



LAKWOOD CITY COUNCIL AGENDA

Monday, October 19, 2015

7:00 P.M.

City of Lakewood

City Council Chambers

6000 Main Street SW

Lakewood, WA 98499

Page No.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PROCLAMATIONS AND PRESENTATIONS

1. Swearing-In of Mike Zaro, Police Chief
2. Business showcase.- *Mr. Clarke Thomson and Mr. Dan Lasham, Mt. View Funeral Home*
3. Presentation of the 2015-2016 Stormwater Pollution Prevention and Water Conservation Calendar – *Idlewild Elementary School*

PUBLIC COMMENTS

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

- (4) A. Approval of the minutes of the City Council Retreat of October 3, 2015.
- (7) B. Approval of the minutes of the City Council meeting of October 5, 2015.
- (14) C. Approval of the minutes of the City Council Study Session of October 12, 2015.

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

<http://www.cityoflakewood.us>

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

- (20) D. Items Filed in the Office of the City Clerk:
1. Planning Commission meeting minutes of September 23, 2015.
 2. Community Services Advisory Board meeting minutes of September 23, 2015.
- (30) E. Ordinance No. 622
- Repealing Sections 03.90.280 and 03.90.290 of the Lakewood Municipal Code relative to the Municipal Court Trust Fund Account and Section 125 Fund.
- (34) F. Resolution No. 2015-29
- Setting Monday, November 2, 2015, at approximately 7:00 p.m., as the date for a public hearing by the City Council on the proposed Transportation Benefit District assumption.
- (38) G. Resolution No. 2015-30
- Adopting the City of Lakewood community visioning statement.
- (42) H. Motion No. 2015-63
- Adopting the 2015-2017 State Legislative Agenda, Legislative Policy Manual and Federal priorities.

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

RESOLUTION

- (63) Resolution No. 2015-31
- Adopting the Fiscal Year 2016 Community Development Block Grant and HOME Investment Partnership Act funding policies and work plan. -
Assistant City Manager for Development Services

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UNFINISHED BUSINESS**NEW BUSINESS**(78) Motion No. 2015-64

Approving a community gathering space design and location at Ft. Steilacoom Park. – *Parks, Recreation and Community Services Director*

(88) Motion No. 2015-65

Authorizing the execution of an interlocal agreement with the Washington State Department of Social and Health Services, in the amount of \$90,000, relative to the Western State Hospital community policing program from October 1, 2015 through June 30, 2017. – *City Attorney*

REPORTS BY THE CITY MANAGER**CITY COUNCIL COMMENTS****ADJOURNMENT**

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LAKWOOD CITY COUNCIL RETREAT MINUTES

October 3, 2015
City of Lakewood
City Council Chambers
6000 Main Street SW
Lakewood, WA 98499

CALL TO ORDER

Mayor Anderson called the meeting to order at 8:30 a.m.

ATTENDANCE

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

ITEMS FOR DISCUSSION:

Review of Community Visioning Plan

Assistant City Manager for Development Services Bugher reviewed what the Council discussed at its September 12, 2015 for developing a visioning statement, and reviewed a proposed preamble and vision statement for the Council's discussion.

Discussion ensued on the format for a preamble and vision statement.

After much discussion, it was the consensus of the Council that the preamble and vision statement read as follows:

Our **VISION** for Lakewood is a thriving, urban, South Puget Sound City, possessing the core values of family, community, education, and economic prosperity. We will advance these values by recognizing our past, taking action in the present, and pursuing a dynamic future.

The City Council's **VISION** for Lakewood at its **30** Year Anniversary is a community:

- Inspired by its own sense of history and progress.
- Known for its safe and attractive neighborhoods, vibrant downtown, active arts and cultural communities.
- Sustained by robust economic growth and job creation.

- Recognized for the excellence of its public and private schools, and its community and technical colleges.
- Characterized by the beauty of its lakes, parks and natural environment.
- Acknowledged for excellence in the delivery of municipal services.
- Leveraging and embracing of our diversity.
- Supportive of Joint Base Lewis McChord (JBLM), Camp Murray, service members and their families.

The Council recessed at 10:15 am and reconvened at 10:30 p.m.

State Legislative Agenda, Legislative Policy Manual and Federal Priorities

City Manager Caulfield introduced Consultants Briahna Murray, Shelly Helder and Jake Johnston.

Ms. Murray noted that the 2016 Legislative Session is a short 60 day session.

Discussion ensued if the Legislature will be looking at the capital budget (yes, there may be adjustments with emergencies being the threshold).

She then reviewed the 2015-2017 Biennial Legislative Agenda including the transfer of ownership of Ft. Steilacoom Park from the State to the City; asking for a capital funding request for Ft. Steilacoom Park utility improvements, request for WSDOT funding to relocate the WSDOT Maintenance facility in Lakewood, ensure the timely progress of the I-5 JBLM Corridor project, and support for Military Affairs funding.

Discussion ensued on emphasizing that Ft. Steilacoom Park is a regional park; noting that the liability risk in the park is much more to Lakewood for the \$15,000 lease payment provided to the State; and should the inset of buildings across the street from the Park be included as part of the transfer.

Further discussion ensued if monies for a gathering place should be included as a legislative agenda priority; have the Town of Steilacoom been informed of the Ft. Steilacoom Park project (yes); how complimentary will the State be in asking for the transfer of ownership of the Ft. Steilacoom park property at the same time as asking for funding improvements at the park; will WSDOT Maintenance keep the monies for the sale of their maintenance facility; what will the \$2 million for rail

safety enhancements include for the I-5 JBLM Corridor project; is there something to include in the State Legislative agenda relative to the train station in Tillicum/Woodbrook; and what can the City do to move the offender medical cost liability issue before the Legislature (conversation has begun with the Association of Washington Cities to probably start in 2017).

Mr. Jake Johnston spoke about the value of Lakewood coordinating State and Federal priorities.

Mr. Johnston noted that the biggest initiative for Lakewood is the federal Commute Act of Congressman Heck. He spoke about preparing an assessment study about AMTRAK rail safety and station adjacent to JBLM gates. He then spoke about BRAC closures.

Discussion ensued if BRAC should be included in the Legislative priorities.

He spoke about potential opportunities for federal funding for communities with commuter rail relative to a transportation bill.

Management Analyst Adam Lincoln spoke about the JBLM acquisition of clear zone properties valuing approximately \$50 million. Mr. Johnston indicated that the Department of the Army must make application for funding to acquire the properties.

Discussion ensued on what happens when the County purchases properties in the clear zone; and that Lakewood is known as the model to follow in the nation for transitioning military personnel.

Mayor Anderson spoke about various areas the City has provided support to the Clover Park School District. He asked for Council's input on economic suggestions that the Council could proposed to the District relative to its schools. He suggested that the City conduct its own appraisal on school enrollment, capacity, test scores and obtain verifiable data for developing options that could be explored in the closing of Woodbrook Middle School; and what would the City do relative to zoning of the properties with the closing of Oakwood Elementary School and Lake City Elementary School.

ADJOURNMENT

There being no further business, the meeting adjourned at 12:50 p.m.

DON ANDERSON, MAYOR

ATTEST:

ALICE M. BUSH, MMC
CITY CLERK



LAKWOOD CITY COUNCIL MINUTES

Monday, October 5, 2015
City of Lakewood
City Council Chambers
6000 Main Street SW
Lakewood, WA 98499

CALL TO ORDER

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

ROLL CALL

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Anderson.

PROCLAMATIONS AND PRESENTATIONS

Mayor Anderson called on State Representative Christine Kilduff provided a report on the 2015 Legislative Session.

Mayor Anderson presented Representative Kilduff with a proclamation of appreciation.

Youth Council Report.

The Youth Council reported on their activities with Make a Difference Day. Several Youth Councilmembers reported on the citizens advisory board meetings they attended which included the Lakewood's Promise Advisory Board, Community Services Advisory Board and Arts Commission.

Clover Park School District Board Report.

Clover Park School District (CPSD) Board Director Kelcy provided a written CPSD Board report to the City Council. He spoke about the Board priorities and focus areas.

Proclamation declaring the month of October, 2015 as Domestic Violence Awareness Month.

COUNCILMEMBER SIMPSON PRESENTED A PROCLAMATION DECLARING THE MONTH OF OCTOBER, 2015 AS DOMESTIC VIOLENCE AWARENESS MONTH TO MR. JERRY SHORE, HOME SHELTER MANAGER, KOREAN WOMEN'S ASSOCIATION AND MS. ROCIO CHAVEZ DE ALVARADO, CLIENT ADVOCACY MANAGER, TACOMA COMMUNITY HOUSE.

PUBLIC COMMENTS

Speaking before the Council were:

Amy Paulson, Lakewood resident, spoke against the cottage housing Ordinance No. 620 relative to properties on Veterans Drive. She requested that the R3 zoning be left alone and expressed concern about traffic issues.

Dennis Haugen, Lakewood resident, spoke about monies being spent for schools and housing. He then showed a video about an apprentice program.

Tom Henderson, Lakewood resident, spoke against the cottage housing Ordinance No. 620 and expressed concern about lowering property values. He urged Council to allow citizens to vote on this matter by ballot.

Larry Meany, Pierce County resident, introduced himself as the new General Manager at LeMay Refuse.

Glen Spieth, Lakewood resident, spoke about the Landmarks and Heritage Advisory Board's interest in having a Youth Council representative to serve on this Board.

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

- A. Approval of the minutes of the City Council meeting of September 21, 2015.
- B. Approval of the minutes of the City Council Study Session of September 28, 2015.
- C. Approval of payroll checks, in the amount of \$2,137,784.79, for the period August 16, 2015 through September 15, 2015.
- D. Approval of claim vouchers, in the amount of \$865,725.19, for the period September 1, 2015 through September 15, 2015.

- E. Items Filed in the Office of the City Clerk:
1. Planning Commission meeting minutes of September 2, 2015.
 2. Community Services Advisory Board meeting minutes of April 29, 2015 and September 16, 2015.
 3. Landmarks & Heritage Advisory Board meeting minutes of August 27, 2015.
- F. Motion No. 2015-56 setting Monday, November 2, 2015, at approximately 7:00 p.m., as the date for a public hearing by the City Council on the 2016 property tax levy.
- G. Motion No. 2015-57 setting Monday, November 2, 2015, at approximately 7:00 p.m., as the date for a public hearing by the City Council on the 2015-2016 biennial budget amendments.
- H. Motion No. 2015-58 appointing Tony Lamb and Phillip Raschke to serve on the Lakewood Arts Commission through October 15, 2018.

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

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

ORDINANCES

Ordinance No. 620 amending Title 18A of the Lakewood Municipal Code relative to cottage housing.

COUNCILMEMBER BRANDSTETTER MOVED TO POSTPONE ORDINANCE NO. 620 TO THE REGULAR MEETING OF FEBRUARY 1, 2016. SECONDED BY COUNCILMEMBER MOSS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

Ordinance No. 621 authorizing the acquisition of certain real property on Gravelly Lake Drive between 100th Street and Bridgeport Way under threat of condemnation or by condemnation for the purpose of constructing roadway improvements; and declaring an emergency making it necessary for the passage of this ordinance.

COUNCILMEMBER SIMPSON MOVED TO ADOPT ORDINANCE NO. 621. SECONDED BY DEPUTY MAYOR WHALEN.

ROLL CALL VOTE WAS TAKEN RESULTING AS FOLLOWS:

AYES: 7 – BARTH, BOCCHI, BRANDSTETTER, MOSS, SIMPSON,
WHALEN, AND ANDERSON.

NAYS: 0

ORDINANCE NO. 621 WAS DECLARED ADOPTED.

RESOLUTIONS

Resolution No. 2015-28 expressing opposition to the City of Tacoma's Proposition 3, 1.5% utility company earnings tax for Tacoma street improvements.

COUNCILMEMBER SIMPSON MOVED TO ADOPT RESOLUTION NO. 2015-28. SECONDED BY COUNCILMEMBER BARTH. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Motion No. 2015-59 authorizing the execution of an incentive agreement with Tacoma Power, in an amount up to \$99,340, relative to the LED streetlighting project from September 16, 2015 through June 30, 2016.

COUNCILMEMBER BRANDSTETTER MOVED TO AUTHORIZE THE EXECUTION OF AN INCENTIVE AGREEMENT WITH TACOMA POWER, IN AN AMOUNT UP TO \$99,340, RELATIVE TO THE LED STREETLIGHTING PROJECT FROM SEPTEMBER 16, 2015 THROUGH JUNE 30, 2016. SECONDED BY COUNCILMEMBER MOSS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

Motion No. 2015-60 authorizing the execution of an incentive agreement with Puget Sound Energy, in an amount up to \$156,102.20, relative to the LED streetlighting project.

COUNCILMEMBER BRANDSTETTER MOVED TO AUTHORIZE THE EXECUTION OF AN INCENTIVE AGREEMENT WITH PUGET SOUND ENERGY, IN AN AMOUNT UP TO \$156,102.20, RELATIVE TO THE LED STREETLIGHTING PROJECT. SECONDED BY COUNCILMEMBER MOSS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

Motion No. 2015-61 authorizing the execution of an interlocal agreement with the Clover Park School District for fuel purchases from September 1, 2015 through August 31, 2016.

COUNCILMEMBER BOCCHI MOVED TO AUTHORIZE THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE CLOVER PARK SCHOOL DISTRICT FOR FUEL PURCHASES FROM SEPTEMBER 1, 2015 THROUGH AUGUST 31, 2016. SECONDED BY COUNCILMEMBER BRANDSTETTER. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

Motion No. 2015-62 authorizing the execution of an agreement with Northwest Abatement Services, in the amount of \$52,842.22, for abating the barn debris at Ft. Steilacoom Park.

COUNCILMEMBER BOCCHI MOVED TO AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH NORTHWEST ABATEMENT SERVICES, IN THE AMOUNT OF \$52,842.22, FOR ABATING THE BARN DEBRIS AT FT. STEILACOOM PARK. SECONDED BY COUNCILMEMBER SIMPSON. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

REPORTS BY THE CITY MANAGER

Snow and ice storm readiness report.

City Manager Caulfield call on Parks Supervisor Scott Williams who provide a report on snow and ice storm readiness.

Community satisfaction survey update.

City Manager Caulfield call on Management Analyst Adam Lincoln who provide an update on a community satisfaction survey that is scheduled to commence in November and conclude in January, 2016.

City Manager Caulfield noted that the Public Works Department was successful in receiving several Safe Routes to Schools grants.

He then commented on roadway improvements that are currently underway.

He reported that the Woodbrook sewer extension project is also underway, and the Madigan Access project is ready to get underway and there may be some closures.

He noted that the next three major street improvement projects include South Tacoma Way from SR512 to 96th Street, Bridgeport Way from I-5 to JBLM, and overlay on 108th Street between Main Street and Bridgeport Way.

He reported that from a financial perspective, overall the City received a surplus of \$16,000 from the US Open event.

He announced that a volunteer recognition is scheduled for December 8, 2015.

He then reported on a meeting he held with Mr. Johnson, Executive Director of the Rescue Mission and suggested that Mr. Johnson be invited to the November 9, 2015 Council meeting to discuss homelessness.

He noted that an economic development update will be provided to the Council at its October 12, 2015 Study Session.

He reported on the following calendar of events:

- October 7, 2:30 PM, Third Quarter Employee Recognition.
- October 17, Truck and Tractor Day at Ft. Steilacoom Park.
- October 24, Emergency Food Network annual fundraising at McGavick Center
- October 24, Make a Difference Day
- October 25, 11:00 AM to 1:00 PM, Partners for Parks presents "Walk the Waughop"
- October 29, 7:30 AM, South Sound Military & Communities Partnership Elected Officials Council (EOC) Meeting, Eagles Pride Golf Course Club House

CITY COUNCIL COMMENTS

Councilmember Moss commented on Allen's Realty open house.

Councilmember Brandstetter commented on a forum he attended at the University of Tacoma on the impacts of immigrants.

Councilmember Simpson thanked City staff for the Council Retreat.

Mayor Anderson commented on the Mr. Johnson's discussion about homelessness.

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Executive Session

Mayor Anderson announced that Council will recess into Executive Session for approximately 15 minutes to discuss potential real estate acquisition.

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Council recessed into Executive Session at 9:10 p.m. and reconvened at 9:25 p.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:30 p.m.

DON ANDERSON, MAYOR

ATTEST:

ALICE M. BUSH, MMC
CITY CLERK



LAKWOOD CITY COUNCIL STUDY SESSION MINUTES

Monday, October 12, 2015
City of Lakewood
City Council Chambers
6000 Main Street SW
Lakewood, WA 98499

CALL TO ORDER

Mayor Anderson called the meeting to order at 7:01 p.m.

ROLL CALL

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

Arts Commission members Present: 6 – Kurtiss Erickson, Chair; Susan Coulter, Vice-Chair; Kathy Flores, Retha Hayward, Phillip Raschke and Barbara Vest.

ITEMS FOR DISCUSSION:

Joint Lakewood Arts Commission meeting.

Arts Commission members introduced themselves. Member Raschke provided a report on the Martin Luther King Jr. Celebration and the student essay contest.

Discussion ensued on what efforts are being made to publicize and promote the Martin Luther King Jr. celebration and how to better engage the public; and consider having refreshments at the event.

Member Raschke reported on the Arts Fest that was combined with the Lakewood Sister Cities Association Festival.

Member Vest spoke about Pierce County READS book “The Boys in the Boat” and the author’s speaking event at the McGavick Center.

Member Coulter spoke about the Arts Commission coordinating the entertainment at Summerfest and the Farmer’s Market.

Discussion ensued on the Arts Commission entertainment stage location at Ft. Steilacoom Park and what stage design option did the Commission see as most feasible for a gathering place at Ft. Steilacoom Park.

Member Raschke spoke about the Asian Film Festival over the Labor Day weekend and noted that 352 attendees came to see five films.

Discussion ensued on what other cities do a film festival and could the cost for obtaining the films be shared.

Chair Erickson spoke about the need for funding a public art at the Washington and Gravelly Lake Drive location.

Further discussion ensued on applying for lodging tax funding; looking at private foundations as well for funding; considering using capital improvement funds for art; and how to handle fundraising for various Arts Commission projects and activities.

Economic Development update.

Economic Development Manager Newton provided an economic development update.

Discussion ensued on proposed office space opportunities and mixed-use development; are there any projects in Lakewood that were a direct result of the efforts of the Tacoma-Pierce County Economic Development Board; if tax increment financing was available what could the City obtain (high-end retail and mixed-use) and should it be placed on the State legislative agenda as a priority; is there a common theme on why businesses leave; where is the Lakeview Light & Power services boundaries and what are the utility rate comparisons of utility providers and what franchise options are there; where are the class A office spaces in Lakewood; are there requests for rental office space; is there data on where businesses are located that serve JBLM; how is the City measuring the impact of the Pandora internet radio marketing; and what is the outcome to achieve in using the Pandora internet radio.

Review of proposed development services fee schedule amendments.

Assistant City Manager for Development Services Bugher provided an overview of the proposed development services fee amendments for Community Development and Public Works.

Discussion ensued on using an 85 percent recovery rate and how was it derived; and what is the estimated fiscal impact to the 2015-2016 biennial budget.

Review of sanitary sewer permitting proposals.

Assistant City Manager for Development Services Bugher reviewed the current sewer permitting system administered by Pierce County and noted that staff recommendations were provided to County Councilmember Richardson.

Review of Title 5 business license code implementation.

Police Officer Peter Johnson spoke about his experience with bad property crime vendors at swap meets that purchase merchandise from pawn shops and then sell that merchandise at the swap meets.

Discussion ensued if the bad vendors are being shut down; and what percentage of vendors are property crime vendors.

Review of repealing sections of Chapter 3.09 of the Lakewood Municipal Code relative to Municipal Court Trust Fund and Section 125 Fund.

Assistant City Manager for Administrative Services Kraus provided an overview for repealing sections of Chapter 3.09 of the Municipal Code for the Municipal Court Trust Fund and Section 125 Fund that are no longer needed and can be tracked in the General Fund.

Review of 2015-2016 biennial budget amendments.

Assistant City Manager for Administrative Services Kraus reviewed the significant 2015-2016 biennial budget amendments relative to capital funds.

Discussion ensued on explaining the one time expenditure for Fund 301/ gateway projects and what is the \$50,000 capital improvement fund for lodging tax and does the \$50,000 obligate the Council for approving the 2016 lodging tax fund allocations.

Review of Transportation Benefit District assumption.

City Attorney Wachter reviewed recent legislation that provides cities to assume the powers and authority of a Transportation Benefit District.

Discussion ensued if the City would need to pay WCIA for insurance coverage for the Transportation Benefit District; how would there be transparency with regard to the financial reporting of vehicle license tabs collected and the expenditure of those funds.

REPORTS BY THE CITY MANAGER

City Manager Caulfield reported on the removal of signs of businesses that have closed.

He reported that the Department of Social and Health Services provided an update that there are no Enhanced Service Facilities licenses issued in Lakewood.

He noted that in preparation for the upcoming Legislative Session, a meeting date with the 28th and 29th Legislative Districts have been scheduled for November 24, 2015 at 6:00 p.m, in the Council Chambers.

He reported that the Police Department has been working with property owners to help clean-up property at 47th Ave SW and 123rd St SW where an illegal encampment in Springbrook had occurred.

He then reported on the Planning Commission's recommendations on the 2015 Comprehensive Plan amendments. He noted that their recommendations will come forward to the City Council for review at the October 26, 2015, November 9, 2015 and November 23, 2015 (if needed) Council study sessions, followed by consideration at the Council's December 7, 2015 regular meeting.

He noted that Council's consideration on a gathering place design at Ft. Steilacoom Park is scheduled for the Council's October 19, 2015 agenda.

He then announced the following calendar of events:

- October 17, Truck & Tractor Day, Ft. Steilacoom Park
- October 24, 6:00 PM to 10:00 PM, Emergency Food Network Abundance Dinner & Auction Event, McGavick Conference Center
- October 24, Make A Difference Day
- October 25, 11:00 AM to 1:00 PM, Partners for Parks presents "Walk the Waughop" Walk-a-thon at Fort Steilacoom Park.
- October 29, 7:30 AM, South Sound Military & Communities Partnership Elected Officials Council (EOC) Meeting, Eagles Pride Golf Course Club House (exit 116, off I-5),
- November 12, 7:30 AM, SSMCP Annual Forum, McChord Club, JBLM
- November 13, 5:30 PM to 8:00 PM, City of Lakewood/2-2 SBCT (Lancers) Command dinner event, Thornewood Castle
- December 4, 6:00 PM to 8:00 PM Christmas Tree Lighting Festival, City Hall
- December 5, 10:00 AM, Jinglebell 5k Run, Ft. Steilacoom Park

ITEMS TENTATIVELY SCHEDULED FOR THE OCTOBER 19, 2015 REGULAR CITY COUNCIL MEETING:

1. Repealing sections of Chapter 3.09 of the Lakewood Municipal Code relative to Municipal Court Trust Fund and Section 125 Fund.
2. Business showcase. – *Mt. View Funeral Home*
3. Presentation of the 2015-2016 Stormwater Pollution Prevention and Water Conservation Calendar. – *Idlewild Elementary School*
4. Setting Monday, November 2, 2015, at approximately 7:00 p.m., as the date for a public hearing by the City Council on the Transportation Benefit District assumption. – (Resolution – Consent Agenda)
5. Adopting the City of Lakewood community visioning statement. – (Resolution – Consent Agenda)
6. Adopting the 2015-2017 State Legislative Agenda, Legislative Policy Manual and Federal priorities. – (Motion – Consent Agenda)
7. Adopting the Fiscal Year 2016 Community Development Block Grant and HOME Investment Policy Act funding policies. – (Resolution – Regular Agenda)
8. Approving the Washington State Department of Social and Health Services agreement relative to the Western State Hospital community policing program. – (Motion – Regular Agenda)
9. Approving the Washington State Department of Social and Health Services agreement relative to the Western State Hospital community partnership program. – (Motion – Regular Agenda)

COUNCIL COMMENTS

Councilmember Brandstetter noted that the Youth Council is involved in the Truck & Tractor Day event. He then commented on a conversation he had with a Councilmember from Shoreline about their cottage housing ordinance.

Councilmember Simpson commented on the Lake City Neighborhood Association meeting he attended and their discussion with the Police Department gang unit.

Deputy Mayor Whalen noted that he will not be attending the October 19, 2015 Council meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:30 p.m.

DON ANDERSON, MAYOR

ATTEST:

ALICE M. BUSH, MMC
CITY CLERK



**PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY September 23, 2015
Council Chambers
6000 Main Street SW
Lakewood, WA 98499**

Chairman Mr. Don Daniels called the meeting to order at 6:30 p.m.

Roll Call

Planning Commission Members Present: Don Daniels, Chair; Robert Estrada, Paul Wagemann, Vice-Chair; Connie Coleman-Lacadie, James Guerrero and Christopher Webber

Planning Commission Members Excused: Robert Pourpasand

Planning Commission Members Absent: None

Staff Present: David Bugher, Assistant City Manager, Community & Economic Development; Dan Catron, Long Range Planning Manager; and Karen Devereaux, Recording Secretary

Council Liaison: Councilmember Paul Bocchi

Acceptance of Agenda

Approval of Minutes

Chairman, Mr. Don Daniels, opened the floor for discussion of the draft minutes of the meeting held September 2, 2015.

Mr. Robert Estrada made the motion to approve the minutes as written. The second was made by Mr. Christopher Webber. A unanimous voice vote carried the motion.

Public Comments

Lorrie O'Brien, Lakewood resident, expressed concerns about the Cottage Housing proposals the planning commissioners have been discussing in recent months and asked how she could receive more information to understand the different zoning. Mr. Don Daniels, Chair, suggested she look at the City website then contact planning staff in the Community Development Department.

Dennis Haugen, Lakewood resident, emphasized that the Comprehensive Plan makes a basic assumption that the City of Lakewood is going to grow. Mr. Haugen cautioned commissioners in how they allowed the City growth commenting that there has been no regional planning.

Glen Spieth, Lakewood resident, queried commissioners for assistance in securing a viable solution to provide year-round bathrooms at the Kiwanis Skate Park and discourage park visitors from using his adjacent property to relieve themselves.

Public Hearing

2015 Comprehensive Plan Updates and Amendments

(Continued from September 16, 2015)

- *City Initiated Amendments*

In April 2015 the Planning Commission adopted a resolution of intent directing the Community and Economic Development Department to consider two amendments to the Land-Use and Zoning Maps:

Interlaaken Dr and Tower Rd SW Amendment

Mr. Dan Catron noted that he had provided copies of several letters the department had received over the last week from citizens on this proposal. It was noted these letters would be compiled into their next agenda packet for deliberations at their next meeting. The names were stated as follows: Baxter Shaffer, Arthur Peavey, Burton and Doris Johnson, Lakewood Water District, Merrit Lawson Jr., Mickey Porto, Preston and Elizabeth Carter, State Department of Transportation and Mr. Bruce Dayton of the Lakewood Racquet Club.

Mr. Dan Catron explained that in response to last week's unfortunate incidence with the recording equipment staff sent letters to everyone who had signed in with a full address mailed a letter announcing the continuation of the public hearing to Wednesday, September 23, 2015, as well as reposting the public notice signs at the parcel locations of the map amendments, reposting the information on the City website and revised notices on entrance doors of the City Hall.

Mr. Catron suggested the commissions allow testimony on the map amendments first, and then after all public comments have been heard on one amendment then moving to the next.

Mr. Catron described the City proposal to rezone 75 parcels located between Interlaaken Dr SW and Tower Rd SW, north of Washington Blvd from R1 (25,000 sq. ft. minimum lot size) to R2 (17,000 sq. ft. minimum lot size) to reflect the existing mix of lot sizes and provide for increased in-fill housing options. It was explained these areas were chosen because of the variety of existing lot sizes. However, a more detailed analysis of land and structure values in the area indicates that the proposed rezone is not likely to have much of a practical effect in terms of new development, and further up-zone to R3 is not appropriate. For this reason, staff is recommending that this amendment not be pursued at this time. Mr. Catron did urge the commission to hear the public comment on this issue at this time.

Mr. Don Daniels, Chair, opened the floor for testimony explaining to citizens they would be called forward in small groups by the Vice-Chair, Mr. Paul Wagemann, and requested citizens limit their speaking to 3 minutes, or 10 minutes if they represent a group.

Bob Lenigan, Lakewood resident opposed to the amendment, noted the Lake City area is a jewel and should not be disturbed from its present zoning. He wholeheartedly agrees with staff recommendation not to pursue rezoning.

Katie Howard, Lakewood resident opposed to the amendment, is strongly opposed to the rezoning, commenting that contractors do not care about the integrity of the area and feels Lakewood is robbing residents of equity in their private property.

Lorrie O'Brien, Lakewood resident opposed to the amendment, grateful staff is not recommending rezoning in this area. She read her letter describing the historic area known as Interlaaken Township in the early 1800's with beautiful, stately homes urging commissioners to never sub-divide these properties. She spoke about the natural beauty and that people come to her neighborhood to enjoy the natural rural settings, wildlife and beauty of the area.

Lissa Tommervik, Lakewood resident opposed to the amendment, related the history of beautiful expansive estates built in the 1920's around the lakes and in the wooded areas. It was noted how the 1950's brought many young families to the Lakewood area and the sub-dividing began. It was emphasized that rezoning would increase the loss of wildlife and a habitat of trees. Noting that the neighborhood encompasses the historical character of the City, Ms. Tommervik urged that the City leave it alone.

Marsha Evans, Lakewood resident opposed to the amendment, objected to developing in this neighborhood when there are areas of business that could be redeveloped.

Roberto Quintana-Leon, Lakewood resident opposed to the amendment, commented that most of Lakewood is very industrial and does not have an aesthetic feel. Mr. Quintana called the neighborhood a beautiful oasis in the middle of doom; noting many other areas in the City could consider the addition of small residences as a beautification, but the neighborhood would be downgraded if re-zoning were allowed to increase traffic in a pristine area.

Bill Clark, Lakewood resident opposed to the amendment, pointed out the infrastructure through the neighborhood is insufficient now and feels the neighborhood is not prepared for an increase in traffic volumes.

Veterans Dr and Gravelly Lk Dr SW Amendment

Mr. Catron noted that, as part of the City's effort to locate properties where additional single-family housing could be developed, the City proposes to re-designate and rezone 7 acres of mostly vacant land located on the southwest corner of Gravelly Lk Dr SW and

Veterans Drive from *Residential Estate* to *Single Family*, and rezoned from R1 (25,000 sq. ft. minimum lot size) to R3 (7,500 sq. ft. minimum lot size).

Staff is recommending that the density be increased on this site partly in consideration of extensive street frontage improvements that would be required for the development of the site. That seems to be a limiting factor in enticing anyone to look at redeveloping the site. Staff is recommending these amendments.

Mark Pfeiffer, Lakewood resident opposed to the amendment, advocated that the re-zoning of the Barker estate lot goes against everything the Comprehensive Plan states it wants to uphold in the historic neighborhood such as preserving significant tree stands, providing visible open space in the urban environment, and lowering density around the lakes.

Don Russell, Lakewood resident opposed to the amendment, shared that his property has been in his family for 106 years, stated that a discontinuity would be caused in the neighborhood if smaller homes were allowed and urged commissioners to consider an R2 zoning allowing larger lots instead of an R3 zone.

John Kohler, Lakewood resident opposed to the amendment, expressed how he felt fortunate to live in a rural setting along Gravelly Lk Dr and Veterans area that is worth preserving.

Tom Coates, representing Garrett Homes, a Fircrest based custom homes builder, is in support of the amendment to make land available to build retirement sized homes on the smaller lots, but not build them out to the maximum density.

Preston Carter, Lakewood resident opposed to the amendment, noted the Barker property is unique and expressed concerns over increased traffic volumes and issues of noise if R3 zoning permitted 33 new homes to be built.

Kathryn Van Wagemen, Lakewood resident opposed to the amendment, stressed that no changes should be allowed to the current R1 zoning to preserve the heritage, beauty and health of the trees and forested land and all they provide the community.

Janet Spingap, Lakewood resident opposed to the amendment, stated she was born and grew up on an estate in the neighborhood playing in the woods of the property which has impacted her life proven by the fact she has taken a career in forestry and works for a lobbyist in Olympia, urged Lakewood to continue the continuity of the neighborhood.

Connie Wright, Lakewood resident, opposed the amendment because, as an architectural designer, she admires the current beauty and architecture on Gravelly Lake Dr. It was noted that sometimes when properties are redeveloped the new homes don't match an area very well and other properties are negatively impacted and wants to appeal to the City to keep Gravelly Lake beautiful just as it is.

Lakewood Racquet Club

This is a privately initiated amendment where the LRC is proposing to re-designate and rezone 5.5 acres of their 11.5 acre property from Open Space and Recreation and OSR2 zoning to Mixed-Residential and MR1 zoning to accommodate residential development on the site. The surrounding development is zoned R3.

The proposed Mixed-Residential 1 zone would allow for a variety of medium density housing types including single family detached, two-family and single-family attached residential development. Apartments or a multi-family development is not a permitted use type in the MR1 zone.

There has been a change in circumstances since the property was originally designated Open Space and Recreation in 2001, in that the Club was successful in removing a deed restriction affecting the property. The proposal is consistent with Comprehensive Plan policies that encourage infill development in urban areas with existing services and infrastructure. Staff believes that providing the Club with the possibility of developing a portion of the site in order to stabilize the Club financially and help retain the facility within the Lakewood community would be a net advantage to the City. Staff is recommending that the proposed re-designation and re-zoning of a portion of the Lakewood Racquet Club be approved.

Mike Cina, with Austin Cina Architects and representing Lakewood Racquet Club, in full support of the amendment, explained an approval of the request will help the LRC to create funds that will help to expand the facility and maintain it. Their proposal would support a number of the guidelines outlined in the Comprehensive Plan by reducing sprawl, encouraging infill projects and supporting economic development by promoting the retention and expansion of existing businesses. Their proposal offers to use infill land that will never be used by the club. Development on vacant land of a planned residential community comprised of smaller quality homes will create a much needed housing opportunity. It was urged that if granted the change their intent is to control the type of development on the property to ensure that it is compatible and complementary to the surrounding neighbors and to their club and its members. The upkeep and maintenance of these exteriors would be handled by the HOA ensuring the community will maintain its appearance for years to come.

Doug Cooke, Lakewood resident representing the Cloverdale Court HOA, who is also a long-time member of the LRC, noted they do not oppose the amendment but suggests it be rezoned to R3 zoning to make it similar to the surrounding area.

Robert Daly, Lakewood resident representing the Racquet Club Estates HOA, voiced concerns over privacy of the homeowners bordering the LRC property. The main concern stated was the stormwater drainage and instances of current flooding. They urged the development of retainage ponds to handle all the current and proposed runoff citing the problems with the amount of impermeable surface of an additional development.

An unidentified woman stated that she signed wrong sheet but sent a letter August 14 to the City. She stated she was a Lakewood resident opposed to the Interlaaken amendment and agreed with everything already said about the beauty of the neighborhood noting she is very happy to hear that staff has decided not to rezone the area.

Andrea Gernon, Lakewood resident and LRC member in full support of the amendment, pointed out the primary purpose of the proposal is to enable the LRC to generate resources to upgrade their facility. The 50-year-old structure must be brought up to current standards of the code. By selling the property and providing a middle market of housing to the community they will continue to be a viable asset to the City. She described prominent citizens with moderate income who have difficulty finding an appropriate home to downsize to within the City have moved to University Place as a result. LRC wishes to continue to be good neighbors, provide opportunities to new families with housing that is compatible to the neighborhood but not identical, and turn grass and blackberry bushes into homeownership. Ms. Gernon urged commissioners to approve the amendment.

William Kikillus, Lakewood resident in support of the amendment, explained the new development should blend in with the adjacent existing estates by increasing the proposed lot sizes. Additional comments were made regarding providing enough parking spaces to accommodate the additional tennis courts and tournament events to avoid causing traffic problems with all the visitors to the neighborhood.

Mr. Don Daniels, Chair, provided one more opportunity for citizens to comment on the proposed map amendments.

Mark Pfeiffer, suggested the developer with an interest in the Barker estate property on Interlaaken could get together with the trustee and request a zoning change along with at least a conceptual plan of how they would develop it.

Preston Carter, encouraged the staff to be mindful of the possible effect on the Gravelly Lake - American Lake aquifer with regard to the Barker property, although it is not lake front property, it is situated on the narrowest point between the spring fed lakes and the development would directly affect the health of the lakes.

John Kohler commented that the state pressures communities with their Growth Management Act to infill areas.

Bob Lenigan requested an explanation of the process of the amendments.

Mr. David Bugher explained once all comments have been received during this public hearing the commissioners have a few options of either closing the public hearing and begin debating the amendments, continue the public comments until next meeting on October 7th, or as has been the past practice of the planning commission is to close hearing for public comments but leave open for written comments until the next meeting

then close the acceptance of written comments and immediately begin the deliberation process at that meeting on October 7, 2015.

Mike Cina, representing Lakewood Racquet Club, reiterated that it is not his goal to put in large houses stacked up against each other and he stipulated that provision for appropriate stormwater systems will be addressed.

Roberto Quintana restated his concern with the aesthetics of the proposed new developments and poor planning.

Text updates to the 2015 Comprehensive Plan covering the six chapters listed below were reiterated and described by Mr. Dan Catron again:

- *Chapter 1 Introduction*
- *Chapter 4 Community Design*
- *Chapter 6 Transportation*
- *Chapter 8 Public Services*
- *Chapter 9 Public Facilities and Improvements*
- *Chapter 10 Implementation*

The commissioners have been in the process of reviewing these changes over the last several months, tonight's public hearing was held to hear the community's residents comments regarding the proposed amendments.

There were no comments on the proposed comprehensive plan updates.

Mr. Don Daniels, Chair, closed the floor for public comments on the proposed amendments. **Ms. Connie Coleman-Lacadie made the motion close the public comments section of the hearing but to hold the record open for written comments only until their next planning commission meeting on 10/7/15. Mr. Christopher Webber seconded the motion. A roll call vote was called and the motion carried unanimously.**

Unfinished Business

None.

New Business

None.

Reports from Commission Members and Staff

Mr. David Bugher quickly informed commissioners of staff projects updates:

Council did award the Motor Avenue Urban Street design project contract to KPG.

An advisory committee to assist in the charrette processes will be formed and be composed of two members each from the Planning Commission, Landmarks and Heritage Advisory Board and the Parks and Recreation Board.

Critical Areas and Flood Plain Regulation Update will be in front of the commission again by the end of the year.

Mr. Bugher gave the following list of topics that will be presented to the Council during a study session on October 12, 2015:

- Cost Recovery Report
- Pierce County Sewers permitting issues
- Economic Development Update Report
- Title IV Temporary Business Licensing implementation
- Street Trees in the City Rights-of-Way

The topic of trees was mentioned quite frequently in comments this evening. Mr. Bugher informed the commissioners when trees are cut down without permits fines are issued. The monies from those fines are put into the City tree conservation fund and used to replant more trees on public lands throughout the City of Lakewood.

Next Meeting October 7, 2015, at 6:30 p.m. in Council Chambers

Meeting Adjourned at 8:28 p.m.


Don Daniels, Chair
Planning Commission 10/07/2015


Karen Devereaux, Recording Secretary
Planning Commission 10/07/2015



COMMUNITY SERVICES ADVISORY BOARD
Regular Meeting Minutes
WEDNESDAY – September 23, 2015
Lakewood City Hall, Conference Room 3A
6000 Main Street SW, Lakewood, WA

CALL TO ORDER

Chair Edith Owen Wallace called the meeting to order at 5:30 p.m.

ATTENDANCE

Board members present: Edith Owen Wallace, Sharon Taylor, Kathleen Lind, Paul Calta, Mumbi Ngari-Turner, Ric Torgerson

Board members excused: Laurie Maus

Council Liaison excused: Marie Barth

Youth Council representative excused: Claudia Penney

Staff present: Jeff Gumm, Martha Larkin

APPROVAL OF MINUTES – September 16, 2015

KATHLEEN LIND MOVED TO APPROVE THE SEPTEMBER 16, 2015 COMMUNITY SERVICES ADVISORY BOARD MEETING MINUTES AS WRITTEN. THE MOTION WAS SECONDED BY RIC TORGERSON. A VOICE VOTE WAS TAKEN AND THE MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENTS

Jordan Michelson, Lakewood resident spoke in support of retail marijuana businesses and the potential increase of sales tax revenue.

NEW BUSINESS

OPEN PUBLIC MEETINGS ACT – Heidi Wachter, City Attorney

City Attorney Heidi Wachter provided training to Board members on their responsibilities relative to Washington's Open Public Meetings Act and Public Records Act.

APPROVAL OF FY 2014 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT

RIC TORGERSON MOVED TO APPROVE THE FY 2014 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT WITH EDITS AND WITH THE ADDITION OF PUBLIC COMMENT. PAUL CALTA SECONDED THE MOTION. VOICE VOTE WAS TAKEN AND THE MOTION CARRIED UNANIMOUSLY.

OTHER BUSINESS

There was no other business

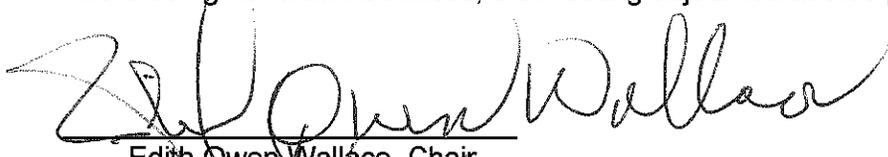
NEXT MEETING

Joint Meeting with City Council -September 28, 2015 at 7:00 p.m. in Council Chambers.

Public Hearing on Housing Services and Community Development needs – October 8, 2015 at 6:00 p.m. in Council Chambers.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:35 p.m.



Edith Owen Wallace, Chair

Dated

9/23/15

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: 10/19/2015	TITLE: An ORDINANCE of the City Council repealing LMC Sections 03.09.280 & 290 relative to Municipal Court Trust Fund Account and Section 125.	TYPE OF ACTION: <input checked="" type="checkbox"/> ORDINANCE NO. 622 <input type="checkbox"/> RESOLUTION <input type="checkbox"/> MOTION <input type="checkbox"/> OTHER
REVIEW: 10/12/2015	ATTACHMENTS: <ul style="list-style-type: none">Proposed Ordinance	

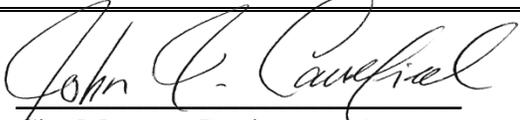
SUBMITTED BY: Tho Kraus, Assistant City Manager/Administrative Services

RECOMMENDATION: It is recommended that the City Council adopt this **ordinance** repealing LMC Sections 03.09.280 & 290 relative to Municipal Court Trust Fund Account and Section 125.

DISCUSSION: The Municipal Court Trust Account (Fund 634) was established to account for monies received by the Municipal Court as bond deposits, cash deposits, or other payments which may, depending upon circumstances be returned to the person making the deposit or payment to the City, or which may, otherwise, be applied to fines, penalties, costs, or expenses involved in cases filed with the Municipal Court. The Section 125 (Fund 635) was established to account for monies received from the deductions from the salaries of participating employees, and from which reimbursements shall be paid for the applicable medical and childcare expenses of said employees, in conformity with the provisions of Section 125 of the IRS code. These two funds are not needed as these activities can be accounted for within the General Fund, thus reducing the number of excess funds.

ALTERNATIVES: The City could continue maintaining these funds; however, it is unnecessary and inefficient to account for these activities in separate funds.

FISCAL IMPACT: N/A

_____ Prepared by	 _____ City Manager Review
_____ Department Director	

ORDINANCE NO. 622

AN ORDINANCE of the City Council of the City of Lakewood, Washington, repealing Sections 3.9.280 and 3.9.290 of the Lakewood Municipal Code; relative to certain fund accounts.

WHEREAS: within chapter 3.9 of the Lakewood Municipal Code, the City has codified a number of funds; and

WHEREAS: Two of these funds, the Municipal Court Trust Account and Section 125 Funds, codified at LMC 3.9.280 and 3.9.290 respectively, are now being accounted for in the general fund and there is no longer a need to keep these accounts as separate funds;

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

Section 1: Section 3.9.280 Lakewood Municipal Code, entitled “Municipal Court Trust Account,” is repealed,

~~There is hereby established a fund known as the Municipal Court Trust Account (Fund 634) as follows:~~

~~A.—— Purpose. The purpose of this fund is to account for monies received by the Municipal Court as bond deposits, cash deposits, or other payments which may, depending upon the circumstances be returned to the person making the deposit or payment to the City, or which may, otherwise, be applied to fines, penalties, costs, or expenses involved in cases filed with the Municipal Court.~~

~~B.—— Revenues. This fund is funded by deposits made through the municipal court.~~

Section 2: Section 3.9.290 Lakewood Municipal Code, entitled “Section 125,” is repealed,

~~There is hereby established a fund known as the Section 125 (Fund 635) as follows:~~

~~A.—— Purpose. The purpose of this fund is to account for monies received from the deductions from the salaries of participating employees, and from which fund reimbursements shall be paid for the applicable medical and childcare expenses of said employees, in conformity with the provisions of Section 125 of the IRS Code.~~

~~B.—— Revenue. This fund is funded by payroll deductions of participating employees.~~

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

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

ADOPTED by the City Council this 19th day of October, 2015.

CITY OF LAKEWOOD

Don Anderson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi A. Wachter City Attorney

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

(Legal Notice)

October 19, 2015

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

The following is a summary of an Ordinance passed by the City of Lakewood City Council on the 19th day of October, 2015.

ORDINANCE NO. 622

AN ORDINANCE of the City Council of the City of Lakewood, Washington, repealing Sections 3.9.280 and 3.9.290 of the Lakewood Municipal Code; relative to certain fund accounts.

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

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

Alice M. Bush, City Clerk

Published in the Tacoma News Tribune: _____

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: October 19, 2015	TITLE: Setting November 2, 2015 as the date for a Public Hearing on the Transportation Benefit District Assumption.	TYPE OF ACTION: ___ ORDINANCE NO. <u> X </u> RESOLUTION NO. 2015-29 ___ MOTION NO. ___ OTHER
REVIEW: October 12, 2015	ATTACHMENTS:	

SUBMITTED BY: Heidi Ann Wachter, City Attorney

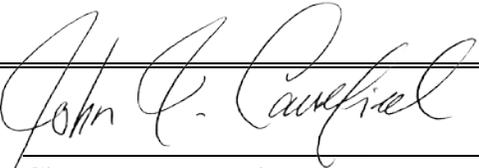
RECOMMENDATION: It is recommended that the City Council set November 2, 2015 as the date for a Public Hearing regarding the Transportation Benefit District (TBD) Assumption.

DISCUSSION: Assumption of the TBD by the City will retain the governing body and eliminate duplicated and repetitive tasks performed by both City employees and elected officials. The TBD would no longer have to hold separate meetings.

On August 6, 2012, the Lakewood City Council adopted Ordinance No. 550 to establish a TBD in order to fund selected transportation projects. This is codified in the Lakewood Municipal Code as Chapter 12A.16. The boundaries of the City of Lakewood TBD are coextensive with the City limits. In its current state, the City of Lakewood TBD is a quasi-municipal corporation and independent taxing district created for the sole purpose of acquiring, constructing, improving, providing and funding transportation improvements within the district. (Continued on page 2)

ALTERNATIVE(S): The City Council could choose not to assume the City of Lakewood TBD.

FISCAL IMPACT: The TBD would no longer have to pay \$2,500 to WCIA for risk management.

_____ Prepared by _____ Department Director	 _____ City Manager Review
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DISCUSSION: (Continued from page 1)

In the 2015 legislative session, as part of a larger transportation package, the state legislature amended the authorizing law regarding TBDs to allow cities to assume TBDs when the boundaries are coextensive. The City assumes all rights, powers and functions of the TBD and the TBD ceases to exist as a separate entity.

Process

1. Adopt a resolution indicating the City's intent to conduct a hearing concerning the assumption of the rights, powers, functions and obligations of the City of Lakewood TBD. The resolution must "set a time and place at which the city ...legislative authority will consider the proposed assumption of the rights, powers, functions, and obligations of the transportation benefit district, and must state that all persons interested may appear and be heard."
2. Publish the resolution at least two times during the two weeks preceding the scheduled hearing in newspapers of daily general circulation printed or published in the city or county in which the transportation benefit district is to be located.
3. During the hearing the City Council must "consider the assumption of the rights, powers, functions, and obligations of the transportation benefit district and hear those appearing and all protests and objections to it."
4. After receiving testimony, if the City Council "determines that the public interest or welfare would be satisfied by the city or county assuming the rights, powers, immunities, functions and obligations of the transportation benefit district" then the City may proceed with the assumption.

RESOLUTION NO. 2015-29

A RESOLUTION of the City of Lakewood, Washington, indicating the City's intent to conduct a Public Hearing concerning the assumption of the rights, powers, functions, and obligations of the City of Lakewood's Transportation Benefit District.

WHEREAS, in August 2012, the City Council adopted Ordinance No. 550 creating the City of Lakewood Transportation Benefit District ("TBD") with boundaries coterminous with the boundaries of the City, all in accordance with chapter 36.73 RCW; and

WHEREAS, on July 1, 2015, the Washington State Legislature enacted Second Engrossed Substitute Bill 5987 (SESSB 5987) which, at Section 301 authorizes the City to assume the rights, powers, functions, and obligations of the TBD; and

WHEREAS, prior to assuming the rights, powers, functions, and obligations of the TBD, the City must indicate its intent to conduct a hearing concerning the assumption by adoption of an ordinance or resolution; and

WHEREAS, the ordinance or resolution must set the time and place for the hearing and state that all persons interested in the assumption may appear and be heard; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, as Follows:

Section 1. Intent to Conduct Public Hearing. The City Council hereby declares its intent to conduct a public hearing to consider the proposed assumption of the rights, powers, functions, and obligations of the existing City of Lakewood Transportation Benefit District.

Section 2. Date, Time, and Place of Public Hearing. The public hearing on the proposed assumption shall be held on Monday, November 2, 2015 at approximately 7:00 pm in the Council Chambers located at Lakewood City Hall, 6000 Main Street SW, Lakewood, WA 98498.

Section 3. Public Testimony. All persons interested in the proposed assumption may appear at the hearing and will have the opportunity to be heard.

Effective Date. This resolution shall take effect immediately upon its adoption.

PASSED by the City Council this 19th day of October, 2015.

CITY OF LAKEWOOD

Don Anderson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi Wachter, City Attorney

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: October 19, 2015	TITLE: Adoption of a Community Vision Statement for the City of Lakewood	TYPE OF ACTION: ___ ORDINANCE NO. <u>XX</u> RESOLUTION NO. 2015-30 ___ MOTION NO. ___ OTHER
REVIEW: October 3, 2015	ATTACHMENTS: Draft Resolution	

SUBMITTED BY: Dave Bugher, Assistant City Manager for Development

RECOMMENDATION: It is recommended that the City Council approve the draft resolution adopting a Community Vision Statement for the City.

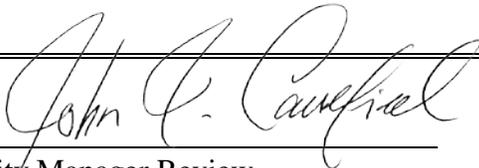
DISCUSSION: Throughout 2014, the City, through its consultant Tindale-Oliver Associates, conducted a Community Visioning effort including significant public outreach in the form of an on-line community survey, meetings with community groups and an open community interactive workshop. The City’s consultant subsequently produced a Community Vision Plan based on input compiled during the outreach effort.

At special meetings on September 12 and October 3, 2015, the City Council developed a Vision Statement reflecting values identified by the community in the Vision Plan, and expressing an aspirational guiding image of the City at its 30-year anniversary.

Following approval of the Vision Statement, next steps include development of a work-plan to initiate actions and activities intended to support the identified community values and realize the goals identified in the Vision Statement.

ALTERNATIVE(S): The City Council could choose not to adopt, or to amend, the proposed Vision Statement.

FISCAL IMPACT: Adoption of the proposed Vision Statement will not have any direct fiscal impact on the City. Establishment of an appropriate Vision Statement is expected to help the City make decisions regarding policy directions in the future.

Prepared by Dan Catron AICP Department Director	 _____ City Manager Review
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RESOLUTION NO. 2015-30

A RESOLUTION of the City Council of the City of Lakewood, Washington, adopting a Community Vision Statement for the City

WHEREAS, the City of Lakewood incorporated on February 28, 1996; and

WHEREAS, as a newly created city, Lakewood began the process of defining itself, articulating a vision of its future and shaping its physical form. To this end, community-wide visioning sessions were held early in the development of the City's first comprehensive plan; and

WHEREAS, the principal role of these visioning sessions in the original comprehensive planning process was to provide City officials and staff with a sense of Lakewood's current state and preferred policy direction(s) from the public's perspective. The original visioning exercise also identified specific actions the City should take in response to some of the issues facing Lakewood just after incorporation; and,

WHEREAS, on July 10, 2000, the City adopted the City of Lakewood Comprehensive Plan pursuant to the Growth Management Act (GMA); and on August 20, 2001, the City adopted a Land Use and Development Code (Chapter 18A of the Lakewood Municipal Code) implementing the comprehensive plan; and

WHEREAS, the City has now accomplished many of the goals identified in the original 2000 Comprehensive Plan and the 2004 update; and

WHEREAS, the City has not formally re-examined the policy preferences of Lakewood residents since 2000; and,

WHEREAS, the Lakewood City Council desires to keep its policy direction up-to-date with regard to community attitudes concerning current issues affecting the City; and

WHEREAS, in 2014 the City retained the consulting firms of Tindale-Oliver Associates and Fregonese Associates to lead a community visioning effort. The project included preparation of a Community Profile which gathered and expressed basic demographic and land use information about the city; and an outreach program including a web-based community survey, interviews with individual citizens, and meetings with community groups. The outreach effort also included a plenary Community Vision Workshop where over 70 participants were asked for input concerning future scenarios for growth and development within the city; and

WHEREAS the consultants then prepared a *Community Vision Plan* reviewing the results of the outreach effort, identifying key themes from the on-line survey, and distilling five community values reflecting collective preferences for Lakewood's future; and

WHEREAS the Lakewood City Council used the Community Vision Plan and identified community values to craft a vision statement intended to articulate aspirational qualities about the City at its City's 30 year anniversary.

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

Section 1. The following is adopted as the vision statement for the City of Lakewood:

LAKESWOOD VISION STATEMENT

Our **VISION** for Lakewood is a thriving, urban, South Puget Sound City, possessing the core values of family, community, education, and economic prosperity. We will advance these values by recognizing our past, taking action in the present, and pursuing a dynamic future.

The City Council's **VISION** for Lakewood at its **30** Year Anniversary is a community:

- Inspired by its own sense of history and progress;
- Known for its safe and attractive neighborhoods, vibrant downtown, active arts and cultural communities;
- Sustained by robust economic growth and job creation;
- Recognized for the excellence of its public and private schools, and its community and technical colleges;
- Characterized by the beauty of its lakes, parks and natural environment;
- Acknowledged for excellence in the delivery of municipal services;
- Leveraging and embracing of our diversity; and,
- Supportive of Joint Base Lewis McChord (JBLM), Camp Murray, service members and their families.

Section 2. This Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the Lakewood City Council this 19th day of October, 2015.

CITY OF LAKEWOOD

Don Anderson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi Wachter, City Attorney

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED October 19, 2015	TITLE: Approving the City's Revised 2015-2017 Legislative Agenda, Legislative Policy Manual, and Federal Priorities	TYPE OF ACTION: <input type="checkbox"/> ORDINANCE NO. <input type="checkbox"/> RESOLUTION <input type="checkbox"/> MOTION NO. 2015- 63 <input type="checkbox"/> OTHER
REVIEW:	ATTACHMENTS: Revised 2015-2017 Legislative Agenda, Legislative Policy Manual, and Federal Priorities	

SUBMITTED BY:

RECOMMENDATION: It is recommended that the City Council approve the Revised 2015-2017 Legislative Agenda, Legislative Policy Manual, and Federal Priorities.

DISCUSSION: The Revised 2015-2017 Legislative Agenda, Legislative Policy Manual and Federal Priorities have been updated. The Legislative Agenda was accomplished in the 2015 session and now includes an updated list of agenda items. The Legislative Policy Manual has been updated and includes new items that reflect accomplishments from the previous session. The City of Lakewood's approach in working with our state legislators is to place the city in a position to pursue key policy and legislative issues that are important to our community. It is important that the city continues its partnership with our State and Federal delegation to discuss and develop a legislative agenda that represents the interest of our community and advances our community's legislative priorities. (Continued on the following page.)

ALTERNATIVE(S): City Council can modify the legislative agenda and/or the legislative policy manual.

FISCAL IMPACT: Not applicable.

_____ Prepared by	 _____ City Manager Review
_____ Department Director	

The Legislative Agenda identifies specific items from within the parameters of the Policy Manual for particular focus and emphasis in the coming year. The Legislative Policy Manual serves as a framework for the City in developing a legislative agenda and expresses the City's position on key items that are expected to arise in the form of legislation, budget decisions, or policy decisions in the upcoming Legislative Session. The legislative process is fast-paced and typically involves many issues going through the process at once.

The Federal Priorities document highlights policy areas that require a concerted effort to influence change through our state delegation in Congress and other Federal Government leaders. These items are selected based not only on the City's needs but also our assessment of potential opportunity. This document has been updated to reflect a reorganization of priorities and has placed an emphasis on Federal transportation and economic development priorities at the top of the list. This document has also displays a greater level of detailed information about the Clear Zone and the properties contained within.

Formal adoption of a framework and legislative agenda, a comprehensive legislative policy manual, and Federal Priorities will position the City of Lakewood to be most effective in this process.



2015-2017 Biennial Legislative Agenda (Revised)

The City of Lakewood adopts a biennial legislative agenda. Thanks to the efforts of the City's legislative delegation, the City accomplished a great deal during the 2015 legislative session, including securing funding for the I-5 JBLM corridor, Point Defiance Bypass rail safety, Springbrook Park, and the Western State Hospital Community Policing Program. At the same time, there is more to do to keep Lakewood moving into the future. The City has amended the biennial legislative agenda for the 2016 session to include the following:

Fort Steilacoom Park: Transfer Ownership

Fort Steilacoom Park is currently owned by the state (DSHS), and leased to the City of Lakewood. As the lessee, the City has been the primary caretaker of the park, performing daily maintenance and making significant investments and improvements to the site. The City supports transfer of ownership from the State to the City, which requires legislative authorization. The City of Chehalis accomplished ownership transfer for Stan Hedwall Park in the 2013-15 state biennial budget. Coordination with Pierce College, property adjacent to the park and also a state lessee, will be necessary to adjust boundary lines and discuss future impacts to operations.

Capital Funding Request: Fort Steilacoom Park improvements

Fort Steilacoom Park accommodates over 1 million visitors each year. The combination of aging infrastructure and high volumes of use require that the City invest in improving the utilities and roads at this site. Lakewood requests \$1.5 million to extend water, sewer and electric utilities to building structures in the park and to improve the main road into the park and parking areas near the historic barn buildings.

Support for WSDOT Funding Request: Relocation of WSDOT Maintenance Facility in Lakewood

Lakewood supports funding of \$16 million to relocate the WSDOT Maintenance Facility currently located in Lakewood on Pacific Highway South. The relocation of this facility is critical in supporting the economic development goals of the City. Lakewood has identified a comparable location within the City that would allow for easy access to I-5. The relocation of this facility is a win-win for both the City and for Washington State.

I-5 JBLM Corridor

The I-5 JBLM corridor is fully funded in the transportation revenue package adopted by the Legislature. The City will work with WSDOT to ensure timely progress of the project. The City will continue to advocate for any appropriations or policy changes needed to advance the project in the best interests of our community and region.

Support Military Affairs Funding

The City is a strong partner with Joint Base Lewis McChord (JBLM) and a founding member of the South Sound Military Communities Partnership (SSMCP). The City supports the ongoing efforts of the SSMCP and supports policy decisions that assist JBLM. The City also believes in a strong commitment from the State in support of military affairs, such as: maintaining the Governor's Subcabinet on Military Downsizing; strengthening financial, legislative and political support for military presence in Washington State in anticipation of future force restructuring or defense contract reductions due to sequestration, Department of Defense budget reductions, and/or base realignment and closure (BRAC) rounds; continuing to support the Washington Military Alliance (WMA); and providing financial assistance for local military advocacy agencies such as Forward Fairchild, the Puget Sound Naval Bases Association, and SSMCP. \$1 million would provide a strong investment in support of these military affairs.



Contact Information:

John J. Caulfield, City Manager
6000 Main Street SW
Lakewood, WA 98499
253-983-7703

jcaulfield@cityoflakewood.us

Briahna Murray, Vice President
Gordon Thomas Honeywell
Governmental Affairs
253-310-5477

bmurray@gth-gov.com



2015-2017 Biennial Legislative Agenda (Revised)

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Transportation Funding: I-5 JBLM Corridor Improvements

Lakewood requests that the state adopt a transportation revenue package that includes full funding for improvements to the Joint Base Lewis McChord I-5 Corridor (I-5/Mounts Rd Interchange on the south to the I-5/Bridgeport Interchange on the north) to relieve congestion and allow for the future economic development of the City of Lakewood and the surrounding communities. The City also requests that a transportation revenue package include a direct distribution of funding to cities for local street maintenance and operations.

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restructuring or defense contract reductions due to sequestration, Department of Defense budget reductions, and/or base realignment and closure (BRAC) rounds; continuing to support the Washington Military Alliance (WMA); and providing financial assistance for local military advocacy agencies such as Forward Fairchild, the Puget Sound Naval Bases Association, and SSMCP. \$1 million would provide a strong investment in support of these military affairs.

Capital Funding Request: Springbrook Park Phase III, Neighborhood Connection

Springbrook is one of the most economically disadvantaged areas in Lakewood. It is located in the southeast corner of Lakewood just outside the Joint Base Lewis McChord Field gate and is isolated from the remainder of Lakewood by I-5 and Clover Creek. Aside from this project, there are no open spaces, or community centers in this area. Lakewood requests \$300,000 for Springbrook Park Phase III. This phase will include a small open space coupled with a 175-foot pedestrian bridge over Clover Creek near Springbrook Park to allow this geographically isolated area to easily access Springbrook Park.

Point Defiance Bypass Rail Safety

The Point Defiance Bypass Project will re-route passenger trains through south Tacoma, Lakewood, and DuPont at the cost of \$89 million. Once completed, the project will bring a total of seven daily round trip passenger trains through Lakewood intersections, with an average crossing time of 7 seconds per intersection, 45 seconds total with guard rails, and a maximum speed of 79 mph. This routing bifurcates the community and negatively affects residents and businesses by generating additional traffic congestion, increasing noise and vibrations, and impacting economic development. Lakewood requests \$4.6 million be appropriated to WSDOT-Rail to fund rail safety improvements in Lakewood.

Maintain Funding for the Western State Hospital Community Policing Program

The 2013-15 State Operating Budget contains \$462,000 for a highly effective neighborhood policing team to respond to hundreds of calls for police service at Western State Hospital. The City of Lakewood requests that this funding remain included in the budget, and that it be re-appropriated in the 2015-17 Operating Budget. The City also requests that the funding amount appropriated to the community policing program be re-assessed if Western State Hospital expands.



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btaylor@gth-gov.com



CITY OF LAKEWOOD

LEGISLATIVE POLICY MANUAL

REVISED BY CITY COUNCIL ON OCTOBER 19, 2015

COMMUNITY, ECONOMIC DEVELOPMENT, TRANSPORTATION, AND INFRASTRUCTURE

I-5 JBLM Corridor

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South Sound Military & Communities Partnership and Joint Base Lewis McChord

The City is a strong partner with Joint Base Lewis McChord (JBLM) and a founding member of the South Sound Military Communities Partnership (SSMCP). JBLM is an employment hub for the City of Lakewood, and Lakewood has the 3rd largest city population of active duty service members in the greater Pierce and Thurston Counties region.

The SSMCP's mission is to foster communication, understanding and mutual benefit by serving as the most effective point of coordination for resolution of those issues which transcend the specific interests of the military and civilian communities of the South Sound region. Its membership includes Pierce and Thurston County local governments, JBLM and the WA Military Department, and economic development, social services, health care, educational, transportation, and military support organizations. Current SSMCP priorities include expanding missions at JBLM and thus spurring local economic development off base; workforce transition; active duty, military family and veteran awareness of health care and social service availability; and increasing state level support of military presence in Washington.

The City of Lakewood supports the ongoing efforts of the SSMCP and supports policy decisions that assist JBLM. The City also believes in a strong commitment from the State in support of military affairs, such as maintaining the Governor's Subcabinet on Military Downsizing; strengthening financial, legislative and political support for military presence in Washington in anticipation of future force restructuring or defense contract reductions due to sequestration, Department of Defense budget reductions, and/or base realignment and closure (BRAC) rounds; continuing to support the Washington Military Alliance (WMA), and providing financial assistance for local military advocacy agencies such as Forward Fairchild, the Puget Sound Naval Bases Association, and SSMCP.

Economic Development Tools

The City supports programs that may be developed to assist local governments in improvement of neighborhood residential and commercial area rehabilitation, through tax incentives, grants, loans and other programs. The City also supports legislation that provides economic development tools that the City may use if it so chooses. This legislation includes, but is not limited to: the multi-family housing tax incentive, tax increment financing, lodging tax, the Main



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Street Act (a series of small tax incentives for neighborhood business districts), complete streets grant program, community facility financing, shared state revenue for construction of convention and special event centers, additional shared state revenue for urban renewal and other public facility improvements, and innovative approaches to property tax assessment that reduces the current incentive to allow property to remain blighted.

Annexation

The City believes that annexation laws should encourage the logical development and expansion of the City to provide for a healthy and growing local economy and efficient services. The law should also facilitate and ease the annexation of unincorporated islands adjacent to City limits. The City supports legislation that will further modify state annexation laws to reduce the administrative process of annexation and further encourage and incentivize annexation of existing unincorporated islands.

Boundary Review Board

Boundary Review Boards are a quasi-judicial administrative body empowered to make decisions on such issues as incorporations, annexations, extensions of utilities, etc. by cities, towns, and special purpose districts. These Boards can approve, deny, or modify a proposal. Decisions are appealable to the Pierce County Superior Court. Because most issues are appealed to the Superior Court the City of Lakewood believes the Boundary Review Boards are duplicative and supports legislation that results in their elimination.

Local Authority for Land Use and Planning

Local governments must maintain final decision making authority on local zoning, land use, and planning, including local zoning and regulation of house-banked card rooms and other businesses. Specifically, the City opposes any effort by either the State Legislature or Congress to preempt local land use or taxation authority.

Infrastructure Funding

Local agencies, including the City of Lakewood, lack resources for infrastructure funding. As a result, city roads remain in disrepair; general fund dollars are taken from other important services to repair roads; or a combination thereof. Given that the Public Works Assistance Account has been discontinued, the city supports the state developing new infrastructure funding programs that are viable in the current political climate.

Parks, Recreation & Urban Forestry

The City of Lakewood is in need of state assistance to improve, maintain and expand its local park system and the open space areas of the City. The City supports ongoing funding for the Washington Wildlife and Recreation Program (WWRP) and the Youth Athletic Fund (YAF).



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Limiting Additional Freight on Point Defiance Bypass (Lakeview Rail Line)

With the development of the Point Defiance Bypass project in support of AMTRAK passenger rail coupled with increasing demands on freight rail, there is concern that the Point Defiance Bypass project could eventually lead to carrying increased freight traffic in addition to new passenger rail. The City opposes increased freight traffic along this corridor that is above and beyond the activity already in place and does not have a destination point within Lakewood.

FINANCE

State-Shared Revenues

The City supports restoration and continued appropriation of committed state shared funds, such as Liquor Excise Taxes and Profits, Streamlined Sales Tax Mitigation, City-County Assistance Account, Municipal Criminal Justice Account, Annexation Sales Tax Credit, and public health funding. Support legislation that provides cities with tax revenue from the sale of marijuana.

Fiscal Home Rule (alternative to State-Shared Revenues)

The city recognizes that it is increasingly difficult for the state to continue its historic role of providing state-shared revenues to the local level. The city will evaluate fiscal home rule proposals as they are introduced.

General Fund Revenue

The City supports legislation that will increase, expand, or favorably restructure its revenue-raising ability. In consideration of the continued growth in demand for services that exceed revenue growth and inflation, the City supports the following revenue options:

- Give local governments increased local option flexibility in all areas of taxing authority.
- Eliminate remaining non-supplanting language and restrictions on use of certain revenues in local option tax authority. This language excessively limits City Council discretion regarding funding priorities.

City Financial Liability for Offender Medical Costs

The City supports legislative proposals that reduce the cities' financial liability for offender medical costs. Cities and counties are financially responsible for medical costs associated with an offender's injuries incurred during the commission of a crime, even if that individual has insurance. This is inequitable and is challenging for local agencies to budget. The city supports proposals that change this current practice.

Unfunded Mandates & Other State & Federal Budget Impacts

Mandates from the Federal and State governments are rarely accompanied with adequate new revenues or taxing authority, but instead force the City to reduce funding levels for other



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services. The City opposes efforts by the State Legislature to balance budgets by shifting responsibilities to cities.

PUBLIC SAFETY

Authority to Appoint Municipal Court Judges

The City supports cities' ability to appoint a municipal court judge and to maintain courts and supports further technical and financial assistance for the administration of municipal courts.

Traffic Enforcement Cameras

The Legislature has authorized local government to use traffic enforcement cameras in limited situations, including red light enforcement at certain intersections and speed control in school zones. Traffic enforcement cameras have proven to be a success in reducing instances of speeding and violation of traffic signals. The City supports the use of traffic enforcement cameras. The City also supports legislation allowing images from traffic enforcement cameras to be used by law enforcement in criminal cases if there is probable cause.

Police Body Cameras

Advancements in technology now enable law enforcement agencies to equip their police officers with body-worn cameras. However, current state laws around public disclosure impede the use of this technology. The city supports legislation that removes barriers to the use of police body cameras.

Permanent Funding for the Western State Hospital Community Policing Program

Since 2007 the City has operated a highly effective neighborhood policing team to respond to hundreds of calls for police service at Western State Hospital. The City of Lakewood requests permanent funding for this program at a level that covers the full cost of the program. The City also requests that the funding amount appropriated to the community policing program be re-assessed if Western State Hospital expands.

Jail and Court Costs

The City supports legislative proposals that reduce jail and court costs, and maintain the City's flexibility in providing jail and court services. The City supports additional funding for local grants through the Office of Public Defense, and clarifying local authority to set standards for public defenders. The City also supports maintaining the flexibility to select the most appropriate manner in which to provide jail services.

Release of Offenders to County of Origin

The City supported legislation that expanded Department of Correction's "county of origin" policy that sends offenders back to their county of origin upon release, to also include offenders released from the Special Commitment Center operated by the Department of Social



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and Health Services. The City will continue to monitor the effectiveness of the expansion of this policy.

GENERAL GOVERNMENT

McCleary Decision

The City encourages the state to satisfy the McCleary Supreme Court decision, and develop a plan on how to fully fund education by 2018. In doing so, the City requests that the Legislature recognize quality schools also need to be located in quality communities. As such, fully funding education should not be done at the expense of funding allocated to local governments.

Public Records & Open Meetings

The City respects the right of the public to have access to legitimate public records and documents. The City believes its ability to recover the costs of searching for, gathering and reviewing requested documents is also in the public's interest. The City supports reasonable reforms to the public records act. The City opposes requiring the recording of executive sessions or other restrictions on legitimate uses of executive sessions.

Regulating Enhanced Service Facilities

In 2013, legislation passed allowing adult family homes to transition to enhanced service facilities (ESFs). Because of the City's proximity to Western State Hospital, it has a significant number of adult family homes that under this new law could be transitioned into ESFs. For example, the neighborhood of Oakbrook, directly north of Western State Hospital, has 26 adult family homes. ESFs are intended to serve those that have greater needs than those in an adult family home. The City is concerned that ESFs should not be located in residential areas in the same manner as adult family homes. This last interim, DSHS completed rulemaking on the regulations that Enhanced Service Facilities must follow. The City supports legislative changes that impose greater regulation on ESFs than is included in the adopted rules.



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COMMUNITY, ECONOMIC DEVELOPMENT, TRANSPORTATION, AND INFRASTRUCTURE

I-5 JBLM Corridor

The I-5 JBLM corridor is fully funded in the transportation revenue package adopted by the Legislature. The City will work with WSDOT to ensure timely progress of the project. The City will continue to advocate for any appropriations or policy changes needed to advance the project in the best interests of our community and region.

~~I-5 JBLM Corridor~~

~~The City supports full funding of improvements to the I-5 Joint Base Lewis McChord Corridor to relieve congestion and allow for future economic development of Lakewood and the surrounding region.~~

South Sound Military & Communities Partnership and Joint Base Lewis McChord

The City is a strong partner with Joint Base Lewis McChord (JBLM) and a founding member of the South Sound Military Communities Partnership (SSMCP). JBLM is an employment hub for the City of Lakewood, and Lakewood has the 3rd largest city population of active duty service members in the greater Pierce and Thurston Counties region.

The SSMCP's mission is to foster communication, understanding and mutual benefit by serving as the most effective point of coordination for resolution of those issues which transcend the specific interests of the military and civilian communities of the South Sound region. Its membership includes Pierce and Thurston County local governments, JBLM and the WA Military Department, and economic development, social services, health care, educational, transportation, and military support organizations. Current SSMCP priorities include expanding missions at JBLM and thus spurring local economic development off base; workforce transition; active duty, military family and veteran awareness of health care and social service availability; and increasing state level support of military presence in Washington.

The City of Lakewood supports the ongoing efforts of the SSMCP and supports policy decisions that assist JBLM. The City also believes in a strong commitment from the State in support of military affairs, such as maintaining the Governor's Subcabinet on Military Downsizing; strengthening financial, legislative and political support for military presence in Washington in anticipation of future force restructuring or defense contract reductions due to sequestration, Department of Defense budget reductions, and/or base realignment and closure (BRAC) rounds; continuing to support the Washington Military Alliance (WMA), and providing financial assistance for local military advocacy agencies such as Forward Fairchild, the Puget Sound Naval Bases Association, and SSMCP.

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~~Lakewood. The SSMCP is a primary point of coordination for military-related issues that affects the region as a whole to include workforce development to provide opportunities for those military personnel leaving the service each year, transportation and infrastructure, education, and healthcare and wellness. The City of Lakewood supports the ongoing efforts of the SSMCP and supports policy decisions that assist JBLM. The City also believes in a strong commitment from the State in support of military affairs, such as the Washington Military Alliance (WMA), to include financial assistance in support of local advocacy agencies such as SSMCP.~~

Economic Development Tools

The City supports programs that may be developed to assist local governments in improvement of neighborhood residential and commercial area rehabilitation, through tax incentives, grants, loans and other programs. The City also supports legislation that provides economic development tools that the City may use if it so chooses. This legislation includes, but is not limited to: the multi-family housing tax incentive, tax increment financing, lodging tax, the Main Street Act (a series of small tax incentives for neighborhood business districts), complete streets grant program, community facility financing, shared state revenue for construction of convention and special event centers, additional shared state revenue for urban renewal and other public facility improvements, and innovative approaches to property tax assessment that reduces the current incentive to allow property to remain blighted.

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Boundary Review Board

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Public Works Assistance Account

~~The City supports reforming the Public Works Assistance Account by restoring its revenue sources, streamlining its processes, and allowing the Public Works Board to expand uses for its loan program and make other modernizations.~~

Infrastructure Funding

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~~If the WWRP program is fully funded with \$95 million in the 2015-17 Capital Budget, the City will receive \$193,950 in funding for Phase II of Springbrook Park (Acquisition and Development), and \$250,000 in funding for Waughop Lake Trail at Fort Steilacoom Park.~~

~~If the YAF fund is fully funded to \$12 million, the City will have the chance to compete for these funds (e.g., lighting or turf upgrades at Fort Steilacoom Park) in a competitive grant process. Maximum grant award is \$250,000.~~

Fort Steilacoom Park: Transfer of Ownership

~~Fort Steilacoom Park is currently owned by the state (DSHS), and leased to the City of Lakewood. The current lease will be up for renewal in approximately 11 years. In the meantime, an extension has been requested for grant application purposes. The City would like to transfer ownership from the State to the City, which would require legislative authorization. The City of Chehalis accomplished a similar ownership transfer for Stan Hedwall Park in the 2013-15 state budget. The City is currently exploring with DSHS and the Department of Enterprise Services whether a similar ownership transfer is possible for Fort Steilacoom Park. We have also reached out to Pierce College since their campus grounds are also leased from the State. As these conversations progress, the City is supportive of any needed legislative authorization.~~

Local Transportation Funding

~~The City supports a local funding component in future state transportation packages, and requests that cities be provided with a dedicated transportation revenue stream. Both the state~~



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~~and the county have dedicated transportation revenue streams; the gas tax and the county road levy, respectively. Cities lack a dedicated transportation revenue stream to maintain and operate local streets. As a result, city roads remain in disrepair; general fund dollars are taken from other important services to repair roads; or a combination thereof. A dedicated transportation fund source would improve roads and help make cities more financially sustainable.~~

~~SR 167/SR 509 Puget Sound Gateway Project~~

~~The City of Lakewood supports completing State Route 167 by adding the remaining six miles between Puyallup (SR 161) and Tacoma (SR 509) originally envisioned in the highway's design 30 years ago.~~

~~Capital Funding Request: Towne Green~~

~~During the 2014 legislative session, the City requested \$500,000 for the Lakewood Towne Green, which was proposed to be included as part of a development project at the Towne Center. The 2014 House Proposed Capital Budget proposal included \$250,000 for the Towne Green, but a final capital budget was not adopted. It's now uncertain whether the project is ripe for receiving funding because progress with the developer is moving slower than anticipated. The City expects to pursue this funding request once an agreement is reached with our developer partner.~~

Limiting Additional Freight on Point Defiance Bypass (Lakeview Rail Line)

With the development of the Point Defiance Bypass project in support of [Amtrak-AMTRAK](#) passenger rail coupled with increasing demands on freight rail, there is concern that the Point Defiance Bypass project could eventually lead to carrying increased freight traffic in addition to new passenger rail. The City opposes increased freight traffic along this corridor that is above and beyond the activity already in place and does not have a destination point within Lakewood.

FINANCE

State-Shared Revenues

The City supports restoration and continued appropriation of committed state shared funds, such as Liquor Excise Taxes and Profits, Streamlined Sales Tax Mitigation, City-County Assistance Account, Municipal Criminal Justice Account, Annexation Sales Tax Credit, and public health funding. Support legislation that provides cities with tax revenue from the sale of marijuana.

Fiscal Home Rule (alternative to State-Shared Revenues)



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The city recognizes that it is increasingly difficult for the state to continue its historic role of providing state-shared revenues to the local level. The city will evaluate fiscal home rule proposals as they are introduced.

General Fund Revenue

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[City Financial Liability for Offender Medical Costs](#)

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Unfunded Mandates & Other State & Federal Budget Impacts

Mandates from the Federal and State governments are rarely accompanied with adequate new revenues or taxing authority, but instead force the City to reduce funding levels for other services. The City opposes efforts by ~~Congress and~~ the State Legislature to balance budgets by shifting responsibilities to cities.

PUBLIC SAFETY

Authority to Appoint Municipal Court Judges

The City supports cities' ability to appoint a municipal court judge and to maintain courts and supports further technical and financial assistance for the administration of municipal courts.

Traffic Enforcement Cameras

The Legislature has authorized local government to use traffic enforcement cameras in limited situations, including red light enforcement at certain intersections and speed control in school zones. Traffic enforcement cameras have proven to be a success in reducing instances of speeding and violation of traffic signals. The City supports the use of traffic enforcement cameras. The City also supports legislation allowing images from traffic enforcement cameras to be used by law enforcement in criminal cases if there is probable cause.

[Police Body Cameras](#)



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Advancements in technology now enable law enforcement agencies to equip their police officers with body-worn cameras. However, current state laws around public disclosure impede the use of this technology. The city supports legislation that removes barriers to the use of police body cameras.

Permanent Funding for the Western State Hospital Community Policing Program

Since 2007 the City has operated a highly effective neighborhood policing team to respond to hundreds of calls for police service at Western State Hospital. The City of Lakewood requests permanent funding for this program at a level that covers the full cost of the program. The City also requests that the funding amount appropriated to the community policing program be re-assessed if Western State Hospital expands.

Jail and Court Costs

The City supports legislative proposals that reduce jail and court costs, and maintain the City's flexibility in providing jail and court services. The City supports additional funding for local grants through the Office of Public Defense, and clarifying local authority to set standards for public defenders. The City also supports maintaining the flexibility to select the most appropriate manner in which to provide jail services.

Expansion of "Fair Share" to Special Commitment Center Offenders

The City supports legislation expanding the current "fair share" law, which requires Department of Corrections to send prisoners/offenders back to their county of origin when they are released from the Special Commitment Center run by the Department of Social and Health Services. Currently, a disproportionate number of those being released from the Special Commitment Center are residing in Pierce County. Since the beginning of 2012, 41 detainees have been released, and 15 of them are in Pierce County.

Release of Offenders to County of Origin

The City supported legislation that expanded Department of Correction's "county of origin" policy that sends offenders back to their county of origin upon release, to also include offenders released from the Special Commitment Center operating by the Department of Social and Human Services. The City will continue to monitor the effectiveness of the expansion of this policy.

GENERAL GOVERNMENT

McCleary Decision

The City encourages the state to satisfy the McCleary Supreme Court decision, and develop a plan on how to fully fund education by 2018. In doing so, the City requests that the Legislature recognize quality schools also need to be located in quality communities. As such, fully funding education should not be done at the expense of funding allocated to local governments.



CITY OF LAKEWOOD

LEGISLATIVE POLICY MANUAL

ADOPTED BY CITY COUNCIL ON NOVEMBER 3, 2014

Public Records & Open Meetings

The City respects the right of the public to have access to legitimate public records and documents. The City believes its ability to recover the costs of searching for, gathering and reviewing requested documents is also in the public's interest. The City supports reasonable reforms to the public records act. The City opposes requiring the recording of executive sessions or other restrictions on legitimate uses of executive sessions.

Regulating Enhanced Service Facilities

In 2013, legislation passed allowing adult family homes to transition to enhanced service facilities (ESFs). Because of the City's proximity to Western State Hospital, it has a significant number of adult family homes that under this new law could be transitioned into ESFs. For example, the neighborhood of Oakbrook, directly north of Western State Hospital, has 26 adult family homes. ESFs are intended to serve those that have greater needs than those in an adult family home. The City is concerned that ESFs should not be located in residential areas in the same manner as adult family homes. This last interim, DSHS completed rulemaking on the regulations that Enhanced Service Facilities must follow. The City supports legislative changes that impose greater regulation on ESFs than is included in the adopted rules.

City of Lakewood

Federal Priorities



Elected Officials

Don Anderson
Mayor

Jason Whalen
Deputy Mayor

Mary Moss
Councilmember

Michael Brandstetter
Councilmember

Marie Barth
Councilmember

Paul Bocchi
Councilmember

John Simpson
Councilmember

CONTACT INFORMATION

John J. Caulfield
City Manager



6000 Main Street SW
Lakewood WA 98499
jcaulfield@cityoflakewood.us
(253) 983-7703

www.CityofLakewood.us

Jake Johnston

JOHNSTON
GROUP

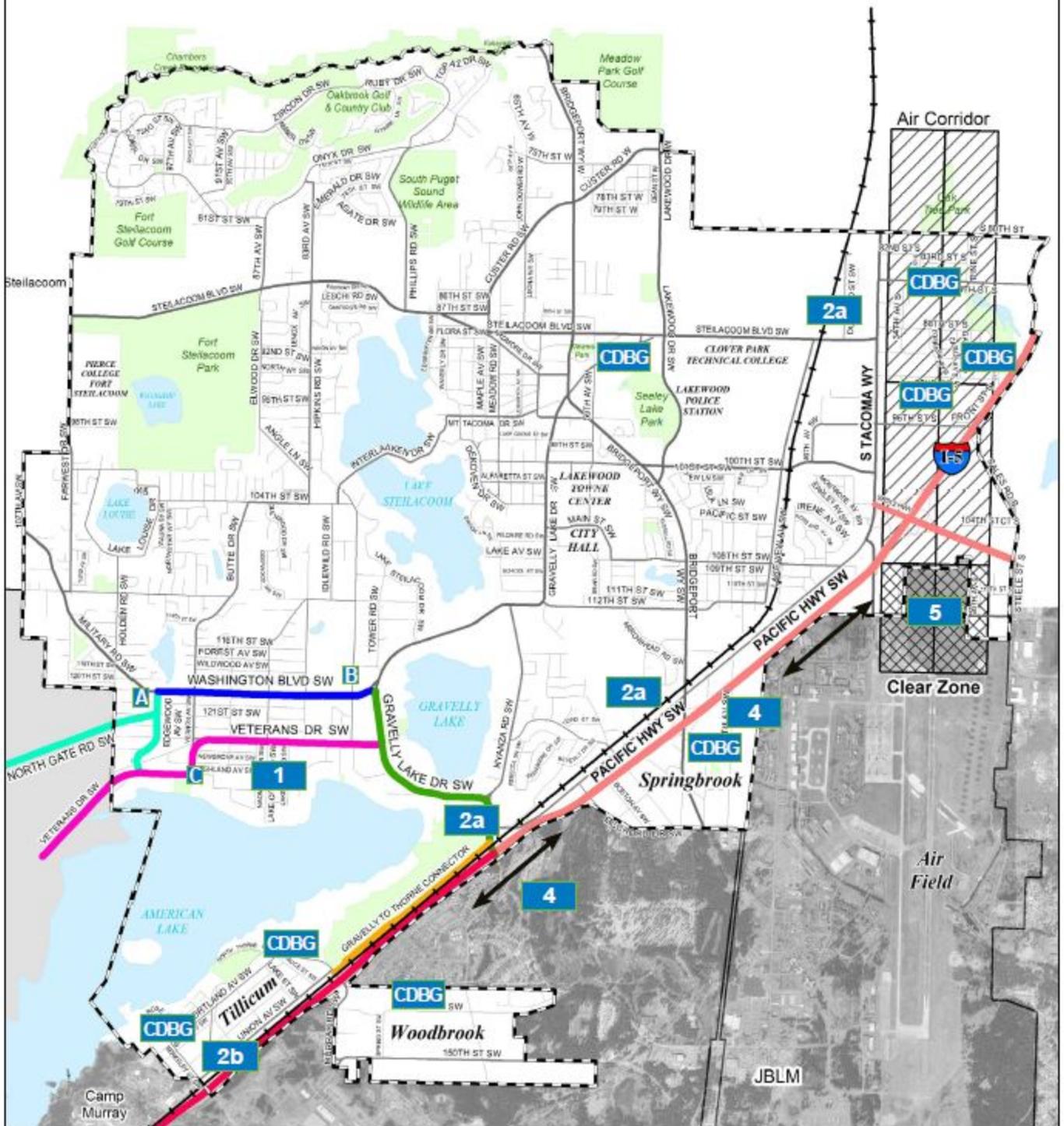
2400 NW 80th St., # 191
Seattle, WA 98117
jake@johnstongr.com
(206) 240-3133

059



University Place

Tacoma



City of Lakewood Federal Priorities

1

Federal Transportation and Economic Development Priorities

- The City supports permanent authorization of the TIGER program
- The City supports a long-term reauthorization of the Transportation bill and urges Congress to forgo continued short-term extensions of MAP-21
- The City supports the COMMUTE Act by Rep. Denny Heck that would provide the Office of Economic Adjustment (OEA) at the Department of Defense the authority to grant awards for transportation infrastructure that serve military facilities. Additionally, the City supports inclusion of this bill in the Defense Authorization bill. Example projects:
 - A** North Gate Road and Edgewood Avenue
 - B** Washington Boulevard Southwest
 - C** Veterans Drive at American Lake Park
- The City supports creating new programs that would provide competitive funding opportunities to local governments. Specifically, the City supports:
 - The addition of Transportation Oriented Development projects within the Transportation Infrastructure Finance and Innovation Act (TIFIA) loan program. Additionally, the City supports loan authority in the TIFIA program equal to what was authorized in the MAP-21 program
 - The City supports the Innovation in Surface Transportation Act (ISTA) proposal in the House and the Booker/Wecker proposal in the Senate to help local communities access federal transportation funding.
 - The City supports the TIGER-CUBS bill by Rep. Rick Larsen and urges it be expanded to qualify cities of up to 100,000 in population size.
- The City supports an expansion of OEA's authority to provide sustainable funding in communities with a significant military presence.

AMTRAK Rail Safety and Lakewood AMTRAK Station

Basic Safety Enhancements

2a

- Current Status: Washington State Legislature provided \$2 million for public safety improvements, including safety fencing, security cameras and detection equipment

2b

Lakewood AMTRAK Station

- The City supports the creation of a Lakewood AMTRAK station adjacent to the JBLM gates that would serve more than 200,000 people.
- JBLM has written a letter of support
- Creating a station requires a Station Assessment Study to be done by AMTRAK
- There is currently a Sound Transit rail station operating in Lakewood that will share a track with the planned AMTRAK route. This station may be of near-sufficient standards to serve AMTRAK without major costs or investments

3

Community Development Block Grant (CDBG) and HOME

- CDBG funding has dropped from \$943,000 in 2001 to \$467,748 in 2015
- HOME funding has dropped from a high of \$513,009 in 2001 to \$197,270 in 2015
- Lakewood has helped families fix up nearly 150 homes at a cost of nearly \$6 million since 2000 coupled with basic physical infrastructure improvements in needy neighborhoods

4

I-5 JBLM Corridor Project

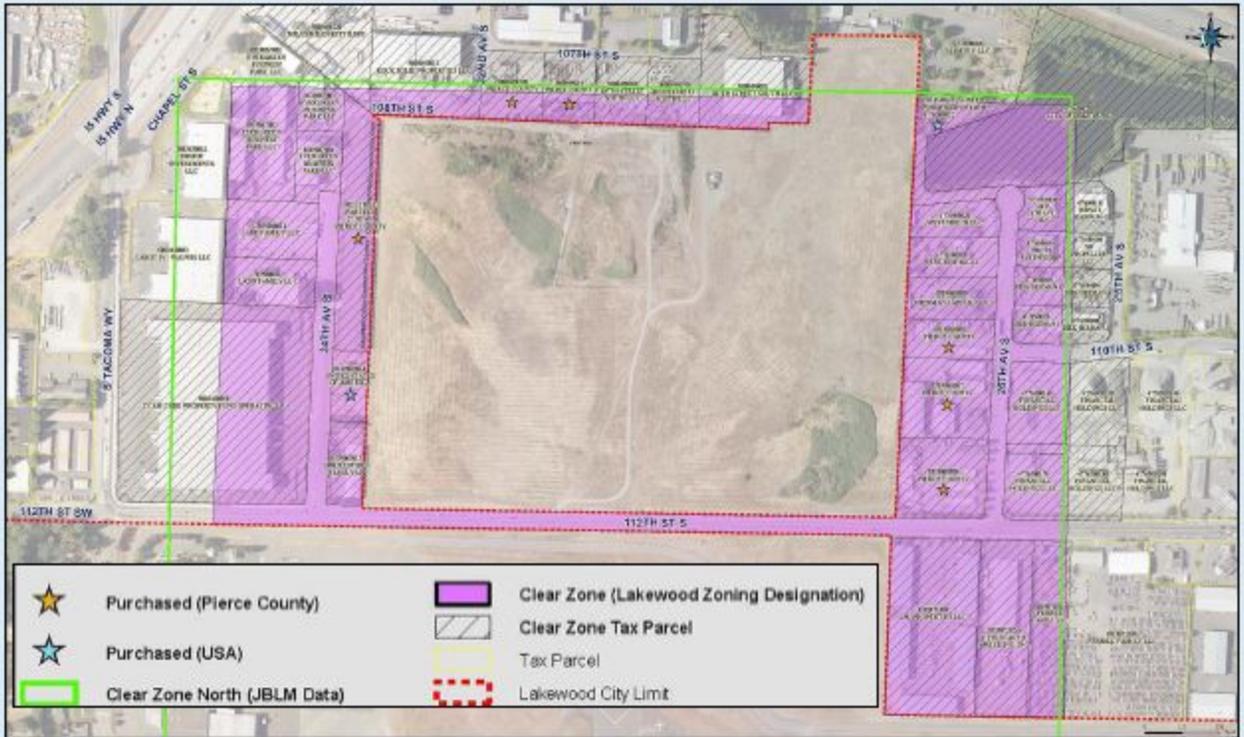
- Current Status: The I-5/JBLM corridor is fully funded in the transportation revenue package adopted by the Washington State Legislature. The City will work with WSDOT to ensure timely progress of the project. The City will continue to advocate for any appropriations or policy changes needed to advance the project in the best interests of our community and region.

5

JBLM Clear Zone

- The Army owns and operates Joint Base Lewis-McChord (JBLM), including the facilities associated with the former McChord Air Force Base now under joint base structure.
- The Air Force has a mandate to acquire property within landing strip clear zones (3,000 feet by 3,000 feet), which includes manufacturing and light industrial properties in the City.
- Both the Army and Air Force acknowledge the need to acquire this land but lack the funding to do so. The estimated cost is \$50 million.
- The City is a willing partner to fulfill the mandate and urges the congressional delegation to support future requests from the Department of Defense to facilitate this land acquisition.

JBLM Clear Zone



Status of Clear Zone Properties

	Acreage	Parcels
Total	65	66
Purchased by Pierce County	6.6	32
Purchased by U.S. Government	5.4	2
Subtotal	12	34
Remaining	53	32
Estimated Value for Acquisition and Business Relocation	\$43 million to \$50 million	

Lakewood Demographics

- Population 58,360
- Median Age 37.2 years
- Median Household Income \$43,362
- Average Household Income \$60,497
- Average Family Income \$77,749
- Average Income-Married Couples \$94,398
- Total Housing Units 27,023

JBLM in the Community

- Service Members 40,976
- Family Members 47,303
- Civilian Employees 17,521
- Military Retirees 32,064

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: October 19, 2015	TITLE: Adopting the Fiscal Year 2016 Policy Statement and Work Plan for the FY 2016 Consolidated Annual Action Plan for CDBG & HOME Programs ATTACHMENTS: Resolution FY 2016 CDBG & HOME Draft Policy Statement and Work Plan	TYPE OF ACTION: — ORDINANCE ✓ RESOLUTION 2015-31 — MOTION — OTHER
REVIEW: September 28, 2015		

SUBMITTED BY: David Bugher, Assistant City Manager for Development Services/Community Development Director

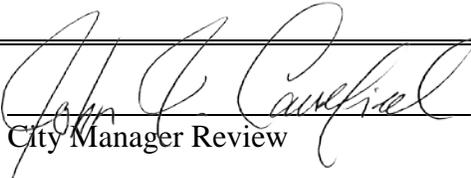
RECOMMENDATION: It is recommended that the Mayor and City Council adopt the attached Draft Resolution and FY 2016 Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) Policy Statement and Work Plan for the FY 2016 Consolidated Annual Action Plan.

DISCUSSION: In preparation of the application and funding process for FY 2016 (July 1, 2016 - June 30, 2017) CDBG and HOME projects, it is recommended that Council set policy direction and funding guidelines on the proposed use of CDBG & HOME funds that meet the three U.S. Department of Housing and Urban Development’s (HUD) national objectives, which are to 1) benefit low and moderate income citizens, 2) remove slums and blight, and 3) meet an urgent need.

On October 8, 2015, the CDBG Citizens Advisory Board (CDBG/CAB) held a public hearing to receive public testimony on community development, economic development, housing, public services, and human services needs to benefit Lakewood’s low and moderate income citizens. There were 8 attendees with 6 individuals providing testimony at the hearing (see October 8, 2015, minutes). At the Council’s September 28, 2015 Study Session, the Council and Community Services Advisory Board (CSAB) reviewed and discussed the proposed Work Plan and potential funding strategies for the Draft FY 2016 Policy Statement. The CSAB reviewed and tentatively approved the Draft FY 2016 Policy Statement and Work Plan on October 14, 2015. *(Continued to page 2)*

ALTERNATIVE(S): The Council can choose to modify the draft policy statement, priorities and funding guidelines.

FISCAL IMPACT: It is estimated that the City will receive approximately \$445,000 in CDBG funds and \$100,000 in HOME Investment Partnership funds through the City of Tacoma-Lakewood Home consortium for FY 2016.

_____ Prepared by _____ Department Director	 City Manager Review
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DISCUSSION CONTINUED:

Actions to Date:

- September 16, 2015 – The CSAB met to review the Draft FY 2016 Work Plan and Draft Policy Statement outlining funding policies and proposed use of funds based on the strategies already established in the 5-Year 2015-2019 Consolidated Plan as adopted May 4, 2015 (Resolution 2015-13) and the five year goals and priorities identified by the Council for CDBG & HOME funding.
- September 23, 2015 – The CSAB met to approve the 2014 Consolidated Annual Evaluation Report and to discuss the October 8, 2015 public hearing process on CDBG and HOME funding needs.
- September 28, 2015 – CSAB joint meeting with Council to discuss FY 2016 (July 1, 2016 - June 30, 2017) CDBG and HOME funding process which will establish program policies and funding guidelines for the proposed use of CDBG & HOME funds. In accordance with HUD funding procedures, funding for FY 2016 is to be divided into four distinct HUD categories- 1) Physical/Infrastructure Improvements; 2) Public Service; 3) Housing; and 4) Economic Development (*listed in order of priority per FY 2015 Council priorities*).
- October 8, 2015 – Consolidated planning process began with a public hearing to receive citizen input on community development, economic development, housing, and public services needs to benefit Lakewood's low and moderate income citizens.
- October 14, 2015 – The CSAB meet to review public hearing testimony and to tentatively approve the Work Plan and Policy Statement.
- October 19, 2015 – Council's consideration to adopt the FY 2016 CSAB Work Plan and Policy Statement in preparation for making applications for funding available by November 2015.

Actions Pending:

- November 1 – December 4, 2015 – Application filing period.
- March 14, 2016 – Council review of the FY 2016 Annual Action Plan (proposed use of funds).
- April 18, 2016 – Public Hearing on the FY 2016 Annual Action Plan.
- May 2, 2016 – Council's consideration to adopt the FY 2016 Annual Action Plan.
- May 13, 2016 – Submittal of Plan to HUD.

FY 2015 Policy Statement and HUD Funding Categories: In accordance with HUD's consolidated planning process for CDBG and HOME, eligible jurisdictions should develop a policy statement outlining funding guidelines and general policies prioritizing the use of CDBG and HOME funds. The prioritization of funding is to be divided into four primary HUD categories: 1) Physical/Infrastructure Improvements; 2) Housing; 3) Public Service; and 4) Economic Development.

Funding categories are defined by HUD as follows:

1. Physical/Infrastructure Improvement – Acquisition, construction, reconstruction, rehabilitation or installation of publically owned facilities, or that are owned by a nonprofit and open to the general public for the purpose of benefitting low- and moderate- income (LMI) individuals. Typical activities

include roads, sidewalks, sewers, street lighting, park or recreational facility improvements, and improvements to special needs or client services type facilities.

2. Housing – Housing activities directed toward homeownership and rental activities for LMI individuals. Typical activities include homeowner rehabilitation, down payment assistance, rental acquisition and rehabilitation, lead paint activities, and new construction, if carried out by a Community Based Development Organization (CBDO).
3. Public Service – Providing assistance and/or services to LMI individuals. Typical funding includes activities such as employment and education services, health care and substance abuse services, services for seniors, fair housing counseling, job training or counseling services, recreational services, and services for homeless persons.
4. Economic Development – Creating economic opportunities and jobs for LMI individuals. Economic development requires “direct” assistance to a business or development organization, most typically for full-time job creation.

FY 2016 Work Plan: The CSAB Work Plan identifies major action items for both the Human Services and CDBG/HOME programs along with programmatic requirements for the upcoming CDBG/HOME program year (Exhibit 2 attached below). It is recommended for approval as proposed.

FY 2016 Program Funding: For fiscal year 2016, it is anticipated the City will receive approximately \$445,000 in CDBG funds (an approximate 5% reduction) and \$100,000 in HOME Investment Partnership funds (an approximate 50% reduction) through the City of Tacoma-Lakewood HOME consortium. Staffing for the program consists of two full-time employees, both of which are fully funded through CDBG/HOME administration and direct project charges.

EXHIBIT 1

DRAFT POLICY STATEMENT FY 2016 CDBG and HOME Programs

GENERAL:

1. All programs and projects will be consistent with the Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) program regulations as applicable.

CDBG projects must meet one of the three U. S. Department of Housing and Urban Development national objectives: (a) benefiting low and moderate income persons, (b) removing slums or blights or (c) meeting an urgent need.

HOME projects must provide housing or assist in housing for low-income persons.

2. Priority consideration (not necessarily in the following order) will be given to projects which:
 - a. Are consistent with the Consolidated Plan.
 - b. Use CDBG and HOME funds to leverage funds from other sources.
 - c. Demonstrate collaboration and cooperation with community residents and other community organizations that will improve service delivery and/or cost effectiveness.
 - d. Promote or facilitate self-sufficiency.
 - e. Are prioritized consistent with Lakewood City Council goals, subject to CDBG and HOME regulations.
 - f. Can be implemented within twelve months.
 - g. Do not require General Fund allocations for continuing operation and maintenance or which reduce current operation and maintenance costs. (Note: It is recognized, that to address community needs, some federal funded projects may require support from the General Fund for operation and maintenance costs, however, these projects must have a commitment from the General Fund prior to being recommended for federal funding.)
3. CDBG funds will be set aside in the Contingency category to cover unanticipated cost overruns on projects, for use as matching funds for grants, or to take advantage of unforeseen opportunities during the program year. Funds in the Contingency category will not exceed five (5) percent of the total grant.
4. A maximum of 20 percent of the total CDBG grant may be set aside for administration.
5. Up to 15 percent of the total CDBG grant may be set aside for public service programs.
6. The Community Services Advisory Board (CSAB) will review and make recommendations for the programming and reprogramming of CDBG and HOME funding.
7. The CSAB will review funding proposals for CDBG and HOME projects and will recommend projects for CDBG and HOME funding from new and reprogrammed allocations.
8. The CSAB will recommend annual funding policies and will recommend CDBG and HOME funding allocations by applicable categories (i.e. economic development, public service, community development (physical/infrastructure improvement), and housing in the Consolidated Annual Action Plan for consideration by the City Council.
9. The Tacoma Community Redevelopment Authority (TCRA) will review loan and grant applications for housing development projects funded by HOME Investment Partnership Act funds and make funding decisions based on projects meeting the lending criteria of the TCRA in accordance with the allocations to specific housing categories as approved by the Lakewood City Council.

CITY COUNCIL GOAL & PRIORITIES:

The Lakewood City Council overarching goals for the use of CDBG funds for FY 2016 is to enable economic development. The following areas are prioritized in order: physical/infrastructure improvements, public service, housing, and economic development.

PRIORITY 1 – PHYSICAL/INFRASTRUCTURE IMPROVEMENTS (COMMUNITY DEVELOPMENT)

The policy for physical/infrastructure improvements is to support neighborhood revitalization and improvements to spur economic development activities and improve living conditions for lower income persons. Activities that support this policy include:

1. Construction or improvement of public facilities (i.e. sewers, streets, sidewalks, alleys, lighting or related public improvements) in lower income residential neighborhoods or for business that create and/or retain jobs for lower-income persons.
2. Construction or rehabilitation of public or privately-owned, community service facilities (i.e. community, senior and youth centers) that will provide a public service benefiting low-income citizens.
3. Acquisition, development and improvement of parks, playgrounds and open space in lower-income residential neighborhoods.

PRIORITY 2 - HOUSING

The policy for housing is to support economic development and job development/retention by improving neighborhoods to expand opportunities for affordable housing for lower-income individuals, and to preserve affordable housing to prevent homelessness and to improve property values and neighborhood characteristics. Activities that support this policy include:

1. Projects that develop or renovate housing to create housing near jobs and promote economic viability.
2. Projects that conserve existing housing by making home repairs or rehabilitating homes to meet building and housing codes.
3. Projects that provide affordable housing and homeownership and rental housing opportunities.
4. Projects that support housing to accommodate persons with special needs.
5. Projects that provide housing for homeless or transitional shelter for homeless persons.
6. Projects that coordinate housing efforts in the city, county and neighboring jurisdictions to assess housing needs and create affordable housing opportunities.

PRIORITY 3 - PUBLIC SERVICE

The policy for CDBG funded public service activities is to target low-income clientele. Most of the City's human services activities are supported through 1% of the City's General Fund.

PRIORITY 4 - ECONOMIC DEVELOPMENT

The policy for economic development is to create viable businesses in targeted areas and to create and/or retain jobs for lower income persons.

Activities that support this policy include, not necessarily in priority order.

1. Assistance to businesses to make exterior improvements to facilities.

2. Assistance for microenterprise businesses.
3. Loans to businesses expanding jobs for lower-income persons.
4. Infrastructure to support businesses.

EXHIBIT 2

2015/16 Community Services Advisory Board Draft Work Plan

Human Services:

- **Monitor contracted agencies' capacity to meet service goals and contract requirements (June – November 2015)**
 - Review progress and program evaluation reports submitted by the agencies
 - Review contracted programs' annual outcome reports and performance evaluation
 - Prepare second year (2016) funding recommendations for Council
 - Revise and renew contracts for second-year funding
- **Evaluate current funding focus areas: Housing, Access to Health Care, Healthy Relationships and Stabilization Services (January – May 2016)**
 - Determine which programs and strategies provide the greatest return on investment
 - Analyze the collective impact of the current set of funded programs
 - Complete an environmental scan to identify opportunities to increase partnerships and gain greater alignment with other funders
- **Conduct the 2017/18 Human Services allocation process (June - December 2016)**
 - Meet with Council to establish funding priorities and gain direction for the 2017/18 allocation process (April 2016)
 - Establish funding criteria for next human services funding cycle
 - Prepare a Request for Proposal (RFP) to be released July 2016
 - Review and rate funding requests, using established criteria
 - Prepare funding recommendations for Council (November/December)

CDBG/HOME:

- Seek Council direction on funding policies and priorities on the proposed use of FY 2016 CDBG and HOME funds in meeting HUD's national objectives. – (Council Action – September 28, 2015)
- Conduct a Public Hearing on community development, housing, and public services needs for FY 2016 Annual Action Plan and proposed use of funds. – (October 7, 2015)
- Review, rate and make funding recommendations in accordance with Council policies and priorities and on the FY 2016 Consolidated Annual Action Plan and proposed use of CDBG and HOME funds for submission to HUD. – (Council Review- March 14, 2016; Council Action- May 2, 2016)
- Submit FY 2015 Consolidated Performance Evaluation Report to HUD. – (September, 2016)



COMMUNITY SERVICES ADVISORY BOARD
Advisory Board Meeting and Public Hearing Minutes
THURSDAY – October 8, 2015
Lakewood City Hall Council Chambers
6000 Main Street SW, Lakewood, WA

CALL TO ORDER

Chair Edith Owen Wallace called the meeting to order at 6:04 p.m.

ATTENDANCE

Board Members Present: Chair Edith Owen Wallace, Sharon Taylor, Mumbi Ngari-Turner and Laurie Maus

Board Members Excused: Kathleen Lind, Paul Calta and Ric Torgerson

Council Liaison Present: Councilmember Marie Barth

Youth Council Present: Claudia Penney

City Staff Present: Jeff Gumm, Martha Larkin and Karmel Shields

APPROVAL OF MINUTES – September 23, 2015 MUMBI NGARI-TURNER MOVED TO APPROVE THE SEPTEMBER 23, 2015 COMMUNITY SERVICES ADVISORY BOARD MEETING MINUTES AS WRITTEN. THE MOTION WAS SECONDED BY SHARON TAYLOR. A VOICE VOTE WAS TAKEN AND THE MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT OF REGULAR BOARD MEETING

There being no further business, the meeting adjourned at 6:06 p.m.

CALL TO ORDER OF PUBLIC HEARING

Chair Edith Owen Wallace called the public hearing to order at 6:06 p.m.

INTRODUCTIONS

All members of the Community Services Advisory Board introduced themselves.

Ms. Wallace, Chair of the Community Services Advisory Board (CSAB), explained the need for citizen input in developing funding strategies for the FY 2016 Annual Action Plan and 2016-17 Human Services funding. She noted that each year the U. S. Department of Housing and Urban Development requires the City of Lakewood to prepare a One Year Action Plan to receive federal funding addressing housing, community and economic development, and human service's needs. She stated that citizen input will be used by the Lakewood City Council in drafting funding strategies for allocating CDBG and HOME funding that is to be used to benefit low and moderate income citizens of Lakewood. Additionally, input will be used as the CSAB and Council move forward with the development of 2016-17 Human Services funding strategies.

PUBLIC COMMENTS

Ms. Rosemary Kaiser – Vice President, Board of Directors – Tillicum Community Center

Ms. Kaiser discussed the services the Center provides to the residents of the Tillicum and Woodbrook neighborhoods. She stated the Center is currently operating without an executive director and a staff of two employees; board members have stepped up assistance with the Center's daily operations to ensure there is no break in services provided. Ms. Kaiser discussed the Center's current operational schedule and the

various programs the Center is able to maintain: food and clothing bank; Sea Mar health clinic; Pierce County Library branch; and various holiday meal and gift programs. Funding for the Center is being provided mainly through private donations and local business support.

Ms. Janet Harper, Treasurer, Board of Directors – Tillicum Community Center

Ms. Harper discussed budgetary concerns for the Center and stated the Center was able to meet operational expenses for the most recent two months. She stated she had personally stepped up to support the Center financially and that she had the capacity to continue to support the Center moving forward.

Ms. Mary Brickle – Executive Assistant – Rebuilding Together South Sound

Ms. Brickle spoke about the importance of maintaining safe affordable housing for low income homeowners and the programs Rebuilding Together South Sound (RTSS) was able to offer. She said the programs RTSS offers were quite often the only assistance options for persons living in mobile homes and persons with little or no equity in their homes. Ms. Brickle stated that RTSS had served 72 low income Lakewood households life-to-date, with a total of 6 completed in 2015, 2 awaiting repairs, and another 3 households pending approval.

Ms. Diana Comfort – Executive Director of Child Care – YMCA

Ms. Comfort expressed appreciation for the support of CDBG funding they were allocated in 2014 for the Child Care Scholarship Program and urged the Board to continue its support through future funding of child care. She stated that the YMCA is able to offer fully-staffed before and after school daycare programs for children. Programs provide for tutoring and homework assistance, after school activities, playtime, and healthy meals and snacks.

Mr. Gomer Roseman – Director of Site Development & Construction – Tacoma-Pierce County Habitat for Humanity

Mr. Roseman discussed Habitat's construction progress in the Tillicum neighborhood. He said that Habitat has constructed 19 homes in Tillicum to date, has 1 home under construction, and is nearing breaking ground on 7 new single family homes at 8901 Commercial St. SW. Over the next two years, Habitat is scheduled to complete the full rehabilitation of 1 home and construction of 12 new homes in Tillicum. Mr. Roseman thanked the City for its support and partnership.

Ms. Amy Allison – Director of Community Mobilization – Associated Ministries, Paint Tacoma-Pierce Beautiful

Ms. Allison stated that the Paint Tacoma-Pierce Beautiful program provides house painting services at no cost to low income households, including elderly and disabled households. The program brings together volunteer labor and donated materials to allow the program to offer services at no cost to all homeowners. She stressed the importance of maintaining safe and decent housing for homeowners who would otherwise be unable to afford such improvements. Ms. Allison recalled that funding for the program was not provided in 2015; she asked the Board to consider funding housing assistance programs in the coming year.

OTHER

The next meeting of the CDBG Citizens Advisory Board is scheduled for Wednesday, October 14, 2015 at 5:30 p.m. – Conference Room 3A.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:35 p.m.

Edith Owen Wallace, Chair

Date

RESOLUTION NO. 2015-31

A RESOLUTION of the City Council of the City of Lakewood, Washington, adopting the Fiscal Year 2016 Policy Statement and Work Plan for the CDBG and HOME Consolidated Annual Action Plan.

WHEREAS, the City of Lakewood, Washington, qualifies as an eligible Community Development Block Grant (“CDBG”) entitlement city, and the City Council has elected to pursue funding through that entitlement process; and,

WHEREAS, in connection therewith, the City Council provided for a Community Services Advisory Board; and,

WHEREAS, the application process for programs to be funded through the CDBG and HOME Investment Partnership Act (“HOME”) funding allocations is scheduled to begin November 1 through December 4, 2015; and,

WHEREAS, in connection with such funding allocations, it is appropriate that the City Council adopt a Fiscal Year 2016 (July 1, 2016 – June 30, 2017) Policy Statement and Work Plan for its CDBG and HOME Consolidated Annual Action Plan, anticipating a CDBG grant award of \$445,000 and a HOME allocation of \$100,000.

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

Section 1. That the Fiscal Year 2016 Policy Statement and Work Plan for the FY 2016 CDBG and HOME Consolidated Annual Action Plan, copies of which are attached hereto as Exhibit “A” and Exhibit “B” and incorporated herein by this reference, be, and the same hereby are, adopted.

Section 2. This Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 19th day of October, 2015.

CITY OF LAKEWOOD

Don Anderson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney

EXHIBIT A

POLICY STATEMENT FY 2016 CDBG and HOME Programs

GENERAL:

1. All programs and projects will be consistent with the Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) program regulations as applicable.

CDBG projects must meet one of the three U. S. Department of Housing and Urban Development national objectives: (a) benefiting low and moderate income persons, (b) removing slums or blights or (c) meeting an urgent need.

HOME projects must provide housing or assist in housing for low-income persons.

2. Priority consideration (not necessarily in the following order) will be given to projects which:
 - a. Are consistent with the Consolidated Plan.
 - b. Use CDBG and HOME funds to leverage funds from other sources.
 - c. Demonstrate collaboration and cooperation with community residents and other community organizations that will improve service delivery and/or cost effectiveness.
 - d. Promote or facilitate self-sufficiency.
 - e. Are prioritized consistent with Lakewood City Council goals, subject to CDBG and HOME regulations.
 - f. Can be implemented within twelve months.
 - g. Do not require General Fund allocations for continuing operation and maintenance or which reduce current operation and maintenance costs. (Note: It is recognized, that to address community needs, some federal funded projects may require support from the General Fund for operation and maintenance costs, however, these projects must have a commitment from the General Fund prior to being recommended for federal funding.)
3. CDBG funds will be set aside in the Contingency category to cover unanticipated cost overruns on projects, for use as matching funds for grants, or to take advantage of unforeseen opportunities during the program year. Funds in the Contingency category will not exceed five (5) percent of the total grant.
4. A maximum of 20 percent of the total CDBG grant may be set aside for administration.

5. Up to 15 percent of the total CDBG grant may be set aside for public service programs.
6. The Community Services Advisory Board (CSAB) will review and make recommendations for the programming and reprogramming of CDBG and HOME funding.
7. The CSAB will review funding proposals for CDBG and HOME projects and will recommend projects for CDBG and HOME funding from new and reprogrammed allocations.
8. The CSAB will recommend annual funding policies and will recommend CDBG and HOME funding allocations by applicable categories (i.e. economic development, public service, community development (physical/infrastructure improvement), and housing in the Consolidated Annual Action Plan for consideration by the City Council.
9. The Tacoma Community Redevelopment Authority (TCRA) will review loan and grant applications for housing development projects funded by HOME Investment Partnership Act funds and make funding decisions based on projects meeting the lending criteria of the TCRA in accordance with the allocations to specific housing categories as approved by the Lakewood City Council.

CITY COUNCIL GOAL & PRIORITIES:

The Lakewood City Council overarching goals for the use of CDBG funds for FY 2016 is to enable economic development. The following areas are prioritized in order: physical/infrastructure improvements, public service, housing, and economic development.

PRIORITY 1 – PHYSICAL/INFRASTRUCTURE IMPROVEMENTS (COMMUNITY DEVELOPMENT)

The policy for physical/infrastructure improvements is to support neighborhood revitalization and improvements to spur economic development activities and improve living conditions for lower income persons. Activities that support this policy include:

1. Construction or improvement of public facilities (i.e. sewers, streets, sidewalks, alleys, lighting or related public improvements) in lower income residential neighborhoods or for business that create and/or retain jobs for lower-income persons.
2. Construction or rehabilitation of public or privately-owned, community service facilities (i.e. community, senior and youth centers) that will provide a public service benefiting low-income citizens.
3. Acquisition, development and improvement of parks, playgrounds and open space in lower-income residential neighborhoods.

PRIORITY 2 - HOUSING

The policy for housing is to support economic development and job development/retention by improving neighborhoods to expand opportunities for affordable housing for lower-income individuals, and to preserve affordable housing to prevent homelessness and to improve property values and neighborhood characteristics. Activities that support this policy include:

1. Projects that develop or renovate housing to create housing near jobs and promote economic viability.
2. Projects that conserve existing housing by making home repairs or rehabilitating homes to meet building and housing codes.
3. Projects that provide affordable housing and homeownership and rental housing opportunities.
4. Projects that support housing to accommodate persons with special needs.
5. Projects that provide housing for homeless or transitional shelter for homeless persons.
6. Projects that coordinate housing efforts in the city, county and neighboring jurisdictions to assess housing needs and create affordable housing opportunities.

PRIORITY 3 - PUBLIC SERVICE

The policy for CDBG funded public service activities is to target low-income clientele. Most of the City's human services activities are supported through 1% of the City's General Fund.

PRIORITY 4 - ECONOMIC DEVELOPMENT

The policy for economic development is to create viable businesses in targeted areas and to create and/or retain jobs for lower income persons.

Activities that support this policy include, not necessarily in priority order.

1. Assistance to businesses to make exterior improvements to facilities.
2. Assistance for microenterprise businesses.
3. Loans to businesses expanding jobs for lower-income persons.
4. Infrastructure to support businesses.

EXHIBIT B

2015/16 Community Services Advisory Board Draft Work Plan

Human Services:

- **Monitor contracted agencies' capacity to meet service goals and contract requirements (June – November 2015)**
 - Review progress and program evaluation reports submitted by the agencies
 - Review contracted programs' annual outcome reports and performance evaluation
 - Prepare second year (2016) funding recommendations for Council
 - Revise and renew contracts for second-year funding

- **Evaluate current funding focus areas: Housing, Access to Health Care, Healthy Relationships and Stabilization Services (January – May 2016)**
 - Determine which programs and strategies provide the greatest return on investment
 - Analyze the collective impact of the current set of funded programs
 - Complete an environmental scan to identify opportunities to increase partnerships and gain greater alignment with other funders

- **Conduct the 2017/18 Human Services allocation process (June - December 2016)**
 - Meet with Council to establish funding priorities and gain direction for the 2017/18 allocation process (April 2016)
 - Establish funding criteria for next human services funding cycle
 - Prepare a Request for Proposal (RFP) to be released July 2016
 - Review and rate funding requests, using established criteria
 - Prepare funding recommendations for Council (November/December)

CDBG/HOME:

- Seek Council direction on funding policies and priorities on the proposed use of FY 2016 CDBG and HOME funds in meeting HUD's national objectives. – (Council Action – September 28, 2015)

- Conduct a Public Hearing on community development, housing, and public services needs for FY 2016 Annual Action Plan and proposed use of funds. – (October 7, 2015)

- Review, rate and make funding recommendations in accordance with Council policies and priorities and on the FY 2016 Consolidated Annual Action Plan and proposed use of CDBG and HOME funds for submission to HUD. – (Council Review- March 14, 2016; Council Action- May 2, 2016)

- Submit FY 2015 Consolidated Performance Evaluation Report to HUD. – (September, 2016)

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: October 19, 2015	TITLE: Fort Steilacoom Park Gathering Spaces Update	TYPE OF ACTION: — ORDINANCE NO. — RESOLUTION NO. <u> X </u> MOTION NO. 2015-64 — OTHER
REVIEW: September 21, 2015	ATTACHMENTS: A - Sept 19, 2015 summary memo	

SUBMITTED BY: Mary Dodsworth, Parks, Recreation & Community Services Director

RECOMMENDATION: It is recommended that the City Council accept the Parks and Recreation Advisory Board (PRAB) gathering space recommendation to include preferred design (option B) and location and provide direction to staff regarding next steps which would include a refined cost estimate for the option selected, a business plan to determine uses, anticipated revenues and expenditures and a funding plan to include contributions by public and private sources.

DISCUSSION: Council directed the PRAB to review the topic of community gathering spaces and to assess Fort Steilacoom Park (FSP) as a site to host this use. The topic has been called the amphitheater, an acre for the arts, gathering places and gathering spaces. The park serves over a million visitors each year and provides space for a variety of active and passive uses and user groups. Even though the park is currently used for gatherings of all kinds, Council asked for feedback on creating a more formal gathering space.

The PRAB facilitated a five month community planning process which included six public meetings with the intent of coming up with design and location options. Everyone attending the meetings believes that FSP is a special place and wants to preserve and protect it. How that is done varies from person to person. Based on Council direction, information gathered and community feedback, the Board selected two potential design options and a preferred location for gathering space improvements. **Continued on page 2**

FISCAL IMPACT: The preliminary cost estimate for option A (shelter structure) is \$350,000 and for option B (barn structure) is \$750,000. **Continued on page 2**

NEXT STEPS: As outlined in the Sept. 19, 2015 memo, the PRAB suggested additional information is provided prior to developing a permanent gathering space structure at the park. **Continued on page 2**

Prepared by _____ Department Director _____	 _____ City Manager Review
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DISCUSSION (continued): Because the community was split between option A and B, the PRAB forwarded both final design options for Council consideration with option B (the barn structure) as their preferred option. They noted that a structure with a 40 x 60 foot stage area is about the right size for the park and the preferred location is the area used during SummerFEST for the community stage since this area can support small or large groups with minimal impacts to other park operations. The PRAB did recommend that additional information regarding construction costs, funding options and a business plan are needed before improvements are made.

FISCAL IMPACT (continued): No resources have been allocated to this project. The design and cost estimate services were donated by local businesses. The cost estimates were based on square footage not site plans or construction drawings. The Rotary Club of Lakewood has stated they are interested in raising funds and procuring in-kind services to support a portion of funding for this project. They are also interested in assisting with the development of the project if viable options are available.

NEXT STEPS: The matrix below provides next steps options, to include: tasks, actions needed, lead agency and estimated timeline for completion.

Tasks	Action needed	Timing	Lead Agency
Cost Estimate	Develop estimate for specific design option to include bldg size, materials, finishes, interior permitting, electrical needs, etc...	Nov-Dec 2015	Contractor
Business Plan	Determine Council's vision and intent for the space and include a description of uses, target markets, management options (city vs contractor), potential operating revenue sources (fees/sponsorships) and costs for annual marketing, maintenance, management and operations.	Dec 2015 – January 2016	City
Funding Plan (cost estimate)	Determine funding resources to include cash donations or grants, in-kind materials, services and equipment, naming rights, sponsorships, fundraisers, city resources.	January 2016	City and Community
Development Options	Traditional City Public Works Project – to include donations of cash and services to offset costs. Public bidding and prevailing wage would be required for non-donated materials and services.	To be determined	City
	Public/Private Partnership A – Utilize a private developer or contractor to manage project to reduce impact to city operations. There are five fully funded parks projects beginning next month in the city, 2 at FSP. Public bidding and prevailing wage would be required for non-donated materials and services.	To be determined	City / Private Developer
	Public/Private Partnership B – Sublease area to non-profit agency. Subject to State and City review and approval, they develop and manage construction. May gift back to City or enter long term agreement for use/operations. Could impact negotiations regarding ownership transfer of Fort Steilacoom Park from State to City which is currently underway.	To be determined	City / State Non-Profit Agency

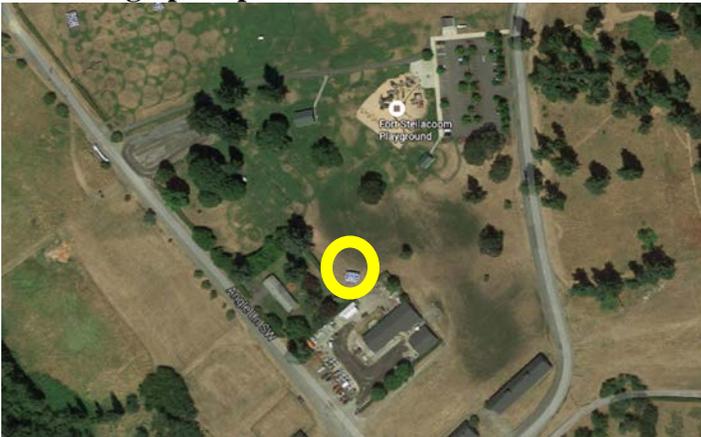
Design Option A (shelter Structure)



Design Option B (barn option)



Gathering Space preferred location





To: Mayor and City Councilmembers

From: Mary Dodsworth, Parks, Recreation & Community Services Director

Through: John J. Caulfield, City Manager *John J. Caulfield*

Date: September 14, 2015

Subject: Fort Steilacoom Park Gathering Spaces Update

Attachments: A: Gathering Places Issue Matrix
B: Preferred Design Options
C: Preferred Location Map

Summary: Council directed the Parks and Recreation Advisory Board (PRAB) to review the topic of community gathering spaces and to assess Fort Steilacoom Park (FSP) as a site to host this use. The topic has been called the amphitheater, an acre for the arts, gathering places and gathering spaces. The park serves hundreds of thousands of visitors each year and provides space for a variety of active and passive uses and user groups. Even though the park is currently used for gatherings of all kinds, Council asked for feedback on creating a more formal gathering space.

The PRAB facilitated a five month community planning process which included six public meetings. A lot of information was shared and feedback was received. Everyone attending the meetings believes that FSP is a special place and wants to preserve and protect it. How that is done varies from person to person. There are many in the community who do not want to see any changes at the park that would take away from the natural environment or their personal use. Others are open to improvements and changes as long as thoughtful planning is used regarding where the improvements are made, who uses the site and when and how it is used. Based on Council direction and information gathered the Board has selected two potential design options and a preferred location for gathering space improvements. The PRAB approved a motion at their July 21, 2015 meeting to forward their recommendations to Council for review.

Public Process Summary: Because of previous discussions regarding amphitheaters, community stages and gathering places, the PRAB facilitated a lengthy discussion to ensure information was shared and community input was received. Following is a summary of the meetings:

February 24, 2015: PRAB reviews Council request, discussed the history of this topic and develops a meeting process to gather and review information.

March 24, 2015: The discussion continued where the “amphitheater” meeting ended the previous year. A matrix was developed to look at previous and current issues, impacts and solutions (attached A) and was updated throughout the process. An overview of park use was provided, including current uses by active and passive groups for large and small events. Information and ideas from the FSP economic feasibility study which included creating a farm community theme was shared. The community planning process was presented and the next four meeting dates were identified. A cut and paste activity was facilitated to see what an acre of use would support and how various events impact the park (space, parking, restrooms, access, etc...). An e-mail list was developed so updates regarding this topic could be sent out electronically with links to agendas and presentations.

April 28, 2015: Reviewed previous meeting topics, added to matrix list and evaluated over 60 gathering spaces to determine what people liked/disliked about each one. Themes included using natural materials for construction and current views and native vegetation as backdrops. Adding a roof or cover will support northwest weather and it should look like it fits in a park setting. Since musical events were mentioned many times, designing with acoustics in mind was emphasized. Most didn't want a modern looking structure.

May 27, 2015: Reviewed information from previous meetings including issues, impacts, solutions and what we liked/disliked about various structures. Three potential locations at the park were identified along with five preliminary facility designs. Meeting guests were divided into five groups where each had an opportunity to share their thoughts regarding design elements and site locations. After everyone rotated to each station a leader from each group shared the general consensus about each design and various locations. Everyone was given six dots and asked to vote on the design or design elements they liked most.

June 23, 2015: Reviewed typical uses for a gathering space in a park. Two of the options received a similar number of votes so both were considered as preferred options. Designs were selected because they fit aesthetically in the park, were constructed out of natural and durable materials and used current vegetation as backdrops. A 40 x 60 foot stage footprint was used for presentation purposes. It was noted that Option A would be more feasible for single day use while Option B provided storage, could be used over a longer period of time since it could be closed and secured, created more shelter from northwest seasons and would support different types of uses. Site locations were selected because they were in open spaces currently used for similar types of activities and close to power, water, parking, permanent restrooms and roadways. No trees or structures would need to be removed to support any improvements in these areas and new events in the proposed locations would not interrupt currently scheduled activities (5K's, bike races, walk a thons, sports leagues and tournaments) at the park. Cost estimates for construction or operations and maintenance were not provided at this time.

PRAB Recommendation: The PRAB considered a variety of recommendations at their July 21, 2015 meeting including the “do nothing” option. Because the community was split between option A and B, the PRAB is forwarding both design options for Council consideration with option B (the barn structure) as their preferred option. They are recommending location #2 (behind the maintenance shop) as the preferred location since this area can support small or large groups with minimal impacts. They noted that a structure with a 40 x 60 foot stage area is about the right size for this location at the park. The PRAB believes it provided Council with the information requested. The PRAB did note that additional information regarding construction costs (w/phased plan) and a business plan is needed before improvements are made.

Next Steps: The City Council may need additional information prior to making a decision regarding a gathering space at Fort Steilacoom Park. A cost estimate of \$750,000 is being used for planning purposes. Staff is working with the Rotary Club of Lakewood and other community partners to help develop a true cost estimate for construction along with potential funding options and ways to reduce costs. Council may also request a business plan to determine impact to City operations.

A business plan may be developed which will look at Council's vision and intent for the space and include a description of uses and target markets. This will help determine what services can initially be provided and by whom (city staff or potential contractors) and potential revenue sources along with the costs for marketing, maintenance, management and operations.

Construction costs would be estimated and, if needed, development of a phased plan. When the idea for a gathering space was first presented, members of the community offered to provide donations and in-kind support. To take advantage of community contributions and to reduce overall project costs, a variety of options could be considered.

1. Accept community donations for the project. The City would take the lead in design, permitting and construction, but the donations of cash or services would offset the costs associated with the construction. Examples include donated services (architectural design work), specific equipment (a sound system) or building supplies (concrete). Public bidding processes and prevailing wage would be required for non-donated materials and services. This is similar to how we built the restrooms at FSP.
2. Public Private Partnership – The City could design the structure to meet site and community needs. The City could sub-lease the land to a third party who would meet bonding and insurance requirements and had the expertise to build the structure to IBC codes and City standards with local support and resources. When the lease expires, they could donate the structure back to the city. State approval for a sub-lease and project development would be required. This would be a new option for the City.
3. Private Contract – the City could sub-lease the land to a third party who develops the property and then manages and operates the structure based on a public/private contract for a determined period of time and cost. This is similar to the Commencement Bay Rowing Clubhouse agreement at Harry Todd Park.

Attachment A - FSP Gathering Space Matrix

Issues / Concerns		Ideas and Solutions
Historic Preservation – protect the prairie, cemetery and connect to the past		Don't put in special places. Be aware of location. Add education and signage so new visitors know that certain areas are special. Be aware of traffic and pedestrian flow so they don't trample special areas.
Impact to open space and wildlife areas		Don't locate in natural areas. Place active improvements in active areas. Education/signage of natural areas. Restrict size / control parking / don't remove natural buffers (trees and vegetation. They provide habitat
Impact to Pierce College or Western State Hosp.		Information communication with these agencies.
Neighborhood Impact	Noise	Don't want to hear music 1.5 miles away / limit event/use during certain hours and on certain days. Measure decibel levels. Design to direct noise away from houses. Design to push noise towards Steilacoom Blvd. Trees are natural buffers. Have an on-site monitor to supervise events. Who do we call if noise is too loud – 911 (non-emergency #).
	Parking	Need better parking at (Angle & Elwood) entrance. There is a path/shortcut at the end of Wauna Street. Need enforcement. Encourage use of Pierce College. Design off-street parking in adjacent areas.
	Crime	Add late night patrols if activity is in the park after hours. Create neighborhood block watch programs. Be aware of audience you are inviting to the park. Anticipate increased drug use at concerts (maybe not at the symphony☺).
	Property Values	Houses near well maintained parks have higher values. If you don't maintain or start removing vegetation – that could reduce values.
Vandalism and Graffiti		We deal with graffiti every day. Certain materials are easier to clean off or can be repainted. Some can be coated / treated in advance to make easier to clean off. Vandalism happens after hours so new events won't create vandalism. A new facility would just be a new place to tag. Lock Sanicans at night
It's a done deal? Who decides?		No, we're just planning. PRAB will make a recommendation to Council based on information they gather. Council decides next steps. No design has been done, no specific site has been determined. No city funds have been allocated. Lakewood Rotary is still interested in investing in a community project. Do nothing should be an option.
Revenue vs Expenditures Manage / maintain / fees Cost recovery		Create a business plan so you know what you plan to do, how much it costs to maintain and how much revenue you might generate. We charge fees for private use of site (special events, shelter use, tournaments, races, concerts, movies, walk-a-thons, etc...). Use a portion of the fees you charge to create a depreciation account to fix current and future deferred maintenance issues.
Temporary vs Permanent Structures		Create a pit stage so musicians are below ground. People would be up higher. That would reduce noise. Create a bowl / natural amphitheater. Pierce College used their

	hillside in previous years for events. People can bring their own chairs and/or sit on grass. Creating tiered seating is good.
Seasonal Use	Design for northwest / add a roof for rain/shade. Seasonal hours / dark earlier in the fall / spring – more light in summer
Safety – lighting at night ADA access	Temporary lighting so it's safe to get to parking areas. Use light shields so it doesn't disturb neighbors or drivers on Steilacoom Blvd. Need access to power for lights.
Alcohol use	Must get a permit for alcohol (from City and State). Non-profits can for events. Private citizens can't. We follow Washington State Liquor Control Board rules. Add police if alcohol is available.
Traffic - impacts roads	Roads are in bad shape. Need infrastructure upgrades. There are lots of overflow parking areas in the park. Control access so people use the areas reserved for them.
Use funds to fix what is already developed or in bad shape at the park.	Historic elements and barns (this would create an indoor space – less impact to park users), fix path around Waughop Lake and roads into the park. Pave parking lot.
Consequences?	Charge deposits. What happens if people don't follow the rules (noise, too many people)? Parks dept. is closed on weekend. Need an on-call phone number for parks staff. We encourage calling police so they can track and respond. They will triage based on what's happening in community. Parks staff can't enforce laws. We can share rules? Can we preview acts so we know if they are park/family friendly?
Sanitation	Need restrooms. What can current facilities support (223 flushes per hour and sanicans hold 125 uses per unit). When do you need extra restroom units? We use a formula based on # of people and # of hours to determine what is needed. Add extra Sani-can at dog park during events. Users also bring in garbage cans for larger events.
Current existing activities	Be sure new things don't conflict with current activities, events, sports leagues, etc... Partner with other venues (Pierce College or UP). Other cities have nice spaces, why can't we?
Other Locations – where else could this project go (besides the park)	Town center (we don't own the land there and owners aren't interested in changing parking/retail space for community space). Pierce College (they have indoor spaces and outdoor areas) In a barn (less impact on park users). Send people to Steilacoom or UP, they have gathering spaces.
Volunteers	We need volunteers at the park. If you want to volunteer go to the city website – go to <i>I WANT TO...</i> Volunteer. You can sign up on-line. This process can be cumbersome. If you want to volunteer, call Parks and Rec and we'll put you to work.

Attachment B - Design Options



Fort Steilacoom Park

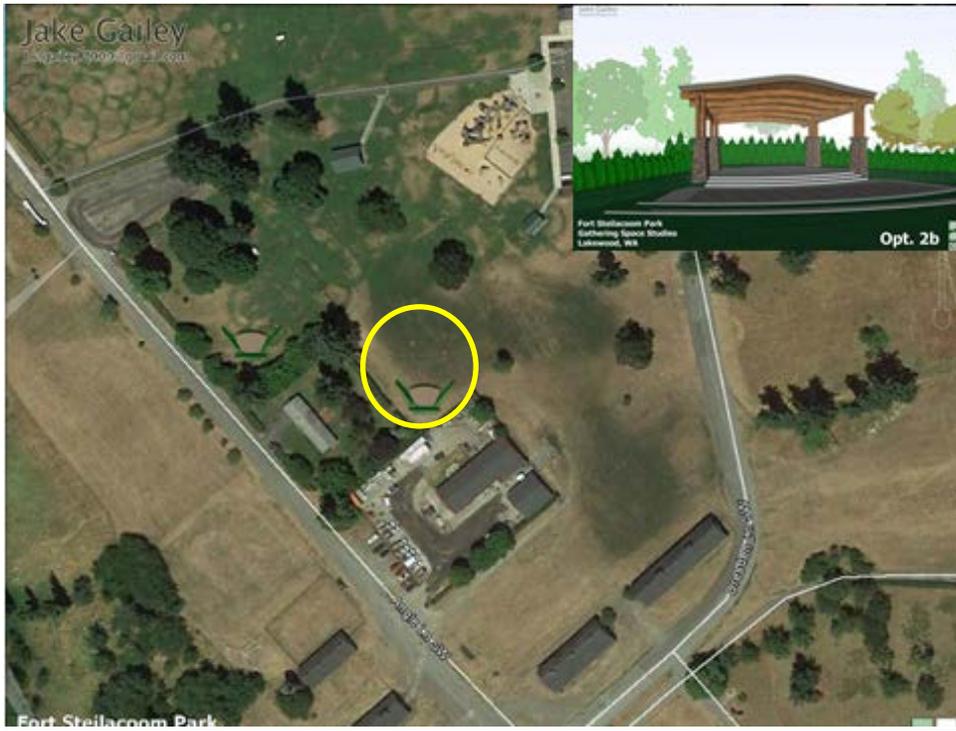
OPTION A



Fort Steilacoom Park

OPTION B - preferred design by PRAB

Attachment C - Preferred Location Option with Design "Footprint"



REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: October 19, 2015	TITLE: WSH Police Protection ILA	TYPE OF ACTION: — ORDINANCE NO. — RESOLUTION NO. <u>X</u> MOTION NO. 2015-65 — OTHER
REVIEW: N/A	ATTACHMENTS: Interlocal Agreement WSH Police Protection	

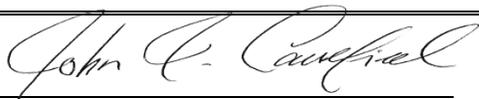
SUBMITTED BY: Heidi Ann Wachter, City Attorney

RECOMMENDATION: It is recommended that the City Council authorize the City Manager to execute the Interlocal Agreement – WSH Police Protection agreement between the City of Lakewood and the Department of Social and Health Services.

DISCUSSION: This agreement dates back to at least July 2009 and obligates the Lakewood Police Department to provide patrol services and emergency police protection (911), evidence preservation and investigation services which are funded by DSHS via legislative allocation.

ALTERNATIVE(S): City Council could choose to not sign the ILA or recommend additions/changes to the document.

FISCAL IMPACT: This agreement provides for a maximum \$90,000 annual payment from DSHS to the City of Lakewood.

_____ Prepared by	 _____ City Manager Review
_____ Department Director	



INTERLOCAL AGREEMENT

DSHS Agreement Number:
1564-41577

WSH Police Protection

This Agreement is by and between the State of Washington Department of Social and Health Services (DSHS) and the Contractor identified below, and is issued pursuant to the Interlocal Cooperation Act, chapter 39.34 RCW.

Program Contract Number:

Contractor Contract Number:

CONTRACTOR NAME		CONTRACTOR doing business as (DBA)	
City of Lakewood		Lakewood Police Department	
CONTRACTOR ADDRESS		WASHINGTON UNIFORM BUSINESS IDENTIFIER (UBI)	DSHS INDEX NUMBER
City of Lakewood 9401 Lakewood Dr SW Lakewood, WA 98499-5027		601-667-295	28708
CONTRACTOR CONTACT	CONTRACTOR TELEPHONE	CONTRACTOR FAX	CONTRACTOR E-MAIL ADDRESS
		(253) 830-5067	
DSHS ADMINISTRATION	DSHS DIVISION	DSHS CONTRACT CODE	
Behavioral Health and Service Integration	Division of State Hospitals	1000LC-64	
DSHS CONTACT NAME AND TITLE		DSHS CONTACT ADDRESS	
Dale Thompson Chief Operations Officer		9601 Steilacoom Blvd SW Lakewood, WA 98498-7213	
DSHS CONTACT TELEPHONE	DSHS CONTACT FAX	DSHS CONTACT E-MAIL ADDRESS	
(253) 756-2717	(253) 761-3341	THOMPDL2@dshs.wa.gov	
IS THE CONTRACTOR A SUBRECIPIENT FOR PURPOSES OF THIS CONTRACT?		CFDA NUMBER(S)	
No			
AGREEMENT START DATE	AGREEMENT END DATE	MAXIMUM AGREEMENT AMOUNT	
10/01/2015	06/30/2017	\$90,000.00	
EXHIBITS. The following Exhibits are attached and are incorporated into this Agreement by reference:			
<input checked="" type="checkbox"/> Exhibits (specify): Exhibit A - Data Security Requirements			
<input type="checkbox"/> No Exhibits.			
The terms and conditions of this Agreement are an integration and representation of the final, entire and exclusive understanding between the parties superseding and merging all previous agreements, writings, and communications, oral or otherwise regarding the subject matter of this Agreement, between the parties. The parties signing below represent they have read and understand this Agreement, and have the authority to execute this Agreement. This Agreement shall be binding on DSHS only upon signature by DSHS.			
CONTRACTOR SIGNATURE		PRINTED NAME AND TITLE	DATE SIGNED
DSHS SIGNATURE		PRINTED NAME AND TITLE	DATE SIGNED

DSHS General Terms and Conditions

1. **Definitions.** The words and phrases listed below, as used in this Contract, shall each have the following definitions:
- a. "Central Contract Services" means the DSHS central headquarters contracting office, or successor section or office.
 - b. "Confidential Information" or "Data" means information that is exempt from disclosure to the public or other unauthorized persons under RCW 42.56 or other federal or state laws. Confidential Information includes, but is not limited to, Personal Information.
 - c. "Contract" or "Agreement" means the entire written agreement between DSHS and the Contractor, including any Exhibits, documents, or materials incorporated by reference. The parties may execute this contract in multiple counterparts, each of which is deemed an original and all of which constitute only one agreement. E-mail or Facsimile transmission of a signed copy of this contract shall be the same as delivery of an original.
 - d. "Contracts Administrator" means the manager, or successor, of Central Contract Services or successor section or office.
 - e. "Contractor" means the individual or entity performing services pursuant to this Contract and includes the Contractor's owners, members, officers, directors, partners, employees, and/or agents, unless otherwise stated in this Contract. For purposes of any permitted Subcontract, "Contractor" includes any Subcontractor and its owners, members, officers, directors, partners, employees, and/or agents.
 - f. "Debarment" means an action taken by a Federal agency or official to exclude a person or business entity from participating in transactions involving certain federal funds.
 - g. "DSHS" or the "Department" means the state of Washington Department of Social and Health Services and its employees and authorized agents.
 - h. "Encrypt" means to encode Confidential Information into a format that can only be read by those possessing a "key"; a password, digital certificate or other mechanism available only to authorized users. Encryption must use a key length of at least 128 bits.
 - i. "Personal Information" means information identifiable to any person, including, but not limited to, information that relates to a person's name, health, finances, education, business, use or receipt of governmental services or other activities, addresses, telephone numbers, Social Security Numbers, driver license numbers, other identifying numbers, and any financial identifiers.
 - j. "Physically Secure" means that access is restricted through physical means to authorized individuals only.
 - k. "Program Agreement" means an agreement between the Contractor and DSHS containing special terms and conditions, including a statement of work to be performed by the Contractor and payment to be made by DSHS.
 - l. "RCW" means the Revised Code of Washington. All references in this Contract to RCW chapters or sections shall include any successor, amended, or replacement statute. Pertinent RCW chapters can be accessed at <http://apps.leg.wa.gov/rcw/>.
 - m. "Regulation" means any federal, state, or local regulation, rule, or ordinance.

DSHS General Terms and Conditions

- n. "Secured Area" means an area to which only authorized representatives of the entity possessing the Confidential Information have access. Secured Areas may include buildings, rooms or locked storage containers (such as a filing cabinet) within a room, as long as access to the Confidential Information is not available to unauthorized personnel.
 - o. "Subcontract" means any separate agreement or contract between the Contractor and an individual or entity ("Subcontractor") to perform all or a portion of the duties and obligations that the Contractor is obligated to perform pursuant to this Contract.
 - p. "Tracking" means a record keeping system that identifies when the sender begins delivery of Confidential Information to the authorized and intended recipient, and when the sender receives confirmation of delivery from the authorized and intended recipient of Confidential Information.
 - q. "Trusted Systems" include only the following methods of physical delivery: (1) hand-delivery by a person authorized to have access to the Confidential Information with written acknowledgement of receipt; (2) United States Postal Service ("USPS") first class mail, or USPS delivery services that include Tracking, such as Certified Mail, Express Mail or Registered Mail; (3) commercial delivery services (e.g. FedEx, UPS, DHL) which offer tracking and receipt confirmation; and (4) the Washington State Campus mail system. For electronic transmission, the Washington State Governmental Network (SGN) is a Trusted System for communications within that Network.
 - r. "WAC" means the Washington Administrative Code. All references in this Contract to WAC chapters or sections shall include any successor, amended, or replacement regulation. Pertinent WAC chapters or sections can be accessed at <http://apps.leg.wa.gov/wac/>.
2. **Amendment.** This Contract may only be modified by a written amendment signed by both parties. Only personnel authorized to bind each of the parties may sign an amendment.
3. **Assignment.** The Contractor shall not assign this Contract or any Program Agreement to a third party without the prior written consent of DSHS.
4. **Billing Limitations.**
- a. DSHS shall pay the Contractor only for authorized services provided in accordance with this Contract.
 - b. DSHS shall not pay any claims for payment for services submitted more than twelve (12) months after the calendar month in which the services were performed.
 - c. The Contractor shall not bill and DSHS shall not pay for services performed under this Contract, if the Contractor has charged or will charge another agency of the state of Washington or any other party for the same services.
5. **Compliance with Applicable Law.** At all times during the term of this Contract, the Contractor shall comply with all applicable federal, state, and local laws and regulations, including but not limited to, nondiscrimination laws and regulations.
6. **Confidentiality.**
- a. The Contractor shall not use, publish, transfer, sell or otherwise disclose any Confidential Information gained by reason of this Contract for any purpose that is not directly connected with Contractor's performance of the services contemplated hereunder, except:

DSHS General Terms and Conditions

- (1) as provided by law; or,
 - (2) in the case of Personal Information, with the prior written consent of the person or personal representative of the person who is the subject of the Personal Information.
- b. The Contractor shall protect and maintain all Confidential Information gained by reason of this Contract against unauthorized use, access, disclosure, modification or loss. This duty requires the Contractor to employ reasonable security measures, which include restricting access to the Confidential Information by:
- (1) Allowing access only to staff that have an authorized business requirement to view the Confidential Information.
 - (2) Physically Securing any computers, documents, or other media containing the Confidential Information.
 - (3) Ensure the security of Confidential Information transmitted via fax (facsimile) by:
 - (a) Verifying the recipient phone number to prevent accidental transmittal of Confidential Information to unauthorized persons.
 - (b) Communicating with the intended recipient before transmission to ensure that the fax will be received only by an authorized person.
 - (c) Verifying after transmittal that the fax was received by the intended recipient.
 - (4) When transporting six (6) or more records containing Confidential Information, outside a Secured Area, do one or more of the following as appropriate:
 - (a) Use a Trusted System.
 - (b) Encrypt the Confidential Information, including:
 - i. Encrypting email and/or email attachments which contain the Confidential Information.
 - ii. Encrypting Confidential Information when it is stored on portable devices or media, including but not limited to laptop computers and flash memory devices.
 - (5) Send paper documents containing Confidential Information via a Trusted System.
 - (6) Following the requirements of the DSHS Data Security Requirements Exhibit, if attached to this contract.
- c. Upon request by DSHS, at the end of the Contract term, or when no longer needed, Confidential Information shall be returned to DSHS or Contractor shall certify in writing that they employed a DSHS approved method to destroy the information. Contractor may obtain information regarding approved destruction methods from the DSHS contact identified on the cover page of this Contract.
- d. Paper documents with Confidential Information may be recycled through a contracted firm, provided the contract with the recycler specifies that the confidentiality of information will be protected, and

DSHS General Terms and Conditions

the information destroyed through the recycling process. Paper documents containing Confidential Information requiring special handling (e.g. protected health information) must be destroyed on-site through shredding, pulping, or incineration.

- e. **Notification of Compromise or Potential Compromise.** The compromise or potential compromise of Confidential Information must be reported to the DSHS Contact designated on the contract within one (1) business day of discovery. Contractor must also take actions to mitigate the risk of loss and comply with any notification or other requirements imposed by law or DSHS.
- 7. **Debarment Certification.** The Contractor, by signature to this Contract, certifies that the Contractor is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency from participating in transactions (Debarred). The Contractor also agrees to include the above requirement in any and all Subcontracts into which it enters. The Contractor shall immediately notify DSHS if, during the term of this Contract, Contractor becomes Debarred. DSHS may immediately terminate this Contract by providing Contractor written notice if Contractor becomes Debarred during the term hereof.
- 8. **Governing Law and Venue.** This Contract shall be construed and interpreted in accordance with the laws of the state of Washington and the venue of any action brought hereunder shall be in Superior Court for Thurston County.
- 9. **Independent Contractor.** The parties intend that an independent contractor relationship will be created by this Contract. The Contractor and his or her employees or agents performing under this Contract are not employees or agents of the Department. The Contractor, his or her employees, or agents performing under this Contract will not hold himself/herself out as, nor claim to be, an officer or employee of the Department by reason hereof, nor will the Contractor, his or her employees, or agent make any claim of right, privilege or benefit that would accrue to such officer or employee.
- 10. **Inspection.** The Contractor shall, at no cost, provide DSHS and the Office of the State Auditor with reasonable access to Contractor's place of business, Contractor's records, and DSHS client records, wherever located. These inspection rights are intended to allow DSHS and the Office of the State Auditor to monitor, audit, and evaluate the Contractor's performance and compliance with applicable laws, regulations, and these Contract terms. These inspection rights shall survive for six (6) years following this Contract's termination or expiration.
- 11. **Maintenance of Records.** The Contractor shall maintain records relating to this Contract and the performance of the services described herein. The records include, but are not limited to, accounting procedures and practices, which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Contract. All records and other material relevant to this Contract shall be retained for six (6) years after expiration or termination of this Contract.

Without agreeing that litigation or claims are legally authorized, if any litigation, claim, or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.
- 12. **Order of Precedence.** In the event of any inconsistency or conflict between the General Terms and Conditions and the Special Terms and Conditions of this Contract or any Program Agreement, the inconsistency or conflict shall be resolved by giving precedence to these General Terms and Conditions. Terms or conditions that are more restrictive, specific, or particular than those contained in the General Terms and Conditions shall not be construed as being inconsistent or in conflict.
- 13. **Severability.** If any term or condition of this Contract is held invalid by any court, the remainder of the

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Contract remains valid and in full force and effect.

- 14. Survivability.** The terms and conditions contained in this Contract or any Program Agreement which, by their sense and context, are intended to survive the expiration or termination of the particular agreement shall survive. Surviving terms include, but are not limited to: Billing Limitations; Confidentiality, Disputes; Indemnification and Hold Harmless, Inspection, Maintenance of Records, Notice of Overpayment, Ownership of Material, Termination for Default, Termination Procedure, and Treatment of Property.

15. Contract Renegotiation, Suspension, or Termination Due to Change in Funding.

If the funds DSHS relied upon to establish this Contract or Program Agreement are withdrawn, reduced or limited, or if additional or modified conditions are placed on such funding, after the effective date of this contract but prior to the normal completion of this Contract or Program Agreement:

- a. At DSHS's discretion, the Contract or Program Agreement may be renegotiated under the revised funding conditions.
 - b. DSHS's discretion, DSHS may give notice to Contractor to suspend performance when DSHS determines that there is reasonable likelihood that the funding insufficiency may be resolved in a timeframe that would allow Contractor's performance to be resumed prior to the normal completion date of this contract.
 - (1) During the period of suspension of performance, each party will inform the other of any conditions that may reasonably affect the potential for resumption of performance.
 - (2) When DSHS determines that the funding insufficiency is resolved, it will give Contractor written notice to resume performance. Upon the receipt of this notice, Contractor will provide written notice to DSHS informing DSHS whether it can resume performance and, if so, the date of resumption. For purposes of this subsection, "written notice" may include email.
 - (3) If the Contractor's proposed resumption date is not acceptable to DSHS and an acceptable date cannot be negotiated, DSHS may terminate the contract by giving written notice to Contractor. The parties agree that the Contract will be terminated retroactive to the date of the notice of suspension. DSHS shall be liable only for payment in accordance with the terms of this Contract for services rendered prior to the retroactive date of termination.
 - c. DSHS may immediately terminate this Contract by providing written notice to the Contractor. The termination shall be effective on the date specified in the termination notice. DSHS shall be liable only for payment in accordance with the terms of this Contract for services rendered prior to the effective date of termination. No penalty shall accrue to DSHS in the event the termination option in this section is exercised.
- 16. Waiver.** Waiver of any breach or default on any occasion shall not be deemed to be a waiver of any subsequent breach or default. Any waiver shall not be construed to be a modification of the terms and conditions of this Contract. Only the DSHS Contracts Administrator or designee has the authority to waive any term or condition of this Contract on behalf of DSHS.

Additional General Terms and Conditions – Interlocal Agreements:

17. Hold Harmless.

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- a. The Contractor shall be responsible for and shall hold DSHS harmless from all claims, loss, liability, damages, or fines arising out of or relating to the Contractor's, or any Subcontractor's, performance or failure to perform this Agreement, or the acts or omissions of the Contractor or any Subcontractor. DSHS shall be responsible for and shall hold the Contractor harmless from all claims, loss, liability, damages, or fines arising out of or relating to DSHS' performance or failure to perform this Agreement.
- b. The Contractor waives its immunity under Title 51 RCW to the extent it is required to indemnify, defend, and hold harmless the State and its agencies, officials, agents, or employees.

18. Ownership of Material. Material created by the Contractor and paid for by DSHS as a part of this Contract shall be owned by DSHS and shall be "work made for hire" as defined by Title 17 USCA, Section 101. This material includes, but is not limited to: books; computer programs; documents; films; pamphlets; reports; sound reproductions; studies; surveys; tapes; and/or training materials. Material which the Contractor uses to perform the Contract but is not created for or paid for by DSHS is owned by the Contractor and is not "work made for hire"; however, DSHS shall have a perpetual license to use this material for DSHS internal purposes at no charge to DSHS, provided that such license shall be limited to the extent which the Contractor has a right to grant such a license.

19. Subrecipients.

- a. General. If the Contractor is a subrecipient of federal awards as defined by 2 CFR Part 200 and this Agreement, the Contractor shall:
 - (1) Maintain records that identify, in its accounts, all federal awards received and expended and the federal programs under which they were received, by Catalog of Federal Domestic Assistance (CFDA) title and number, award number and year, name of the federal agency, and name of the pass-through entity;
 - (2) Maintain internal controls that provide reasonable assurance that the Contractor is managing federal awards in compliance with laws, regulations, and provisions of contracts or grant agreements that could have a material effect on each of its federal programs;
 - (3) Prepare appropriate financial statements, including a schedule of expenditures of federal awards;
 - (4) Incorporate 2 CFR Part 200, Subpart F audit requirements into all agreements between the Contractor and its Subcontractors who are subrecipients;
 - (5) Comply with the applicable requirements of 2 CFR Part 200, including any future amendments to 2 CFR Part 200, and any successor or replacement Office of Management and Budget (OMB) Circular or regulation; and
 - (6) Comply with the Omnibus Crime Control and Safe streets Act of 1968, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, Title IX of the Education Amendments of 1972, The Age Discrimination Act of 1975, and The Department of Justice Non-Discrimination Regulations, 28 C.F.R. Part 42, Subparts C.D.E. and G, and 28 C.F.R. Part 35 and 39. (Go to www.ojp.usdoj.gov/ocr/ for additional information and access to the aforementioned Federal laws and regulations.)
- b. Single Audit Act Compliance. If the Contractor is a subrecipient and expends \$750,000 or more in federal awards from any and/or all sources in any fiscal year, the Contractor shall procure and pay

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for a single audit or a program-specific audit for that fiscal year. Upon completion of each audit, the Contractor shall:

- (1) Submit to the DSHS contact person the data collection form and reporting package specified in 2 CFR Part 200, Subpart F, reports required by the program-specific audit guide (if applicable), and a copy of any management letters issued by the auditor;
 - (2) Follow-up and develop corrective action for all audit findings; in accordance with 2 CFR Part 200, Subpart F; prepare a "Summary Schedule of Prior Audit Findings" reporting the status of all audit findings included in the prior audit's schedule of findings and questioned costs.
- c. Overpayments. If it is determined by DSHS, or during the course of a required audit, that the Contractor has been paid unallowable costs under this or any Program Agreement, DSHS may require the Contractor to reimburse DSHS in accordance with 2 CFR Part 200.

20. Termination.

- a. Default. If for any cause, either party fails to fulfill its obligations under this Agreement in a timely and proper manner, or if either party violates any of the terms and conditions contained in this Agreement, then the aggrieved party will give the other party written notice of such failure or violation. The responsible party will be given 15 working days to correct the violation or failure. If the failure or violation is not corrected, this Agreement may be terminated immediately by written notice from the aggrieved party to the other party.
- b. Convenience. Either party may terminate this Interlocal Agreement for any other reason by providing 30 calendar days' written notice to the other party.
- c. Payment for Performance. If this Interlocal Agreement is terminated for any reason, DSHS shall only pay for performance rendered or costs incurred in accordance with the terms of this Agreement and prior to the effective date of termination.

21. **Treatment of Client Property.** Unless otherwise provided, the Contractor shall ensure that any adult client receiving services from the Contractor has unrestricted access to the client's personal property. The Contractor shall not interfere with any adult client's ownership, possession, or use of the client's property. The Contractor shall provide clients under age eighteen (18) with reasonable access to their personal property that is appropriate to the client's age, development, and needs. Upon termination of the Contract, the Contractor shall immediately release to the client and/or the client's guardian or custodian all of the client's personal property.

Special Terms and Conditions

1. **Definitions Specific to Special Terms.** The words and phrases listed below, as used in this Contract, shall each have the following definitions:
 - a. "Patient" means any or all of the clients, residents, or patients at WSH.
 - b. "Western State Hospital" or "WSH" means a psychiatric hospital owned and operated by the State of Washington, DSHS, which is situated at 9601 Steilacoom Blvd. SW, Lakewood, WA 98498.
2. **Purpose.** The purpose of this Contract is to provide patrol and emergency police services and emergency police protection (9-1-1), evidence preservation and incident investigation services at Western State Hospital and adjacent areas.
3. **Statement of Work.** The Contractor shall provide the services and staff, and otherwise do all things necessary for or incidental to the performance of work, as set forth below:
 - a. All services provided by Contractor under this Agreement shall be performed by law enforcement officers commissioned by the City of Lakewood Police Department.
 - b. The City of Lakewood Police Department shall provide patrol services and emergency police protection (9-1-1), evidence preservation and incident investigation services at Western State Hospital and adjacent areas. Since the cost of these services is larger than the Maximum Agreement Amount, the intent of this Agreement is to offset some of the costs incurred by the City of Lakewood for the provision of such services.
 - c. The City of Lakewood shall provide quarterly performance reports to the WSH point of contact identified on Page 1 of this contract that identify the number of 9-1-1 calls responded to, the type of incidents, and the services provided by the City of Lakewood Police Department.
 - d. When requested, the Contractor may need to attend meetings at Western State Hospital, and/or participate in conference calls concerning crimes/incidents/investigations.
 - e. The City of Lakewood shall submit any changes to its evidence-handling procedures previously submitted to WSH in accordance with DSHS Contract 1364-77482, amendment 01 upon execution of this contract or as they be revised during the course of this contract.
 - f. Western State Hospital may disclose Confidential Information, including Protected Health Information (PHI) to City of Lakewood law enforcement without a patient's signed HIPAA authorization in certain incidents, including:
 - (1) To report PHI to a law enforcement official reasonably able to prevent or lessen a serious and imminent threat to the health or safety of an individual or the public.
 - (2) To report PHI that Western State Hospital in good faith believes to be evidence of a crime that occurred on the premises of WSH.
 - (3) To alert law enforcement to the death of the individual when there is a suspicion that death resulted from criminal conduct.
 - (4) When responding to an off-site medical emergency, as necessary to alert law enforcement to criminal activity.
 - (5) To report PHI to law enforcement when required by law to do so (such as reporting gunshots or stab wounds).

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- (6) To respond to a request for PHI for purposes of identifying or locating a suspect, fugitive, material witness or missing person, but the information must be limited to basic demographic and health information about the person.
- (7) To respond to a request for PHI about an adult victim of a crime when the victim agrees (or in limited circumstances if the individual is unable to agree).
- (8) To comply with a court order or court-ordered warrant, a subpoena or summons issued by a judicial officer, or an administrative request from a law enforcement official (the administrative request must include a written statement that the information requested is relevant and material, specific and limited in scope, and de-identified information cannot be used). Any court order or court-ordered warrant, a subpoena or summons issued by a judicial officer for WSH patient protected health information must comply with RCW 70.02.230.

g. When the City of Lakewood accesses, receives, or retains DSHS Confidential Data or media, including protected health information as identified by the Health Insurance Portability and Accountability Act (HIPAA), it must adhere to the following procedures:

- (1) The City of Lakewood shall keep confidential all DSHS Confidential Data or media copied, received, or retained in the course of investigations to the extent required by law and City of Lakewood policies required by the Washington Uniform Health Care Information Act (Chapter 70.02 RCW), and specifically 70.02.260 when applicable, and other applicable laws.
- (2) Upon receipt by City of Lakewood of a public records request that includes DSHS Confidential Data, the City of Lakewood will notify the Contract Manager on the face page of this Contract within five (5) business days and before disclosing any records. City of Lakewood will produce a copy of the records with proposed redactions to the Department for review when they are available and ready. Disclosure of records and redactions shall meet the standards in the Health Care Information Act in RCW 70.02.020(1) and RCW 70.02.240(1), incorporated into the Public Records Act under RCW 42.56.070(1) and in the HIPAA Privacy Rule in 45 CFR §164.502 to the extent these provisions are applicable. If records are to be disclosed without authorization of the patients identified in the records, when required by law the records will be redacted to remove health care information recorded in any form or medium that identifies or can readily be associated with the identity of a patient.
- (3) The Department will respond within ten (10) business days to identify concerns with disclosure of the records, any changes to the proposed redactions or request more time if needed. If the City of Lakewood disagrees with the position of the Department, it will notify the Department and provide a minimum of twenty-one (21) calendar days for the Department to obtain a restraining order or injunction prohibiting disclosure of the records under RCW 42.56.540. City of Lakewood will extend the response time to the requester for producing the records that is sufficient to follow this process.

4. Training. The parties agree to facilitate a training to educate the workforce members of both entities (WSH and City of Lakewood) regarding the types of information that can be exchanged under the contract, what is appropriate or necessary to put in a police report, and when it may be necessary for WSH to require a court order or court-ordered warrant, a subpoena or summons issued by a judicial officer in order for WSH to release DSHS Confidential Information to Lakewood.

5. Consideration. Total consideration payable to Contractor for satisfactory performance of the work under this Contract is up to a maximum of \$90,000, including any and all expenses, and shall be based on the rate of \$45,000 per year or \$11,250 per quarter. Payment shall be made by DSHS based upon successful delivery of item 3.c., above.

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6. Billing and Payment.

- a. **Invoice System.** The Contractor shall submit invoices using State Form A-19 invoice voucher, or such other form as designated by DSHS within fifteen (15) calendar days following the month end in which services were provided. Consideration for services rendered shall be payable upon receipt and acceptance by the CIBS accounts payable of properly completed invoices, which must describe and document to DSHS' satisfaction an itemized description of the work performed, i.e. assessments completed, reports, etc., and fees not more often than once a month to the following address:

Department of Social and Health Services
Consolidated Institutional Business Services (CIBS)
Attention: Accounting
9601 Steilacoom Blvd. SW
Lakewood, WA 98498-7213

The rates shall be in accordance with those set forth in Section 4, Consideration, of this Contract.

- b. **Payment.** Payment shall be considered timely if made by DSHS within thirty (30) days after receipt and acceptance by the CIBS accounts payable of the properly completed invoices. Payment shall be sent to the address designated by the Contractor on page one (1) of this Contract. DSHS may, at its sole discretion, withhold payment claimed by the Contractor for services rendered if Contractor fails to satisfactorily comply with any term or condition of this Contract.

7. Insurance.

- a. DSHS certifies that it is self-insured under the State's self-insurance liability program, as provided by RCW 4.92.130, and shall pay for losses for which it is found liable.
- b. The Contractor certifies, by checking the appropriate box below, initialing to the left of the box selected, and signing this Agreement, that:

_____ The Contractor is self-insured or insured through a risk pool and shall pay for losses for which it is found liable; or

_____ The Contractor maintains the types and amounts of insurance identified below and shall, prior to the execution of this Agreement by DSHS, provide certificates of insurance to that effect to the DSHS contact on page one of this Agreement.

Commercial General Liability Insurance (CGL) – to include coverage for bodily injury, property damage, and contractual liability, with the following minimum limits: Each Occurrence - \$1,000,000; General Aggregate - \$2,000,000. The policy shall include liability arising out of premises, operations, independent contractors, products-completed operations, personal injury, advertising injury, and liability assumed under an insured contract. The State of Washington, DSHS, its elected and appointed officials, agents, and employees shall be named as additional insureds.

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Exhibit A – Data Security Requirements

1. **Definitions.** The words and phrases listed below, as used in this Exhibit, shall each have the following definitions:
 - a. “Authorized User(s)” means an individual or individuals with an authorized business requirement to access DSHS Confidential Information.
 - b. “Hardened Password” means a string of at least eight characters containing at least one alphabetic character, at least one number and at least one special character such as an asterisk, ampersand or exclamation point.
 - c. “Unique User ID” means a string of characters that identifies a specific user and which, in conjunction with a password, passphrase or other mechanism, authenticates a user to an information system.
2. **Data Transport.** When transporting DSHS Confidential Information electronically, including via email, the Data will be protected by:
 - a. Transporting the Data within the (State Governmental Network) SGN or Contractor’s internal network, or;
 - b. Encrypting any Data that will be in transit outside the SGN or Contractor’s internal network. This includes transit over the public Internet.
3. **Protection of Data.** The Contractor agrees to store Data on one or more of the following media and protect the Data as described:
 - a. **Hard disk drives.** Data stored on local workstation hard disks. Access to the Data will be restricted to Authorized User(s) by requiring logon to the local workstation using a Unique User ID and Hardened Password or other authentication mechanisms which provide equal or greater security, such as biometrics or smart cards.
 - b. **Network server disks.** Data stored on hard disks mounted on network servers and made available through shared folders. Access to the Data will be restricted to Authorized Users through the use of access control lists which will grant access only after the Authorized User has authenticated to the network using a Unique User ID and Hardened Password or other authentication mechanisms which provide equal or greater security, such as biometrics or smart cards. Data on disks mounted to such servers must be located in an area which is accessible only to authorized personnel, with access controlled through use of a key, card key, combination lock, or comparable mechanism.

For DSHS Confidential Information stored on these disks, deleting unneeded Data is sufficient as long as the disks remain in a Secured Area and otherwise meet the requirements listed in the above paragraph. Destruction of the Data as outlined in Section 5. Data Disposition may be deferred until the disks are retired, replaced, or otherwise taken out of the Secured Area.

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- c. **Optical discs (CDs or DVDs) in local workstation optical disc drives.** Data provided by DSHS on optical discs which will be used in local workstation optical disc drives and which will not be transported out of a Secured Area. When not in use for the contracted purpose, such discs must be locked in a drawer, cabinet or other container to which only Authorized Users have the key, combination or mechanism required to access the contents of the container. Workstations which access DSHS Data on optical discs must be located in an area which is accessible only to authorized personnel, with access controlled through use of a key, card key, combination lock, or comparable mechanism.
- d. **Optical discs (CDs or DVDs) in drives or jukeboxes attached to servers.** Data provided by DSHS on optical discs which will be attached to network servers and which will not be transported out of a Secured Area. Access to Data on these discs will be restricted to Authorized Users through the use of access control lists which will grant access only after the Authorized User has authenticated to the network using a Unique User ID and Hardened Password or other authentication mechanisms which provide equal or greater security, such as biometrics or smart cards. Data on discs attached to such servers must be located in an area which is accessible only to authorized personnel, with access controlled through use of a key, card key, combination lock, or comparable mechanism.
- e. **Paper documents.** Any paper records must be protected by storing the records in a Secured Area which is only accessible to authorized personnel. When not in use, such records must be stored in a locked container, such as a file cabinet, locking drawer, or safe, to which only authorized persons have access.
- f. **Remote Access.** Access to and use of the Data over the State Governmental Network (SGN) or Secure Access Washington (SAW) will be controlled by DSHS staff who will issue authentication credentials (e.g. a Unique User ID and Hardened Password) to Authorized Users on Contractor staff. Contractor will notify DSHS staff immediately whenever an Authorized User in possession of such credentials is terminated or otherwise leaves the employ of the Contractor, and whenever an Authorized User's duties change such that the Authorized User no longer requires access to perform work for this Contract.
- g. **Data storage on portable devices or media.**
 - (1) Except where otherwise specified herein, DSHS Data shall not be stored by the Contractor on portable devices or media unless specifically authorized within the terms and conditions of the Contract. If so authorized, the Data shall be given the following protections:
 - (a) Encrypt the Data with a key length of at least 128 bits
 - (b) Control access to devices with a Unique User ID and Hardened Password or stronger authentication method such as a physical token or biometrics.
 - (c) Manually lock devices whenever they are left unattended and set devices to lock automatically after a period of inactivity, if this feature is available. Maximum period of inactivity is 20 minutes.

Physically Secure the portable device(s) and/or media by

 - (d) Keeping them in locked storage when not in use
 - (e) Using check-in/check-out procedures when they are shared, and

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- (f) Taking frequent inventories
 - (2) When being transported outside of a Secured Area, portable devices and media with DSHS Confidential Information must be under the physical control of Contractor staff with authorization to access the Data.
 - (3) Portable devices include, but are not limited to; smart phones, tablets, flash memory devices (e.g. USB flash drives, personal media players), portable hard disks, and laptop/notebook/netbook computers if those computers may be transported outside of a Secured Area.
 - (4) Portable media includes, but is not limited to; optical media (e.g. CDs, DVDs), magnetic media (e.g. floppy disks, tape), or flash media (e.g. CompactFlash, SD, MMC).
- h. Data stored for backup purposes.**
- (1) DSHS data may be stored on portable media as part of a Contractor's existing, documented backup process for business continuity or disaster recovery purposes. Such storage is authorized until such time as that media would be reused during the course of normal backup operations. If backup media is retired while DSHS Confidential Information still exists upon it, such media will be destroyed at that time in accordance with the disposition requirements in Section 5. Data Disposition
 - (2) DSHS Data may be stored on non-portable media (e.g. Storage Area Network drives, virtual media, etc.) as part of a Contractor's existing, documented backup process for business continuity or disaster recovery purposes. If so, such media will be protected as otherwise described in this exhibit. If this media is retired while DSHS Confidential Information still exists upon it, the data will be destroyed at that time in accordance with the disposition requirements in Section 5. Data Disposition.

4. Data Segregation.

- a. DSHS Data must be segregated or otherwise distinguishable from non-DSHS data. This is to ensure that when no longer needed by the Contractor, all DSHS Data can be identified for return or destruction. It also aids in determining whether DSHS Data has or may have been compromised in the event of a security breach. As such, one or more of the following methods will be used for data segregation.
- b. DSHS Data will be kept on media (e.g. hard disk, optical disc, tape, etc.) which will contain no non-DSHS data. And/or,
- c. DSHS Data will be stored in a logical container on electronic media, such as a partition or folder dedicated to DSHS Data. And/or,
- d. DSHS Data will be stored in a database which will contain no non-DSHS data. And/or,
- e. DSHS Data will be stored within a database and will be distinguishable from non-DSHS data by the value of a specific field or fields within database records.
- f. When stored as physical paper documents, DSHS Data will be physically segregated from non-DSHS data in a drawer, folder, or other container.

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g. When it is not feasible or practical to segregate DSHS Data from non-DSHS data, then both the DSHS Data and the non-DSHS data with which it is commingled must be protected as described in this exhibit.

5. **Data Disposition.** When the contracted work has been completed or when no longer needed, except as noted in Section 3. Protection of Data b. Network Server Disks above, Data shall be returned to DSHS or destroyed. Media on which Data may be stored and associated acceptable methods of destruction are as follows:

Data stored on:	Will be destroyed by:
Server or workstation hard disks, or Removable media (e.g. floppies, USB flash drives, portable hard disks) excluding optical discs	Using a “wipe” utility which will overwrite the Data at least three (3) times using either random or single character data, or Degaussing sufficiently to ensure that the Data cannot be reconstructed, or Physically destroying the disk
Paper documents with sensitive or Confidential Information	Recycling through a contracted firm provided the contract with the recycler assures that the confidentiality of Data will be protected.
Paper documents containing Confidential Information requiring special handling (e.g. protected health information)	On-site shredding, pulping, or incineration
Optical discs (e.g. CDs or DVDs)	Incineration, shredding, or completely defacing the readable surface with a coarse abrasive
Magnetic tape	Degaussing, incinerating or crosscut shredding

6. **Notification of Compromise or Potential Compromise.** The compromise or potential compromise of DSHS shared Data must be reported to the DSHS Contact designated in the Contract within one (1) business day of discovery. If no DSHS Contact is designated in the Contract, then the notification must be reported to the DSHS Privacy Officer at dshsprivacyofficer@dshs.wa.gov. Contractor must also take actions to mitigate the risk of loss and comply with any notification or other requirements imposed by law or DSHS.

7. **Data shared with Subcontractors.** If DSHS Data provided under this Contract is to be shared with a subcontractor, the Contract with the subcontractor must include all of the data security provisions within this Contract and within any amendments, attachments, or exhibits within this Contract. If the Contractor cannot protect the Data as articulated within this Contract, then the contract with the subcontractor must be submitted to the DSHS Contact specified for this contract for review and approval.