$ -	\$ -	\$ (145,000)		
Subtotal Financing Needed - Grant Funded Opportunities	\$ -	\$ 511,000	\$ 245,000	\$ 258,000	\$ 90,000	\$ 130,000	\$ 1,234,000		
Total Funding Needed - All Street & Sidewalk	\$ 990,000	\$ 6,823,000	\$ 6,505,000	\$ 8,268,000	\$ 6,315,000	\$ 6,020,000	\$ 34,921,000		
Financing Options:	Rate	Impact							
i) Vehicle Licensing Fee <i>Assumes capital bond with 4% interest rate over 30 years.</i>	\$60.00 per vehicle	\$60.00 per vehicle licensed/renewed	Annual Revenue = Capital Bond = Annual Debt Svc = Allocate to Projects = Balance of Financing Needed =	\$ 2,040,000 \$ 34,921,000 \$ 2,019,000 \$ 990,000 \$ -	\$ 2,040,000 \$ 2,019,000 \$ 2,019,000 \$ 6,823,000 \$ -	\$ 2,040,000 \$ 2,019,000 \$ 2,019,000 \$ 8,268,000 \$ -	\$ 2,040,000 \$ 2,019,000 \$ 2,019,000 \$ 6,315,000 \$ -	\$ 2,040,000 \$ 2,019,000 \$ 2,019,000 \$ 6,020,000 \$ -	\$ 12,240,000 \$ 12,114,000 \$ 34,921,000 \$ -
ii) Property Tax Levy Lid Lift <i>Assumes capital bond with 4% interest rate over 9 years.</i>	\$0.17 per \$1,000 AV	\$32.65 annual, per average home value of \$192K	Annual Revenue = Capital Bond = Annual Debt Svc = Allocate to Projects = Balance of Financing Needed =	\$ 764,000 \$ 5,650,000 \$ 760,000 \$ 990,000 \$ -	\$ 764,000 \$ 760,000 \$ 760,000 \$ 4,660,000 \$ 2,163,000	\$ 764,000 \$ 760,000 \$ 760,000 \$ - \$ 8,268,000	\$ 764,000 \$ 760,000 \$ 760,000 \$ - \$ 6,315,000	\$ 764,000 \$ 760,000 \$ 760,000 \$ - \$ 6,020,000	\$ 4,584,000 \$ 4,560,000 \$ 5,650,000 \$ 29,271,000
iii) Property Tax Excess Levy <i>Assumes capital bond with 4% interest rate over 30 years.</i>	\$0.46 per \$1,000 AV	\$88.34 annual, per average home value of \$192K	Annual Revenue = Capital Bond = Annual Debt Svc = Allocate to Projects = Balance of Financing Needed =	\$ 2,041,000 \$ 34,921,000 \$ 2,019,000 \$ 990,000 \$ -	\$ 2,041,000 \$ 2,019,000 \$ 2,019,000 \$ 6,823,000 \$ -	\$ 2,041,000 \$ 2,019,000 \$ 2,019,000 \$ 8,268,000 \$ -	\$ 2,041,000 \$ 2,019,000 \$ 2,019,000 \$ 6,315,000 \$ -	\$ 2,041,000 \$ 2,019,000 \$ 2,019,000 \$ 6,020,000 \$ -	\$ 12,246,000 \$ 12,114,000 \$ 34,921,000 \$ -
iv) Sales & Use Tax									
a) 10 Year Bond Term <i>Assumes capital bond with 4% interest rate over 10 years.</i>	0.20% additional rate	\$0.20 additional tax per \$100 spent	Annual Revenue = Capital Bond = Annual Debt Svc = Allocate to Projects = Balance of Financing Needed =	\$ 1,830,000 \$ 14,800,000 \$ 1,825,000 \$ 990,000 \$ -	\$ 1,830,000 \$ 1,825,000 \$ 1,825,000 \$ 6,823,000 \$ -	\$ 1,830,000 \$ 1,825,000 \$ 1,825,000 \$ 482,000 \$ 7,786,000	\$ 1,830,000 \$ 1,825,000 \$ 1,825,000 \$ - \$ 6,315,000	\$ 1,830,000 \$ 1,825,000 \$ 1,825,000 \$ - \$ 6,020,000	\$ 10,980,000 \$ 10,950,000 \$ 14,800,000 \$ 20,121,000
b) 20 Year Bond Term <i>Assumes capital bond with 4% interest rate over 20 years.</i>	0.20% additional rate	\$0.20 additional tax per \$100 spent	Annual Revenue = Capital Bond = Annual Debt Svc = Allocate to Projects = Balance of Financing Needed =	\$ 1,830,000 \$ 25,000,000 \$ 1,840,000 \$ 990,000 \$ -	\$ 1,830,000 \$ 1,840,000 \$ 1,840,000 \$ 6,505,000 \$ -	\$ 1,830,000 \$ 1,840,000 \$ 1,840,000 \$ 8,268,000 \$ -	\$ 1,830,000 \$ 1,840,000 \$ 1,840,000 \$ 2,414,000 \$ 3,901,000	\$ 1,830,000 \$ 1,840,000 \$ 1,840,000 \$ - \$ 6,020,000	\$ 10,980,000 \$ 11,040,000 \$ 25,000,000 \$ 9,921,000
c) 30 Year Bond Term <i>Assumes capital bond with 4% interest rate over 30 years.</i>	0.20% additional rate	\$0.20 additional tax per \$100 spent	Annual Revenue = Capital Bond = Annual Debt Svc = Allocate to Projects = Balance of Financing Needed =	\$ 1,830,000 \$ 31,500,000 \$ 1,822,000 \$ 990,000 \$ -	\$ 1,830,000 \$ 1,822,000 \$ 1,822,000 \$ 6,823,000 \$ -	\$ 1,830,000 \$ 1,822,000 \$ 1,822,000 \$ 8,268,000 \$ -	\$ 1,830,000 \$ 1,822,000 \$ 1,822,000 \$ 6,315,000 \$ 3,421,000	\$ 1,830,000 \$ 1,822,000 \$ 1,822,000 \$ 2,599,000 \$ 3,421,000	\$ 10,980,000 \$ 10,932,000 \$ 31,500,000
Total sales tax increases from 9.4% to 9.6%.									