



LAKEWOOD CITY COUNCIL STUDY SESSION AGENDA

Monday, September 8, 2014

7:00 P.M.

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

Page No.

CALL TO ORDER

ITEMS FOR DISCUSSION:

- (4) 1. Joint Landmarks and Heritage Advisory Board meeting.
- (7) 2. Review of proposed boundary amendments relative to multi-family Tax Incentive Urban Use Centers. – (Memorandum)
- (19) 3. Review of amendments to the Lakewood Municipal Code relative to Local Improvement Districts. - (Memorandum)
- (21) 4. Review of proposed amendments to the interlocal agreement with South Sound 911. – (Memorandum)
- (40) 5. Review of indigent defense standards. – (Memorandum)
- (50) 6. Review of amendments to the Lakewood Municipal Code relative to Citizens Advisory Boards, Committees and Commissions. - (Memorandum)

BRIEFING BY THE CITY MANAGER

ITEMS TENTATIVELY SCHEDULED FOR THE SEPTEMBER 15, 2014 REGULAR CITY COUNCIL MEETING:

1. Item Nos. 2 through 6.
2. Proclamation recognizing Ms. Earlene Fantz.

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

<http://www.cityoflakewood.us>

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

3. Proclamation declaring the month of September as Prostate Cancer Awareness Month.
4. Second Quarter Financial Report.
5. Appointing members to the Parks and Recreation Advisory Board.
– (Motion – Regular Agenda)
6. Awarding a bid for the Bridgeport Way 83rd to 75th Street improvements project. – (Motion – Regular Agenda)
7. Adopting the financial policies. – (Motion – Regular Agenda)

CITY COUNCIL COMMENTS

ADJOURNMENT

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

<http://www.cityoflakewood.us>

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

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

WEEKLY MEETING SCHEDULE
September 8, 2014 – September 12, 2014

Date	Time	Meeting	Location
Sept 8	4:30 P.M.	Arts Commission	Lakewood City Hall 3rd Floor, Conference Room 3A
	7:00 P.M.	City Council Study Session	Lakewood City Hall Council Chambers
Sept 9	7:30 A.M.	Redevelopment Advisory Board	Lakewood City Hall 3rd Floor, Conference Room 3A
	7:30 A.M.	Coffee with the Mayor	St. Clare Hospital Resource Center 4908 112 th Street SW
Sept 10	9:30 A.M.	Lakewood Community Collaboration	Lakewood City Hall Council Chambers
Sept 11	7:30 A.M.	Lakewood's Promise Advisory Board	Lakewood City Hall 3rd Floor, Conference Room 3A
	3:30 P.M.	City Talk with the Mayor or another Councilmember. <i>Please call 253-589-2489 for an appointment</i>	Lakewood City Hall 3 rd Floor, Mayor's Office
	7:00 P.M.	Lake City Neighborhood Association	Lake City Fire Station 8517 Washington Blvd. SW
Sept 12	No Meetings Scheduled		

TENTATIVE WEEKLY MEETING SCHEDULE
September 15, 2014 – September 19, 2014

Date	Time	Meeting	Location
Sept 15	6:00 P.M.	Youth Council	Clover Park School District Student Services Center, Room 18
	7:00 P.M.	City Council Study Session	Lakewood City Hall Council Chambers
	<i>Following the Council Meeting</i>	Transportation Benefit District Board Meeting	Lakewood City Hall Council Chambers
Sept 16	7:00 P.M.	Northeast Neighborhood Association	Lakewood Fire Department 10928 Pacific Highway SW
Sept 17	5:30 P.M.	Community Development Block Grant Citizen's Advisory Board	Lakewood City Hall 1 st Floor, 1E
	6:30 P.M.	Planning Advisory Board	Lakewood City Hall Council Chambers
Sept 18	4:00 P.M.	Human Services Funding Advisory Board – Funding Application Review	Lakewood City Hall 1st Floor, Conference Room 1E
Sept 19	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.

Landmarks and Heritage Advisory Board 2014 Summary & Work Plan

Members:

Stephanie Walsh, Chairperson
Bill Harrison
Walter Neary
Glen Spieth
Joan Cooley
Beth Campbell
Bob Jones
Dennis Dixon

Council Liaison:

John Simpson

Staff Support:

Principal Planner Dan Catron

Technical Support:

Preservation Consultant Jennifer Schreck (currently not under contract)

Administrative Support:

Community Development Secretary Lisa Sanchez

Meeting Schedule:

Fourth Thursday of every other month at 6:00 PM in City Hall Room 3A.

Significant Accomplishments and Workplan 2014:

In 2014 the Landmarks and Heritage Advisory Board has continued to try to find ways to promote its mission beyond the formal designations of specific properties. The Board has been involved with the following issues in 2013-14 :

- Historical Preservation Consultant Jennifer Schreck and boardmembers used a Lodging Tax grant to design and produce a map and supplementary materials for a self-guided automobile tour of historic points of interest in Lakewood.
- The Board continues to work with the Woodbrook Hunt Club towards Landmark designation. The Hunt Club has been in existence since 1924 and is already on both the State and National Register of Historic Places. The members of the Club seem excited about securing local designation.
- The Board continues to engage in the on-going management of cultural resources at Western State Hospital. LHAB members and staff participate in the Western State Hospital Cultural Resources Stakeholders Group, which is working towards

protecting the many historical resources at WSH through implementation of a Cultural Resources Management Plan (CRMP) that was developed in August 2011. The Board has also discussed the possibility of granting the hospital a “Community Landmark” designation.

- The Board has updated its by-laws to conform to changes in the municipal code with regard to historic preservation adopted through Ordinance 578.
- The Board has continued discussions regarding the design, procurement, and placement of plaques on properties designated as Landmarks and Community Landmarks. In 2014, plaques were placed, by Boardmember Glen Spieth in conjunction with the Lakewood Historical Society, at the Boatman Ainsworth House, the Old Settler’s Cemetery, and Lakewold Gardens. Plaques were also placed by the Lakewood Historical society at the site of the ice rink on Lake Steilacoom, at Thornewood Castle, and at the site of the original Heath farm.
- The Board continues to explore the use of the Community Landmark designation for certain properties. This designation provides recognition for historic properties without carrying the tax benefits or development limitations of the standard Landmark designation. The Board sees this designation as more appropriate for publicly owned properties or other structures and places where the standard landmark designation is problematic.
- The Board is interested in developing public outreach activities, possibly in conjunction with the Lakewood Historical Society, the Arts Commission, and/or Lakewold Gardens.
- There is an opportunity to create a more robust presence on the City’s website. Raising awareness of Lakewood’s history and historic resources is a specific function of the Board, and the internet provides a powerful platform for organizing and showcasing information about Lakewood’s history. The internet can deliver information to a wide audience with a minimum amount of effort and expense. The Board has indicated that it would like to work on improving the City’s website with regard to historic resources in 2014-2015.

Landmark Designations in Lakewood

(as of 2012)

Currently Designated:

1. Boatman-Ainsworth House (11/2002)
2. Lakewold Gardens (11/2002)
3. Rhodesleigh Carriage House (5/2003)
4. Chauncey Griggs House (8/2003)
5. Hopkins House (12/2006)
6. Cole/Smith (Huber) House (2/2008)
7. Old Settlers Cemetery (1/2011)

Potential Candidates:

- Fort Steilacoom
- Western State Hospital
- Woodbrook Hunt Club
- Rhodesleigh House
- Lakewood Colonial Center
- Villa Carman (Madera)
- Flett House
- Little Church on the Prairie
- Little Red Schoolhouse
- Thornewood
- Mueller-Harkins Hangar
- Tacoma Country and Golf Club
- Alan Liddle House



TO: Mayor and City Councilmembers

FROM: David Bugher, Assistant City Manager/Community Development Director

THROUGH: John J. Caulfield, City Manager 

DATE: September 8, 2014 (City Council Study Session)

SUBJECT: Multifamily Tax Incentive Urban Use Center – Proposed Boundary Amendments

Introduction: Earlier this year, the City Council, when considering the establishment of a Tax Incentive Use Center in Springbrook, desired to review the Tax Incentive Use Center Boundaries elsewhere within the City. At the time, there was consideration to contract the existing boundary.

This memorandum does the following: 1) It reviews the basic mechanics behind how the boundaries are established, and/or modified; 2) It examines the current program boundaries; and 3) Data is provided on the existing properties that have taken advantage of the program to-date. A recommendation is also proposed to change the current geographic locations of the program.

How it Works: As far as the mechanics, it is central to review the definitions of a Tax Incentive Urban Use Center and a Residential Target Area.

A Tax Incentive Urban Use Center means a compact, identifiable district where urban residents may obtain a variety of products and services. A Tax Incentive Urban Use Center must contain:

1. Several existing or previous existing, or a combination of existing and previously existing, business establishments that may include but are not limited to shops, offices, banks, restaurants, governmental agencies;
2. Adequate public facilities, including streets, sidewalks, lighting, transit, domestic water, and sanitary sewer systems; and
3. A mixture of uses and activities that may include housing, recreation, and cultural activities in association with either commercial and/or office use. (LMC 3.64.010 K.)

A “Residential Target Area” means an area within the Tax Incentive Urban Use Center that has been designated by the City Council as lacking sufficient, available, desirable and convenient residential housing to meet the needs of the public. (LMC 3.64.010 J.)

The next step is the application of these boundaries.

- The boundaries of the Tax Incentive Urban Use Centers are approved by the City Council via an Ordinance. (LMC 3.64.020 A.)
- A Residential Target Area is established through the adoption of a resolution of intention to designate an area or areas described in the resolution. As part of this resolution, the City Council conducts a public hearing. (LMC 3.64.020 B.)
- Following the public hearing, the City Council may, in its sole discretion, designate one or more Residential Target Areas. (LMC 3.64.020 C.)
- The proposed boundaries of the Residential Target Areas must be within the boundaries of a Tax Incentive Urban Use Center. (LMC 3.64.020 E.) Thus, the Urban Use Center Boundary will either be larger than the Residential Target Area, or co-terminus with the Residential Target Area.
- The City Council may, by ordinance, amend or rescind the designation of a Residential Target Area at any time pursuant to the same procedure as described above. (LMC 3.64.020 C.4.) In other words, the City Council passes a resolution of intention to amend the Residential Target Area including conducting a public hearing, and, thereafter, passes an ordinance modifying the Residential Target Area Boundary.

Current Program Boundaries: The City’s current Tax Incentive Central Business District (CBD) Urban Use Center Boundaries comprise two separate areas: 1) CBD which includes the Towne Center, and Gravelly Lake Drive SW extending to the intersection of Lakewood Drive SW and Steilacoom Boulevard SW; and 2) The Springbrook Neighborhood excepting those lands zoned Industrial and Public Institutional.

For Central Lakewood, this area’s Residential Target Area Boundary is coterminous with this area’s Tax Incentive Urban Use Center, so they are, in effect, one in the same.

For the Springbrook Neighborhood, the Residential Target Area Boundary is much more focused on one specific area located at the intersection of Bridgeport Way and San Francisco SW. Figures 1 and 2 depict the current Tax Incentive Urban Use Center and Residential Target Area Boundaries.

Current Multifamily Tax Credit Projects: Since the program’s inception in 2002, only two projects have taken advantage of the program. The two projects are described in the Table 1 on the next page.

Multifamily Tax Credit Programs					
Owner	Name of Project	Address	No. of Units	Construction Date	Duration of Exemption
Lakewood Project, LLC	Echelon Apartments	5901 88 th Street Court SW	284	2009	8 years/2017
Gravelly Lake Townhomes, LLC (Claude Remy)	Gravelly Lake Townhomes	8911 Gravelly Lake Drive SW	52	2011*	8 years/2019 for 50% of the project; & 2022 (estimated) for the remainder of the project
Total			336		

* Project is not complete. About half of the total number of units is occupied. Staff estimates that the project may be completed by the end of this year.

Recommendations:

- Reduce the size of the Residential Target Area Boundary for the CBD area based on the proposed boundaries contained in Figure 3. This proposal includes the two tax credit programs listed above, but it also includes the previous QFC property located on the corner of Bridgeport Way and Gravelly Lake Drive SW, and currently owned by the Westwood Financial Corporation.

Westwood Financial has been working to remove multiple underlying property lines which have frustrated redevelopment. The community development department is anticipating application submittals that may include a housing proposal in which case the City Council may want to provide an incentive to encourage redevelopment through its multifamily tax credit program.

This recommendation rescinds the Residential Target Area for the Lakewood Towne Center since the property’s underlying deed restrictions prohibit residential development. Staff would also comment that the boundaries which are proposed are based on the likelihood of redevelopment occurring in the near-term. Further, restricting the boundary size provides the City Council with greater authority when it comes to considering any future requests to expand a target area boundary.

- Establish a Tax Incentive Urban Use Center and Residential Target Area in Lakeview as shown in Figure 4. Many of the apartment complexes in this part of the City are older. The area depicted in Figure 4 is located in the City’s urban renewal overlay and Transit Oriented Commercial (TOC) zone. Through the City’s Comprehensive Plan, concept drawings and policies already exist that discusses redevelopment. Relevant sections are found as attachments to this memorandum.

Attachments:

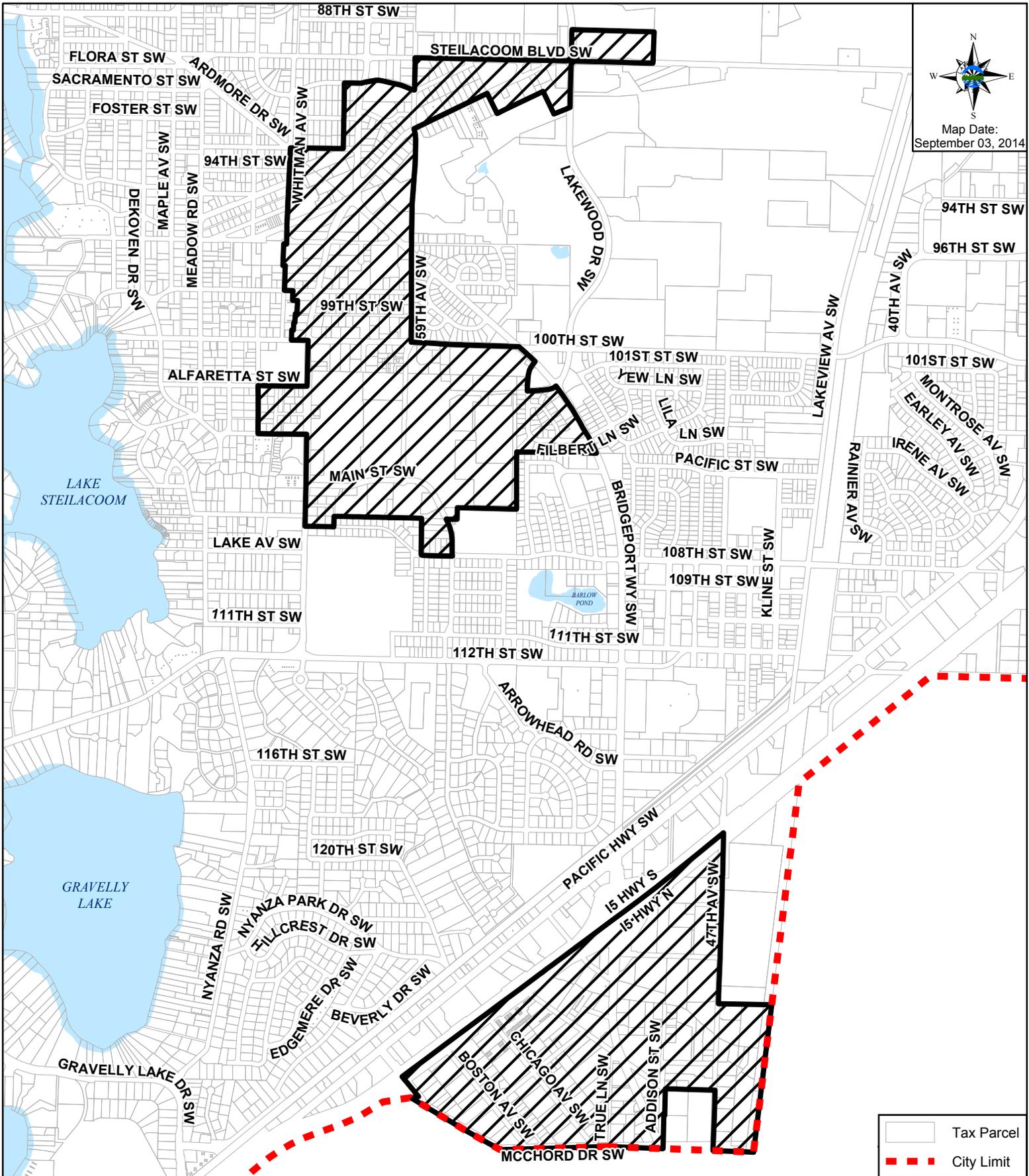
Figure 1 - Existing Tax Incentive Urban Use Centers for CBD & Springbrook

Figure 2 - Existing Residential Target Areas for CBD & Springbrook

Figure 3 - Revised CBD Residential Target Area

Figure 4 - Proposed Lakeview Urban Use Center & Proposed Lakeview Residential Target Area (one map)

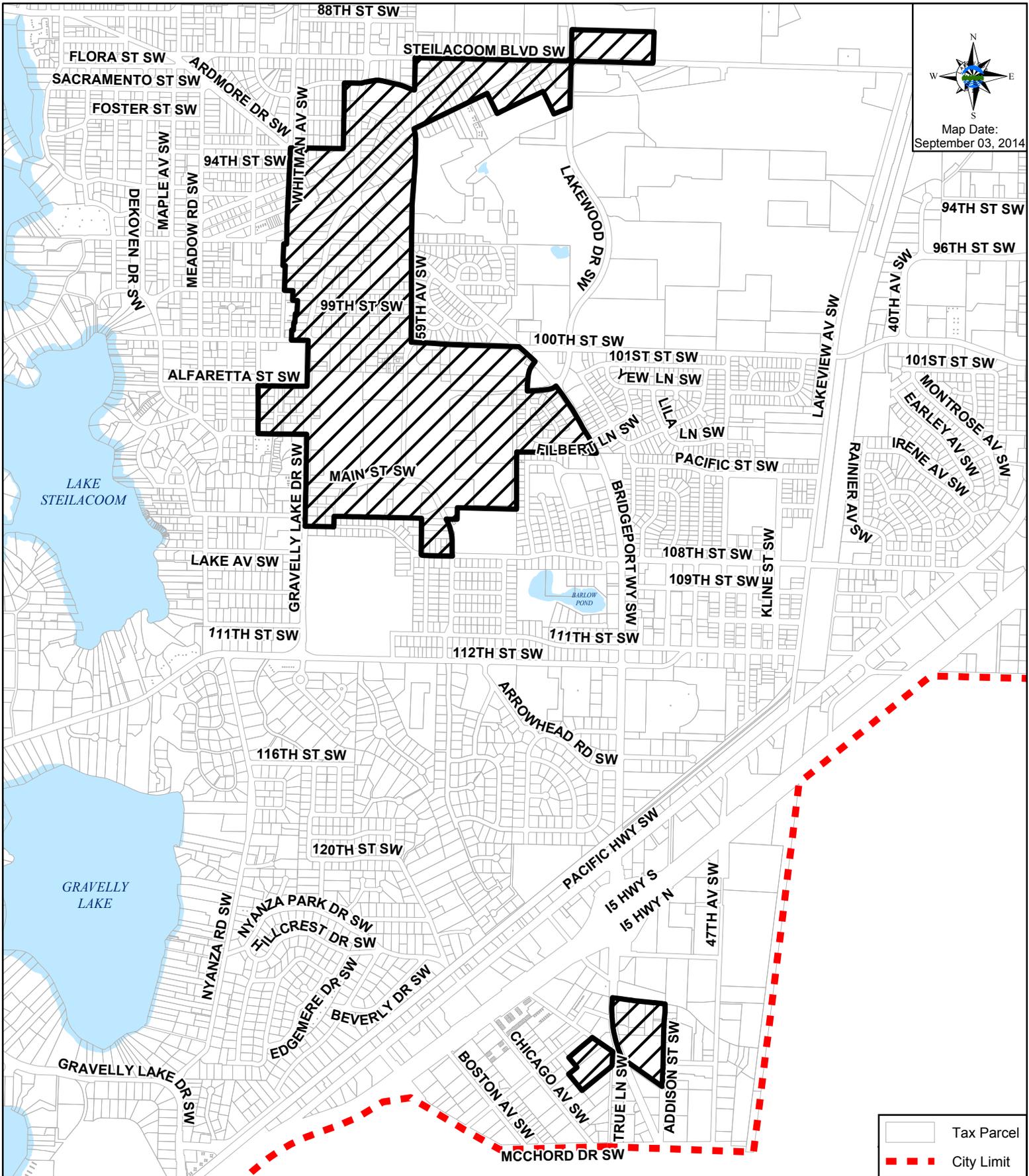
Comprehensive Plan Excerpts



Existing Tax Incentive Urban Use Centers - Central Business District and Springbrook

0 0.25 0.5 Miles

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.



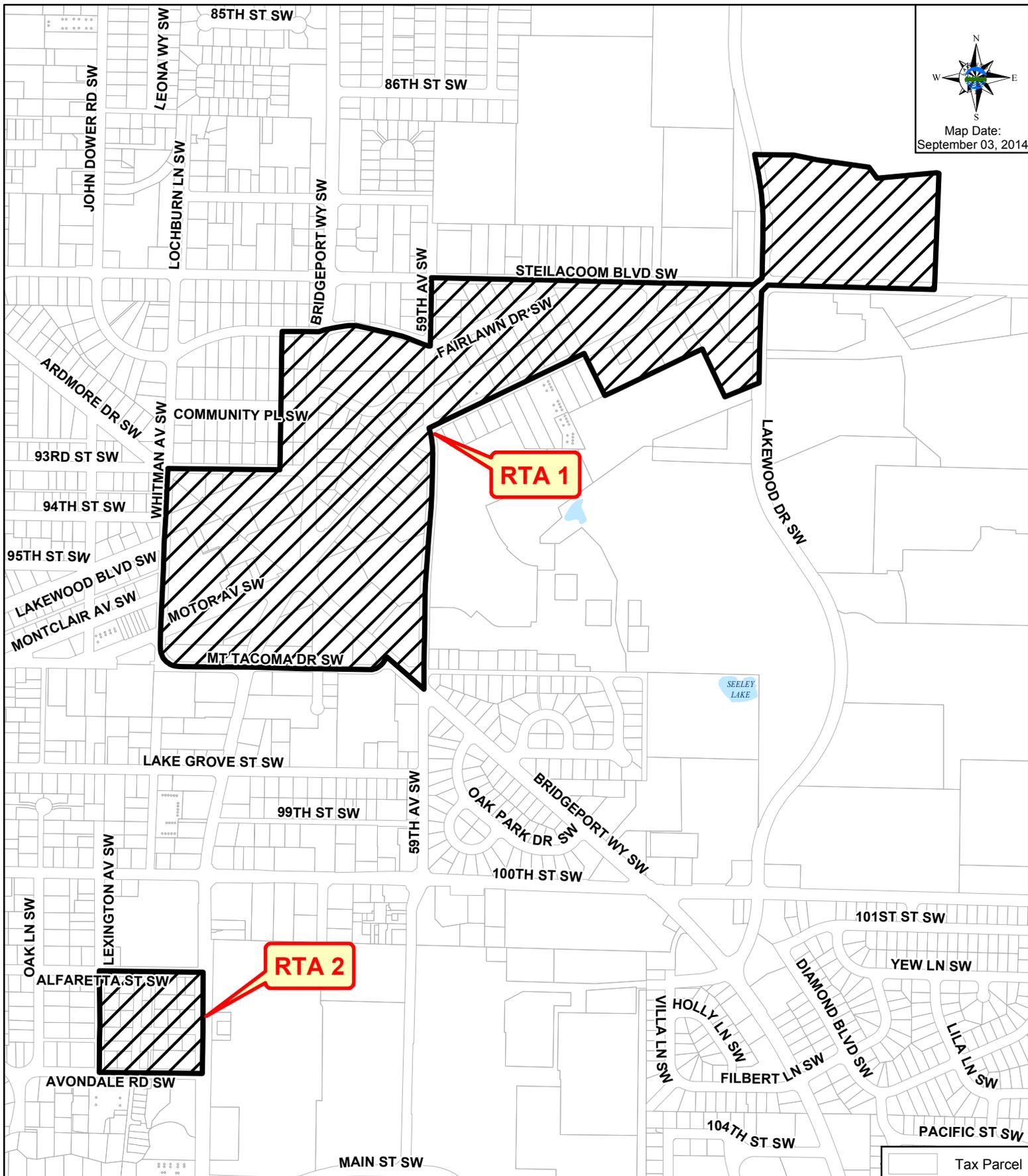
Existing Residential Target Areas - Central Business District and Springbrook

0 0.25 0.5 Miles

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.



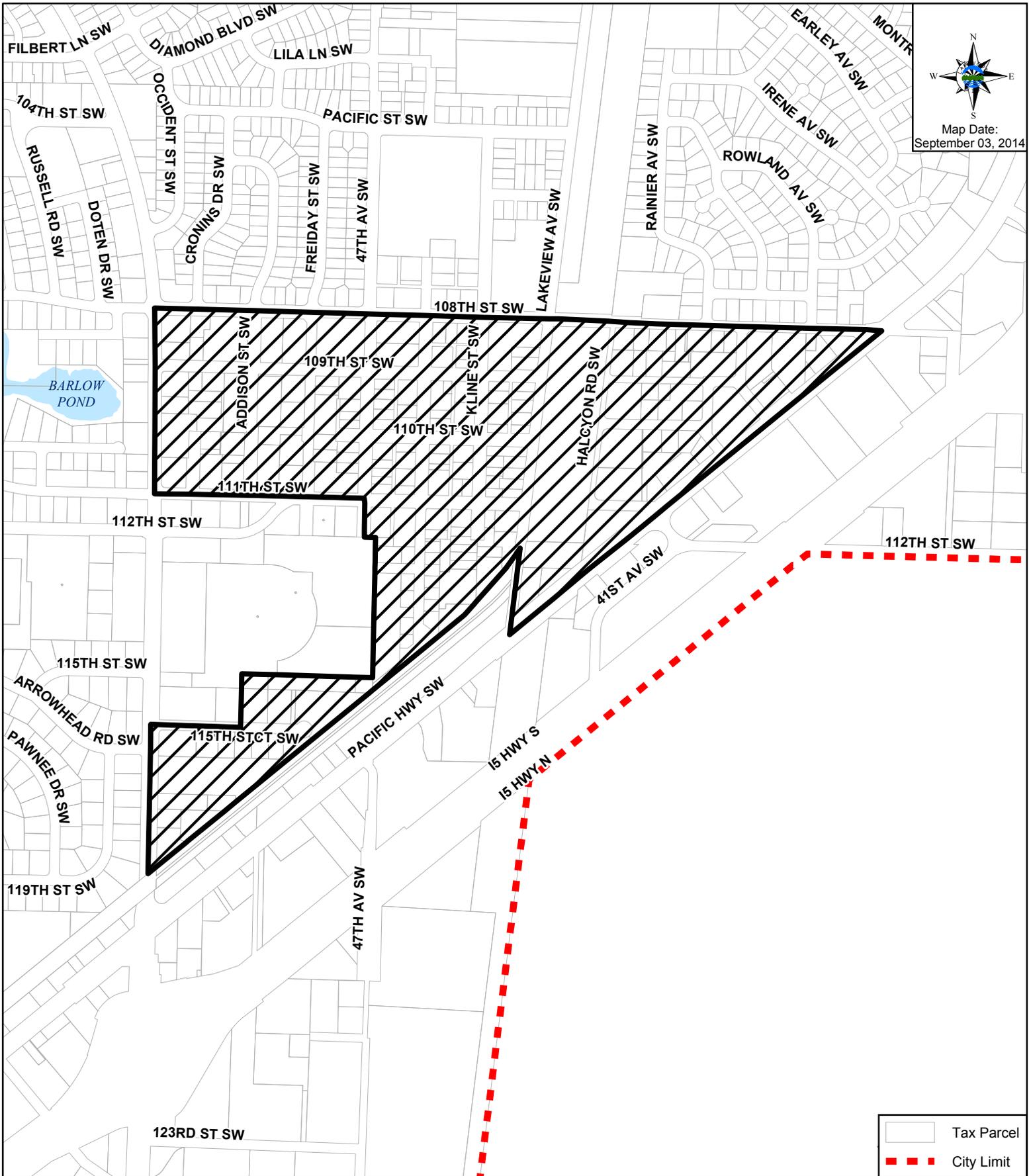
Map Date:
September 03, 2014



Residential Target Area (Revised) Central Business District



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. Aerial photography on this map may be shown at scales larger than its original compilation. Call 253-589-2489 for further information.



Lakeview Residential Target Area & Tax Incentive Urban Use Center (Proposed)

0 0.125 0.25 Miles

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. 014a on this map may be shown at scales larger than its original compilation. Call 253-589-2489 for further information.

Comprehensive Plan Excerpts

4.5.2 Lakewood Station District

Development of the Sound Transit commuter rail station on Pacific Highway Southwest represents a major investment of public funds in Lakewood. It also presents the potential for major land use change as the private market responds to the opportunities presented by increased transportation options. The comprehensive plan defines the Lakewood Station district as a transit oriented neighborhood with higher density residential uses, medically oriented businesses, and other commercial uses responding to increased transportation access in the area.

The commuter rail station will combine a substantial park-and-ride lot and transit transfer center along with the rail station to create a multi-modal transportation hub. The station's design must be harmonious with development of an adjacent high-density residential neighborhood separated by only the railroad tracks and a minor street. The design should include an attractive streetscape and incorporate features that make it a good neighbor. Parking for a large number of vehicles, as well as improved transit and pedestrian access, will assist in the transformation and redevelopment potential for the commercial corridor along Pacific Highway Southwest. Design features should include such elements as street-level commercial uses integrated into the façade of the parking structure, safe pedestrian connections across the tracks, as well as through the extensive parking lots associated with the rail station, and attractive open spaces containing significant landscaping. Features such as wet stormwater detention ponds for parking lot runoff and preservation of the existing Garry oak stands north of the planned station location can become part of the public open space structure. New sidewalks and streetscape elements such as lighting and landscaping will improve the visual quality and public safety of the area around the station.

Other changes envisioned within the Lakewood Station district include:

- the strengthening and completion of the street grid north of St. Clare Hospital and east of Bridgeport Way;
- development of an open space corridor adjacent to the railroad tracks as part of a greater citywide system; and
- expansion of the street grid in Springbrook to allow for connections between 47th Street and Bridgeport Way.

The urban design framework plan graphic depicting some of the potential land-use and urban design changes in the Lakewood Station area is shown in Figure 4.3. Some of the specific urban design actions shown which may occur as the Lakewood Station district develops over the next 20 years are as follows:

Landmarks/Activity Nodes: The Bridgeport Way intersection with I-5, arguably the most important and visible access point into the city, would be redeveloped and landscaped into a

graceful entrance on both sides of Pacific Highway Southwest. The commuter rail station and related architecture, including the garage structure, could present a memorable regional image, while simultaneously functioning to mediate the transition in scale between the station and the neighborhood to the north.

Civic Boulevards: Bridgeport Way, Pacific Highway Southwest, and 112th Street would receive various safety and image-oriented streetscape improvements, including the use of landscaped medians in the current turning lanes, improved crosswalks, undergrounding of utilities, and general aesthetic improvements. The intersection of Bridgeport Way with Pacific Highway Southwest in particular is suited for potential improvements related to creating a positive gateway image for Lakewood.

Green Streets: Several important pedestrian connections would be made along existing streets to increase pedestrian interest and safety, including curb ramps, street trees, crosswalks, lighting, and other improvements. A pedestrian connection along Kendrick Street, which acts as a spine connecting the commuter rail station to Lakeview School, would facilitate use of the playground as a neighborhood park. Another important connection between the station area and Springbrook could be made through improvements along 47th Avenue, including the bridge, which could become a significant second access point to Springbrook.

Open Space: A number of significant public open space opportunities could be realized in the course of station area development. Stormwater retention facilities developed in conjunction with the station park-and-ride lot would provide open space, as would the proposed linear park developed adjacent the Burlington Northern ROW. One or more small pocket parks could be developed in conjunction with future development. Freeway buffers along the I-5, primarily on the east side, would create additional green space.

GOAL UD-9: Create a livable, transit-oriented community within the Lakewood Station district through application of urban design principles.

Policies:

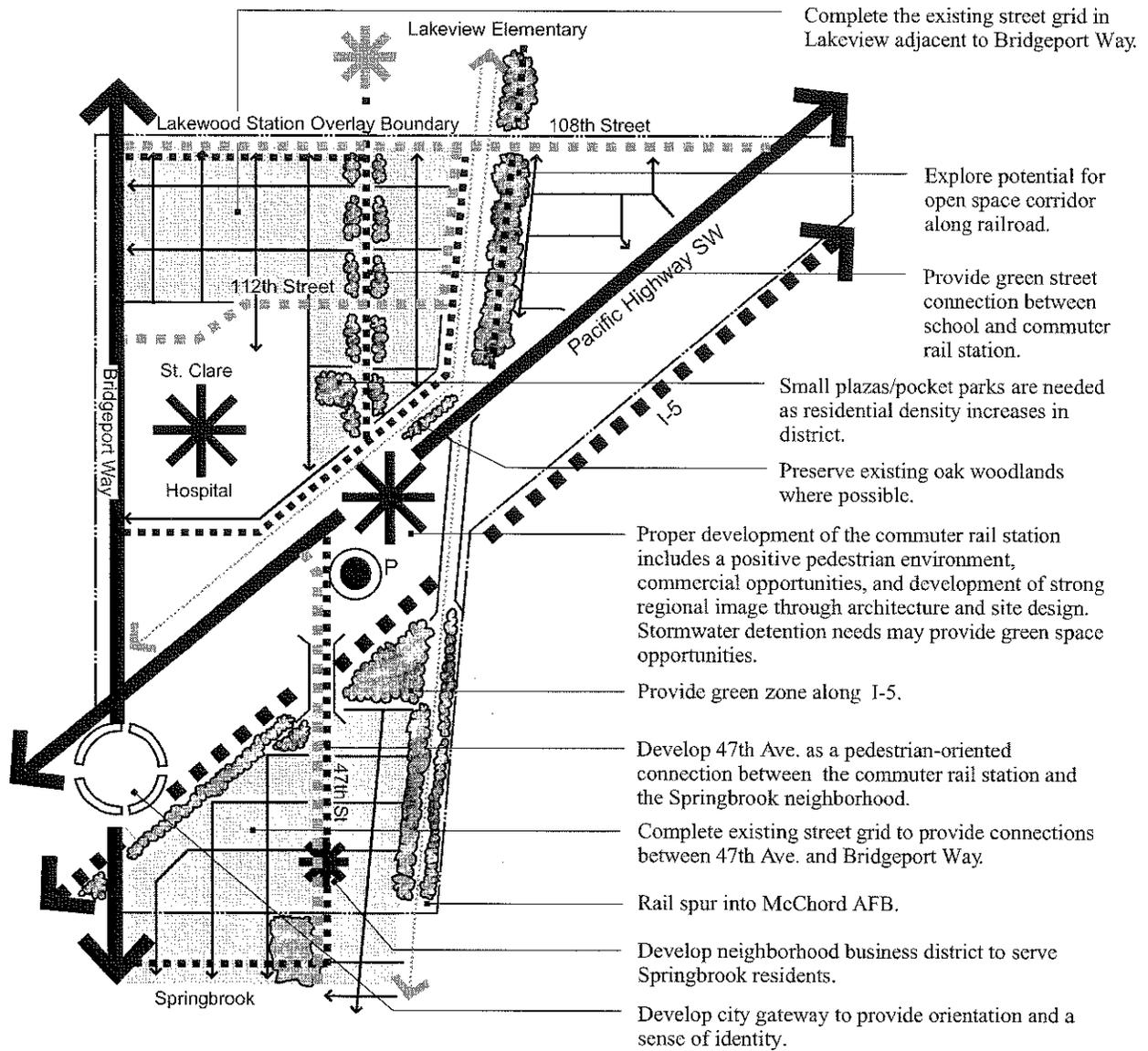
UD-9.1: Provide for pedestrian and bicycle connectivity within the Lakewood Station district to the commuter rail station.

UD-9.2: Identify the opportunities for additional public/semi-public green space in the Lakewood Station district. (see Policy LU25.3 regarding bonus densities).

UD-9.3: Improve identified civic boulevards, gateways, and green streets within the Lakewood Station district to provide a unifying and distinctive character.

UD-9.4: Establish the intersection of Pacific Highway Southwest and Bridgeport Way as a major gateway into the city and develop a landscaping treatment to enhance the city's image at this gateway.

UD-9.5 Develop a sub-area plan to serve as the framework plan for developing the Lakewood Station district. Incorporate site and architectural design measures to coordinate consistency of private and public development.



LEGEND:

- Landmarks/Activity Node
- Gateway
- Transit Center
- Civic Boulevard
- Green Streets
- Local Collector
- Potential for Intensification of Residential Uses
- Open Space/Park/Buffer
- Framework Plan Boundary

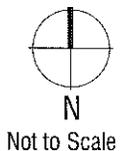


Figure 4.3
Urban Design Framework
for Lakewood Station District

SOURCE: EDAW, Inc. 1999

July 2000
 File path: p:\6e24101\graphics\UrbanDsgn2.cdr

Chapter 4, page15



To: Mayor and City Councilmembers
From: Matthew S. Kaser, Assistant City Attorney
Through: John J. Caulfield, City Manager *John J. Caulfield*
Date: September 8, 2014
Subject: Recodification of Local Improvement Districts

SUMMARY

It is recommended that the City Council recodify Chapter 9.24 LMC which pertains to Local Improvement Districts, as a new Chapter within Title 12A LMC.

BACKGROUND

In 2010, the City overhauled its criminal code. The criminal code was formerly codified as Title 9 LMC, and a new Title 9A LMC was enacted. One provision, however, escaped recodification. This provision, chapter 9.24 LMC remains untouched.

Local Improvement Districts are more naturally associated with Public Works, than criminal processes. Accordingly, it is recommended to move the entire chapter to LIDs to Title 12A in order to be more accessible to citizens.

Ordinance No. ____

AN ORDINANCE of the City Council of the City of Lakewood, Washington, recodifying Local Improvement District procedures.

WHEREAS, in 2010, the City enacted a criminal code, which formerly comprised most of Title 9 LMC as a new Title 9A LMC;

WHEREAS the sole chapter unaffected by the 2010 amendments is chapter 9.24 LMC which pertains to Local Improvement Districts, which is more logically placed within chapter 12A LMC.

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

Section 1: Sections 9.24.010, 9.24.020, 9.24.030, 9.24.040, 9.24.050 and 9.24.060 of the Lakewood Municipal Code (LMC) are each recodified as sections in a new chapter within Title 12A LMC. Such chapter, and sections, and organizational revisions, shall have the same force and effect as if fully set forth herein

Section 2. 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 3. 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 ____ day of September, 2014.

CITY OF LAKEWOOD

Don Anderson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi A. Wachter City Attorney



To: Mayor and City Councilmembers
From: Heidi Ann Wachter, City Attorney
Through: John J. Caulfield, City Manager
Date: September 8, 2014
Subject: Amendments to South Sound 911 Agreement

A handwritten signature in black ink that reads "John J. Caulfield".

SUMMARY:

It is recommended that the City Council amend provisions in the Interlocal Agreement that established South Sound 911 by adding the City of Puyallup; updating language related to capital investments for the upcoming investment in a new consolidated regional dispatch, municipal emergency operations center and records center; and deleting outdated language.

BACKGROUND:

The City of Lakewood approved Resolution 2011-19 on June 6, 2011 which adopted an Interlocal Agreement establishing South Sound 911. Subsequently, Pierce County voters approved Proposition No. 1 on November 8, 2011, authorizing a countywide one-tenth of one percent local sales and use tax to fund South Sound 911. The goals of the tax included addressing:

- Aging/overcrowded dispatch facilities
- Federal and operational requirements to upgrade public safety radio infrastructure
- Greater regional efficiencies

ISSUE:

The member agencies of South Sound 911 have negotiated a number of amendments to the interlocal agreement including:

- Changes that recognizes the City of Puyallup as a member of South Sound 911
- A new section, Section 16E, which includes authorizing language for 63-20 financing and incorporates similar provisions from the July 13, 2014 Memorandum of Agreement regarding the responsibilities of member agencies should South Sound 911 experience a future shortfall in tax collection that would not allow South Sound 911 to meet its lease payment obligations of the new facility.
- Updates to now outdated language due to completion of activities originally included in the interlocal agreement and changes to terminology.

RECOMMENDATION:

The changes to the Interlocal allow greater regional participation in South Sound 911 and allow progress toward a new consolidated regional dispatch, municipal emergency operations center, and records facility to continue forward and staff recommends approval.

RESOLUTION NO. _____

A RESOLUTION relating to public safety; authorizing the execution of an Amended and Restated Interlocal Agreement for Communications Services to add the City of Puyallup as a Member Agency; authorize 63-20 financing; incorporate provisions relating to the responsibilities of member agencies in the event of future shortfalls in tax collections; and update outdated language.

WHEREAS, on, June 6, 2011 the City Council adopted Resolution No. 2011-19, authorizing the execution of an Interlocal Agreement for Communications Services (“Agreement”) between Pierce County, the City of Tacoma, the City of Lakewood, and Pierce County Fire Protection District No. 3 (West Pierce Fire & Rescue) (“Member Agencies”) for the purpose of providing consolidated public safety communications services under a new emergency communications agency entitled South Sound 911 Agency (“Agency”), and

WHEREAS, on the November 8, 2011, General Election ballot, Pierce County voters approved Proposition No. 1, authorizing a county-wide, one-tenth of one percent local sales and use tax to fund costs associated with financing, design, acquisition, construction, equipping, operating, maintaining, remodeling, repairing and re-equipping the county’s 911 emergency communication system and facilities infrastructure, and

WHEREAS, since the adoption of the original Agreement, the Agency has been working to identify additional regional partners, and

WHEREAS a Participation Agreement with the City of Puyallup was approved by the South Sound 911 Policy Board on May 28, 2014, and it is necessary to add the City of Puyallup as a

Member Agency to the Agreement, and

WHEREAS Section 16C of the Agreement states that Pierce County can, at its discretion, issue bonds on behalf of the Agency for the purpose of financing the capital assets required by the Agency, but requires, in part, that all Member Agencies enter into formal signed agreements which identify how the Agency will continue to meet its payment obligations if the dedicated sales tax ever became unavailable or insufficient, and

WHEREAS the Member Agencies entered into a Memorandum of Agreement on July 13, 2013, to facilitate the bonding of a regional radio upgrade, including radio network infrastructure, dispatch consoles, and public safety radios, and

WHEREAS the Agency has completed preliminary planning for the development of a consolidated regional dispatch and records center, and is contemplating utilizing a 63-20 financing methodology through Pierce County, and

WHEREAS the Member Agencies have also negotiated a number of additional amendments, to include authorizing 63-20 financing and incorporating similar provisions to the July 13, 2014, Memorandum of Agreement regarding the responsibilities of Member Agencies in the event of a future shortfall in tax collections; updates to outdated language due to completion of activities originally included in the Agreement; and changes to terminology;

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

That the proper officers are hereby authorized to execute the Amended and Restated Interlocal Agreement for Communications Services to recognize the City of Puyallup as a Member Agency of South Sound 911; to add a section authorizing language for 63-20 financing; to

incorporate provisions relating to the responsibilities of Member Agencies in the event of a future shortfall in tax collections; to update outdated language due to completion of activities originally included in the Interlocal Agreement; and to make changes to terminology, said document to be substantially in the form of the proposed amended interlocal agreement on file in the office of the City Clerk.

Section 2. That the City Clerk shall publish this Resolution in the official newspaper of the City of Lakewood, as required by law.

Section 3. That this Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this _____ day of _____, 2014.

CITY OF LAKEWOOD

Don Anderson, Mayor

Attest:

Alice M. Bush, CMC, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney

AMENDED AND RESTATED

INTERLOCAL AGREEMENT FOR COMMUNICATIONS SERVICES

THIS INTERLOCAL AGREEMENT (“Agreement”), made and entered into by and among PIERCE COUNTY, the CITY OF TACOMA, the CITY OF LAKEWOOD, the CITY OF FIFE, the CITY OF PUYALLUP and PIERCE COUNTY FIRE PROTECTION DISTRICT NO. 3 (WEST PIERCE FIRE & RESCUE) (“Parties”) who are signatories to the Agreement.

WHEREAS, prior to November 2011, current-existing public safety communications systems, including public safety answering point (PSAP) facilities and radio system infrastructure, required updating and new technologies to meet future demands; and

~~**WHEREAS**, public safety communications services are currently performed by the City of Tacoma Fire Department, West Pierce Fire & Rescue, and the Law Enforcement Support Agency (LESA); and~~

WHEREAS, the Parties and the residents of Pierce County ~~would~~ benefit both in terms of efficiency and economy from a communications system consolidated into a single agency for the purpose of providing public safety communications services to Pierce County and the cities and fire protection districts within Pierce County; and

WHEREAS, Chapter 39.34 RCW, the Interlocal Cooperation Act, authorizes the Parties to enter into an interlocal agreement for the joint provision of communication services; and

WHEREAS, radio systems infrastructure is an integral part of communications between public safety officials in the field and dispatch facilities; and that such radio systems infrastructure are currently – and will continue to be – owned, operated and maintained by Pierce County, the City of Tacoma, City of Fife, City of Puyallup and West Pierce Fire & Rescue; and

WHEREAS, the Parties desire that radio systems infrastructure be upgraded, maintained and operated -to ensure such systems operate reliably; and that adequate funding will be provided to radio systems infrastructure owners to accomplish such upgrades; and

WHEREAS, Pierce County is an existing governmental structure encompassing the entire geographic, economic and population region to be served and has established, in collaboration with those agencies served, an Emergency Communications agency with the capability of providing consolidated communication services to the Parties; and

WHEREAS, Chapter 82.14.420 RCW, Sales and Use Tax for Emergency Communication Systems and Facilities, authorizes a county legislative authority to submit an authorizing proposition to the county voters in order to allow the county legislative authority to fix and impose a sales and use tax for the purpose of providing funds for emergency communications systems and facilities; and

~~WHEREAS, if such authorizing proposition is approved by a majority of persons voting, a county legislative authority may fix and impose a sales and use tax for the purposes of providing funds for costs associated with financing, design, acquisition, construction, equipping, operating, maintaining, remodeling, repairing, reequipping, and improvement of emergency communication systems and facilities; and~~ WHEREAS, the Pierce County Council did submit such a proposition to the voters in November 2011, and a majority of such voters did approve such a proposition, enabling the establishment of a new consolidated emergency communications agency to be known as South Sound 911; and

WHEREAS, in addition to revenue generated by the sales and use tax, revenue may be generated by other means in order to address specific capital needs; and

WHEREAS, revenue needed to finance interoperable radios was generated by the issuance of bonds through Pierce County as agreed between the Original Parties; and

WHEREAS, revenue needed to finance a hybrid facility to serve the communications dispatch and municipal emergency operations co-located with fire services dispatch is best served through the issuance of 63-20 bonds which will be a general obligation of Pierce County pursuant to this agreement reached by the Member Agencies.

WHEREAS, Chapter 82.14.420 RCW requires that prior to submitting such sales and use tax to the voters, a county with a population of more than five hundred thousand in which any City over fifty thousand operates emergency communication systems and facilities shall enter into an interlocal agreement with the City to determine distribution of the revenue; and

WHEREAS, since the foregoing statute applied, the Original Parties determined that an interlocal agreement was appropriate and therefore entered into an Interlocal Agreement for Communications Services ("the Original ILA") to which this Amended and Restated Interlocal Agreement is the successor; and

~~WHEREAS, a new Emergency Communications Agency named South Sound 911 will provide consolidated communications services currently performed by the Law Enforcement Support Agency (LESA), City of Tacoma Fire Department and West Pierce Fire & Rescue; and~~ WHEREAS, pursuant to the Original ILA, a new emergency communications agency known as South Sound 911 has been formed to provide consolidated communications for all of Pierce County; and

~~WHEREAS, since 2012 Pierce County has issued bonds for radios and infrastructure for the benefit of South Sound 911, its Member Agencies, and other municipal corporations, cities or towns, or special purpose districts that operate police or fire departments, using emergency communications facilities within Pierce County; and~~

~~WHEREAS, it is the intent that, where appropriate, South Sound 911 will be the successor and assign to existing LESA obligations and agreements, including grants of which LESA is a recipient; and~~

~~WHEREAS, it is the intent that Pierce County will issue bonds to construct South Sound 911 Agency facilities; and~~

~~WHEREAS, the staff and personnel of LESA, City of Tacoma Fire Department and West Pierce Fire & Rescue are an integral component to be considered as part of South Sound 911; and~~

~~WHEREAS, the staff and personnel of the Law Enforcement Support Agency (LESA) have now become employees or personnel of South Sound 911, and the City of Tacoma Fire Department communications personnel, West Pierce Fire & Rescue (Fire Comm) communications personnel, Fife Dispatch communications personnel, and the City of Puyallup (City Comm) communications personnel are an integral component of South Sound 911 even as they may remain employed by separate employers; and~~

WHEREAS, it is the intent to continue the employment of existing operational staff and personnel of the City of Tacoma, the City of Fife, the City of Puyallup (City Comm) and West Pierce Fire and Rescue (FireComm) to the extent practicable within South Sound 911 through a variety of methods including, but not limited to, direct Agency employment and/or inter-local agreements with existing employers;

~~WHEREAS, since the foregoing statute applies, the Original Parties determined that an interlocal agreement was appropriate and therefore entered into an Interlocal Agreement for Communications Services ("the Original ILA") to which this Amended and Restated Interlocal Agreement is the successor; and~~

~~WHEREAS, by Amendment No. 1 to the Original ILA, executed in 2013, -the Original Parties added the City of Fife to the Member Agencies participating in South Sound 911; and~~

~~WHEREAS, -South Sound 911 executed a Participation Agreement with the City of Puyallup in 2014, agreeing to add the City of Puyallup to the Member Agencies participating in South Sound 911; and~~

WHEREAS, now the Parties deem it necessary and appropriate to amend and restate the Interlocal Agreement between the Parties to bring it up to date, given all that has occurred since 2011 when the Original ILA was executed by the Original Parties, and to add the City of Puyallup to the Policy Board and the Operations Board, and to make other clarifying changes to the Original ILA, particularly with regard to financing of improvements; an agency facility housing communications dispatch and municipal emergency operations co-located with the fire services dispatch center and supporting radio communications infrastructure.

NOW THEREFORE, the Parties agree as follows:

1. The foregoing recitals are incorporated into and are a part of this Agreement.
2. **Purpose.** It is the purpose of this Agreement to provide consolidated communications services for the parties hereby benefiting from them in terms of efficiency and economy.

3. **Transition.** ~~Once this agreement becomes effective in accordance with Sections 23 and 24, the Parties will take steps to identify their respective members of the Policy Board and Combined Operations Board. The Combined Operations Board shall meet to develop a transition plan for Policy Board approval, including transition of the Law Enforcement Support Agency into South Sound 911, recruitment of the South Sound 911's permanent Executive Director, development of the radio systems upgrade plan, and construction of dispatch facilities and a municipal emergency operations center. The Operations Board, in conjunction with the Executive Director, shall develop a transition plan for Policy Board approval.~~

4. **Definitions.** As used in this Agreement the words and phrases in this Section shall have the meanings indicated unless the context clearly requires otherwise.

A. "Agency" shall mean South Sound 911.

B. "Assessments" shall be costs for communication services to Member Agencies that are over and above projected revenues from sales and use taxes, the recently approved 20 cent Next Generation 911 tax, grants, and contracts.

C. "Communication Services" shall include 24 hour dispatch for law enforcement services and fire services, radio system operations, or any communication service recommended by the ~~Combined~~ Operations Board and approved by the Policy Board.

D. "County" shall mean Pierce County.

E. "Executive Director" is responsible for the management and day to day operation of the Agency, including signing contracts up to \$50,000.

F. "Fees" shall be billed costs for extraordinary services provided to Member Agencies and services to Non-Member Agencies. Fees are separate from and may be in addition to member agency Assessments.

G. "Funding Formula" shall describe how Member Agencies are assessed within each specific service (i.e., law enforcement and fire service).

H. "General Obligations" for purposes of this agreement shall be those general obligations issued for the sole purpose of constructing the facility approved by all Member Agencies as described in 16(E) of this agreement (herein referred to as "General Obligations") to which Pierce County's full faith and credit are pledged and which are incurred only after meeting the requirements detailed in this agreement.

I. "Member Agencies" are the following agencies who are currently or will become Parties to this Agreement that receive communication services:

- i. Pierce County
- ii. City of Tacoma
- iii. City of Lakewood

iv. Pierce County Fire Protection District No. 3 (West Pierce Fire & Rescue)

v. City of Fife

~~iv.vi.~~ City of Puyallup

~~v.vii.~~ All municipalities or special district that becomes a party to this Agreement

IJ. “Non-Member Agency” shall be any entity receiving communication services which is not a Member Agency and which is not or does not become a Party to this Agreement.

JK. “Service Specific” shall relate to projects that address the needs of only law enforcement, or only fire service.

~~K.~~ ~~“Transition Date” shall be June 30, 2012 or such other date as may be set by the Policy Board for the transfer to South Sound 911 of LESA’s personnel, functions, assets and liabilities. The Policy Board may authorize interim transfers before the Transition Date.~~

5. Provision of Communications Services.

- A. The Agency shall be responsible for providing communications services pursuant to this Agreement either directly, or by contract or similar agreement or arrangement.
- B. The Agency, through the Policy Board, may contract with Non-Member Agencies to provide South Sound 911 services. These Non-Member Agencies shall pay Fees for these services as established by the Policy Board.

6. Personnel.

- A. ~~For those employees of LESA who as of the Transition Date become employees of South Sound 911, As of a "Transition Date" in December of 2012, former LESA employees became employees of South Sound 911, and~~ all existing collective bargaining agreements, personnel rules and regulations, civil service system, accrued benefits and other legal rights of such former employees of LESA ~~shall be~~ honored by South Sound 911. Former LESA employees who were members of the Tacoma Employees Retirement System ~~shall remain~~ such as South Sound 911, and former LESA employees who were members of the Washington State Public Employees Retirement System (PERS) ~~will remain~~ as such. New hires will be in PERS. ~~The Executive Director of LESA shall become the Interim Executive Director of South Sound 911 until a permanent director is selected.~~
- B. All ~~personnel who are~~ employees of the Agency will be subject to any employment rules and regulations ~~that may subsequently be~~ adopted by the Policy Board, except as these may be modified by collective bargaining agreements or this Agreement. The Policy Board shall be responsible for ratification of collective bargaining agreements for Agency employees.

7. Policy Board.

- A. There is hereby established a Policy Board consisting of the following elected or appointed officials who are representatives of the Member Agencies, or their designees:
- i. One member of the Pierce County Council;
 - ii. The Pierce County Executive;
 - iii. The Mayor of Tacoma;
 - iv. One member of the Tacoma City Council;
 - v. The Mayor or one member of the Lakewood City Council;
 - vi. The Pierce County Sheriff;
 - vii. The Mayor or one member of the Fife City Council;
 - viii. ~~The Mayor or one member of the Puyallup City Council;~~
 - ~~viii-ix.~~ ~~ix-X.~~ One Fire Commissioner of West Pierce Fire & Rescue;
 - ix-X. One Mayor or Council member of a city or town within Pierce County with a population under (50,000) fifty-thousand residents, provided that such city or town contracts with South Sound 911 or a Member Agency. Such position shall be filled for two-year terms by appointment through a vote of the Policy Board.
- B. The responsibilities of the Policy Board shall be as follows:
- i. Develop appropriate board governance procedures, such as by-laws, and appoint a Chair.
 - ii. Budget approval.
 - iii. Approval of contracts in excess of \$50,000.00 as recommended by the Executive Director.
 - iv. Approval of policies for expenditures of budgeted items, personnel, travel and training for the Agency.
 - v. Confirming appointment of the Executive Director as recommended by the ~~Combined~~ Operations Board. In the event of a tied vote on the ~~Combined~~ Operations

Board regarding termination of the Executive Director, the Policy Board may remove the Executive Director by majority vote.

- vi. Setting the salary range for the Executive Director.
- vii. Reviewing and/or changing the Funding Formula as necessary to assure fair and equitable funding of the Agency.
- viii. Ratification of Collective Bargaining Agreements for Agency employees.
- ix. Adoption of personnel rules and regulations for Agency employees.
- x. Setting Assessments and Fees.

8. ~~Combined~~ Operations Board.

A. There is hereby established an ~~Combined~~ Operations Board under authority of the Policy Board. The members of the ~~Combined~~ Operations Board will be the members of the Law Enforcement Services and Fire Services Committees. Each committee will have (1) one vote. If the ~~Combined~~ Operations Board cannot reach consensus, the deciding vote will be cast by the Policy Board.

B. The responsibilities of the ~~Combined~~ Operations Board shall be as follows:

- i. Develop appropriate board governance procedures, such as by-laws, and appoint a Chair.
- ii. Recommend appointment of the Executive Director subject to confirmation by the Policy Board.
- iii. Supervise the Executive Director, through its Chair, to include an annual performance appraisal. Terminate the Executive Director, when appropriate. In the event of a tied vote on the ~~Combined~~ Operations Board regarding termination of the Executive Director, the Policy Board may remove the Executive Director by majority vote.
- iv. Develop operational priorities, policies and procedures.
- v. Review requests for additional communications services and determine if such services should be provided. If approved by a majority of the ~~Combined~~ Operations Board, provide the Policy Board with the recommendation and cost for the additional services.
- vi. Ensure that the law enforcement service data communications network and any Criminal History Records Information received by means of such network shall be used solely for the purposes of the administration of the criminal laws or for the purposes enumerated in the Revised Code of Washington.
- vii. Ensure that the fire service data communications network and any Protected Health Information Records received by means of such network shall be used solely for the purposes of providing medical treatment or for the purposes defined within State and Federal law.
- viii. Any action by the ~~Combined~~ Operations Board requires at least 1 representative from each service.
- ix. Set the salary of the Executive Director within the range established by the Policy Board

9. Law Enforcement Services Committee.

A. There is hereby established a Law Enforcement Services Committee under authority of the ~~Combined~~ Operations Board consisting of the following members or their designee:

- i. Pierce County Sheriff's designee.
- ii. Tacoma Police Chief.
- iii. Lakewood Police Chief.
- iv. [Fife Police Chief](#)
- v. [Puyallup Police Chief](#)
- iii-vi. One (1) Law Enforcement representative for each jurisdiction that joins the Agency.

B. The responsibilities of the Law Enforcement Services Committee shall be as follows:

- i. Make recommendations on operational priorities, policies and procedures related to law enforcement specific issues.
- ii. Make recommendations on operational priorities, policies and procedures related to the Law Enforcement PSAP.
- iii. Recommend any necessary rules and regulations governing access to, security for, and operation of the data communications network and any Criminal Justice Records Information received by or through means of such network. Such rules and regulations shall be consistent with the provisions and requirements of the Revised Code of Washington.

C. Voting:

- i. Voting within the Law Enforcement Committee will be determined by the number of Law Enforcement commissioned officers within a Member's Agency compared to the total number of Law Enforcement commissioned officers represented by the whole Law Enforcement Services Committee.

10. Fire Services Committee.

A. There is hereby established a Fire Services Committee under authority of the [Combined Operations Board](#) consisting of the following members or their designee:

- i. Tacoma Fire Chief.
- ii. West Pierce Fire & Rescue Chief.

B. The responsibilities of the Fire Services Committee shall be as follows:

- i. Make recommendation on operational priorities, policies and procedures related to fire service specific issues.
- ii. Make recommendation on operational priorities, policies and procedures related to the Fire Services PSAP.
- iii. Recommend any necessary rules and regulations governing access to, security for, and operation of the data communications network and any Protected Health Information Records received by or through means of such network. Such rules and regulations shall be consistent with the provisions and requirements of State and Federal law.

C. Voting:

- i. Voting within the Fire Services Committee will be determined by the number of uniformed Fire Personnel within a Member's Agency compared to the total number of uniformed Fire Personnel represented by the whole Fire Services Committee.

11. Executive Director.

- A. There shall be an Executive Director of the Agency appointed by the ~~Combined~~ Operations Board subject to confirmation by the Policy Board. The Executive Director shall be selected upon the basis of administrative and technical competence.
- B. The responsibilities of the Executive Director shall be as follows:
 - i. Administration, budget, Agency personnel, dispatching, records, communications, security and other Communications Center Functions in conformance with the policies of the ~~Combined~~ Operations Board.
 - ii. Work with the ~~Combined~~ Operations Board to prepare and present a proposed budget to the Policy Board for approval.
 - iii. Have the authority to employ, supervise and terminate Agency employees subject to Agency procedures and policies set forth by the Policy and ~~Combined~~ Operations Board.
 - iv. Other, as determined by the Policy Board.

12. Equipment. Subject to Section 16D, radio systems infrastructure and end user subscriber units shall be owned by the Member Agencies that operate them, unless otherwise agreed to in writing. All other assets acquired by the Agency through purchase or contributions shall be owned by the Agency for the benefit of the Parties, unless otherwise agreed to in writing.

13. Records Reports and Information. Records reports and information are an essential aspect of law enforcement and fire services response to emergencies. The new system will contain and link call receiving and dispatch data with operational information systems. This will promote citizen safety, proper level of response and responder safety in any and all 911 calls.

14. Dissolution. This Agreement may be dissolved by the majority of the then-existing Member Agency Parties who are governmental signatories by vote weighted to represent each signatory's proportion of the total population served. The Parties' obligations, if any, concerning debt or other liabilities shall not be affected by dissolution unless agreed in writing by the Parties. Upon cessation of the Agency for any reason, assets originally contributed to the Agency or its predecessor (LESA) by the City of Tacoma or Pierce County (or the value thereof) shall be returned to the Party contributing the same, assets purchased by LESA (or the value thereof) shall be equally divided between the City of Tacoma and Pierce County. In addition, assets originally contributed by West Pierce Fire & Rescue, City of Fife or City of Puyallup shall be returned to ~~West Pierce Fire & Reseue~~ the respective Parties. Remaining assets owned by the Agency at the time of cessation may be purchased by a Party to this Agreement at a value as determined by the Policy Board. Property not disposed in the foregoing manner shall be disposed of in the same manner as surplus County property but without Council approval: PROVIDED, that equipment purchased with any Federal or State grant shall be disposed of in accordance with the terms of the grant. All proceeds then remaining shall be divided among the then, existing governmental signatories based upon their proportionate share of the total contributions made by them to South Sound 911.

15. Budget.

- A. The Executive Director, in consultation with the ~~Combined~~ Operations Board, shall present a proposed budget for Policy Board consideration. The proposed budget shall include the programs and objectives, any changes in the Fees or Assessments, and the required financial participation for each Member Agency and Non-Member Agency for the following year.
- B. The Policy Board shall adopt a proposed budget, and forward a copy of that budget by July 1 for the next year's budget to each Member Agency for their consideration.
- C. The budget process for the Agency shall include a process for public participation prior to final adoption.
- D. The Policy Board shall adopt the final annual budget, including Assessments and Fees, and submit to the Member Agencies by September 1 for the next year's budget.
- E. Member Agency assessments shall be approved through the Member Agency's budget process as applicable.
- F. Member Agency shall be converted to Non-Member Agency; for failure to approve its share of the budget; for nonpayment or delinquency in payment of Fees or Assessments; or for failure to participate in a manner approved by the Policy Board in an approved issuance of bonds. On the date of such conversion, said former Member Agency shall:
 - i. lose its representation on the Policy Board and Service Committees;
 - ii. lose its right to receive a share of the Agency assets upon dissolution of the Agency;
 - iii. become subject to payment of Fees in accordance with the then applicable Fee formula for a Non-Member Agency; and
 - iv. be bound by the terms of the then current Non-Member Agency service contract.

The conversion of a Member Agency to a Non-Member Agency shall not discharge or relieve any Member Agency of its obligations to the Agency.

- G. Each Member Agency shall pay its assessment to the Agency in four equal installments payable within 10-days from the beginning of the quarter.

16. Funding.

- A. All the funding for the Agency will be provided through sales and use taxes (1/10th of 1% for Emergency Communications, ~~subject to passage by voters in November 2011~~), the 20 cent Enhanced 911 taxes, grants, contracts, Member Agency and Non-Member Agency service Fees. An additional funding source available is Member Agency Assessments, which are assessed only if approved as described in the budget process above.
- B. All of the sales and use tax collected by the County under the authority of RCW 82.14.420 shall be distributed to the Agency and specifically and exclusively allocated for the purposes

of construction, Agency operations and maintaining Agency facilities including debt service on bonds issued for such purposes.

C. At the sole discretion of the Pierce County Council, Pierce County, a with the approval of all Member Agencies, will has issued bonds and may incur other General obligations for the sole purpose of constructing the facility as described in 16(E) to which Pierce County's full faith and credit are pledged (~~“other obligations”~~) to finance capital assets for the Agency, but only after the following conditions have been satisfied: (1) The first priority for distribution of the new 1/10th of 1% sales and use tax will be for debt service payments on such bonds and other General obligations; (2) The debt service payments on such ~~bonds and other bonds and General obligations~~ for the year in which the bonds or other bonds and General obligations will be issued have been included in the budget for that year in the manner specified in Section 15; and, (3) All Member Agencies through a formal signed agreement have committed to (a) including the debt service and other required payments on such ~~bonds and other~~ County obligations in the budget each year in the manner specified in Section 15 and (b) making their share of debt service and other required payments on such ~~bonds and other bonds and General obligations~~ should either the new 1/10th of 1% sales and use tax for any reason not generate adequate revenues to make such debt service and other required payments or should the new 1/10th of 1% sales and use tax for any reason cease. Should bonds be issued other than by Pierce County for the purposes of constructing the facilities as described in 16(E), this Amended and Restated ILA will satisfy any requirement for a formal signed agreement as may be required by this section 16-(C)-(3).

D. All capital assets of the Agency financed with ~~bond~~ proceeds of bonds issued and other obligations incurred by Pierce County will be owned by Pierce County for as long as the bonds and other obligations issued or incurred for the related capital assets are outstanding for use by the Agency in accordance with this Agreement. Disposal and/or lease of such capital assets will be in accordance with established policies and procedures of Pierce County. IRS post issuance compliance will be the responsibility of Pierce County in accordance with its established policies and procedures. After such bonds and other obligations are no longer outstanding, such assets shall be owned in accordance with Section 12 hereof.

E. Introduction – Hybrid Campus to be Financed with Private-63-20 Bonds: An Agency facilities, to include housing communications dispatch center, and -municipal emergency operations center -co-located with the fire services dispatch center, and supporting radio communications infrastructure (the only capital structures contemplated by this agreement), may shall be constructed using the proceeds of privately issued bonds issued, by a nonprofit corporation that are treated as issued on behalf of Pierce County pursuant to -in a public private partnership- (See Rev. Ruling 63-20 and Rev. Proc. 82-26-) (“63-20 bonds”). If s If such financing method is chosen by the Policy Board, the following is, debt service on the 63-20 bonds will be funded by lease payments required to be made by Pierce County to the nonprofit corporation pursuant to a lease between the nonprofit corporation and Pierce County, whose payment obligations will be general obligations to which Pierce County's full faith and credit will be pledged (“County lease payments”), and the following provisions shall apply:

1. Tax Shortfall – Covered by Member Agencies Paying Fair Share: So long as revenues received from the 1/10th of 1% sales and use tax are sufficient to pay the capital costs

(~~debt service~~County lease payments) of such capital assets that have been financed with such ~~private~~63-20 bonds (with such capital costs to be measured by the debt service requirements on ~~these~~the 63-20 bonds and related County lease payments), with regard to capital assets that are to be used and operated by Member Agencies and/or South Sound 911 to provide emergency communications services for the benefit of the Member Agencies, neither South Sound 911 nor any Member Agency shall be obligated to pay for its use ~~and operation~~of or benefit received from such capital assets. In the event that revenues derived from the 1/10th of 1% sales and use tax are insufficient to fully pay those capital costs or the 1/10th of 1% sales and use tax should cease to exist, each Member Agency agrees, subject to the provisions of Section 7 hereof, that it will make payments for its use ~~and operation~~of such assets, and the benefits received by it from such capital assets (“use and benefit payments”) to South Sound 911. The amount of such use and benefit payments, if any, that are required to be made by a Member Agency shall be measured by reference to its Member Agency Share of that portion of the periodic debt service requirements on the ~~private~~63-20 bonds that were issued ~~and the related County lease payments~~ incurred to finance the capital costs of acquisition and installation of such capital assets, insofar as the costs are not funded by revenues derived from the 1/10th of 1% sales and use tax. Any such use and benefit payments required to be made by Member Agencies in accordance with their respective Member Agency Shares may be derived from revenues received from Subscribers for emergency communications services, Assessments of Member Agencies made by South Sound 911 under the Interlocal Agreement, or any other funds made available for that purpose by the Member Agencies under the Interlocal Agreement. Each Member Agency, ~~including Pierce County~~, agrees that it shall provide the funds, if any, required to make use and benefit payments for its Member Agency Share of the capital costs of such capital assets not funded by revenues from the 1/10th of 1% sales and use tax. For this purpose, Pierce County will provide to South Sound 911 and its Member Agencies notice, as early as may be practicable, of any events or circumstances of which Pierce County becomes aware that indicate that revenues expected to be received from the 1/10th of 1% sales and use tax are expected to be insufficient to pay such capital costs, but this notice shall not be a condition to the responsibility of any Member Agency or South Sound 911 to provide funds to meet its Member Agency Share of any such capital costs.

2. Shares Proportional to Call Volume: Each of the Member Agencies’ respective Member Agency Shares of the capital costs, if any, that may not be fully paid from revenues derived from the 1/10th of 1% sales and use tax will be determined by South Sound 911 for the purposes of this Agreement by taking into account the degree of actual use of and benefit from the capital assets and equipment, purchased with proceeds of the private bonds, based upon the best available data at that time. Such determination will be based upon the respective proportionate shares of the actual call volume.

3. Shares May Change if Circumstances Change: Accordingly, the Member Agencies’ respective Member Agency Shares are to be proportional to each Member Agency’s usage of the aforesaid facilities, as determined by call volume. The Parties recognize that it may be necessary to adjust these Member Agency Shares periodically in the future due to various future events, such as a change in the number of Member Agencies of South

Sound 911, a major acquisition by South Sound 911 of new capital assets financed by additional Pierce County or South Sound 911 bonds, ~~or additional privately issued 63-20 bonds or other obligations or other events or circumstances the Parties determine will significantly change the factors used to determine the initial Member Agency Shares. Any such adjustment will be accomplished by each Member Agency's governing body approving and authorizing an appropriate amendment to this Agreement.~~

4. Shares Deemed Operational Expense – Not Debt: ~~Notwithstanding any other provision of this Agreement, t~~The parties contemplate that South Sound 911, through its Policy Board and Operations Board, ~~would~~ will regard the debt service obligations on the ~~aforesaid 63-20 bonds and the related County lease payments~~ to be an operational expense of South Sound 911, such that any shortage of sales tax revenue, immediately prior to the due date on any payment of principal or interest on any such bond and the related County lease payments, would be paid by fees or charges, and/or other revenue of South Sound 911, and then, if that be deemed insufficient, through Member Agency Assessments, if necessary, and if possible through the annual South Sound 911 budget process set forth in the Interlocal Agreement between the parties. No Member Agency is expected to incur indebtedness in order to defray these expenses.

5. Shares Pay for Facility Use – Not Debt: The obligation of a Member Agency to pay capital costs, if any, which are not funded by the 1/10th of 1% sales and use tax is an obligation to make payments in exchange for the actual use and operation of, and benefit provided to the Member Agency from, the ~~communications dispatch centers, a municipal emergency operations center co-located with the fire services dispatch center, and supporting radio communication emergency communications facilities and equipment purchased infrastructure constructed with the proceeds of the 63-20 bonds supported by the County lease payments.~~ The Member Agency obligation is contingent on such ~~emergency communications facilities and equipment~~ being furnished and made available to the Member Agency for its use, operation and benefit. The Member Agency obligation is not a debt of the Member Agency and is not a guarantee of the payment of all or any portion of the debt service on the 63-20 bonds or the related County lease payments. No bondholder will be a third-party beneficiary hereof or otherwise have rights to enforce the obligations of Member Agencies hereunder. Because the obligations of Member Agencies hereunder are not security for bonds issued by any issuer for South Sound 911, and are not provided for the benefit of the owners of such bonds, the obligations of Member Agencies hereunder will not be referenced in any official statement or disclosure materials used to market such bonds to potential investors.

6. Nothing in this Section 16.E shall modify or affect the obligations of any Member Agency under that certain Memorandum of Agreement Relating to Financing of Capital Assets for South Sound 911 dated August 9, 2013, entered into by and among the Member Agencies pursuant to Section 16.C of this Agreement in respect of limited tax general obligation bonds issued by Pierce County in 2012 and 2013 to finance certain emergency communication facilities for South Sound 911, or any similar agreement entered into by the Member Agencies pursuant to Section 16.C of this Agreement

~~E. Such Agency facilities shall include, but not be limited to, two redundant communications dispatch centers, a metropolitan emergency operations center co-located with the fire services dispatch center, and supporting radio communications infrastructure.~~

F. The Funding Formula for assessments, if necessary, will be determined by the Policy Board. Assessments will generally be based on usage.

~~G. Beginning in 2012, if in any year revenues from sales and use taxes, 911 taxes, and contracts exceed expenditures for budgeted items and funds placed in reserve, the Policy Board may refund all or part of Member Agency Assessments paid after January 1, 2012 in such year.~~

H. An operating reserve shall be created in an amount to be determined by the Policy Board.

I. An equipment replacement fund shall be created in an amount to be determined by the Policy Board.

17. Support Services. Pierce County shall act as fiduciary-fiduciary agent of the Agency. The Policy Board (or the Executive Director, if so designated by the Board) shall, as necessary, direct the Agency to provide in-house or contract as appropriate for staff and auxiliary services including, but not limited to, personnel, legal, records, payroll, accounting, purchasing and data processing. Before such services are provided, the Agency and the service provider shall develop and execute service level agreements for the requested services, and the method of determining the direct and indirect costs for the services. The cost of the requested services shall be invoiced on a monthly, quarterly or other periodic basis as approved by the Agency and the service providers.

18. Admission of New Parties. Additional Member Agencies may be added as Parties to this Agreement upon such terms and conditions as determined by the Policy Board. The admission of such additional Member Agencies as Parties shall be by written addendum to this Agreement, signed by the Chair of the Policy Board and the new Member Agency Party.

19. Amendments. Amendments to this Agreement may be made by written agreement of all Parties hereto.

20. Arbitration. Any controversy between the Parties in regard to the application or interpretation of this Agreement may be submitted to and determined by arbitration in accordance with the Revised Code of Washington Chapter 7.04A.

21. Insurance. The Agency will contract for general liability insurance to an amount the Policy Board deems necessary, not less than one million dollar liability limit.

22. Indemnification. Each Party shall defend, indemnify, and hold each other harmless from and against any and all claims, demands, suits, actions, judgments, recoveries, liabilities damages, penalties, costs and expenses, including but not limited to reasonable attorneys' fees, resulting from damage to property or bodily injury, including death, to the extent caused by a Party's breach of this Agreement or the negligent actions or omissions of that Party, or its employees, servants, agents, or officers elected or appointed. The foregoing indemnity specifically covers actions brought by the Party's own employees, and each Party agrees that the foregoing indemnity is specifically and expressly intended to constitute a waiver of immunity under

Washington's Industrial Insurance Act, RCW Title 51, but only as to the Party or Parties entitled to indemnity and only to the extent necessary to provide a full and complete indemnity as required under this Section. The indemnification obligation provided in this section shall survive the expiration or earlier termination of this Agreement for the duration of any applicable statute of limitations.

~~23. Agreement Dependent Upon Voter Approval of Sales and Use Tax. This Agreement shall take effect, and the Agency shall come into being, only upon certification of voter approval in November 2011 of a proposition to increase sales and use tax by 1/10 of one percent as provided for by Chapter 82.14.420 RCW.~~

~~243. Duration of Agreement. Assuming the condition of Section 23 is satisfied, this Agreement shall be for a minimum term of one year commencing January 1, 2012 and ending December 31, 2012 and, unless terminated or modified, it shall continue in effect for subsequent terms of one year. The term of this Agreement shall be for a minimum term of one year commencing upon execution by all Parties, and unless terminated or modified, it shall continue in effect for subsequent terms of one year: PROVIDED, any party may withdraw from this Agreement by giving written notice to all parties and the Policy and Combined Operations Boards prior to June 1 of the then current term of its intent to withdraw at the close of such term. A withdrawing party shall remain liable for any obligations incurred by the Agency which occurred during the time the withdrawing party was a party. The withdrawal of any party shall not require dissolution of this Agreement and no compensation shall be owed to any withdrawing party. PROVIDED FURTHER the Agency has the authority to terminate any non-performing Member Agency Party from this Agreement.~~

NOTE: EACH PARTY WILL SIGN A SEPARATE SIGNATURE PAGE.



To: Mayor and City Councilmembers

From: Heidi Ann Wachter, City Attorney

Through: John J. Caulfield, City Manager

A handwritten signature in cursive script, reading "John J. Caulfield".

Date: September 8, 2014

Subject: Adoption of Indigent Defense Standards

The City of Lakewood should adopt Indigent Defense Standards as set forth in Washington State Supreme Court Order NO. 25700-A-1004. Within the past several years, the Washington State Bar Association has studied the issue of indigent defense in the state of Washington and made recommendations to the Supreme Court which resulted in this rule, which will be binding on practicing attorneys.

More recently, litigation at the federal level resulted in liability for cities which fail to ensure adequate provision of indigent defense services. Given the potential for municipal liability, our insurance pool, WCIA, began providing training around the state to ensure cities mitigate potential liability to the extent possible through education and implementation of best practices. Among the recommended steps for cities is to adopt the indigent defense standards set forth in the Supreme Court order.

The attached Resolution will formally accomplish this step and it is recommended that the City pass the proposed Resolution.

RESOLUTION NO. _____

A RESOLUTION of the City Council of the City of Lakewood, Washington, adopting standards for indigent defense, requesting staff to develop reporting with Pierce County regarding the provision of services.

WHEREAS, RCW 10.101.030 requires each City to adopt standards for delivery of public defense services; and

WHEREAS, the Washington State Bar Association has adopted a standard for indigent defense services approved by the Board of Governors on June 3, 2011; and

WHEREAS, the Washington State Supreme Court pursuant to Order No. 25700-A-1004 has adopted a new standard for indigent defense services requiring a certificate of compliance for defense counsel; and

WHEREAS, such Supreme Court standards, with the exception of Standard 3.4 become effective on September 1, 2012; and

WHEREAS, new Standard 3.4 relating to caseload limits and weighting methodology shall become effective on January 1, 2015; and

WHEREAS, the City of Lakewood contracts with Stewart, MacNichols, Harmell, Inc. for the provision of defense services,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD,

WASHINGTON HEREBY RESOLVES, as Follows:

Section 1. Pursuant to the requirements of RCW 10.101.030 and the requirements of Order No. 25700-A-1004 of the Washington State Supreme Court, the indigent defense standards set forth in the Supreme Court Order are hereby adopted and incorporated by this reference as fully as if herein set forth. These adopted standards shall be deemed amended, from time to time, upon amendment of the standard by the State Supreme Court. The standards shall be effective and implemented in accordance with the timeframes established in the Court's order.

Section 2. The Standard For Indigent Defense Services adopted by the Washington State Bar Association as approved by its Board of Governors on June 3, 2011 shall serve as a

guideline in the interpretation and application of these defense standards,

Section 3. The City hereby requires that all counsel assigned by or hired by the City of Lakewood comply with the Supreme Court Rule as interpreted pursuant to the Washington State Bar Association guidelines.

Section 4. That the City Clerk shall publish this Resolution in the official newspaper of the City of Lakewood, as required by law.

Section 5. That this Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this _____ day of _____, 2014.

CITY OF LAKEWOOD

Don Anderson, Mayor

Attest:

Alice M. Bush, CMC, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE ADOPTION OF NEW
STANDARDS FOR INDIGENT DEFENSE AND
CERTIFICATION OF COMPLIANCE

)
)
)
)
)
)

ORDER

NO. 25700-A-1004

The Washington State Bar Association having recommended the adoption of New Standards for Indigent Defense and Certification of Compliance, and the Court having considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

- (a) That the standards and certificate as attached hereto are adopted.
- (b) That the New Standards for Indigent Defense, except Standard 3.4, will be published in the Washington Reports and will become effective September 1, 2012. New Standard 3.4 will be published in the Washington Reports and become effective on September 1, 2013.

DATED at Olympia, Washington this 15th day of June, 2012.

FILED
SUPREME COURT
STATE OF WASHINGTON
12 JUN 15 AM 8:00
BY RONALD R. CARPENTER
CLERK

629/7

IN THE MATTER OF THE ADOPTION OF NEW STANDARDS FOR INDIGENT DEFENSE
AND CERTIFICATION OF COMPLIANCE

Madsen, C. J.

Chambers, G.

J. M. Johnson

Wiggins, J.

J. J. [unclear]

Stevens, J.

Gonzalez, J.

STANDARDS FOR INDIGENT DEFENSE

The following Standards for Indigent Defense are adopted pursuant to CrR 3.1, CrRLJ 3.1 and JuCR 9.2 and shall have an effective date concurrent with the effectiveness of amendments to those rules approved by the Court July 8, 2010 (effective July 1, 2012);

Standard 3: Caseload Limits and Types of Cases

- 3.1 The contract or other employment agreement or government budget shall specify the types of cases for which representation shall be provided and the maximum number of cases which each attorney shall be expected to handle.
- 3.2 The caseload of public defense attorneys shall allow each lawyer to give each client the time and effort necessary to ensure effective representation. Neither defender organizations, county offices, contract attorneys nor assigned counsel should accept workloads that, by reason of their excessive size, interfere with the rendering of quality representation. As used in this Standard, "quality representation" is intended to describe the minimum level of attention, care, and skill that Washington citizens would expect of their state's criminal justice system.
- 3.3 **General Considerations**
Caseload limits reflect the maximum caseloads for fully supported full-time defense attorneys for cases of average complexity and effort in each case type specified. Caseload limits assume a reasonably even distribution of cases throughout the year.

The increased complexity of practice in many areas will require lower caseload limits. The maximum caseload limit should be adjusted downward when the mix of case assignments is weighted toward offenses or case types that demand more investigation, legal research and writing, use of experts, use of social workers, or other expenditures of time and resources. Attorney caseloads should be assessed by the workload required, and cases and types of cases should be weighted accordingly.

If a defender or assigned counsel is carrying a mixed caseload including cases from more than one category of cases, these standards should be applied proportionately to determine a full caseload. In jurisdictions where assigned counsel or contract attorneys also maintain private law practices, the caseload should be based on the percentage of time the lawyer devotes to public defense.

The experience of a particular attorney is a factor in the composition of cases in the attorney's caseload.

The following types of cases fall within the intended scope of the caseload limits for criminal and juvenile offender cases in Standard 3.4 and must be taken into account when assessing an attorney's numerical caseload: partial case representations, sentence violations, specialty or therapeutic courts, transfers, extraditions, representation of material witnesses, petitions for conditional release or final discharge, and other matters that do not involve a new criminal charge.

STANDARDS FOR INDIGENT DEFENSE

Definition of case: A case is defined as the filing of a document with the court naming a person as defendant or respondent, to which an attorney is appointed in order to provide representation. In courts of limited jurisdiction multiple citations from the same incident can be counted as one case.

3.4 Caseload Limits

The caseload of a full-time public defense attorney or assigned counsel should not exceed the following:

150 Felonies per attorney per year; or

300 Misdemeanor cases per attorney per year or, in jurisdictions that have not adopted a numerical case weighting system as described in this Standard, 400 cases per year; or

250 Juvenile Offender cases per attorney per year; or

80 open Juvenile Dependency cases per attorney; or

250 Civil Commitment cases per attorney per year; or

1 Active Death Penalty trial court case at a time plus a limited number of non death penalty cases compatible with the time demand of the death penalty case and consistent with the professional requirements of Standard 3.2 or

36 Appeals to an appellate court hearing a case on the record and briefs per attorney per year. *(The 36 standard assumes experienced appellate attorneys handling cases with transcripts of an average length of 350 pages. If attorneys do not have significant appellate experience and/or the average transcript length is greater than 350 pages, the caseload should be accordingly reduced.)*

Full time Rule 9 interns who have not graduated from law school may not have caseloads that exceed twenty-five percent (25%) of the caseload limits established for full time attorneys. *[Effective September 1, 2013]*

3.5 Case Counting

The local government entity responsible for employing, contracting with or appointing public defense attorneys should adopt and publish written policies and procedures to implement a numerical case-weighting system to count cases. If such policies and procedures are not adopted and published, it is presumed that attorneys are not engaging in case weighting. A numerical case weighting system must:

- A. recognize the greater or lesser workload required for cases compared to an average case based on a method that adequately assesses and documents the workload involved;
- B. be consistent with these Standards, professional performance guidelines, and the Rules of Professional Conduct;

STANDARDS FOR INDIGENT DEFENSE

- C. not institutionalize systems or practices that fail to allow adequate attorney time for quality representation; and
- D. be periodically reviewed and updated to reflect current workloads; and
- E. be filed with the State of Washington Office of Public Defense.

Cases should be assessed by the workload required. Cases and types of cases should be weighted accordingly. Cases which are complex, serious, or contribute more significantly to attorney workload than average cases should be weighted upwards. In addition, a case weighting system should consider factors that might justify a case weight of less than one case.

Notwithstanding any case weighting system, resolutions of cases by pleas of guilty to criminal charges on a first appearance or arraignment docket are presumed to be rare occurrences requiring careful evaluation of the evidence and the law, as well as thorough communication with clients, and must be counted as one case.

3.6 Case Weighting

The following are some examples of situations where case weighting might result in representations being weighted as more or less than one case. The listing of specific examples is not intended to suggest or imply that representations in such situations should or must be weighted at more or less than one case, only that they may be, if established by an appropriately adopted case weighting system.

- A. **Case Weighting Upwards:** Serious offenses or complex cases that demand more-than-average investigation, legal research, writing, use of experts, use of social workers and/or expenditures of time and resources should be weighted upwards and counted as more than one case.
- B. **Case Weighting Downward:** Listed below are some examples of situations where case weighting might justify representations being weighted less than one case. However, care must be taken because many such representations routinely involve significant work and effort and should be weighted at a full case or more.
 - i. Cases that result in partial representations of clients, including client failures to appear and recommencement of proceedings, preliminary appointments in cases in which no charges are filed, appearances of retained counsel, withdrawals or transfers for any reason, or limited appearances for a specific purpose (not including representations of multiple cases on routine dockets).
 - ii. Cases in the criminal or offender case type that do not involve filing of new criminal charges, including sentence violations, extraditions,

STANDARDS FOR INDIGENT DEFENSE

representations of material witnesses, and other matters or representations of clients that do not involve new criminal charges. Non-complex sentence violations should be weighted as at least 1/3 of a case.

- iii. Cases in specialty or therapeutic courts if the attorney is not responsible for defending the client against the underlying charges before or after the client's participation in the specialty or therapeutic court. However, case weighting must recognize that numerous hearings and extended monitoring of client cases in such courts significantly contribute to attorney workload and in many instances such cases may warrant allocation of full case weight or more.
- iv. Cases on a criminal or offender first appearance or arraignment docket where the attorney is designated, appointed or contracted to represent groups of clients on that docket without an expectation of further or continuing representation and which are not resolved at that time (except by dismissal). In such circumstances, consideration should be given to adjusting the caseload limits appropriately, recognizing that case weighting must reflect that attorney workload includes the time needed for appropriate client contact and preparation as well as the appearance time spent on such dockets.
- v. Representation of a person in a court of limited jurisdiction on a charge which, as a matter of regular practice in the court where the case is pending, can be and is resolved at an early stage of the proceeding by a diversion, reduction to an infraction, stipulation on continuance, or other alternative non-criminal disposition that does not involve a finding of guilt. Such cases should be weighted as at least 1/3 of a case.

Related Standards

American Bar Association, *Standards for Criminal Justice*, 4-1.2, 5-4.3.

American Bar Association *Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases*. [\[Link\]](#)

American Bar Association, *Ethical Obligations of Lawyers Who Represent Indigent Criminal Defendants When Excessive Caseloads Interfere With Competent and Diligent Representation*, May 13, 2006, *Formal Opinion 06-441*. [\[Link\]](#)

The American Council of Chief Defenders *Statement on Caseloads and Workloads*, (2007). [\[Link\]](#)

American Bar Association *Eight Guidelines of Public Defense Related to Excessive Caseloads*. [\[Link\]](#)

National Advisory Commission on Criminal Standards and Goals, *Task Force on Courts*, 1973, Standard 13.12.

American Bar Association *Disciplinary Rule 6-101*.

American Bar Association *Ten Principles of a Public Defense Delivery System*. [\[Link\]](#)

STANDARDS FOR INDIGENT DEFENSE

ABA Standards of Practice for Lawyers who Represent Children in Abuse & Neglect Cases, (1996)
American Bar Association, Chicago, IL.

The American Council of Chief Defenders Ethical Opinion 03-01 (2003).

National Legal Aid and Defender Association, *Standards for Defender Services*, Standards IV-I.

National Legal Aid and Defender Association, *Model Contract for Public Defense Services* (2002). [\[Link\]](#)

NACC Recommendations for Representation of Children in Abuse and Neglect Cases (2001). [\[Link\]](#)

City of Seattle Ordinance Number: 121501 (2004). [\[Link\]](#)

Seattle-King County Bar Association Indigent Defense Services Task Force, Guideline Number 1.

Washington State Office of Public Defense, *Parents Representation Program Standards Of Representation* (2009). [\[Link\]](#)

Keeping Defender Workloads Manageable, Bureau of Justice Assistance, U.S. Department of Justice, Indigent Defense Series #4 (Spangenberg Group, 2001). [\[Link\]](#)

5.2 Administrative Costs

- A. Contracts for public defense services shall provide for or include administrative costs associated with providing legal representation. These costs should include but are not limited to travel, telephones, law library, including electronic legal research, financial accounting, case management systems, computers and software, office space and supplies, training, meeting the reporting requirements imposed by these standards, and other costs necessarily incurred in the day-to-day management of the contract.
- B. Public defense attorneys shall have 1) access to an office that accommodates confidential meetings with clients and 2) a postal address, and adequate telephone services to ensure prompt response to client contact.

6.1 Investigators

Public defense attorneys shall use investigation services as appropriate.

Standard 13: Limitations on Private Practice

Private attorneys who provide public defense representation shall set limits on the amount of privately retained work which can be accepted. These limits shall be based on the percentage of a full-time caseload which the public defense cases represent.

Standard 14: Qualifications of Attorneys

14.1 In order to assure that indigent accused receive the effective assistance of counsel to which they are constitutionally entitled, attorneys providing defense services shall meet the following minimum professional qualifications:

- A. Satisfy the minimum requirements for practicing law in Washington as determined by the Washington Supreme Court; and



To: Mayor and City Councilmembers
From: Heidi Ann Wachter, City Attorney
Through: John J. Caulfield, City Manager *John J. Caulfield*
Date: September 8, 2014
Subject: Recommendations for updates to Citizen Boards and Commissions

The proposed Ordinance is to implement recommendations for updates to City of Lakewood Citizen Boards and Commissions as follows:

Section 1. The Existing Chapter 2.25.000 “Human Services Funding Advisory Board” is repealed in its entirety as one of the steps toward creating a combined board with the CDBG Citizens Advisory Board.

Section 2. The Existing Chapter 2.28.000 “CDBG Citizens Advisory Board” is repealed in its entirety as one of the steps toward creating a combined board with the Human Services Funding Advisory Board.

Section 3. Lakewood Municipal Code section 2.38.020 which relates to membership on the Lakewood’s Promise Advisory Board is amended to allow delegates or proxy attendance on behalf of representatives from the partner agencies. The Mayor shall continue to appoint and the City Council will continue to confirm members representing Clover Park School District, Pierce College, Clover Park Technical College, and City of Lakewood. The code amendment will allow these representatives to send a delegate or proxy to meetings which is expected to result in improved attendance and scheduling.

Section 4. A new Code Chapter is created, Chapter 2.26.000 “Human Services and CDBG Funding Advisory Board”. This Chapter generally follows the previous format of the separate CDBG and Human Services Advisory Boards, which were similar. In the new chapter, the role includes public hearings and comment, review of funding allocations and recommendations to the City Council for both CDBG and Human Services programs and funding. The Chapter also requires that the Advisory Board follow a work plan, which is detailed in another new Chapter and which must be approved by the Council.

Section 5. A new Code Chapter is created, Chapter 2.67.000 “Ad hoc Committees”. This Chapter proscribes a process for the formation and function of Ad hoc committees, including authorization by the City Council, adoption of a work plan and issuance of a final report.

Section 6. A new Code Chapter is created, Chapter 2.68.000 “Annual Work Plans for Community Boards, Commissions and Ad hoc Committees”. This Chapter specifies a process for Community Boards, Commissions and Ad hoc Committees to create work plans, conduct committee business and communicate progress and completion of work.

Section 7. A new Code Chapter is created, Chapter 2.90.000 “Planning Commission”. This Chapter creates a City of Lakewood Planning Commission as contemplated in RCW Chapter 35A.63. The proposed language is similar to that in other cities.

These amendments follow the recommendations presented at the August 11 Study Session with the exception of the Sister Cities committee. That committee is not addressed in the Code, although it was created by Ordinance. Once the status of that committee as a legal entity is established and the relationship between the City and that separate entity can be specifically articulated, that it come back to the City Council in the form of proposed legislative action as well as a proposed Memorandum of Understanding documenting the relationship.

ORDINANCE NO.

AN ORDINANCE of the City Council of the City of Lakewood, Washington, repealing in its entirety Chapters 2.12.000, 2.21.000, 2.25.000, 2.28.000 and 2.44.000 of the Lakewood Municipal Code (LMC); amending Chapter 2.38.000 Section 2.38.020; and creating Chapters 2.26.000, 2.67.000, and 2.68.000 relative to Citizen's Advisory Boards.

WHEREAS, the City of Lakewood has established several advisory boards to gather citizen input; and

WHEREAS, while the City's Boards, Committees and Commissions remain an asset, there are ways to maximize their benefit to the City; and

WHEREAS, by realigning the coordination between these advisory groups and the City Council, ensuring adherence to an agreed-upon mission and facilitating communication of related tasks and projects, our Community Advisory Boards and Commissions can truly enhance the City's service to our citizens

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

Section 1. Chapter 2.12.000 of the Lakewood Municipal Code named " Planning Advisory Board" is repealed in its entirety.

~~02.12.010 – Planning Advisory Board Created~~

~~There is hereby created a planning agency to be known as "The Planning Advisory Board of the City of Lakewood," to serve in an advisory capacity to the City Council and to the City Manager.~~

~~02.12.020 – Membership~~

~~There shall be seven members of the Planning Advisory Board. The members shall be residents of the City.~~

~~02.12.030 – Appointment~~

~~The members of the Planning Advisory Board shall be appointed by the Mayor, subject to confirmation by the City Council, and they shall serve at the pleasure of the City Council.~~

~~02.12.040 – Term of Office~~

~~Subject to the provisions of 2.12.020 of this Chapter and the pleasure of the City Council, the members of the Planning Advisory Board shall serve for a term of five years, or until appointment of a successor member, whichever is later, provided that the initial members shall be appointed to serve for the following terms: Two members shall serve a two year term, or until appointment of a successor member, whichever is later; two members shall serve a three year term, or until appointment of a successor member, whichever is later; two members shall serve a~~

~~four year term, or until appointment of a successor member, whichever is later; and one member shall serve a five year term, or until appointment of a successor member, whichever is later. If a member of the Planning Advisory Board shall be absent, without prior notification and excuse, from three consecutive regularly scheduled meetings of the Board, the Chairperson of the Planning Advisory Board may declare the position held by that member vacant and a new member may be appointed in the manner set forth at 2.12.030 hereof.~~

02.12.050 – Rules of Procedure

~~The Planning Advisory Board shall elect its own Chairperson and may create and fill such other offices as may be determined to be required. A majority of the membership of the Planning Advisory Board shall constitute a quorum for the transaction of business. Any action taken by a majority of the members present, when those present constitute a quorum, at any regular or special meeting of the Planning Advisory Board, shall be deemed to be the action of the Board. The Planning Advisory Board is authorized to adopt rules of procedure for the conduct of its business.~~

02.12.060 – Compensation

~~The members of the Planning Advisory Board shall serve without compensation.~~

02.12.070 – Expenses

~~The City Council may appropriate funds for use by the Planning Advisory Board in meeting such expenses and expenditures as may be necessary. The City shall provide to the Planning Advisory Board adequate space and facilities and necessary supplies to facilitate the official business of the Board.~~

02.12.080 – Conflicts of Interest

~~If any member of the Planning Advisory Board concludes that such member has a conflict of interest or an appearance of fairness problem with respect to a matter pending before the Board, that member shall disqualify himself or herself from participating in the deliberations and the decision-making process with respect to that matter. If this occurs, the Mayor may appoint, without confirmation by the City Council, a person to serve as an alternate on the Planning Advisory Board in regard to that particular matter.~~

02.12.090 – Meetings

~~The Planning Advisory Board shall hold such regular, and, as may be necessary, special meetings, as may be required for the completion of its responsibilities, but regular meetings shall be held not less than once per month through the end of the calendar year 1997. Thereafter, regular meetings shall be held at least once every two months unless there is no business to be considered by the Board. The City Manager, or designee, shall attend each meeting of the Planning Advisory Board and shall take and publish minutes of each meeting. The City Manager, or designee, shall provide copies of the published minutes to each member of the Planning Advisory Board for approval and thereafter to each member of the City Council.~~

~~02.12.100 – Joint Meetings Authorized~~

~~The Planning Advisory Board may hold joint meetings with one or more city or county planning agencies and may participate in regional planning activities.~~

~~02.12.110 – Comprehensive Plan~~

~~The Planning Advisory Board shall assist City staff in preparing a comprehensive plan for the City in accordance with state law to be submitted to the City Council for consideration of adoption. The Planning Advisory Board may thereafter, from time to time to recommend to the City Council such changes, amendments or additions to the comprehensive plan as may be deemed desirable, but recommendations for changes, amendments or additions to the comprehensive plan shall not be brought forward more frequently than once per year.~~

~~02.12.120 – Development Regulations~~

~~The Planning Advisory Board shall recommend to the City Council and to the City Manager land use and zoning regulations and other development regulations which it deems necessary and/or appropriate. Such regulations shall be consistent with and shall implement the comprehensive plan.~~

~~02.12.130 – Research~~

~~The Planning Advisory Board shall, with the assistance of the City Manager, or designee, act as the research and fact finding agency of the City in regard to land uses, housing, capital facilities, utilities, transportation, and in regard to classification of lands as agriculture, forest, mineral lands, critical areas, wetlands and geologically hazardous areas. The Board may undertake such surveys, analyses, research and reports as may be generally authorized or as may be specifically requested by the City Council. The Board is specifically authorized to join with and cooperate with the planning agencies of other cities and counties, to include regional planning agencies, in furtherance of such research and planning.~~

~~02.12.140 – Reports of Planning Progress~~

~~The Planning Advisory Board shall annually provide to the City Council a report on progress made in implementing the goals and requirements of state law and on the status of land use policies and procedures within the City.~~

Section 2. Chapter 2.21.000 of the Lakewood Municipal Code named "Redevelopment Advisory Board" is repealed in its entirety.

02.21.010 – Redevelopment Advisory Board Created

~~There is created an advisory board to be known as "The Redevelopment Advisory Board of the City of Lakewood."~~

02.21.020 – Membership

~~There shall be nine (9) members of the Redevelopment Advisory Board who shall be appointed by the Mayor and confirmed by the City Council, and who shall serve at the pleasure of the City Council.~~

02.21.030 – Appointment

~~Among the members of the Advisory Board, at least two (2) members shall be appointed from the public pursuant to a general recruitment process that seeks to solicit applications for membership to the Advisory Board without a specific requirement that the applicants have prior business or business development experience. Up to five (5) members shall be appointed through a specialized recruitment process that seeks to solicit applications for membership to the Advisory Board from among individuals deemed by the City Council to provide, to the extent reasonably possible, representation of people involved with or interested in the various and diverse aspects of business development activities, and who have backgrounds, experience, talents and expertise in areas of business that would be beneficial to the City and the community, and who would be complementary to the other members of the Advisory Board.~~

02.21.040 – Terms and Vacancies

~~Subject to the provisions of Section 2.21.020 of this Chapter, and the pleasure of the City Council, members of the Redevelopment Advisory Board shall serve for a term of three (3) years or until appointment of a successor member, whichever is later, unless otherwise replaced. It is provided, however, that for the initial appointment, three (3) members shall be initially appointed for three (3) year terms, or until appointment of a successor member, whichever is later, unless otherwise replaced; two (2) members shall be initially appointed for two (2) year terms, or until appointment of a successor member, whichever is later, unless otherwise replaced; and two (2) members shall be initially appointed for one (1) year terms, or until appointment of a successor member, whichever is later, unless otherwise replaced. In case of any vacancies on the Board, vacancies shall be filled consistent with the procedures set forth in Section 2 of this Ordinance, for the unexpired terms for which such vacancies are filled.~~

02.21.050 – Officers – Meetings

- ~~A. At its first meeting of each calendar year, the Advisory Board members shall elect a chairperson and a vice chairperson from among the members of the Advisory Board. The Advisory Board shall meet as needed to perform the duties of the Advisory Board and to fulfill the role of being an advisory body to the City Council.~~

~~B. It shall be the duty of the chairperson to preside over all meetings of the Advisory Board. The vice chairperson shall preside at all meetings in the absence of the chairperson. Minutes shall be kept and meeting agendas prepared in coordination between members of the Board and staff members. A majority of the members of the Board shall, constitute a quorum for the transaction of business, and a majority vote of those present shall be necessary to carry any recommended action.~~

~~C. The City Manager, or designee, shall provide staff support to the Advisory Board and act to provide the City Council with information and/or reports as to the Boards activity.~~

02.21.060 – Role of the Advisory Board

~~The Redevelopment Advisory Board is created to assist and advise the City Council in connection with issues and programs involving commercial business development and retention as may be referred to the Advisory Board by the City Council which may include:~~

~~A. Facilitate cooperation and coordination between various business groups and impacted neighborhoods on business issues;~~

~~B. Facilitate the formation of specific neighborhood commercial business groups to assist in the enhancement of various existing commercial areas, aid in stabilizing and retaining commercial enterprises within these areas to maintain viability as a commercial area, and help in identifying specific needs of businesses within various commercial areas.~~

~~C. Make recommendations to the City Council and to City staff for programs in which the City could or should participate to enhance commercial development opportunities in the City, which programs may be in cooperation with any appropriate private, public, civic or community agency, group or association of or in the City, county, state or federal government;~~

~~D. Recommend ways and means of obtaining private, local, county, state or federal funds and other participation for the promotion of business development projects within the City, especially those of an incubator type;~~

~~E. Work with City of Lakewood staff, City Council committees, task forces and other City/community based groups, as directed by the City Council, on relevant issues and projects; and~~

~~F. Assist in data base development for the creation and maintenance of a community profile.~~

02.21.070 – Compensation

~~The members of the Redevelopment Advisory Board shall serve without compensation.~~

02.21.080 – Reports of Progress

~~The Redevelopment Advisory Board shall, through the City Manager , or designee, provide, on an as needed or requested basis, to the City Council a report on progress made in carrying out the Board's responsibilities, but no less than annually.~~

~~**02.21.090 – Severability**~~

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

Section 3. Chapter 2.25.000 of the Lakewood Municipal Code named “Human Services Funding Advisory Board” is repealed in its entirety.

~~02.25.010 – Establishment of "Human Services Funding Advisory Board" as City Advisory Board~~

~~“Human Services Funding Advisory Board” is hereby established and created as an advisory board to City of Lakewood.~~

~~02.25.020 – Membership~~

~~There shall be nine (9) members of the Human Services Funding Advisory Board who shall be appointed by the Mayor and confirmed by the City Council, and who shall serve at the pleasure of the City Council. The members shall be residents of the City unless the Council finds that appointment of a non-resident, by virtue of business involvement or expertise, will benefit the Board and ultimately the City.~~

~~02.25.030 – Appointment~~

~~The members of the Human Services Funding Advisory Board shall be appointed from among members of the public to include, to the extent reasonably possible, representation from people involved with or interested in the various opportunities and projects to enhance the provision of Human Services in the City.~~

~~02.25.040 – Terms and vacancies~~

~~Subject to the provisions of Section 2.25.030 of this Chapter and the pleasure of the City Council, members of the Human Services Funding Advisory Board shall serve for a term of three (3) years or until appointment of a successor member, whichever is later, unless otherwise replaced. In case of any vacancies on the Advisory Board, vacancies shall be filled consistent with the procedures set forth in Section 2.25.020 of this Chapter, for the unexpired terms for which such vacancies are filled.~~

~~02.25.050 – Officers – Meetings~~

~~A. At its first meeting of each year, the Human Services Funding Advisory Board members shall elect a chairperson and a vice chairperson from among the members of the Human Services Funding Advisory Board. The Human Services Funding Advisory Board shall meet as needed to perform the duties of the Human Services Funding Advisory Board and to fulfill the role of being an advisory body to the City Council.~~

~~B. It shall be the duty of the chairperson to preside over all meetings of the Human Services Funding Advisory Board. The vice chairperson shall preside at all meetings where the chairperson is absent. Minutes shall be kept and meeting agendas prepared in coordination between members of the board and staff members. A majority of the members of the board shall constitute a quorum for the transaction of business, and a majority vote of those present shall be necessary to carry any recommended action.~~

~~02.25.060 – Role of the Human Services Funding Advisory Board~~

~~The Human Services Funding Advisory Board is created to assist the City Council in the following areas:~~

- ~~A. Conduct public hearings regarding allocations of human services funds and programs and making recommendations for funding;~~
- ~~B. Ensure the most fair distribution and most effective use of human services resources consistent with adopted priorities and criteria;~~
- ~~C. Encourage partnerships in the funding and provision of human services;~~
- ~~D. Request periodic strengths and needs assessments and program outcome evaluations to determine the direction of human services most beneficial to the City; and~~
- ~~E. Integrate human services policy into overall City policy development.~~

~~02.25.070 – Compensation~~

~~The members of the Human Services Funding Advisory Board shall serve without compensation.~~

~~02.25.080 – Annual reports of progress~~

~~The Human Services Funding Advisory Board shall annually provide to the City Council a report on progress made in carrying out the board's responsibilities. Additional reports may be submitted when deemed appropriate by the Advisory Board and/or the City Council.~~

Section 4. Chapter 2.28.000 of the Lakewood Municipal Code entitled “CDBG Citizens Advisory Board” is repealed in its entirety.

~~02.28.010 – CDBG Citizens Advisory Board Created~~

~~There is created an advisory board to be known as the “CDBG Citizens Advisory Board of the City of Lakewood.”~~

~~02.28.020 – Membership~~

~~There shall be not more than seven (7) members of the CDBG Citizens Advisory Board who shall be appointed by the Mayor and confirmed by the City Council, and who shall serve at the pleasure of the City Council. The members shall be residents of the City unless the Council finds that appointment of a non-resident, by virtue of business involvement or expertise, will benefit the Board and ultimately the City.~~

~~02.28.030 – Appointment~~

~~The members of the CDBG Citizens Advisory Board shall be appointed from among members of the public to include, to the extent reasonably possible, representation from people involved with or interested in the various and diverse CDBG and HOME activities and programs of the community.~~

~~02.28.040 – Terms and Vacancies~~

~~Subject to the provisions of Section 2.28.020 of this Chapter and the pleasure of the City Council, members of the CDBG Citizens Advisory Board shall serve for a term of three (3) years or until appointment of a successor member, whichever is later, unless otherwise replaced. It is provided, however, that for the initial appointment, the first two (2) members to be appointed shall be initially appointed for three (3) year terms, or until appointment of a successor member, whichever is later, unless otherwise replaced; and the second two (2) members to be appointed shall be initially appointed for two (2) year terms, or until appointment of a successor member, whichever is later, unless otherwise replaced; and any other members to be appointed shall be initially appointed for a one (1) year term, or until appointment of a successor member, whichever is later, unless otherwise replaced. In case of any vacancies on the Advisory Board, vacancies shall be filled consistent with the procedures set forth in Section 2.28.020 of this Chapter, for the unexpired terms for which such vacancies are filled.~~

~~02.28.050 – Officers – Meetings~~

- ~~A. At its first meeting of each year, the CDBG Citizens Advisory Board members shall elect a chairperson and a vice chairperson from among the members of the Advisory Board. The Advisory Board shall meet as needed to perform the duties of the Advisory Board and to fulfill the role of being an advisory body to the City Council.~~
- ~~B. It shall be the duty of the chairperson to preside over all meetings of the Advisory Board. The vice chairperson shall preside at all meetings where the chairperson is absent. Minutes shall be kept and meeting agendas prepared in coordination between members of the Board and staff members. A majority of the appointed members of the Board shall constitute a quorum for the transaction of business, and a majority vote of those present shall be necessary to carry any recommended action.~~

~~02.28.060 – Role of the Advisory Board~~

~~The CDBG Citizens Advisory Board is created to assist the City Council in the following areas:~~

~~A. To advise the City Council in connection with CDBG and HOME programs as may be referred to the Advisory Board by the City Council which may include:~~

- ~~1. Facilitate cooperation and coordination with city staff on CDBG and HOME funding issues,~~
- ~~2. Recommend to the City Council programs for funding out of CDBG funds, recommend CDBG and HOME funding allocations, including development of housing program strategies,~~
- ~~3. Hold public hearings to receive public comments to identify community and housing needs and development of proposed activities; and,~~
- ~~4. Develop recommendations for the Consolidated Plan and other related documents.~~

~~B. To perform such other CDBG and HOME related duties and functions as assigned by the City Council.~~

~~02.28.070 – Compensation~~

~~The members of the CDBG Citizens Advisory Board shall serve without compensation.~~

~~02.28.080 – Annual Reports of Progress~~

~~The CDBG Citizens Advisory Board shall annually provide to the City Council with an annual action plan beginning with FY 2000 programs and activities. Additional reports may be submitted when deemed appropriate by the Board or when requested by the City Council.~~

Section 5. Chapter 2.38.000 of the Lakewood Municipal Code entitled “Lakewood’s Promise Advisory Board” is amended to read the following:

2.38.010 - Lakewood’s Promise Advisory Board created

There is created an advisory board to be known as “The Lakewood’s Promise Advisory Board”.

2.38.020 - Membership

There shall be up to eleven (11) members of the Lakewood’s Promise Advisory Board who shall be appointed by the Mayor and confirmed by the City Council, and who shall serve at the pleasure of the City Council. The members shall be residents of the City, or by the nature of their work with youth, determined an asset to the Board. Four (4) members representing the partner agencies - Clover Park School District, Pierce College, Clover Park Technical College, and City of Lakewood shall be on the Lakewood’s Promise Advisory Board, one of whom may assign a delegate or proxy to attend meetings and act on their behalf. One (1) member shall be a representative from the Youth Council.

2.38.030 - Appointment

The members of the Lakewood’s Promise Advisory Board shall be appointed from among members of the public to include, to the extent reasonably possible, representation from people involved with or interested in the availability and delivery of the five promises.

2.38.040 - Terms and Vacancies

Subject to the provisions of 2.38.020 of this Ordinance and the pleasure of the City Council, members of the Lakewood's Promise Advisory Board, with the exception of partner agencies, shall serve for a term of three (3) years or until appointment of a successor member, whichever is later, unless otherwise replaced, except that the Youth Council member shall serve a term of one (1) year. It is provided, however, that for the initial appointment, three (3) members shall be initially appointed for three (3) year terms, or until appointment of a successor member, whichever is later, unless otherwise replaced; three (3) members shall be initially appointed for two (2) year terms, or until appointment of a successor member, whichever is later, unless otherwise replaced. In case of any vacancies on the commission, vacancies shall be filled consistent with the procedures set forth in 2.38.020 of this Ordinance, for the unexpired terms for which such vacancies are filled.

2.38.050 - Officers Meetings

- A. At its first meeting of each year, the Lakewood's Promise Advisory Board members shall elect a chairperson and a vice chairperson from among the members of the Lakewood's Promise Advisory Board. The Lakewood's Promise Advisory Board shall meet as needed to perform the duties of the Lakewood's Promise Advisory Board and to fulfill the role of being an advisory body to the City Council.
- B. It shall be the duty of the chairperson to preside over all meetings of the Lakewood's Promise Advisory Board. The vice chairperson shall preside at all meetings where the chairperson is absent. Minutes shall be kept and meeting agendas prepared in coordination between members of the Board and staff members. A majority of the

members of the Board shall constitute a quorum for the transaction of business, and a majority vote of those present shall be necessary to carry any recommended action.

- C. The City Manager or designee shall provide staff support for the Lakewood's Promise Advisory Board and shall constitute a non-voting ex-officio member of the Lakewood's Promise Advisory Board.

2.38.060 - Role of the Advisory Board

The Lakewood's Promise Advisory Board is created to assist the City Council in the following areas:

- A. The Lakewood's Promise Advisory Board shall advise the Mayor, the City Council and city staff regarding the availability and delivery of the five promises within the City.
- B. The Lakewood's Promise Advisory Board shall look for ways to develop ongoing relationships among Lakewood citizens and businesses to better deliver Promise activities to youth. To do this, the Lakewood's Promise Advisory Board will recommend individuals to serve on task forces pertaining to each of the Five Promises.
- C. The Lakewood's Promise Advisory Board shall advise the City Council in connection with Lakewood's Promise issues as may be referred to the Lakewood's Promise Advisory Board by the City Council which may include, but is not limited to, the following:
 - 1. Facilitate cooperation and coordination with City staff, citizens' groups and other entities, agencies and organizations on Lakewood's Promise issues;
 - 2. Recommend to the City Council strategies to enhance awareness of, and interest in, Lakewood's Promise which may be in cooperation with any appropriate private, civic or public agency of the City, county, state or of the federal government;
 - 3. Recommend ways and means of obtaining private, local, county, state or federal funds for the promotion of Lakewood's Promise programs and projects within the City, and
 - 4. Represent the community and the City of Lakewood as requested by the City Council to address Lakewood's Promise related issues.

2.38.070 - Compensation

The members of the Lakewood's Promise Advisory Board shall serve without compensation.

2.38.080 - Annual reports of progress

The Lakewood's Promise Advisory Board shall annually provide to the City Council a report on progress made in carrying out the Board's responsibilities. Additional reports may be submitted when deemed appropriate by the Board or when requested by the City Council.

Section 6. Chapter 2.26.000 of the Lakewood Municipal Code entitled “Human Services & CDBG Funding Advisory Board” is created to read the following:

2.26.010 Advisory Board Created

There is created “an advisory board to be known as the “Human Services & CDBG Funding Advisory Board of the City of Lakewood.”

2.26.020 Membership

There shall be up to 9 members of the Board who shall be appointed by the Mayor and confirmed by the City Council, and who shall serve at the pleasure of the City Council. The members shall be residents of the City unless the Council finds that appointment of a non-resident, by virtue of business involvement or expertise, will benefit the Board and ultimately the City.

2.26.030 Appointment

The members of the Advisory Board shall be appointed from among members of the public to include, to the extent reasonably possible, representation from people involved with or interested in the various opportunities and projects to enhance the provision of CDBG investments and Human Services in the City.

2.26.040 Terms and Vacancies

The first five (5) members to be appointed shall be initially appointed for four (4) year terms and the second four (4) members to be appointed shall be initially appointed for two (2) year terms.

2.26.050 Role of the Advisory Board

The Advisory Board is created to assist the City Council in the following areas:

A. Conduct public hearings

1. To receive public comments to identify community and housing needs and development of proposed activities; and
2. To review allocation of human services funds and programs.

B. Recommend to the City Council

1. Programs for funding out of CDBG funds;
2. CDBG and HOME funding allocations, including development of housing program strategies;
3. Suggestions for the Consolidated Plan and other related documents.
4. Funding for human services.

C. Perform such other duties and functions related to CDBG, HOME and Human Services funding as assigned by the City Council and in furtherance of the goals and objectives of the CDBG and HOME programs as well as Chapter 8 of the City Code, specifically section 8.9, Health and Human Services.

The Advisory Board shall work in accordance with a work plan as detailed in LMC Chapter 2.68.

2.26.060 Compensation

The members of the Advisory Board shall serve without compensation.

Section 7. Chapter 2.44.000 of the Lakewood Municipal Code entitled "Citizens' Transportation Advisory Committee" is repealed in its entirety.

~~02.00.010 – Citizens' Transportation Advisory Committee created.~~

~~There is created a citizen advisory committee to be known as "The Citizens Transportation Advisory Committee of the City of Lakewood."~~

~~02.44.020 – Membership.~~

~~There shall be seven (7) members of the Citizens Transportation Advisory Committee who shall be appointed by the Mayor and confirmed by the City Council, and who shall serve at the pleasure of the City Council. The members shall be residents of the City unless the Council finds that appointment of a non-resident, by virtue of business involvement or expertise, will benefit the Board and ultimately the City. In making the appointments, the Mayor and City Council shall endeavor to appoint citizens having a background in engineering, public works or a background of a similar nature such that the Mayor and City Council deem the appointment beneficial to the purpose of the Committee. The Mayor and City Council shall also endeavor to appoint members to the Committee from neighborhoods throughout the City. The City Engineer or designee shall serve as an ex officio member of the Committee.~~

~~02.44.030 – Appointment.~~

~~The members of the Citizens Transportation Advisory Committee shall be appointed from among members of the public to include, to the extent reasonably possible, representation from people involved with or interested in the various and diverse street, transportation and public works activities of the community.~~

~~02.44.040 – Terms and vacancies.~~

~~Subject to the provisions of 2.44.020 of this Chapter and the pleasure of the City Council, members of the Citizens Transportation Advisory Committee shall serve for a term of three (3) years or until appointment of a successor member, whichever is later, unless otherwise replaced. It is provided, however, that for the initial appointment, three (3) members shall be initially appointed for three (3) year terms, or until appointment of a successor member, whichever is later, unless otherwise replaced; two (2) members shall be initially appointed for two (2) year terms, or until appointment of a successor member, whichever is later, unless otherwise replaced; and two (2) members shall be initially appointed for a one (1) year term, or until appointment of a successor member, whichever is later, unless otherwise replaced. In case of any vacancies on the commission, vacancies shall be filled consistent with the procedures set forth in 2.44.020 of this Chapter, for the unexpired terms for which such vacancies are filled.~~

~~02.44.050 – Officers – Meetings.~~

- ~~A. The Citizens Transportation Advisory Committee shall meet quarterly, and more often as called together by the chairperson or as requested by the City Council and/or the City Manager or designee.~~
- ~~B. At its first meeting of each year, the members of the Citizens Transportation Advisory Committee shall elect a chairperson and a vice chairperson from among the members of~~

~~the Committee. The Committee shall meet as needed to perform the duties of the Committee and to fulfill the role of being an advisory body to the City Council.~~

~~C. It shall be the duty of the chairperson to preside over all meetings of the Committee. The vice chairperson shall preside at all meetings where the chairperson is absent. Minutes shall be kept and meeting agendas prepared in coordination between members of the Board and staff members. A majority of the members of the Board shall constitute a quorum for the transaction of business, and a majority vote of those present shall be necessary to carry any recommended action.~~

~~02.44.060 – Role of the Committee.~~

~~The Citizens Transportation Advisory Committee is created to assist the City Council in the following areas:~~

~~A. To advise the City Council, City Manager and City staff in connection with transportation related issues as may be referred to the Committee by the City Council which may include:~~

- ~~1. Facilitate cooperation and coordination with the Public Works Department of the City on street, public works and transportation and infrastructure related projects and plans;~~
- ~~2. Identify, evaluate and recommend to the City Council, City Manager and/or City staff policies and projects for the City, annual update of its six year transportation plan, and for other transportation and infrastructure planning purposes of the City;~~
- ~~3. Recommend ways and means of obtaining private, local, county, state or federal funds for the promotion of transportation related projects within the City;~~
- ~~4. Advise the City Council on acquisition, replacement and maintenance of transportation and infrastructure facilities of the City, and~~
- ~~5. Advise the City as to the manner that public information on street related projects can best be disseminated, given the nature and/or scope of the projects;~~

~~B. Advise the City Council regarding transportation related facilities, needs and programs of the City, as may be referred by the City Council.~~

~~02.44.070 – Compensation.~~

~~The members of the Citizens Transportation Advisory Committee shall serve without compensation.~~

~~02.44.080 – Annual reports of progress.~~

~~The Citizens Transportation Advisory Committee shall annually provide to the City Council a report on progress made in carrying out the Board's responsibilities, which report may be provided in writing or by appearance and presentation by the Committee Chair and/or other members of the Committee before the City Council, or a combination thereof. Additional reports may be submitted when deemed appropriate by the Board or when requested by the City Council.~~

~~02.44.090 – Severability.~~

~~If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of this Ordinance or the application of the provision to other persons or circumstances shall not be affected.~~

Section 8. Chapter 2.67.000 of the Lakewood Municipal Code entitled “Ad hoc Committees” is created to read the following:

2.67.010 Appointment

The City Council may appoint Ad hoc committees for any proper City Council purpose, subject to such direction and control as the council may provide. Council action under this section may be taken by motion. Ad hoc committees are advisory bodies to the City Council and cannot take final action within the meaning of RCW 42.30.020(3).

2.67.020 Work Plan

Upon creation of an Ad hoc Committee, the City Council shall adopt a work plan for the Committee which shall identify the purpose of the committee, duties, a general timeline including end date and reporting requirements specific to the Committee.

2.67.030 Membership

Members shall be appointed to accomplish the goals and objectives of the Ad hoc Committee as identified in the work plan. Membership shall be sufficient in number, experience, expertise and interest to effectively complete the work plan.

2.67.040 Compensation

Members of Ad hoc Committee shall serve without compensation.

2.67.050 Termination

The term of the Ad hoc Committee is as specified in the Work Plan for the Committee. When an Ad hoc Committee is unable to accomplish the work plan in the term specified, the Committee must so inform the City Council. The City Council may allow the Committee to terminate as scheduled without completion of the work, amend the work plan as desired to accomplish the purposes intended or extend the term of the existing work plan to a specific date.

2.67.060 Reporting

In addition to any reporting required in the work plan for an Ad hoc Committee, each Committee shall be required to, upon completion of the work plan, provide a final report to the City Council as described in LMC Chapter 2.68.

Section 9. Chapter 2.68.000 of the Lakewood Municipal Code entitled “Annual Work Plans for Community Boards, Commissions and Ad hoc Committees” is created to read the following:

2.68.010 Work Plan Required

All City of Lakewood Community Boards, Commissions, Ad hoc Committees and any other similar body authorized by the City Council to conduct research, make recommendations or perform other work in furtherance of the goals and objectives of the City shall be required to follow a properly executed annual work plan specific to that body.

2.68.020 Creation and Authorization

Work plans as specified in this Chapter should incorporate Council goals, input from the City Manager or designee and the Committee expected to perform the work. The work plan should also identify goals and objectives, available resources including any city employees assigned, reporting requirements and expected timelines. The City Council shall approve work plans annually.

2.68.030 Conduct of Business

A. At the first meeting each year, the Advisory Board members shall elect a chairperson and a vice chairperson from among the members of the Advisory Board. The Advisory Board shall meet as needed to perform the duties of the Advisory Board and to fulfill the role of being an advisory body to the City Council.

B. It shall be the duty of the chairperson to preside over all meetings of the Advisory Board. The vice chair person shall preside at all meetings where the chairperson is absent. Minutes shall be kept and meeting agendas prepared in coordination between members of the Board and staff members. A majority of the appointed members of the Board shall constitute a quorum for the transaction of business, and a majority vote of those present shall be necessary to carry any recommended actions.

2.68.040 Amendment

Work plans may be amended at any time by the City Council and amendments may be initiated by the City Council, a request from the City Manager or the Community Board, Commission, or Ad hoc Committee working under the work plan.

2.68.050 Communication and Annual Reporting

Each committee and body subject to this Chapter must submit an annual report to the City Council which evaluates the work of the committee pursuant to the work plan. The City Council should use the annual report as a reference for developing future work plans.

Section 10. Chapter 2.90.000 of the Lakewood Municipal Code entitled “Planning Commission” is created to read the following:

2.90.010 Planning Commission Created.

The city hereby creates a planning commission consistent with Chapter 35A.63 RCW.

2.90.011 Planning agency identified.

There shall be not more than 7 members of the Board who shall be appointed by the Mayor and confirmed by the City Council, and who shall serve at the pleasure of the City Council. The members shall be residents of the City unless the Council finds that appointment of a non-resident, by virtue of business involvement or expertise, will benefit the Commission and ultimately the City.

2.90.020 Appointment.

The members of the Commission shall be appointed from among members of the public to include, to the extent reasonably possible, representation from people involved with or interested in the various opportunities and projects to enhance the provision of Planning in the City.

2.90.030 Terms and Vacancies

The first four (4) members to be appointed shall be initially appointed for four (4) year terms and the second three (3) members to be appointed shall be initially appointed for two (2) year terms.

2.90.040 Jurisdiction, powers and authority.

The jurisdiction, powers and authority of the planning commission, as these relate to matters covered by LMC are established in Chapter LMC. In addition, the city council may, from time to time, grant to the planning commission such other jurisdiction, powers, duties and authority as City Council deems appropriate and consistent with state and city law. The planning commission shall work in accordance with a work plan as detailed in LMC Chapter 2.68.

2.90.050 Rules of procedure.

The planning commission may from time to time establish and publish rules of procedure for the efficient and fair conduct of its business, consistent with state law and city ordinances.

Section 11. 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 day of September, 2014.

CITY OF LAKEWOOD

Don Anderson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi A. Wachter City Attorney

Combine CDBG & Human Services

Board Committee Commission	Legally Required	Pros	Cons
CDBG Citizens Advisory Board Est. 1999	Not required to be an advisory board	Increased subject matter expertise by combining volunteers with relevant knowledge.	Potential loss of community volunteers
Human Services Funding Advisory Board Est. 2007	No	Increased subject matter expertise by combining volunteers with relevant knowledge.	Potential loss of community volunteers

Create Planning Commission

Board Committee Commission	Legally Required	Pros	Cons
Citizens’ Transportation Advisory Committee <i>Est. 2000</i>	No	Expands the range of expertise on the Planning Commission.	Potential loss of community volunteers
Planning Advisory Board <i>Est. 1995</i>	Yes; Comprehensive Plan, per RCW Chapter 36.70A <ul style="list-style-type: none"> • Land Use Planning • Residential Housing Planning • Capital Facilities Plan • Utilities location and potential expansion • Six Year Transportation Plan • Economic Development Plan • Parks and Recreation Plan • Shoreline Management Plan • Zoning Regulations • Authority to act as a fact finding body of the City as it pertains to land use • Annual Report of Planning Progress 	Expands the range of expertise on the Commission. Improves communication Reduces duplication of attention to different relevant perspectives. Provides Planning Commission authority to all aspects of planning rather than separating discreet pieces into Boards without independent authority. Increased recognition – “Planning Commission” is generally more recognized than “Planning Advisory Board”. City resources are put into one comprehensive Board rather than several isolated boards (reduced demand on resources).	Potential loss of community volunteers
Redevelopment Advisory Board <i>Est. 1999</i>	No	Expands the range of expertise on the Planning Commission.	Potential loss of community volunteers

Board, Committee, Commission	City Council Liaison	City Department	Roles and Responsibilities	City Staff Insights	Current Work Plan
<p>1</p> <p>Arts Commission (LMC .02.66.000) (Est. 2006)</p>	<p>Deputy Mayor Jason Whalen</p>	<p>Parks, Recreation & Community Services Department</p> <p>Dennis Higashiyama, Recreational Coordinator</p> <p>Mary Dodsworth, Director</p>	<p>Assess needs, establish priorities and make recommendations for enrichment of the community and promotion of cultural vitality through the arts. The Lakewood Arts Commission will do the following:</p> <ul style="list-style-type: none"> Promote the visual, performing and literary arts; Encourage the creative contribution of local artists; Make recommendations for Public Art to the City Council; Support community-building events; and Foster the City's cultural heritage. 	<ul style="list-style-type: none"> Would like more financial resources Would like increased commitment from certain members Would more people with music and performing art background Members do not volunteer for city events with enough frequency 	<ul style="list-style-type: none"> Increased promotion of visual, performing and literary arts Encourage the Creative Contribution of Local Artists Public Art installation
<p>2</p> <p>CDBG Citizens Advisory Board (LMC .02.28.000) (Est. 1999)</p>	<p>Councilmember Marie Barth</p>	<p>Community and Economic Development Department</p> <p>Jeff Gumm, CDBG Program Manager</p> <p>Dave Bugher, Assistant City Manager of Community and Economic Development Department</p>	<p>Advise the City Council on matters related to the Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) programs which may include:</p> <ul style="list-style-type: none"> Facilitate cooperation and coordination with the City on CDBG and HOME funding issues. Recommend to the City Council programs for funding out of CDBG funds, recommend CDBG and HOME funding allocations, including development of housing strategies. Hold public hearings to receive public comments to identify community and housing needs and development of proposed activities. Develop recommendations for the Consolidated Plan, Action Plan and other related documents. Perform other CDBG and HOME related duties and functions as assigned by the City Council. 	<ul style="list-style-type: none"> Focus has been on infrastructure lately Members with most years of service are easiest to work with Board has great military connections The cost of some CDBG grants are offset by the cost of monitoring how the awarded funds are spent Granted funds that would be for human services (up to 15% of the total CDBG grant) could go towards infrastructure projects instead Human Services board could join CDBG board. Could take half of the members from each board and combine All boards could share current issues with one another 	<ul style="list-style-type: none"> Submit performance review to HUD Conduct annual public hearings for Consolidated Plan Seek City Council direction on funding policies Review, rate and make funding recommendations
<p>3</p> <p>Citizens' Transportation Advisory Committee (CTAC) (LMC .02.44.000) (Est. 2000)</p>	<p>Councilmember Paul Bocchi</p>	<p>Public Works Department</p> <p>Don Wickstrom, Director</p> <p>Desiree Winkler, Transportation Division Manager</p> <p>Karen Bibb, Administrative Assistant</p>	<p>Advise the City Council, the City Manager and City staff in connection with transportation related issues as may be referred to the Committee by the City Council which may include:</p> <ul style="list-style-type: none"> Facilitate cooperation and coordination with the Public Works Department of the City on street, public works and transportation and infrastructure related projects and plans, Identify, evaluate and recommend to the City Council, City Manager and/or City staff policies and projects for the City, annual update of its Six-Year Transportation Plan, and for other transportation and infrastructure planning purpose of the City, Recommend ways and means of obtaining private, local county, state or federal funds for promotion of transportation and infrastructure facilities of the City, and Advise the City Council on acquisition, replacement and maintenance of transportation and infrastructure facilities of the City Advise the City as to the manner that public information on street related projects can best be disseminated, given the nature and/or scope of the projects. Advise the City Council regarding transportation related facilities, needs and programs of the City, as may be referred by the City Council. 	<ul style="list-style-type: none"> Committee has provided useful input on several occasions, including on projects in the Tillicum and Woodbrook neighborhoods, and projects on Bridgeport and on Pacific Highway The Committee is knowledgeable and works well with staff and the City Council 	<ul style="list-style-type: none"> LED Street Light conversion project 6-Year TIP – Annual Update City Wide Safety Program – Yellow Flashing Arrows – provide recommendations on public outreach and “optional” signage for city-wide deployment. Neighborhood Traffic Control Program Projects Transportation Funding Crosswalk Pedestrian Flagging Pilot project
<p>4</p> <p>Human Services Collaboration (Motion 2001-38) (Est. 2001)</p>	<p>N/A</p>	<p>Parks, Recreation & Community Services Department</p> <p>Karmel Shields, Human Services Coordinator</p> <p>Mary Dodsworth, Director</p>	<p>The mission of the Human Services Collaboration is that the City shall build a healthy, safe community for all people of Lakewood, through a collaborative group of community organizations, school district, human services agencies, businesses and individuals who share common goals and a unity of purpose. The goals include:</p> <ul style="list-style-type: none"> Improve the awareness and coordination of efforts, delivery of outcomes of human services efforts in Lakewood Encourage the provision of neighborhood-based collaborations using collective resources to foster health, functional families in Lakewood Give all citizens, including youth, a voice in decision making and a role in building a safe and better community In partnership with Clover Park School District and other schools, reduce barriers to learning, so that students come to school ready to learn and graduate from school as lifelong learners, ready to work Create conditions that enable all people of Lakewood to access resources and take responsibility for their own success Create conditions that assure safe and healthy communities Keep Lakewood's Promise to our youth Strengthen the communication system to inform community of activities of the Human Services Collaboration 	<ul style="list-style-type: none"> Andie Gernon is the volunteer facilitator, and Claudia Thomas is a co-chair Karmel Shields, staffs the Collaboration (set up, meeting reminders, email announcements, agendas, arranging speakers, work plan, etc.) Marcy Boulet from the Health Department provides consultation and strategic input Four members met last August/September to review input provided by the Coalition and to craft the new format & 2014 topics. All human services contractors with the City of Lakewood are “required” to attend 338 on list serve and 30 – 40 people attend regularly 	<ul style="list-style-type: none"> Changes to Food Stamps Advocating for Children & Families in Olympia Human Services Needs Café (part of my data gathering process for the HSFAB needs analysis) Focus on Youth (Youth Council, Lakewood's Promise, CHOICE prevention coalition) 10 year plan to end Homelessness Early Learning & Childhood development Senior Services and Wellness Public Safety (CSRT) Lessons Learned from Affordable Care Act

Board, Committee, Commission	City Council Liaison	City Department	Roles and Responsibilities	City Staff Insights	Current Work Plan
<p>5</p> <p>Human Services Funding Advisory Board (LMC .02.25.000) (Est. 2007)</p>	<p>Councilmember Mike Brandstetter</p>	<p>Parks, Recreation & Community Services Department</p> <p>Karmel Shields, Human Services Coordinator</p> <p>Mary Dodsworth, Director</p>	<p>The Human Services Funding Advisory Board is created to assist the City Council in the following areas:</p> <ul style="list-style-type: none"> • Conduct public hearings regarding allocations of human services funds and programs and making recommendations for funding; • Ensure the most fair distribution and most effective use of human services resources consistent with adopted priorities and criteria; • Encourage partnerships in the funding and provision of human services; • Request periodic strengths and needs assessments and program outcome evaluations to determine the direction of human services most beneficial to the City; and • Integrate human services policy into overall City policy development. 	<ul style="list-style-type: none"> • Board members provide support to staff with regard to fund allocation process • Board is good about asking for input from the community and will ask for input from non-traditional sources, such as school nurses rather than just educators • Good partnerships exist with school district • City Council and Staff liaisons should have more coordination on meeting topics • Board has a great relationship with the City Council • Board would like to eventually have input on how CDBG funding is allocated for human services projects • Boards with similar goals regarding homelessness, housing, education, and children's needs could hold joint meetings • Board needs to be better at goal setting and should identify how boards and City departments are involved in accomplishing those goals • Board needs a strategic plan 	<ul style="list-style-type: none"> • Monitor funded agencies' capacity to meet service goals and contact obligations • Analyze and assess current human services needs • Prepare for 2015-2016 allocation process
<p>6</p> <p>Lakewood's Promise Advisory Board (LPAB) (LMC .02.38.000) (Est. 2012)</p>	<p>Councilmember Mary Moss</p>	<p>Parks, Recreation & Community Services Department</p> <p>Mary Dodsworth, Director</p> <p>Suzi Riley, Administrative Assistant</p>	<p>The Lakewood's Promise Advisory Board is created to assist the City Council in the following areas:</p> <ul style="list-style-type: none"> • Advise the City Council and city staff regarding the availability and delivery of the five promises within the City. • Look for ways to develop ongoing relationships among Lakewood citizens and businesses to better deliver Promise activities to youth. • Advise the City Council in connection with Lakewood's Promise issues as may be referred to the Lakewood's Promise Advisory Board by the City Council which may include, but is not limited to, the following: <ul style="list-style-type: none"> ◊ Facilitate cooperation and coordination with City staff, citizens' groups and other entities, agencies and organizations on Lakewood's Promise issues; ◊ Recommend to the City Council strategies to enhance awareness of, and interest in, Lakewood's Promise which may be in cooperation with any appropriate private, civic or public agency of the City, county, state or of the federal government; ◊ Recommend ways and means of obtaining private, local, county, state or federal funds for the promotion of Lakewood's Promise programs and projects within the City, and ◊ Represent the community and the City of Lakewood as requested by the City Council to address Lakewood's Promise related issues. 	<ul style="list-style-type: none"> • Great board makeup, collaborative • Board focuses on initiatives; doesn't select own projects well • Members would like the ability to send designees who can vote in their absence • Part of board's budget pays for the Audio/Visual recording of City Council meetings • Board focuses on one promise each year • Meetings could be held with less frequency; perhaps quarterly rather than monthly 	<ul style="list-style-type: none"> • Promise # 5: Safe Places • Ensure that every youth has safe places to go, with structured activities, within walking distance from home or with transportation to and from this place, during all of their school years • Develop a Lakewood specific Safe Places Task Force to develop safe places specific resources, programs, standards, etc. • Inventory and map safe places resources in Lakewood • Maintain comprehensive calendar for youth activities • Work with Youth Council to explore more options to ensure all youth have safe places to go
<p>7</p> <p>Landmarks and Heritage Advisory Board (LHAB) (LMC .02.48.000) (Est. 2000)</p>	<p>Councilmember TBD</p>	<p>Community and Economic Development</p> <p>Dan Catron, Principal Planner</p> <p>Dave Bugher, Assistant City Manager</p>	<p>Advise the City Council, the City Manager and City staff in connection with protection and preservation of historical landmarks in Lakewood and establishing procedures for designation and preservation of landmarks. This includes:</p> <ul style="list-style-type: none"> • Holding public hearings on nominations for designation and applications for certificates of appropriateness. • Authorizing, 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 to provide technical assistance to property owners in connection with requests for certificates of appropriateness. • Approving, denying, amending or terminating the designation of a historic resource as a landmark or community landmark after a public hearing. 	<ul style="list-style-type: none"> • The board would like architects to join as members • The board could be more proactive at creating events to recognize the City's history, should the City Council choose • The board helps to administer the state tax abatement for designated properties • Board needs to update contract with consultant (Spent \$10,000 in 2013) 	<ul style="list-style-type: none"> • The board has yet to produce 2014 goals • More direction is needed to create a board work plan
<p>8</p> <p>Lodging Tax Advisory Committee (LMC .03.36.055) (Est. 1997)</p>	<p>Mayor Don Anderson</p>	<p>Community and Economic Development</p> <p>Ellie Chambers, Economic Development Manager</p> <p>Dave Bugher, Assistant City Manager</p>	<p>The City of Lakewood shall submit at least 45-days before final action on or passage of proposals by the City Council, to the Lodging Tax Advisory Committee, for review and comment, proposals for imposition of any new tax under RCW 67.28 (hotel/motel tax), or for increases in the rate of a tax imposed, or for the repeal of an exemption from a tax imposed, or for a change in the use of revenue received under Chapter 67.28 RCW. The Advisory Committee shall submit comments on the proposal in a timely manner and shall include an analysis of the extent to which the proposal will accommodate activities for tourists or increase tourism and the extent to which the proposal will affect the long-term stability of the fund created under Section 67.28 of the RCW (Section 4 of Chapter 452, Laws of 1997), as may be referred by the City Council.</p>	<ul style="list-style-type: none"> • Would like to see an change to the budgeting process to ensure funding is set aside for special events that may fall outside of the normal request period; similar to Fife or Pierce County 	<ul style="list-style-type: none"> • Seek City Council direction on funding policies and priorities • Review lodging tax grant applications and make funding recommendations • Meet as needed to review RCW updates and review "out of cycle" requests for funds

Board, Committee, Commission	City Council Liaison	City Department	Roles and Responsibilities	City Staff Insights	Current Work Plan
<p>9</p> <p>Parks and Recreation Advisory Board (PRAB) (LMC .02.36.000) (Est. 2000)</p>	<p>Mayor Don Anderson</p>	<p>Parks, Recreation & Community Services Department</p> <p>Mary Dodsworth, Director</p> <p>Suzi Riley, Administrative Assistant</p>	<p>The Parks and Recreation Board provides policy recommendations to the City Council and staff on a variety of park and recreation related issues. The role of the Parks and Recreation Advisory Board is to:</p> <ul style="list-style-type: none"> Advise the City Council and City staff or officials administering parks, regarding the general operation and development of all parks and recreation facilities and programs of Lakewood including long range park planning, needs assessment, program evaluation, acquisition, construction, development, concessions or privileges in parks and/or playgrounds, sports fields, recreation grounds, and/or other municipally owned recreation facilities, including community buildings and improvements to the same. The Parks and Recreation Advisory Board shall also work with neighborhood groups and ad-hoc committees to formulate recommendations to the City Council. The Parks and Recreation Advisory Board shall recommend rules and regulations for the government, management, operation, supervision and control of city parks and recreational facilities and programs. The Parks and Recreation Advisory Board shall advise the City Council in connection with parks and recreation issues as may be referred to the Parks and Recreation Advisory Board by the City Council which may include, but is not limited to, the following: <ul style="list-style-type: none"> Facilitate cooperation and coordination with City staff, citizens' groups and other entities, agencies and organizations on parks and recreation issues; Recommend to the City Council strategies to enhance awareness of, and interest in, parks and recreation facilities and programs of the City, which may be in cooperation with any appropriate private, civic or public agency of the City, county, state or of the federal government; Recommend ways and means of obtaining private, local, county, state or federal funds for the promotion of parks and recreation programs and projects within the City; and Advise the City Council on acquisition of parks and recreation facilities and properties; and Represent the community and the City of Lakewood as requested by the City Council to address parks and recreation related issues. 	<ul style="list-style-type: none"> Great board makeup Would like more business focused members on board Great participation from board on Parks Department projects 	<ul style="list-style-type: none"> Update park management plans Update Municipal code as it relates to City parks Update lease agreements Legacy Plan CIP Follow-up on several grant opportunities Plan for events; Summerfest, Parks Appreciation Day, Farmers Market
<p>10</p> <p>Planning Advisory Board (LMC .02.12.000) (Est. 1995)</p>	<p>Councilmember Mary Moss</p>	<p>Community and Economic Development</p> <p>Dave Bugher, Assistant City Manager</p> <p>Staci Vukovich, Administrative Assistant</p>	<p>The Planning Advisory Board shall:</p> <ul style="list-style-type: none"> Assist City staff in preparing a comprehensive plan for the City in accordance with state law to be submitted to the City Council for consideration of adoption. The Planning Advisory Board may thereafter, from time to time to recommend to the City Council such changes, amendments or additions to the comprehensive plan as may be deemed desirable, but recommendations for changes, amendments or additions to the comprehensive plan shall not be brought forward more frequently than once per year. Recommend to the City Council land use and zoning regulations and other development regulations as deemed necessary and/or appropriate. Act as the research and fact finding agency of the City in regard to land uses, housing, capital facilities, utilities, transportation, and in regard to classification of lands as agriculture, forest, mineral lands, critical areas, wetlands and geologically hazardous areas. Undertake surveys, analyses, research and reports as may be generally authorized or requested by the City Council. Cooperate with planning agencies of other cities and counties, to include regional planning agencies, in furtherance of such research and planning. Annually provide to the City Council a report on progress made in implementing the goals and requirements of State law and on the status of land use policies and procedures within the city. 	<ul style="list-style-type: none"> Staff has difficulty creating packets for two meetings per month Board likes to have staff input when making decisions Board members are collegial and get along well 	<ul style="list-style-type: none"> Initiate work on 2015 Comp Plan update Revise subdivision code regulations Revise Drive through regulations New Code provisions for swap meet operations
<p>11</p> <p>Public Safety Advisory Committee (LMC .02.22.000) (Est. 2006)</p>	<p>Councilmember Marie Barth</p>	<p>Police Department</p> <p>Mike Zaro, Assistant Police Chief</p> <p>Bret Farrar, Police Chief</p> <p>Joanna Nichols, Administrative Assistant</p>	<p>The role of the Public Safety Advisory Committee is to provide citizen input and advice to the City Council in developing and monitoring public safety policies. The Committee will report to the City Council and will also assist the City Council in assessing that department resources allow for compliance with City and department policies.</p> <p>The Public Safety Advisory Committee shall annually provide to the City Council a report on progress made in carrying out the Committee's responsibilities. Additional reports may be deemed appropriate by the Public Safety Advisory Committee and/or the City Council.</p>	<ul style="list-style-type: none"> Board is easy to work with Intent of the committee is not police department oversight; current members work well with this concept Members would like more to do Members don't come up with own project ideas; need the input /direction to accomplish this Members provide useful input to the police department 	<ul style="list-style-type: none"> Summerfest volunteer for disaster preparedness booth Increase board visibility in Lakewood communities Continue to work on emergency management issues Promote Community Emergency Response Team (CERT) Explore issues related to homelessness and mentally ill Help to increase diversity of police department Provide options for monitoring abandoned homes Evaluate data surrounding increased structure fires

Board, Committee, Commission	City Council Liaison	City Department	Roles and Responsibilities	City Staff Insights	Current Work Plan
<p>12</p> <p>Redevelopment Advisory Board (REDAB) (LMC .02.21.000) (Est. 1999)</p>	<p>Deputy Mayor Jason Whalen</p>	<p>Community and Economic Development</p> <p>Ellie Chambers, Economic Development Manager</p> <p>Dave Bugher, Assistant City Manager</p>	<p>The Redevelopment Advisory Board is created to assist and advise the City Council in connection with issues and programs involving commercial business development and retention as may be referred to the Advisory Board by the City Council which may include:</p> <ul style="list-style-type: none"> Facilitate cooperation and coordination between various business groups and impacted neighborhoods on business issues; Facilitate the formation of specific neighborhood commercial business groups to assist in the enhancement of various existing commercial areas, aid in stabilizing and retaining commercial enterprises within these areas to maintain viability as a commercial area, and help in identifying specific needs of businesses within various commercial areas. Make recommendations to the City Council and to City staff for programs in which the City could or should participate to enhance commercial development opportunities in the City, which programs may be in cooperation with any appropriate private, public, civic or community agency, group or association of or in the City, county, state or federal government; Recommend ways and means of obtaining private, local, county, state or federal funds and other participation for the promotion of business development projects within the City, especially those of an incubator type; Work with City of Lakewood staff, City Council, task forces and other City/community based groups, as directed by the City Council, on relevant issues and projects; and Assist in data base development for the creation and maintenance of a community profile. 	<ul style="list-style-type: none"> Board is filled with experts and they provide useful input to staff They notify the city whenever they become aware of economic development opportunities or issues of concern within the community Board is good at messaging within the community Some crossover with Planning Advisory Board (PAB) 	<ul style="list-style-type: none"> Business expansion and retention EB-5 Economic development financial tools, lodging tax initiatives, strategies Lakewood Towne Center Marketing plans Code and zoning updates Pacific Highway updates Point Defiance Bypass updates Sewer pretreatment monitoring Tillicum, Woodbrook, Springbrook updates Forums and workshops
<p>13</p> <p>Sister Cities (Ordinance No. 175) (Est. 1998)</p>	<p>Mayor Don Anderson (Ex-Officio)</p> <p>Councilmember Mike Brandstetter</p>	<p>Community and Economic Development</p> <p>Ellie Chambers, Economic Development Manager</p> <p>Dave Bugher, Assistant City Manager</p>	<p>The general duties and responsibilities of the Lakewood Sister Cities Association shall be as follows:</p> <ul style="list-style-type: none"> The powers and duties of the Lakewood Sister Cities Association generally shall be to recommend to the City Council the policies and objectives for the overall sister cities program Develop and recommend to the City Council criteria, objectives and guidelines for the selection of sister cities Plan, develop, promote, and coordinate sister city program activities, including but not limited to visits of individuals and exchanges of delegations; educational and informational exchanges and events with sister city communities, their nations and their cultures Review proposals from individual associations or other institutions for joint programs and assist in effective coordination of such activities, when applicable Conduct fund raising for sister city activities and programs 	<ul style="list-style-type: none"> This organization is a 501(C)(3) Lakewood Sister Cities consist of: <ul style="list-style-type: none"> Okinawa City, Japan Bauang, Philippines Danzhou, P.R. of China Gimhae, South Korea 	<ul style="list-style-type: none"> Create opportunities for people to enrich their lives. Hold forums for community involvement. Hold events that celebrate culture and diversity. Create networks for increased trade and tourism.
<p>14</p> <p>Youth Council (Resolution No. 2002-16) (Est. 2002)</p>	<p>Councilmember Marie Barth</p>	<p>Parks, Recreation & Community Services Department</p> <p>Dennis Higashiyama, Recreational Coordinator</p> <p>Mary Dodsworth, Director</p>	<p>The Youth Council duties are as follows:</p> <ul style="list-style-type: none"> Designated Youth Council, of at least two members, shall attend at least one City Council meeting per month and give a report Communicate with other youth in the City and solicit input regarding youth interests and issues and report that information to the City Council The proposed Youth Council will provide information to the City Council about youth concerns, activities and interests, which are relevant to the proposed City Council actions Participate in City events as needed, such as; assisting during the City's Holiday celebration and tree lighting ceremony, designing the City's Daffodil Parade float and planning and attending various parks and recreation events Plan activities in the community to help youth. Serve as a youth leader in the community Represent the youth of Lakewood to other jurisdictions Serve as representatives to other governing entities Youth Council activities are to be directed and approved by the City Council's designee The approved activities are to be facilitated by the City Manager or his designee 	<ul style="list-style-type: none"> Trying to ensure new members are closer to age 15 or 16 in hopes that they will remain members for longer than one or two years Good participation in Make A Difference event but not in other events Good relationship between Councilmember Barth and the board Would like to see more schools, such as Alternative School getting involved with this board Would like more than just "high achievers" on the Youth Council 	<ul style="list-style-type: none"> Assist with Daddy/Daughter Dance Fairy Garden Tea Party Student job fair Increase a broader spectrum of representation for the Youth Council