



## LAKEWOOD CITY COUNCIL AGENDA

Monday, July 20, 2020

7:00 P.M.

City of Lakewood

The Open Public Meetings Act (OPMA) waiver by the state legislative leadership was extended through August 1. As a result, City Hall Council Chambers will NOT be open until the August 3rd Council meeting.

Residents can virtually attend City Council meetings by watching them live on the city's YouTube channel: <https://www.youtube.com/user/cityoflakewoodwa>

Those who do not have access to YouTube can participate via Zoom by either calling by telephone: Dial +1(253) 215- 8782 and enter participant ID: 868 7263 2373.

### **To participate in Public Comment and/or Public Testimony:**

Public Comments and Public Testimony on Public Hearings will be accepted by mail, email or by live virtual comment. Send comments by mail or email to Briana Schumacher, City Clerk at 6000 Main Street SW Lakewood, WA 98499 or [bschumacher@cityoflakewood.us](mailto:bschumacher@cityoflakewood.us). Comments received up to one hour before the meeting will be provided to the City Council electronically.

**Virtual Comments:** If you would like to provide live Public Comments or Public Testimony during the meeting, you will need to join the Zoom meeting as an attendee by calling by telephone Dial +1(253) 215- 8782 and enter participant ID: 868 7263 2373 or visiting <https://us02web.zoom.us/j/86872632373>.

**By Phone:** For those participating by calling in by telephone (+1(253) 215- 8782 and enter participant ID: 868 7263 2373), the Mayor will call on you during the Public Comment and/or Public Hearings portions of the agenda. When you are unmuted please provide your name and city of residence. Each speaker will be allowed (3) three minutes to speak during the Public Comment and at each Public Hearing.

**By ZOOM:** For those using the ZOOM link (<https://us02web.zoom.us/j/86872632373>), upon entering the meeting, please enter your name or other chosen identifier. Use the "Raise Hand" feature to be called upon by the Mayor during the Public Comments and/or Public Hearings portions of the agenda. When you are unmuted please provide your name and city of residence. Each speaker will be allowed (3) three minutes to speak during the Public Comment and at each Public Hearing.

Outside of Public Comments and Public Hearings, all attendees on ZOOM will continue to have the ability to virtually raise your hand for the duration of the meeting. You will not be acknowledged and your microphone will remain muted except for when you are called upon.

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Page No.

### **CALL TO ORDER**

### **ROLL CALL**

### **PLEDGE OF ALLEGIANCE**

### **PUBLIC COMMENTS**

*Persons requesting special accommodations or language interpreters should contact the City Clerk, 253-983-7705, 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>

**C O N S E N T   A G E N D A**

- (4) A. Approval of the minutes of the City Council meeting of July 6, 2020.

- (9) B. Motion No. 2020-33 – *continued from July 6, 2020*

Authorizing the execution of a contract with Communities in Schools (CIS) Lakewood to disburse \$50,000 in Coronavirus Relief Fund Monies.

- (18) C. Motion No. 2020-34 – *continued from July 6, 2020*

Authorizing the execution of a contract with Living Access Support Alliance (LASA) to disburse \$407,640 in Coronavirus Relief Fund Monies.

- (27) D. Motion No. 2020-36

Authorizing the execution of a collective bargaining agreement with the American Federation of State, County and Municipal Employees (AFSCME) Local #1938 for the period of January 1, 2020 through December 31, 2021.

- (85) E. Motion No. 2020-37

Amending the 2020 Parks and Recreation Advisory Board work plan.

- (88) F. Ordinance No. 739

Vacating the easterly fifty-six (56) feet of 148th Street SW right-of-way east of the intersection with Murray Rd SW.

- (93) G. Ordinance No. 740

Amending Title 3 of the Lakewood Municipal Code, adding Chapter 3.39 Lake Management Districts which establishes the process to be used to collect assessments; assess penalties and interest on unpaid assessments; and impose liens on properties with unpaid assessments for Lake Management Districts.

*Persons requesting special accommodations or language interpreters should contact the City Clerk, 253-983-7705, as soon as possible in advance of the Council meeting so that an attempt to provide the special accommodations can be made.*

## **R E G U L A R   A G E N D A**

### **PUBLIC HEARINGS AND APPEALS**

- (99) This is the date set for a public hearing regarding proposed code amendments that would reduce the time during which certain fireworks are allowed from July 3 through July 5 to specified hours on July 4 only.  
– *continued from June 1, 2020*

### **ORDINANCE**

- (267) Ordinance No. 741

Authorizing the acquisition of real property under threat of condemnation or by condemnation for roadway purposes; authorizing payment thereof from the City's General Fund or from such other monies that the City may have available or attain for the acquisition; providing for severability; and establishing an effective date.

### **UNFINISHED BUSINESS**

### **NEW BUSINESS**

### **REPORTS BY THE CITY MANAGER**

### **CITY COUNCIL COMMENTS**

### **ADJOURNMENT**

|   |
|---|
| <p><i>Persons requesting special accommodations or language interpreters should contact the City Clerk, 253-983-7705, as soon as possible in advance of the Council meeting so that an attempt to provide the special accommodations can be made.</i></p> |
|---|



## LAKESWOOD CITY COUNCIL MINUTES

Monday, July 6, 2020

City of Lakewood

<https://www.youtube.com/user/cityoflakewoodwa>

Telephone via Zoom: +1(253) 215- 8782

Participant ID: 86872632373

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### CALL TO ORDER

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

### ROLL CALL

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

### PUBLIC COMMENTS

None.

### C O N S E N T   A G E N D A

- A. Approval of the minutes of the City Council study session of June 8, 2020.
- B. Approval of the minutes of the City Council meeting of June 15, 2020.
- C. Approval of the minutes of the City Council study session of June 22, 2020.
- D. Approval of claims vouchers, in the amount of \$2,502,753.95, for the period of May 16, 2020 through June 15, 2020.
- E. Approval of payroll checks, in the amount of \$2,371,698.79, for the period of May 16, 2020 through June 15, 2020.
- F. Motion No. 2020-33

Authorizing the execution of a contract with Communities in Schools (CIS) to disburse \$50,000 in Coronavirus Relief Fund Monies.

G. Motion No. 2020-34

Authorizing the execution of a contract with Living Access Support Alliance (LASA) to disburse \$275,000 in Coronavirus Relief Fund Monies.

H. Motion No. 2020-35

Authorizing the execution of a contract with West Pierce Fire and Rescue to disburse \$142,000 in Coronavirus Relief Fund Monies.

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Mayor Anderson requested Item No. F, Motion No. 2020-33 and Item No. G, Motion No. 2020-34 be removed from the Consent Agenda.

\*\*\*\*\*

COUNCILMEMBER SIMPSON MOVED TO ADOPT THE CONSENT AGENDA ITEM NO. A THROUGH ITEM NO. E AND ITEM NO. H. SECONDED BY COUNCILMEMBER FARMER. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

\*\*\*\*\*

COUNCILMEMBER MOSS MOVED TO CONTINUE ITEM NO. F, MOTION NO. 2020-33 TO THE CITY COUNCIL MEETING OF MONDAY, JULY 20, 2020. SECONDED BY DEPUTY MAYOR WHALEN. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

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COUNCILMEMBER SIMPSON MOVED CONTINUE ITEM NO. G, MOTION NO. 2020-34 TO THE CITY COUNCIL MEETING OF MONDAY, JULY 20, 2020. SECONDED BY COUNCILMEMBER FARMER. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

## R E G U L A R   A G E N D A

### PUBLIC HEARINGS AND APPEALS

**This is the date set for a public hearing to consider the proposed vacation of the easterly fifty-six (56) feet of 148th Street SW right-of-way east of the intersection with Murray Rd SW.**

*Shelley Hull, Lakewood resident*, provided written comments which were provided on page 105 of the City Council meeting agenda of July 6, 2020.

There being no further testimony, the public hearing was declared closed at 7:18 p.m.

**ORDINANCE**

**Ordinance No. 738 Adopting amendments to Titles 1, 12, 14, 15, 17, and 18A of the Lakewood Municipal Code (LMC) and replacing LMC Chapter 3.64 with a new Chapter 3.64 titled Property Tax Exemptions for Multifamily Housing.**

DEPUTY MAYOR WHALEN MOVED TO ADOPT ORDINANCE NO. 738.  
SECONDED BY COUNCILMEMBER SIMPSON. VOICE VOTE WAS TAKEN AND  
CARRIED UNANIMOUSLY.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

None.

**REPORTS BY THE CITY MANAGER****Review of application of Admission Tax to golf courses.**

City Attorney Wachter shared that the City collects admission tax as authorized by state law and there is one golf course in the City, Oakbrook Golf Course, that the tax applies although to date has not been collected. Discussion ensued and it was recommended that the tax be levied beginning in the 4<sup>th</sup> Quarter 2020.

\*\*\*\*\*

City Manager Caulfield shared that Western State Hospital is not interested in pursuing preemptive local zoning authority and comments on the Master Facility Plan Update continue to be accepted through July 10<sup>th</sup>.

He shared that Pierce County continues to operate in Phase 2 and starting next week the Tacoma Pierce County Health Department will begin using mobile testing trailers in various locations throughout the County and it is anticipated they will coordinate a site in the Springbrook Neighborhood.

He then reported that CARES Act funding is available to Washington State Courts and the Municipal Court will review the application process and eligibility requirements for potential reimbursement for COVID-19 expenses.

He shared that applications for the City's COVID-19 loan and grant programs opened on July 1<sup>st</sup> and to date 43 applications were received for the Small Business Relief Grant program and 2 applications were received for CDBG Loan Program.

He shared that Pierce County has allocated \$4.2 Million in grant funds for a new emergency homeless shelter, they are coordinating with cities to develop a plan and more information will come forward as discussions continue.

He then reported that the Economic Development Administration (EDA) has allocated \$1 Billion in grant funding for infrastructure projects and the Public Works Engineering Department has identified ten projects that would be competitive and the City will pursue applications for funding.

He shared that the Summer Concert Series at Fort Steilacoom Park have been postponed until Pierce County is in Phase 3, Development Services permit activity continues at a steady rate, Waughop Lake will be treated with the second round of alum next week and 62% of Lakewood residents have responded to the 2020 Census.

He shared that an application was submitted to the Office of Economic Adjustment requesting \$9.4 Million for the JBLM North Access Project and it is expected that grants will be awarded in mid-September.

He then commented that calls for service on the 4<sup>th</sup> of July were routine. The Police Department and West Pierce Fire and Rescue reported 14 fireworks related fires of which 12 were in Lakewood, all grass or brush related, with no reported injuries. It is anticipated that on July 20<sup>th</sup> the City Council will continue the public hearing related to fireworks to a date certain in September to allow for in person live testimony.

### **CITY COUNCIL COMMENTS**

Councilmember Farmer requested an update or dashboard that tracks the number of applications and monies dispersed for the small business loan and grant programs. She commented on the use of motorized vehicles in Fort Steilacoom Park and it is requested that the Parks and Recreation Advisory Board research use of motorized vehicles in City parks and provide a recommendation to Council.

Councilmember Moss shared that last week she attended the virtual Association of Washington Cities (AWC) Conference.

Councilmember Brandstetter noted that Spanaway Lake is experiencing a toxic algae bloom and after treatment there is no indication of a toxic algae bloom in Waughop Lake. He shared that he also attended the virtual Association of Washington Cities (AWC) Conference where Councilmember Keel of University Place was elected as Vice-President and the Mayor of Twisp was elected as President. He commented that the AWC Statement of Policy, passed by the majority, included support for greater regionalization regarding GMA. He reported the Pierce County Planning Commission is accepting comments and will hold a public hearing on the 28<sup>th</sup> regarding the moratorium and recommendations for siting Enhanced Services Facilities.

Deputy Mayor Whalen commented on fireworks throughout the City in the days surrounding the 4<sup>th</sup> of July.

Mayor Anderson shared that COVID-19 mobile trailers are operated by the Pierce County Department of Emergency Management and testing will be provided by existing medical providers.

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### **Executive Session**

Mayor Anderson announced that Council will recess into Executive Session for approximately 20 minutes pursuant to RCW 42.30.110(1)(i) to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. The Council is not expected to take action following the Executive Session.

\*\*\*\*\*

Council recessed into Executive Session at 8:23 p.m. and reconvened at 8:49 p.m.

\*\*\*\*\*

### **Closed Session**

Mayor Anderson announced that Council will move into a Closed Session pursuant to RCW 42.30.140(4) to discuss employee relations.

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### **ADJOURNMENT**

There being no further business, the meeting adjourned at 8:49 p.m.

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DON ANDERSON, MAYOR

ATTEST:

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BRIANA SCHUMACHER  
CITY CLERK



# REQUEST FOR COUNCIL ACTION

|   |  |   |
|---|--|---|
| <b>DATE ACTION IS REQUESTED:</b><br>July 20, 2020 | <b>TITLE:</b> Motion authorizing the execution of a contract with Communities in Schools (CIS) Lakewood to disburse \$50,000 in Coronavirus Relief Fund Monies | <b>TYPE OF ACTION:</b><br>— ORDINANCE<br>— RESOLUTION<br><u>X</u> MOTION NO. 2020-33<br>— OTHER |
| <b>REVIEW:</b><br>July 20, 2020 Council Meeting   | <b>ATTACHMENTS:</b><br>Draft Contract  |   |

**SUBMITTED BY:** Tiffany Speir, Long Range & Strategic Planning Manager, through John Caulfield, City Manager.

**RECOMMENDATION:** It is recommended that the City Council authorize, by Motion, the execution of a contract with Communities in Schools (CIS) Lakewood to disburse \$50,000 in Coronavirus Relief Fund Monies.

**DISCUSSION:** On June 15, 2020, through Resolution 2020-11 the City Council authorized the acceptance of \$1.79 million in Coronavirus Relief Funds (CRF monies) by the City, funding priorities for disbursing the monies, and a budget for the use of the monies. As a “Human Services Partner” within Lakewood’s CRF budget, Communities in Schools (CIS) Lakewood is seeking CRF monies for providing eight weeks of summer case management, wellness checks, food/basic need deliveries, and the continuation of virtual/mentor programming including small groups for students virtually, building relationships and resiliency skills for Lakewood children.

The draft contract is attached.

**ALTERNATIVE(S):** The City Council could choose to modify or reject this Motion.

**FISCAL IMPACT:** If adopted, the Motion would have no financial impact on the City’s General Fund.

Prepared by  
Tiffany Speir, Long Range & Strategic Planning  
Manager

\_\_\_\_\_  
Department Director



\_\_\_\_\_  
City Manager Review

**2020 CONTRACT FOR HUMAN SERVICES  
BETWEEN THE CITY OF LAKEWOOD AND  
COMMUNITIES IN SCHOOLS OF LAKEWOOD**

**THIS AGREEMENT** is entered into this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the City of Lakewood, Washington, a code city duly organized and existing pursuant to laws of the State of Washington, hereinafter referred to as the “City” and Communities in Schools (CIS) of Lakewood, hereinafter referred to as the “Agency.”

**WHEREAS**, the City has determined the need to have certain human services performed for its citizens; and,

**WHEREAS**, the City desires to have the Agency perform such services pursuant to certain terms and conditions, now, therefore,

**IN CONSIDERATION OF** the mutual benefits and conditions hereinafter contained, the parties hereto agree as follows:

1. Scope of Services to be Performed by Agency. The Agency shall perform those services described on “Exhibit A,” attached hereto and incorporated herein by this reference. In performing such services, the Agency shall at all times comply with all Federal, State, and local statutes, ordinances and rules applicable to the performance of such services and the handling of any funds used in connection therewith. The Agency shall request, in writing, prior approval from the City whenever the Agency desires to amend the scope of services.

2. Compensation and Methods of Payment. The City shall **reimburse** the Agency for services rendered as set forth on “Exhibit B,” Budget attached hereto and incorporated herein by this reference. Compensation shall be paid by the City following receipt of a properly completed Invoice and Reimbursement Request. Invoices may be submitted immediately as costs are incurred, but the Agency shall submit all requests to the City for payment by October 15<sup>th</sup>, 2020.

The requests for such payment shall be processed for payment by the City in the normal course after that date, in accordance with the terms hereof. Any/all requests for reimbursement shall not exceed the proportionate amount of contracted outputs identified and set forth on “Exhibit B.”

3. Agency Budget. The Agency shall apply the funds received under this Agreement with the maximum limits set forth in this Contract solely to the services specified in Paragraph 1, above, and according to the approved budget of the Agency. Prior approval from the City is required whenever the Agency desires to amend its budget by transferring funds among the budget categories.

4. Duration of Contract. This Contract shall be in full force and effect for a period commencing on the date of execution and ending on the 31<sup>st</sup> day of October, 2020, unless sooner terminated under the provisions hereinafter specified.

5. Independent Contractor. The Agency and City agree that the Agency is an independent contractor with respect to the services provided pursuant to this Contract. Nothing in this

Contract shall be considered to create the relationship of employer and employee between the parties hereto. Neither the Agency nor any employee of the Agency shall be entitled to any benefits accorded City employees by virtue of the services provided under this Contract. The City shall not be responsible for withholding or otherwise deducting federal income tax or social security payments or contributing to the State Industrial Insurance Program, or otherwise assuming the duties of an employer with respect to the Agency, or any other employee of the Agency.

6. Indemnification and Defense. The Agency shall defend and indemnify, and hold harmless the City, its agents and employees, from and against any and all liability arising from injury or death to persons or omissions of the Agency, its agents, servants, officers or employees, irrespective of whether in connection with such act or omission it is alleged or claimed that an act of the City, or its agents or employees caused or contributed thereto. In the event that the City shall elect to defend itself against any claim or suit arising from such injury, death or damage, the Agency shall, in addition to indemnifying and holding the City harmless from any liability, indemnify the City for any and all expense incurred by the City in defending such claim or suit, including attorney's fees.

7. Insurance.

A. The Agency shall procure and maintain in full force throughout the duration of the Contract commercial comprehensive general liability insurance with a minimum coverage of \$1,000,000.00 per occurrence combined single limit and \$2,000,000.00 in the aggregate for personal injury and property damage and non-owned automobile. The said policy shall name the City as an additional named insured on the insurance policies, and **A COPY OF THE ENDORSEMENT NAMING THE CITY AS AN ADDITIONAL INSURED SHALL BE ATTACHED TO THE CERTIFICATE OF INSURANCE.**

B. In addition to the insurance provided for in Paragraph A above, the Agency shall maintain or insure that its professional employees or contractors maintain professional liability insurance in the event that services delivered pursuant to this Contract, either directly or indirectly, involve providing professional services. Such professional liability insurance shall be maintained in an amount not less than \$500,000.00 combined single limit per claim and in the aggregate. For the purposes of this paragraph "professional service" shall mean services provided by a physician, licensed psychologist, or other licensed professional.

C. Certificates of coverage as required by Paragraph A and B above shall be delivered to the City within fifteen (15) days of execution of this Contract. Further, it is the responsibility of the Agency to ensure a valid certificate of insurance is in effect at all times throughout the course of this Contract. Requests for reimbursement under this Contract may be withheld until such time as a valid certificate of insurance is provided to the City.

8. Record Keeping and Reporting.

A. The Agency shall maintain accounts and records, including personnel, property, financial and programmatic records which sufficiently and properly reflect all direct and indirect costs of any nature expended and services performed in the performance of this Contract and other such records as may be deemed necessary to the City to ensure proper accounting for all funds contributed by the City for the performance of this Contract and compliance with this

Contract. The Agency shall notify the City within ten (10) days of any significant change in program personnel.

B. The Agency shall maintain these records for a period of seven (7) years after termination hereof unless permission to destroy them is granted by the office of the archivist in accordance with Chapter 40.14 RCW and by the City.

C. The Agency shall provide an activity report to the City containing program goals and outputs by October 15<sup>th</sup>, 2020. The Activity report will accompany the final Reimbursement Request as set forth in Section 3 (Compensation and Methods of Payment). **Payment for services will not be made if output reports are not received by the last day of the following month in which services were provided.**

D. The Agency, at the request of the City, shall make public presentations regarding the program funded by the City. Such presentation shall be prepared in advance and approved by the City.

9. Audits and Inspections. The records and documents with respect to all matters covered by this Contract shall be subject at all times to inspection, review or audit during the performance of this Contract. The City shall have the right to an annual audit of the Agency's financial statements and condition. In addition, the Agency is subject to an annual site monitor of the systems supporting contracted services and eligible activities. The City shall have the right to an annual inspection of the Agency's data systems for tracking outcome achievement. Areas of default noted during the annual inspection may demand additional site monitoring(s).

10. Termination. The City of Lakewood may suspend or terminate this Agreement in whole or in part for convenience, upon 15 days written notice to the Agency. If the Agency's insurance coverage is canceled for any reason, the City shall have the right to terminate this Contract immediately. If for any reason an agency does not comply with all aspects of this contract, including mandatory reports, such non-compliance may jeopardize the agency's ability to receive future funding.

Further: This Contract may be terminated upon evidence of the following conditions:

1. Agency is no longer operating: The Contract shall be terminated within 10 days of notification that the Agency is no longer operating and performing the duties identified in "Exhibit A," Scope of Services.

2. Change in Scope of Services: Should the Agency no longer provide services identified in "Exhibit A" Scope of Work, the contract may be terminated for non-performance.

3. Misuse of Public Funds: The Agency cannot produce accurate accounts and records of funds used in the performance of this Contract.

11. Discrimination Prohibited. The Agency shall not discriminate against any employee, applicant for employment, or any person seeking the services of the Agency to be provided under this Contract on the basis of race, color, religion, creed, sex, age, national origin, marital status or presence of any sensory, mental or physical handicap.

12. Assignment and Subcontract. The Agency shall not assign or subcontract any portion of the services contemplated by this Contract without the written consent of the City.

13. Entire Agreement. This Contract contains the entire agreement between the parties hereto and no other agreements, oral or otherwise, regarding the subject matter of this Contract shall be deemed to exist or bind any of the parties hereto. Either party may request changes in the Contract. Proposed changes which are mutually agreed upon shall be incorporated by written amendments to this Contract.

14. Notices. Notices required by terms of this Contract shall be sent to the other party at the following addresses, unless otherwise requested, in writing, by one of the parties hereto:

TO THE CITY  
City of Lakewood  
Parks, Recreation & Community Services  
Human Services Division  
6000 Main St SW  
Lakewood, Washington 98499

TO THE AGENCY:  
Communities in Schools of  
Lakewood  
6402 100<sup>th</sup> St SW  
Lakewood, WA 98499

15. Applicable Law, Venue, Attorney's Fees. This Contract shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Contract, the parties specifically understand and agree that venue shall be properly laid in Pierce County, Washington. The prevailing party in any such action shall be entitled to its attorney's fees and costs of suit.

16. E-verify. The contractor and any subcontractors shall comply with E-Verify as set forth in Lakewood Municipal Code Chapter 1.42. The Contractor shall enroll in, participate in and document use of E-Verify as a condition of the award of this Contract. The Contractor shall continue participation in E-Verify throughout the course of the Contractor's contractual relationship with the City. If the Contractor uses or employs any subcontractor in the performance of work under this Contract, or any subsequent renewals, modifications or extension of this contract, the subcontractor shall register in and participate in E-Verify and certify such participation to the Contractor. The Contractor shall show proof of compliance with this section, and/or proof of subcontractor compliance with this section, within three (3) working days of the date of the City's request for such proof.

17. CARES Act Relief Fund Compliance. The Agency may only submit invoices for reimbursement for expenses that meet the conditions described in "Exhibit C", CARES Act Compliance. If an approved expense becomes noncompliant with these conditions, such as due to an output being funded by CARES Act funding from another source, the Agency will notify the City in writing within 10 days so that the outputs in "Exhibit B" may be adjusted.  
IN WITNESS WHEREOF THE PARTIES HERETO EXECUTED THIS CONTRACT AS OF  
THE DATE AND YEAR FIRST ABOVE WRITTEN.

**City of Lakewood**

**Communities in Schools of Lakewood**

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John J. Caulfield  
City Manager

Date

---

Kerri Pedrick  
Executive Director

Date

Attest:

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Briana Schumacher  
City Clerk

Date

Approved as to Form:

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Heidi Ann Wachter  
City Attorney

Date

**Exhibit A: City of Lakewood  
2020 Human Services Program**

**Communities in Schools of Lakewood  
Funds Awarded:**

**\$50,000**

**Scope of Work**

**Description of Services**

Provide continued case management and support services for students and families from Clover Park School District who were being supported through the 2019-20 school year. Services include virtual mentorship, wellness checks, basic need deliveries, reading material deliveries, PPE deliveries, and other virtual content and engagement.

**Description of how this program meets a need unique to direct or secondary effects of COVID-19**

Some services such as providing face masks and other PPE are new for CIS. Programs and case management were also scheduled to end on June 17th (to resume September with the start of "school"), but students and families of Lakewood need us more than ever to provide connection in this time of isolation and crisis in the young people of Lakewood during this traumatic time and throughout the summer. Our students' relationships with caring adults (our staff and volunteer) are essential building blocks of resilience and continuing these relationships over the summer are critically important now more than ever.

**Exhibit B: 2020 Human Services CARES Act Relief Activities**  
**Communities in Schools of Lakewood**  
**Location of service delivery: Within Lakewood City Limits**  
**Time of service: business hours**  
**Duration of service: July 1<sup>st</sup>, 2020 through October 15<sup>th</sup>, 2020**  
**Target group: Students from Clover Park School District**

**Outputs (2020):**

**Unduplicated Lakewood residents to be served: 190**

**List of Service Output Measures & Units of Service**

- 1. Number of students receiving case management and support services - 190**
- 2. Number of transition supports for students entering middle or high school - 30**
- 3. Number of families receiving food and other basic needs - 100**

**Annual Program Budget**

|  | <b>Lakewood Funds</b>     | <b>All Program Funds</b>  |
|--|---------------------------|---------------------------|
|  | \$50,000                  | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |
|  | Click here to enter text. | Click here to enter text. |

**Budget Totals:**                      \$      **50,000**                      \$ Click here to enter text.



## **Exhibit C: CARES Act Relief Fund Compliance**

### **Communities in Schools of Lakewood**

#### **Conditions for Reimbursable Expenses**

**The Agency acknowledges the outputs described in this contract meet the following conditions as described by the CARES Act and the Lakewood City Council:**

- Expenses must be connected to COVID-19 and would not have existed without it
- Expenses will not be used to fill shortfalls in revenue to cover an expenditure that would otherwise not qualify under the statute
- The expense is not a cost accounted for in a budget approved as of March 27, 2020
- Organizations may receive CARES Act funding from multiple sources, but cannot use those funds for the same purpose
- Up to 10% of the contract is for administrative costs

# REQUEST FOR COUNCIL ACTION

|   |   |   |
|---|---|---|
| <b>DATE ACTION IS REQUESTED:</b><br>July 20, 2020 | <b>TITLE:</b> Motion authorizing the execution of a contract with Living Access Support Alliance (LASA) to disburse \$407,640 in Coronavirus Relief Fund Monies | <b>TYPE OF ACTION:</b><br>— ORDINANCE<br>— RESOLUTION<br><u>X</u> MOTION NO. 2020-34<br>— OTHER |
| <b>REVIEW:</b><br>July 20, 2020 Council Meeting   | <b>ATTACHMENTS:</b><br>Draft Contract   |   |

**SUBMITTED BY:** Tiffany Speir, Long Range & Strategic Planning Manager, through John Caulfield, City Manager.

**RECOMMENDATION:** It is recommended that the City Council authorize, by Motion, the execution of a contract with Living Access Support Alliance (LASA) to disburse \$407,640 in Coronavirus Relief Fund Monies.

**DISCUSSION:** On June 15, 2020, through Resolution 2020-11 the City Council authorized the acceptance of \$1.79 million in Coronavirus Relief Funds (CRF monies) by the City, funding priorities for disbursing the monies, and a budget for the use of the monies. As a “Human Services Partner” within Lakewood’s CRF budget, Living Access Support Alliance (LASA) has been identified as the entity through which the City can distribute rental assistance funds to Lakewood residents. The funds: will be paid by LASA directly to landlords/lenders; will be for one month’s rent up to \$1,500 per household; and will be available for residents with an income up to 120% of AMI (\$60,000 HH income.) It is anticipated this will assist approximately 175 households.

The draft contract is attached.

**ALTERNATIVE(S):** The City Council could choose to modify or reject this Motion.

**FISCAL IMPACT:** If adopted, the Motion would have no financial impact on the City’s General Fund.

Prepared by  
Tiffany Speir, Long Rang & Strategic Planning  
Manager

\_\_\_\_\_  
Department Director

  
\_\_\_\_\_  
City Manager Review

**ATTACHMENT A**  
**2020 CONTRACT FOR HUMAN SERVICES**  
**BETWEEN THE CITY OF LAKEWOOD AND**  
**LASA CLIENT SERVICE CENTER**

**THIS AGREEMENT** is entered into this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the City of Lakewood, Washington, a code city duly organized and existing pursuant to laws of the State of Washington, hereinafter referred to as the “City” and the Living Access Support Alliance (LASA), hereinafter referred to as the “Agency.”

**WHEREAS**, the City has determined the need to have certain human services performed for its citizens; and,

**WHEREAS**, the City desires to have the Agency perform such services pursuant to certain terms and conditions, now, therefore,

**IN CONSIDERATION OF** the mutual benefits and conditions hereinafter contained, the parties hereto agree as follows:

1. Scope of Services to be Performed by Agency. The Agency shall perform those services described on “Exhibit A,” attached hereto and incorporated herein by this reference. In performing such services, the Agency shall at all times comply with all Federal, State, and local statutes, ordinances and rules applicable to the performance of such services and the handling of any funds used in connection therewith. The Agency shall request, in writing, prior approval from the City whenever the Agency desires to amend the scope of services.

2. Compensation and Methods of Payment. The City shall **reimburse** the Agency for services rendered as set forth on “Exhibit B,” Budget attached hereto and incorporated herein by this reference. Compensation shall be paid by the City following receipt of a properly completed Invoice and Reimbursement Request. Invoices may be submitted immediately as costs are incurred, but the Agency shall submit all requests to the City for payment by October 15<sup>th</sup>, 2020.

The requests for such payment shall be processed for payment by the City in the normal course after that date, in accordance with the terms hereof. Any/all requests for reimbursement shall not exceed the proportionate amount of contracted outputs identified and set forth on “Exhibit B.”

3. Agency Budget. The Agency shall apply the funds received under this Agreement with the maximum limits set forth in this Contract solely to the services specified in Paragraph 1, above, and according to the approved budget of the Agency. Prior approval from the City is required whenever the Agency desires to amend its budget by transferring funds among the budget categories.

4. Duration of Contract. This Contract shall be in full force and effect for a period commencing on the date of execution and ending on the 31<sup>st</sup> day of October, 2020, unless sooner terminated under the provisions hereinafter specified.

5. Independent Contractor. The Agency and City agree that the Agency is an independent contractor with respect to the services provided pursuant to this Contract. Nothing in this Contract shall be considered to create the relationship of employer and employee between the parties hereto. Neither the Agency nor any employee of the Agency shall be entitled to any benefits accorded City employees by virtue of the services provided under this Contract. The City shall not be responsible for withholding or otherwise deducting federal income tax or social security payments or contributing to the State Industrial Insurance Program, or otherwise assuming the duties of an employer with respect to the Agency, or any other employee of the Agency.

6. Indemnification and Defense. The Agency shall defend and indemnify, and hold harmless the City, its agents and employees, from and against any and all liability arising from injury or death to persons or omissions of the Agency, its agents, servants, officers or employees, irrespective of whether in connection with such act or omission it is alleged or claimed that an act of the City, or its agents or employees caused or contributed thereto. In the event that the City shall elect to defend itself against any claim or suit arising from such injury, death or damage, the Agency shall, in addition to indemnifying and holding the City harmless from any liability, indemnify the City for any and all expense incurred by the City in defending such claim or suit, including attorney's fees.

7. Insurance.

A. The Agency shall procure and maintain in full force throughout the duration of the Contract commercial comprehensive general liability insurance with a minimum coverage of \$1,000,000.00 per occurrence combined single limit and \$2,000,000.00 in the aggregate for personal injury and property damage and non-owned automobile. The said policy shall name the City as an additional named insured on the insurance policies, and **A COPY OF THE ENDORSEMENT NAMING THE CITY AS AN ADDITIONAL INSURED SHALL BE ATTACHED TO THE CERTIFICATE OF INSURANCE.**

B. In addition to the insurance provided for in Paragraph A above, the Agency shall maintain or insure that its professional employees or contractors maintain professional liability insurance in the event that services delivered pursuant to this Contract, either directly or indirectly, involve providing professional services. Such professional liability insurance shall be maintained in an amount not less than \$500,000.00 combined single limit per claim and in the aggregate. For the purposes of this paragraph "professional service" shall mean services provided by a physician, licensed psychologist, or other licensed professional.

C. Certificates of coverage as required by Paragraph A and B above shall be delivered to the City within fifteen (15) days of execution of this Contract. Further, it is the responsibility of the Agency to ensure a valid certificate of insurance is in effect at all times throughout the course of this Contract. Requests for reimbursement under this Contract may be withheld until such time as a valid certificate of insurance is provided to the City.

8. Record Keeping and Reporting.

A. The Agency shall maintain accounts and records, including personnel, property, financial and programmatic records which sufficiently and properly reflect all direct and indirect costs of any nature expended and services performed in the performance of this Contract and other such records as may be deemed necessary to the City to ensure proper accounting for all

funds contributed by the City for the performance of this Contract and compliance with this Contract. The Agency shall notify the City within ten (10) days of any significant change in program personnel.

B. The Agency shall maintain these records for a period of seven (7) years after termination hereof unless permission to destroy them is granted by the office of the archivist in accordance with Chapter 40.14 RCW and by the City.

C. The Agency shall provide an activity report to the City containing program goals and outputs by October 15<sup>th</sup>, 2020. The Activity report will accompany the final Reimbursement Request as set forth in Section 3 (Compensation and Methods of Payment). **Payment for services will not be made if output reports are not received by the last day of the following month in which services were provided.**

D. The Agency, at the request of the City, shall make public presentations regarding the program funded by the City. Such presentation shall be prepared in advance and approved by the City.

9. Audits and Inspections. The records and documents with respect to all matters covered by this Contract shall be subject at all times to inspection, review or audit during the performance of this Contract. The City shall have the right to an annual audit of the Agency's financial statements and condition. In addition, the Agency is subject to an annual site monitor of the systems supporting contracted services and eligible activities. The City shall have the right to an annual inspection of the Agency's data systems for tracking outcome achievement. Areas of default noted during the annual inspection may demand additional site monitoring(s).

10. Termination. The City of Lakewood may suspend or terminate this Agreement in whole or in part for convenience, upon 15 days written notice to the Agency. If the Agency's insurance coverage is canceled for any reason, the City shall have the right to terminate this Contract immediately. If for any reason an agency does not comply with all aspects of this contract, including mandatory reports, such non-compliance may jeopardize the agency's ability to receive future funding.

Further: This Contract may be terminated upon evidence of the following conditions:

1. Agency is no longer operating: The Contract shall be terminated within 10 days of notification that the Agency is no longer operating and performing the duties identified in "Exhibit A," Scope of Services.

2. Change in Scope of Services: Should the Agency no longer provide services identified in "Exhibit A" Scope of Work, the contract may be terminated for non-performance.

3. Misuse of Public Funds: The Agency cannot produce accurate accounts and records of funds used in the performance of this Contract.

11. Discrimination Prohibited. The Agency shall not discriminate against any employee, applicant for employment, or any person seeking the services of the Agency to be provided under

this Contract on the basis of race, color, religion, creed, sex, age, national origin, marital status or presence of any sensory, mental or physical handicap.

12. Assignment and Subcontract. The Agency shall not assign or subcontract any portion of the services contemplated by this Contract without the written consent of the City.

13. Entire Agreement. This Contract contains the entire agreement between the parties hereto and no other agreements, oral or otherwise, regarding the subject matter of this Contract shall be deemed to exist or bind any of the parties hereto. Either party may request changes in the Contract. Proposed changes which are mutually agreed upon shall be incorporated by written amendments to this Contract.

14. Notices. Notices required by terms of this Contract shall be sent to the other party at the following addresses, unless otherwise requested, in writing, by one of the parties hereto:

TO THE CITY  
City of Lakewood  
Parks, Recreation & Community Services  
Human Services Division  
6000 Main St SW  
Lakewood, Washington 98499

TO THE AGENCY:  
LASA  
PO Box 98619  
Lakewood, WA 98496

15. Applicable Law, Venue, Attorney's Fees. This Contract shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Contract, the parties specifically understand and agree that venue shall be properly laid in Pierce County, Washington. The prevailing party in any such action shall be entitled to its attorney's fees and costs of suit.

16. E-verify. The contractor and any subcontractors shall comply with E-Verify as set forth in Lakewood Municipal Code Chapter 1.42. The Contractor shall enroll in, participate in and document use of E-Verify as a condition of the award of this Contract. The Contractor shall continue participation in E-Verify throughout the course of the Contractor's contractual relationship with the City. If the Contractor uses or employs any subcontractor in the performance of work under this Contract, or any subsequent renewals, modifications or extension of this contract, the subcontractor shall register in and participate in E-Verify and certify such participation to the Contractor. The Contractor shall show proof of compliance with this section, and/or proof of subcontractor compliance with this section, within three (3) working days of the date of the City's request for such proof.

17. CARES Act Relief Fund Compliance. The Agency may only submit invoices for reimbursement for expenses that meet the conditions described in "Exhibit C", CARES Act Compliance. If an approved expense becomes noncompliant with these conditions, such as due to an output being funded by CARES Act funding from another source, the Agency will notify the City in writing within 10 days so that the outputs in "Exhibit B" may be adjusted.

**City of Lakewood**

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**Exhibit A: City of Lakewood  
2020 Human Services Program**

**LASA**

**Funds Awarded:**

**\$407,640**

**Scope of Work**

**Description of Services**

The Agency will administer a rental assistance program on behalf of the City for Lakewood households effected by COVID-19. The rental assistance program will include the following components:

- Applicants must be able to document a loss of income due to COVID-19
- Rental assistance payments will be for one month's rent up to \$1,500
- Lakewood residents with income up to 120% area median income (\$60,000) will be eligible
- Payments must be paid directly to landlords and submitted to the City for reimbursement

The Agency will continue to work with the City to determine how to promote the rental assistance program, the format of the application for assistance, and the process for reviewing and selecting applications.



**Exhibit B: 2020 Human Services CARES Act Relief Activities  
LASA**

**Duration of service: July 1<sup>st</sup>, 2020 through October 15<sup>th</sup>, 2020**

**Outputs (2020):**

**Unduplicated Lakewood residents to be served: Tracking**

**List of Service Output Measures & Units of Service**

**1. Number of households receiving rental assistance - Tracking**

**Annual Program Budget**

|                   | <b>Lakewood Funds</b> | <b>All Program Funds</b>  |
|-------------------|-----------------------|---------------------------|
| Rental Assistance | \$357,540             | Click here to enter text. |
| Admin             | \$50,000              | Click here to enter text. |
| Total             | \$407,640             | Click here to enter text. |

**Budget Totals:**                      \$        **407,640**                      \$ Click here to enter text.

## **Exhibit C: CARES Act Relief Fund Compliance**

**LASA**

### **Conditions for Reimbursable Expenses**

**The Agency acknowledges the outputs described in this contract meet the following conditions as described by the CARES Act and the Lakewood City Council:**

- Expenses must be connected to COVID-19 and would not have existed without it
- Expenses will not be used to fill shortfalls in revenue to cover an expenditure that would otherwise not qualify under the statute
- The expense is not a cost accounted for in a budget approved as of March 27, 2020
- Organizations may receive CARES Act funding from multiple sources, but cannot use those funds for the same purpose

# REQUEST FOR COUNCIL ACTION

|   |   |   |
|---|---|---|
| <b>DATE ACTION IS REQUESTED:</b><br>July 20, 2020 | <b>TITLE:</b><br>2020-2021 AFSCME Collective Bargaining Agreement   | <b>TYPE OF ACTION:</b><br>— ORDINANCE<br>— RESOLUTION<br><u>X</u> MOTION 2020-36<br>— OTHER |
| <b>REVIEW:</b>                                    | <b>ATTACHMENTS:</b><br>Collective Bargaining Agreement<br>Memorandum of Understanding<br>Summary of Changes/Costs |   |

**SUBMITTED BY:** Mary McDougal, Human Resources Director

**RECOMMENDATION:** It is recommended the City Council authorize the City Manager to execute the collective bargaining agreement (CBA) negotiated between the City of Lakewood and the American Federation of State, County and Municipal Employees (AFSCME) Local #1938 covering the period from 01/01/2020 through 12/31/2021. This action would amend any previously adopted Ordinances which identify AFSCME represented employees' salaries and benefits.

**DISCUSSION:** City of Lakewood and AFSCME representatives have been negotiating for the past eight months, with three months off during the Stay Home orders due to the COVID-19 pandemic, and met a total of 11 times. AFSCME represents approximately 80 employees working in a variety of positions and locations. AFSCME has ratified the tentative agreement. The major provisions include:


- Term of Agreement: 2 years (01/01/2020 – 01/01/2021).
- 2.5% wage adjustment in 2020 and 2021.
- Increase medical insurance opt-out payment from \$250/month to \$300/month.
- Includes MOU regarding City contracting for annual maintenance and reactive repair services performed by City of Lakewood Traffic Signal Technicians positions until vacated in 2019.
  - Term for contracting services is two years, not to extend beyond 12/31/2022.
  - One-time lump sum payment to Associate Engineer and O&M Lead Maintenance Worker in recognition of the additional work performed during the transition period when the Signal Tech positions were vacant and prior to executing a new contract for services.

**ALTERNATIVE(S):** The Council could decide not to authorize execution of the AFSCME Agreement, however, this negotiated agreement is intended to be in the best interest of the City.

**FISCAL IMPACT:** Adoption of this agreement will create an additional fiscal impact of approximately \$469,178 for the two-year term of the agreement, and approximately \$1,710,387 for the 6-year period ending 12/31/2025.

  
Prepared by

Mary McDougal, Human Resources Director

  
City Manager Review

# AGREEMENT

by and between



and



**LOCAL #1938**

for the period

January 1, 2020 through December 31, 2021

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## **PREAMBLE**

THIS AGREEMENT is made by and between the CITY OF LAKEWOOD, WASHINGTON, (hereinafter referred to as the "City") and Local #1938, Washington State Council of County and City Employees of the American Federation of State, County, and Municipal Employees, AFL-CIO, (hereinafter referred to as the "Union").

The purpose of the City and the Union in entering into this Agreement is to set forth their entire agreement with regard to wages, hours, and working conditions so as to promote uninterrupted public service, efficient operations, and harmonious relations, giving full recognition to the rights and responsibilities of the City and the Employees.

## **ARTICLE 1 – DEFINITIONS**

To the extent there is a conflict between the definitions contained in this Article and definitions elsewhere in this Agreement, the definition contained in those articles shall prevail. The following terms shall be defined as follows:

### **1.1 Accrued Leave.**

Accrued leave shall include paid time off, floating holidays, management leave, and compensatory time (if applicable).

### **1.2 Application of Seniority.**

How an employee's years of continuous service are utilized to determine his or her rights in regard to layoff, recall, overtime bidding, and scheduling of leave.

### **1.3 Bargaining Unit (Union).**

Local #1938, Washington State Council of County and City Employees of the American Federation of State, County, and Municipal Employees, AFL-CIO.

### **1.4 Bumping.**

The displacement of a less senior regular employee by another regular employee with more seniority as described in Article 16.

### **1.5 Business Day.**

For the purpose of timelines associated with grievances, appeals and policy issues, an eight (8) hour business day, excluding weekends and observed holidays, unless otherwise specified.

### **1.6 Call-Back.**

An employee is specifically called back to work by his or her supervisor or management representative outside of the employee's regularly scheduled hours.

### **1.7 City**

The City of Lakewood, Washington.

1.8 Civil Service.

In accordance with Chapter 41.12 RCW, all full-time employees of the Police Department are covered by a civil service personnel system, except for those positions that are exempt under RCW 41.12.050.

1.9 Demotion.

The movement of an employee from one job classification to another job classification with a lower salary range. Demotions may be voluntary or disciplinary for cause.

1.10 Employee.

A person occupying a position and paid a salary or wage by the City who is a member of the bargaining unit (as defined in Article 2.1 hereof) covered by this Agreement; but shall not include any person retained by the City under a written personal services or consultant contract or agreement.

1.11 Flex Time.

An authorized alternative work schedule utilizing irregular starting or stopping times within an employee's scheduled work period.

1.12 Grievance.

A claim or dispute by an employee and/or the Union with respect to the interpretation or application of the express provisions of this Agreement.

1.13 Job Classifications.

A position or group of positions with duties, responsibilities, and skill levels sufficiently alike to be equitably assigned the same title, same or similar qualification requirements, the same skill level, and the same salary range. Job classifications and salary steps are listed and categorized in Appendix A of this Agreement.

1.14 Loudermill Rights.

The employee's right to due process in certain disciplinary matters.

1.15 Paid Time Off (PTO).

A scheduled work day or accumulation of scheduled work days on which an employee may, by pre-arrangement, continue to receive the regular rate of compensation although he or she does not work.

1.16 Probationary Period.

An initial period of time following commencement of employment during which the employee will work under the terms of this Agreement but may be discharged without recourse to the grievance procedure.

1.17 Promotion

When a represented employee is appointed through a competitive process to a higher paid classification.

**1.18 Reclassification.**

A significant change in the job specification as a result of a reevaluation of the duties and responsibilities required of the position.

**1.19 Transfer.**

The reassignment of an employee to the same classification in a different department.

**1.20 Trial Service Period.**

An initial period of time during which an employee who is transferred, promoted, or demoted to another position and/or classification in the bargaining unit shall be evaluated for suitability for the position, consistent with Article 7.3.

**1.21 Weingarten Rights.**

An employee's right to Union representation during an interview that the employee reasonably believes may lead to disciplinary action.

**1.22 Written Reprimand.**

A written document that describes both the problem and the needed correction, and the potential consequences if it reoccurs. A Written Reprimand shall be part of employee personnel file.

## **ARTICLE 2 – RECOGNITION**

### **2.1 Recognition**

The City recognizes the Union as the exclusive collective bargaining representative for all regular employees of the City of Lakewood as noted in the classifications identified in Appendix A – Salary Schedules, and as per PERC Case # 22449-E-09-3468, Decision 10471-PECB, which states, ALL FULL-TIME AND REGULAR PART-TIME PROFESSIONAL, TECHNICAL AND CLERICAL EMPLOYEES OF THE CITY OF LAKEWOOD, EXCLUDING SUPERVISORS, CONFIDENTIAL EMPLOYEES AND ALL OTHER EMPLOYEES, and as subsequently amended by PERC or by mutual agreement of the parties. Temporary employees who perform similar work to regular employees for more than six months are included in the bargaining unit represented by the Union.

The following definitions apply:

- A. Regular Full-time: An employee hired for an indefinite term of employment and regularly scheduled to work forty (40) or more hours per week. Regular full-time employees shall be eligible for benefits as provided by this Agreement and/or as legally required. Seniority shall accrue from the date of hire.
- B. Regular Part-time: An employee hired for an indefinite term of employment and regularly scheduled to work twenty (20) or more hours per week but less than forty (40) hours per week. Regular part-time employees shall be eligible for pro-rated benefits as

provided by this agreement and/or as legally required. Seniority shall accrue from the date of hire.

- C. Regular with End Date: An employee hired for a defined term of employment and who is anticipated to work more than one thousand and thirty-nine (1,039) hours in a twelve (12) month period. This position is eligible for the standard benefits package, prorated to match the FTE percentage.
- D. Represented Temporary: An employee hired in excess of six (6) months but not longer than twelve (12) months and regularly assigned to work a minimum of twenty (20) hours per week. Represented temporary employees shall be eligible for pro-rated benefits as provided by this Agreement beginning the first pay period following the employee's completion of six (6) months of continuous employment in a temporary position. Seniority does not accrue unless the employee is later appointed to a regular position with no break in employment, in which case the employee shall be credited for time worked. Represented temporary employees serve "at will" and may be terminated or disciplined without recourse to the grievance procedure.

**2.1.1 Exclusions** - The following categories of employee will be excluded from the bargaining unit:

- A. All other represented employees of the City; all department managers, supervisors, and confidential employees, consistent with PERC Decision 10471-PECB).
- B. Temporary Employees: An employee hired for a limited term of employment not to exceed six (6) months who are needed to augment the workforce during absences, peak periods, or emergent situations. Seniority does not accrue unless the employee is later appointed to a regular position with no break in employment, in which case the employee shall be credited for time worked. Temporary employees shall not be used to supplant or replace bargaining unit employees. All time constraints held herein shall be based on the position and shall not be started over should another person be placed in the same temporary position. Exceptions to this can be made upon signed mutual agreement between the parties.
- C. Seasonal Employees: An employee hired for a specific limited term of employment in a position that is seasonal in nature and who is not anticipated to work more than one thousand and thirty nine (1,039) hours in a calendar year. This position is not eligible for benefits.
- D. Work Study & Interns: An employee who is a student or trainee and who is hired for a definite and limited term of employment not to exceed twelve (12) months and not to exceed one thousand and thirty-nine (1,039) hours worked in a calendar year, unless extended by mutual agreement. Work study and internship programs shall not be used to supplant or replace bargaining unit employees.
- E. Extra Hire: An employee hired for an indefinite term of employment and regularly scheduled to work less than twenty (20) hours per week, and not to exceed one

thousand and thirty-nine (1,039) hours in a calendar year, unless extended by mutual agreement.

**2.1.2 Volunteers** - Both the City and the Union recognize the benefit of utilizing volunteers from the local community. Volunteers shall be limited to performing tasks that are supportive of work performed by regular bargaining unit employees and shall not otherwise supplant or replace bargaining unit employees.

## **2.2 New Classifications**

When new classifications are created, they shall be included or excluded from the bargaining unit consistent with the position's duties, responsibilities, confidentiality, and general organizational structure of the particular department. The City shall notify the Local Union President and Staff Representative of newly created classifications at least ten (10) business days prior to posting or advertising to fill the position.

## **2.3 Modifications to Existing Classifications**

When existing bargaining unit classifications are substantially modified, the City shall notify the Local Union President and Staff Representative at least ten (10) business days prior to the proposed effective date.

## **2.4 Inclusion/Exclusion of Classifications**

It is mutually agreed that it is the intent of the parties to meet, upon request by either party, in order to include or exclude new or modified classifications in the bargaining unit consistent with the duties, responsibilities, and organizational level of the classification.

The parties agree that new classification(s) designated by the City to be within the non-represented pay plans shall be excluded from the bargaining unit, absent a request to meet within thirty (30) calendar days.

## **2.5 Unit Clarification**

Either party to this Agreement reserves the right to submit a petition for unit clarification during the term of this Agreement pursuant to PERC rules should there be a disagreement regarding the inclusion or exclusion of a position. Existing bargaining unit classifications shall remain within the bargaining unit absent mutual agreement by the parties or a decision by the Public Employment Relations Commission (PERC).

# **ARTICLE 3 – UNION SECURITY**

## **3.1. Union Dues and Revocation**

- A. Upon receipt of notice from the Union of written, electronic, or recorded voice authorization by a bargaining unit employee, the City agrees to deduct from the wages of the employee the sum certified as the initiation fee and dues each month and to forward the sum to the Union.

- B. If the City receives a request for authorization of dues deduction from an employee, the City shall forward the request to the Union.
- C. The employee's authorization remains in effect until expressly revoked by the employee in accordance with the terms and conditions of the dues authorization form.
- D. An employee request to revoke authorization of payroll deduction must be in writing and submitted by the employee to the Union in accordance with the terms and conditions of the dues authorization form.
- E. If the City receives a request to revoke authorization of deductions from an employee, the City shall forward the request to the Union.
- F. Upon receipt of notice from the Union that the employee has revoked authorization for deduction, the City shall end the deduction no later than the second payroll after the request.
- G. The City shall remain neutral on the issue of Union membership.
- H. If an employee does not have a check due to the employee or the check is not large enough to satisfy the deduction, no deduction shall be made from the employee for that calendar month.

### **3.2 Indemnification**

The Union shall indemnify and hold the City harmless from any and all claims against the City arising out of administration of this Article, including the amounts of Union dues deducted and withheld from earnings.

### **3.3 Employee Roster/Union Officer List**

Upon request, the City shall provide the Union with a roster of employees covered by this Agreement pursuant to Article 8. The roster shall include name, address, salary, classification, department, hire date, and termination date, where applicable.

The Union agrees to provide Human Resources with a list of officers and employee representatives within ten (10) calendar days of election or appointment. The City shall recognize the officers and employee representatives immediately when such list is received by Human Resources.

### **3.4 Non-discrimination**

Neither party shall discriminate against any employee because of membership in or non-membership in or activity on behalf of the Union. No employee shall be discharged or discriminated against for upholding Union principles, fulfilling duties as an officer in the Union, or serving on a Union committee.

## **ARTICLE 4 – UNION / CITY RELATIONS**

#### **4.1 Union Access**

The Union's authorized staff representatives shall have access during employee work hours to the City's premises where employees covered by this Agreement are working for the purpose of investigating grievances and contract compliance, after notifying the City. Access for other purposes or during other hours shall not be unreasonably denied by the City. Such visits shall not interfere with or disturb employees in the performance of their work during working hours.

#### **4.2 Facility & Equipment Use**

The conduct of Union business on City time and premises shall be subject to the limitations set forth in this Article and with the understanding that no Union member or officer shall use City equipment in the conduct of Union business; provided, that the Union shall be permitted to use the City e-mail system for the sole purpose of notifying Union members of meeting dates, times, and locations.

The Union shall be permitted to use designated premises of the City for Union meetings, provided it is not disruptive to operations, space is available, and meetings are held on the employee's time and not on the City's.

#### **4.3 Employee Representatives**

The Union shall be entitled up to fourteen (14) employee representatives, including officers. With notice to the City the employee representatives and/or officers shall be allowed reasonable time during working hours to investigate and process grievances, as defined in Article 4.8 and 4.9. Employee representatives and officers shall attend Union meetings on their own time.

#### **4.4 Orientation**

On or about the same day as new hire orientation, a Union officer or employee representative shall be permitted, for up to fifteen (15) minutes and without loss of pay, to meet with new represented employees as a group to discuss the responsibilities and benefits of Union membership. The City shall incur no costs for travel time or mileage for Union officers or employee representatives.

#### **4.5 Bulletin Boards**

The City shall provide space for a bulletin board for Union use in a common area of City Hall and at one common space for each City facility where bargaining unit employees are assigned. No materials shall be posted except notices of meetings and elections; results of elections; changes in Union by-laws; notices of employee social occasions; and/or similar Union notices, letters, and memoranda. All material shall be signed by an officer of the Union. The Union shall not post any non-Union-related material on the City's premises on the bulletin board. It is the Union's responsibility to maintain its bulletin boards.

#### **4.6 Contract Access**

A copy of this Agreement will be located in the Human Resource office and available for review by employees in the bargaining unit during regular City Hall business hours.



#### **4.7 Negotiations Release Time**

The City will make a good faith effort to provide release time for Union negotiating team members participating in contract negotiations if negotiations take place on work time, provided that coverage can be arranged.

#### **4.8 Grievance Release Time**

Prior to any proposed investigation of a grievance, employee representatives or officers shall provide notice of the grievance to their supervisor and the grievant's supervisor. Grievance release time will be granted unless the employee representative, officer, or the grievant is working on something that requires immediate attention. If permission cannot be immediately granted, the City will arrange for investigation of the grievance at the earliest possible time. When it is necessary for employee representatives or officers to conduct Union business authorized by this Agreement in an area or on a shift other than their own, they shall notify the supervisor of that area or shift of their presence and of the nature of their business. No compensation shall be provided by the City for such employee representative activities outside the employee's work shift, without express preauthorization by the employee representative's department director or Human Resources.

#### **4.9 Union Business**

When reasonably possible, Union representatives will notify their supervisors or department directors when participating in Union business during regular business hours. Consistent with Articles 4.3 and 4.8, employee representatives and/or officers may request and will be afforded reasonable time for the investigation of a grievance and compliance issues pursuant to this Agreement. Other Union business shall not be conducted on City time.

**4.9.1** Any concerns by the City which indicate that a Union officer or employee representative is spending an unreasonable amount of time performing Union duties shall be referred to Human Resources for discussion and resolution with the staff representative of the Union or designee.

### **ARTICLE 5 – EMPLOYMENT**

#### **5.1 Probationary Periods**

**5.1.1 Non-Civil Service** - New employees shall be subject to a six (6) month probationary period.

The City may extend the probationary period for new employees up to an additional six (6) months to a maximum of twelve (12) months. The City shall provide written notice of intent to extend a probationary period to the employee at least fourteen (14) calendar days prior to the probationary period's expiration. If the City fails to provide written notice of probation extension, the employee shall be deemed to have successfully completed probation.

**5.1.2 Civil Service** - New employees shall be subject to a twelve (12) month probationary period.

The City may extend the probationary period for new employees up to an additional six (6) months to a maximum of eighteen (18) months. The City shall provide written notice of intent to extend a probationary period to the employee at least fourteen (14) calendar days prior to the probationary period's expiration. If the City fails to provide written notice of probationary extension, the employee shall be deemed to have successfully completed probation.

## **5.2 Contractors**

The City will act in good faith to limit bargaining unit work to employees covered by this Agreement. "Contractors" who are not employees of the City will be permitted to do bargaining unit work where both the need is occasional and agreed to between the City and the Union.

# **ARTICLE 6 – HOURS OF WORK AND OVERTIME**

## **6.1 Workweek/Workday**

The City's defined work week is Monday through Sunday, beginning and ending at midnight Sunday. The standard work day shall be a regularly scheduled primary work day consisting of eight (8) consecutive hours.

## **6.2 Standard Work Schedules**

A standard full-time work schedule shall normally consist of forty (40) hours of time compensated within a five (5) consecutive day period, with shifts commencing not before 6:00 am and ending by 6:00 pm. The typical work schedule shall not include both Saturday and Sunday unless mutually agreed upon by the employee and supervisor. Employees shall not be assigned split shifts, or any shift with more than one (1) hour of unpaid time off in a single workday, without mutual consent or as permitted by Article 6.8. The City agrees to provide employees with at least fourteen (14) days' written notice of a change to the employee's work schedule, unless mutually agreed by the employee and the supervisor. The assignment of overtime shall not be considered a schedule change and is not subject to the fourteen (14) day written notice requirement.

**6.2.1 Alternative Work Schedules** - An alternative work schedule (e.g., 4x10, 9x80, or other mutually agreeable option) may be approved by a department director and City Manager after an employee submits a request for alternate work schedule form. An alternate schedule will include at least two (2) consecutive days off per week. In the event an approved flexible and alternative work schedule is terminated by the City through no fault of the employee, and barring any unforeseen extenuating circumstances, the employee shall be provided with thirty (30) calendar days written notice to make personal arrangements to enable compliance with a revised schedule. The revised schedule will be effective at the beginning of the first pay cycle following the thirty (30) day notice period. In the event a flexible or alternative work schedule is terminated as a result of a disciplinary action, the change will be effective at the

beginning of the next pay cycle or as defined in the disciplinary action, unless mutually agreed by the employee and the supervisor.

### **6.3 Outside Employment**

Employees shall be permitted to maintain other employment to the extent that it does not impair the employee's ability to perform his or her normal work duties and/or responsibilities for the City, nor create a conflict of interest. An employee must submit written notification of outside employment to the department director.

### **6.4 Flex Time**

If mutually agreed upon by the employee and the employee's immediate supervisor, flex hours may be approved if the flex hours do not interfere with workload requirements. Flex hours must be approved in advance. Employees working an adjusted workday must flex their hours within the same workweek as defined in Section 6.1 and such schedule shall not result in overtime or compensatory time as identified in the Fair Labor Standards Act and WAC 296.128-500 unless specifically authorized.

### **6.5 Rest & Meal Breaks**

All employees shall receive a paid fifteen (15) minute break for each four (4) hours worked, in addition to their unpaid meal period. Employees working three (3) or more hours longer than a normal work day schedule shall be allowed at least one (1) additional thirty (30) minute unpaid meal period prior to or during the additional work period. Where the nature of the work allows employees to take intermittent rest periods equivalent to fifteen (15) minutes for each four (4) hours worked, scheduled rest breaks are not required. Missed rest breaks are not compensable as overtime. Breaks may not be collected or not taken in order to shorten the work day or work week unless specifically authorized in writing by an employee's supervisor. Such authorization shall not result in payment of overtime or compensatory time.

### **6.6 Overtime**

Employees listed in Appendix A as "overtime eligible" are entitled to overtime compensation. Overtime shall be compensated at one and one half (1 ½) times the employee's normal hourly rate of pay for all time compensated over forty (40) hours per week. Overtime shall be paid in fifteen (15) minute increments. Except in emergent/emergency situations, all overtime must be approved in advance by the employee's immediate supervisor or designee.

**6.6.1** For purposes of computing overtime, all contractual holidays, compensatory time, and Paid Time Off (PTO) shall be considered as time compensated.

**6.6.2 Non-pyramiding** - Compensation shall not be paid or compensatory time accrued more than once for the same hours under any provision of this Article or Agreement. Overtime pay shall not be duplicated or pyramided unless required by FLSA, in which case premium or overtime pay shall be based on the employee's regular rate of pay.

**6.6.3 Assignment of Overtime** - Scheduled overtime is work assigned in advance that is not part of a normal work day. Scheduled overtime time shall be offered to qualified regular full-time or regular part-time employees on a voluntary first-come, first-

served basis. If there are no volunteers to work the scheduled overtime, the City will assign overtime to the least senior qualified employee on a rotational basis as follows:

An overtime list will be established. Employees will be placed on the overtime list based on their classification seniority, in ascending order within their department. The employee at the top of the overtime list will be required to work the scheduled overtime opportunity. That employee then moves to the bottom of the list. Employees on PTO when their turn comes up for scheduled overtime will be assigned the next non-voluntary opportunity after their return from PTO.

**6.6.4 Management Leave** - Employees identified in Appendix A as “overtime exempt” in accordance with WAC 296-128-500 shall be eligible for management leave.

Every employee eligible for management leave shall be awarded eight (8) hours per calendar year. Additional days may be requested by the employee utilizing a Management Leave Request Form (Appendix D) based upon work load and projects. Approval is at the discretion of the supervisor and City Manager or designee. The cumulative total of management days granted to any employee shall not exceed five (5) days annually and shall not be carried over or cashed out. Use of management leave shall follow the PTO procedure. Leave shall be based on special projects and workload.

## **6.7 Standby**

The City may establish standby rosters for those functions requiring response by overtime eligible employees outside of regular work hours. Employees will be placed on the standby roster based on their classification seniority, in descending order within the department. Based on operational needs, a department may establish a single standby roster including multiple classifications or standby rosters by classification, and may determine whether inclusion on the standby roster is mandatory or voluntary. Employees may trade with or give away standby shifts to other qualified employees, with appropriate advance written notice to the supervisor.

While on assigned standby status, employees are required to be unimpaired, reply to the dispatch center within fifteen (15) minutes of any call, and remain within a geographic range allowing a maximum of a ninety (90) minute arrival time to the assigned work location from the time of the initial call. Employees on assigned standby status will be issued a City cell phone, and may be issued a City vehicle or required to use a personal vehicle for response.

When an employee takes a full scheduled work day of PTO for other than pre-scheduled appointments or to rest following a significant overnight callout, the employee will not be eligible to be on assigned standby status until the employee has returned to work and completed a full shift. The supervisor will offer the unstaffed standby opportunity to qualified employees on a voluntary first-come, first-served basis. If there are no volunteers, the supervisor will assign the standby to the next eligible employee as necessary.

Compensation for employees on assigned standby status will be pursuant to Article 10.1.

**6.7.1 Operations & Maintenance Standby** – Maintenance Workers assigned to Facilities Maintenance as of the date of contract ratification shall not be assigned to the standby roster, except by mutual consent of the employee and department director.

For the employees in Maintenance Worker and Traffic Signal Technician classification series who have passed probation, participation in the standby roster shall be voluntary. However, if at any time there are fewer than ten (10) employees who volunteer to be on the roster, inclusion on the roster shall be mandatory based on inverse seniority until there are at least ten (10) employees on the roster.

Once a new employee in these job classifications has passed probation, the employee will be put onto the standby roster if not everyone on the roster was placed there voluntarily. The most senior employee on the roster will then have the opportunity to be removed from the roster.

**6.7.2 Requests to be on Standby Roster** - Employees in other classifications who meet the minimum qualifications of one of the classifications identified in 6.7.1 may request to be on the standby roster. Inclusion on the standby roster requires authorization by the employee's department director, and participation in training as required by the Operations Superintendent. If an employee is denied the opportunity to be on the standby roster, the employee's department director will provide a reason.

## **6.8 Callback**

An employee specifically called back to work outside the employee's regularly scheduled hours shall be paid a minimum of three (3) hours, pursuant to Article 10.2, except that an employee called back to work within one (1) hour of the beginning of the employee's regularly scheduled work day shall be compensated for one (1) hour. Except under the provisions of Section 6.10, employees who are not on standby may decline a call back opportunity without prejudice.

When an employee is on PTO, the employee will not be eligible for callback until the employee has returned to work and completed a full scheduled shift. The supervisor may offer the callback opportunity to another eligible employee as necessary. The City may waive the requirement to complete a full shift after taking PTO and before being subject to callback to address operational needs.

## **6.9 Compensatory Time**

Overtime worked may be accrued as compensatory time as agreed in advance by the employee and supervisor. Compensatory time is accrued at the rate of one and one half (1 ½) times the employee's regular rate of pay.

All compensatory time shall be recorded. Employees may accrue compensatory time without limit, providing that an employee may carry over no more than sixty (60) hours of compensatory time into the next calendar year. During the first pay period of December of each year, the City will cash out any accumulated compensatory time in excess of sixty (60) hours. The employee may exceed the sixty (60) hours of compensatory time, for a limited time, with the approval of his/her department director.

## **6.10 Declared Emergency Scheduling**

The City Manager or designee has the authority to declare a City-wide emergency situation. During a major emergency or disaster of such magnitude that an extensive City response is needed (i.e., significant earthquake, volcanic eruptions, etc.) ***all*** employees are to report in to work as soon as possible after attending to immediate family health and safety needs. In the case of a declared City-wide emergency, the City reserves the right to assign and schedule employees to work whenever and wherever as needed and take other actions as necessary to ensure the protection of life, health, safety, and property of persons under its jurisdiction for the duration of the declared emergency.

## **6.11 Other Emergency Work Assignment/Scheduling**

In order to address the operational management needs of a lesser emergency affecting only certain operations areas or a smaller portion of the City (i.e., storm, network failure, etc.), the following shall apply:

An employee's or group of employees' schedule(s) may be changed with less than the fourteen (14) days' notice required by Section 6.2, subject to terms:

**6.11.1** For an emergency requiring 24-hour response, employees may be assigned regularly recurring shifts different from their currently assigned shift. Such emergency shifts shall not be assigned as "Split-Shifts."

**6.11.2** The City will make a good faith effort to inform all affected employees as quickly as possible. The beginning and ending of emergency work assignments will be acknowledged via email or written notice. Such written notice is not the official method for assigning an employee to an emergency schedule, but is intended to clarify for the record when the emergency schedules were started and ended.

**6.11.3** Employees utilizing heavy equipment will be scheduled in a manner so as to conform to state and federal occupational safety regulations.

**6.11.4** Employees sent home by their supervisor in anticipation of an upcoming needed response shall be paid for the duration of the remainder of their regular shift.

**6.11.5** Upon utilizing this section of the Agreement, overtime for eligible employees shall be compensated at one and one half (1 1/2) times the employee's normal hourly rate of pay for all time compensated: over eight (8) hours in a contiguous shift. All hours compensated in excess of forty (40) hours at straight time in a work week shall be compensated at one and one half (1 1/2) times the normal rate. No emergency schedule change shall result in the reduction in an employee's number of scheduled hours in a work week.

**6.11.6** Employees assigned to a twelve (12) hour shift will receive two (2) unpaid thirty (30) minute meal periods and fifteen (15) minute paid breaks at intervals required by law.

**6.11.7** Employees shall receive shift differential (per Section 10.8) for all hours compensated between 5:00 p.m. and 8:00 a.m., subject to the non-pyramiding provisions of Section 6.6.2.

**6.11.8** Upon the determination of the City, emergency schedule assignments may be canceled, and employees shall resume their regular work schedules. Employees who have performed work within six (6) hours of their regular start time will be instructed to return to work halfway through their normal work shift. An emergency event shall not be declared and canceled multiple times within the same calendar day.

## **ARTICLE 7 – EMPLOYMENT PRACTICES**

### **7.1 Nondiscrimination**

The City and Union shall ensure that all terms and conditions of employment included in this Agreement shall be administered in accordance with federal or state law governing employment discrimination. Administration and application consistent with federal or state law shall not be construed to be discrimination under this Article.

The City and the Union agree to provide equal opportunity as to the provisions of this Agreement to all member employees. Neither the City nor the Union shall discriminate against any person on the basis of such person's race, sex, marital status, color, creed or religion, national origin, age, veteran status, sexual orientation, or the presence of any sensory, mental, or physical disability, in violation of any local, state, or federal law.

Wherever words denoting a specific gender are used in this Agreement, they are intended and shall be construed so as to apply equally to all genders.

### **7.2 Job Posting**

Human Resources will post available bargaining unit promotional opportunities internally for a period of no less than three (3) working days before the position is filled. Union positions will be identified as such. If internal posting is unsuccessful, City may post externally and interview any internal and external applicants simultaneously.

**7.2.1** The City shall not make direct appointments for bargaining unit positions. The transfer of an employee or the reassignment of an employee to a different position within the same classification within a department shall not be considered direct appointments.

### **7.3 Promotion**

When a new position is created or a vacancy occurs, employees who have been employed by the City for at least six (6) months are eligible to apply. An employee who applies and is not selected for a vacancy will receive notification from the hiring manager.

**7.3.1** Employees who are selected to fill a position in a higher paid classification in the bargaining unit shall serve a trial service period for six (6) months of work or twelve (12) months of work for civil service. During the trial service period, employees promoted to a regular position may return to their former positions at their option within the first six (6)

weeks. If the employee does not successfully complete the trial service period, the employee may return to their former position if vacant or be placed on the recall list if filled.

**7.3.2** Upon promotion, the employee will be placed at the beginning of the new salary range or at the next defined pay step within the new salary range which results in a minimum of a four percent (4%) increase to the employee's current rate of pay. An employee will be eligible for step increases annually based on the effective date of the promotion.

#### **7.4 Transfer**

An employee who is given the option to transfer due to a reorganization or lay off shall not serve a trial service period. An employee who requests and is granted a transfer shall serve a trial service period.

#### **7.5 Reclassification**

An employee, an employee's supervisor/department director, City Manager, or Human Resources may initiate a reclassification request to the Director of Human Resources. Human Resources shall, within one hundred and twenty (120) calendar days or as otherwise mutually agreed with the Union, conduct an audit and analysis of the request which includes a portion to be completed by the employee in the affected position. Human Resources shall report to the department director and the employee the result of the findings.

Should it be determined the employee is working outside the employee's classification, the department director shall either adjust the employee's responsibilities to fall within the existing current classification or reclassify the affected employee to the newly identified classification.

**7.5.1** An employee reclassified to a classification with a higher salary range shall be placed in the new salary range at the step that leads to at least a four percent (4%) increase over of the employee's current rate of pay (or the minimum of the new salary range if a 4% increase would be below the bottom step of the new range). Wage increases and classification seniority date as a result of a reclassification shall be retroactive to the date when the reclassification request was submitted to the Director of Human Resources. The employee's anniversary date and performance evaluation date will be adjusted to match the date when the reclassification request was submitted to the Director of Human Resources.

**7.5.2** An employee reclassified to a classification with the same salary range shall maintain the current salary placement, performance evaluation date, and anniversary date. The classification seniority date shall be effective the date on which the reclassification was approved.

**7.5.3** An employee reclassified to a classification with a maximum salary that is lower than the employee's current salary shall have the salary frozen until such a time as the maximum salary of the new range (excluding the Master Step) meets or exceeds the employee's current salary. At that time, the employee shall be placed at the maximum salary of the new range unless a more favorable salary placement is recommended by



the department director and approved by Human Resources and the City Manager. The wage adjustment, employee anniversary date, performance evaluation date, and classification seniority date as a result of a downward reclassification shall be effective the date on which the reclassification was approved.

**7.5.4** An Employee reclassified to a classification with a lower salary range but with a maximum salary that is higher than the employee's current salary, shall be placed in the new salary range at the nearest step to the previous salary that would not result in a reduction in wages. The wage adjustment, employee anniversary date, performance evaluation date, and classification seniority date as a result of a downward reclassification shall be effective the date on which the reclassification was approved.

## **7.6 Demotion**

When an employee is demoted, either voluntarily or for cause, to a job classification with a lower salary range where the maximum salary is higher than the employee's current salary, the employee's salary shall be frozen until the employee's annual review date. On the employee's next annual review date, the employee shall be eligible for a salary increase.

When an employee is demoted, either voluntarily or for cause, to a salary range where the maximum salary is lower than the employee's current salary, the employee shall be placed at the maximum salary unless a more favorable salary placement is recommended by the department director and approved by Human Resources and the City Manager.

If an alternative salary placement is requested and approved, the employee's salary shall be frozen until such time as the maximum salary of the new range exceeds the employee's current salary.

## **7.7 City Policies**

Unless otherwise provided by the terms of this Agreement, the City of Lakewood Administrative, Personnel, and Safety Policies shall apply to members of this bargaining unit. Employees shall refer to City policies to resolve matters not covered by this Agreement. However, where there is a conflict between City policies and any provisions of this Agreement, the provision(s) of this Agreement shall govern.

## **7.8 Personnel Files**

Employees shall have access to their personnel file with reasonable frequency. Employees who would like to review their file should contact Human Resources to schedule a convenient time for both the requesting employee and the Human Resources Department.

The employee shall be provided by the respective supervisor, a copy of written evaluations or disciplinary actions added to their personnel file. Employees shall have the right to provide a written response to any written evaluations or disciplinary actions included in the personnel file. Upon approval of the Human Resources Department, employees may add additional documents to their personnel file including, but not limited to, certifications, degrees, and commendations.

## **7.9 Evaluations**

Employee evaluations are a useful tool to provide the employee feedback, monitor/establish goals, and determine strengths and weaknesses. If necessary, a plan for improvement, training or other support should be jointly developed by the supervisor with the employee.

Evaluation may occur in two forms:

All regular employees shall be formally evaluated in writing by their immediate supervisor and/or department director or designee by the end of the probationary or trial service period and at least annually thereafter.

Additionally, evaluation of job performance may occur at any time and on an ongoing basis. Evaluation may occur in various ways and may include coaching, counseling, or written assessment.

The evaluation process may all also include a review of the current job description.

Evaluation shall not, by itself, constitute disciplinary action – disciplinary action must be specifically identified as such, in writing, consistent with Article 7.9.

The employee's supervisor will give the employee a copy of the evaluation. Employees will be required to sign the evaluation, acknowledging its receipt. The content of performance evaluations is not subject to the grievance procedure. However, employees may elect to provide a written response to the evaluation, which will be retained with the evaluation in the employee's personnel file.

## **7.10 Discipline/Corrective Action**

Any discipline, demotion, or discharge of a regular employee shall be based upon just cause.

Progressive discipline and/or corrective action may include:

- oral warnings, which will be identified as such by the City and documented;
- written reprimands, which may also include work performance improvement or corrective action plan for poor work performance or misconduct;
- suspension without pay;
- demotion; or
- discharge.

The intent of progressive discipline is to assist the employee with performance improvement or to correct misconduct. Progressive discipline shall not apply where the offense requires more serious discipline in the first instance. Both the sequencing and the steps of progressive discipline are determined on a case-by-case basis, given the nature of the problem.

Disciplinary actions shall be clearly identified as such in writing. The employee will be requested to sign the disciplinary action. The employee's signature thereon shall not be construed as admission of guilt or concurrence with the discipline, but rather shall document that the employee has seen and comprehends the gravity of the disciplinary action. Employees shall

have the right to review and submit written comment on disciplinary actions in their personnel file.

A copy of the disciplinary notice shall be provided to the employee before it is placed in the personnel file. Employees who are issued a written reprimand, suspended without pay, demoted, or discharged may use the grievance procedure. If, as a result of the grievance procedure a different result is warranted, personnel records shall reflect the revised result.

The City will notify the Union in writing within three (3) working days after any notice of discharge is issued. The failure to provide such notice shall not affect such discharge but will extend the period within which the affected employee may file a grievance.

An employee who reasonably believes that an investigatory interview with a supervisor may result in discipline has the right to request the presence of a Union representative at such an interview. Upon request, the employee shall be afforded a Union representative. The City will delay the interview for a reasonable period of time in order to allow a Union representative an opportunity to attend. If a Union representative is not available or delay is not reasonable, the employee may request the presence of a bargaining unit witness. (Weingarten rights)

Employees shall also have a right to a notice and a determination meeting prior to any disciplinary action greater than a written reprimand. The City must provide a notice and statement in writing to the employee identifying the performance violations or misconduct alleged, a finding of fact, and the reasons for the proposed action. The employee shall be given an opportunity to respond to the charges in a meeting with the City, and shall have the right to Union representation during that meeting, upon request. (Loudermill rights)

Discipline greater than an oral warning may be subject to the grievance procedure as identified in this Agreement as it relates to just cause.

## **ARTICLE 8 – SENIORITY**

### **8.1 Seniority**

Seniority shall be defined by the length of continuous employment with the City in the specific classification involved and in all higher bargaining unit classes to which the employee has been promoted.

Seniority shall be established upon appointment to a regular full-time, regular part-time, or regular with an end date position within the bargaining unit. No seniority shall be established while an employee is employed in a temporary, seasonal, work study/internship, or extra-hire position. A temporary employee who is hired into a regular position in the same classification without a break in service shall be credited for seniority from the date of hire into that classification.

Seniority shall not accrue while on a leave of absence without pay in excess of thirty (30) continuous calendar days. An employee's appointment date shall be adjusted for leaves of

absence without pay except when such leaves are the result of federal or state legally protected leaves.

## **8.2 Probationary Period**

Upon successful completion of the probationary period, the City seniority of the regular employee shall be established as the recent date of hire including the probationary period.

## **8.3 Loss of Seniority**

An employee will lose seniority rights by and/or upon:

1. Resignation
2. Discharge
3. Retirement
4. Layoff / Recall list of more than eighteen (18) consecutive months.
5. Failure to respond to or declining one offer of recall to former or comparable employment.

Employees who are re-employed following the loss of seniority shall be deemed a newly-hired employee for all purposes under this Agreement, except as provided in the following: if an employee is laid off or resigns in good standing after working at least twelve (12) consecutive months, and is thereafter re-employed within twelve (12) months or eighteen (18) months in the event of recall, the employee will, upon successful completion of the probationary period, regain the seniority they had as of the effective date that the employee resigned.

## **8.4 Seniority List**

The City shall update the seniority list and provide it to the Union annually upon request. If a layoff is announced, a current ranked seniority list including job classifications, names, job locations, and FTE or hours per week shall be provided to the Union and posted in the affected department.

## **8.5 Application of Seniority**

Seniority shall apply to:

- Layoff, Bumping and Recall, subject to Article 16
- Overtime Bidding
- Scheduling of Leave

# **ARTICLE 9 – WAGES**

## **9.1 Wage Schedule**

Effective and retroactive to January 1, 2020, the monthly salary schedule shall be increased by 2.5%.

Effective January 1, 2021, the monthly salary schedule shall be increased by 2.5%.

**9.1.1 Salary Plan Administration** - Each classification shall have an associated salary range with identified steps. On an employee's anniversary date, employees shall automatically advance one step (2%).

**9.1.2 Master Step Implementation** – An employee shall become eligible to move from Step 10 to the Master Step on the anniversary date following the completion of all the following requirements:

- A minimum of five calendar years employment with the City; and
- A minimum of five years in the same classification series.

The City is in no way prohibited from advancing employees to the master step before these requirements are met if the City believes that the employee has achieved mastery in their field.

An employee who has reached the master step will keep this step placement even if moved to a lower classification in the same classification series due to a reduction in force, voluntary demotion, or transfer.

In addition to the requirements listed above, employees in the Maintenance Worker classification must acquire and maintain either a pesticide license or class A or class B commercial driver's license to be eligible for advancement to and continued eligibility for the Master step. This requirement shall not apply to Facilities Maintenance employees.

## **9.2 Hire-In Rates**

New regular employees shall normally be placed at the minimum rate of the appropriate salary range unless approved by the City Manager for placement above the minimum based on qualifications, salary history, or other consideration.

# **ARTICLE 10 – OTHER COMPENSATION**

## **10.1 Standby Pay**

An employee specifically assigned to standby status shall receive one (1) hour of additional compensation at his or her regular rate of pay for every seven (7) hour period of time assigned to standby status.

An employee assigned standby status on weekends shall be paid nine (9) hours of additional compensation at the employee's regular rate of pay for the weekend, starting at the end of the work shift Friday evening and ending at the beginning of the work shift on Monday morning.

When an employee is called back to work while on paid standby status, standby pay will continue to be paid.

Employees may elect to receive standby compensation in the form of pay or compensatory time at the straight-time (1.0x) rate, except that no employee may receive more than sixteen (16) hours of compensatory time per calendar year through this option.

## **10.2 Call Back Pay**

An employee specifically called back to work outside the employee's regularly scheduled hours shall be paid a minimum of three (3) hours. The rate of pay for the callback, whether within or in excess of the three (3) hour minimum, shall be in accordance with the FLSA and Section 6.6 (i.e., if overtime hours, paid at overtime rate). If the callback exceeds three (3) hours, the employee shall be compensated for time worked.

For the purpose of callback, if the employee is in active call back status, then time worked shall start from the time when an employee leaves his/her driveway or location at the time of the call and is en route in response to a call. Time worked shall conclude when the employee returns to his/her driveway or location at the time of the call. There shall be no additional compensation for calls taken by an employee who is already in active callback status, unless the time spent in active callback status exceeds the three (3) hours.

**10.2.1 Remote Work** - If an employee receives a work-related communication when off duty and is asked to work (e.g., troubleshoot problems) he/she will receive overtime pay at fifteen (15) minute increments, with a fifteen (15) minute minimum, regardless of the length of the response required. For communications that are received, and responses required, between 10:00 p.m. and 5:00 a.m., the employee shall receive overtime pay in thirty (30) minute increments. Remote work shall include any tasks that do not require the employee to leave home, including but not limited to telephone calls, remote access, or text messaging.

## **10.3 Temporary Assignment Pay**

Employees assigned by their designated supervisor or the City Manager to assume the preponderance of the duties of a higher level classification in a temporary capacity for at least four (4) continuous working days shall receive Temporary Assignment Pay commencing from the first day worked. Such assignments shall be in writing prior to or during the assignment. The assigned employee shall receive a five percent (5%) pay increase, or be placed at the beginning of the higher pay range, whichever is greater.

## **10.4 Mileage Reimbursement**

Employees placed on standby status may be provided a city vehicle, if available.

Employees who are required to use their own vehicles for City business shall be reimbursed in accordance with current Internal Revenue Service mileage rates and rules, minus any miles between home and work, except that employees called back to work in their personal vehicles shall be compensated at the appropriate IRS rate for actual miles traveled to and from his/her driveway or location at the time of the call with a maximum of twenty (20) miles each way.

## **10.5 Uniforms, Clothing, and Boots**

The City agrees to provide required uniforms and personal protective equipment, as well as clothing and boot allowances consistent with Appendix B. For Employees exposed to the

elements as a regular condition of employment, the City agrees to supply tools, and other personal protective equipment to employees whose positions require them (as referenced in City policy #1300-09). Employees are required to wear the uniform clothing and personal protective equipment and boots as necessary to safely perform assigned work tasks. All uniforms or protective clothing shall remain the property of the City and shall be worn for municipal purposes only. Clothing shall be returned to the City for replacement or upon termination of employment.

Employees shall receive required clothing/equipment and boot allowances no later than the first payday of February of each year. No employee shall receive more than one set of required clothing or boot allowance per calendar year.

New employees shall receive required clothing/equipment and boot allowances. However, an employee who does not pass probation will be required to reimburse the City for the boot allowance through payroll deduction from the employee's final paycheck.

Employees are required to wear City logo items provided by the City as directed by the employee's supervisor.

#### **10.6 Foreign Language Proficiency Pay**

Employees shall receive foreign language proficiency pay of two percent (2%) added to their base pay when language skills have been confirmed by such method as the City shall reasonably determine. Employees having conversational proficiency in Cambodian, Laotian, Vietnamese, Spanish, Korean, Russian, German, American Sign Language, and any other foreign language approved by the City can qualify for this pay.

#### **10.7 Tuition Reimbursement**

Tuition reimbursement may be provided at the sole discretion of the City and in accordance with City policy 800-14. Tuition reimbursement may be considered additional compensation by the Internal Revenue Service (IRS) and subject to taxation.

#### **10.8 Shift Differential**

A shift differential of \$0.60 per hour will be paid to all regular bargaining unit employees who are assigned to work at least three (3) hours between 5:00 p.m. and 8:00 a.m.

Exceptions to shift differential:

- Shifts starting between 6:00 a.m. and 8:00 a.m. will not be eligible for shift differential pay.
- Work that is scheduled after 5:00 p.m. and before 8:00 a.m. on the basis of convenience to the employee, including alternative work schedules in accordance with Article 6, shall not be considered shift differential for the purpose of this provision.
- Shift differential does not apply to an occasional call out or scheduled overtime for several hours prior to the start or after the end of any given regular shift.

Shift differential shall be calculated as part of the hourly rate of pay when applying the provisions of this Agreement in other sections. Shift differential is to be paid only for the specified hours as stated above.

When an employee who usually works a differential eligible shift is temporarily assigned to a non-differential eligible shift for a period of five (5) working days or less, the employee shall continue to receive any shift differential. A temporary change in shift assignment initiated by the employee is not covered by this provision.

Work schedules may be adjusted at the City's discretion in accordance with Section 6.2.

## **ARTICLE 11 - HOLIDAYS**

### **11.1 Holidays**

The City shall provide eight (8) hours of compensation for regular full-time employees and pro-rated hours for regular part-time employees for the following holidays and such other days as the City Council may identify:

| <u>Holiday</u>                   | <u>Observed</u>          |
|----------------------------------|--------------------------|
| New Year's Day                   | January 1st              |
| Martin Luther King, Jr. Birthday | 3rd Monday in January    |
| President's Day                  | 3rd Monday in February   |
| Memorial Day                     | Last Monday in May       |
| Independence Day                 | July 4th                 |
| Labor Day                        | 1st Monday in September  |
| Veteran's Day                    | November 11th            |
| Thanksgiving Day                 | 4th Thursday in November |
| The Day after Thanksgiving Day   | 4th Friday in November   |
| Christmas Day                    | December 25th            |
| Floating Holiday                 | Employee's Choice        |

**11.1.1** The City traditionally releases employees early, with pay, on both Christmas Eve and New Year's Eve. The City will strive to continue this practice when feasible based on work load and safety.

**11.1.2** An employee must request the use of a Floating Holiday in advance and be granted approval by the immediate supervisor, Department Director or designee. Such requests shall not be unreasonably denied. The floating holiday must be taken during the anniversary year or it will be forfeited.

**11.1.3** Employees regularly assigned to an alternative work schedule (e.g.: 4/10 schedule) who would normally work more than eight (8) hours on the observed holiday may elect to use either accrued PTO, floating holiday, comp time, or leave without pay on such holidays in order to bring their hours up to their regularly scheduled number of hours for the day.



### **11.2 Religious Observance**

Employees will be granted time off for religious observances. Such time off shall be arranged in advance with the employee's immediate supervisor. Employees may use eligible leave, leave without pay, or make alternative work schedule arrangements. Approval of leave under this provision shall be in accordance with RCW 1.16.050(3).

### **11.3 Holiday Observance**

Any holiday that falls on a Saturday shall be observed on the preceding Friday, and any holiday that falls on a Sunday shall be observed on the following Monday.

For those employees on a 4/10 work schedule, a schedule with weekend work, or other alternate schedule, when one of the listed holidays falls on one of the employee's regularly scheduled days off, the holiday shall be observed on a day mutually agreeable to the employee and the City within the same pay period.

### **11.4 Holiday Compensation**

Holiday compensation is defined as two and one-half (2 1/2) times the employee's regular hourly rate of pay for a maximum of eight (8) hours. Employees shall be paid no more than eight (8) hours of holiday compensation pay for working on either an actual or observed holiday, but not both, regardless of the individual's schedule that day.

There shall be no pyramiding of holiday compensation as per Article 6.6.2.

## **ARTICLE 12 – PAID TIME OFF (PTO)**

### **12.1 Paid Time Off Accrual**

PTO is a benefit granted to employees to continue normal compensation during approved absences. All full-time regular employees shall accrue PTO at the following annualized accrual rates.

|                                    |                             |
|------------------------------------|-----------------------------|
| During the first year              | 200 hours of leave per year |
| After the 1st year through 2 years | 208 hours of leave per year |
| After the 2nd through 4 years      | 216 hours of leave per year |
| After the 4th through 9 years      | 232 hours of leave per year |
| After the 9th through 14 years     | 264 hours of leave per year |
| After the 14th through 20 years    | 296 hours of leave per year |
| After 20th year through 29 years   | 312 hours of leave per year |
| After 29th year                    | 320 hours of leave per year |

Any regular part-time employees shall accrue PTO leave pro-rated to match the FTE percentage and adjusted by actual hours worked.

Effective upon implementation of a consistent policy for non-represented employees, PTO accrues on a pay period basis and is not available for use during the pay period in

which it is accrued. PTO will only accrue when the employee is in paid status (working or using accrued paid leave) for at least forty (40) hours in the pay period, unless accrual is required to comply with the State paid sick leave law.

## **12.2 Paid Time Off Accrual Maximum**

Any accrued and unused PTO shall be accumulated for succeeding years, except that, as of the end of the calendar year, the maximum accrual amount carried forward into the next year shall not exceed one thousand one hundred (1,100) hours.

If the employee has an accrual balance of one thousand (1,000) or more hours of PTO as of July 1st of any year, the employee's supervisor will meet with the employee to identify mutually agreeable opportunities to take leave during the remaining six (6) months of the calendar year so that the employee's PTO accrual balance will not exceed one thousand one hundred (1,100) hours as of the end of the calendar year.

## **12.3 Use of Paid Time Off by FLSA-exempt Employees**

Employees shall not be eligible to use PTO in the first sixty (60) calendar days of their probationary period for any purpose other than a medical condition for which there is certification from a health care provider.

PTO must be requested and approved in advance whenever possible. When an employee needs to be absent for an unanticipated reason, the employee must follow the applicable department procedure for reporting unscheduled absences.

Abuse and misuse of unscheduled PTO are grounds for discipline. The City may investigate cases of suspected unscheduled PTO abuse or misuse, and may at any time during the course of that investigation request the employee provide certification attesting to illness, injury or other reason for leave. Except in cases of confirmed PTO abuse, employees' use of unscheduled PTO shall not be used as criteria for performance evaluation.

An employee who has been previously counseled about abuse, misuse, or excessive use of unscheduled PTO may, with the concurrence of Human Resources, be required to provide certification from a health care provider for use of unscheduled PTO. Grievances in regard to this provision may not be processed beyond Step 3 of the grievance procedure in this Agreement.

An employee must use accrued leave prior to taking any unpaid leave, except that an employee may elect to retain up to forty (40) hours of PTO (pro-rated by their FTE) for use upon return to work following an FMLA qualifying event, and may, if eligible and for qualifying events, apply for Washington Paid Family Medical Leave (PFML) benefits in lieu of using accrued PTO

### **12.3.1 Use of Paid Time Off by FLSA-non-exempt Employees for Sick Leave -**

Regular FLSA-non-exempt employees shall be eligible to use paid time off for sick leave and shall be subject to the provisions required by law as set forth in City of Lakewood Personnel Policy and Procedure 800-24 Paid Sick Leave.

### **12.3.2 Use of Paid Time Off by FLSA-non-exempt Employees for Absences Other Than Sick Leave or Family Leave -**

PTO for absences other than sick leave must be

requested by the employee and approved by the supervisor in advance whenever possible. When an employee needs to be absent for an unanticipated reason other than sick leave as provided in 12.3.1, the employee must follow the applicable department procedure for reporting unscheduled absences. Such absences are subject to the approval of the City based on staffing needs.

An employee must use accrued leave prior to taking any unpaid leave, except that an employee may elect to retain up to forty (40) hours of PTO (pro-rated by their FTE) for use upon return to work following an FMLA-qualifying event, and may, if eligible and for qualifying events, apply for Washington Paid Family Medical Leave (PFML) benefits in lieu of using accrued PTO.

#### **12.4 Shared Paid Time Off**

If an employee needs to take leave due to a personal or family member's serious health condition and has no accrued PTO available, the employee may request shared leave. Such requests shall be in writing and shall include documentation from a health care provider certifying the need for the leave. Shared leave requests to and donations from other employees will be coordinated by the City, and will request donations into a shared leave pool, rather than for individual employees.

Employees may donate PTO in one (1) hour increments. However, at no time shall an employee be permitted to donate PTO if such donation would cause the employee's PTO bank to fall below forty (40) hours. The forty (40) hour limit is net of pending PTO already scheduled for the employee.

Employees wishing to donate PTO must do so in writing, complying with such reasonable deadlines as necessary to ensure timely payroll processing.

Donated PTO will be used on a first in, first out basis and shall not be deducted from the employee's leave bank until the pay period for which it is needed, to avoid any need to return donated leave to the donor.

#### **12.5 Payment of Paid Time Off Upon Separation**

Upon separation an employee (or deceased employee's beneficiary) shall receive payment equal to sixty five percent (65%) of such employee's then accrued and unused PTO bank.

An employee recalled to work from layoff under the provisions of Article 16 shall be provided a PTO bank equivalent to thirty five percent (35%) of the number of hours held prior to separation due to layoff.

### **ARTICLE 13 – ON THE JOB INJURIES/KOS/L&I PREMIUM**

#### **13.1 Kept on Salary (KOS)**

An employee who sustains an occupational injury or illness while acting in the course of employment and qualifies for time loss through Labor & Industries (L&I) shall continue to receive

the regular salary for up to two hundred (200) hours of missed work per claim (prorated for part-time employees based on FTE status).

### **13.2 Family and Medical Leave Act (FMLA) Designation**

The City will designate FMLA for eligible employees and qualifying events, consistent with the law. The City will pay its portion of the employee's health insurance benefit while on FMLA, as required.

### **13.3 Time Loss Compensation**

If the absence exceeds the Kept on Salary (KOS) hours provided in 13.1, the employee shall receive any applicable worker's compensation time-loss benefits directly from L&I. The employee shall offset any reduction in regular pay, up to a maximum of 100%, with use of the employee's eligible accrued leave, as provided in Department of Labor and Industries rules. Unless designated as FMLA leave, a minimum of forty (40) hours of leave per pay period must be used to maintain health insurance benefits.

### **13.4 L&I Premium**

Employees shall pay their portion of any industrial insurance premiums as identified by L&I.

### **13.5 Temporary Modified Duty**

The City will consider temporary modified duty assignments for employees who are temporarily unable to perform their regular duties, pursuant to Personnel Policy and Procedure 1200-03 Temporary Modified Duty.

## **ARTICLE 14 – LEAVES OF ABSENCE**

### **14.1 In General**

All leaves are to be requested in writing as far in advance as possible. Denial of leave shall be in writing upon request of the employee.

### **14.2 Jury Duty/Court**

Employees subpoenaed to appear as a witness in a court proceeding as a result of their official City of Lakewood duties or directed to appear for jury service will receive pay at their regular rate of pay for work hours missed because of their required service. Employees must notify their supervisors upon receipt of a directive or subpoena for jury or witness duties, keep their supervisors apprised of the schedule for their jury or witness duties, and report to work when the court schedule permits. Any compensation paid to an employee for jury or witness service, other than reimbursement for expenses, must be paid to the City upon receipt.

An employee who is relieved of jury duty on or before the mid-point of his or her shift shall contact the employee's supervisor for return to work instructions.

### **14.3 Military Leave**

All regular employees shall be allowed military leave as required by RCW 38.40.060. This provides for twenty-one (21) working days of paid military leave per year (October 1 through September 30).

### **14.4 Bereavement**

Employees who suffer a death of the employee's child (biological, step, adopted and foster), spouse, parent, grandparent, grandchild, step family member (parent, sister or brother), in-law (parent, sister or brother) or any person residing in the employee's household who qualifies as a dependent under Internal Revenue Service (IRS) regulations or of their registered domestic partner shall be granted up to three (3) days off with full pay for each loss. Additional leave may be granted at the discretion of the City and such additional bereavement leave shall be deducted from accrued paid time off. Bereavement leave must be taken in close proximity to and within thirty (30) days of the event unless approved by the City Manager or designee.

### **14.5 Seniority Adjustments**

The City shall adjust the employee's anniversary date to reflect any period of unpaid leave in excess of thirty (30) continuous calendar days. Seniority shall continue to accrue and the employee's anniversary date shall not be adjusted for periods of legally protected leave, such as federal FMLA, state Paid Family Medical Leave (PFML), or military leave.

### **14.6 Leave Without Pay**

If authorized by the City, regular employees may take up to ninety (90) continuous calendar days of leave without pay exclusive of FMLA leave. Leaves without pay of thirty (30) days or less require approval by the Department Director. Leaves without pay in excess of thirty (30) calendar days require authorization by the City Manager or designee.

**14.6.1** While on leave without pay no benefits shall accrue. The employee shall be responsible for payment of any health insurance premiums during periods of unpaid leave. Furthermore, the rules of all benefit providers shall apply.

### **14.7 Family Leave**

The City will comply with the provisions of federal and state family medical leave laws and will administer those law pursuant to City Policy and Procedure 800-07 Family and Medical Leave Act Leave of Absence, and 800-25 Paid Family Medical Leave. The City and employee shall each pay a portion of the Paid Family Medical Leave (PFML) premium to fund benefits pursuant to RCW 50A.04.

## **ARTICLE 15 – HEALTH & WELFARE**

### **15.1 Insurance Benefits**

The City agrees to provide the option of medical, dental, vision, and life insurance to all regular full-time, regular part-time, regular with an end date, represented temporary employees, and their dependents.

**15.1.1 Medical Insurance** - The medical insurance plans offered shall be AWC Healthfirst 250, Kaiser Permanente \$20 Copay, and a High Deductible Health Plan with Health Savings Account, as offered through the Association of Washington Cities Benefit Trust.

The City shall pay the equivalent of one hundred percent (100%) of the premiums for employee and dependent medical coverage of the applicable tiered rate premiums for AWC HDHP with HSA contributions for the applicable year as identified below.

| Category                                | 2020 Annual Contribution |
|---|--------------------------|
| Employee Only                           | \$3,350.00               |
| Employee and Spouse                     | \$4,500.00               |
| Employee, Spouse and 1 Child            | \$5,750.00               |
| Employee, Spouse and 2 or More Children | \$6,750.00               |
| Employee and 1 Child                    | \$4,500.00               |
| Employee and 2 or More Children         | \$5,750.00               |

Refer to Personnel Policy #800-16 for additional HDHP plan information.

If a plan other than the HDHP is selected, the employee shall pay any premiums in excess of the combined cost of the tiered HDHP plan premium plus the associated HSA contributions. If premiums are less expensive, the difference of up to \$500 per year will be placed into a Flexible Spending Account (FSA) for the affected employee as allowed by IRS rules, with any additional difference paid to the employee as taxable wages.

#### **15.1.2 Plan Elimination**

If a medical, dental, or vision plan offered by the City is going to be eliminated, the parties will meet and bargain new plans. If no agreement is reached in time to ensure employees' continuous insurance coverage, the City will move employees to the next available plan offering the closest available substantially similar coverage.

#### **15.1.3 Medical Insurance Premiums for Part-time Employees**

City premium contributions will be prorated based on FTE status for those employees who work less than full-time and are eligible for health insurance benefits pursuant to Article 2.1.

#### **15.1.4 Medical Insurance Opt-out Payment**

Employees eligible for health insurance benefits pursuant to Article 2.1 may opt out of medical insurances pursuant to City policy 800-13, and will receive \$300 per month in lieu of medical insurance benefits. Benefit-eligible part-time employees may opt out of medical insurance on a pro-rated basis pursuant to City policy 800-12.

#### **15.1.5 Dental and Vision**

The City shall pay one hundred percent (100%) of the premium for full-time employee coverage and one hundred percent (100%) of the premium for full-time employee's dependent coverage for dental and vision insurance coverage. The vision plan in effect

at the time of this Agreement is Vision Services Plan (VSP). The dental insurance plan in effect at the time of this Agreement is Delta Dental Plan E as offered through the Association of Washington Cities.

City premium contributions will be prorated based on FTE status for those employees who work less than full-time and are eligible for health insurance benefits pursuant to Article 2.1. Where underwriting rules do not allow for strict prorating, alternate calculations may apply with the intent to provide appropriate overall benefit percentages.

#### **15.1.6 Life Insurance**

The City shall pay one hundred percent (100%) of the premium for an employee's term life insurance coverage that has a policy value of the annual base rate of pay of the employee, rounded up to the next thousand. The employee is responsible for any taxes associated with this benefit.

#### **15.1.7 Survivor Income Life Insurance**

The City agrees to pay one hundred percent (100%) of the premium for a survivor income life insurance policy, which provides a monthly benefit to an employee's eligible spouse and children upon the employee's death. The survivor income life insurance policy in effect at the time of this Agreement is Standard Insurance Company Policy 625349-A.

#### **15.1.8 Long Term Disability Insurance**

The City agrees to pay one hundred percent (100%) of the premium for long term disability policy with a ninety (90) day waiting period for each employee. The long term disability insurance plan in effect at the time of this Agreement is Standard Insurance Company Policy 625349-B.

### **15.2 Flexible Spending Account (FSA)**

The City shall provide an eligible IRS Section 125 Flexible Spending Account. Employees may voluntarily elect to participate in the reimbursement program to pay medical or dependent care expenses with pre-tax dollars. The City makes no contribution beyond that described in Section 15.1.1, no assurance of ongoing participation, and assumes no liability for claims or benefits.

### **15.3 Social Security Replacement and Retirement**

The City shall provide a Social Security Replacement Account for each employee, as currently offered through the ICMA Retirement Corporation. The contribution rates shall be 4.77% for the City and 6.2% for the employee based on total wages.

The City shall provide an ICMA 401 Retirement Plan for each employee. The contribution rates shall be 7.62% for the City and 5.08% for the employee based on total wages.

The City shall provide Medicare contributions pursuant to federal law, and the required employee contributions shall be deducted from the employees' wages.

#### **15.4 Deferred Compensation**

The City shall match the employee's contribution, by payroll deduction, to a qualified 457 deferred compensation plan in an amount up to but not to exceed three percent (3%) of the employee's base monthly pay rate.

### **ARTICLE 16 – LAYOFF & RECALL**

#### **16.1 Layoff**

A layoff is defined as the anticipated and ongoing or prolonged reduction in the number of full-time equivalent (FTE) positions, the number of part-time positions, or reduction in hours within a job classification covered by this Agreement. A reduction in force or classification may occur because of lack of funds, lack of work, efficiency or reorganization. Reductions in force are identified by classification within the affected department. Regular with end date employees (as defined in this Agreement) shall not be considered laid off at the conclusion of their project or term, and the City will not contest unemployment claims indicating termination due to lack of work. The City shall determine the position(s) within the affected department(s) to be eliminated or reduced in hours. The provisions of this Article shall determine which employee is ultimately laid off.

#### **16.2 Notification of Layoff to Union**

The Union shall be notified in writing of any reduction in hours proposed by the City, including the purpose, scope, and duration of the proposed reduction, along with an updated seniority list. The City and the Union shall meet at least one (1) week prior to the notice period identified in 16.6 below to discuss the reasons and timelines for the layoff and to review any suggestions concerning possible alternatives to layoff. Union concerns shall be considered by the City prior to implementation of layoff. The City and Union shall discuss the timeline and process for providing notification to impacted employees. Ongoing discussions shall not preclude the City from requesting volunteers to change employment status for the purpose of cost savings or from moving forward with notifications to employees as identified below.

#### **16.3 Seniority for Purpose of Layoff**

Seniority for the purpose of layoff, bumping, and recall rights shall be the length of continuous service with the City in the specific classification involved and in all higher bargaining unit classes the employee has held. Employees who are transferred between departments shall carry their seniority, as defined above, from their previous department to the department to which they are transferred.

In the event of two (2) employees having the same seniority, City seniority shall be determinative. In the event of two (2) employees having the same City seniority, bargaining unit seniority shall be determinative. In the event of two (2) employees having the same bargaining unit seniority, seniority shall be determined by lot.



#### **16.4 Order of Layoff**

If there are more positions identified for layoff than employees who volunteer pursuant to Article 16.5 and if there are probationary employees in the classification, the probationary employee(s) shall be laid off and shall be ineligible to select among layoff options.

No regular employees shall be subject to layoff while there are temporary, represented temporary, probationary, internship, extra help or seasonal employees serving in the same classification. When a regular employee is laid off, seniority (as defined in Section 16.2) shall determine the affected employee within the affected department.

#### **16.5 Volunteering for Layoff**

Prior to providing written notice to employees in positions identified for layoff pursuant to Article 16.6, the City shall seek volunteers for layoff from among those employees who work in the job classification(s) identified for reduction of positions. The request for volunteers for layoff shall be posted for five (5) business days. If there are more employees who volunteer for layoff than employees in positions to be eliminated, layoffs will occur among those employees who volunteered based on total City seniority in descending order. Employees who volunteer for layoff retain recall rights as described in Section 16.8 but are not eligible to select among layoff options. The City and Union may collaborate on an incentive program to encourage volunteers for layoff.

#### **16.6 Notification of Layoff to Employee**

Employees in positions identified for layoff shall be given formal written notice of layoff and a copy of the classification seniority list at least thirty (30) calendar days prior to the effective date of layoff. If the City does not provide thirty (30) calendar days written notice, the City shall compensate the employee at his or her normal rate of pay and benefits for the time between the last day of work and thirty (30) calendar days from the date the employee receives the notice of layoff, in addition to any other compensation due the employee. The notice shall include identification of the applicable bumping opportunity, if any. A single thirty (30) calendar day notice is required, irrespective of the number of bumps that occur.

#### **16.7 Layoff Options**

Employees who have been notified of layoff and have completed their probationary period shall have the following options:

- Accept layoff and retain recall rights
- Accept an offer of placement in a vacant regular or temporary position within the same classification for which they qualify and retain recall rights
- Exercise bumping rights and retain recall rights
- Accept an offer of a reduction in hours and retain recall rights

**16.7.1 Accept Placement in a Vacant Position** - An employee may be offered placement in a vacant position within the same classification for which the employee meets the minimum qualifications or may be offered a temporary position if one is available and the employee has the ability to perform the work. An employee who accepts such an assignment in a regular or temporary position will retain recall rights. An employee who has been notified of layoff and who accepts a temporary assignment will be provided the benefits and provisions of the temporary assignment.

**16.7.2 Bumping Rights** - An employee desiring to exercise bumping rights must do so by delivering written notice to Human Resources within five (5) working days of receipt of layoff notice.

Bumping rights may be exercised as follows:

- a. An employee shall first have the right to bump the least senior regular employee in the employee's current classification within another department in the City; except that non civil service employees shall not have the right to bump into civil service positions.
- b. If no bumping option exists under 16.7.2.a, the employee shall next have the right to bump the least senior regular employee in the next lower classification within the employee's current classification series as defined in Appendix C; then the next lower job classification within the employee's current classification series, progressively.
- c. If no bumping option exists under 16.7.2.b within the employee's current classification series, the employee shall next have the right to bump the least senior regular employee in the most recently held classification in which he/she has held status at the City of Lakewood within the last four (4) years; then the next lower job classification within the last four (4) years, progressively.
- d. If no bumping option exists under 16.7.2.c, the employee shall next have the right to bump the least senior Regular with End Date employee in a position within the employee's classification series for which the employee is qualified.

If no bumping options exist under 16.7.2.a, 16.7.2.b, 16.7.2.c, or 16.7.2.d, then the employee has no bumping rights.

In all cases involving bumping, the following provisions must apply:

- a. Employees exercising bumping rights must meet the minimum qualifications for the position as described in the job description and civil service rules, if applicable.
- b. Employees exercising bumping rights must have more seniority (as defined in Section 16.3) than the person being bumped.
- c. Employees exercising bumping rights shall not bump into a higher classification. Regular full-time employees shall have the option of bumping full or part-time employees. Regular part-time employees may only bump part-time employees with an equal or lesser FTE status.

An employee who has exercised bumping rights shall retain the employee's current salary providing it does not exceed the maximum salary of the new range. If the employee's current salary exceeds the maximum of the new range, the employee's salary shall be reduced to the maximum of the new range. An employee bumping to

another position shall retain the employee's previous anniversary date for purposes of eligibility for salary increases.

#### **16.8 Recall**

An employee impacted by layoff as defined in Section 16.1 shall be entitled to recall to a position within the classification held immediately prior to the layoff for a period of eighteen (18) months from the effective date of the layoff. Recall from layoff shall be in order of seniority.

#### **IT SHALL BE THE RESPONSIBILITY OF ANY LAID OFF EMPLOYEE TO PROVIDE THE CITY WITH THE EMPLOYEE'S CONTACT INFORMATION.**

An employee shall be considered to have relinquished all recall rights if:

- The employee elects not to accept one (1) offer to return to work in the classification from which the employee was laid off;
- The employee fails to respond within seven (7) calendar days of the offer of recall.

If an employee elects not to accept an offer of recall to a position with fewer hours, the employee retains recall rights for the balance of the recall period. An employee who is recalled to a regular position will not have to serve a probationary period.

Employees shall not lose any previously accrued seniority as a result of layoff for a period of up to eighteen (18) months, provided that no benefits shall be accrued during the period of layoff. Employees who have separated from service as a result of layoff shall be recalled to the same salary step and PTO accrual rate at the time of layoff. Employees recalled from a lower classification shall be recalled to the same salary step, but shall continue to accrue PTO according to the schedule listed in Article 12.

Employees recalled from layoff shall be credited with a PTO bank equivalent to thirty five percent (35%) of the PTO hours the employee had in their bank at the time of layoff.

#### **16.9 Re-employment**

During the eighteen (18) month recall period, employees who have been laid off shall be sent announcements for positions being filled within the bargaining unit for which there are no laid off employees with recall rights.

Laid off employees will have the opportunity to apply during the three (3) day internal posting period.

A laid off employee who is re-employed in a regular position with the City in a classification other than from which the employee last held shall serve a probationary period of three (3) months. The probationary period may be extended up to an additional three (3) months. An employee who does not successfully complete the probationary period shall be eligible for recall to the classification held prior to layoff for the remaining portion of the eighteen (18) month recall period.

Employees who have separated from service as a result of layoff and who are re-employed during the recall period shall receive the same PTO accrual rate at the time of layoff and shall be credited with a PTO bank equivalent to thirty five percent (35%) of the PTO hours the employee had in their bank at the time of layoff.

#### **16.10 Unemployment Claims**

The City will not contest the unemployment benefit claim of employees who are laid off under the provisions of the Article and apply for unemployment compensation benefits and indicate termination of employment due to bona fide layoff.

### **ARTICLE 17 – LABOR / MANAGEMENT COMMITTEES**

#### **17.1 Purpose of Committee**

The City and the Union agree that, from time to time, suggestions and issues of a general nature affecting the Union and the City need consideration.

The Labor/Management Committee shall have no collective bargaining authority and understandings reached by the parties will be supported by the parties, but shall not alter or modify any provisions of the collective bargaining agreement.

Labor/Management meetings shall be scheduled quarterly or as requested by either party to discuss matters of mutual concern. Such meetings will occur during normal business hours. Not less than five (5) business days before the meeting is to be held, each party will advise the other of matters to be placed on the agenda. Unless otherwise agreed, the agenda will be limited to such matters.

#### **17.2 Composition of Committee**

The Labor Management Committee meetings will include a minimum of three (3) and a maximum of five (5) representatives from each party, unless otherwise mutually agreed upon. Said committee shall attempt to meet for the purpose of discussing and facilitating the resolution of issues that may arise between the parties other than those for which another procedure is provided by law or other provisions of this Agreement.

#### **17.3 Compensation**

All meeting time spent by members of the joint Labor-Management Committee will be considered time worked if during duty hours and will be paid at the appropriate regular rate of pay.

#### **17.4 Joint Labor Council**

From time to time the City Manager may convene a joint labor council to discuss matters of mutual concern. Labor representation shall consist of a maximum of two (2) representatives from each of the City's bargaining units.

The Joint Labor Council shall have no collective bargaining authority and understandings reached by the parties will be supported by the parties, but shall not alter or modify any provisions of the collective bargaining agreement.

## **ARTICLE 18 – SAFETY**

### **18.1 Safe Workplace**

The City is responsible for maintaining a safe workplace. The City shall comply with all federal, state, and local laws applicable to the safety and health of its employees.

Employees who reasonably believe there is a workplace safety issue shall immediately contact a supervisor who shall make a determination with regard to safety. The supervisor's determination will be final and the employee will perform the work but may refer the matter to the safety committee or Human Resources.

All on-the-job injuries must be reported promptly (as soon as possible and within 24 hours) to the injured employee's supervisor. Employees must immediately notify their supervisor if they are unable to work because of a work-related injury or illness.

### **18.2 Safety Plan**

The City shall develop and follow written policies and procedures to address on-the-job safety in conformance with state and federal laws.

### **18.3 Drug Free Workplace**

The Drug Free Workplace Act of 1988 for federal contractors and grant recipients requires that the City provide a drug free workplace. The City has established Personnel Policy and Procedure 500-10 Alcohol and Drug Free Work Environment, and employees are expected to be familiar with and comply with its requirements.

### **18.4 Workplace Violence**

Workplace violence, including threats of violence by or against a City employee, will not be tolerated and shall be immediately reported to the employee's direct supervisor, department director, or Human Resources, whether or not physical injury occurs.

## **ARTICLE 19 - GRIEVANCE PROCEDURE**

### **19.1 Grievance Defined**

A "Grievance" means a claim or dispute by an employee, the Union, or City with respect to the interpretation or application of the provisions of this Agreement. Grievance time frames may be held in abeyance when the parties have mutually agreed. Mediation may be considered at any step in the grievance procedure.

## **19.2 Grievance Procedure**

In the event of a grievance, the following procedure shall be used:

Step 1 – An employee, the Union, or the City must present a grievance in writing within ten (10) working days of its alleged occurrence or within ten (10) days of when the grievant knew or should have known of its alleged occurrence, to the employee's designated supervisor, defined as the supervisor charged with conducting the employee's performance evaluation as of the date the grievance is submitted, with a copy to Human Resources and the affected employee. The grievance should be signed by the employee, Union, or City representative and must state the issue, the section of this Agreement violated, facts giving rise to the grievance, and the remedy sought. The designated supervisor shall consult with the Union to try to resolve the grievance and shall respond in writing within ten (10) working days after it is presented to him or her.

If a grievance is not presented within the time limits set forth above, it shall be considered waived.

Step 2 - If the employee, Union, or the City is not satisfied with the solution of the designated supervisor, the grievance, in writing, together with all pertinent materials may be presented to the Department Director in writing, with a copy to Human Resources, by the employee, Union, or City within ten (10) working days after receiving the designated supervisor's response. The department director shall consult with the Union to try to resolve the grievance and shall respond in writing within ten (10) working days after it is presented to him or her. If the department director is the designated supervisor as defined in Step 1 above, the written grievance may be immediately advanced to Step 3 below.

Step 3– If the grievance is not satisfactorily resolved by the department director and the Union, the City Manager or designee and the Union Staff Representative will meet for purposes of resolution of the grievance or to acknowledge that mutually agreeable resolution is not possible. If mutually agreeable resolution is not possible, within thirty (30) working days following the response and acknowledgement, the Union or City may refer the grievance to an arbitrator. Employee grievances must have approval of the Union officers prior to being referred to an arbitrator.

Step 4 - Arbitration – If agreement cannot be reached as to the arbitrator, the parties shall jointly request the Public Employment Relations Commission to provide a panel of seven (7) arbitrators from which the parties may select one (1). The representatives of the City and the Union shall alternately eliminate the name of one (1) person from the list until only one (1) name remains. The person whose name is not eliminated shall be the arbitrator. It shall be the function of the arbitrator to hold a hearing at which the parties may submit their cases concerning the grievance. The arbitrator shall render his or her decision based on the alleged violation of the provision(s) of this Agreement within thirty (30) days after such hearing. The decision shall be final and binding upon both parties to the agreements, provided the decision does not involve action by either party which is beyond its jurisdiction. The expenses of the arbitrator shall be shared equally by the City and the Union. Each party shall be responsible for compensating its own witnesses and

representatives, including attorney's fees, not to include witnesses that are members of the bargaining unit. The arbitrator shall consider and decide upon only the specific issue(s) submitted in writing by the City and the Union and shall have no authority to make a decision on any other issue not so submitted.

### **19.3 Schedule of Meetings**

Upon request, and without unnecessary delay, an employee representative's immediate supervisor or designee shall allow the employee representative during normal work hours, without loss of pay, reasonable time to:

**19.3.1** Investigate any grievance or dispute so that same can be properly presented in accordance with the grievance procedure.

**19.3.2** Attend meetings with City representatives when such meetings are necessary to adjust grievances or disputes. Meetings with designated personnel will be by appointment and held without delay when possible.

**19.3.3** Confer with a staff representative of the Union and/or employees on City premises, at such time and places as may be authorized by the employee in advance of the intended meetings.

For the purposes of this Article and Article 4.3, obtaining coverage to ensure minimum staffing levels shall not be considered an unnecessary delay. The City shall not be obligated to provide coverage immediately if the use of overtime is the only means of providing that coverage. Any activity conducted pursuant to these sections shall be without disruption to the workplace.

## **ARTICLE 20 - NO STRIKE / NO LOCKOUT**

### **20.1 No Strike / No Lockout**

The Union agrees during the life of this Agreement that there shall be no strikes, slow-downs, or stoppage of work, or any interference with the efficient operation of the City. Any such action shall be subject to disciplinary action, including termination and replacement of the involved employees. The City shall not lockout any employee during the life of this Agreement.

## **ARTICLE 21 – MANAGEMENT RIGHTS AND RESPONSIBILITIES**

### **21.1 Management Rights and Responsibilities**

The City agrees that the exercise of the above rights will be consistent with the provisions of this Agreement and RCW 41.56.

The City retains all rights of management, which, in addition to all duties and rights established by constitutional provision or statute, will include but not be limited to, the right to:

- a. Determine the City's functions, programs, organizational structure, and use of technology;
- b. Determine the City's budget and size of the City's workforce;
- c. Direct and supervise employees;
- d. Take all necessary actions to carry out the mission of the City and its institutions during emergencies as defined in RCW 38.52;
- e. Determine the City's mission and strategic plans;
- f. Develop, enforce, modify policies and procedures;
- g. Determine or consolidate the location of operations, offices, work sites, including permanently or temporarily moving operations in whole or part to other locations;
- h. Establish or modify the workweek, daily work shift, hours of work, and days off;
- i. Select, hire, assign, reassign, evaluate, retain, promote, demote, transfer, and lay off employees;
- j. Determine, prioritize, and assign work to be performed;
- k. Determine the need for and the method of scheduling, assigning, authorizing, and approving overtime;
- l. Determine training needs, method of training, and employees to be trained;
- m. Take disciplinary actions with just cause.

## **ARTICLE 22 - GENERAL PROVISIONS**

### **22.1 Severability Clause**

If any provision of this Agreement shall be held invalid by operation of law or any tribunal of competent jurisdiction, or if compliance or enforcement of any provision shall be restrained by such tribunal pending final determination as to its validity, the remainder of this Agreement shall not be held invalid and shall remain in full force and effect. Upon the request of one party to the other, the parties shall enter into immediate collective bargaining negotiations for the purpose of arriving at a mutually satisfactory replacement of such invalid provision.

Any and all prior agreements, practices, policies, rules, and regulations regarding terms and conditions of employment to the extent inconsistent with the provisions of this Agreement are hereby superseded.

### **22.2 Conflict with Laws**

Should any provision of this Agreement be found to be in violation of any Federal or State law, all other provisions of this Agreement shall remain in full force and effect for the duration of this agreement and the provision found to be in violation shall be immediately re-negotiated by the parties.



## **ARTICLE 23 – ENTIRE AGREEMENT**

### **23.1 Duration Clause**

The Agreement shall become effective on January 1, 2020, and remain in full force and effect through December 31, 2021.

If either party wishes to amend or extend the Agreement upon its expiration, notice of such intent must be given no later than ninety (90) calendar days prior to the expiration of the Agreement. The City will maintain the status quo with respect to the matters covered by this Agreement during negotiations for a new agreement, following the procedures and time lines of RCW 41.56.

### **23.2 Entire Agreement**

The agreement expressed herein in writing constitutes the entire agreement between the parties, and there shall be no amendments except in writing and with agreement of both parties.

## **SIGNATURES**

Dated \_\_\_\_\_, 2020

City of Lakewood Employees Local  
Number 1938 of the  
American Federation of State, County,  
And Municipal Employees, AFL-CIO

Approved by City Council  
City of Lakewood

\_\_\_\_\_  
Cathi Short, Local 1938 President

\_\_\_\_\_  
John J. Caulfield, City Manager

\_\_\_\_\_  
Abbie Zulock, Council 2 Staff Representative

ATTEST:

\_\_\_\_\_  
Briana Schumacher, City Clerk

APPROVED AS TO FORM:

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

## APPENDIX A

| Job Classification                |  |       |    | 2020 (2.5% COLA) |          |          |          |          |          |          |          |          |          |          |          |
|-----------------------------------|--|-------|----|------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| * Exempt from FLSA overtime       |  | Range |    | Entry            | Step 1   | Step 2   | Step 3   | Step 4   | Step 5   | Step 6   | Step 7   | Step 8   | Step 9   | Step 10  | Master   |
| Maintenance Assistant             |  | 1     | hr | \$16.40          | \$16.73  | \$17.07  | \$17.41  | \$17.75  | \$18.11  | \$18.47  | \$18.84  | \$19.22  | \$19.61  | \$20.00  | \$20.50  |
|                                   |  |       | mo | \$2,843          | \$2,900  | \$2,958  | \$3,018  | \$3,078  | \$3,140  | \$3,202  | \$3,266  | \$3,331  | \$3,398  | \$3,466  | \$3,553  |
|                                   |  |       | yr | \$34,119         | \$34,801 | \$35,497 | \$36,207 | \$36,932 | \$37,670 | \$38,423 | \$39,192 | \$39,976 | \$40,776 | \$41,590 | \$42,631 |
|                                   |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| Court Clerk                       |  | 18    | hr | \$22.98          | \$23.44  | \$23.90  | \$24.39  | \$24.88  | \$25.37  | \$25.88  | \$26.39  | \$26.93  | \$27.46  | \$28.01  | \$28.71  |
| Evidence Custodian                |  |       | mo | \$3,983          | \$4,063  | \$4,144  | \$4,227  | \$4,311  | \$4,397  | \$4,485  | \$4,576  | \$4,667  | \$4,760  | \$4,855  | \$4,976  |
| Office Assistant                  |  |       | yr | \$47,795         | \$48,751 | \$49,726 | \$50,721 | \$51,735 | \$52,770 | \$52,575 | \$54,902 | \$56,000 | \$57,120 | \$58,262 | \$59,719 |
|                                   |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| Permit Technician                 |  | 24    | hr | \$25.86          | \$26.38  | \$26.91  | \$27.45  | \$27.99  | \$28.56  | \$29.12  | \$29.71  | \$30.30  | \$30.90  | \$31.53  | \$32.32  |
|                                   |  |       | mo | \$4,482          | \$4,573  | \$4,664  | \$4,757  | \$4,852  | \$4,950  | \$5,048  | \$5,150  | \$5,252  | \$5,358  | \$5,464  | \$5,602  |
|                                   |  |       | yr | \$53,794         | \$54,869 | \$55,967 | \$57,086 | \$58,228 | \$59,393 | \$60,581 | \$61,792 | \$63,028 | \$64,288 | \$65,574 | \$67,213 |
|                                   |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| Administrative Assistant          |  | 25    | hr | \$26.37          | \$26.90  | \$27.44  | \$27.98  | \$28.55  | \$29.11  | \$29.69  | \$30.29  | \$30.89  | \$31.52  | \$32.14  | \$32.94  |
| Associate Engineering Technician  |  |       | mo | \$4,571          | \$4,662  | \$4,755  | \$4,850  | \$4,948  | \$5,046  | \$5,148  | \$5,250  | \$5,356  | \$5,462  | \$5,572  | \$5,711  |
| Animal Control Officer            |  |       | yr | \$54,850         | \$55,947 | \$57,065 | \$58,207 | \$59,371 | \$60,558 | \$61,770 | \$63,005 | \$64,264 | \$65,550 | \$66,861 | \$68,533 |
|                                   |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| Evidence Technician               |  | 26    | hr | \$26.92          | \$27.45  | \$28.00  | \$28.56  | \$29.13  | \$29.72  | \$30.31  | \$30.91  | \$31.53  | \$32.17  | \$32.81  | \$33.63  |
| Maintenance Worker                |  |       | mo | \$4,665          | \$4,758  | \$4,853  | \$4,951  | \$5,049  | \$5,151  | \$5,253  | \$5,359  | \$5,465  | \$5,575  | \$5,687  | \$5,828  |
|                                   |  |       | yr | \$55,977         | \$57,097 | \$58,238 | \$59,403 | \$60,592 | \$61,803 | \$63,040 | \$64,300 | \$65,586 | \$66,898 | \$68,235 | \$69,942 |
|                                   |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| Lead Court Clerk                  |  | 28    | hr | \$27.98          | \$28.55  | \$29.12  | \$29.69  | \$30.29  | \$30.89  | \$31.52  | \$32.14  | \$32.79  | \$33.45  | \$34.11  | \$34.96  |
| Finance Technician                |  |       | mo | \$4,850          | \$4,948  | \$5,047  | \$5,148  | \$5,250  | \$5,356  | \$5,462  | \$5,572  | \$5,684  | \$5,797  | \$5,913  | \$6,061  |
| Public Records & Legal Specialist |  |       | yr | \$58,209         | \$59,372 | \$60,560 | \$61,772 | \$63,007 | \$64,266 | \$65,552 | \$66,863 | \$68,200 | \$69,565 | \$70,956 | \$72,730 |
|                                   |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| Assistant Planner                 |  | 29    | hr | \$28.55          | \$29.12  | \$29.71  | \$30.30  | \$30.90  | \$31.52  | \$32.15  | \$32.80  | \$33.46  | \$34.12  | \$34.80  | \$35.67  |
|                                   |  |       | mo | \$4,949          | \$5,048  | \$5,149  | \$5,251  | \$5,357  | \$5,463  | \$5,573  | \$5,685  | \$5,798  | \$5,914  | \$6,032  | \$6,183  |
|                                   |  |       | yr | \$59,384         | \$60,571 | \$61,783 | \$63,019 | \$64,279 | \$65,565 | \$66,876 | \$68,214 | \$69,578 | \$70,970 | \$72,389 | \$74,199 |
|                                   |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| Court Compliance Officer          |  | 30    | hr | \$29.13          | \$29.71  | \$30.30  | \$30.91  | \$31.53  | \$32.15  | \$32.80  | \$33.46  | \$34.12  | \$34.81  | \$35.51  | \$36.40  |
| Lead Maintenance Worker           |  |       | mo | \$5,049          | \$5,150  | \$5,253  | \$5,358  | \$5,465  | \$5,574  | \$5,686  | \$5,800  | \$5,915  | \$6,033  | \$6,154  | \$6,308  |
| Permit Coordinator                |  |       | yr | \$60,584         | \$61,795 | \$63,031 | \$64,292 | \$65,577 | \$66,889 | \$68,227 | \$69,591 | \$70,983 | \$72,403 | \$73,851 | \$75,697 |
| Recreation Coordinator            |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
|                                   |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| Engineering Technician            |  | 31    | hr | \$29.71          | \$30.30  | \$30.90  | \$31.52  | \$32.15  | \$32.80  | \$33.46  | \$34.12  | \$34.80  | \$35.50  | \$36.21  | \$37.12  |
|                                   |  |       | mo | \$5,149          | \$5,252  | \$5,357  | \$5,463  | \$5,573  | \$5,685  | \$5,798  | \$5,914  | \$6,032  | \$6,153  | \$6,276  | \$6,433  |
|                                   |  |       | yr | \$61,784         | \$63,019 | \$64,280 | \$65,565 | \$66,876 | \$68,214 | \$69,578 | \$70,970 | \$72,390 | \$73,837 | \$75,314 | \$77,197 |
|                                   |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| IT Specialist                     |  | 32    | hr | \$30.30          | \$30.91  | \$31.53  | \$32.15  | \$32.80  | \$33.46  | \$34.12  | \$34.81  | \$35.51  | \$36.21  | \$36.94  | \$37.86  |
| Paralegal                         |  |       | mo | \$5,252          | \$5,358  | \$5,465  | \$5,574  | \$5,686  | \$5,800  | \$5,915  | \$6,033  | \$6,154  | \$6,277  | \$6,403  | \$6,563  |
|                                   |  |       | yr | \$63,031         | \$64,292 | \$65,577 | \$66,889 | \$68,227 | \$69,591 | \$70,983 | \$72,403 | \$73,851 | \$75,328 | \$76,835 | \$78,756 |
|                                   |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| Code Enforcement Officer          |  | 33    | hr | \$30.89          | \$31.51  | \$32.14  | \$32.78  | \$33.44  | \$34.11  | \$34.79  | \$35.49  | \$36.19  | \$36.92  | \$37.66  | \$38.60  |
| Compliance Inspector              |  |       | mo | \$5,355          | \$5,461  | \$5,571  | \$5,683  | \$5,796  | \$5,912  | \$6,030  | \$6,151  | \$6,274  | \$6,399  | \$6,527  | \$6,690  |
| Construction Inspector            |  |       | yr | \$64,255         | \$65,540 | \$66,851 | \$68,188 | \$69,551 | \$70,942 | \$72,361 | \$73,808 | \$75,285 | \$76,791 | \$78,326 | \$80,284 |
| Crime Analyst*                    |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| Human Services Coord              |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
|                                   |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| Building Inspector                |  | 34    | hr | \$31.53          | \$32.15  | \$32.80  | \$33.46  | \$34.12  | \$34.81  | \$35.51  | \$36.21  | \$36.94  | \$37.68  | \$38.43  | \$39.39  |
|                                   |  |       | mo | \$5,464          | \$5,574  | \$5,686  | \$5,800  | \$5,915  | \$6,033  | \$6,154  | \$6,277  | \$6,402  | \$6,530  | \$6,662  | \$6,828  |
|                                   |  |       | yr | \$65,574         | \$66,886 | \$68,224 | \$69,588 | \$70,980 | \$72,400 | \$73,847 | \$75,324 | \$76,831 | \$78,367 | \$79,935 | \$81,933 |
|                                   |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| Associate Planner                 |  | 36    | hr | \$32.78          | \$33.44  | \$34.11  | \$34.79  | \$35.49  | \$36.19  | \$36.92  | \$37.66  | \$38.41  | \$39.18  | \$39.97  | \$40.96  |
| Program Coordinator               |  |       | mo | \$5,683          | \$5,796  | \$5,912  | \$6,030  | \$6,151  | \$6,274  | \$6,399  | \$6,527  | \$6,658  | \$6,791  | \$6,927  | \$7,100  |
|                                   |  |       | yr | \$68,190         | \$69,553 | \$70,944 | \$72,364 | \$73,811 | \$75,287 | \$76,793 | \$78,328 | \$79,896 | \$81,493 | \$83,123 | \$85,201 |
|                                   |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| Finance Analyst *                 |  | 38    | hr | \$34.12          | \$34.81  | \$35.50  | \$36.21  | \$36.93  | \$37.67  | \$38.43  | \$39.20  | \$39.98  | \$40.78  | \$41.60  | \$42.63  |
| GIS Analyst                       |  |       | mo | \$5,914          | \$6,033  | \$6,153  | \$6,276  | \$6,402  | \$6,530  | \$6,661  | \$6,794  | \$6,930  | \$7,068  | \$7,210  | \$7,390  |
| Plans Examiner                    |  |       | yr | \$70,973         | \$72,393 | \$73,840 | \$75,317 | \$76,824 | \$78,360 | \$79,927 | \$81,525 | \$83,156 | \$84,820 | \$86,516 | \$88,679 |
|                                   |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| Traffic Signal Technician         |  | 39    | hr | \$34.80          | \$35.50  | \$36.21  | \$36.93  | \$37.67  | \$38.43  | \$39.20  | \$39.98  | \$40.78  | \$41.60  | \$42.43  | \$43.48  |
| Assistant Civil Engineer*         |  |       | mo | \$6,032          | \$6,153  | \$6,276  | \$6,401  | \$6,529  | \$6,661  | \$6,794  | \$6,929  | \$7,068  | \$7,209  | \$7,353  | \$7,537  |
|                                   |  |       | yr | \$72,389         | \$73,837 | \$75,313 | \$76,820 | \$78,356 | \$79,923 | \$81,521 | \$83,152 | \$84,815 | \$86,511 | \$88,241 | \$90,447 |
|                                   |  |       |    |                  |          |          |          |          |          |          |          |          |          |          |          |
| Associate Civil Engineer*         |  | 43    | hr | \$37.68          | \$38.43  | \$39.20  | \$39.99  | \$40.79  | \$41.60  | \$42.43  | \$43.28  | \$44.15  | \$45.03  | \$45.92  | \$47.08  |
|                                   |  |       | mo | \$6,530          | \$6,661  | \$6,794  | \$6,930  | \$7,068  | \$7,210  | \$7,354  | \$7,501  | \$7,652  | \$7,804  | \$7,960  | \$8,159  |

|                    |    |    |          |          |          |          |          |          |          |           |           |           |           |           |
|--------------------|----|----|----------|----------|----------|----------|----------|----------|----------|-----------|-----------|-----------|-----------|-----------|
|                    |    | yr | \$78,363 | \$79,931 | \$81,529 | \$83,159 | \$84,823 | \$86,519 | \$88,249 | \$90,014  | \$91,814  | \$93,651  | \$95,524  | \$97,912  |
| IT Administrator * | 45 | hr | \$39.21  | \$40.00  | \$40.80  | \$41.61  | \$42.45  | \$43.29  | \$44.16  | \$45.04   | \$45.94   | \$46.86   | \$47.80   | \$49.00   |
|                    |    | mo | \$6,796  | \$6,932  | \$7,071  | \$7,212  | \$7,356  | \$7,504  | \$7,654  | \$7,806   | \$7,963   | \$8,122   | \$8,284   | \$8,492   |
|                    |    | yr | \$81,554 | \$83,185 | \$84,850 | \$86,546 | \$88,277 | \$90,042 | \$91,843 | \$93,680  | \$95,554  | \$97,465  | \$99,414  | \$101,899 |
|                    |    |    |          |          |          |          |          |          |          |           |           |           |           |           |
| Civil Engineer *   | 49 | hr | \$42.42  | \$43.27  | \$44.13  | \$45.01  | \$45.91  | \$46.83  | \$47.77  | \$48.72   | \$49.69   | \$50.69   | \$51.70   | \$52.99   |
|                    |    | mo | \$7,352  | \$7,499  | \$7,649  | \$7,802  | \$7,958  | \$8,117  | \$8,280  | \$8,445   | \$8,614   | \$8,786   | \$8,963   | \$9,186   |
|                    |    | yr | \$88,225 | \$89,989 | \$91,789 | \$93,625 | \$95,497 | \$97,407 | \$99,355 | \$101,342 | \$103,369 | \$105,437 | \$107,545 | \$110,234 |
|                    |    |    |          |          |          |          |          |          |          |           |           |           |           |           |

| Job Classification<br><i>* Exempt from FLSA overtime</i> | Range | 2021 (2.5% COLA) |          |          |          |          |          |          |          |          |          |          |          |
|--|-------|------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
|  |       | Entry            | Step 1   | Step 2   | Step 3   | Step 4   | Step 5   | Step 6   | Step 7   | Step 8   | Step 9   | Step 10  | Master   |
| Maintenance Assistant                                    | 1     | hr               | \$16.81  | \$17.15  | \$17.50  | \$17.85  | \$18.19  | \$18.57  | \$18.93  | \$19.31  | \$19.70  | \$20.10  | \$21.01  |
|  |       | mo               | \$2,914  | \$2,973  | \$3,032  | \$3,094  | \$3,155  | \$3,219  | \$3,282  | \$3,348  | \$3,414  | \$3,483  | \$3,553  |
|  |       | yr               | \$34,973 | \$35,671 | \$36,385 | \$37,113 | \$37,856 | \$38,612 | \$39,384 | \$40,172 | \$40,976 | \$41,795 | \$42,631 |
| Court Clerk  | 18    | hr               | \$23.56  | \$24.03  | \$24.50  | \$25.00  | \$25.50  | \$26.00  | \$26.53  | \$27.05  | \$27.60  | \$28.15  | \$29.43  |
| Evidence Custodian                                       |       | mo               | \$4,083  | \$4,165  | \$4,248  | \$4,333  | \$4,419  | \$4,507  | \$4,597  | \$4,690  | \$4,784  | \$4,879  | \$5,100  |
| Office Assistant   |       | yr               | \$48,990 | \$49,970 | \$50,969 | \$51,990 | \$53,029 | \$54,090 | \$2,640  | \$56,275 | \$57,400 | \$58,549 | \$59,719 |
| Permit Technician  | 24    | hr               | \$26.51  | \$27.04  | \$27.58  | \$28.14  | \$28.69  | \$29.27  | \$29.85  | \$30.46  | \$31.06  | \$31.67  | \$32.32  |
|  |       | mo               | \$4,594  | \$4,687  | \$4,781  | \$4,876  | \$4,973  | \$5,074  | \$5,174  | \$5,279  | \$5,383  | \$5,492  | \$5,601  |
|  |       | yr               | \$55,139 | \$56,242 | \$57,367 | \$58,514 | \$59,684 | \$60,878 | \$62,096 | \$63,337 | \$64,604 | \$65,896 | \$67,214 |
| Administrative Assistant                                 | 25    | hr               | \$27.03  | \$27.57  | \$28.13  | \$28.68  | \$29.26  | \$29.84  | \$30.43  | \$31.05  | \$31.66  | \$32.31  | \$33.76  |
| Associate Engineering Technician                         |       | mo               | \$4,685  | \$4,779  | \$4,874  | \$4,971  | \$5,072  | \$5,172  | \$5,277  | \$5,381  | \$5,490  | \$5,599  | \$5,854  |
| Animal Control Officer                                   |       | yr               | \$56,222 | \$57,346 | \$58,492 | \$59,662 | \$60,856 | \$62,072 | \$63,314 | \$64,580 | \$65,872 | \$67,189 | \$68,533 |
| Evidence Technician                                      | 26    | hr               | \$27.59  | \$28.14  | \$28.70  | \$29.27  | \$29.86  | \$30.46  | \$31.07  | \$31.68  | \$32.32  | \$32.97  | \$33.63  |
| Maintenance Worker                                       |       | mo               | \$4,782  | \$4,877  | \$4,974  | \$5,075  | \$5,175  | \$5,280  | \$5,384  | \$5,493  | \$5,602  | \$5,714  | \$5,829  |
|  |       | yr               | \$57,377 | \$58,524 | \$59,694 | \$60,888 | \$62,107 | \$63,348 | \$64,616 | \$65,908 | \$67,225 | \$68,570 | \$69,941 |
| Lead Court Clerk   | 28    | hr               | \$28.68  | \$29.26  | \$29.85  | \$30.43  | \$31.05  | \$31.66  | \$32.31  | \$32.94  | \$33.61  | \$34.29  | \$35.83  |
| Finance Technician                                       |       | mo               | \$4,971  | \$5,072  | \$5,173  | \$5,277  | \$5,381  | \$5,490  | \$5,599  | \$5,711  | \$5,826  | \$5,942  | \$6,061  |
| Public Records & Legal Specialist                        |       | yr               | \$59,664 | \$60,856 | \$62,074 | \$63,316 | \$64,582 | \$65,873 | \$67,191 | \$68,534 | \$69,905 | \$71,304 | \$72,730 |
| Assistant Planner  | 29    | hr               | \$29.26  | \$29.85  | \$30.45  | \$31.06  | \$31.67  | \$32.31  | \$32.95  | \$33.62  | \$34.30  | \$34.97  | \$35.67  |
|  |       | mo               | \$5,073  | \$5,174  | \$5,278  | \$5,382  | \$5,491  | \$5,600  | \$5,712  | \$5,827  | \$5,943  | \$6,062  | \$6,183  |
|  |       | yr               | \$60,869 | \$62,086 | \$63,327 | \$64,595 | \$65,886 | \$67,204 | \$68,548 | \$69,919 | \$71,317 | \$72,744 | \$74,198 |
| Court Compliance Officer                                 | 30    | hr               | \$29.86  | \$30.45  | \$31.06  | \$31.68  | \$32.32  | \$32.95  | \$33.62  | \$34.30  | \$34.97  | \$35.68  | \$37.31  |
| Lead Maintenance Worker                                  |       | mo               | \$5,175  | \$5,279  | \$5,384  | \$5,492  | \$5,602  | \$5,713  | \$5,828  | \$5,945  | \$6,063  | \$6,184  | \$6,308  |
| Permit Coordinator                                       |       | yr               | \$62,098 | \$63,340 | \$64,607 | \$65,899 | \$67,217 | \$68,562 | \$69,933 | \$71,331 | \$72,758 | \$74,213 | \$75,698 |
| Recreation Coordinator                                   |       |                  |          |          |          |          |          |          |          |          |          |          |          |
| Engineering Technician                                   | 31    | hr               | \$30.45  | \$31.06  | \$31.67  | \$32.31  | \$32.95  | \$33.62  | \$34.30  | \$34.97  | \$35.67  | \$36.39  | \$38.05  |
|  |       | mo               | \$5,278  | \$5,383  | \$5,491  | \$5,600  | \$5,712  | \$5,827  | \$5,943  | \$6,062  | \$6,183  | \$6,307  | \$6,433  |
|  |       | yr               | \$63,329 | \$64,595 | \$65,887 | \$67,204 | \$68,548 | \$69,919 | \$71,317 | \$72,744 | \$74,199 | \$75,683 | \$77,197 |
| IT Specialist  | 32    | hr               | \$31.06  | \$31.68  | \$32.32  | \$32.95  | \$33.62  | \$34.30  | \$34.97  | \$35.68  | \$36.40  | \$37.12  | \$38.81  |
| Paralegal  |       | mo               | \$5,383  | \$5,492  | \$5,602  | \$5,713  | \$5,828  | \$5,945  | \$6,063  | \$6,184  | \$6,308  | \$6,434  | \$6,563  |
|  |       | yr               | \$64,607 | \$65,899 | \$67,217 | \$68,562 | \$69,933 | \$71,331 | \$72,758 | \$74,213 | \$75,698 | \$77,211 | \$78,756 |
| Code Enforcement Officer                                 | 33    | hr               | \$31.66  | \$32.30  | \$32.94  | \$33.60  | \$34.28  | \$34.96  | \$35.66  | \$36.38  | \$37.10  | \$37.84  | \$39.57  |
| Compliance Inspector                                     |       | mo               | \$5,489  | \$5,598  | \$5,710  | \$5,825  | \$5,941  | \$6,060  | \$6,181  | \$6,305  | \$6,431  | \$6,559  | \$6,690  |
| Construction Inspector                                   |       | yr               | \$65,862 | \$67,178 | \$68,522 | \$69,893 | \$71,290 | \$72,716 | \$74,170 | \$75,653 | \$77,167 | \$78,711 | \$80,285 |
| Crime Analyst*   |       |                  |          |          |          |          |          |          |          |          |          |          |          |
| Human Services Coord                                     |       |                  |          |          |          |          |          |          |          |          |          |          |          |
| Building Inspector                                       | 34    | hr               | \$32.32  | \$32.95  | \$33.62  | \$34.30  | \$34.97  | \$35.68  | \$36.40  | \$37.12  | \$37.86  | \$38.62  | \$40.38  |
|  |       | mo               | \$5,601  | \$5,713  | \$5,828  | \$5,945  | \$6,063  | \$6,184  | \$6,308  | \$6,434  | \$6,562  | \$6,693  | \$6,829  |
|  |       | yr               | \$67,214 | \$68,559 | \$69,930 | \$71,328 | \$72,755 | \$74,210 | \$75,693 | \$77,207 | \$78,752 | \$80,327 | \$81,933 |
| Associate Planner  | 36    | hr               | \$33.60  | \$34.28  | \$34.96  | \$35.66  | \$36.38  | \$37.10  | \$37.84  | \$38.60  | \$39.37  | \$40.16  | \$41.98  |
| Program Coordinator                                      |       | mo               | \$5,825  | \$5,941  | \$6,060  | \$6,181  | \$6,305  | \$6,431  | \$6,559  | \$6,690  | \$6,825  | \$6,961  | \$7,100  |
|  |       | yr               | \$69,895 | \$71,292 | \$72,718 | \$74,173 | \$75,657 | \$77,169 | \$78,713 | \$80,287 | \$81,893 | \$83,530 | \$85,201 |
| Finance Analyst *  | 38    | hr               | \$34.97  | \$35.68  | \$36.39  | \$37.12  | \$37.85  | \$38.61  | \$39.39  | \$40.18  | \$40.98  | \$41.80  | \$43.70  |
| GIS Analyst  |       | mo               | \$6,062  | \$6,184  | \$6,307  | \$6,433  | \$6,562  | \$6,693  | \$6,828  | \$6,964  | \$7,103  | \$7,245  | \$7,390  |
| Plans Examiner   |       | yr               | \$72,747 | \$74,202 | \$75,686 | \$77,200 | \$78,744 | \$80,319 | \$81,926 | \$83,564 | \$85,235 | \$86,940 | \$88,679 |
| Traffic Signal Technician                                | 39    | hr               | \$35.67  | \$36.39  | \$37.12  | \$37.85  | \$38.61  | \$39.39  | \$40.18  | \$40.98  | \$41.80  | \$42.64  | \$44.57  |
| Assistant Civil Engineer*                                |       | mo               | \$6,183  | \$6,307  | \$6,433  | \$6,561  | \$6,692  | \$6,828  | \$6,964  | \$7,102  | \$7,245  | \$7,389  | \$7,537  |
|  |       | yr               | \$74,198 | \$75,683 | \$77,196 | \$78,740 | \$80,315 | \$81,921 | \$83,559 | \$85,231 | \$86,935 | \$88,674 | \$90,447 |
| Associate Civil Engineer*                                | 43    | hr               | \$38.62  | \$39.39  | \$40.18  | \$40.99  | \$41.81  | \$42.64  | \$43.49  | \$44.36  | \$45.25  | \$46.16  | \$48.26  |
|  |       | mo               | \$6,693  | \$6,828  | \$6,964  | \$7,103  | \$7,245  | \$7,390  | \$7,538  | \$7,689  | \$7,843  | \$7,999  | \$8,159  |
|  |       | yr               | \$80,322 | \$81,929 | \$83,567 | \$85,238 | \$86,943 | \$88,682 | \$90,456 | \$92,265 | \$94,110 | \$95,992 | \$97,912 |
| IT Administrator *                                       | 45    | hr               | \$40.19  | \$41.00  | \$41.82  | \$42.65  | \$43.51  | \$44.37  | \$45.26  | \$46.17  | \$47.09  | \$48.03  | \$50.23  |

|                  |    |    |          |          |          |          |          |          |           |           |           |           |           |           |
|------------------|----|----|----------|----------|----------|----------|----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|
|                  |    | mo | \$6,966  | \$7,105  | \$7,248  | \$7,392  | \$7,540  | \$7,692  | \$7,845   | \$8,001   | \$8,162   | \$8,325   | \$8,491   | \$8,704   |
|                  |    | yr | \$83,593 | \$85,265 | \$86,971 | \$88,710 | \$90,484 | \$92,293 | \$94,139  | \$96,022  | \$97,942  | \$99,902  | \$101,899 | \$104,447 |
|                  |    |    |          |          |          |          |          |          |           |           |           |           |           |           |
| Civil Engineer * | 49 | hr | \$43.48  | \$44.35  | \$45.23  | \$46.14  | \$47.06  | \$48.00  | \$48.96   | \$49.94   | \$50.93   | \$51.96   | \$52.99   | \$54.32   |
|                  |    | mo | \$7,536  | \$7,687  | \$7,840  | \$7,997  | \$8,157  | \$8,320  | \$8,487   | \$8,656   | \$8,829   | \$9,006   | \$9,187   | \$9,416   |
|                  |    | yr | \$90,430 | \$92,239 | \$94,083 | \$95,965 | \$97,885 | \$99,842 | \$101,839 | \$103,875 | \$105,953 | \$108,073 | \$110,234 | \$112,989 |
|                  |    |    |          |          |          |          |          |          |           |           |           |           |           |           |

## APPENDIX B - Clothing and Boots

This list is strictly for purposes of identifying clothing allotment and boot allowances and is not intended for any other purpose.

| <b>Community and Economic Development</b> |          |                             |                                 |           |
|---|----------|-----------------------------|---------------------------------|-----------|
| <b>Building Inspector</b>                 |          |                             |                                 |           |
| Division                                  | Quantity | Item                        | Frequency                       | Notes     |
|   | 1        | Coveralls                   | Annually                        |           |
|   | 1        | Field Jacket                | Every 3 years                   | City Logo |
|   | 1        | Raingear                    | Every 3 years                   |           |
|   | 1        | Gloves, Hearing Protection  | Replaced based on wear and tear |           |
|   | 1        | Eye Protection, Safety Vest | Replaced based on wear and tear |           |
|   | 1        | Hard Hats, Mud Boots        | Replaced based on wear and tear |           |

| <b>Parks, Recreation and Community Services</b>   |          |                             |                                 |  |
|---|----------|-----------------------------|---------------------------------|--|
| <b>Maintenance Worker I, II and III; Facilities Maintenance Technician; Traffic Signal Technician</b> |          |                             |                                 |  |
| Division  | Quantity | Item                        | Frequency                       | Notes  |
| All   | 1        | Thermal Overalls            | Every 5 years                   | Only provided If necessitated by position            |
| All   | 1        | Field Jacket                | Replaced based on wear and tear | ANSI Approved class III yellow                       |
| All   | 1        | Rain Pants                  | Replaced based on wear and tear | ANSI Approved class III yellow                       |
| All   | 5        | Pants                       | Annually                        |  |
| All   | 5        | Shirts                      | Annually                        | Silk Screened with City Logo except on ANSI clothing |
| All   | 5        | Sweatshirts                 | Annually                        | Embroidered with City logo except on ANSI clothing   |
| All   | 1        | City Logo Ball Cap          | Annually                        | Or as needed based on wear and tear                  |
| All   | 1        | Gloves, Hearing Protection  | Replaced based on wear and tear |  |
| All   | 1        | Eye Protection, Safety Vest | Replaced based on wear and tear |  |
| All   | 1        | Hard Hats, Mud Boots        | Replaced based on wear and tear |  |

| <b>Public Works</b>  |          |                               |  |                                |
|--|----------|-------------------------------|--|--------------------------------|
| <b>PW Inspector; Engineering Technician, Associate Engineering Technician</b>                    |          |                               |  |                                |
| Division   | Quantity | Item                          | Frequency                              | Notes                          |
| All  | 1        | Field Jacket                  | Replaced based on wear and tear        | ANSI Approved class III yellow |
| All  | 1        | Raingear                      | Replaced based on wear and tear        | ANSI Approved class III yellow |
| All  | 1        | Gloves, Hearing Protection    | Replaced based on wear and tear        |                                |
| All  | 1        | Eye Protection, Safety Vest   | Replaced based on wear and tear        |                                |
| All  | 1        | Hard Hats, Mud Boots          | Replaced based on wear and tear        |                                |
| <b>Police</b>  |          |                               |  |                                |
| <b>Animal Control Officer; Code Enforcement Officer; Evidence Custodian, Evidence Technician</b> |          |                               |  |                                |
| Division   | Quantity | Item                          | Frequency                              | Notes                          |
| Animal Control   | 1        | Field Jacket                  | Replaced based on wear and tear        | City logo                      |
| Animal Control   | 2        | Jumpsuit                      | Replaced based on wear and tear        | City logo and employee name    |
| Animal Control   | 2        | Mock Turtleneck               | Replaced based on wear and tear        |                                |
| Animal Control   | 1        | Duty Belt/suspenders          | Replaced based on wear and tear        |                                |
| Animal Control   | 1        | Bullet Proof Vest             | Replaced per manufacturer instructions |                                |
| Animal Control   | 1        | Hat                           | Replaced based on wear and tear        |                                |
| Animal Control   | 1        | Kevlar duty gloves            | Replaced based on wear and tear        |                                |
| Code Enf   | 1        | Coveralls                     | Annually                               |                                |
| Code Enf   | 1        | Field Jacket                  | Replaced based on wear and tear        | City logo                      |
| Code Enf   | 1        | Raingear                      | Every 3 years                          |                                |
| Code Enf   | 1        | Gloves, Hearing Protection    | Replaced based on wear and tear        |                                |
| Code Enf   | 1        | Eye Protection, Safety Vest   | Replaced based on wear and tear        |                                |
| Code Enf   | 1        | Hard Hats, Mud Boots          | Replaced based on wear and tear        |                                |
| Evidence   | 1        | Rainproof winter jacket       | Replaced based on wear and tear        | City logo                      |
| Evidence   | 4        | Long/short sleeve polo shirts | Replaced based on wear and tear        | City logo                      |
| Evidence   | 2        | Cargo style pants             | Replaced based on wear and tear        |                                |
| Evidence   | 1        | Mock Turtleneck               | Replaced based on wear and tear        |                                |
| Evidence   | 1        | Military style belt           | Replaced based on wear and tear        |                                |

| <b>Municipal Court</b>           |          |  |  |                                 |
|----------------------------------|----------|--|--|---------------------------------|
| <b>Court Compliance Officer</b>  |          |  |  |                                 |
| Division                         | Quantity | Item   | Frequency                              | Notes                           |
|                                  | 1        | Jumpsuit   | Annually                               | City logo and employee's name   |
|                                  | 1        | Duty belt  | Replaced based on wear and tear        |                                 |
|                                  | 1        | Kevlar duty gloves   | Replaced based on wear and tear        |                                 |
|                                  | 1        | Bullet Proof Vest  | Replaced per manufacturer instructions |                                 |
|                                  | 1        | Baton, 21" Telescopic, Holder  | Replaced based on wear and tear        |                                 |
|                                  | 1        | Flashlight   | Replace based on wear and tear         | Streamlight SL20X or equivalent |
|                                  | 1        | Double Handcuff Case   | Replaced based on wear and tear        | or 2 single cases               |
|                                  | 1        | Handcuff with key hinged   | Replaced based on wear and tear        |                                 |
|                                  | 1        | Handcuff with key chain  | Replaced based on wear and tear        |                                 |
|                                  | 1        | Holder, Capstun  | Replaced based on wear and tear        |                                 |
|                                  | 1        | Holster, Level II Glock  | Replaced based on wear and tear        |                                 |
|                                  | 1        | Pouch, Magazine Vert/Hor   | Replaced based on wear and tear        |                                 |
|                                  | 1        | Tactical Handcuff Key, Large   | Replaced based on wear and tear        |                                 |
| <b>Safety Toe Boot Allowance</b> |          |  |  |                                 |
| \$125                            | Annually | Code Enforcement Officer, Engineering Technician, Associate Engineering Technician   |  |                                 |
| \$250                            | Annually | Animal Control Officer, Building Inspector, Court Compliance Officer, Facilities Maintenance Technician, Maintenance Worker I, II , III; Public Works Inspector, Traffic Signal Technician |  |                                 |



## **APPENDIX C**

### **DEFINED CLASS SERIES**

Class series are defined for purposes of administration of bumping rights pursuant to Article 16. Classes are listed in descending order within each class series, with the class requiring the greatest level of skills, knowledge and experience listed first.

Finance Analyst  
Finance Technician

Civil Engineer  
Associate Civil Engineer  
Assistant Civil Engineer  
Engineering Technician  
Associate Engineering Technician

Lead Court Clerk  
Court Clerk

IT Administrator  
IT Specialist

Lead Maintenance Worker  
Maintenance Worker  
Maintenance Assistant

Senior Planner  
Associate Planner  
Assistant Planner

Public Records and Legal Specialist  
Administrative Assistant\*  
Office Assistant\*

Permit Coordinator  
Permit Technician

\*For the Administrative Assistant and Office Assistant classifications which have incumbents working in the Police Department and subject to Civil Service Rules, bumping rights shall apply only within or outside of the Police Department; there shall be no bumping from the Police Department to another City Department or vice versa.

Memorandum of Understanding

By and Between

City of Lakewood

And

Washington State Council of County and City Employees, Council 2

AFSCME – AFL-CIO

Local #1938

---

As a result of discussions between City Of Lakewood and WSCCCE, Local 1938 (hereinafter, referred to as the Parties), the following understanding and agreement has been reached:

The parties agree that the City of Lakewood will contract with Pierce County to pick up the AFSCME Local 1938 Signal Technician work identified in Attachment A for a period of 24 months beginning no later than December 2020. This agreement is in recognition that the City is struggling to respond to the sudden and extreme economic downturn created by the COVID-19 pandemic. The Union is agreeing to this in order to save the City money, which should in turn benefit the Union membership in the long run. This agreement is non-precedent setting.

For these two years, it is agreed:

- The City will compensate two Union members who took on additional work performed during the 2019 and 2020 transition period when the Signal Technician positions were vacant and prior to executing a new contract for services. Each member will be compensated with a one-time lump sum of one thousand dollars (\$1,000) to Associate Engineer Jon Howe and Lead Maintenance Worker (O&M) Tom Cummins.
- The City will send the Union, every six months, an update on the total cost of the contract with Pierce County for the prior six-month period.
- At the end of the 24 months and no later than December 31, 2022, the City agrees to return the work identified in Attachment A back to the bargaining unit.

Signed at Lakewood, Washington on the date(s) set forth below each party's signature.

City of Lakewood

WSCCCE Local 1938

---

John J. Caulfield, City Manager    Date

---

Cathi Short, Local 1938 President    Date

---

Abigail Zulock, Council 2 Staff Representative    Date

ATTEST:

---

Briana Schumacher, City Clerk                      Date

APPROVED AS TO FORM:

---

Heidi Ann Wachter, City Attorney                      Date

# AFSCME 2020 CBA Summary of Changes

---

The areas listed below are highlights of the changes in the labor agreement:

| Item   | Financial Impact<br>Term 2020 – 2021 | Financial Impact<br>6 Years 2020 –<br>2025 |
|--|--------------------------------------|--|
| Two year term<br>2020-2021   |                                      |  |
| Wage Adjustments:  | Labor Agreement Total                | 6 Year Total                               |
| January 1, 2020    2.5%  | \$453,678                            | \$1,668,487                                |
| January 1, 2021    2.5%  |                                      |  |
| Health Insurance   | Labor Agreement Total                | 6 Year Total                               |
| Increase medical insurance opt-out payment from \$250/month to \$300/month.  | \$13,200                             | \$39,600                                   |
| Contracting Traffic Signal Maintenance   | \$2,300                              | \$2,300                                    |
| <ul style="list-style-type: none"> <li>• Agreed to allow contracting for 2 year term ending no later than 12/31/2022.</li> <li>• \$1000 one-time lump sum payment to Associate Civil Engineer and O&amp;M Lead Maintenance Worker for work during transition period after Traffic Signal Tech positions were vacated and before new contract for additional services.</li> </ul> |                                      |  |
| Totals   | \$469,178                            | \$1,710,387                                |

# REQUEST FOR COUNCIL ACTION

**DATE ACTION IS REQUESTED:**

July 20, 2020

**TITLE:** Amending the 2020  
Parks and Recreation Advisory  
Board (PRAB) Work Plan

**TYPE OF ACTION:**

\_\_\_ ORDINANCE NO.

\_\_\_ RESOLUTION NO.

**REVIEW:**

July 20, 2020

**ATTACHMENTS:**

2020 Parks and Recreation  
Advisory Board (PRAB) Work  
Plan Updated

  X   MOTION NO. 2020-37

\_\_\_ OTHER

**SUBMITTED BY:** Mary Dodsworth, Parks, Recreation and Community Services Director

**RECOMMENDATION:** It is recommended that the City Council amend the 2020 Parks and Recreation Advisory Board (PRAB) Work Plan to include a review of the park code related to use of motorized vehicles in City parks.

**DISCUSSION:** Chapter 2.68 of the Lakewood Municipal Code requires all City of Lakewood Citizens' Advisory Boards, Committees and Commissions, authorized by the City Council to conduct research, make recommendations or perform other work in furtherance of the goals and objectives of the City, to follow a properly executed annual work plan specific to that body.

Pursuant to City Code, the City Council is expected to review the work plan of each Advisory Board and Committee and formally approve each work plan. If an advisory group anticipates departure from the work plan, such departure should be authorized by the City Council.

**ALTERNATIVE(S):** The City Council may amend the work plan as appropriate.

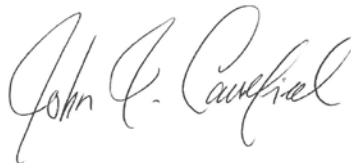
**FISCAL IMPACT:** None.

Mary Dodsworth

Prepared by

Mary Dodsworth

Department Director



City Manager Review

# PARKS AND RECREATION ADVISORY BOARD

## 2020 ANNUAL WORK PLAN AND MEETING SCHEDULE

### Members:

Jason Gerwen, Chair  
Vito Iacobazzi, Vice-Chair  
Sylvia Allen  
Alan Billingsley

Michael Darrah  
Susan Dellinger  
Michael Lacadie

### Youth Council Liaison:

Gloria Arauja Ruiz  
Anaya Davia  
Yajaira Gonzalez  
Brian Noel

Kayala Purdie  
Samantha Reed  
Kloe Salazar

### City Council Liaison:

Councilmember Linda Farmer

### City Staff Support:

Mary Dodsworth, Director Parks, Recreation & Community Services  
Nikki York, Office Assistant

### Meeting Schedule:

Fourth Tuesday of Each Month, 5:30 p.m. American Lake Room, Lakewood City Hall

### 2020 Work Plan:

|    |   |
|----|---|
| 1. | Fort Steilacoom Park Project Updates                |
| 2. | Legacy Plan Update                                  |
| 3. | Parks CIP Update                                    |
| 4. | Wards Lake Park Project Update                      |
| 5. | Harry Todd Park Project Update                      |
| 6. | Edgewater Park Project Update                       |
| 7. | Park Code Update - Motorized vehicles in City parks |

| Date  | Topic(s)   |
|-------|--|
| 1/28  | Elect Chair /Vice-Chair, Review 2020 Work Plan, CPSD Cooperative Use Agreement   |
| 2/25  | Legacy Plan Update   |
| 5/26  | Public Art Program Recommendation, Prepare for Joint Council Meeting   |
| 6/8   | Joint Council Meeting  |
| 6/23  | Joint Council Meeting recap, COVID-19 Summer Update  |
| 7/28  | Park Code Review - Motorized vehicles in City parks, South Sound Wildlife Area Update, American Lake Park Master Plan update |
| 8/25  | Park Code Update - Motorized vehicles in City parks, Springbrook Park Update, Wards Lake Park Project Update                 |
| 9/22  | Chambers Creek Canyon Trail Update, Parks CIP Update   |
| 10/27 | 2021/2022 Budget Update, Fort Steilacoom Park Update, Urban Forestry Management Plan   |
| 11/24 | Seeley Lake Project Update, Harry Todd Project Update, Food Policy, Edgewater Master Plan update                             |
| 12/22 | No Meeting   |

**Special Events:**

| <b>Date</b>        | <b>Event</b>  |
|--------------------|---|
| 2/1/20             | MLK Jr Celebration                                    |
| <del>4/25/20</del> | <del>Parks Appreciation Day</del> Cancelled           |
| <del>5/16/20</del> | <del>Ray Evans Memorial Fishing Event</del> Cancelled |
| Tuesdays           | Farmers Market ( June - September )                   |
| Thursdays          | Summer Nights at the Pavilion – TBD                   |
| 6/20/20            | <del>Senior Center Expo</del> – Cancelled             |
| 7/11/20            | <del>SummerFEST</del> – Cancelled                     |
| 7/25/20            | Pierce County Trails Day – FSP DIY Hike               |
| 10/17/20           | Truck & Tractor Day - TBD                             |
| 10/24/20           | Make a Difference Day – TBD                           |
| 12/5/20            | Christmas Tree Lighting/ Jingle Bell Dash             |

# REQUEST FOR COUNCIL ACTION

|   |   |   |
|---|---|---|
| <b>DATE ACTION IS REQUESTED:</b><br>July 20, 2020 | <b>TITLE:</b> Ordinance approving the proposed vacation of the easterly fifty-six (56) feet of 148th St SW right-of-way east of the intersection with Murray Rd SW. | <b>TYPE OF ACTION:</b><br><input checked="" type="checkbox"/> ORDINANCE NO. 739<br><input type="checkbox"/> RESOLUTION<br><input type="checkbox"/> MOTION<br><input type="checkbox"/> OTHER |
| <b>PUBLIC HEARING:</b><br>July 6, 2020            |   |   |
| <b>REVIEW:</b>                                    | <b>ATTACHMENTS:</b> Ordinance, Exhibits A and B   |   |

**SUBMITTED BY:** Paul A. Bucich, P.E., Public Works Engineering Director/City Engineer

**RECOMMENDATION:** It is recommended that the City Council pass an ordinance approving the proposed vacation of the easterly fifty-six (56) feet of 148th St SW right-of-way east of the intersection with Murray Rd SW.

**DISCUSSION:** A complete application for the vacation of a portion of 148<sup>th</sup> St SW right-of-way was accepted by the City on May 4, 2020, from Whitney Dunlap of Barghausen Consulting Engineers Representing IPT Lakewood Logistics Center II LLC, the owner of real property abutting 148<sup>th</sup> St SW, which is adjacent to that portion of 148<sup>th</sup> St SW under consideration. The property owners desire to take ownership of the public right-of-way in order to increase the area of their existing lot, make it more uniform in shape, and allow better utilization of the land as a commercial development. The City has identified no future need for the right-of-way and Public Works Engineering supports the vacation.

A public hearing was held on July 6, 2020. Staff has received no objections to the proposed vacation. There are no utilities in the right-of-way to be vacated so easements will not be reserved.

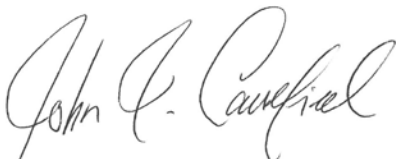
An appraisal was recently provided to the City by the applicant. The value of the property was appraised at \$27,403 total (Twenty-seven Thousand Four Hundred and Three) or, \$16.34 per square foot.

**ALTERNATIVE(S):** The Council may choose to not adopt the Ordinance thereby denying the property owner's request to vacate the 148<sup>th</sup> St SW right-of-way.

**FISCAL IMPACT:** The City will benefit from the vacation by adding this property back into the tax rolls and by improved stewardship of an otherwise nuisance lot.

Franc Sawatzki  
Prepared by

Paul Bucich  
Department Director

  
City Manager



ORDINANCE NO. 739

AN ORDINANCE of the City Council of the City of Lakewood, Washington, vacating the easterly fifty-six (56) feet of 148th St SW right-of-way east of the intersection with Murray Rd SW.

WHEREAS, the City of Lakewood, Washington, has received a petition signed by owners of at least two-thirds (2/3) of the property abutting a portion of right-of-way, located within the city of Lakewood, Washington, requesting that the same be vacated; and,

WHEREAS, on May 4, 2020, an application and petition for the vacation of public property was accepted by the City; and,

WHEREAS, in conformity with the legal requirements pursuant to Lakewood Municipal Code 12A.12.070, the Lakewood City Council passed Resolution No. 2020-08 on June 1, 2020, setting a public hearing regarding this proposed vacation on July 6, 2020; and,

WHEREAS, in conformity with the legal requirements pursuant to Lakewood Municipal Code 12A.12.090 proper notice of the public hearing was posted and mailed to all required parties; and,

WHEREAS, on July 6, 2020, said public hearing was held before the Lakewood City Council with no objections to the proposed vacation; and,

WHEREAS, pursuant to Lakewood Municipal Code section 12A.12.120, the City Council must consider certain factors prior to authorizing a vacation of public property; and,

WHEREAS, it is the finding of the City Council of the City of Lakewood that vacation is appropriate in this instance after full consideration of the factors stated in LMC 12A.12.120 in that vacation will benefit the public by returning the property to the tax rolls, in that the right-of-way is not needed for public use or access, and in that conditions are not likely to change in the future as to provide a greater use or need for the right-of-way than presently exists; and,

WHEREAS, the City Council of the City of Lakewood, Washington, has considered all

matters presented at the public hearing on the proposed vacation, hearing no objection to this vacation, and does hereby find that the vacation of said property is appropriate and that the transfer of property at issue in this matter in the manner set forth below is in best interests of the public;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON DO ORDAIN as a non-codified ordinance as follows:

- Section 1. The City vacates the easterly fifty-six (56) feet of 148th St SW right-of-way east of the intersection with Murray Rd SW, located within the city of Lakewood, Washington, legally described and as shown in the attachments hereto, marked “EXHIBIT A” and “EXHIBIT B” incorporated herein by this reference, subject to the conditions set forth in Sections 2 through 4 of this Ordinance.
- Section 2. The vacated land, as legally described and shown in “Exhibit A” and “Exhibit B” shall be attached in toto to Tax Parcel No. 0219226012.
- Section 3. The vacation shall be effective upon payment to the City of Lakewood, within 120 days of the date hereof, by an owner of property, or assignee, adjacent thereto and to be benefited by the vacation, in the amount of \$27,403.00, which represents full appraised value of the net amount (1,677 square feet) of right-of-way to be vacated.
- Section 4. This Ordinance shall be in full force and effect thirty (30) days after publication as required by law.

ADOPTED by the City Council this 20th day of July, 2020.

CITY OF LAKEWOOD

---

Don Anderson, Mayor

Attest:

---

Briana Schumacher, City Clerk

Approved as to Form:

---

Heidi Ann Wachter, City Attorney



**EXHIBIT 'A'**  
**LEGAL DESCRIPTION**  
**RIGHT OF WAY VACATION**

THAT PORTION OF 148<sup>TH</sup> STREET SOUTHWEST (MAPLE STREET), BEING PORTION OF TRACT 49 OF THE UNRECORDED PLAT OF AMERICAN LAKE GARDENS, BEING A PORTION OF THE W.N. SAVAGE DONATION LAND CLAIM NO. 42 IN SECTION 22, TOWNSHIP 19 NORTH, RANGE 02 EAST OF THE WILLAMETTE MERIDIAN, PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 OF CITY OF LAKEWOOD SHORT PLAT NUMBER LU-19-00078, RECORDED UNDER PIERCE COUNTY AUDITOR'S FILE NUMBER 201907055001, BEING A POINT ON THE NORTH MARGIN OF 148TH STREET S.W.;

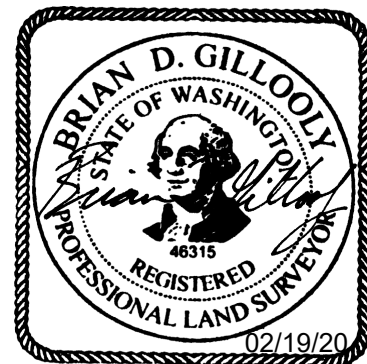
THENCE ALONG SAID NORTH MARGIN SOUTH 89°01'08" EAST, 193.72 FEET TO A POINT ON A LINE 100 FEET EASTERLY FROM, AS MEASURED AT RIGHT ANGLES, THE CENTERLINE OF SR704 AS SHOWN ON SHEETS 4 AND 5 OF 29 APPROVED JUNE 14, 2007 AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH MARGIN, SOUTH 89°01'08" EAST, 56.28 FEET TO THE WEST LINE OF SAID LOT 1, BEING THE WEST LINE OF THAT PORTION OF MAPLE STREET VACATED BY RESOLUTION 9668 RECORDED UNDER AUDITOR'S FILE NUMBER 2021329;

THENCE ALONG SAID WEST LINE OF LOTS 1 AND 2 OF SAID SHORT PLAT LU-19-00078 AND SAID RESOLUTION, SOUTH 01°03'57" WEST, 30.00 FEET TO THE SOUTH MARGIN OF SAID 148TH STREET S.W.;

THENCE ALONG SAID SOUTH MARGIN, NORTH 89°01'08" WEST, 55.52 FEET TO SAID EASTERLY LINE;

THENCE ALONG SAID EASTERLY LINE, NORTH 00°23'30" EAST, 30.01 FEET TO THE TRUE POINT OF BEGINNING.



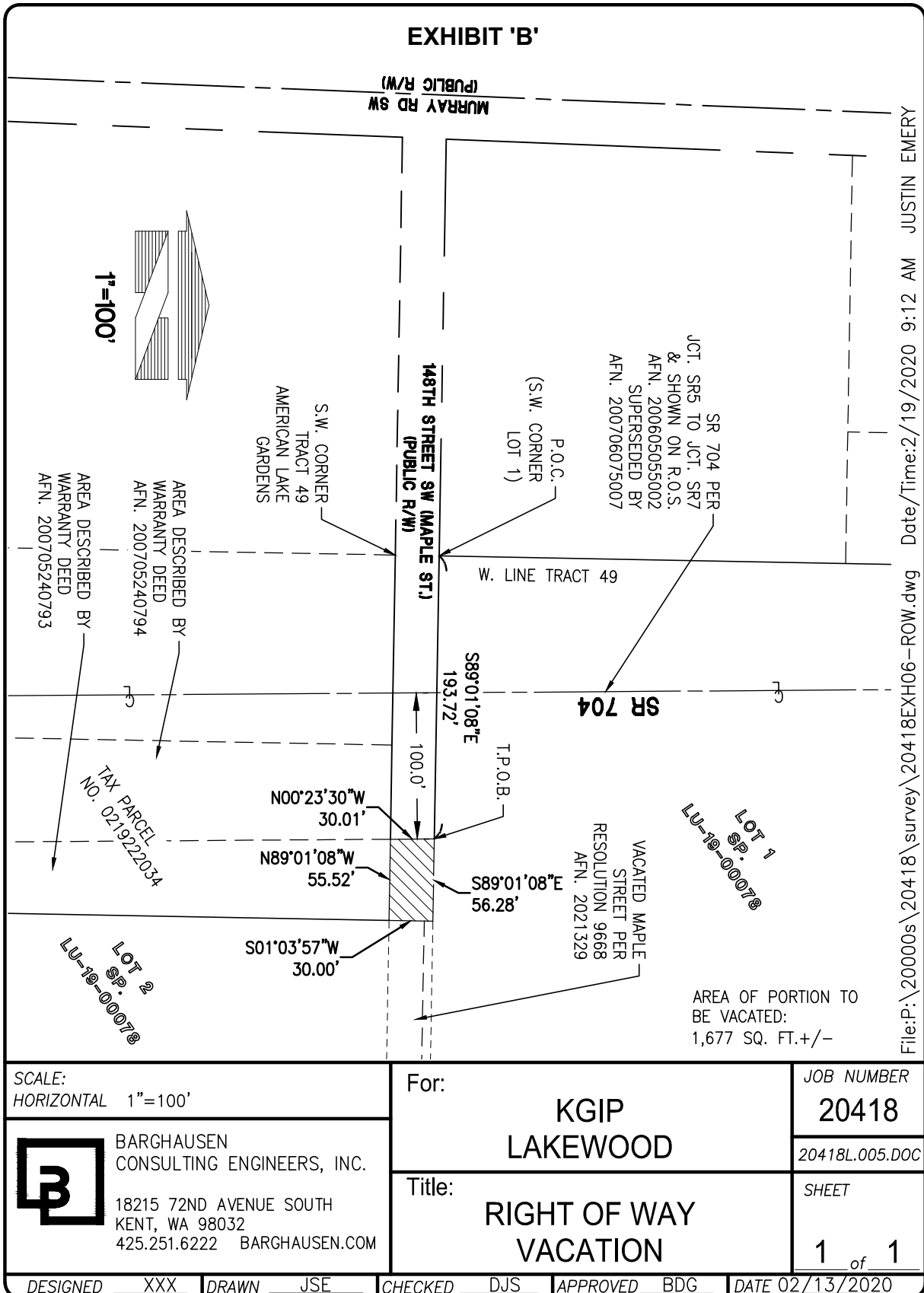
Project Name: KGIP Lakewood  
February 13, 2020

BDG / JSE  
20418L.005

**RECEIVED**

04/17/2020

CITY OF LAKEWOOD  
COMMUNITY DEVELOPMENT



File:P:\20000s\20418\survey\20418EXH06-R0W.dwg Date/Time:2/19/2020 9:12 AM JUSTIN EMERY

# REQUEST FOR COUNCIL ACTION

|   |  |   |
|---|--|---|
| <b>DATE ACTION IS REQUESTED:</b><br>July 20, 2020 | <b>TITLE:</b> Ordinance amending Title 3 of the Lakewood Municipal Code, adding Chapter 3.39, which establishes the process to assess penalties and interest on unpaid Lake Management District assessments; and impose liens. | <b>TYPE OF ACTION:</b><br><input checked="" type="checkbox"/> ORDINANCE 740<br><input type="checkbox"/> RESOLUTION<br><input type="checkbox"/> MOTION<br><input type="checkbox"/> OTHER |
| <b>REVIEW:</b><br>July 13, 2020                   | <b>ATTACHMENTS:</b><br>Ordinance   |   |

**SUBMITTED BY:** Paul A. Bucich, P.E., Public Works Engineering Director/City Engineer

**RECOMMENDATION:** It is recommended that the City Council adopt Ordinance No. 740, which amends Title 3 of the Lakewood Municipal Code by adding Chapter 3.39. This chapter establishes the process to assess penalties and interest on properties with unpaid Lake Management District assessments; and impose liens on these same properties.


**DISCUSSION:** In June 2019, the City Council created Lake Management District No. 1 for American Lake to manage invasive aquatic plants in the lake. The district is scheduled to be in place for at least 10 years. The City Council subsequently approved a special assessment roll for the District to fund plant management and related activities.

The ordinance that created the special assessment roll did not include a means to pursue delinquent assessment payments. Fortunately the vast majority of properties paid their assessments last year. Out of the 329 properties only 2 did not and have not paid to date.

The ordinance being considered will allow the District to charge penalties and interest as well as impose liens on properties that do not pay their special assessments on time. The ordinance is similar to what's already in place for the sewer availability charge and the surface water management service charge.

**ALTERNATIVE(S):** If the ordinance is not approved, then there will be no penalties, interest and lien options available for the District assessments, which is currently the case.

**FISCAL IMPACT:** There is no fiscal impact to the City. The District will stand to gain by having options in place to insure that property owners pay their assessments on time.

|                                       |   |
|---------------------------------------|---|
| Greg Vigoren<br>Prepared by           | <br>City Manager Review |
| Paul A. Bucich<br>Department Director |   |

**ORDINANCE NO. 740**

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LAKEWOOD, WASHINGTON,  
AMENDING TITLE 3 OF THE LAKEWOOD  
MUNICIPAL CODE, ADDING CHAPTER 3.39 LAKE  
MANAGEMENT DISTRICTS WHICH  
ESTABLISHES THE PROCESS TO BE USED TO  
COLLECT ASSESSMENTS; ASSESS PENALTIES  
AND INTEREST ON UNPAID ASSESSMENTS; AND  
IMPOSE LIENS ON PROPERTIES WITH UNPAID  
ASSESSMENTS FOR LAKE MANAGEMENT  
DISTRICTS.**

---

WHEREAS, in June 2019, the City Council created Lake Management District Number 1 for American Lake to provide ongoing aquatic vegetation management, community education, and other related projects in Lakewood Ordinance No. 712; and

WHEREAS, in July 2019, the City Council confirmed and approved the Special Assessment Roll for Lake Management District Number 1 – American Lake; and

WHEREAS, pursuant to RCW 36.61.200 Special assessments—Payment period—Interest and penalty, the City shall establish by ordinance an amount of interest that will be imposed on late special assessments imposed annually or at once, and on installments of a special assessment. The ordinance shall also specify the penalty, in addition to the interest, that will be imposed on a late annual special assessment, special assessment, or installment which shall not be less than five percent of the delinquent special assessment or installment; and

WHEREAS, pursuant to RCW 36.61.230, assessments “shall be a lien upon the property assessed from the time the special assessment roll is placed in the hands of the county treasurer for collection, but as between the grantor and grantee,

or vendor and vendee of any real property, when there is no express agreement as to payment of the special assessments against the real property, the lien of such special assessments shall attach thirty days after the filing of the diagram or print and the estimated cost and expense of such lake or beach improvement or maintenance activities to be borne by each lot, tract, parcel of land, or other property, as provided in RCW 36.61.220. Interest and penalty shall be included in and shall be a part of the special assessment lien”; and

WHEREAS, the City may establish other Lake Management Districts and wants to create a uniform process by which it will collect assessments; assess penalties and interest on unpaid assessments; and impose liens on properties with unpaid assessments for Lake Management Districts.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD DO ORDAIN AS FOLLOWS:

**Section 1.** That Chapter 3.39 Lake Management Districts be adopted as follows:

**03.39.010 – Purpose.**

The purpose of this Chapter is to create a uniform process by which the City will collect assessments; assess penalties and interest on unpaid assessments; and impose liens on properties with unpaid assessments for Lake Management Districts.

**03.39.020 – Authority.**

The City may establish Lake Management Districts pursuant to Chapter 36.61 RCW. The City elects to exercise all lawful powers necessary and appropriate to collect assessments; assess penalties and interest on unpaid assessments; and impose liens on properties with unpaid assessments for Lake Management Districts.

**03.39.030 – Assessment Fees.**

The City shall apply assessment fees to properties as specified in Special Assessment Rolls confirmed and approved by the City Council for Lake Management Districts.

**03.39.040 - Deposit of Funds.**

Lake Management District funds received shall be deposited in the fund designated by the City Manager or designee for the particular Lake Management District.

**03.39.050 - Authorization for Administrative Procedures.**

The City Manager or designee is hereby authorized and directed to establish all administrative procedures necessary to implement the provisions of this Chapter.

**03.39.060 - Lien for Delinquent Charges and Foreclosures.**

- A. The City shall place a lien on any parcel with a delinquent assessment fee, including interest thereon. Such liens shall be effective and shall be enforced and foreclosed in the same manner as provided for sewerage liens of cities and towns by RCW 35.67.200 through 35.67.290, except that, alternatively, the service charge lien shall be effective for a total not to exceed one year's delinquent service charges without the necessity of any writing or recording of the lien with the Pierce County Auditor.
- B. Delinquent service charges shall bear interest provided in RCW 35.67.200 at the rate of eight percent (8%) per annum, or such rate as may hereafter be authorized by law, computed on a monthly basis from the date of delinquency until paid. Interest shall be calculated at the rate in effect at the time of payment of the charges regardless of when the charges were first delinquent.



**03.39.070 - Overpayment Refund Requests.**

Any person may request the refund of service charge overpayment(s) by doing so in writing to the City Manager or designee. The basis of the request explaining the nature of the overpayment should be clearly stated. The City Manager or designee shall investigate the overpayment to have occurred. The City Manager or designee will use best efforts within sixty (60) days of receipt of the request. The City Manager or designee shall specify in the written decision the basis for authorizing or denying the refund request. No refund may be authorized for overpayment paid or levied more than two (2) years prior to the date the written request is received.

**03.39.080 - Administrative Refunds or Adjustments.**

The City Manager or designee may authorize in writing, a refund, credit, or adjustment of any amounts when he/she determines that an error, miscalculation, or mistake has occurred. The nature of the error, miscalculation, or mistake should be documented together with the steps taken to prevent future occurrences. No refunds, credits or service charge adjustments may be authorized pursuant to this Section unless brought to the attention of the City Manager or designee within two (2) years of the occurrence of the error, miscalculation or mistake.

**03.39.090 - Amount of Refund Limited.**

In any instance where a refund or credit is authorized by the City Manager or designee, the amount shall not include any interest.

**03.39.100 – Appeals.**

Any decision of the City Manager or designee made pursuant to this Chapter may be appealed to the City of Lakewood Hearing Examiner upon payment of the fees and

pursuant to chapter 1.36 LMC.

**Section 2. Severability.** If any section, sentence, clause or phrase of this resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this resolution.

**Section 3. Ratification.** Any act consistent with the authority and prior to the effective date of the resolution is hereby ratified and affirmed.

**Section 4. Effective Date.** This ordinance shall be effective five days after passage by the Lakewood City Council.

ADOPTED by the City Council this 20<sup>th</sup> day of July, 2020.

CITY OF LAKEWOOD

Attest:

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

\_\_\_\_\_  
Briana Schumacher, City Clerk

Approved as to Form:

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

# REQUEST FOR COUNCIL ACTION

**DATE ACTION IS REQUESTED:**

July 20, 2020

**REVIEW:**

June 1, 2020

**TITLE:** This is the date set for TYPE OF ACTION:

a public hearing regarding proposed code amendments that would reduce the time during which certain fireworks are allowed from July 3 through July 5 to specified hours on July 4 only.

— ORDINANCE  
— RESOLUTION  
— MOTION  
X OTHER

**ATTACHMENTS:**

**SUBMITTED BY:** Heidi Ann Wachter, City Attorney

**RECOMMENDATION:** It is recommended that the City Council continue to September 8, 2020 the public hearing regarding proposed code amendments that would reduce the time during which certain fireworks are allowed from July 3 through July 5 to specified hours on July 4 only.

**DISCUSSION:** Fireworks regulation receives routine consideration by local government, particularly following the 4<sup>th</sup> of July. The City of Lakewood is no exception. In an effort to take action with regard to fireworks regulation, the City Council began [discussion early in 2020](#). At the [June 1, 2020](#) the City Council extended the Public Hearing on fireworks to July 20, 2020. The extension of the public hearing has provided the opportunity for more public comment.

The extension to July 20 was due to the impact COVID-19 has had on the ability to conduct live public meetings. The extension to September 8 is for the same reason; this extension may be enough time that Council meetings will be open to the public and provide full access and the ability to testify in person before the Council.

State law requires a year delay before any adopted ban can take effect, therefore, if a ban is adopted it will not take effect until after July, 2021.

**ALTERNATIVE(S):** None.

**FISCAL IMPACT:** None.

Heidi Ann Wachter, City Attorney  
Prepared by

\_\_\_\_\_  
Department Director



\_\_\_\_\_  
City Manager Review

**From:** [Linda Devereaux](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks Ban  
**Date:** Tuesday, March 24, 2020 8:00:18 AM

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- helpdesk@cityoflakewood.us ext. 4357

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I strongly support the banning of fireworks on the 3rd and 5th of July.

Linda Devereaux  
4 Ponce de Leon Creek SW  
Lakewood WA 98499

Sent from my iPad

**From:** [mark.tarrant](#)  
**To:** [Briana.Schumacher](#)  
**Subject:** Fireworks  
**Date:** Tuesday, March 24, 2020 11:16:19 AM

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Good morning my question what happened to life liberty and the pursuit of happiness, as well as the tradition of fireworks and bbq for Fourth of July. Obviously there should be an age limit on who can purchase fireworks but you shouldn't ban them completely.

God bless,

SGT Tarrant

Get [Outlook for iOS](#)

**From:** [Diane Hubbell](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Wednesday, March 25, 2020 12:09:57 PM

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Instead of eliminating fireworks on the 3rd and the 5th, I **support banning the public's use of fireworks.** There is no rhyme or reason to allow the public to use explosives once a year to destroy personal property and start fires. I am sure West Pierce Fire Department can find other things to do with their time. Everyone that I know dreads the 4th of July. It should be a time of family gatherings not the sound of war and bombs and you have to stay home to protect your property. Steilacoom doesn't allow fireworks, neither should Lakewood!

Diane

March 24, 2020  
10121-120th St. SW  
Lakewood, WA 98498  
253.582.6417

City Clerk  
6000 Main St. SW  
Lakewood, WA 98498


I saw this information on the Suburban Times Newsletter and was pleased you are dealing with this. I wrote to Lakewood City Hall in the past but never received a response.

Lived here since 1968, in house 47yrs. this June.

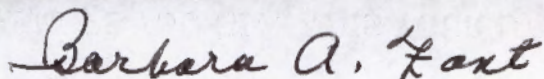
There are SO MANY reasons to stop Fireworks in Lakewood.

- \* Just ask the Fire Departments
- \* Probably paying for extra employees to be on the alert.
- \* More EMT to be alerted.
- \* Houses have been burned and/or damaged.
- \* Kids/people have been burned, injured, etc. Ask Emergency records
- \* The NOISE is horrible. Hard on people BUT TERRIBLE ON ANIMALS.
- \* The SMOKE is HORRIBLE. It is a carcinogen damaging to the lungs!!!
- \*ALSO, I believe Tacoma, Steilacoom have discontinued SO OF COURSE people step across a street and shoot here. Making for more to be concerned about!!

If cities want to show Fireworks Displays in a Safe area with PRIOR APPROVAL okay but NO MORE INDIVIDUAL SHOOTING.

 I HOPE YOU GIVE THIS YOUR UTMOST CONSIDERATION.

THANK YOU.

  
Barbara A. Fant

FireworksLakewood

**From:** [Joseph G. Boyle](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Comments: Code Amendment to eliminate fireworks  
**Date:** Friday, March 27, 2020 12:02:17 PM

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To Whom It May Concern:

While I understand the argument that igniting explosive fireworks is good clean fun for Americans who celebrate the Declaration of Independence, it is a fact that many breathe our Lakewood air who lack the common-sense, courtesy, and intelligence necessary to deal with fireworks in a safe, sane and legal manner.

Last year a neighbor, acting like a goofball, came close to setting my property on fire when his party shot fireworks from the middle of a city street over our 7' fence into our fir trees with two large rockets landing on my roof. Fireworks also fell into my neighbors' property. Had this inconsiderate neighbor caught my fir trees or other abundant vegetation on fire, my home and its occupants, which are surrounded by trees and vegetation, could have burned to the ground.

Fortunately, I no longer have a combustible shake roof, but rather a standing seam metal roof. The burning fireworks created a large stain on my metal roof as it burned itself out on top of my house with us sleeping inside late at night.

Anyone of us, including several neighbors, could have been injured or killed with the burning fireworks falling from the



sky. We were held prisoners in our own homes daring not to venture outside, except quick trips to check for fire.

The offending neighbor had two guests / relatives attending his dangerous fireworks party. One was a policeman (Not Lakewood Police). The other was a fireman.

When I confronted my neighbor regarding my safety concerns, he bragged about having police and fire on the scene, and thus stated he was doing nothing illegal. He refused to stop.

Because there are ignorant, dangerous idiots mixed in with our general population, Lakewood City Council needs to do the right thing, the intelligent thing, to protect our community. Private fireworks needs to be outlawed in our city every single day of the year.

When these arson happy trouble makers attacked my house, 911-Dispatch reported to me that Lakewood Police did not have the staffing to respond to fireworks complaints. That fact forces the possibility; private citizens will arm themselves to confront stupidity to protect lives and property—what a recipe for disaster.

If our city and our police are not able or willing to solve the fireworks problem, then when under attack, some citizens may choose to fire back using illegal fireworks of their own aimed directed at the offender's home, trees, or the offender. There is a distinct possibility a victim may choose to up the ante with superior firepower. Superior firepower means the suspect brought fireworks to a gunfight.

One might quickly respond with the the thought that the victim neighbor should not stoop to the suspect's behavior to avoid becoming just as bad as the suspect. The counter to that is, Why not? The victim has to protect his family and property and the police are not going to show up for a fireworks complaint anyway.

When you think about it, this should be the responsibility of the city and our police, not untrained citizens.

In the likely event, Lakewood does not make fireworks illegal all year long then the city should fund extra police patrols to ticket offenders along with confiscating violator's fireworks for unlawful and dangerous fireworks behavior.

While my opinions are strong, my statements are based on what I saw and learned during my 25 years as a police officer going to dispatched calls just like this.

A superior way to solve a problem is to avoid the problem in the first place.

Lakewood City Council, please have the courage to do the right thing. Outlaw private fireworks in the City of Lakewood.

Joe Boyle

Joseph G. Boyle  
11537 Clovercrest Drive SW  
Lakewood, WA 98499

T: 253-582-0066

E: [jgb263@comcast.net](mailto:jgb263@comcast.net)

**From:** [Bob Warfield](#)  
**To:** [Briana Schumacher](#)  
**Cc:** [tgaldabini@comcast.net](mailto:tgaldabini@comcast.net); [dcp@oz.net](mailto:dcp@oz.net); [a59olsen@hotmail.com](mailto:a59olsen@hotmail.com)  
**Subject:** My two cents - Muni code to Ban Fireworks  
**Date:** Tuesday, March 31, 2020 6:43:57 AM

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*- helpdesk@cityoflakewood.us ext. 4357*

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Hi Briana,

From the old grouch with best wishes:

31 March 2020

To City Council, City of Lakewood, WA

I support favorable consideration to ban sale and use of fireworks, subject to some practical licensing requirement for public display, within the jurisdiction of City of Lakewood.

Following Joe Boyle's letter to community related The Suburban Times, 31 March 2020) I join advocacy for a municipal ban. With numerous public displays available to muster celebration amid our increasingly urban habitat, it absolutely makes sense to get serious about applied restrictions.

Positive benefits abound: no more dueling displays across Lake Steilacoom, cringing elderly steeling themselves through three days of mayhem, missing fingers, embarrassingly explained in later years, ridiculous clutters of debris abandoned in neighborhood rights of way over scorched asphalt.

One may acknowledge the fun of fireworks from youthful days of rural climes. But density's demands strongly suggest it's time to put popular, too often reckless, fireworks on the shelf wit BB guns and slingshots.

Respectfully,

Bob Warfield

143 Candlewyck Drive, W  
Lakewood, WA 98499-8113  
TEL: 253-588-5880  
Email: [foxxlair@aol.com](mailto:foxxlair@aol.com)

**From:** [Phil Coates](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks Ban  
**Date:** Tuesday, March 31, 2020 8:34:58 AM

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I support an ordinance to Outlaw private fireworks in the City of Lakewood.

--

Take care

Phil Coates  
7702 63rd Ave West

*"As for me and my house we will serve the Lord."* Joshua 24:15

Hello Briana:

I live on Fox Island. I used to live in Lakewood for sixteen years. I really support banning Fireworks in Lakewood as well as Fox Island. I am an asthmatic. I have to leave the United States every year because of the pollution.

Priscilla Spiker

Email: [smugglercove@comcast.net](mailto:smugglercove@comcast.net)

Phone: 253.549.2212

**From:** [JAMES R](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks in Lakewood  
**Date:** Thursday, April 2, 2020 4:47:35 PM

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My wife and I are long time residents of Lakewood. We have endured mostly illegal fireworks for years. It is past time to stop!  
Lakewood should ban private sale and use of fireworks now!

Jim and Judy Joy  
jjjoy6@comcast.net

Sent from Xfinity Connect Application





April 2, 2020

The Honorable Don Anderson  
Mayor of Lakewood

Via e-mail: [DAnderson@cityoflakewood.us](mailto:DAnderson@cityoflakewood.us)

Dear Mayor Anderson,

I'm writing on behalf of People for the Ethical Treatment of Animals (PETA) and our more than 6.5 million members and supporters worldwide, including many thousands across Washington, in response to the proposed code amendments that would ban the discharge of fireworks on July 3 and 5. *We strongly urge you to adopt these fireworks limitations and also consider banning fireworks on July 4 in order to protect all of Lakewood's residents.*

Traditional fireworks sound like an all-out war—not only to those suffering from post-traumatic stress disorder but also to dogs, cats, and wildlife—and their use has devastating consequences. Terrified dogs climb or dig their way out of fenced-in yards as they frantically try to escape the chaos, resulting in increased stray-animal intakes at shelters across the nation, which further strains community resources. Many arrive with bloody paws or broken bones, some are never reunited with their families, and others are doomed to a worse fate.

Fireworks produce plumes of smoke laden with particles that are harmful to the respiratory systems of humans and other animals. Birds caught in or near fireworks displays easily choke on the toxic residue. The California Coastal Commission banned the city of Gualala's display when, following a 2006 show, seabirds fled their nests, leaving their chicks vulnerable to predators. Most birds cannot see well in the dark, so this type of disruption can cause them to become injured if they inadvertently crash into power lines, cars, buildings, trees, or each other. In one case, 5,000 birds died on a New Year's Eve in Arkansas after a fireworks display caused them to take flight and crash into objects such as houses and cars.

Such tragedies are not limited to animals: Many humans have been injured in fireworks accidents, and the displays can exacerbate asthma and other respiratory problems. Veterans and others suffering from post-traumatic stress disorder are also sensitive to and can be deeply disturbed by the noise of the explosives and the smell of the gunpowder. And on average, 180 people go to emergency rooms daily with fireworks-related injuries for an entire month around July 4.

We hope you'll enact the proposed restrictions and perhaps consider extending them even further by also including a ban on igniting fireworks on July 4. Thank you for your time and consideration. We look forward to hearing from you.

Very truly yours,

Ingrid E. Newkirk  
President

PEOPLE FOR  
THE ETHICAL  
TREATMENT  
OF ANIMALS

Washington, D.C.

1536 16th St. N.W.  
Washington, DC 20036  
202-483-PETA

Los Angeles

2154 W. Sunset Blvd.  
Los Angeles, CA 90026  
323-644-PETA

Norfolk

501 Front St.  
Norfolk, VA 23510  
757-622-PETA

Oakland

554 Grand Ave.  
Oakland, CA 94610  
510-763-PETA

Info@peta.org

PETA.org

Affiliates:

- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Netherlands
- PETA Foundation (UK)

**From:** [Alejandro Sanchez Perez](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Lakewood City Council reviews fireworks regulations  
**Date:** Friday, May 22, 2020 5:24:43 PM

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Greetings Lakewood City Council,

I would love to start with that I am very patriotic and enjoying my retirement after 20 years of Military Service with continued employment in the Federal Government, servicing our Veterans with the Department of Veterans Affairs.

I love celebrating the Fourth of July, but hate hearing the fireworks for weeks and weeks.

I had previously commented on similar inquiry and understand that those booths provide fundraising opportunities for groups, but are also a danger to the groups from theft and larceny. The City Steilacoom does not have sale of Fireworks and put on a show in the Puget Sound.

Why not do something in Steilacoom Park and make it a gathering with booths, music and possibly a fair with rides similar to the JBLM celebration; which would attract more people and provide a positive income for the city and it local business. The Local Rotary club with the support of local business people and the City of Lakewood have made significant upgrades to the park.

I also suggest the No Sale of Fireworks in or around the city, to limit the trash and the noise that we have to endure.

I would love to hear more about the proposed changes to the city code.

Thank you for your time and attention.

Alejandro Sanchez Perez

**From:** [Don MacSparran](#)  
**To:** [Briana Schumacher](#)  
**Subject:** 4th of July Fireworks Public Hearing  
**Date:** Friday, May 22, 2020 4:36:25 PM

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City Clerk Schumacher,

Please consider my strong support of the proposed restriction which would allow fireworks only on July 4 between 11 a.m. and 11 p.m. and New Year's Eve.

Thank you,

Don MacSparran  
7125 Turquoise DR SW  
Lakewood, WA 98498

**From:** [Fred Ramey](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks Restrictions  
**Date:** Friday, May 22, 2020 9:05:01 AM

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As someone who has lived in Lakewood and owned a home for nearly 15 years, I am adamantly opposed to further restrictions on Fireworks. I believe that these are a tradition and should not be further limited.

The City will lose revenue through the sales at the stands, and people will light them off anyway. It will not go smoothly limiting them, and why would you put yourself in a position with a law that won't be obeyed and will surely lead to anger at the voting booth?

--

*Fred Ramey*  
253-353-2814

**From:** [Kristine Nicholls](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks proposed change  
**Date:** Friday, May 22, 2020 8:30:25 AM

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Good morning!

I'm very in support of the change to fireworks only being allowed on the 4th of July. Not only for safety concerns but for the well being of people and animals. I have to give my dog prescription medication to relax. I'm all for fireworks to celebrate but limiting it to one day makes sense.

Thank you,  
Kristine Nicholls

Sent from my iPhone

**From:** [Laura Sanchez](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks change  
**Date:** Friday, May 22, 2020 5:06:00 PM

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Hello,

I want to share my vote for limiting the fire work experience to the proposed idea of one day between the hours of 11-11pm. We are residents with a veteran suffering from PTSD. In addition our street Winona street is a full circus for days during 7/4 and 12/31 with trash, kids, and drunks using fireworks at all times of the day.

My family and I would very much appreciate the change, thank you .

Very Respectfully,

Laura Sanchez

**From:** [mr.kevin15@yahoo.com](mailto:mr.kevin15@yahoo.com)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Friday, May 22, 2020 11:15:23 PM

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I am in support of changing to fireworks only on 4th of July and new years Eve..... Also need to actually enforce the current law fireworks go off weekly in lake city area

[Sent from Yahoo Mail on Android](#)

**From:** [Rebecca Sevin](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Firework Limits Comment  
**Date:** Friday, May 22, 2020 2:37:24 PM

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Dear Briana Schumacher and Lakewood City Council,

I'm writing to support the new limitations being proposed. Fireworks are at best entertainment and at worst a danger to others, but they are specifically detrimental to the well being of many including:

- Veterans and others who suffer from PTSD
- Some who suffer from Generalized Anxiety Disorder (GAD) or other Anxiety disorders
- Pets and animal wildlife
- Individuals with autism, especially children

Additionally, fire works put stress on our emergency services. 911 receives calls about fireworks when they're confused with gun fire, which needlessly ties up the line. While the number of injuries and fires are dropping, 2017 still saw 262 injuries in the State of Washington (<http://www.wsp.wa.gov/wp-content/uploads/2018/06/2017-Fireworks-Report.pdf>)

Fireworks also release chemicals into the air that may be harmful for others. (<https://www.forbes.com/sites/grrlscientist/2019/12/31/festive-fireworks-create-harmful-pall-of-pollution/#2b30b0f12853>)

Fireworks may be fun for those using them, but they are ultimately disturbing the peace and quality of life of those around them. Because the sound and chemicals of fireworks cannot be contained, those who use them are exposing others without their consent. Not only do I support limiting the legal hours for firework use, I hope the city will consider banning them outright and instead opt for a firework show by the city. These fireworks are more contained to one location and time, and they can be enjoyed by many instead of a few. The newly remodeled Colonial Center has an excellent view of the sky and would make a great viewing area, as would city hall. Instead of the 4th of July being an event to agitate neighbors, why not encourage community bonding? At the very least, limiting the use of fireworks will have a positive effect on the quality of life for many of our more vulnerable populations and should be enacted.

Thank you for your time and consideration,  
Rebecca Sevin  
10607 Douglas Dr. SW  
Lakewood WA 98499



From: [Virginia L. Kershaw](#)  
To: [Briana Schumacher](#)  
Subject: Re: Lakewood Fireworks  
Date: Friday, May 22, 2020 8:58:35 PM

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- helpdesk@cityoflakewood.us ext. 4357

Briana Schumacher,  
Thank you for the information about the city council meeting 1 June 2020 to discuss Lakewood fireworks. Please consider the following information from our Lakewood community. Please also inform us of the results from the meeting.  
Your help is appreciated.

Virginia L. Kershaw  
7023 Phillips Rd SW  
Lakewood, WA 98498  
email : [rwkershaw2@gmail.com](mailto:rwkershaw2@gmail.com)  
(253)983-1431

22 May 2019

We live in a special Lakewood neighborhood located at the end of Phillips Road, down the hill in a ravine along Chambers Creek, surrounded by heavy forests on both sides. We are 18 residences with addresses between 6711 through 7033 Phillips Rd SW, and there is only one narrow road for entering and exiting our neighborhood.

July is a dry month. Our community has major concerns about the dry woods making our area susceptible to forest fires. Our single road would make escape during a fire impossible for some people. Ten of our eighteen homes are occupied by elderly people.

The current law that legal fireworks are welcome in Lakewood presents a danger for our families on Chambers Creek. In order to prevent a potential disaster caused by fire started by illegal forms of fireworks, we would request that the Lakewood City Council consider voting for one or more of the following recommendations:

- Ban fireworks from Turquoise Rd SW and 65th Avenue West on the hills above our residences
- Provide constant police and/or fire patrol on Turquoise Rd SW and 65th Avenue West for illegal fireworks during the times fireworks are legal in Lakewood
- Ban fireworks throughout Lakewood entirely

Taking such a position would not only help us, it may save another Lakewood citizen or entity from being held responsible should their actions cause property damage, personal injuries or deaths.

We need your help, please.

Respectfully,

Virginia L. Kershaw  
7023 Phillips Rd SW

Steve Fry  
Bonnie Jones  
6729 Phillips Rd SW

Jim & Debe Christnacht  
6711 Phillips Rd SW

Vickie Samlaska

6805 Phillips Rd SW

Craig Woodard  
6815 Phillips Rd SW

Janyce Milasich  
7005 Phillips Rd SW

Dave & Lynn Koger  
7013 Phillips Rd SW

Scott Lankford  
Ingra Aamodt  
7015 Phillips Rd SW

Bud Kop  
7019 Phillips Rd SW

Mike Morgan  
Tonya Zepeda  
7021 & 6727 Phillips Rd SW

Hans Furtner  
Janine Brown  
7033 Phillips Rd SW

On Fri, May 22, 2020 at 10:55 AM Briana Schumacher <[BSchumacher@cityoflakewood.us](mailto:BSchumacher@cityoflakewood.us)> wrote:

Good Morning Ms. Kershaw: On Monday, June 1, 2020 at 7:00 p.m. or soon thereafter the Lakewood City Council will review public testimony and discuss proposed changes to city code that would restrict when fireworks can be discharged within city limits. The City Council would like to hear from residents on the proposed change. Comments can be sent via email to me at [bschumacher@cityoflakewood.us](mailto:bschumacher@cityoflakewood.us) or by mailing written comment to:

City of Lakewood  
Attn: Briana Schumacher  
6000 Main St SW  
Lakewood, WA 98499

More information regarding the proposed fireworks regulations can be found on the City's website at this link:  
<https://cityoflakewood.us/lakewood-city-council-reviews-fireworks-regulations/>

Thanks!

**Briana Schumacher** | City Clerk

[City of Lakewood](https://cityoflakewood.us)

6000 Main Street SW | Lakewood, WA 98499

Phone: 253.983.7705

Cell: 253.254.9040

[BSchumacher@cityoflakewood.us](mailto:BSchumacher@cityoflakewood.us)

**From:** [xxl44@aol.com](mailto:xxl44@aol.com)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Friday, May 22, 2020 6:50:27 PM

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Please follow our neighboring communities in banning fireworks. There are too many residents that are not considerate of their neighbors. Examples that I have witnessed especially in the Tillicum area are parents who let their under ten years of age children use them without adult supervision. About three years ago I had a confrontation with a neighbor because their children were firing the Roman candles towards my friends roof and trees. There are also those that are firing them before the legal dates and way past 11:00pm even during the legal days. If you are going to allow them maybe an alternative to letting them use at home is to charge admission to Fort Steilacoom park and let the families set them off there under the supervision of the fire department. The lot in front of the old G.I. Joe's building would also be a great idea. Thank you

Long time resident of this city and Veteran who doesn't think that the noise is the sound of freedom.

Sent from Windows Mail

**From:** [JERRY BOOTHE](#)  
**To:** [Briana Schumacher](#)  
**Subject:** 4th of July Comment  
**Date:** Saturday, May 23, 2020 4:31:16 PM

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The City Council would like to hear from residents on the proposed change on the 4th of July

Comments can be sent via email.

Briana, I like the one day 4th of July 11am to 11pm BUT I would like you to ask the Chief of Police in Lakewood if he and his force can man all the calls after and during this time frame. This question is very important due to many fireworks are fired after 11 [pm.in](#) this city.

One thing going for the city this year is that July 4th falls on a Saturday. Not many go to work the next day.

If the Lakewood Police Dept. cannot guarantee answering all calls, then there should be no firing of fireworks like Steilacoom and Dupont, it's as simple as that.

The owners of pets, the people with PTSD, the dryness of roofs and property approaching fire danger, people who have to work the next day, all would like fireworks to be banned in this city. Many citizens I know here in Lakewood doesn't know which fireworks are legal and illegal so they don;t report them. Also they fear of neighbors retaliation. Many factors should come up in this decision.

Thank you for your time,

Jerry Boothe  
11202 91st Ave Ct SW

[Jerryman47@comcast.net](mailto:Jerryman47@comcast.net)

**From:** [Bill Harman](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Comment on proposed change in Lakewood policy on use of fireworks within city limits.  
**Date:** Saturday, May 23, 2020 11:18:13 AM

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Briana Schumacher,

As a fairly long time resident of the City of Lakewood (since June of 1986) I would really like to see the total ban of fireworks within the City but knowing that is probably not immediately obtainable I would strongly endorse the proposed amendment before the City Council that would further restrict the discharge of legal fireworks to July 4 between 11 a.m. and 11 p.m. and New Year's Eve only.

My best wishes for this action and my thanks to all who have had a hand in bringing the process to a successful completion.

Sincerely,

William R. Harman  
13014 Lake City Blvd. SW  
Lakewood, WA

**From:** [Lauren Mitchell](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Sunday, May 24, 2020 12:02:44 PM

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*- helpdesk@cityoflakewood.us ext. 4357*

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Hello:

I am against fireworks being used within Lakewood. As a retired military bomb tech and working as as Explosives Specialist with Homeland Security, I have issues with fireworks:

1. No established industry standards regarding dependability and safety
2. As indicated above, unpredictable (may function prematurely with little or no delay, may be excessively delayed, leading to serious injury
3. When wet, prone to release hydrogen gas creating potential explosive atmosphere
4. Flash powder and similar fireworks compositions are susceptible to initiation from static electricity

Other obvious reasons:

1. Risk of injuries/death
2. Impact on veterans with PTSD
3. NOISE, upsetting others needing to sleep or just the annoyance
4. Effect on pets

Restricting time and dates is going in the right direction though a total ban would be better.

Regards,  
Lauren Monique Mitchell

[Sent from Yahoo Mail on Android](#)

**From:** [theladybuttons@gmail.com](mailto:theladybuttons@gmail.com)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Sunday, May 24, 2020 8:24:34 AM

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I am pleased that action is being taken on fireworks in Lakewood. I just wish it was more. The days of bottle rockets and sparklers is long gone and we are subjects to weeks of our neighbors setting off what sound like cannons. So loud it echoes through the neighborhood and is inescapable in the house. The real problem is that those in the neighborhood that just ignore the regulations. Fireworks go off every night as soon as the stands open and continue for several weeks after. Even right now we get an almost nightly volley of it. This change is a good step but it is time to ban them entirely. The risk of fire, personal harm, and disturbance to pets and wildlife is too great. Those of us that enjoy peace and quiet are tired of the chronic law breakers.

Lisa Lombardo  
10130 Wauna St SW  
Lakewood WA 98498  
Sent from my iPhone

**From:** [shawncb45](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Sunday, May 24, 2020 1:10:31 PM

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I think it would be better to allow fireworks on the 3rd, and 4th. Some people have to work, like me, and the 3rd was my only time I could celebrate. Thank you. Shawn Bottcher

Sent from my T-Mobile 4G LTE Device



**From:** [+12532289965@tmomail.net](mailto:+12532289965@tmomail.net)  
**To:** [Briana Schumacher](#)  
**Date:** Monday, May 25, 2020 10:50:33 PM  
**Attachments:** [text\\_1590466952364.txt](#)

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.....

Please do NOT ban fireworks on New Years or 4th of July. My vote is to keep it just the way it is. Thank you.

.....

**T-Mobile**

This message was sent to you by a T-Mobile wireless phone.

**From:** [Barlow Buescher](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Monday, May 25, 2020 6:05:31 PM

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Brianna,

I am writing to support a reduced window for illegal use of fireworks in Lakewood. I would love to see fireworks made illegal throughout the city. Additionally, I would love to see enforcement of the current laws to limit the activity to the times allotted.

My wife works for the VA and mental health. She brings home stories of her veterans blockading themselves in their homes beginning about June 20. They will put batting over windows and doors in vain of keeping the terror at bay. I have taught active duty and retired military folks for many years, and while there are many who love the excitement of blowing off fireworks, there is a significant minority who find 4 July holiday absolutely terrifying.

Last year when we returned home from our Mt. Rainier get-the-dogs-where-they-won't-be-terrified trip at 3 AM detonations continued, and the air was so thick with smoke that it set off my asthma.

Without enforcement, the current law is useless as will be the change. I have called the police to complain, but have never been convinced that there has been any response. I know that the problem is overwhelming and that enforcement would be difficult.

Knowing that we have over 6000 veterans a year committing suicide, and knowing that fireworks push people into the terror of PTS, the fact that enforcement is difficult does not seem reasonable excuse.

I am glad we do not allow difficulty to get in the way of enforcing our drunk driving laws.

Respectfully,

Barlow Buescher

**From:** [Diane Olsen](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fire works  
**Date:** Monday, May 25, 2020 9:23:05 PM

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- helpdesk@cityoflakewood.us ext. 4357

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Please change the ordinance to restrict fire works to Just 4th of July and New Years Eve . Fire works are horrible for our dogs and all animals. We would have to get out of town with our dog cause it was so bad. We tried meds and a calming wrap nothing helped. We were worried she'd have a heart attack.

Thank you for your time !!

Sent from my iPhone

**From:** [FRED BLOCK](#)  
**To:** [Briana Schumacher](#)  
**Subject:** proposed fireworks ordinance  
**Date:** Monday, May 25, 2020 9:31:04 AM

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*- helpdesk@cityoflakewood.us ext. 4357*

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I oppose the residential use of any fireworks that make loud noises or fly into the air. Every year we suffer through several days of being awakened due to inconsiderate neighbors. Many animals are terrified and some are lost. Fires are started and trash litters the streets and yards. If council feels a need for such fireworks, I suggest a safe detonation area away from residences. The illegal fireworks sold on reservations should stay on reservations. Finally, I urge council to structure any new ordinance in a way that simplifies enforcement. One of the biggest frustrations with the current ordinance is the complete lack of enforcement by Lakewood Police.

Fred Block  
9303 Westview Drive SW  
Lakewood

Sent from [Mail](#) for Windows 10

From: [Joseph G. Boyle](#)  
To: [Briana Schumacher](#)  
Subject: Lakewood City Council reviews fireworks regulations  
Date: Monday, May 25, 2020 11:35:08 AM  
Attachments: [PastedGraphic-1.png](#)

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- helpdesk@cityoflakewood.us ext. 4357

Memo To: Lakewood City Council

Date: May 25, 2020

Last year the "pyrotechnic genius" on 116th St SW in Lakewood shot fireworks for days on end at all hours. Lacking the required skill to shoot fireworks, two of his fireballs (Roman Candles) shot over our fence and landed on our roof. These two fireworks devices were on fire when they hit our roof, creating a giant stain on our roofing material that we woke up to the next morning. Two of us could have died in our sleep.

Luckily for us, we had converted from a wood shake roof to a standing seam metal roof, so our house did not burn to the ground, nor was anyone injured or killed. We were also pleased the "fireworks genius" did not start a forest fire in the many fir trees in our neighborhood.

Remnants/trash from fireworks such as bottle rockets were scattered throughout our neighborhood, exposing at least three properties and their occupants to harm.

I was careful to be pleasant when I contacted my neighbor to share our concerns and ask him to stop the dangerous fireworks. He told me one of his guests was a policeman, and another was a fireman. They told him he could shoot all the fireworks he wanted in Lakewood.

We then called the police, but 911 claimed not to have enough staff to respond to fireworks complaints. Fireworks complaints should come as no surprise to Lakewood City Council and the Lakewood Police Department.

City Council should make sure our police department has appropriate funding for proper staffing to handle fireworks complaints, including enforcing the law and confiscating illegal fireworks. When I worked Lakewood, we had a specially dedicated law enforcement team to respond to fireworks complaints.

Lacking police protection, the City of Lakewood is promoting having its citizens take vigilante action. Vigilante action occurs when citizens deem law enforcement to be inadequate.

While I have a long history of supporting our Lakewood Police Department and will continue to do so in the future, last year the department was inadequate during the fireworks period.

Citizen anger, fireworks, and civilian guns are not a good mix. Ask yourself, "Should I let someone set my house on fire or should I fight back to defend my property?"

An adequate fireworks ordinance can prevent the devastation depicted in my photo below from occurring in the City of Lakewood if Lakewood City Council has the required backbone to do the right thing by eliminating fireworks in our city.

The ordinance should then be supported by enforcement. If the word spreads in our community that illegal use of fireworks is sure to bring consequences, then the dangerous behavior will stop.



My photo depicts the possible results of combining fireworks with a weak city ordinance and no law enforcement. One home, one motorhome, and one jeep destroyed along with the home's contents.

Families victimized by injury, death, property damage, and devastation are not likely to wish the Lakewood City Council a Happy 4th of July!

I realize our council is only considering reducing the hazardous days from 4 days to 2 days and I thank you for that. The proposed ordinance will help, so I urge you to please vote YES.

Next, I would ask that Lakewood City Council create and pass an ordinance that eliminates all fireworks every day of the year.

While fireworks supporters will intensely disagree, know that outlawing products that year after year creates harm, is the right thing for Lakewood City Council to do. Then back your action with enforcement.

Please observe the street sign in my photo. It accentuates the fact that fireworks can be a dead end.

In closing, I feel the need to be a devil's advocate on one point with no desire to confuse Lakewood City Council.

If City Council chooses to allow fireworks on New Years' Eve, the lawful hours should run from 11:00 a.m. until 12:30 a.m.

The peak excitement and celebration for the New Year are at 11:59 p.m. and 12:01 a.m., and running to not later than 12:30 a.m. That is when the Times Square Ball drops in New York City, the horns blow, and joyful and drunken citizens ignite fireworks. Happy New Year!

If fireworks are legal for the New Year, 12:30 a.m. is a reasonable and appropriate time to stop igniting fireworks.

END OF COMMENTS.

jgb  
Joseph G. Boyle  
11537 Clovercrest Drive SW  
Lakewood, WA 98499

T: 253-582-0066  
E: [jgb263@comcast.net](mailto:jgb263@comcast.net)



Photo depicts the potential results of fireworks plus no law enforcement. One home, one motorhome, and one jeep destroyed along with the home's contents.

**From:** [Karen Ferreira](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Monday, May 25, 2020 10:35:25 AM

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- helpdesk@cityoflakewood.us ext. 4357

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I request the Lakewood City Council restrict the discharge of legal fireworks to July 4 between 11 a.m. and 11 p.m. and New Year's Eve only. I have no need to go into a long dissertation as to why. The reason is obvious, safety.

Karen Ferreira  
10708 Westwood Drive SW  
2535819315

Sent from my iPad



**From:** [Kjeri J Boyle](#)  
**To:** [Briana Schumacher](#)  
**Cc:** [Kjeri J Boyle](#)  
**Subject:** Fireworks in Lakewood, WA  
**Date:** Monday, May 25, 2020 7:58:48 AM

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To the Members of the Lakewood City Council:

I urge you to affirm the proposed changes to the to city code that would restrict when fireworks can be discharged within the city limits to July 4 and New Year's Eve to take effect in 2021.

I frankly would like fireworks to be banned at all times in the City of Lakewood. These proposed changes are a good compromise. However, I will continue to hope in time fireworks will be banned. The danger to life and property, the distress of our veterans afflicted with PTSD, and the fright inflicted on animals lead me to worry about the discharge of fireworks by citizens who are not trained pyrotechnic professionals.

Difficulty in enforcing the restrictions is no excuse in my mind. If something is a danger to members of our community, the leaders and members of our community have an obligation to protect the citizens from that danger.

Kjeri J. Boyle  
11537 Clovercrest Drive SW  
Lakewood, WA 98499

**From:** [Loverin, Don](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fourth of July Firework Ban  
**Date:** Tuesday, May 26, 2020 3:40:12 PM

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As residents of Lakewood for 55 plus years, my family and I applaud and support the City of Lakewood's efforts in banning fireworks except on the given Holidays. Personally, I and many others would like to see a complete ban on all ignited dynamite that goes up into the air and explodes (except when done by professionals) but understand your intentions as a fair compromise. I would like to have the city council contemplate, however, that laws made without law enforcement or neighborhood watch group support, and without consequences when ignored, are simply good wishes and hardly worth the council's efforts... Hopefully the city will spend some resources in educating it's residence regarding the new law. Also, unless the sale of fireworks is restricted to the day in which they are allowed to be discharged this law will result in no effective change.

Thank you,

Don Loverin

**From:** [Janet Deakle](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Tuesday, May 26, 2020 8:04:24 PM

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I am for limiting fireworks in the city. We have a higher population now, and our houses are close together. Besides, having cats that have severe problems with the noise, I don't think that it safe. Many people that set off fireworks have been drinking most of the day, common sense and personal judgement have been lacking the last few years. In addition to this, they use any excuse they can to fire the things off. We had a neighbors house catch on fire one 4th of July. That was scary as it had been a dry year and the trees were very dry. If there has to be fireworks, then let the professionals do the shows. Also, many of the outlawed fireworks are accessible to people, so the bangs are bigger than usual. This city keeps growing, and we are closer together than ever.

*Janet Deakle*

**From:** [jessih76](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks ban please  
**Date:** Tuesday, May 26, 2020 6:34:17 PM

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I am all for limiting fireworks to one day and so happy that this is being discussed. Thank you

Jessica Hughes  
Lake City home owner

Sent from my Verizon, Samsung Galaxy smartphone

**From:** [Mellani McAleenan](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Comments on proposed amendments to fireworks amendments  
**Date:** Tuesday, May 26, 2020 6:11:04 PM

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Briana Schumacher, City Clerk  
City of Lakewood  
6000 Main Street SW  
Lakewood WA 98499

Sent via email to [bschumacher@cityoflakewood.us](mailto:bschumacher@cityoflakewood.us)

Ms. Schumacher and Lakewood City Council members –

As a resident of the City of Lakewood approximately 10 years, I write in strong support of your proposed amendments to Chapter 8.68 of the Lakewood Municipal Code, Fireworks. In fact, I urge you to go further and issue an outright ban of the sale and discharge of fireworks during both the 4<sup>th</sup> of July and winter periods.

According to the Washington State Patrol, Fire Prevention Bureau <sup>1</sup>, roughly 93 cities ban the sale, discharge, or both of fireworks during both the summer and winter periods, including the cities of Fircrest, Steilacoom, Ruston, and Tacoma. Another five ban the sale and/or discharge during the summer period, and 63 ban the sale/or discharge during the winter period. Seven counties ban the sale, discharge, or both during both the July and winter periods, 1 bans the sale and/or discharge during the summer period, and 8 ban the sale and/or discharge during the winter period. Numerous other cities and counties have enacted ordinances that are more restrictive than state law. You would not be out ahead of the pack in enacting a ban, and there are many examples available to draw from regarding implementation and enforcement.

Because the other major cities within Pierce County tightly control the sale and/or discharge of fireworks, I would suppose that this increases the use of fireworks in Lakewood, with people travelling from the other cities to join with Lakewood residents. On American Lake we are surrounded by houses with fireworks parties running for several days and late into the night during the summer. Banning fireworks would not ban the ability of these groups to continue to meet but would reduce the noise levels significantly.

Your press release states that “a complete ban may not be successful at stopping firework discharges,” however, with so many cities already enacting bans, you have endless examples to learn from. Moreover, while some residents will not follow the

law, many more will, and the incidences can be reduced dramatically. It is unseemly to concede “compromise” merely because some residents are not law abiding. I do applaud the fact that you already employ both criminal and civil penalties as options.

I appreciate your understanding that many residents “view fireworks as a nuisance” as well as the need to “limit the impact to pets and animals adversely affected by loud noises commonly associated with fireworks.”<sup>2</sup> I imagine that such noises also negatively impact certain military personnel and others who may experience post-traumatic stress. For my family, the constant barrage of noise is so bad that we are forced to take time off work and travel to a location that bans fireworks. Our dog is absolutely terrified and traumatized from the days of loud noises. It takes days for him to recover afterward. The blasts continue late into the night; and more often than not, the next day is a workday, forcing us to take leave because we are not able to sleep until the wee hours of the morning. We would much prefer to stay home, enjoy the lake and our community, and invite friends and family over to join us, but it is simply not possible anymore.

Additionally, the amount of fireworks debris, cigarette butts, beer cans/bottles, and broken glass that wash ashore in the days following fireworks periods is appalling. The amount of lake litter always increases during the summer months, but it is exponential in the days following the first week of July. Swimmers and others enjoying the lake cannot risk removing their shoes. Based on the garbage that lands in my front and back yards, the environmental impact cannot be good.

Short of a full ban, I encourage you to take this opportunity to expand your emergency authority to enact a ban under specific circumstances. Ordinance 8.68.050(K) appears to relate only to public displays and states that they can be discontinued based on concerns over crowd control or high winds or wet weather that create a fire danger. Given that you are in the process of amending the chapter, please consider adopting an amendment that allows emergency prohibitions citywide based on those same circumstances as well as adding a more general provision such as when “extenuating emergency conditions exist” (See, e.g. Whatcom County Code 5.20.105) to give you latitude to address extraordinary circumstances.

Thank you for the opportunity to comment.

Mellani McAleenan

<sup>1</sup> <http://www.wsp.wa.gov/wp-content/uploads/2018/06/2018-Information-Regarding-Fireworks-Bans-or-Restricted-Sales-Use-Current-as-of-May-31-2018.pdf>

<sup>2</sup> <https://cityoflakewood.us/lakewood-city-council-reviews-fireworks-regulations/>

**From:** [oscar.davis](#)  
**To:** [Briana.Schumacher](#)  
**Date:** Tuesday, May 26, 2020 2:24:13 PM

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Just Ban the fireworks altogether.

**From:** [Patricia Pama](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks regulation  
**Date:** Tuesday, May 26, 2020 3:59:34 PM

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To whom it may concern,

The purposed plan sounds incredible. We do enjoy watching and setting off fireworks however several days in a row is a bit much. We are a family with small children and pets and it can be a bit traumatic for them as the fireworks continue for several day leading up to and after July 4th.

Thank you for your time. Stay healthy and safe out there.

Sincerely,  
The Pama family



**From:** [Ruth Branham](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Tuesday, May 26, 2020 2:40:07 PM

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I agree with the July 4th only. Every year it gets worse and like everything else people just think about themselves. Fireworks affect dogs, small children, Veterans and many more. Several times we have found bottle rocks and other firework leftovers in our yard. Since our summers are becoming drier the chance of fire increases.

Thank You.

Ruth Branham  
Sent from my iPhone

**From:** [Scott Moss](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks comments  
**Date:** Tuesday, May 26, 2020 3:53:09 PM

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Hello,

I have been a resident of Lakewood most of my 26 years on this earth. I currently would like for the fireworks ordinance to remain the same. I personally don't think it needs to be updated.

Thanks,  
Scott Moss

**From:** [Skip Smith](#)  
**To:** [Briana Schumacher](#)  
**Cc:** [Skip Smith](#)  
**Subject:** Fireworks in Lakewood  
**Date:** Tuesday, May 26, 2020 9:14:53 AM

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Dear Brianna:

Per the article in the recent Suburban Times regarding the upcoming proposal to restrict fireworks in Lakewood to July 4<sup>th</sup> and New Years only, can you please forward my following sentiments to the Lakewood City Council?

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To the Lakewood City Council:

I would like to take this opportunity to address the proposed amendment regarding the discharge of legal fireworks which would change their legal discharge from July 3, 4, 5, and New Years to July 4 and New Years only. While I understand and appreciate the proposal and its perspective, it seems to me that THIS IS NOT THE YEAR TO ADOPT THIS CHANGE. Since this proposed amendment was put forth, the world (including Lakewood) has been introduced to Covid-19 and its many negative effects. One of the “effects” which is wearing thin on the American public is that of “Government” (whether Federal, State, or Local) limiting freedoms, however well-intended. It is my position that this proposed amendment perhaps be revisited in the future, but not during this year when all Americans (including us in Lakewood) are looking to “Celebrate Something” and are weary of “Government” telling us what to do/not to do. I would urge you to consider this proposal at a later date, but not this year!

Thank you for considering my perspective, and thank you for doing all you do to help make Lakewood a wonderful place to live.

Regards,

**Skip Smith**

Kyle “Skip” Smith  
6714 Villa Madera Drive. S.W.  
Lakewood, WA 98499

**From:** [Tina V.](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Tuesday, May 26, 2020 2:58:23 PM

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This is a ridiculous proposal. LEAVE IT ALONE. The fireworks regulation is just that, a regulation already set in place. The time that people get to discharge fireworks is already limited, even more so with weather conditions. Not only that, but people buy the fireworks with their OWN MONEY, let them enjoy it during the times and days that are already allowed. Fireworks are not a year round thing, if people complain for the very few days that are allowed, let them, since there are way more important things for people to be worried about. Why would any of you try to increase phone calls made to the police about fireworks? That's all this will do is bring an overwhelming amount of phone calls just for fireworks, when there are actual emergencies that will happen during those times. Leave everything as it is, it's only for a few days, with limited time already.

**From:** [Will Ernst](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks rule change  
**Date:** Tuesday, May 26, 2020 6:56:32 AM

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Hello Briana,

I support the reduced duration of approved use of fireworks now being considered by the City Council. The use of fireworks is occurring day and night at all hours over multiple days, particularly during the summer holiday. Freedom for some is a burden and hazard for others, and it can be amply expressed as the intended patriotic gesture on July 4th itself. I know that our police department has many priorities, but strict enforcement should be part of the City's messaging (even if significant enforcement is really likely impracticable), including possible use of an anonymous complaint option. I personally wouldn't want my name associated with a complaint about drunk and rude people who like to blow things up.

I thank the City for seriously considering this action, and support its enactment.

Best Regards,

Will Ernst  
206.250.4586

**From:** [professor higgins](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Wednesday, May 27, 2020 2:25:52 PM

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I fully support the proposed firework regulations. I am tired of days and days of fireworks. I have pets so this makes life difficult. Also there is a fire danger. My neighbors have fireworks from the reservation so this makes the problem worse.

Cynthia L. Burchfield, 8716 115th St Ct SW, Lakewood, WA. (253)588-1779

**From:** [dave the barber](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Wednesday, May 27, 2020 7:21:11 AM

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To the Council:

I would like to take this opportunity to “agree with Joe Boyle.”

Furthermore, I would like to take it one step further: I would like to see a total ban on the sale and usage of ALL fireworks in the City of Lakewood.

Fireworks of all kinds — in my opinion there is *\*no\** ‘Safe and Sane’ fireworks — cause serious harm and injury every single year; property damage from fire can occur once the firework flies out of control, costing much money and hardship; pets are terrified, necessitating the use of tranquilizers that can only be obtained by an expensive veterinary consultation, and so on.

Please ban the sale of fireworks; please make issuing a citation for their display and use a matter of importance to the Lakewood Police Department; please make the fines stiff enough to cause a real hardship upon the scofflaws who insist on terrorizing neighborhoods with their ‘celebrations.’

I have endured more years of being awoken by the booms and bangs of illegal ‘Indian’ fireworks than I care to think. My dog, a gentle and quiet animal, which barely barks, is reduced to a totally quivering, pacing, terrified creature that cannot find any peace even when tranquilized.

Ban the sale and use of fireworks. Enforce the ban. Make the penalties for violation severe.

Thank you,

Dave Viens  
11224 94th Ave Ct SW  
Lakewood, WA 98498-2815  
253-222-0539  
[daveviens@gmail.com](mailto:daveviens@gmail.com)

**From:** [DIANE MATHENY](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Wednesday, May 27, 2020 7:19:25 PM

---

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Please keep them as they are! This year, especially, people need something to celebrate in this country !



**From:** [Gerry Robertson](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Proposed Fireworks Restrictions  
**Date:** Wednesday, May 27, 2020 9:44:58 PM

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I approve the restrictions and propose that fireworks be banned entirely. There is far too much actual damage and conflict within neighborhoods for it to continue. I've had shrubs burned and my dogs traumatized by the endless explosions. Irresponsible citizens have ruined the experience.

A community fireworks event, if possible, would be more fun and safe(r) than the mayhem we all endure annually.

Thank you.

Gerry Robertson.

**From:** [ginnyernie2@aol.com](mailto:ginnyernie2@aol.com)  
**To:** [Briana Schumacher](#)  
**Subject:** fireworks  
**Date:** Wednesday, May 27, 2020 11:40:25 AM

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Hi Ms. Schumacher,

I saw a post on a Neighborhood website last week regarding a fireworks proposal coming up for a vote soon in Lakewood. I am all for limiting the use of fireworks at all times. It looks like the proposal will limit legal times to July 4 and Jan. 31 only. I am all for that. I would go further and would support efforts for a complete ban. There was a statement in the post that a complete ban was ineffective in neighboring cities. I disagree. We have driven into Tacoma on the 4th to get away from the noise. It is quiet there. We heard a few fireworks being set illegally, but very few. I wouldn't call that ban ineffective. In Lakewood, it sounds like a war zone. The fireworks, the police sirens, the fire sirens until well past midnight all combine to make sleep impossible until 2am or later. My dog shakes for hours despite the sedatives we get from her vet. I would call the police if I knew exactly who was setting the fireworks. Since most of them are legal, would that do any good? After all the police can certainly hear them well after 11pm. Nothing shuts down. Since you allow all sorts of fireworks to be sold, there are very little controls on this madness. We moved here in 1996 and were shocked at what is allowed on the 4th. We came from Maryland where none of these fireworks are sold let alone used by private citizens. I live in a quiet neighborhood where few if any close neighbors set fireworks, but others 1 or 2 blocks away sound like they are in my yard on the 4th and NYE. Please do all you can to stop this very annoying and unsafe tradition.

Ginny Summers  
8 Creekwood Ln SW  
Lakewood 98499  
[ginnyernie2@aol.com](mailto:ginnyernie2@aol.com)

**From:** [jason.nelson](#)  
**To:** [Briana.Schumacher](#)  
**Subject:** Fireworks  
**Date:** Wednesday, May 27, 2020 10:02:56 PM

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No ban. More bans just turn people into criminals for simply having fun. Look at all the years marijuana was banned. It didnt stop anyone.

Sent from my T-Mobile 4G LTE Device

**From:** [Jason Woods](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Don't change fireworks rules please  
**Date:** Wednesday, May 27, 2020 4:06:52 PM

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Don't change fireworks rules. This is a patriotic right of passage for families and a tradition to be passed on with pride

Sent from my iPhone

**From:** [KM Hills](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Public Comment on Fireworks  
**Date:** Wednesday, May 27, 2020 8:36:05 AM

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Good Evening Council

Kerry Hills City Resident

I am offering comment on the firework regulations. As reported in the Suburban Times . . .

"At the direction of council the Public Safety Advisory Committee conducted informal surveys, held discussions and reviewed regulations in place in neighboring jurisdictions. The result of that work was a recommendation not to amend city code due to a low impact of the calls for service around fireworks discharges."

Maybe, Just Maybe the City and Council will respect the work that their own Public Safety Advisory Committee put into those surveys and keep things as they are and allow the residents to celebrate as usual. Seems the regulations have worked well for many years in the past so why fix what isn't broken? Don't let a few complaints ruin it for the other 60k people that live in Lakewood.

Thank you for listening

Sent from my phone with Outlook for Android

**From:** [SHAWN OLSEN](#)  
**To:** [Briana Schumacher](#)  
**Date:** Wednesday, May 27, 2020 12:32:36 PM

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please change the fireworks to one day only. Living in Lakewood on the week before the 4th is like living in a war zone. All the animals are tortured with noise for a week its hell on the animals and the rest of us here.

[Sent from Yahoo Mail on Android](#)

**From:** [Stacey Scott](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks feedback  
**Date:** Wednesday, May 27, 2020 1:26:22 PM

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I would love to have more restrictions on the fireworks. It's is a warzone in Oakbrook area for several days.

Stacey Scott

**From:** [Steve Swortz](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Wednesday, May 27, 2020 10:46:20 AM

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I don't mind the proposed changes as long as it doesn't lead to an all out ban.

Steve Swortz  
swortzy@gmail.com  
253-223-6601



**From:** [Cindy Finel](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Thursday, May 28, 2020 5:18:55 AM

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Hello,

I am writing to provide feedback on the proposed changes for fireworks regulations. I support the changes. While I enjoy the celebration around the 4th of July, the days of loud fireworks late into the night has been hard to deal with at times. I have gone to family members' homes in neighboring cities where fireworks are banned to sleep when I need to work around the holiday and knew my neighborhood would be too loud. I have sent my dog to stay with a family member or medicated him to help deal with the days of noise. Limiting it to one day to manage if I had to work around the holiday would help. Thank you for taking our input regarding the decision.

Sincerely,

Cindy Finel, Lakewood resident

Sent from my iPhone

**From:** [Cristin Kiley](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks restrictions  
**Date:** Thursday, May 28, 2020 11:24:22 AM

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I am a resident of Lakewood and a registered voter in Pierce County - I live on Lake Louise Drive.

I enjoy fireworks on the 4th of July and New Years' Eve so I am in favor of allowing them on those dates.

I am not in favor of allowing them on days surrounding those traditional dates for a few reasons - first, the noise and disruption is substantial. It sounds like a war zone and, being in the Army, I've been to a war zone! The smoke and fog that hangs over the area for a day or two afterwards is bothersome to anyone with breathing issues.

Finally, there are always people who stretch the dates and hours - and our police have way too much to do to track down everyone who is exploding fireworks outside of "legal" hours.

So - i would be in FAVOR of the proposed restrictions of specific hours on the 4th and 31st, knowing that people will still set them off on other days, but hopefully to a lesser extent

Cristin Mount

Sent from my iPhone

**From:** [Eileen Hogan](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks regulations  
**Date:** Thursday, May 28, 2020 12:48:11 PM

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---

I support the proposed fireworks restrictions!

Lakewood citizens don't even follow the current regulations. The big fireworks that are allowed are disruptive and dangerous and last for days and days and go into the early hours of the morning.

And in a town with a VA hospital, it's very disrespectful to vets suffering from PTSD. Not to mention a hardship for pet owners and the humane society.

Vote yes to the new restrictions!

Thank you,  
Eileen Hogan

**From:** [Eileen Price](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Thursday, May 28, 2020 11:10:37 AM

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I am writing to express my support for the proposed amendment before the City Council that would further restrict the discharge of legal fireworks to July 4 between 11 a.m. and 11 p.m. and New Year's Eve only.

My family and I have lived here for five years and instead of looking forward to celebrating our nation's independence day, we dread it. Powerful, if not professional grade, fireworks start being shot off at least a week in advance and usually extend another week or so beyond the 4th of July. Last year on July 3rd and 4th, these jarring explosives were set off all around us literally every few minutes beginning at dusk and going till 2AM (this is not an exaggeration). They were so close that we observed the sparks and ash falling on our roof through the grove of dry trees around us, and we have serious concerns about fires. We do what we can to keep out the noise, but not much helps and we have to try and calm our animals who howl in terror for hours. By the end of the night all of our nerves are completely shot. Last year was the first time I called the police. They dutifully took down my complaint and said they would look into it, but we never saw a patrol car in the neighborhood. We understand that the offenders are so prolific that it's likely impossible to enforce even the current rules.

In an area where there are multiple options for viewing professional firework shows offered by local municipalities, I find it completely unnecessary that anything other than fun, kid-friendly firecrackers be legal.

I look at this proposed amendment as just an initial step towards more thoughtful legislation. Hopefully, if passed, it will make next year's holiday a tiny bit more bearable.

Thank you for your consideration.

Sincerely Yours,  
Eileen Price

**From:** [Jay Y](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks in Lakewood  
**Date:** Thursday, May 28, 2020 12:48:10 PM

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Good afternoon Mr. Schumacher

I am lived in Lakewood a long time. I use to enjoy the fireworks. But with the Amount of Illegal fireworks, neighbors not being considerate, not following the rules set forth by the city. It is time to BAN or limit to one day the 4th of July to fire them. With people needing to sleep for work, to take care of their families it is time to end or limit fireworks.

There are plenty of big shows or tv to watch the fireworks going off. It would make Lakewood PD and Central Pierce Fire and Rescues holiday time easier on them as well.

It is unfortunate that we have gotten to this point. But enough is enough. It is time for the council to take action and solve this issue.

Thank you for your time. Jay Yotty, 253-820-4685 if you would like to talk or have me expand further on my ideas.

Sent from my iPhone

**From:** [Jessica Mae Jennings](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks ordinance  
**Date:** Wednesday, May 27, 2020 11:17:07 PM

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Greetings,

I agree with everything in Joe Boyle's May 25, 2020 e-mail to Lakewood City Council regarding the proposed firework ordinance. I urge you to please vote YES to reduce firework days from 4 days down to 2 days.

Furthermore, I would ask that Lakewood City Council create and pass an ordinance that eliminates all fireworks every day of the year.

Sincerely,  
Jessica Mae Jennings  
7712 112th St. SW  
Lakewood, WA 98498  
(949) 872-7722

**From:** [Jody Kilcup](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Thursday, May 28, 2020 6:10:38 AM

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Good Morning,

As a resident of Lakewood I'd like to provide my opinion of fireworks as requested.

Plain and simple I believe they should be banned even on July 4 and New Years Eve. They are dangerous, loud and disruptive. There are so many professional events that people can attend if they choose to do so. I will never understand why it is allowed to light these things off in neighborhoods with children, elderly and pets.

These are banned completely in numerous surrounding cities of Lakewood- Why are they still allowed here?

Thank you for the opportunity to share my opinion.

Jody Kilcup  
8323 95th St SW  
Lakewood 98498

Sent from my iPhone

**From:** [Johnny Johnson](#)  
**To:** [Briana Schumacher](#)  
**Date:** Thursday, May 28, 2020 5:31:53 PM

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Why cant it just be left aloan. At some point we have to stop telling people how to live their lives. The current law is pritty strict. The only tightening i would support is 10am to 10 pm the whole 5 day week the holiday being the 5th day. Remember what the holiday stands for. I am a senior and prop tax payer in this city.

Sent from my Verizon, Samsung Galaxy smartphone



**From:** [Juanita Howard](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Thursday, May 28, 2020 6:53:19 AM

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Please outlaw fireworks completely. They are dangerous and no matter what time limit you put in them, people set them off for a week at least and throughout the year. Last week there were several set off around Washington St. and Vernon. They shook our house! Why should we have to listen to constant noise. It is horrible for pets and people with PTSD and severe anxiety. I know that outlawing them won't deter some people, but it may help some.

Thanks,

Nita Howard

--

Nita Howard

[nita6426@gmail.com](mailto:nita6426@gmail.com)

253-459-3699

**From:** [Marilyn Wittig](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks Regulations  
**Date:** Thursday, May 28, 2020 2:24:59 PM

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Hello. I am in favor of the new fireworks restrictions of limiting to July 4th, and New Years Eve only.

I feel the setting off of fireworks infringes on others who see no benefit in the noise and the anxiety it causes to people and animals.

Thank you,

M. Wittig

**From:** [Maryjane Macdonald](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fire Works  
**Date:** Thursday, May 28, 2020 3:03:52 PM

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I have lived at 9621 Winona St.S.W.

for 23 years. Over the years I have come to dread one week before and one week after the 4th of July. New Years is not quite as bad.

Every year a 3-4 block area becomes a war zone. I am talking about the 3 blocks adjacent to my home. Frequently the air in the neighborhood is THICK with smoke.. really thick. The noise does not adhere to the parameters set by the city. The fireworks start early(including daytime) and often go on until 1-2 in the morning .. way before the 4th and after the 4th. I have never called the police because they do not respond. I would guess that many types of fireworks are not legal. I hear the ones that sound like bombs. I also believe I hear guns being shot at the same time. In the last couple of years if the subject comes up on neighborhood watch groups many people voice their displeasure with those not in favor of the tradition. People get called derogatory names and are called unpatriotic for having a different tolerance. Sometimes it is suggested that if you do not want or like fireworks you should move somewhere else.

Every year I worry about my yard and house catching on fire. Every year I pick up debris in my yard from bottle rockets.

I personally would like it if fireworks were not allowed in the city limits. I think the large displays on Commencement Bay and the town of Steilacoom are safer and more spectacular. JBLM would be another place to hold such displays.

If the show must go on ...I would like to see more police enforcement available during this time.. People are disturbing the peace and breaking the law as well as jeopardizing the safety of Lakewood residents.

If you would like to hear what I am talking about I have an audio tape from last years 4th.

Thanks for reading.

Sincerely,

Maryjane MacDonald

Sent from my iPhone

**From:** [Mrl364](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks opinion  
**Date:** Thursday, May 28, 2020 12:48:08 PM

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Briana,  
If it was my choice I would ban private use. I would go along with a city sponsored fireworks display.  
Michael Lacadie

Sent from AOL Mobile Mail  
Get the new AOL app: [mail.mobile.aol.com](mailto:mail.mobile.aol.com)

**From:** [Michael Webster](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Thursday, May 28, 2020 7:40:38 AM

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I would like them to be banned completely. I have been unable to go to events on the fourth due having to stay home to protect my home from stray fireworks land in in our yard and on our roof.

Michael Webster  
6910 86th St. SW

**From:** [Richard Price](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks Restrictions Amendment  
**Date:** Thursday, May 28, 2020 1:21:41 PM

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---

Dear Briana Schumacher,

I am writing to express my support for the proposed amendment before the City Council that would further restrict the discharge of legal fireworks to July 4 between 11 a.m. and 11 p.m. and New Year's Eve only. This amendment would greatly benefit my household and our greater community.

Thank you,  
Richard Price

**From:** [Susanne Peters](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Re: Fireworks  
**Date:** Thursday, May 28, 2020 12:12:31 AM

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I've been told that you are the one to contact in this regard and I am writing to you to comment about the Lakewood policy in regard to fireworks. The 4th of July is only a little more than a month away, and the racket will be upon us again. The last few years we escaped to Eastern Washington, but it would be very nice to stay home and enjoy the 4th in our own back yard. This has been impossible since I moved here 24 years ago.

As far as I know the city allows fireworks the day before and the day after the 4th. Why can't it just be on the 4th? But people are who they are, and they set them off indiscriminately however they feel like around that time, ignoring the rules. Why even allow them at all? So many communities have now outlawed this outdated practice because of the danger of physical harm, fire and air /noise pollution. And do not forget what these explosion do to terrify pets and wild animals alike. There are adequate public firework displays in this area that families can enjoy.

As a long time home owner in Lakewood I want to express my "Nay on personal fireworks" in Lakewood. Thank you for your consideration.

Sincerely,

Susanne Peters  
6418 - 93rd St SW  
Lakewood, WA 98499  
253-431-3940

**From:** [cliffiei](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Friday, May 29, 2020 10:08:07 AM

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---

We would like to see the banning of fireworks, to include sales (loud explosive type), in the City of Lakewood. Have no issue with the safer type sold in stores.

Cliff and Katie Jackson  
Over 24 years residents, and home owner.

Sent from my Verizon, Samsung Galaxy Tablet



**From:** [David Bingman](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Friday, May 29, 2020 2:16:11 AM

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My input is to limit it to the two days listed. No matter what is done the law is moot unless there is voluntary compliance and enforcement. I have heard very little on past enforcement.

David Bingman

**From:** [Deborah Fluckiger](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fourth of July  
**Date:** Thursday, May 28, 2020 6:58:57 PM

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---

My first preference would be banning all fireworks, except for sponsored events (lake communities). My second, would restrict to 4th only.

Sent via the Samsung Galaxy S10, an AT&T 5G Evolution capable smartphone  
Get [Outlook for Android](#)

**From:** [fshackleford](#)  
**To:** [Briana Schumacher](#)  
**Subject:** FireWorks  
**Date:** Friday, May 29, 2020 6:32:13 AM

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Leave the law as it NOW stands.

This is our nation's Birthday.

I don't like the noise but once or twice a year is ok.

As far as safety. You can't protect all the people from everything all the time. There will be injuries and possibly a death. New laws won't stop this from happening.

Sent from my Verizon, Samsung Galaxy smartphone

**From:** [Karen Whitney](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fire works  
**Date:** Friday, May 29, 2020 11:21:54 AM

---

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---

Ban all fireworks in Lakewood!!!!!! Every city around Lakewood does. Steilicoom, Tacoma, University Place and the list goes on.

Lakewood, by the very name. Refers to the multitude of trees. I've had one of my trees caught on fire. A friend has had her fence set on fire. Another friend had their house burn down. This is not safe!

Doesn't JBLM provide enough loud noise??

Please stop the insanity. Or allow fireworks in large parking lot: schools, parks, and shopping centers. Why force them into neighborhoods?

Karen Whitney  
Sent from my iPhone

**From:** [Maura Armstrong](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Restriction of Fireworks in Lakewood  
**Date:** Friday, May 29, 2020 5:41:10 PM

---

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Dear Lakewood City Council Members,

Thank you for allowing public input on this issue of fireworks in the city of Lakewood.

It has been a tradition among our neighbors to celebrate the 4th of July with backyard BBQs and setting of legal fireworks for the past 20-30 years. As the years evolved and children matured and moved, we find that for the past five or so years, more people have been setting off loud, huge, and questionable fireworks. The fireworks are so large that when they shatter, they cause debris to fall among the rooftops, vehicle bodies and roofs, and lawns of the neighbors within the vicinity. Many of us have found residual sparks from the fireworks on our vehicles. It becomes a task to maintain the cleanliness of our property and pricey maintenance of the exterior of the vehicles.

If at all possible, it would be most beneficial to ban fireworks in the residential areas, due to the above situation. If, however, it is not an amenable situation to ban them, I support agree the limiting of setting LEGAL fireworks off only during the proposed times on 4th of July and New Year's Eve.

Thank you for this opportunity to give our input.

**From:** [netanya Leicht](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Regarding fireworks  
**Date:** Friday, May 29, 2020 9:05:48 AM

---

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*- helpdesk@cityoflakewood.us ext. 4357*

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If you must, then July 4th only. I would prefer they were banned except for professional displays. Every year homes are caught on fire by those too careless to exercise any good common sense, this should not be. For the care of homeowners and landlords, they should be banned. Then, there is the topic of those with PTSD ,to whom fireworks put them immediately back into a time and place they'd rather forget. Also, for the safety of pets, who every year are spooked by them, and then get lost, or by the hands of evil people,they are tortured with them, they should be banned. Every year I have to sedate one of my dogs as the sounds terrify her.

For these reasons, please at least restrict to one day if you will not ban them altogether.

Sent from my Verizon, Samsung Galaxy smartphone



May 29, 2020

The Honorable Don Anderson  
Mayor of Lakewood

Via e-mail: [DAnderson@cityoflakewood.us](mailto:DAnderson@cityoflakewood.us)

Dear Mayor Anderson,

On behalf of People for the Ethical Treatment of Animals (PETA) and our more than 6.5 million members and supporters worldwide, I'm writing with regard to the proposed amendment that would ban the discharge of fireworks on July 3 and 5. *We strongly and most respectfully urge you to adopt the fireworks limitations contained in the ban proposal and to consider also banning fireworks on July 4 and New Year's Eve in order to protect all of Lakewood's residents.*

Traditional fireworks bring with them devastating consequences. They sound like an all-out war not only to those suffering from post-traumatic stress disorder but also to dogs, cats, and wildlife. Terrified dogs climb or dig their way out of fenced-in yards as they frantically try to escape the explosions, resulting in increased stray-animal intakes at shelters. Many animals arrive with bloody paws or broken bones, some are never reunited with their families, and others are doomed to a worse fate.

Fireworks produce plumes of smoke laden with particles that are harmful to the respiratory systems of humans and other animals. Birds caught in or near fireworks displays often choke on the toxic residue. The California Coastal Commission banned the city of Gualala's display when, following a 2006 show, seabirds fled their nests, leaving their chicks vulnerable to predators. Most birds cannot see well in the dark, so this type of disruption can lead to injuries if they inadvertently crash into power lines, cars, buildings, trees, or each other. In one case, 5,000 birds died on a New Year's Eve in Arkansas after a fireworks display caused them to take flight and crash into objects such as houses and cars.

Such tragedies are not limited to animals: Many humans have been injured in fireworks accidents, and the displays can exacerbate asthma and other respiratory problems. Veterans and others suffering from post-traumatic stress disorder are also sensitive to and can be deeply disturbed by the noise of the explosives and the smell of the gunpowder. And on average, 180 people go to emergency rooms daily with fireworks-related injuries for an entire month around July 4.

As the Fourth of July holiday fast approaches, we hope you'll enact the proposed restrictions and consider extending them further by including a ban on igniting fireworks on Independence Day and December 31. Thank you for your time and consideration. We look forward to hearing from you.

Very truly yours,

Ingrid E. Newkirk  
President

PEOPLE FOR  
THE ETHICAL  
TREATMENT  
OF ANIMALS

Washington, D.C.

1536 16th St. N.W.  
Washington, DC 20036  
202-483-PETA

Los Angeles

2154 W. Sunset Blvd.  
Los Angeles, CA 90026  
323-644-PETA

Norfolk

501 Front St.  
Norfolk, VA 23510  
757-622-PETA

Oakland

554 Grand Ave.  
Oakland, CA 94610  
510-763-PETA

[Info@peta.org](mailto:Info@peta.org)

[PETA.org](http://PETA.org)

Affiliates:

- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Netherlands
- PETA Foundation (UK)

From: [lafaveshelley](#)  
To: [Briana Schumacher](#)  
Subject: Fireworks  
Date: Friday, May 29, 2020 9:49:04 AM

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- [helpdesk@cityoflakewood.us](mailto:helpdesk@cityoflakewood.us) ext. 4357

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Good morning.

My opinion..and I'll try not to stab anyone with it.

I worked in Mary Bridge children's as well as Tac General for many years in surgery..as well as MB ER..and also for a plastic surgery center in tacoma.

The devastation I have seen from fireworks alone..is staggering. Long term ..short term..forever. Fingers, faces..hands feet..eyes..pets..lives .

If you have ever participated in trying to put a kids hand back on..or had to remove a burnt out eye on a 5 year old, or picked out hundreds of pieces of shrapnel..out of a teen's face..that permanently tattooed their face with black freckles...

Houses burnt down with people in it.

I could soap box scream about alot of things..but this is one of my huge concerns..kids out in the line of fire. And irresponsible adults.

I understand a lot of people won't follow laws..anyway.

Why is it so cool to blow up everything... spend huge amounts to make a mess that no one wants to clean up...

Put yourself and family in real danger..your neighborhood.

Why.

I understand how huge a problem it is to enforce..how dangerous it is, And taxing to first responders.

Please...if it is possible, to limit the time and make the consequences to disobeying stiffer..

Especially with non adults being present..

Why a parent would allow a child they created.. blow themselves up...is beyond me.

I will now shut up.

Shelley LaFave  
Tillicum Wa

Sent from my Sprint Samsung Galaxy Phone.



**From:** [Steve Fry](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks ordinance  
**Date:** Friday, May 29, 2020 11:08:40 AM

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To all members of the Lakewood City Council,

As I understand it, the council is considering amending the fireworks ordinance to limit the discharge of fireworks to only July 4. While restricting the discharge to July 4 only would be a definite improvement, I do not understand why the council has not considering banning them altogether.

As I understand it, fireworks are banned by the cities of Tacoma, University Place, Fircrest, Steilacoom and Dupont. I cannot understand why the City of Lakewood does not implement a similar, common sense ban on fireworks. The reason they are banned in most municipalities is that they are dangerous to the users and they can cause property damage by starting fires.

We are lucky enough to have spectacular displays in Steilacoom, Tacoma, and (usually) at Cheney Stadium. As a Lakewood resident for thirty years, I believe there is absolutely no reason that Lakewood ought not completely ban fireworks as all of our neighboring municipalities have done.

I appreciate your time and consideration.

Stephen Fry  
6729 Phillips Rd SW  
Lakewood, 98498

**From:** [Bryan Bristow](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Proposal to Restrict Fireworks  
**Date:** Saturday, May 30, 2020 6:10:39 PM

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I support the proposal to further restrict use of Fireworks in Lakewood. I encourage the Council to ego further and BAN use and Sale fo Fireworks in Lakewood.

Lakewood has become a haven for Use of fireworks as surrounding communities have banned their use. In my opinion, Arguments related to enforcement are specious. Fear for Public Safety is real.

Bryan Bristow

**From:** [elainereed04@hotmail.com](mailto:elainereed04@hotmail.com)  
**To:** [Briana Schumacher](#)  
**Subject:** Proposed fireworks change  
**Date:** Saturday, May 30, 2020 5:46:47 AM

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I agree with proposal to limit fireworks in Lakewood to July 4 and New Years Eve starting 2021.

Elaine Reed  
8415 Berkeley Ave SW

**From:** [Kelly Riehl](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks Ban  
**Date:** Saturday, May 30, 2020 9:22:40 AM

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Good morning,

I support a complete ban on fireworks within Lakewood city limits; regardless of date, holiday etc. This includes the sale of fireworks as well as the discharge. The population is simply too dense for these "celebrations" to take place safely. Furthermore, those who choose to discharge fireworks rarely clean the debris that remains after, posing a threat to the community as well as the environment.

The risk of property damage & personal injury is just too high to allow the continued use of fireworks. There are a number of professional displays available for viewing as a safer alternative.

Thank you for your consideration.

Kelly Riehl  
6923 Phillips Rd SW



Virus-free. [www.avast.com](http://www.avast.com)

**From:** [Kim Korsgren](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Public Comment for Councilmembers regarding Fireworks regulations - June 2020  
**Date:** Saturday, May 30, 2020 12:38:33 PM

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VIA ELECTRONIC MAIL: [BSCHUMACHER@CITYOFLAKEWOOD.US](mailto:BSCHUMACHER@CITYOFLAKEWOOD.US)

Ms. Briana Schumacher, City Clerk

City of Lakewood, Washington

6000 Main Street SW

Lakewood, WA 98499

RE: Lakewood Council's June 1, 2020 meeting regarding Fireworks municipal code regulations

Dear Councilmembers:

I am a Lakewood resident writing to urge the Council to make a broader stroke at the upcoming council meeting - in order to end the multitude of problems caused by fireworks and to ban fireworks altogether, once and for all, and to return our city to a preferred place to live in Pierce County! More citizens, more tax revenue? Yes! Although, I do appreciate the Council finally taking this step – to consider changes to our current rules - making a half step at this critical time of forward thinking, is a mistake.

My husband and I chose to relocate to Washington and specifically to live in Lakewood because it is beautiful and we found a house we loved. As a retired Army veteran, my husband and I are pleased and proud to live near Joint Base Lewis-McChord. We are homebodies and our yard is completely fenced. It is a safe place for our pets to go outside to lounge in the sun, lie in the grass, and to watch bugs and birds. We have several bird visitors in crows, stellar jays, hummingbirds, and sparrows that frequent our yard and we enjoy them. My husband and I like to sit outside to play backgammon and take in the wildlife, but this scene is completely shattered beginning in late June, day and night, continuing well past the 4<sup>th</sup> of July. The wildlife disappears for days, (who knows where they go) and our pets refuse to go outside.

Each summer, well in advance of the 4<sup>th</sup>, I must take my dog to the vet (an office visit expense) in order to purchase prescribed medications (prescriptions cost money) so that I can (drug my dog – which has proven necessary) for what is usually seven or more days of “warfare” that takes place in our normally peaceful neighborhood adjacent to Fort Steilacoom

Park. Each year, to prepare for the onslaught, I am proactive. My dog wears a Thunder Vest, takes his medication, I turn on soft music, I plug in a pheromone diffuser, and after all of these, my dog still cowers in the bedroom closet, trembling and panting for hours. Holding him does nothing to comfort him. I must use these methods every year because they are the only remedies I have. The laws, as they now stand, are always broken. The police do not enforce the laws as they are now written. How will reducing the number of days of legal fireworks take care of this shortfall? There are other cities that have taken the steps to outlaw fireworks, now it is Lakewood's turn. Could SumerFest be the city's 4<sup>th</sup> of July event?

Won't the Council members please consider the majority citizen opinion and step forward with leadership and confidence to consider how fireworks are not something Lakewood citizens need? Thank you for your consideration.

Kim Korsgren

8507 Haviland Ave SW

(253) 304-9079

**From:** [Linda Shehan](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks Ban  
**Date:** Saturday, May 30, 2020 1:38:19 PM

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Please ban fireworks sale stands in Lakewood also. Many items sold are too risky for the average home use. Wealthy people on the lakes can discharge over the water, but the rest of us are treated to a barrage of dangerous fire and noise raining down on us from the sky. Any item that shoots higher than a one story roof needs to be banned. Lakewood citizens shouldn't be terrorized by their neighbors. I love fireworks, but we just live too close together to safely enjoy the type currently sold. Local government should make the adult, common sense decision to ban fireworks as so many of the other Pierce County communities have. Why do we have to be the low class, no class city?

[Sent from Yahoo Mail on Android](#)

**From:** [Victoria Stanich](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Public hearing on fireworks in Lakewood  
**Date:** Saturday, May 30, 2020 12:55:56 PM  
**Importance:** High

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---

To the Lakewood City Council,

I am **for the ban on fireworks** in Lakewood. All surrounding cities have done so for safety reasons. I would like to hear reasons why the Lakewood City Council has refused to ban fireworks in our city in the past. I don't think that the City Council's view represents the views of the majority of Lakewood residents.

The reasons that I would like to see fireworks banned are:

- 1) the high risk of injury to individuals and to animals.
- 2) Pollution in the environment. Many people do not clean up the mess that they create with fireworks which ends up in our drains to Puget Sound. The air is filled with polluting smoke. Sound pollution - it's enough that Lakewood residents have to tolerate noise from neighboring JBLM.
- 3) Fireworks are a fire and safety hazard. Every year I see stray fireworks, some illegal, landing on rooftops in the neighborhood, wondering if they are still lit. They land in yards full of dry brush and grass, especially in July when most yards are very dry. Our fire department is stretched to put out fires and attend to fireworks-related injuries when they can be attending to other immediate emergencies.

There are plenty of professional fireworks displays to go to. I would like to attend one of these events but fear leaving home in case my house or yard catches fire. Please encourage people to leave fireworks to the professionals.

Sincerely,

Vicky Stanich



**From:** [William August](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Please Ban or at Least Limit Fireworks  
**Date:** Saturday, May 30, 2020 12:31:05 PM

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*- helpdesk@cityoflakewood.us ext. 4357*

---

Dear Ms. Schumacher,

I know you are trying to strike the right balance between individual liberty and the common good. As with smoking versus the right to breathe clean air, the majority of Lakewood residents do not shoot off fireworks, and deserve freedom from noise, smoke and fire danger.

How many pet owners live in Lakewood? Every dog and cat owner dislikes the distress (and sometimes trauma) fireworks cause. We could handle one or two days a year, but in Lakewood, the bangs start a week before the 4th, and New Years, and happen at all hours. I can't count how many times I've been blasted awake at 2 AM by an inconsiderate neighbor.

Please, please, please stop the simulated wars in our neighborhoods by at least banning the SALE, with huge tents advertising "Military Grade Armaments" in Lakewood parking lots.

Thank you.

William August Selke  
102 Crestwood Drive SW  
Lakewood, 98498

**From:** [Bob Martin](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Sunday, May 31, 2020 6:59:28 PM

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Please don't change the days we can set off fireworks. I see no reason to change it.

Sent from my Sprint Samsung Galaxy S10.

**From:** [Sara Johnson](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks and other Feedback  
**Date:** Sunday, May 31, 2020 7:11:51 PM

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*- helpdesk@cityoflakewood.us ext. 4357*

---

Good Evening,

I am writing in support of the suggested changes to tighten up the schedule for allowable fireworks within the City of Lakewood.

P.S. Thank you for your efforts to improve Gravelly Lake Drive.

I would like to see speed bumps installed or as previously requested - reduced speed on Langlow Street prior to reopening Veterans.

Thank you for your consideration,  
Johnson Family  
North Street off of Gravelly Lake

**From:** [Marcia AndersonWilber](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Sunday, May 31, 2020 4:35:59 PM

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---

We would be in favor of Lakewood banning firework sales and any use of fireworks in our city.

Marcia AndersonWilber

**From:** [Nicole Campbell](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Sunday, May 31, 2020 6:16:19 PM

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I'm weighing in on the new fireworks restrictions. I am all for tighter restrictions to control fireworks in Lakewood. I wish we could outlaw them completely. Every year since I was a child, the neighborhood I reside in has lit off fireworks for weeks at all hours of the night. It's a terrible time to live here. We get little sleep and worry about fires when there is little rain. On the night of the 4th we soak our yard because it's like a war zone around us. Many people have little regard for their neighbors. One year a fireworks landed in my friend's car. A lit firework. Luckily we were near by and saw it. I dread the 4th of July because people do not care about others. We often try to leave town before the 4th because it is such a stressful time in Lakewood. If we leave we hire someone to spray our yard and around our house on the 4th. We pray every year that Lakewood will change their laws. It's a strong argument to relocate to Steilacoom because they have much better firework laws.

My input is to please, please, please tighten the fireworks laws. Lakewood could become a nice City if we could quit tolerating so much selfish and wild behavior. My mother and dust both live nearby and have always felt the same way. Thank you for your consideration. Let's make Lakewood a great place to live.

Nicole Houston  
9003 Wildwood Ave SW  
Lakewood, Wa 98498

Sent from my iPhone

**From:** [+12532289965@tmomail.net](mailto:+12532289965@tmomail.net)  
**To:** [Briana Schumacher](#)  
**Date:** Monday, June 1, 2020 2:20:03 PM  
**Attachments:** [text\\_1591046113991.txt](#)

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- [helpdesk@cityoflakewood.us](mailto:helpdesk@cityoflakewood.us) ext. 4357

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.....

I want to have my voice heard about the fireworks issue. My name is Lauri Homestead, and my address is 9543 Dekoven Dr SW. I Do NOT approve of any additional fireworks restrictions in Lakewood. There are already restrictions in place. Also, I want to know if Lakewood is ever going to fix Mt. Tacoma Drive from Motor Ave to the bridge?

---

**T-Mobile**

This message was sent to you by a T-Mobile wireless phone.

**From:** [cliffiei](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Friday, May 29, 2020 10:08:07 AM

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*- helpdesk@cityoflakewood.us ext. 4357*

---

We would like to see the banning of fireworks, to include sales (loud explosive type), in the City of Lakewood. Have no issue with the safer type sold in stores.

Cliff and Katie Jackson  
Over 24 years residents, and home owner.

Sent from my Verizon, Samsung Galaxy Tablet

**From:** [Karen Whitney](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fire works  
**Date:** Friday, May 29, 2020 11:21:54 AM

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- helpdesk@cityoflakewood.us ext. 4357

---

Ban all fireworks in Lakewood!!!!!! Every city around Lakewood does. Steilicoom, Tacoma, University Place and the list goes on.

Lakewood, by the very name. Refers to the multitude of trees. I've had one of my trees caught on fire. A friend has had her fence set on fire. Another friend had their house burn down. This is not safe!

Doesn't JBLM provide enough loud noise??

Please stop the insanity. Or allow fireworks in large parking lot: schools, parks, and shopping centers. Why force them into neighborhoods?

Karen Whitney  
Sent from my iPhone



**From:** [Maura Armstrong](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Restriction of Fireworks in Lakewood  
**Date:** Friday, May 29, 2020 5:41:10 PM

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*- helpdesk@cityoflakewood.us ext. 4357*

---

Dear Lakewood City Council Members,  
Thank you for allowing public input on this issue of fireworks in the city of Lakewood.

It has been a tradition among our neighbors to celebrate the 4th of July with backyard BBQs and setting of legal fireworks for the past 20-30 years. As the years evolved and children matured and moved, we find that for the past five or so years, more people have been setting off loud, huge, and questionable fireworks. The fireworks are so large that when they shatter, they cause debris to fall among the rooftops, vehicle bodies and roofs, and lawns of the neighbors within the vicinity. Many of us have found residual sparks from the fireworks on our vehicles. It becomes a task to maintain the cleanliness of our property and pricey maintenance of the exterior of the vehicles.

If at all possible, it would be most beneficial to ban fireworks in the residential areas, due to the above situation. If, however, it is not an amenable situation to ban them, I support agree the limiting of setting LEGAL fireworks off only during the proposed times on 4th of July and New Year's Eve.

Thank you for this opportunity to give our input.



May 29, 2020

The Honorable Don Anderson  
Mayor of Lakewood

Via e-mail: [DAnderson@cityoflakewood.us](mailto:DAnderson@cityoflakewood.us)

Dear Mayor Anderson,

On behalf of People for the Ethical Treatment of Animals (PETA) and our more than 6.5 million members and supporters worldwide, I'm writing with regard to the proposed amendment that would ban the discharge of fireworks on July 3 and 5. *We strongly and most respectfully urge you to adopt the fireworks limitations contained in the ban proposal and to consider also banning fireworks on July 4 and New Year's Eve in order to protect all of Lakewood's residents.*

Traditional fireworks bring with them devastating consequences. They sound like an all-out war not only to those suffering from post-traumatic stress disorder but also to dogs, cats, and wildlife. Terrified dogs climb or dig their way out of fenced-in yards as they frantically try to escape the explosions, resulting in increased stray-animal intakes at shelters. Many animals arrive with bloody paws or broken bones, some are never reunited with their families, and others are doomed to a worse fate.

Fireworks produce plumes of smoke laden with particles that are harmful to the respiratory systems of humans and other animals. Birds caught in or near fireworks displays often choke on the toxic residue. The California Coastal Commission banned the city of Gualala's display when, following a 2006 show, seabirds fled their nests, leaving their chicks vulnerable to predators. Most birds cannot see well in the dark, so this type of disruption can lead to injuries if they inadvertently crash into power lines, cars, buildings, trees, or each other. In one case, 5,000 birds died on a New Year's Eve in Arkansas after a fireworks display caused them to take flight and crash into objects such as houses and cars.

Such tragedies are not limited to animals: Many humans have been injured in fireworks accidents, and the displays can exacerbate asthma and other respiratory problems. Veterans and others suffering from post-traumatic stress disorder are also sensitive to and can be deeply disturbed by the noise of the explosives and the smell of the gunpowder. And on average, 180 people go to emergency rooms daily with fireworks-related injuries for an entire month around July 4.

As the Fourth of July holiday fast approaches, we hope you'll enact the proposed restrictions and consider extending them further by including a ban on igniting fireworks on Independence Day and December 31. Thank you for your time and consideration. We look forward to hearing from you.

Very truly yours,

Ingrid E. Newkirk  
President

PEOPLE FOR  
THE ETHICAL  
TREATMENT  
OF ANIMALS

Washington, D.C.

1536 16th St. N.W.  
Washington, DC 20036  
202-483-PETA

Los Angeles

2154 W. Sunset Blvd.  
Los Angeles, CA 90026  
323-644-PETA

Norfolk

501 Front St.  
Norfolk, VA 23510  
757-622-PETA

Oakland

554 Grand Ave.  
Oakland, CA 94610  
510-763-PETA

[Info@peta.org](mailto:Info@peta.org)

[PETA.org](http://PETA.org)

Affiliates:

- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Netherlands
- PETA Foundation (H.K.)

**From:** [Steve Fry](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks ordinance  
**Date:** Friday, May 29, 2020 11:08:40 AM

---

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---

To all members of the Lakewood City Council,

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As I understand it, fireworks are banned by the cities of Tacoma, University Place, Fircrest, Steilacoom and Dupont. I cannot understand why the City of Lakewood does not implement a similar, common sense ban on fireworks. The reason they are banned in most municipalities is that they are dangerous to the users and they can cause property damage by starting fires.

We are lucky enough to have spectacular displays in Steilacoom, Tacoma, and (usually) at Cheney Stadium. As a Lakewood resident for thirty years, I believe there is absolutely no reason that Lakewood ought not completely ban fireworks as all of our neighboring municipalities have done.

I appreciate your time and consideration.

Stephen Fry  
6729 Phillips Rd SW  
Lakewood, 98498

**From:** [Bryan Bristow](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Proposal to Restrict Fireworks  
**Date:** Saturday, May 30, 2020 6:10:39 PM

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- helpdesk@cityoflakewood.us ext. 4357

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I support the proposal to further restrict use of Fireworks in Lakewood. I encourage the Council to ego further and BAN use and Sale fo Fireworks in Lakewood.

Lakewood has become a haven for Use of fireworks as surrounding communities have banned their use. In my opinion, Arguments related to enforcement are specious. Fear for Public Safety is real.

Bryan Bristow

**From:** [elainereed04@hotmail.com](mailto:elainereed04@hotmail.com)  
**To:** [Briana Schumacher](#)  
**Subject:** Proposed fireworks change  
**Date:** Saturday, May 30, 2020 5:46:47 AM

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I agree with proposal to limit fireworks in Lakewood to July 4 and New Years Eve starting 2021.

Elaine Reed  
8415 Berkeley Ave SW

**From:** [Kelly Riehl](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks Ban  
**Date:** Saturday, May 30, 2020 9:22:40 AM

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Good morning,

I support a complete ban on fireworks within Lakewood city limits; regardless of date, holiday etc. This includes the sale of fireworks as well as the discharge. The population is simply too dense for these "celebrations" to take place safely. Furthermore, those who choose to discharge fireworks rarely clean the debris that remains after, posing a threat to the community as well as the environment.

The risk of property damage & personal injury is just too high to allow the continued use of fireworks. There are a number of professional displays available for viewing as a safer alternative.

Thank you for your consideration.

Kelly Riehl  
6923 Phillips Rd SW



Virus-free. [www.avast.com](http://www.avast.com)

**From:** [Kim Korsgren](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Public Comment for Councilmembers regarding Fireworks regulations - June 2020  
**Date:** Saturday, May 30, 2020 12:38:33 PM

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VIA ELECTRONIC MAIL: [BSCHUMACHER@CITYOFLAKEWOOD.US](mailto:BSCHUMACHER@CITYOFLAKEWOOD.US)

Ms. Briana Schumacher, City Clerk

City of Lakewood, Washington

6000 Main Street SW

Lakewood, WA 98499

RE: Lakewood Council's June 1, 2020 meeting regarding Fireworks municipal code regulations

Dear Councilmembers:

I am a Lakewood resident writing to urge the Council to make a broader stroke at the upcoming council meeting - in order to end the multitude of problems caused by fireworks and to ban fireworks altogether, once and for all, and to return our city to a preferred place to live in Pierce County! More citizens, more tax revenue? Yes! Although, I do appreciate the Council finally taking this step – to consider changes to our current rules - making a half step at this critical time of forward thinking, is a mistake.

My husband and I chose to relocate to Washington and specifically to live in Lakewood because it is beautiful and we found a house we loved. As a retired Army veteran, my husband and I are pleased and proud to live near Joint Base Lewis-McChord. We are homebodies and our yard is completely fenced. It is a safe place for our pets to go outside to lounge in the sun, lie in the grass, and to watch bugs and birds. We have several bird visitors in crows, stellar jays, hummingbirds, and sparrows that frequent our yard and we enjoy them. My husband and I like to sit outside to play backgammon and take in the wildlife, but this scene is completely shattered beginning in late June, day and night, continuing well past the 4<sup>th</sup> of July. The wildlife disappears for days, (who knows where they go) and our pets refuse to go outside.

Each summer, well in advance of the 4<sup>th</sup>, I must take my dog to the vet (an office visit expense) in order to purchase prescribed medications (prescriptions cost money) so that I can (drug my dog – which has proven necessary) for what is usually seven or more days of “warfare” that takes place in our normally peaceful neighborhood adjacent to Fort Steilacoom

Park. Each year, to prepare for the onslaught, I am proactive. My dog wears a Thunder Vest, takes his medication, I turn on soft music, I plug in a pheromone diffuser, and after all of these, my dog still cowers in the bedroom closet, trembling and panting for hours. Holding him does nothing to comfort him. I must use these methods every year because they are the only remedies I have. The laws, as they now stand, are always broken. The police do not enforce the laws as they are now written. How will reducing the number of days of legal fireworks take care of this shortfall? There are other cities that have taken the steps to outlaw fireworks, now it is Lakewood's turn. Could SumerFest be the city's 4<sup>th</sup> of July event?

Won't the Council members please consider the majority citizen opinion and step forward with leadership and confidence to consider how fireworks are not something Lakewood citizens need? Thank you for your consideration.

Kim Korsgren

8507 Haviland Ave SW

(253) 304-9079



**From:** [Linda Shehan](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks Ban  
**Date:** Saturday, May 30, 2020 1:38:19 PM

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Please ban fireworks sale stands in Lakewood also. Many items sold are too risky for the average home use. Wealthy people on the lakes can discharge over the water, but the rest of us are treated to a barrage of dangerous fire and noise raining down on us from the sky. Any item that shoots higher than a one story roof needs to be banned. Lakewood citizens shouldn't be terrorized by their neighbors. I love fireworks, but we just live too close together to safely enjoy the type currently sold. Local government should make the adult, common sense decision to ban fireworks as so many of the other Pierce County communities have. Why do we have to be the low class, no class city?

[Sent from Yahoo Mail on Android](#)

**From:** [Victoria Stanich](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Public hearing on fireworks in Lakewood  
**Date:** Saturday, May 30, 2020 12:55:56 PM  
**Importance:** High

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To the Lakewood City Council,

I am **for the ban on fireworks** in Lakewood. All surrounding cities have done so for safety reasons. I would like to hear reasons why the Lakewood City Council has refused to ban fireworks in our city in the past. I don't think that the City Council's view represents the views of the majority of Lakewood residents.

The reasons that I would like to see fireworks banned are:

- 1) the high risk of injury to individuals and to animals.
- 2) Pollution in the environment. Many people do not clean up the mess that they create with fireworks which ends up in our drains to Puget Sound. The air is filled with polluting smoke. Sound pollution - it's enough that Lakewood residents have to tolerate noise from neighboring JBLM.
- 3) Fireworks are a fire and safety hazard. Every year I see stray fireworks, some illegal, landing on rooftops in the neighborhood, wondering if they are still lit. They land in yards full of dry brush and grass, especially in July when most yards are very dry. Our fire department is stretched to put out fires and attend to fireworks-related injuries when they can be attending to other immediate emergencies.

There are plenty of professional fireworks displays to go to. I would like to attend one of these events but fear leaving home in case my house or yard catches fire. Please encourage people to leave fireworks to the professionals.

Sincerely,

Vicky Stanich

**From:** [William August](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Please Ban or at Least Limit Fireworks  
**Date:** Saturday, May 30, 2020 12:31:05 PM

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Dear Ms. Schumacher,

I know you are trying to strike the right balance between individual liberty and the common good. As with smoking versus the right to breathe clean air, the majority of Lakewood residents do not shoot off fireworks, and deserve freedom from noise, smoke and fire danger.

How many pet owners live in Lakewood? Every dog and cat owner dislikes the distress (and sometimes trauma) fireworks cause. We could handle one or two days a year, but in Lakewood, the bangs start a week before the 4th, and New Years, and happen at all hours. I can't count how many times I've been blasted awake at 2 AM by an inconsiderate neighbor.

Please, please, please stop the simulated wars in our neighborhoods by at least banning the SALE, with huge tents advertising "Military Grade Armaments" in Lakewood parking lots.

Thank you.

William August Selke  
102 Crestwood Drive SW  
Lakewood, 98498

**From:** [Bob Martin](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Sunday, May 31, 2020 6:59:28 PM

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Please don't change the days we can set off fireworks. I see no reason to change it.

Sent from my Sprint Samsung Galaxy S10.

**From:** [Sara Johnson](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks and other Feedback  
**Date:** Sunday, May 31, 2020 7:11:51 PM

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Good Evening,

I am writing in support of the suggested changes to tighten up the schedule for allowable fireworks within the City of Lakewood.

P.S. Thank you for your efforts to improve Gravelly Lake Drive.

I would like to see speed bumps installed or as previously requested - reduced speed on Langlow Street prior to reopening Veterans.

Thank you for your consideration,  
Johnson Family  
North Street off of Gravelly Lake

**From:** [Marcia AndersonWilber](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Sunday, May 31, 2020 4:35:59 PM

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We would be in favor of Lakewood banning firework sales and any use of fireworks in our city.

Marcia AndersonWilber

**From:** [Nicole Campbell](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Sunday, May 31, 2020 6:16:19 PM

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I'm weighing in on the new fireworks restrictions. I am all for tighter restrictions to control fireworks in Lakewood. I wish we could outlaw them completely. Every year since I was a child, the neighborhood I reside in has lit off fireworks for weeks at all hours of the night. It's a terrible time to live here. We get little sleep and worry about fires when there is little rain. On the night of the 4th we soak our yard because it's like a war zone around us. Many people have little regard for their neighbors. One year a fireworks landed in my friend's car. A lit firework. Luckily we were near by and saw it. I dread the 4th of July because people do not care about others. We often try to leave town before the 4th because it is such a stressful time in Lakewood. If we leave we hire someone to spray our yard and around our house on the 4th. We pray every year that Lakewood will change their laws. It's a strong argument to relocate to Steilacoom because they have much better firework laws.

My input is to please, please, please tighten the fireworks laws. Lakewood could become a nice City if we could quit tolerating so much selfish and wild behavior. My mother and dust both live nearby and have always felt the same way. Thank you for your consideration. Let's make Lakewood a great place to live.

Nicole Houston  
9003 Wildwood Ave SW  
Lakewood, Wa 98498

Sent from my iPhone

**From:** [+12532289965@tmomail.net](mailto:+12532289965@tmomail.net)  
**To:** [Briana Schumacher](#)  
**Date:** Monday, June 1, 2020 2:20:03 PM  
**Attachments:** [text\\_1591046113991.txt](#)

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I want to have my voice heard about the fireworks issue. My name is Lauri Homestead, and my address is 9543 Dekoven Dr SW. I Do NOT approve of any additional fireworks restrictions in Lakewood. There are already restrictions in place. Also, I want to know if Lakewood is ever going to fix Mt. Tacoma Drive from Motor Ave to the bridge?

.....

**T-Mobile**

This message was sent to you by a T-Mobile wireless phone.



**From:** [Jason Trout](#)  
**To:** [Briana Schumacher](#)  
**Subject:** The Council should postpone decision  
**Date:** Monday, June 1, 2020 4:31:29 PM  
**Attachments:** [image001.png](#)

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I am the Regional Manager for TNT FIREWORKS in the State of Washington. TNT is the largest wholesaler of Washington legal fireworks in the state of Washington. I am not writing to discourage the council from taking any action, I am writing to postpone the decision. The nonprofit groups that sell fireworks as fundraisers are barely even able to organize to meet. The nonprofits in your community cannot meet publicly to organize a response. With the pandemic we are currently experiencing, and the fact that the effect of the decision will not take place until 2021 at the earliest, not allowing a public hearing at the very least is unfair and not providing the public due process to publicly speak about something seems incredibly subversive. Seems like there are many more important things to be discussing rather than something that impacts one day a year and will not have any impact on this year at all. Thank you for your time.

*Jason Trout*

**Regional Manager**

American Promotional Events Inc  
dba TNT FIREWORKS  
O:503-653-9655  
O:253-922-0800  
C:503-545-7948



**From:** [Ken Witkoe](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Monday, June 1, 2020 5:41:51 PM

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---

Dear City Council,

After reading the current recommendations for "further restrictions" on fireworks in Lakewood, I have a couple of questions.

As you are all aware, the PSAC recommended "no change" to the current fireworks city code - for various reasons that you have already articulated in the announcement.

I would like to know how the city came to the "new" recommendation of "further restrictions"?

I would also like to know if the city has considered how the further restrictions will be enforced.

Next, our PSAC members also recommended the city look into some sort of public education on the use and restrictions of fireworks. Is that part of the city's plans?

For the record, I support a total ban, but because of the aforementioned issues, we (I) felt that a ban would be futile and only create more problems than it would be worth.

Thank you,  
Ken Witkoe

**From:** [Kevin Campbell](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks hearing  
**Date:** Monday, June 1, 2020 8:50:53 AM

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To who it may concern,

The proposed changes further limiting Fireworks use in the City of Lakewood are a step in the right direction, however a very small one. We hear illegal fireworks being used throughout the year near Alameda Ave and Washington. There seems to be little or no enforcement of the current regulations in the city, how will this restriction substantially change the constant nuisance and danger of illegal fireworks without active enforcement?

I recommend a ban on all private use fireworks and active civil enforcement similar to code enforcement activities. If a resident makes a complaint it should be investigated and the accused persons or property owner should have to take affirmative actions to ensure the city of no further violations or face fines or forfeitures.

Thank you,

Kevin Campbell  
Lakewood, WA

Sent from my iPhone

**From:** [Mary Brasseaux](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Monday, June 1, 2020 2:59:21 AM

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Briana,

I appreciate the opportunity to comment on the proposed changes to the law regarding the use of personal fireworks in the City of Lakewood.

I moved to Lakewood in October 2013 and was surprised to find out in July 2014 that the personal use of fireworks is allowed for days. It had been years since I lived somewhere where people were allowed to use fireworks for such a long period of time.

I enjoy watching fireworks; however, I don't believe that people should be allowed to use them for 12 hours a day for 3 days. My preference would be that the personal use of fireworks be banned as is the law in several area communities - for example Lacey, Steilacoom, Tacoma, Firwood, and JBLM. If not banned then limited to the 4th of July ( University Place and Puyallup) If the use of personal fireworks are continued to be allowed, I also believe the hours should be reduced -- you can not see them during the day light hours. I think what many people are using during the daylight hours are "fireworks" that make loud noises only and do not have a beautiful display.

I realize that the input I provided above is not what is being considered. I assume that the rationale is that it more palatable to make small changes at a time rather than making bigger changes. I don't agree with that concept; however any reduction in days/hours would be better than what is currently allowed. Although, I firmly believe that fireworks should only be presented by the City/County/Joint Base.

When John Adams said that he hoped the anniversary of our independence would be marked for years to come by guns/bonfires/illuminations he was 1) referring to the 4th of July only --not the 3rd or the 5th or any other days and 2) times/communities have significantly changed since he made that comment. If people started using guns to celebrate in 2020, chaos would occur, as well as injuries and deaths.

I have read some of the comments made about the current proposal and therefore realize that my comments may not be new; however I am going to include them.

1) I do not believe that limiting the use or banning the use of personal fireworks affect our freedom. Many of member of my family served in the military during WWII --they were fighting for our freedom - to keep us from being ruled by fanatics from Germany and Japan --not for our right to use fireworks. My husband was in in the Air Force and served two terms of duty in Viet Nam - not so people can use fireworks.

Freedom requires us to make the best choices for the good of the whole, not the individual. ( Years ago I had a sports car --I would have enjoyed driving it at 100 MPH; however I did not have the freedom to do so,as it may have been dangerous to others and to self if I had done so. That is why we have laws --to protect others and ourself.)

2] The noise from the fireworks/noise makers is harmful to dogs and to some people. My dog is frightened by the noise which requires medical care. Yes, if the City/County/Joint Base provides a firework display there is noise; however I know what day and time and can provide the needed care/attention my dog needs. I can NOT keep him medicated for 12+ hours for several days in a row. I have Stage IV cancer; one of the symptoms I experience at times is excruciating headaches; I can, again , take the necessary action to minimize the pain when I know the day and time of the fireworks display; however not non-stop for days at a time. ( I know there are thousands of people in our community who have dogs who react as my dog does and that there are also hundreds. perhaps thousands of people who have health problems that are affected by the noise.) There are thousands of people in our community who work various shifts and need their sleep; which is difficult to get if their is on-going noise for hours for several days.

3) There is a risk of injury and/or death when fireworks are used by people who are not trained in the proper use. Not only does this affect the individual and his/her family/friends; it affects the community as a whole, as resources are used that often times are limited and/or the person doesn't have the funds to pay for the resources used. I spent 30+ years in health care. In those communities where the personal use of fireworks were allowed, we had to add additional staffing in our emergency departments to care for the injuries of those who made stupid mistakes. And often these same individual didn't have the resources to pay for the care they received.

4} There is a risk of fires -often times to property of others; not the property of the individual using the fireworks.

5) Fireworks are harmful to nature and the environment. Yes, this is true of the firework displays offered by the City, etc. However again, in those instances, it is controlled and for a limited time. Are the "containers/packaging" that fireworks come in recyclable? Do the people who "shoot" the fireworks go in the neighborhood and pick up the trash they have caused to exist? Based upon what I have found in my driveway and on my property in the past, my response is, "no."

6) I have read comments on social media that there shouldn't be any changes to the current law as it is not being enforced so why make it stricter if the new law won't be enforced. I don't agree with that reasoning. However, I do believe that whether the law stays the same or is amended that it needs to be enforced. I also understand that with COVID19, that unbudgeted expenses has occurred and that adding additional staffing to enforce this type of law may not be a priority. However, it needs to be enforced. Perhaps, it is enforced in two or three neighborhoods this year --as the word spreads that it is enforced, some people may decide not to shoot fireworks or may do so within the requirements of the law.

Thank you for making it easy/convenient to provide comments.

Mary T. Brasseaux

**From:** [P. Rusnak](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks Ordinance  
**Date:** Monday, June 1, 2020 12:46:39 PM

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June 1, 2020

Dear Council Members:

I am a resident of Lakewood and wanted to take a moment to share my thoughts on changes to the current ordinance regarding the use of fireworks to celebrate Independence Day and New Year's Eve. Fireworks present a multiple of issues when used by private citizens including but not limited to the following:

**The risk of brush fires:** We are fortunate to live in a community with many heavily treed neighborhoods and parks. Tree debris and dry grass provides kindle for any stray firework.

**Pollution:** (water and air) There have been an increase in dumped yard debris, fuel and soil into our local lakes. At the simplest level, do we want to add firework litter to the list? At times the smell of smoke is so strong that I need to keep my windows to my home closed. Scientific data regarding the damage to our water, air quality and health is well documented.

**Family pets and wildlife:** Large flashes of light, smoke and very loud noises are not natural sounds for any animal. The sounds and smells signal danger. Many domestic animals (especially dogs) have been known to break through windows and doors to escape from the sound. Running loose they are at risk of being hit by a car or becoming so disoriented they can not find their way back home.

Do we need multiple days of fireworks in July? New Years? I think not and I believe the majority of residents in Lakewood would support a full ban on fireworks. Fireworks in

residential and business areas have become a danger and a nuisance. Changes to our ordinances need to be made that will be easier on our environment, wildlife and family pets.

Respectfully,

Patty Rusnak



**From:** [Rikki McGee](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Lakewood Fireworks Policy  
**Date:** Monday, June 1, 2020 8:33:02 AM

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I encourage city Council to amend the current policy of allowing fireworks between 11 a.m. and 11 p.m. on July 3, 4 and 5 and New Year's Eve to only the 4th of July and New Year's Eve. I would prefer they were banned completely but this does not appear to be a consideration. My reasons are the following.

1. Fireworks are sources of pollution, see [Festive Fireworks Create Harmful Pall of Pollution](#) and [Are Fireworks Harming your Health?](#) As local air quality diminishes, particularly given the increase of summer fires which impact many citizens, adding to air pollution for a celebratory activity is misplaced.
2. Fireworks can trigger stress and PTSD. Given our proximity to JBLM and the many active and retired military who live in Lakewood, it is appropriate to limit the use of fireworks. [See coping with PTSD during Fireworks Season.](#)
3. Fireworks, when used irresponsibly, can cause injury to individuals and property. See [US Consumer Information Fireworks](#). 9,000 people were treated for firework injuries in 2019. From [the National Fire Protection Association](#), *"Fireworks start an average of 18,500 fires per year, including 1,300 structure fires, 300 vehicle fires, and 16,900 outside and other fires. These fires caused an average of three deaths, 40 civilian injuries, and an average of \$43 million in direct property damage."*

Thank you for sharing my concerns.

--

Rikki (Patricia) McGee

*Live as if you would die tomorrow, learn as if you would live forever. (Gandhi)*

[drpmcgee@gmail.com](mailto:drpmcgee@gmail.com)

512.289.4464

**From:** [Jason Trout](#)  
**To:** [Briana Schumacher](#)  
**Subject:** The Council should postpone decision  
**Date:** Monday, June 1, 2020 4:31:29 PM  
**Attachments:** [image001.png](#)

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I am the Regional Manager for TNT FIREWORKS in the State of Washington. TNT is the largest wholesaler of Washington legal fireworks in the state of Washington. I am not writing to discourage the council from taking any action, I am writing to postpone the decision. The nonprofit groups that sell fireworks as fundraisers are barely even able to organize to meet. The nonprofits in your community cannot meet publicly to organize a response. With the pandemic we are currently experiencing, and the fact that the effect of the decision will not take place until 2021 at the earliest, not allowing a public hearing at the very least is unfair and not providing the public due process to publicly speak about something seems incredibly subversive. Seems like there are many more important things to be discussing rather than something that impacts one day a year and will not have any impact on this year at all. Thank you for your time.

*Jason Trout*

**Regional Manager**

American Promotional Events Inc  
dba TNT FIREWORKS  
O:503-653-9655  
O:253-922-0800  
C:503-545-7948



From: [Ken Witkoe](#)  
To: [Briana Schumacher](#)  
Subject: Fireworks  
Date: Monday, June 1, 2020 5:41:51 PM

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Dear City Council,

After reading the current recommendations for "further restrictions" on fireworks in Lakewood, I have a couple of questions.

As you are all aware, the PSAC recommended "no change" to the current fireworks city code - for various reasons that you have already articulated in the announcement.

I would like to know how the city came to the "new" recommendation of "further restrictions"?

I would also like to know if the city has considered how the further restrictions will be enforced.

Next, our PSAC members also recommended the city look into some sort of public education on the use and restrictions of fireworks. Is that part of the city's plans?

For the record, I support a total ban, but because of the aforementioned issues, we (I) felt that a ban would be futile and only create more problems than it would be worth.

Thank you,  
Ken Witkoe

**From:** [Kevin Campbell](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks hearing  
**Date:** Monday, June 1, 2020 8:50:53 AM

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To who it may concern,

The proposed changes further limiting Fireworks use in the City of Lakewood are a step in the right direction, however a very small one. We hear illegal fireworks being used throughout the year near Alameda Ave and Washington. There seems to be little or no enforcement of the current regulations in the city, how will this restriction substantially change the constant nuisance and danger of illegal fireworks without active enforcement?

I recommend a ban on all private use fireworks and active civil enforcement similar to code enforcement activities. If a resident makes a complaint it should be investigated and the accused persons or property owner should have to take affirmative actions to ensure the city of no further violations or face fines or forfeitures.

Thank you,

Kevin Campbell  
Lakewood, WA

Sent from my iPhone

**From:** [Mary Brasseaux](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Monday, June 1, 2020 2:59:21 AM

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Briana,

I appreciate the opportunity to comment on the proposed changes to the law regarding the use of personal fireworks in the City of Lakewood.

I moved to Lakewood in October 2013 and was surprised to find out in July 2014 that the personal use of fireworks is allowed for days. It had been years since I lived somewhere where people were allowed to use fireworks for such a long period of time.

I enjoy watching fireworks; however, I don't believe that people should be allowed to use them for 12 hours a day for 3 days. My preference would be that the personal use of fireworks be banned as is the law in several area communities - for example Lacey, Steilacoom, Tacoma, Firwood, and JBLM. If not banned then limited to the 4th of July ( University Place and Puyallup) If the use of personal fireworks are continued to be allowed, I also believe the hours should be reduced -- you can not see them during the day light hours. I think what many people are using during the daylight hours are "fireworks" that make loud noises only and do not have a beautiful display.

I realize that the input I provided above is not what is being considered. I assume that the rationale is that it more palatable to make small changes at a time rather than making bigger changes. I don't agree with that concept; however any reduction in days/hours would be better than what is currently allowed. Although, I firmly believe that fireworks should only be presented by the City/County/Joint Base.

When John Adams said that he hoped the anniversary of our independence would be marked for years to come by guns/bonfires/illuminations he was 1) referring to the 4th of July only --not the 3rd or the 5th or any other days and 2) times/communities have significantly changed since he made that comment. If people started using guns to celebrate in 2020, chaos would occur, as well as injuries and deaths.

I have read some of the comments made about the current proposal and therefore realize that my comments may not be new; however I am going to include them.

1) I do not believe that limiting the use or banning the use of personal fireworks affect our freedom. Many of member of my family served in the military during WWII --they were fighting for our freedom - to keep us from being ruled by fanatics from Germany and Japan --not for our right to use fireworks. My husband was in in the Air Force and served two terms of duty in Viet Nam - not so people can use fireworks.

Freedom requires us to make the best choices for the good of the whole, not the individual. ( Years ago I had a sports car --I would have enjoyed driving it at 100 MPH; however I did not have the freedom to do so,as it may have been dangerous to others and to self if I had done so. That is why we have laws --to protect others and ourself.)

2] The noise from the fireworks/noise makers is harmful to dogs and to some people. My dog is frightened by the noise which requires medical care. Yes, if the City/County/Joint Base provides a firework display there is noise; however I know what day and time and can provide the needed care/attention my dog needs. I can NOT keep him medicated for 12+ hours for several days in a row. I have Stage IV cancer; one of the symptoms I experience at times is excruciating headaches; I can, again , take the necessary action to minimize the pain when I know the day and time of the fireworks display; however not non-stop for days at a time. ( I know there are thousands of people in our community who have dogs who react as my dog does and that there are also hundreds. perhaps thousands of people who have health problems that are affected by the noise.) There are thousands of people in our community who work various shifts and need their sleep; which is difficult to get if their is on-going noise for hours for several days.

3) There is a risk of injury and/or death when fireworks are used by people who are not trained in the proper use. Not only does this affect the individual and his/her family/friends; it affects the community as a whole, as resources are used that often times are limited and/or the person doesn't have the funds to pay for the resources used. I spent 30+ years in health care. In those communities where the personal use of fireworks were allowed, we had to add additional staffing in our emergency departments to care for the injuries of those who made stupid mistakes. And often these same individual didn't have the resources to pay for the care they received.

4} There is a risk of fires -often times to property of others; not the property of the individual using the fireworks.

5) Fireworks are harmful to nature and the environment. Yes, this is true of the firework displays offered by the City, etc. However again, in those instances, it is controlled and for a limited time. Are the "containers/packaging" that fireworks come in recyclable? Do the people who "shoot" the fireworks go in the neighborhood and pick up the trash they have caused to exist? Based upon what I have found in my driveway and on my property in the past, my response is, "no."

6) I have read comments on social media that there shouldn't be any changes to the current law as it is not being enforced so why make it stricter if the new law won't be enforced. I don't agree with that reasoning. However, I do believe that whether the law stays the same or is amended that it needs to be enforced. I also understand that with COVID19, that unbudgeted expenses has occurred and that adding additional staffing to enforce this type of law may not be a priority. However, it needs to be enforced. Perhaps, it is enforced in two or three neighborhoods this year --as the word spreads that it is enforced, some people may decide not to shoot fireworks or may do so within the requirements of the law.

Thank you for making it easy/convenient to provide comments.

Mary T. Brasseaux

**From:** [P. Rusnak](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks Ordinance  
**Date:** Monday, June 1, 2020 12:46:39 PM

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June 1, 2020

Dear Council Members:

I am a resident of Lakewood and wanted to take a moment to share my thoughts on changes to the current ordinance regarding the use of fireworks to celebrate Independence Day and New Year's Eve. Fireworks present a multiple of issues when used by private citizens including but not limited to the following:

**The risk of brush fires:** We are fortunate to live in a community with many heavily treed neighborhoods and parks. Tree debris and dry grass provides kindle for any stray firework.

**Pollution:** (water and air) There have been an increase in dumped yard debris, fuel and soil into our local lakes. At the simplest level, do we want to add firework litter to the list? At times the smell of smoke is so strong that I need to keep my windows to my home closed. Scientific data regarding the damage to our water, air quality and health is well documented.

**Family pets and wildlife:** Large flashes of light, smoke and very loud noises are not natural sounds for any animal. The sounds and smells signal danger. Many domestic animals (especially dogs) have been known to break through windows and doors to escape from the sound. Running loose they are at risk of being hit by a car or becoming so disoriented they can not find their way back home.

Do we need multiple days of fireworks in July? New Years? I think not and I believe the majority of residents in Lakewood would support a full ban on fireworks. Fireworks in



residential and business areas have become a danger and a nuisance. Changes to our ordinances need to be made that will be easier on our environment, wildlife and family pets.

Respectfully,

Patty Rusnak

**From:** [Rikki McGee](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Lakewood Fireworks Policy  
**Date:** Monday, June 1, 2020 8:33:02 AM

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I encourage city Council to amend the current policy of allowing fireworks between 11 a.m. and 11 p.m. on July 3, 4 and 5 and New Year's Eve to only the 4th of July and New Year's Eve. I would prefer they were banned completely but this does not appear to be a consideration. My reasons are the following.

1. Fireworks are sources of pollution, see [Festive Fireworks Create Harmful Pall of Pollution](#) and [Are Fireworks Harming your Health?](#) As local air quality diminishes, particularly given the increase of summer fires which impact many citizens, adding to air pollution for a celebratory activity is misplaced.
2. Fireworks can trigger stress and PTSD. Given our proximity to JBLM and the many active and retired military who live in Lakewood, it is appropriate to limit the use of fireworks. [See coping with PTSD during Fireworks Season.](#)
3. Fireworks, when used irresponsibly, can cause injury to individuals and property. See [US Consumer Information Fireworks](#). 9,000 people were treated for firework injuries in 2019. From [the National Fire Protection Association](#), *"Fireworks start an average of 18,500 fires per year, including 1,300 structure fires, 300 vehicle fires, and 16,900 outside and other fires. These fires caused an average of three deaths, 40 civilian injuries, and an average of \$43 million in direct property damage."*

Thank you for sharing my concerns.

--

Rikki (Patricia) McGee

*Live as if you would die tomorrow, learn as if you would live forever. (Gandhi)*

[drpmcgee@gmail.com](mailto:drpmcgee@gmail.com)

512.289.4464

**From:** [Heidi Wachter](#)  
**To:** [Barb Fant](#)  
**Cc:** [Briana Schumacher](#)  
**Subject:** RE: Fireworks in Lakewood, WA/June 3, 2020  
**Date:** Wednesday, June 3, 2020 4:57:17 PM

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Ms. Fant,

Thank you for taking the time to write to the City again. I do not know about your previous correspondence, but this is now included, by way of copy to the City Clerk, with other input received by the City on this issue. The public hearing has been continued in order to hold it in person and provide as much opportunity for input as possible. Everything collected to date and going forward will be provided to the City Council.

Heidi Wachter

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**From:** Barb Fant [mailto:barann54@comcast.net]  
**Sent:** Wednesday, June 3, 2020 2:52 PM  
**To:** Heidi Wachter <HWachter@cityoflakewood.us>  
**Subject:** Fireworks in Lakewood, WA/June 3, 2020

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**I just noticed in Suburban Times about a meeting on June 1<sup>st</sup> on Fireworks in Lakewood.**

**I still wanted to contact someone, appropriate, about this. I have sent two letters, one a year about fireworks in Lakewood AND NEVER HAD A RESPONSE from either letter.**

**The information furnished in the Suburban Times is about the meeting June 1<sup>st</sup> and about the dates and hours for fireworks to be allowed.**

**I wrote about NOT HAVING them at all. I know it's been fun for "most" families for years but there have been fires, damages, emergencies, Steilacoom and Tacoma doesn't have them so OF COURSE THE PEOPLE COME TO OUR AREA TO SHOOT THEM. I spent being up till midnight as all around me the rockets are landing in my yard...don't want a fire started let alone the noise which scares the dogs terribly, some getting lost.**

Everyone can watch them on the TV from other cities.  
Don't know if you will read all of this.  
Don't know if anyone making decisions will see this.  
Wish the request would be considered  
Thank you.

Barbara Fant

[Barann54@comcast.net](mailto:Barann54@comcast.net)

**From:** [Heidi Wachter](#)  
**To:** [Briana Schumacher](#)  
**Subject:** FW: Fireworks in Lakewood, WA/June 3, 2020  
**Date:** Friday, June 5, 2020 2:04:37 PM  
**Attachments:** [image001.png](#)

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More for the file.

Thanks!

Heidi

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**From:** Barb Fant [mailto:barann54@comcast.net]  
**Sent:** Wednesday, June 3, 2020 7:53 PM  
**To:** Heidi Wachter <HWachter@cityoflakewood.us>  
**Subject:** RE: Fireworks in Lakewood, WA/June 3, 2020

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**Thanks so much for writing Heidi. Appreciate any consideration given to my request. I know people like fireworks.....I'm 83 and had fun all the years living here since 1968 but feel it is so "chancy" having them for the reasons I mentioned.**

**Even if you allow them, maybe ONLY on the 4<sup>th</sup>.**

**Thanks again for writing and good luck on the decision.**

---

**From:** [Heidi Wachter](#)  
**Sent:** Wednesday, June 3, 2020 4:57 PM  
**To:** [Barb Fant](#)  
**Cc:** [Briana Schumacher](#)  
**Subject:** RE: Fireworks in Lakewood, WA/June 3, 2020

Ms. Fant,

Thank you for taking the time to write to the City again. I do not know about your previous correspondence, but this is now included, by way of copy to the City Clerk, with other input received by the City on this issue. The public hearing has been continued in order to hold it in person and provide as much opportunity for input as possible. Everything collected to date and going forward

will be provided to the City Council.

Heidi Wachter

---

**From:** Barb Fant [<mailto:barann54@comcast.net>]  
**Sent:** Wednesday, June 3, 2020 2:52 PM  
**To:** Heidi Wachter <[HWachter@cityoflakewood.us](mailto:HWachter@cityoflakewood.us)>  
**Subject:** Fireworks in Lakewood, WA/June 3, 2020

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**I just noticed in Suburban Times about a meeting on June 1<sup>st</sup> on Fireworks in Lakewood.**

**I still wanted to contact someone, appropriate, about this. I have sent two letters, one a year about fireworks in Lakewood AND NEVER HAD A RESPONSE from either letter.**

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**I wrote about NOT HAVING them at all. I know it's been fun for "most" families for years but there have been fires, damages, emergencies, Steilacoom and Tacoma doesn't have them so OF COURSE THE PEOPLE COME TO OUR AREA TO SHOOT THEM. I spent being up till midnight as all around me the rockets are landing in my yard...don't want a fire started let alone the noise which scares the dogs terribly, some getting lost.**

**Everyone can watch them on the TV from other cities.  
Don't know if you will read all of this.  
Don't know if anyone making decisions will see this.  
Wish the request would be considered  
Thank you.**

**Barbara Fant**  
**[Barann54@comcast.net](mailto:Barann54@comcast.net)**

**From:** [Andrea Bess](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Sunday, June 14, 2020 4:18:50 AM

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I would really appreciate limiting fireworks to 1/1 and 7/4. I would also like consideration for types of fireworks allowed in the city limits. Ive lived here and paid taxes for more than twenty years. My neighbors are using larger and louder “fireworks” than ever. It’s disruptive and causes severe anxiety and stress for many. We are right near the VA hospital where many go for PTSD treatment and yet our community is not considerate related to veterans traumatic experiences Of war. It’s fun for some but brings back life threatening flashbacks for others. Is it necessary to set off “Fireworks” that shake my foundation and rattle my home? I think it has gotten excessive.

Additionally, the trash left over from this revelry is also frustrating. It’s left in the streets after they finish. People don’t clean up when they’re done. I have to water my yard all evening to make sure whatever flies into my yard doesn’t set fire. However, if it lands in my new \$20,000 roof, my home is up in smoke!

So many reasons to ban fireworks.

Homeowner/taxpayer,

Andrea Bess  
Sent from my iPhone

**From:** [Ellen Gallinatti](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Sunday, June 14, 2020 7:21:34 AM

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Hello Ms. Schumacher,

Thank you for taking input regarding fireworks from residents. Lakewood is unlike any place I have ever lived. Fireworks are lit randomly throughout the year and for approximately 2 weeks around the July 4 holiday. I am as patriotic as anyone but the fireworks today seem bigger and significantly louder than they ones purchased by the public in the past. The 2 weeks over July 4 are traumatic for our animals when random bombs go off without warning. My animals have to be sedated for days on end. I would like to leave town over this period but I wonder if my property could start on fire so I stay and endure.

Please consider limiting fireworks or even better eliminating them altogether.

Respectfully,  
Ellen Gallinatti  
Steilacoom Lake



**From:** [David Wood](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Re: Fireworks Changes  
**Date:** Thursday, June 18, 2020 3:14:46 PM

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Thanks Briana. Here's a revised version:

As a resident of Lakewood, I'm writing to oppose the suggested changes in fireworks regulations.

I'm generally in favor of safety-based regulations. I usually have no problem with such rules -- I am not in any way an anti-regulation person. However, I think fireworks need special consideration because of their cultural significance to so many people.

The US (and Washington State) is already one of the most restrictive places in the western world when it comes to use of fireworks. Many countries and states have little to no restrictions on fireworks in terms of both type or date. This is a freedom many others enjoy, but which is heavily restricted in the "land of the free".

I am a US citizen, originating in the UK. In the UK, little to no restrictions on fireworks exist at all, and education campaigns in schools are used effectively to reduce harm from fireworks. In my culture, we celebrate with fireworks on November 5th (Guy Fawkes Night). This cultural practice is one I already am barred from participating in here, which is very upsetting to me. It's always hard to adapt to a new country, but to lose access to British traditions makes it even harder to feel at home. In my view, ex-pats should be able to pass these traditions down to their children.

The compromise that we've reached in our family is to celebrate Guy Fawkes Night on July 3rd. We can then celebrate July 4th like everyone else. However, if fireworks are further restricted, there will be literally no days that aren't already claimed by other celebrations.

Additionally, since my wife is a healthcare worker, she often has to work on July 4th. That means that around 50% of years she will have **zero** days to be able to even celebrate July 4th with fireworks. Such a rule would be especially unfair to many essential workers that we rely on. In light of all the hard work they're doing to fight COVID-19, I think they should be able to relax and enjoy celebrating Independence Day as well.

Please do not adopt this change.

Thanks for reading,

David

**From:** [John Terrasi III](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Firworks  
**Date:** Saturday, June 20, 2020 9:27:15 PM

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Every night ... Boom... Pop... All night. It keeps us up. We love fireworks but Lakewood sounds like a war zone for about two months a year. It's extremely annoying. Changing the law will do nothing, people just constantly shoot them off. NON STOP EVERY SINGLE NIGHT. so sick of reading neighbors on next door squabble about this. Fireworks are illegal yet you'd think they were LEGAL by the sounds of it. People shoot them off without restraint or worry of getting in trouble.

<https://thesubtimes.com/2020/05/23/lakewood-city-council-reviews-fireworks-regulations/>

**From:** [Cheryl Liotta](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks Restriction  
**Date:** Wednesday, June 24, 2020 6:43:56 AM

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I am for restricting fireworks to July 4 and New Years only in Lakewood. I hope people will abide by this if this is what is decided.

**From:** [Jan West](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Saturday, June 27, 2020 1:33:56 PM

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I support the change to limit fireworks to just the 4th of July. I have two pets that are extremely noisy sensitive which impacts our entire family. Thank you for considering making this change!

Janet West  
11821 Nyanza Rd. SW  
Sent from Jan West's iPad

**From:** [Janet Deakle](#)  
**To:** [Briana Schumacher](#)  
**Subject:** fireworks  
**Date:** Monday, June 29, 2020 1:17:03 PM

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The last few evenings there has been people shooting off fireworks, and they sound like some big stuff. Every year I endure these things, my two cats are a mess and hard to console, and I always wonder if my house is going to catch on fire. Several years ago, a neighbor's house caught on fire and burned down from fireworks. That year the trees were very dry and we were all out in our yards with hoses wetting down dry vegetation. There is a widespread noncompliance with what type of fireworks is legal, and when they can be used. Every year someone around Steilacoom lake fires them off, one week before the 4th. I live on Lenox Ave SW off of Hipkins road. Several people south of me also shoot off large loud fireworks. Lakewood is growing in population, and really it is not safe to have everyone "enjoying" fireworks. Every year dogs are scared and get loose. I don't care how much money that the city takes in from the firework stands, safety should outweigh money. I will not waste the time of the police, that is not what their job is. Talking to these people is definitely out of the question. The one solution for me is behavior modification, if you can't comply with the rules then you don't get to play with them.

*Janet Deakle*

**From:** [joleneluvschris](#)  
**To:** [Info](#)  
**Subject:** Ban fireworks  
**Date:** Sunday, June 28, 2020 6:23:36 PM

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To Who ever can help,

Is there a way they can ban fireworks here in the city of Lakewood?

Reason: Here we are a week before the 4th and for the past 2 weeks fireworks have been going off and they will continue to go for an additional week after. Fireworks ends around 3-4am in the morning.

Scares the crap out of my pups and when I have my nieces over it upsets them to where they can't sleep.

Thank you for reading

Jolene Fisher-Mueller

Sent from Samsung tablet.

Briana Schumacher  
City Clerk City of Lakewood  
6000 Main Street SW  
Lakewood, WA 98499

Sent via email to [bschumacher@cityoflakewood.us](mailto:bschumacher@cityoflakewood.us)

Ms. Schumacher and Lakewood City Council Members:

As a resident of the City of Lakewood for 55 years, I write in strong support of your proposed amendments to Chapter 8.68 of the Lakewood Municipal Code, Fireworks. In fact, I urge you to go further and ban the sale and discharge of fireworks during the 4th of July.

For my family, the constant barrage of noise is so bad that we are forced to take time off work and travel to a location in Eastern Washington that bans fireworks. The blasts have already started this year around the 25<sup>th</sup> of June and continue late into the night; and more often than not, the next day is a workday (as we are public service employees), forcing us to take time off because we are not able to sleep (sometimes until 300 am). We already have firework debris on our roof that we just had replaced last year (at a cost of \$20,000).

Although we would like to report the usage of fireworks before the required times and the use of illegal fireworks, we know that Lakewood Police have more pressing matters to handle. Since we are public service employees as well, we fear neighbors will retaliate if we do mention something to them or call the police.

Some people are concerned that the non-profits who sale fireworks won't be getting money for their cause. I rarely see people at the "safe" fireworks stands. Most of the fireworks that are being deployed are the 'illegal' fireworks that are sold on reservations.

In closing, I would hope that you would affirm the proposed changes to the City Code that would restrict when fireworks can be discharged within the city limits to July 4th and New Year's Eve to take effect in 2021. As I mentioned earlier, I would like fireworks to be banned during all times in the City of Lakewood. These proposed changes are a good start. However, I will continue to hope fireworks will be completely banned. The danger to life and property, the distress of our veterans afflicted with PTSD, the stress inflicted on animals, fires, and the trash that litters the streets and yards (which I end up picking up) are just some of my major concerns.

Thank you for your time and the opportunity to comment.

Ruth Ann Allen

**From:** [susan m. fine](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks restriction  
**Date:** Friday, July 3, 2020 3:05:52 PM

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I would like to add my voice emphatically to those who support restricting fireworks to the Fourth of July and New Year's Eve. In addition to the threat to persons and property, fireworks are a form of torture for people who are sensitive to loud noises. Veterans suffering from PTSD are adversely affected by the ordinance -type noise . Many pets are terrified by the horrendous racket. People with respiratory problems can't go outside for days due to the saturation of the atmosphere with gunpowder. The litter is everywhere.

It is difficult to pin down the address of the offenders to give to the police. Even if the restriction passes, there will still be numerous and consistent violators. But it will be on the books, and every little bit helps.

Thank you for your attention

Susan M. James



**From:** [mary elaine lyle jackman](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Future Fireworks Regulations  
**Date:** Saturday, July 4, 2020 12:16:18 PM

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I strongly agree with changing the current Fireworks Regulations to only allow them to be used on the 4<sup>th</sup> of July and New Years Eve (December 31<sup>st</sup>).

Our family always does a small fireworks display in our driveway on the 4<sup>th</sup>; using only those that will be safe (small fountains with less noise) with a hose running and at the ready, and a metal garbage can to put the used ones in.

I would really hate to not be able to continue this tradition because of the foolish ones. We also normally stop by 11pm at the latest.

I hope narrowing the window of opportunity will also limit the amount of problems allowing fireworks causes.

I think you will have problems enforcing them– but at least this does allow for punitive action for the days outside of the window.

I suppose you could also limit sales of fireworks to the day they are allowed, but that might cause an upswing of buying un-regulated fireworks.

M. Elaine Lyle  
10416 Hill Terrace SW  
Lakewood WA 98498  
253-582-2405

**From:** [Janet](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Limiting Fireworks  
**Date:** Saturday, July 4, 2020 9:47:38 PM

---

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- helpdesk@cityoflakewood.us ext. 4357

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I would like to express my approval of limiting fireworks as proposed for discussion at the council meeting on July 20.

Our neighbors have had the police called almost annually as they won't stop at night until they are told to by law enforcement. One year they started a neighbors shrubbery on fire that is up against her garage.

We have had our family here and a special needs grandson is terrified when the illegal fireworks are set off, they sound like bombs. We should not have to stay inside our own homes on beautiful days and evenings.

The people shooting these noisemakers don't think of persons with PTSD or the animals that are unable to be consoled.

Please stop these unnecessary fireworks when there are public shows available.

Thank you for considering this proposal and please vote to limit fireworks in neighborhoods in the most strict way that you can.

Janet Groefsema  
Sent from my iPhone

**From:** [jill ROGERS](#)  
**To:** [Info](#)  
**Subject:** FIREWORKS  
**Date:** Saturday, July 4, 2020 9:39:36 AM

---

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When are you going to get real about the fireworks?

I live in a senior community, and last night they were still going off at 12 am, and now they are starting up again at 9:30 am. Just bang after bang.

Tacoma has banned fireworks for years. What is it going to take for Lakewood to get on the ball and ban them too.??

I dread July 4th. because of the noise. No use going to bed, because you can't sleep. I have a/c therefore my windows are shut, but it is still deafening.

I know you are having a meeting about this. Please forward this to the appropriate person.

I live on 112th st. Used to be called SHAG, but now named Lakewood Meadows.

The police do absolutely nothing about this situation.

The people in this area start a week before, with the fireworks, and keep going after July 4th.

Can't wait for July 4th to be over with.

Jill Rogers  
253-588-9904

**From:** [keith.a.rollins](#)  
**To:** [Info](#)  
**Subject:** 4th of July  
**Date:** Saturday, July 4, 2020 8:35:02 PM

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To whom it may concern,

One simple question.

When is enough enough?

Since many cannot abide by the laws within our community when it comes to fireworks, maybe the time has come to stop the madness, why must the residents and animals be terrorized every year. The time has come to follow what some of our neighbor cities have done and ban fireworks by the average homeowner and leave this to the professionals.

While this will fall on deaf ears, only one day can there finally be a person to stop the insanity.

A hopeful Lakewood resident

Mr. Keith Rollins

Sent from Samsung tablet.

**From:** [Regina Collins](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks  
**Date:** Saturday, July 4, 2020 10:39:36 PM

---

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I would propose banning all fireworks. They are extremely stressful for people with ptsd and pets. Can smell the smoke which doesn't help people with breathing problems. Unable to sleep as it is way too loud-sounds like we are in a war zone. Stop the selling of fireworks by imposing a large fine if caught buying or selling.

Thank you

**From:** [Heidi Wachter](#)  
**To:** [Bill and Allison Roberts](#)  
**Cc:** [Briana Schumacher](#)  
**Subject:** RE: Fireworks  
**Date:** Tuesday, July 7, 2020 9:58:08 AM

---

Hello Mr. Roberts,

Fireworks are currently under consideration by the City Council. The catch is that state law requires a year delay before any adopted ban can take effect, assuming a ban were adopted. The Council asked to consider this in June, which allowed a year before July 2021. However, the Council is committed to holding public hearings due to the volume of input they receive on this topic each year. Due to COVID, the public hearings were not possible in June. Now that it's looking like it may be a while before public hearings are a possibility, Council has begun taking telephone input during public comment and may hold the public hearing that way. In any event, if a ban is adopted it will not take effect until after July 2021.

The Council remains interested in all public input on this issue. As recently as last night at the Council meeting Council members directed that all input be made part of the record regarding fireworks. Your email will be included and considered. I have copied the City Clerk to include your email.

Thank you for speaking up.

Heidi

---

**From:** Bill and Allison Roberts [mailto:ROBERTS98498@msn.com]  
**Sent:** Monday, July 6, 2020 11:38 PM  
**To:** Heidi Wachter <HWachter@cityoflakewood.us>  
**Subject:** Fireworks

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- [helpdesk@cityoflakewood.us](mailto:helpdesk@cityoflakewood.us) ext. 4357

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Dear Ms. Wachter,

After enduring yet another two and a half weeks of the annual 4th of July fireworks celebration, (mostly illegal fireworks), exploding around my home, terrorizing my dog, presenting fire hazards to my property and driving my wife and myself to considering selling our house and leaving this city, I've decided to see what the process is to getting fireworks legally banned in Lakewood. We have lived here for 15 years putting up with what was a nuisance 15 years ago and is now a major problem. It has gotten worse every year. Who should better know what that process is to make the sale, possession and use of all fireworks

in this city, but you. I'm sure you are very busy, but when you can spare the time, will you please let me know what I have to do to get a total fireworks law banning fireworks in place in this city.

Thank you in advance for your expeditious reply,

Bill Roberts  
10020 Woodlawn Pl. SW  
Lakewood, WA 98498  
(253)N691-6862

**From:** [n.bd](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Restricted use of legal fireworks  
**Date:** Monday, July 6, 2020 7:45:15 PM

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Dear Ms. Schumacher, I would like to provide my support for a proposed change to restrict the use of legal fireworks. The current proposal is to limit their use to July 4th, 11am to 11pm. A timing restriction should also apply to December 31/January 1. I am not opposed to fireworks per se, but I am opposed to the noise and stress that is caused by their use.

I live near Steilacoom Lake. It is very popular for the lakeside residents to use fireworks on these holidays in addition to other residents in the area.

Pets and a neighbor that has post-traumatic stress disorder (PTSD) suffer with the loud noise created by the legal (and possibly illegal) fireworks. Fireworks started several days before July 4th. On July 4th, they occurred non-stop for several hours and I was still hearing fireworks at 2 am on July 5.

I understand the desire to see fireworks on these holidays, but the stress they cause needs to be mitigated. One way is to reduce the stress and anxiety caused is to limit the duration of the fireworks. Another is to further limit the type of fireworks that can be used within the city limits.

The City also needs to address the enforcement of illegal firework discharges. If residents are currently not abiding by the City regulations that limit fireworks to July 3rd through 5th, the effectiveness of more restrictive legislation is unclear.

Thank you for consideration of my comments.

Sincerely, Nancy Brennan-Dubbs



**From:** [Heidi Wachter](#)  
**To:** [Bill and Allison Roberts](#)  
**Cc:** [Briana Schumacher](#)  
**Subject:** RE: Fireworks  
**Date:** Tuesday, July 7, 2020 3:57:11 PM

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Mr. Roberts,

Fireworks are legal in the state, so in order to ban them, the City would have to take the affirmative legislative step of adopting a ban. The City has passed local law around fireworks in the past, but not an outright ban. I do not know what led to those particular votes at the time; it has been a few years.

We are currently set for a public hearing (no promises as to what that means – it will afford live testimony if conditions allow) on September 8 and the Council specifically wants all input, in whatever form, provided to them before they take action.

Thank you for your patience with the process.

Heidi

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**From:** Bill and Allison Roberts [mailto:roberts98498@msn.com]  
**Sent:** Tuesday, July 7, 2020 3:48 PM  
**To:** Heidi Wachter <HWachter@cityoflakewood.us>  
**Subject:** Re: Fireworks

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- [helpdesk@cityoflakewood.us](mailto:helpdesk@cityoflakewood.us) ext. 4357

Hello Ms. Wachter,

Thank you for your expeditious reply to my "Fireworks" letter. I did have an error in the 4th sentence as it should have read ... all fireworks in this city ***illegal***, but you. Do you happen to know how fireworks became legal in this city in the first place? That would be an interesting fact to have.

Thanks again for your time and educated response.

Bill Roberts

---

**From:** Heidi Wachter <[HWachter@cityoflakewood.us](mailto:HWachter@cityoflakewood.us)>  
**Sent:** Tuesday, July 7, 2020 9:58 AM  
**To:** Bill and Allison Roberts <[ROBERTS98498@msn.com](mailto:ROBERTS98498@msn.com)>

**Cc:** Briana Schumacher <[BSchumacher@cityoflakewood.us](mailto:BSchumacher@cityoflakewood.us)>

**Subject:** RE: Fireworks

Hello Mr. Roberts,

Fireworks are currently under consideration by the City Council. The catch is that state law requires a year delay before any adopted ban can take effect, assuming a ban were adopted. The Council asked to consider this in June, which allowed a year before July 2021. However, the Council is committed to holding public hearings due to the volume of input they receive on this topic each year. Due to COVID, the public hearings were not possible in June. Now that it's looking like it may be a while before public hearings are a possibility, Council has begun taking telephone input during public comment and may hold the public hearing that way. In any event, if a ban is adopted it will not take effect until after July 2021.

The Council remains interested in all public input on this issue. As recently as last night at the Council meeting Council members directed that all input be made part of the record regarding fireworks. Your email will be included and considered. I have copied the City Clerk to include your email.

Thank you for speaking up.

Heidi

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**From:** Bill and Allison Roberts [<mailto:ROBERTS98498@msn.com>]

**Sent:** Monday, July 6, 2020 11:38 PM

**To:** Heidi Wachter <[HWachter@cityoflakewood.us](mailto:HWachter@cityoflakewood.us)>

**Subject:** Fireworks

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- [helpdesk@cityoflakewood.us](mailto:helpdesk@cityoflakewood.us) ext. 4357

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Dear Ms. Wachter,

After enduring yet another two and a half weeks of the annual 4th of July fireworks celebration, (mostly illegal fireworks), exploding around my home, terrorizing my dog, presenting fire hazards to my property and driving my wife and myself to considering selling our house and leaving this city, I've decided to see what the process is to getting fireworks legally banned in Lakewood. We have lived here for 15 years putting up with what was a nuisance 15 years ago and is now a major problem. It has gotten worse every year. Who should better know what that process is to make the sale, possession and use of all fireworks in this city, but you. I'm sure you are very busy, but when you can spare the time, will you please let me know what I have to do to get a total fireworks law banning fireworks in place in

this city.

Thank you in advance for your expeditious reply,

Bill Roberts  
10020 Woodlawn Pl. SW  
Lakewood, WA 98498  
(253)N691-6862

From: [Kathy Rades](#)  
To: [Briana Schumacher](#)  
Date: Tuesday, July 7, 2020 2:05:35 PM

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*- helpdesk@cityoflakewood.us ext. 4357*

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Dear Lakewood City Council,

Since I'm unable to attend the July 20th council meeting, I'm writing about my concern of the excessive use of fireworks in our city. I strongly recommend restricting the use of legal fireworks to only one day, the 4th of July from 11am to 11pm.

My reasons center around respect:  
for the many war veterans living here with PTSD;  
for the senior citizens with health issues;  
for pets and wildlife abundant here;  
for our galant police and firefighters who wrestle with lawlessness and disregard for property in the use of illegal explosives;  
for one another as neighbors trying to enjoy the 4th without altercation.

This excessive use of illegal explosives has driven Lakewood residents and taxpayers to vacate their homes during this time, leaving their homes targets for vandalism and theft.

I have personally experienced all of the above concerns. When my family move to Lakewood 45 years ago, we looked forward to the many safe fireworks displays at Villa Plaza, American Lake Veterans Home, and at the many beautiful lakes in Lakewood, WA. Sadly, it is no longer a pleasant experience.

I want to thank the Council for revisiting this issue. And again I wish to submit my name in support to restrict to the one day only use of legal explosive devices.

I also understand any good rule is only as good as its enforcement. This may require additional police training in the identification of illegal explosives and their use by uncooperative individuals. We need to support these efforts.

Please submit my letter in support of change.

Sincerely,  
Katharine Rades  
12709 Lake City Blvd SW  
Lakewood, WA. 98498

Phone: 253 -588 -9073

**From:** [Kristy Skramstad](#)  
**To:** [Briana Schumacher](#)  
**Subject:** Fireworks Regulations  
**Date:** Wednesday, July 8, 2020 7:42:14 PM

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*- helpdesk@cityoflakewood.us ext. 4357*

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Good evening Briana,

As I sit in my Lakewood home on July, 8, 2020, fireworks continue to go off in my neighborhood. They started again this year at the end of June and continue on several days past July 4<sup>th</sup>. Many of my mornings start with a 6am blast and continue here and there until late at night. Not only does the noise, pollution (air quality on the 4<sup>th</sup> and debris in my yard, on my house, and on my cars), and potential fire concerns put me on edge, it makes my dogs so terrified they shake until their teeth chatter and will only go in the backyard if I stand there with them.

While I know a complete ban is unlikely feasible at this time, please further restrict the use of fireworks to only July 4<sup>th</sup> and New Years Eve. I believe this is a good start to bettering the community by keeping us more physically and mentally safer. Please also consider additional enforcement measures to reduce the number of fireworks discharged outside of the permitted days and times.

Thank you for taking the time to read my concern.

Kristy Skramstad

Sent from [Mail](#) for Windows 10

**From:** [Marcia AndersonWilber](#)  
**To:** [Info](#)  
**Subject:** Fireworks  
**Date:** Wednesday, July 8, 2020 5:02:06 PM

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Please eliminate all fireworks in the city. Surrounding communities, Tacoma, etc have either ban all fireworks or reduced the number of legal day use to one day. (That in and of itself, means we are subjected to a week of noise and harassment to our pets].

This year was particularly excessive. I also, don't see the need to blast in the New Year,

Stipulate that all legal fireworks should be made in the USA. That would reduce the disruption also. Thank you

Marcia Anderson-Wilber

**From:** [Evelyn](#)  
**To:** [Briana Schumacher](#)  
**Subject:** July 3, 4 and 5th fireworks.  
**Date:** Thursday, July 9, 2020 4:59:27 PM

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- helpdesk@cityoflakewood.us ext. 4357

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This was the longest, loudest, and most aggressive year we have endured neighborhood fireworks in the almost 40 years we have lived in Lakewood.  
We understand families wanting to celebrate Independence Day with fireworks. Our sons and family certainly did in years past. However, this year was really extreme. Our hope is the City of Lakewood will make changes to our city ordinances to limit the number of days and time Neighborhood fireworks are allowed going forward.  
Our veterans suffering with PTSD, our pets and community will be very grateful!

Evelyn Bieber  
Sent from my iPhone

JUL 8 20

CITY OF  
LAKEWOOD

Dear Britana

I am respectfully requesting that my testimony be added to the record, shared with council members and be read in public during the 20 July public hearing. It is to my understanding that the public hearing will be virtual. I have no computer and I'm not on-line. Still I have very strong feelings concerning this issue and want to have my say.

I thank you for your time

With Sincere Respects

Paul L. Stickle

Phone # 253 582-7429



# Testimony

I am Paul C. Strickley. I am a resident of North Lakewood. I live on the border between Lakewood and the City of Tacoma. I can stand in front of my garage door, look through the chain link fence that designates the border, and literally see South Tacoma. I am in support of the regulation that restricts the use of legal fireworks to only 4th of July and December 31st. Several of my neighbors have told me that they would rather have fireworks banned altogether. I don't blame them. But the new regulation is a step in the right direction. The problem is that you have some people in Lakewood with no sense of responsibility, care only about themselves, and think they can do whatever they please whenever they please.

The new regulation is too long in coming. Last year in a city north of Seattle, two people burned to death in their own home because of fireworks. Is that what needs to happen here in Lakewood in order to get people's attention? There's nothing like being on the 5th o'clock news for all the wrong reasons.

I thank you for your time.

# REQUEST FOR COUNCIL ACTION

**DATE ACTION IS REQUESTED:**

July 20, 2020

**TITLE:** Adopting an Ordinance authorizing condemnation of real property for roadway purposes.

**TYPE OF ACTION:**

  x   ORDINANCE NO. 741

**REVIEW:**

       RESOLUTION NO.

**ATTACHMENTS:**

       MOTION NO.

Ordinance

       OTHER

Legal Description

**SUBMITTED BY:** Heidi Ann Wachter, City Attorney

**RECOMMENDATION:** It is recommended that the City Council adopt an Ordinance providing for the condemnation of the following subject properties identified as: 10005 Lakewood Drive SW, Lakewood, WA 98499, Pierce County Tax Parcel No. 5400200141; 5309 100th Street SW, Lakewood, WA 98499, Pierce County Tax Parcel No. 0219021036; 5401 100th Street SW, Lakewood, WA 98499, Pierce County Tax Parcel No. 0219021066.

**DISCUSSION:** The City is preparing to construct road improvements from Bridgeport Way to and including the Lakewood Drive intersection along 100<sup>th</sup> Street SW. These improvements include closing the gaps on both sides of the street where sidewalks are missing as well as replacing the old span wire traffic signal with a modern mast arm signal. Due to old, irregular property boundaries, the City is looking to acquire easements from a total of 6 properties to enable us to build the sidewalks. Two property easements have been acquired but four remain.

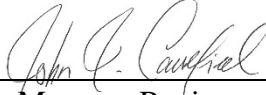
Minimal easements are needed but with the COVID-19 nationwide impacts to businesses and Washington State shutdown of businesses since March, contact with the property owners became difficult. For many owners, these properties are but one of many owned across the nation. After numerous attempts to re-engage with the owners, the City decided to proceed with the condemnation process so the project could be built. None of the necessary easements will affect the businesses ability to operate and will provide significant frontage improvements to an area that has historically been challenging for pedestrians to navigate. Already one owner re-engaged with us and plans on executing the easement agreement shortly but as it is not executed, will remain in the requested condemnation action.

**ALTERNATIVE(S):** The City could proceed with trying to re-engage property owners which will continue to delay the project and potentially stop the project. The City cannot separate the signal from the sidewalks in order to move forward as both components need easements to proceed.

**FISCAL IMPACT:** The City is offering fair market value for all easements. Approximately \$57,000 from the City's General Fund, which pays for acquisition and professional services.

Heidi Ann Wachter

Prepared by

  
City Manager Review

Department Director

ORDINANCE NO. 741

AN ORDINANCE of the City Council of the City of Lakewood, Washington, authorizing the acquisition of real property under threat of condemnation or by condemnation for roadway purposes; authorizing payment thereof from the City's General Fund or from such other monies that the City may have available or attain for the acquisition; providing for severability; and establishing an effective date.

WHEREAS, the City of Lakewood is a non-charter optional municipal code city as provided in title 35A RCW, incorporated under the laws of the State of Washington, and authorized to acquire title to real property for public purposes pursuant to RCW Chapter 8.12; and

WHEREAS, in the interest of providing the public adequate roadways within the City, the City of Lakewood identified a roadway project ("Project") in compliance with goals announced in the City's Comprehensive Plan; and

WHEREAS, the Project involves the development of a roadway to serve the public; and

WHEREAS, the City determined that it must acquire certain property and/or property rights for the Project; and

WHEREAS, for this Project, the City determined that the acquisition of certain rights and interests from the real properties located at 10005 Lakewood Drive SW, Lakewood, WA 98499, Pierce County Tax Parcel No. 5400200141; 5309 100<sup>th</sup> Street SW, Lakewood, WA 98499, Pierce County Tax Parcel No. 0219021036; 5401 100<sup>th</sup> Street SW, Lakewood, WA 98499, Pierce County Tax Parcel No. 0219021066, and legally described in Exhibit A, attached hereto and incorporated by reference ("Parcels"), is necessary to accomplish and construct the Project, and those rights and interests are hereinafter referred to as the "Real Property Take"; and

WHEREAS, the City appraised the fair market value of the Real Property Take; and

WHEREAS, the City negotiated in good faith with the owners of the Parcels for the voluntary acquisition of the Real Property Take; and

WHEREAS, the City was unable to reach a negotiated voluntary resolution with said owners, and

WHEREAS, while this Ordinance authorizes condemnation, the City Council does hereby express its intent that negotiations continue in regard to the Real Property Take; and

WHEREAS, the City complied with the notice requirements set forth in RCW 8.25.290 by providing notice to the owners of the Parcels of the planned final action adopting this Ordinance,

and through publication once per week for two weeks, prior to the passage of a Motion authorizing condemnation and subsequent enactment of this Ordinance; and

WHEREAS, payment of just compensation and costs of litigation should be made from the City's general fund or from such other monies that the City may have available or attain for the acquisition;

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

Section 1. Incorporation of Recitals. The recitals set forth above are hereby adopted and incorporated herein as if set forth in full.

Section 2. Public Use and Necessity Declared. The City Council of the City of Lakewood finds and declares that: i) the Project for roadway purposes is a public use; ii) the acquisition of the rights and interests in the Real Property Take legally described and depicted in Exhibit A is necessary for the construction of the Project; and iii) the acquisition of the Real Property Take and the construction of the Project are in the best interests of the citizens residing within the City of Lakewood.

Section 3. Acquisition. The City Council of the City of Lakewood authorizes the acquisition, condemnation and taking of the Real Property Take as legally described and depicted on Exhibit A. The City Council authorizes the acquisition of the Real Property Take under threat of condemnation or by initiation of legal action for condemnation to acquire the Real Property Take as necessary for the commencement and completion of the Project, subject to the making or paying of just compensation to the owner thereof in the manner provided by law.

Section 4. Reservation of Rights. Nothing in this ordinance limits the City in its identification and acquisition of property and property rights necessary for this public purpose. The City reserves the right to acquire additional or different properties as needed for the Project.

Section 5. Authority of City Manager. The City Manager, by and through his designees, is authorized and directed to continue negotiations for the acquisition of property and property rights and prosecute actions and proceedings in the manner provided by law to condemn, take, damage and appropriate the Real Property Take necessary to carry out the provisions of this ordinance. In conducting said negotiations and condemnation proceedings, the Lakewood City Attorney, by and through her designees, is hereby authorized to enter into stipulations for the Real Property Take. Settlement of any actions by the City Manager shall be made only upon the recommendation of legal counsel.

Section 6. Compensation. The compensation to be paid to the owners of the Real Property Take acquired through this condemnation action shall be paid from the City's General Fund or from such other monies that the City may have available or attain for the acquisition.

Section 7. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of this Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 8. Effective Date. This Ordinance shall be in full force and effect five days after its passage, approval, and publication as provided by law. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.

ADOPTED by the City Council this 20th day of July, 2020.

CITY OF LAKEWOOD

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

Attest:

\_\_\_\_\_  
Briana Schumacher, City Clerk

Approved as to Form:

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



**PERMANENT EASEMENT**

**MESK Tax Parcel No. 5400200141**

**EXHIBIT A**

THAT PORTION OF THE FOLLOWING PARCEL, LYING WITHIN THE SOUTHEAST QUARTER, OF THE NORTHEAST QUARTER, OF SECTION 2, TOWNSHIP 19 NORTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, PIERCE COUNTY, WASHINGTON:

PARCEL

LOT 1, PIERCE COUNTY SHORT PLAT NO. 75-370, RECORDED OCTOBER 14, 1975, RECORDS OF PIERCE COUNTY AUDITOR;

SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON.

THAT PORTION OF AFORESAID PARCEL LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:  
COMMENCING AT A FOUND 3-INCH BRASS SURFACE DISK WITH "X" STAMPED "LS 42685" AT THE SOUTHERLY END OF A CURVE IN LAKEWOOD DRIVE SW (AKA 54<sup>TH</sup> AVE SW), AS NOTED AND SHOWN ON A RECORD OF SURVEY, RECORDED IN PIERCE COUNTY, WASHINGTON, AUDITOR'S FILE NUMBER 200002165004;

THENCE ALONG THE MONUMENTED LINE OF SAID LAKEWOOD DRIVE, SOUTH 00°21'22" WEST, 131.38 FEET MORE OR LESS TO THE INTERSECTION WITH THE MONUMENTED LINE OF 100<sup>TH</sup> STREET SW;

THENCE ALONG SAID MONUMENTED LINE OF 100<sup>TH</sup> STREET SW, SOUTH 88°58'26" EAST, 161.79 FEET;

THENCE LEAVING SAID MONUMENTED LINE, SOUTH 01°01'34" WEST, 60.00 FEET TO THE SOUTH RIGHT-OF-WAY MARGIN OF SAID 100<sup>TH</sup> STREET SW;

THENCE LEAVING SAID MARGIN, SOUTH 02°17'45" WEST, 2.00 FEET TO THE POINT OF BEGINNING OF SAID DESCRIBED LINE;

THENCE ALONG A LINE BEING 2.00 FEET SOUTH AND PARALLEL WITH SAID MARGIN, NORTH 88°58'26" WEST, 96.83 FEET;

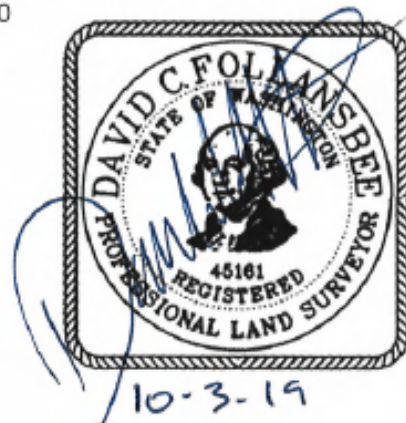
THENCE LEAVING SAID PARALLEL LINE, SOUTH 02°09'35" WEST, 4.08 FEET;

THENCE NORTH 87°50'23" WEST, 19.82 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT THE RADIUS OF WHICH BEARS SOUTH 40°27'39" EAST, 26.50 FEET;

THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 44°52'22", AN ARC LENGTH OF 20.75 FEET (CHORD BEARING SOUTH 27°06'10" WEST, 20.23 FEET);

THENCE SOUTH 04°39'59" WEST, 4.58 FEET TO THE POINT OF TERMINUS OF SAID DESCRIBED LINE.

CONTAINING 449 SQUARE FEET, OR 0.01 ACRES MORE OR LESS.



**TEMPORARY EASEMENT**

**MESK Tax Parcel No. 5400200141**

**EXHIBIT A**

The Easterly 35 feet of the Northerly 8 feet of Lot 1, per Pierce County Short Plat No. 75-370, recorded October 14, 1975, records of Pierce County Auditor (Assessor's Parcel Number 5400200141)

Said described area being 280.0 square feet, more or less.

**TEMPORARY EASEMENT**

**KAMIN Tax Parcel No. 0219021066**

**EXHIBIT A**

The Southerly 20 feet of Parcel Number 0219021066, As formed under Lot Combination 2013-10-28-026, adjacent to and abutting the Northerly Right of Way line of 100<sup>th</sup> St SW (Lake Steilacoom Avenue).

Said described area being 4151.9 square feet, more or less.



**PERMANENT EASEMENT**

**BRISTOL Tax Parcel No. 0219021036**

**EXHIBIT A**

THAT PORTION OF THE FOLLOWING PARCEL:

PARCEL

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF GOVERNMENT LOT 1, SECTION 2, TOWNSHIP 19 NORTH, RANGE 2 EAST, W.M., (THE SAME BEING THE NORTH LINE OF STEILACOOM AVENUE) (100TH STREET SW), AS THE SAME IS ESTABLISHED OF RECORD, WITH THE EASTERLY LINE OF BRIDGEPORT WAY; THENCE ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT NORTH 89°51'57" EAST 190 FEET TO A CERTAIN BOUNDARY LINE AS ESTABLISHED BY A BOUNDARY LINE AGREEMENT AS RECORDED UNDER RECORDING NO. 2156769; THENCE ALONG SAID BOUNDARY LINE NORTH 00°08'03" WEST 20.00 FEET; THENCE PARALLEL WITH SAID SOUTH LINE OF GOVERNMENT LOT 1 NORTH 89°51'57" EAST 194.16 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 37°55'21" EAST 63.49 FEET; THENCE NORTH 01°7'18" WEST 100.00 FEET; THENCE NORTH 89°51'57" EAST 120.59 FEET TO INTERSECT WITH A CURVE ON THE WEST SIDE OF 54TH STREET S.W.; THENCE ALONG SAID CURVE SOUTHERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 751.20 FEET AND A DELTA ANGLE OF 02°59'03" (AND WHOSE RADIUS POINT IS 751.20 FEET SOUTH 87°45'30" EAST OF LAST SAID INTERSECTION) FOR A DISTANCE OF 39.125 FEET TO A P.C. OF A CURVE; THENCE CONTINUING ALONG THE WEST LINE OF SAID 54TH STREET SOUTH 00°44'33" EAST 60.33 FEET TO A P.C. OF A CURVE; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET AND A DELTA ANGLE OF 90°36'30" FOR A DISTANCE OF 79.07 FEET TO THE P.T. POINT OF LAST SAID CURVE WHICH IS 20.00 FEET NORTH OF THE SOUTH LINE OF SAID GOVERNMENT LOT; THENCE PARALLEL WITH SAID SOUTH LINE SOUTH 89°51'57" WEST 108.05 FEET TO THE TRUE POINT OF BEGINNING; SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON.

THAT PORTION OF AFORESAID PARCEL LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT A FOUND 3-INCH BRASS SURFACE DISK WITH "X" STAMPED "LS 42685" AT THE SOUTHERLY END OF A CURVE IN LAKEWOOD DRIVE SW (AKA 54<sup>TH</sup> AVE SW), AS NOTED AND SHOWN ON A RECORD OF SURVEY, RECORDED IN PIERCE COUNTY, WASHINGTON, AUDITOR'S FILE NUMBER 200002165004; THENCE ALONG THE MONUMENTED LINE OF SAID LAKEWOOD DRIVE, SOUTH 00°21'22" WEST, 131.38 FEET MORE OR LESS TO THE INTERSECTION WITH THE MONUMENTED LINE OF 100<sup>TH</sup> STREET SW; THENCE ALONG SAID MONUMENTED LINE OF 100<sup>TH</sup> STREET SW, NORTH 88°58'26" WEST, 193.87 FEET;

## PERMANENT EASEMENT

THENCE LEAVING SAID MONUMENTED LINE, NORTH 01°01'34" EAST, 20.00 FEET TO THE NORTH RIGHT-OF-WAY MARGIN OF SAID 100<sup>TH</sup> STREET SW ; THENCE ALONG SAID NORTH RIGHT-OF-WAY MARGIN, NORTH 39°04'58" EAST, 7.94 FEET TO THE POINT OF BEGINNING OF SAID DESCRIBED LINE;  
THENCE LEAVING SAID MARGIN, SOUTH 87°32'11" EAST, 41.90 FEET;  
THENCE NORTH 02°27'49" EAST, 4.00 FEET; THENCE SOUTH 87°26'22" EAST, 15.00 FEET; THENCE SOUTH 02°27'49" WEST, 4.00 FEET; THENCE SOUTH 87°15'31" EAST, 63.11 FEET MORE OR LESS TO THE EASTERLY LINE OF AFORESAID PARCEL AND POINT OF TERMINUS OF SAID DESCRIBED LINE.

CONTAINING 617 SQUARE FEET, OR 0.01 ACRES MORE OR LESS.

