



LAKEWOOD CITY COUNCIL AGENDA

Monday, July 18, 2022

7:00 P.M.

City of Lakewood

6000 Main Street SW

Lakewood, WA 98499

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 visiting <https://us02web.zoom.us/j/86872632373> or calling by telephone: Dial +1(253) 215- 8782 and enter participant ID: 868 7263 2373.

Virtual Comments: If you would like to provide virtual Public Comments or Testimony on Public Hearings 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), to use the "Raise Hand" feature press *9 on your phone, to be called upon by the Mayor during the Public Comments or Public Hearings portion of the agenda. Your name or the last three digits of your phone number will be called out when it is your turn to speak. When using your phone to call in you may need to press *6 to unmute yourself. 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 or Public Hearings portion 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.

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.

Page No.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PROCLAMATIONS AND PRESENTATIONS

- (4) 1. American Rescue Plan Act (ARPA) Sub recipient Presentations.
– *Clover Park School District, Low Income Housing Institute, and Tacoma Probono*

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.

PUBLIC COMMENTS**C O N S E N T A G E N D A**

- (65) A. Approval of the minutes of the City Council study session of June 27, 2022.
- (69) B. Approval of the minutes of the City Council meeting of July 5, 2022.
- (74) C. Motion No. 2022-53
- Authorizing the execution of an agreement with Transpo Group for the Lakewood Active Transportation Plan Update.
- (89) D. Motion No. 2022-54
- Authorizing award of a construction contract to Miles Resources, LLC, in the amount of \$753,232.37, for the construction of the Pacific Hwy/South Tacoma Way Overlay project.
- (93) E. Resolution No. 2022-10
- Setting a public hearing on August 15, 2022 to consider the proposed vacation of the terminal westerly thirty-six (36) feet of 88th Ave Ct SW west of the intersection with Wadsworth Street SW.
- (102) F. Items filed in the Office of the City Clerk:
1. Planning Commission meeting minutes of June 15, 2022.

R E G U L A R A G E N D A**PUBLIC HEARINGS AND APPEALS**

- (104) This is the date set for a public hearing on the 2022 Comprehensive Plan Amendments.

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.

RESOLUTION

- (162) Resolution No. 2022-08 – *continued from July 5, 2022*

Authorizing the issuance of Conditional Certificate of Acceptance of Tax Exemption within a Residential Target Area to Ameriglaze Restoration, LLC.

- (184) Resolution No. 2022-09 – *continued from July 5, 2022*

Authorizing the Inclusionary Housing Incentive Design Covenant for Permit Number 1622 Meadow Park 55 Design Review.

UNFINISHED BUSINESS**NEW BUSINESS****REPORTS BY THE CITY MANAGER**

- (197) Pierce Transit Stream BRT System Expansion.

CITY COUNCIL COMMENTS**ADJOURNMENT**

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.



]TO: City Council
FROM: Tiffany Speir, Long Range & Strategic Planning Manager
THROUGH: John Caulfield, City Manager *Tho Kraus* Tho Kraus, Acting City Manager
DATE: July 18, 2022
SUBJECT: American Rescue Plan Act (ARPA) Subrecipient Status Updates

BACKGROUND

Several City Council study sessions have been held where current ARPA funding Subrecipients provided an update about how funds they were awarded by Lakewood have been used to date and the benefits realized for Lakewood residents and/or businesses, including:

- December 6, '21 = Communities in Schools Lakewood (2021 Warriors of Change program) and
- June 21, '22 = Pierce County (BIPOC Business Accelerator)

On July 18, the City Council will hear from:

- Clover Park School District (Youth Mental Health Services),
- Low Income Housing Institute (Aspen Court), and
- Tacomaprobono (Eviction Prevention Services)

Future presentations will be provided later in 2022 by:

- YMCA,
- Boys & Girls Club,
- Rebuilding Together South Sound,
- Habitat for Humanity,
- Workforce Central Career Team,
- NW Youth Corps, and
- West Pierce Fire & Rescue

DISCUSSION

To date, the City Council has awarded ARPA funds to the 12 organizations as listed above. Per ARPA requirements, the City is monitoring financial performance and progress on projects for all organizations. Included below are the scopes of work and progress reports for Clover Park School District, Low Income Housing Institute, and Tacomaprobono for the Council's reference.

Clover Park School District: Youth Mental Health

Attachment C: Scope of Work

Subrecipient/Contractor: _Clover Park School District

Funds Awarded: \$68,000

Scope of Work (attach additional pages as needed):

The Clover Park School District [District] Youth Wellness Services program will provide critical link services between students, administration, mental health support, community-based providers and the City of Lakewood. Services provided will include, but may not be limited to:

- Mental health services and workshops for students and/or their families.
- Develop districtwide practices to enhance overall wellness of students.
- Survey students, teachers and administrators in regard to mental wellness.
- Create a universal wellness screening document to be used by students, parents and staff.
- Create and execute a student wellness campaign.

Location of service delivery: Clover Park School District

Time of service: Up to 25 hours per week

Duration of service: Calendar year 2022

Target groups: Clover Park School District Students

Annual Outputs (2022):

Unduplicated Lakewood residents to be served: Approximately 200-300 students

Total clients to be served annually: 200-300 students

Are these residents of a Qualified Census Tract?: yes

List of Service Output Measures & Units of Service

1. Clover Park High School
2. Lakes High School
3. Harrison Preparatory School
4. Open Doors Program
5. Wellness Survey
6. Student Wellness Campaign

YOUTH WELLNESS SERVICES

Clover Park School District is in need of someone to provide a critical link between students, school administration, district wide mental health support, and community-based providers. CPSD needs the quantity, quality, and effectiveness of wellness outlets offered to students enhanced throughout the district. CPSD also needs it's responsiveness to student voice regarding social/cultural issues in regards to wellness accelerated and handled in a culturally responsive and respectful manner.

• OBJECTIVES AND GOALS

- **OBJECTIVE 1:** Collect data related to the demographics of students impacted by barriers to wellness and identify specialized supports for those experiencing these barriers.
- **OBJECTIVE 2:** Develop student wellness centers and promotion through social media, monthly newsletters, and activities.
- **OBJECTIVE 3:** Facilitate mental wellness through individual therapy, group therapy, and student/family workshops.
- **OBJECTIVE 4:** Report monthly to administration about student mental wellness trends, grants, and other essential information.
- **OBJECTIVE 5:** Partner with administration, teachers, and other student support to develop practices that intentionally engage students and enhance overall wellness.

• ACTION PLAN

- 1: Survey students, teachers, and administrators in regard to mental wellness, analyze responses, and communicate results.
- 2: Create a universal wellness screening document for students, parents, and staff throughout the district
- 3: Create mental wellness campaign through social media, website, and school promotion
- 4: Provide mentoring and individual therapy for 10-15 students of color per week and one group per week
- 5: Track and report necessary records and data to school officials
- 6: Partner with community-based mental health providers to maximize student access to mental health supports
- 7: Support in the facilitation and resourcing of mental health workshops for students throughout the district
- 8: Create sustainable Wellness Centers at Lakes HS, Clover Park HS, and Harrison Prep

- Create a monthly report of trends related to student mental wellness, demographics impacted by barriers to wellness, and the number of students utilizing mental wellness services
- Create sustainable mental wellness centers at each high school to facilitate services for mental wellness
- Engage underserved student demographics in mental wellness programs through individual and group therapy
- Develop a student wellness campaign of messages, postcards, and activities
- Partner with administrators, teachers, and students to develop practices that will enhance overall wellness

- Task 1: December 2021 - January 2022
- Task 2: Completed by February 2022
- Task 3: Launch March 2022
- Task 4: Begin January 2022 - ongoing
- Task 5: Begin January 2022 - ongoing
- Task 6: Begin January 2022 - ongoing
- Task 7: Launch March 2022
- Task 8: Clover Park HS Winter 2022, Lakes HS Fall 2022, Harrison Prep Winter 2023

- \$50 per hour up to 25 hours per week

1st Quarter 2022 Report

Executive summary of current project status:

Currently, we're in the setup/stage of the project. Initial meetings were held with principals at each secondary school to assess needs, resources, and possible outcomes. Research was conducted on each school on the demographics, initial estimate of current resources on mental health and wellness. Meetings with school resource teams that consist of school counselors, mental health therapists, behavior interventionists, and other community-based organizations to get an initial survey of resources and current gaps. Weeks of meeting notes have been synthesized and are now in the strategic planning portion of the current project. Each secondary school will have three goals to achieve over the next six months that range from restorative justice, mental health triage, student leadership, therapeutic groups, teacher training, and website designs. The strategic plans will give timelines and tasks to help each school prioritize and achieve high priority goals.

- Include demographic reporting for relevant ECs noted in Appendix 1 of the Compliance and Reporting Guidance document
- Which disproportionately impacted community or communities does your project serve?
- How did you qualify beneficiaries for access to services?
- What services were provided to disproportionately impacted communities/QCTs?
 - o Services provided in Qualified Census Tracts
 - o Services provided to residents of Qualified Census Tracts
 - o Services provided in Disproportionately Impacted Communities
 - o Services provided to residents of Disproportionately Impacted Communities

The current plans and support are for students in the following demographics:

Clover Park High School- 48% Hispanic, 14% Black, 15% White, 10% Two or more races, 8% Pacific Islander

Lakes High School- 38% White, 21% Hispanic, 16% Two or more races, 14% Black, 6% Asian, 4% Native Hawaiian/Pacific Islander, 1% American Indian/Alaska Native

Harrison Prep- 33% White, 39% Hispanic, 12% Two or more races, 9% Black, 6% Asian, 1% Native Hawaiian/Pacific Islander, 0.1% American Indian/Alaska Native

Open Doors- 36% Hispanic, 26% White, 19% Black, 8% Pacific Islander, 7% Two or more races, 2% Asian, 2% American

Evidence-Based Reporting:

- Include evidence-based reporting for relevant ECs noted in Appendix 1 of the Compliance and Reporting Guidance document

- Conducted initial meetings with principals.
- Conducted internet research regarding each of the four secondary schools.
- Conducted research on school demographics and initial estimate of current resources on mental health and youth wellness. Participated in district collaboration meetings to understand culture of district and secondary schools.
- Conducted initial survey of resources and gaps in resources. Set up database and strategic planning outlines.
- Conducted individual meetings with principals.
- Synthesized meeting notes and created follow up plans for each school.
- Met with resource teams that consists of school therapists, mental health counselors, behavior interventionist, and other community-based resources.
- Collaborate with other outside mental health professionals.
- Introductions to key district staff.
- Stated strategic planning phase, goal setting and timeline for implementation.
- Compiled information on mental health triage, restorative justice, cloud based mental health modalities and group therapy modalities
- Initiated community resource mapping and development.

TASK LIST DESCRIPTION:

March 7-11: Initial meetings with principals. Conducted internet research regarding each of the four secondary schools.

March 14-18: Conducted research on school demographics and initial estimate of current resources on mental health and youth wellness. Participated in district collaboration meetings to understand culture of district and secondary schools. Did initial survey of resources and gaps in resources. Set up database and strategic planning outlines.

March 21-25: Conducted individual meetings with principals. Synthesized meeting notes and created follow up plans for each school. Met with resource teams that consists of school therapists, mental health counselors, behavior interventionist, and other community based resources, collaborate with outside mental health professionals

March 28-31: Continue conducting individual meetings with principals, Introductions to key district staff, begin strategic planning phase, goal setting and timeline, research mental health triage, restorative justice, internet based mental health modalities, begin community resource mapping, group therapy modalities

Low Income Housing Institute: Purchase of Comfort Inn to be used as Enhanced Shelter:

Exhibit B Scope of Work

1. This contract is between Lakewood and LIHI Hosmer Housing LLC, a Washington limited liability company, for the acquisition of the real property legally described as follows:

Legal Description: Lot 2, City of Tacoma Short Plat No. 75-251, according to the Short Plat thereof recorded in Volume 4 of Short Plats, page 13, in Pierce County, Washington.

Situate in the County of Pierce, State of Washington.

Parcel #0320315002
2. This contract is funded under the American Rescue Plan Act that established the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Funds, which together make up the Coronavirus State and Local Fiscal Recovery Funds ("SLFRF") program. This program is intended to provide support to State, territorial, local, and Tribal governments in responding to the economic and public health impacts of COVID-19 and in their efforts to contain impacts on their communities, residents, and businesses. The services provided under this contract will address homelessness by providing non-congregate emergency shelter and help improve access to stable, affordable housing amount unhoused individuals. This is a non-research and development contract. The City of Lakewood contact for this contract is Tiffany Speir at tspeir@cityoflakewood.us or 253-983-7702.
3. The period of performance for this contract begins on the date of execution and ends December 31, 2026.
4. Concurrent with funding agreements for this project approved by the Pierce County and the City of Tacoma, the intent of this Agreement is to provide funding for the acquisition of the Comfort Inn located at 8620 S Hosmer St, Tacoma, WA 98444 ("Property"). Subrecipient shall use the property as an emergency shelter through 2023, and on January 1, 2024 begin to convert the Property to permanent affordable housing for tenants whose income is at or below 50% of the Pierce County Area Median Income (AMI). The Property shall be operated and maintained as affordable housing for the following forty (40) years. The eligible costs and approved project budget under this agreement are stipulated in Exhibit C.
5. To accomplish this intent, the Subrecipient shall:
 - A. Acquire the existing Comfort Inn ("Property") and convert the property to an emergency shelter for homeless households meeting the federal definition of homeless through December 31, 2023 with a minimum of one hundred twenty (120) shelter beds, and after January 1, 2024 convert the Property to permanent supportive affordable rental housing for a population at, or below 50% of the County AMI. The Property shall be operated and maintained as such for the following forty (40) years with a minimum of eighty residential (80) units.
 - B. Enter into an agreement for a loan of at least five million dollars (\$5,000,000.00) from the Pierce County for the same purpose, and enter into an agreement for a loan of at least five million dollars (\$5,000,000) from the City of Tacoma for the same purpose.
 - C. Apply to the State of Washington for a Rapid Acquisition grant at the maximum amount

allowed by program guidelines. The proceeds of any grant award shall be used by the Subrecipient to reimburse the City, Pierce County and the City of Tacoma in proportion to their investments in accordance with the funding award letter dated August 3, 2021.

- D. Budget for and operate the Property and all on-site supporting services, including a maintenance and capital replacement budget that shall address both on-going facility maintenance needs as well as plans for capital upgrades/replacement of major building systems when they reach the end of their useful lives.
- E. Not sell, lease or otherwise transfer the Property or change its use without the prior written consent of The City Tacoma, Pierce County and the City of Lakewood (the "Public Sector Funders"). The Public Sector Funders shall each have a right of first refusal in any transfer, change of use, lease, or sale of the property rights to any other entity including, but not limited to, public, private or non-profit.
- F. In the event of an approved sale, the proceeds shall be applied as follows:
 - 1. First be used to repay Pierce County, City of Tacoma, and City of Lakewood (Public Sector Funders) for any remaining amount of their initial investment, with interest in proportion to their respective initial investments in the Property.
 - 2. Second, the Public Sector Funders shall be repaid for any additional funds invested in renovations, conversion, upgrades and/or other improvements in proportion to their respective investments in such improvements.
 - 3. Third, the public sector funders shall proportionately share in any increase in value as defined by the difference between what the price property as initially purchased for and the agreed upon price at the subsequent future sale in proportion to their respective total investments in the Property.
- G. Not collateralize the property or seek other loans or funding for the Property without the prior written consent of the Public Sector Funders.
- H. Comply with all noted regulations, requirements, and conditions of the Agreement.
- I. Provide information as required by the City to demonstrate household eligibility through the submission of a quarterly reports that are due no later than thirty days after the end of the quarter. The report will cover the entire agreement term and the format shall be as specified by the City and include client eligibility, income and demographic data.
- J. Execute the following loan documents at the time of closing:
 - 1. Loan Agreement.
 - 2. Promissory Note.
 - 3. Restrictive Affordability Covenant.
 - 4. Deed of Trust.


The loan documents secure the affordability requirements for a period of forty years following the completion of this contract.

- K. Record the executed Restrictive Covenant and Deed of Trust with the Pierce County Auditor's Office at closing. Funds from this contract shall not be released until all loan documents are signed and the Deed of Trust and Restrictive Covenant are held in escrow.
- L. Provide an extended title insurance policy insuring the City's loan in the amount of one million and 00/100 dollars (\$1,000,000.00).
- M. Provide information as required by the City to demonstrate project progress through the submission of a monthly progress report. The format of the monthly report shall be as specified by the City.
- N. Meet the milestones identified in Table 1; provided, however, the parties agree that these timelines are estimates only and that failure to meet such milestones shall not constitute an event of default hereunder or under any document in connection with the City's loan described herein.
- O. Provide the City with evidence all funding necessary to complete construction, and operate the project are secured. No funding will be released until such evidence is provided satisfactory to the City.
- P. Submit one initial interim report, and after the initial report submit quarterly project and expenditure reports in a format provided by the City and in compliance with the American Rescue Plan Act (ARPA), H.R.1319 - 117th Congress (2021-2022).
- Q. Pull all necessary permits as required by the City of Tacoma, The State and/or Pierce County.
- R. Comply with all Federal, State and Local laws and regulations concerning the use to public funds used for construction purposes including compliance with the American Rescue Plan Act (ARPA), H.R.1319 - 117th Congress (2021-2022).
- S. Provide Homeless Management Information System (HMIS) data by:
 - 1. Collecting client data in the HMIS database, in compliance with requirements of the most updated federal HUD HMIS Data Standards. HUD universal data elements and HUD program specific data elements must be collected and reported in HMIS.
 - 2. Entering all data for a particular month into HMIS database by the fifth (5th) business day of the following month. Additionally, provider will make every attempt to enter all data for a particular week by the end of that week.
- T. While the Property is operated as an emergency shelter, the Subrecipient shall reserve at least 12 beds daily for City of Lakewood clients until a reasonable time of day, at which point of the beds that are not claimed they may be released for use by non-Lakewood clients. The Subrecipient shall also provide all on-site supporting services to the Lakewood clients.
- U. The City is committed to achieving equity in service delivery, decision making, community engagement and in eliminating racial inequality. The City believes a diverse, inclusive society, that provides opportunities to all of its citizens, will ultimately make us

a stronger county. The Subrecipient will undertake efforts to support an integrated system of culturally appropriate services that are equitable, easy to access and navigate, and are available in locations where needs exist.

- V. Maintain records and financial documents in compliance with the American Rescue Plan Act (ARPA), H.R.1319 - 117th Congress (2021-2022), or for at least five years after December 31, 2026, whichever is longer.

Table 1 – Project Timeline



Close of Financing	October 2021
Construction Start	October 2021 or ASAP thereafter
Construction Complete	December 2021
Start Lease Up	December 2021
Full Occupancy (Shelter)	December 2021
Start Conversion to permanent housing	January 2024
Construction phase complete	June 2024
Lease up and occupancy	July 2024

- 6. To accomplish the intent of this project the City shall:
 - A. Provide administrative and financial oversight and direction in accordance with established laws and regulations.
 - B. Provide technical assistance to the Subrecipient, particularly regarding compliance with federal and local laws and regulations and in development of processes and procedures to assure attainment of project goals and objectives.
 - C. Pay, on a timely basis, all requests for payment which are eligible and appropriate for payment, and which are supported by sufficient documentation.
 - D. Conduct annual monitoring and performance assessments of all services provided under this Contract, in the manner and at reasonable times, with reasonable notice, as the City considers appropriate:
 - 1. Monitoring and assessment activities include, but are not limited to, review of service and financial reports, including all books, records, documents, and other data, facilities, activities, and on-site visits by City staff or their designee, state, or federal representatives.
 - 2. Unless the City elects to terminate this Contract for cause, when findings from monitoring efforts or audits show that there are apparent violations of the terms or conditions of this Contract, the Subrecipient and the City shall negotiate a mutually agreeable plan of action to address the identified problem. If the parties are unable to come to contract, the Subrecipient may file a complaint, as specified in this Contract.

Low Income Housing Institute

LOW INCOME
HOUSING
INSTITUTE



Affordable Housing

3,000 units of affordable housing throughout the Puget Sound Region.



Urban Rest Stops

2 Urban Rest Stops in Seattle providing free hygiene resources to people experiencing homelessness.



Tiny House Villages

16 tiny house villages in Seattle, Tacoma, and Olympia providing shelter and case management to individuals, couples, and families experiencing homelessness.

Sunset Meadows Apartments, Milton





Rainier View Apartments, Puyallup



Tiny House Village at 6th & Orchard



Lincoln District Senior Housing with Asia Pacific Cultural Center



5

Aspen Court Current Operations



Current Operations



Staff & Program



Referrals

The Heal Team (formerly known as the “hot team” -- Tacoma police officers and their outreach team)

Lakewood Police Department

Urban League

CCS

Tacoma Rescue Mission

Next Chapter

Recovery Café

Greater Lakes

Other agencies

- Agencies work with homeless clients to ensure proper legal identification.
- LIHI meets with potential guests to outline program details and expectations.
- Contact info for qualified clients is kept on a waiting list.
- When there is an opening at Aspen Court LIHI contacts people on the waiting list and moves them in quickly.

Guests

Current population:		100
Unduplicated clients served:		115
Current open units:		0
Referral Agency	Current	
Homeless Outreach Team	71	71%
Lakewood	13	13%
Urban league, CCS, CLR, and other agencies	16	16%
American Indian or Alaskan Native	2	2%
Black / African American	38	38%
White / Caucasian	46	46%
Asian	5	5%
Hispanic	9	9%
male	57	57%
female	43	43%
couples	12	12%

“Being here is like starting my life over. I feel so rejuvenated and rested. I am blessed to take a shower and not worry about a thing. My first day I slept and rested because I’ve been struggling to for days to find somewhere to rest my head. My phone is charged and I’m ready for anything. My name is Terrance Oliver and I give this place two thumbs up.”

Guests

This Place Has given me hope and peace of mind. It has given me access to better resources to help me put homelessness behind me and get my own place. – K.P.A.

"The people are really nice. They are helping me with my marriage, helping me with getting a new place, and helping me get a car." – Kathleen Figueroa

"My name is Gary Bergeson. Before I came here, I was struggling with homelessness and starting to lose my will for recovery. I was asked to come stay here by a police officer who was concerned about me being in the cold weather. Since I've been here, I've had a chance to rest and begin to plan to better my life. It has given me a sense of security I haven't had in a long time."

The program has helped me in many ways. I've learned that you can do things when you put your mind to it. The staff have been wonderful. They give you insight on yourself. I would recommend this program to anyone that is homeless or needs help. – Anita Williams

This program has helped me stay on track. Thank you so much. – Shuneka

11

Funders



Pierce County
City of Tacoma
City of Lakewood
State Rapid Acquisition Program





Pierce County Councilmember Ryan Mello
at opening celebration of Aspen Court



Gov. Jay Inslee visiting True Hope Village on March 1
stating his support for tiny house villages, Rapid
Supportive Housing, and more state housing
resources in the Supplemental Budget.

Tacomaprobono: Eviction Prevention Legal Services:

ATTACHMENT C: SCOPE OF WORK*

*The CITY and the SUBRECIPIENT_CONTRACTOR will review the Scope of Work and Budget (see Attachment D) at least annually and may by written mutual consent amend the Scope of Work and/or Budget.

(Attach additional sheets if needed)

SUBRECIPIENT_CONTRACTOR agrees to provide the CITY with services related to the response to the public health emergency created by the Coronavirus Disease 2019 (COVID-19) in compliance with the American Rescue Plan Act (ARPA) and related Department of the Treasury Guidance. The Work to be performed may include, but is not limited to, any or all of the following:

Tacomaprobono is seeking ARPA funding to develop an eviction and homelessness prevention program within Tacomaprobono's established Housing Justice Project (HJP). This ARPA funding would provide free legal aid and direct representations to low-income tenants to address the negative economic impacts caused to residential households throughout Lakewood during the COVID-19 pandemic.

In early summer 2021, to respond to the COVID-19 pandemic, the Washington legislature passed Senate Bill 5160, which provides low-income tenants with new options to establish repayment plans for rent owing, new options for formal mediation prior to evictions for nonpayment of rent, and a tenant right to legal counsel at residential eviction proceedings.

Although SB 5160 was historic—the first of its kind in the nation—the law has significant gaps which expose numerous low-income tenants, particularly racial minority groups, to housing instability and potential eviction. While SB 5160 provides legal representation *during* eviction proceedings, the law does nothing to provide low-income tenants with legal representation *prior to or after courtroom eviction proceedings*. For example, a low-income tenant who receives a nonpayment eviction notice from a landlord would not qualify for free legal representation under SB 5160 until a formal eviction is filed against that tenant. Yet by then, that tenant may have failed to assert rights to a repayment plan or formal mediation and would have an eviction filing on his or her record.

But this is precisely where ARPA funding can be used to assist disproportionately impacted communities: to provide legal representation to assert low-income tenant options to maintain housing coming out of the COVID-19 pandemic and to remove legal barriers which prevent finding new stable housing.

Prior to the COVID pandemic, we knew several things to be true: (1) Tacomaprobono's HJP, while highly successful in providing courtroom eviction defense, was still far from meeting the demand for legal needs affecting low-income tenants; (2) that racial minorities and women are far more likely to experience poverty and housing instability in our state; and (3) that the limited supply of legal services had created a crisis in unmet civil legal needs that disproportionately harm racial and ethnic minorities, women, and immigrants. Coming out of the COVID pandemic, we are now facing a public health crisis on top of an existing legal aid crisis.

Using ARPA funding to create a housing stability and homelessness prevention program within Tacomaprobono's established HJP would address this dual crisis. This HJP expansion will provide direct legal services—before and after the courtroom eviction process covered by SB 5160—to assert low-income tenant rights to repayment plans and mediation to avoid the eviction process, along with outreach and education to arm communities at the highest risk of housing instability with knowledge of their legal rights. This new program would give low-income tenants—particularly racial minority communities—a chance to level the playing field, stabilize housing by avoiding the eviction process in the first place, and make a genuine impact on race equity in Lakewood.

Free Direct Legal Services

This ARPA funding will add free, direct legal services to eligible clients facing housing insecurity coming out of the COVID pandemic, including legal advice and options for asserting repayment plan rights when receiving nonpayment eviction notices, consultation to determine a tenant's housing barriers, and ongoing representation to obtain rental assistance and to assert tenant rights during formal mediation prior to eviction proceedings beginning. The HJP's legal services will also assist clients to remove existing barriers to finding housing, such as outstanding legal financial obligations, prior evictions on their housing record, and vacating criminal records—all of which hamper low-income tenants from finding stable housing, even if the eviction process happens.

We also know that a dedicated program asserting the rights of low-income tenants and traditionally underrepresented minority groups positively impacts perceptions of government and community. When a tenant receives quality, effective legal representation, everyone involved experiences an environment of dignity and respect for the rule of law. But without legal representation to assert rights that a tenant may not even know exist, low-income tenants feel undervalued, overlooked, and forced to accept housing situations that perpetuate downward mobility.

Consequently, bolstering HJP's eviction prevention work is necessary to support race equity and systemic change, particularly in our local communities. Housing instability and eviction are civil rights issues, particularly in Pierce County. The most troubling result from the recent UW/Berkeley Evictions Study is the huge racial disparity of adults who faced eviction filings.

In Pierce County, 1 in 6 Black adults went through the eviction process in just the five years between 2013 and 2017 (that represents 18% of the total Black adult population, while about 7% of Pierce County's population is Black.) In King County over the same period, 1 in 11 Black adults had an eviction. In terms of racial group comparison, the study also found that, in Pierce County, the percentage of Black adults evicted far exceeded the number not only for whites, but for Latinx and Asian adults.

To illustrate HJP's prior casework on courtroom eviction defense and efforts to overcome barriers, the charts below present data for 164 clients served directly by our HJP during Washington's Eviction Moratorium between March 18, 2020 and December 31, 2020. "Served directly" means the client received legal aid or referral services from our staff. The numbers do not account for community members who attended an educational or outreach event. We estimate that at least 1,500 people benefitted from the HJP's twenty-three presentations on housing related issues between March and December of last year.

Race	Actual # of Clients ⁺	% of Clients	Pierce County ⁺⁺
American Indian or Alaska Native	4	2.4%	1.8%
Asian	6	3.7%	7.1%
Black	33	20.1%	7.7%
Hispanic or Latino	13	7.9%	11.4%
Multi-Racial	14	8.5%	7.4%
Native Hawaiian or Pacific Islander	3	1.8%	1.8%
Other	10	6.1%	—
Unknown	9	5.5%	—
White (Non-Hispanic)	72	44.0%	74.3%
Grand Total	164	100.0%	—

Gender	Actual # of Clients ⁺	% of Clients	Pierce County ⁺⁺
Female	120	73.2%	50.1%
Male	43	26.2%	—
Chose Not To Respond	1	0.6%	—
Grand Total	164	100.0%	—

Age at Intake	Actual # of Clients ⁺	% of Clients	Pierce County ⁺⁺
0 - 17	0	0.0%	23.3%
18 - 29	42	25.6%	62.5%
30 - 39	48	29.3%	
40 - 49	38	23.2%	
50 - 59	21	12.8%	
60 - 69	10	6.1%	(65+) = 14.2%
70 - 79	4	2.4%	
80+	1	0.6%	
Grand Total	164	100.0%	—

City of Residence	Actual # of Clients ⁺
Bouney Lake	4
Buckley	1
Burley	1
Batonville	1
Gig Harbor	3
Graham	4
La Grande	1
Lake Tapps	2
Lakewood	22
Milton	3
Pacific	2
Parkland	3
Puyallup	22
Spanaway	13
Sumner	1
Tacoma	65
University Place	6
Unknown	8
Grand Total	164

* Actual number of clients directly served by the Housing Justice Project, March 17, 2020 – December 31, 2020. Does not account for clients reached through presentations, educational programming and other outreach.

** Per Pierce County Census Data, 2019

These charts show that—even during our Eviction Moratorium—our HJP has been on the front lines of fighting racial inequality by representing the BIPOC community. This matters

Now that the Washington's Eviction Moratorium ended, we are experiencing a tidal wave of nonpayment eviction notices and the number of potential eviction cases will skyrocket. In Lakewood alone an estimated 4,600 tenants are at high risk of eviction for nonpayment of rent, the majority of which reside in racially diverse communities and may not have any knowledge of existing tenant rights to maintain housing. Even if generally aware of some tenant protections, without legal representation these tenants have almost no chance of effectively asserting these rights prior to facing formal eviction proceedings.

The roadblocks presented by mistrust of the legal system and specific systemic issues disproportionately affecting BIPOC communities, while already immensely difficult to cope with in daily life, are amplified by the circumstances of the pandemic. These include issues legal aid can address, such as legal financial obligations, criminal records, immigration status, outstanding warrants, domestic violence and many others which bar individuals from attempting proactive, positive steps even though they may prevent homelessness.

With Tacomaprobono, HJP clients have the added benefit of accessing additional program services as a function of normal program policy and operation; we know that most clients who experience one civil legal issue will likely have several more that need to be addressed. Tacomaprobono is positioned to help tenants facing housing issues by also helping those same tenants with family law issues, domestic violence, debt collection attempts, bankruptcy, and much more.

Expanded Outreach to BIPOC Communities

In addition, since this ARPA funding enhances our program's ability to provide outreach, information about tenant's rights, and access to justice to the community in general, and specifically to underserved and underrepresented communities, we have an opportunity to create new relationships, partnerships, and lines of communication within the Lakewood community.

We intend to continue efforts begun in 2020 to build the necessary trust through partnerships with organizations, groups, and individuals trusted by the diverse communities we need to reach. These will remain and continue to strengthen after the pandemic passes, which will ultimately have a positive effect on addressing the underlying legal aid crisis, including general legal education and awareness, as the level of access to services for the underserved and underrepresented is improved.

Conclusion

Tacomaprobono is committed to continuing to provide high-quality access to civil legal aid for Lakewood residents economically impacted by COVID-19, especially for members of our community facing barriers and traditionally underserved as a result of systemic racism. We appreciate your interest in our program and look forward to working together.

1st Quarter 2022 Report

Executive summary of current project status:

Tacomaprobono's Housing Justice Project immediately began serving the citizens of Lakewood upon the program's inception in January of 2022. Our Lakewood team quickly arranged to not only host clinics in-person at the City Hall but also telephonically, which created the opportunity for clients to receive legal advice in a variety of accessible modalities. Because of the quick mobilization of qualified staff, our program provided eviction prevention services to over 60 clients between January and March 2022.

The Lakewood team was able to so successfully hit the ground running because it is staffed by our Housing Justice Project Managing Attorney, Mark Morzol, Assistant Managing Attorney Saranda Ross, Staff Attorney Elissa Furlong and Paralegal Latreya Sanders-Starks. Each individual brings experience, dedication and a passion for service to their role.

→ The team hosted their first clinic at City Hall on January 13th, 2022 and proceeded to host 11 more throughout Q1 2022. Having a physical presence in Lakewood has been crucial to serving that community. Clients are able to access free legal advice in their neighborhood rather than having to travel to downtown Tacoma. In the interest of enhancing accessibility further, our staff also offered telephonic appointments for clients unable to commute.

Furthermore, because our staff include walk-in time at each clinic, City Hall employees are able to direct clients to our attorneys on the spot. This increases access to justice because Lakewood citizens get legal advice immediately, which is crucial when addressing the urgency of an eviction threat.

→ Through both scheduled, walk-in and phone appointments, the team provided eviction prevention services to 64 clients during Q1 2022. Our attorneys did everything from empower individuals with legal advice and counsel, to writing demand letters to non-compliant landlords, to working with the City Inspector to better understand and navigate housing situations. These have resulted in the following outcomes: eviction prevented, facilitated discussion between landlord and tenant to resolve issue, housed client for additional days, obtained order of limited dissemination (preventing future housing providers from seeing prior eviction and likely denying rental application), obtained repairs for dwelling, overcame illegal charges by landlord, and increased ability to navigate the court system.

When looking at who exactly our team served between January and March, approximately 50% of the clients were Black, indigenous, or otherwise identified as people of color. Specifically, 32% identified as Black. This data point is important – we know that, in Pierce County, the percentage of Black adults evicted not only far exceeded the number of whites, but Latinx and Asian adults as well. On an anecdotal level, our attorney and paralegal that staff the Lakewood clinic are both Black. They feel that the Black clients are more comfortable meeting with them, which leads to higher trust and likelihood of success. By providing such a high number of Black clients with quality representation, our team is combatting the systemic problem that creates housing stability within that community and Lakewood generally.

→ Overall, our first few months working on this project have been highly successful. We are grateful to the City employees that helped us arrange a physical space so quickly, and who have supported us as we build the program. Our team looks forward to serving the citizens of Lakewood for many months to come.

Demographic Reporting:

- Include demographic reporting for relevant ECs noted in Appendix 1 of the Compliance and Reporting Guidance document
- Which disproportionately impacted community or communities does your project serve?
- How did you qualify beneficiaries for access to services?
- What services were provided to disproportionately impacted communities/QCTs?
 - o Services provided in Qualified Census Tracts
 - o Services provided to residents of Qualified Census Tracts
 - o Services provided in Disproportionately Impacted Communities
 - o Services provided to residents of Disproportionately Impacted Communities

Demographic reporting: please see attached "HJP COL Report 1".

Our project serves low-income residents of Lakewood with a particular emphasis on reaching clients who identify Black, indigenous and people of color.

Our program qualifies beneficiaries for access to services through a lengthy intake process. We collect demographic, financial and case information to ensure all requisite qualifications are met.

Services provided to disproportionately impacted communities/QCTs: please see attached "HJP COL Report 1".

HJP COL Report 1

1	HJP City of Lakewood Quarterly Report - Q1 2022										
2											
3	Case Funding Code(s)	City	Case Disposition	Date Opened	Date Closed	Race	Gender	Current Age	Close Reason	Outcomes (new)	Percentage of Poverty
4	HJP - COL	Lakewood	Closed	12/10/2020	02/14/2022	Black or African American	Woman/Female	23	Brief Services/Limited Action	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing, Privacy - Preserved privacy and dignity of client	225.71
5	HJP - COL	Lakewood	Closed	08/18/2021	02/07/2022	Hispanic or Latino/a/x	Woman/Female	35	Fair Housing - Referral to Community Organization	Unknown - Increased client's knowledge of rights, responsibilities, and legal options	67.92
6	HJP - COL	Lakewood	Closed	09/02/2021	03/28/2022	White	Woman/Female	40	Limited Pro Bono Representation	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	314.12
7	HJP - COL	Lakewood	Closed	10/17/2021	01/22/2022	Native Hawaiian or Other Pacific Islander	Woman/Female	51	Limited Pro Bono Representation	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	110.22
8	HJP - COL	Lakewood	Closed	12/08/2021	03/28/2022	White	Woman/Female	35	Limited Pro Bono Representation	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	91.06
9	HJP - COL	Lakewood	Closed	12/08/2021	01/11/2022	White	Woman/Female	62	Counsel and Advice/Referred Other	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	124.38
10	HJP - COL	Lakewood	Closed	12/15/2021	01/14/2022	Native Hawaiian or Other Pacific Islander	Woman/Female	35	Administrative Agency Decision	Unknown - Increased client's knowledge of rights, responsibilities, and legal options	27.32
11	HJP - COL	Lakewood	Closed	12/16/2021	01/14/2022	White	Woman/Female	40	Administrative Agency Decision	Unknown - Increased client's knowledge of rights, responsibilities, and legal options	191.26
12	HJP - COL	Lakewood	Closed	12/22/2021	02/25/2022	Black or African American	Woman/Female	54	Limited Pro Bono Representation	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	0
13	HJP - COL	Lakewood	Closed	12/30/2021	01/14/2022	White	Woman/Female	54	Administrative Agency Decision	Unknown - Increased client's knowledge of rights, responsibilities, and legal options	27.95
14	HJP - COL	Lakewood	Open	01/03/2022		White	Man/Male	54			168.43

15	HJP - COL	Lakewood	Closed	01/03/2022	01/05/2022	White	Man/Male	54	Administrative Agency Decision	Unknown - Increased client's knowledge of rights, responsibilities, and legal options	220.44
16	HJP - COL	Lakewood	Closed	01/05/2022	01/17/2022	Black or African American	Woman/Female	21	Counsel and Advice/No further Referral	Unknown - Increased client's knowledge of rights, responsibilities, and legal options	192.88
17	HJP - COL	Lakewood	Closed	01/06/2022	02/06/2022	Hispanic or Latino/a/x	Woman/Female	48	Limited Pro Bono Representation	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	0
18	HJP - COL	Lakewood	Open	01/06/2022		Alaska Native, or First Nations	Woman/Female	55			13.78
19	HJP - COL	Lakewood	Open	01/06/2022		White	Woman/Female	35			117.21
20	HJP - COL	Lakewood	Closed	01/12/2022	03/07/2022	Black or African American	Man/Male	34	Brief Services/Limited Action	Unknown - Increased client's knowledge of rights, responsibilities, and legal options	82.88
21	HJP - COL	Lakewood	Open	01/14/2022		White	Woman/Female	34			196.54
22	HJP - COL	Lakewood	Open	01/21/2022		White	Woman/Female	30			18.35
23	HJP - COL	Lakewood	Open	01/21/2022		White	Woman/Female	46			164.18
24	HJP - COL	Lakewood	Closed	01/24/2022	02/16/2022	Hispanic or Latino/a/x	Man/Male	27	Brief Services/Limited Action	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	177.6
25	HJP - COL	Lakewood	Open	01/26/2022		White	Man/Male	67			100.43
26	HJP - COL	Lakewood	Closed	01/26/2022	02/06/2022	White	Woman/Female	23	Limited Pro Bono Representation	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	174.86
27	HJP - COL	Lakewood	Open	01/27/2022		White	Woman/Female	25		Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	144.26
28	HJP - COL	Lakewood	Closed	01/31/2022	02/17/2022	Black or African American	Woman/Female	31	Counsel and Advice/No further Referral	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	0
29	HJP - COL	LAKEWOOD	Closed	02/02/2022	02/23/2022	Black or African American	Man/Male	57	Limited Pro Bono Representation	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	68.84
30	HJP - COL	Lakewood	Closed	02/02/2022	02/17/2022	Black or African American	Woman/Female	20	Counsel and Advice/No further Referral	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	135.48
31	HJP - COL	Lakewood	Closed	02/07/2022	02/15/2022	Black or African American	Woman/Female	24	Limited Pro Bono Representation	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	34.08
32	HJP - COL	Lakewood	Closed	02/09/2022	02/09/2022	White	Woman/Female	24	Brief Services/Limited Action	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	208.5
33	HJP - COL	Lakewood	Closed	02/10/2022	04/09/2022	Hispanic or Latino/a/x	Woman/Female	58	Limited Pro Bono Representation	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	58.98

	A	B	C	D	E	G	H	I	J	K	L
34	HJP - COL	Lakewood	Closed	02/10/2022	02/10/2022	Black or African American	Woman/Female	24	Brief Services/Limited Action	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	113.6
35	HJP - COL	Lakewood	Closed	02/14/2022	02/14/2022	White	Woman/Female	30	Brief Services/Limited Action	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	108.11
36	HJP - COL	Lakewood	Closed	02/15/2022	04/07/2022	Black or African American	Woman/Female	56	Limited Pro Bono Representation	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	84.09
37	HJP - COL	Lakewood	Open	02/18/2022		Black or African American	Woman/Female	22		Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	88.63
38	HJP - COL	Lakewood	Closed	02/21/2022	03/04/2022	Black or African American	Woman/Female	39	Limited Pro Bono Representation	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	0
39	HJP - COL	Lakewood	Open	02/22/2022		White	Woman/Female	21			0
40	HJP - COL	Tacoma	Closed	02/22/2022	03/03/2022	White	Man/Male	28	Scheduled in Clinic	Unknown - Increased client's knowledge of rights, responsibilities, and legal options	55.05
41	HJP - COL	Lakewood	Open	02/22/2022		White	Woman/Female	69			78.68
42	HJP - COL	Lakewood	Closed	02/22/2022	03/15/2022	Hispanic or Latino/a/x	Woman/Female	24	Counsel and Advice/No further Referral	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	85.2
43	HJP - COL	Lakewood	Open	02/23/2022		White	Woman/Female	61			0
44	HJP - COL	Lakewood	Closed	02/23/2022	03/14/2022	White	Man/Male	46	Limited Pro Bono Representation	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	122.3
45	HJP - COL	Lakewood	Open	02/23/2022		Black or African American	Woman/Female	61		Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	125.21
46	HJP - COL	Lynnwood	Closed	02/25/2022	03/07/2022	White	Man/Male	53	Limited Pro Bono Representation	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	0
47	HJP - COL	Lakewood	Closed	02/25/2022	02/25/2022	Black or African American	Man/Male	30	Brief Services/Limited Action	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	44.5
48	HJP - COL	Lakewood	Closed	02/25/2022	04/04/2022	Black or African American	Woman/Female	42	Counsel and Advice/No further Referral	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	70.2
49	HJP - COL	Lakewood	Closed	02/25/2022	03/08/2022	Another race, ethnicity, or origin	Woman/Female	22	Brief Services/Limited Action	Unknown - Increased client's knowledge of rights, responsibilities, and legal options	124.19
50	HJP - COL	Lakewood	Closed	03/01/2022	03/09/2022	Black or African American	Woman/Female	45	Brief Services/Limited Action	Unknown - Increased client's knowledge of rights, responsibilities, and legal options	19.42
51	HJP - COL	Lakewood	Closed	03/01/2022	04/04/2022	White	Woman/Female	47	Counsel and Advice/No further Referral	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	30.08

52	HJP - COL	Lakewood	Closed	03/02/2022	03/02/2022	Black or African American	Man/Male	68	Brief Services/Limited Action	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	160.71
53	HJP - COL	Lakewood	Open	03/03/2022		White	Woman/Female	28			0
54	HJP - COL	Lakewood	Open	03/04/2022		White	Man/Male	53			105.96
55	HJP - COL	Lakewood	Closed	03/08/2022	04/07/2022	White	Woman/Female	60	Counsel and Advice/No further Referral	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	43.91
56	HJP - COL	Lakewood	Closed	03/11/2022	04/07/2022	Black or African American	Woman/Female	54	Counsel and Advice/No further Referral	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	55.12
57	HJP - COL	Lakewood	Closed	03/14/2022	03/31/2022	Black or African American	Man/Male	53	Brief Services/Limited Action	Unknown - Increased client's knowledge of rights, responsibilities, and legal options	44.29
58	HJP - COL	Lakewood	Open	03/14/2022		Native Hawaiian or Other Pacific Islander	Woman/Female	42		Unknown - Increased client's knowledge of rights, responsibilities, and legal options	148.89
59	HJP - COL	Lakewood	Open	03/18/2022		White	Woman/Female	24			161.88
60	HJP - COL	Lakewood	Closed	03/22/2022	04/05/2022	Hispanic or Latino/a/x	Woman/Female	52	Counsel and Advice/No further Referral	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	79.47
61	HJP - COL	Lakewood	Closed	03/22/2022	04/07/2022	Black or African American	Man/Male	44	Counsel and Advice/No further Referral	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	99.4
62	HJP - COL	Lakewood	Open	03/22/2022		White	Woman/Female	37			181.09
63	HJP - COL	Lakewood	Closed	03/24/2022	03/27/2022	White	Woman/Female	60	Scheduled in Clinic	Unknown - Increased client's knowledge of rights, responsibilities, and legal options	130.6
64	HJP - COL	Lakewood	Open	03/25/2022		Black or African American	Woman/Female	53			26.91
65	HJP - COL	Lakewood	Open	03/25/2022		White	Woman/Female	53			180.23
66	HJP - COL	Lakewood	Open	03/29/2022		White	Man/Male	54			74.26
67	HJP - COL	Lakewood	Closed	03/31/2022	04/10/2022	White	Woman/Female	43	Counsel and Advice/No further Referral	Housing - Obtained or preserved housing (owned or rented) or improved quality of housing	141.12

Evidence-Based Reporting:

- Include evidence-based reporting for relevant ECs noted in Appendix 1 of the Compliance and Reporting Guidance document

Please see attached: "HJP COL – Report 2."

Q 1 2022 HJP COL Outcomes										
Client Identifier	Case Date Opened	Date Closed	Case Disposition	Notice Received?	Main Benefit HJP HELP	HELP Notice Type	Was Notice Proper?	received, was eviction threatened or was T at risk of	HELP outcomes	action with Landlord or OPC?
21-0082524	01/03/2022	2022-01-05	Closed							
22-0082690	01/05/2022	2022-01-17	Closed							
22-0082730	01/06/2022	2022-02-06	Closed	Yes	Facilitated discussion between LL & T to solve problem	120-Day Notice to demolish, substantially rehabilitate or change use of premises	Yes		Extended Move-Out, Negotiated Agreement to Move	Yes
22-0082772	01/12/2022	2022-03-07	Closed	Possibly	No Main Benefit for Client		Possibly	Possibly	Other	No
22-0082913	01/24/2022	2022-02-16	Closed							
22-0082967	01/26/2022	2022-02-06	Closed	Yes	Obtained advice, brief services or referral on a housing matter	120-Day Notice to demolish, substantially rehabilitate or change use of premises	Yes		Client chose to vacate	Yes
22-0083022	01/31/2022	2022-02-17	Closed	Yes	Prevented Eviction	14-Day Pay or Vacate	No		Tenancy Salvaged (prevented eviction)	No
22-0083067	02/02/2022	2022-02-17	Closed	No	Obtained advice, brief services or referral on a housing matter			Yes	Other	No
22-0083065	02/02/2022	2022-02-23	Closed	No				Yes	CL equipped w/ knowledge/resources to resolve issue on their own, Obtained	No
22-0083136	02/07/2022	2022-02-15	Closed	Yes	Prevented Eviction	10-Day Notice to Comply, 14-Day Pay or	No		Tenancy Salvaged (prevented eviction)	Yes
22-0083195	02/09/2022	2022-02-09	Closed							
22-0083071	02/10/2022	2022-02-10	Closed						CL equipped w/ knowledge/resources to resolve issue on their own, Obtained	
22-0083217	02/10/2022	2022-04-09	Closed	No	Overcame illegal charges by LL		NA	Yes	Repairs, Sent Letter to LL/OPC	Yes
22-0083243	02/14/2022	2022-02-14	Closed							
22-0083271	02/15/2022	2022-04-07	Closed	Yes	Facilitated discussion between LL & T to solve problem	10-Day Notice to Comply, 14-Day Pay or Vacate	Possibly	NA	Tenancy Salvaged (prevented eviction)	Yes
22-0083341	02/21/2022	2022-03-04	Closed	Yes	Extra Days Housed	3-Day Notice to Quit for Unlawful Activity	Possibly	NA	Extended Move-Out	No
22-0083358	02/22/2022	2022-03-15	Closed	Yes	Facilitated discussion between LL & T to solve problem	14-Day Pay or Vacate	No	NA	Tenancy Salvaged (prevented eviction)	No
22-0083343	02/22/2022	2022-03-03	Closed	No	No Main Benefit for Client		NA	NA	Client chose to vacate	No
22-0083386	02/23/2022	2022-03-14	Closed	Yes	Prevented Eviction	14-Day Pay or Vacate, 60-Day Notice of Nonrenewal	No	NA	Sent Letter to LL/OPC	Yes
22-0083444	02/25/2022	2022-02-25	Closed							
22-0083456	02/25/2022	2022-03-07	Closed	No	Obtained advice, brief services or referral on a housing matter		NA	No	CL equipped w/ knowledge/resources to resolve issue on their own	No
22-0083451	02/25/2022	2022-04-04	Closed	No	Increased Ability to Navigate the Court System		NA	Yes	CL equipped w/ knowledge/resources to resolve issue on their own, Provided Blank Documents, Tenant Filing Small	No
22-0083454	02/25/2022	2022-03-08	Closed	Yes	No Main Benefit for Client	14-Day Pay or Vacate	Possibly	NA	Other	No
22-0083518	03/01/2022	2022-03-09	Closed							
22-0083516	03/01/2022	2022-04-04	Closed	Yes	Prevented Eviction	14-Day Pay or Vacate	No	NA	Tenancy Salvaged (prevented eviction)	No
22-0083525	03/02/2022	2022-03-02	Closed	No	No Main Benefit for Client		NA	NA	Other	No
22-0083625	03/08/2022	2022-04-07	Closed	No	Obtained Repairs for Dwelling		NA	NA	CL equipped w/ knowledge/resources to resolve issue on their own, Obtained	No
22-0083677	03/11/2022	2022-04-07	Closed	Yes	Obtained advice, brief services or referral on a housing matter	14-Day Pay or Vacate	No	NA	CL equipped w/ knowledge/resources to resolve issue on their own, Referred to	No
22-0083696	03/14/2022	2022-03-31	Closed	Possibly	No Main Benefit for Client		NA	NA	CL ghosted	No
22-0083820	03/22/2022	2022-04-05	Closed	No	Obtained Access to Housing		NA	NA	CL equipped w/ knowledge/resources to resolve issue on their own	Yes
22-0083776	03/22/2022	2022-04-07	Closed	Yes	Obtained advice, brief services or referral on a housing matter	14-Day Pay or Vacate	Yes	NA	CL equipped w/ knowledge/resources to resolve issue on their own, Other	No
22-0083853	03/24/2022	2022-03-27	Closed							
22-0083971	03/31/2022	2022-04-10	Closed	No	Obtained advice, brief services or referral on a housing matter		NA	No	CL equipped w/ knowledge/resources to resolve issue on their own, Obtained	No



YOUTH MENTAL HEALTH

Survey Results Spring '22 by
Joshua Chambers

BACKGROUND

City of Lakewood and CPSD

Consisted of 10 questions including gender, ethnicity, and grade

Average time to complete was 2 mins and 13 secs

Feedback from over 400 secondary students

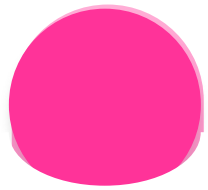
GENDER



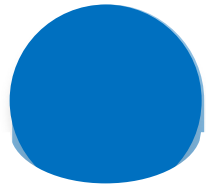
ETHNIC BREAKDOWN

HISPANIC	27%
WHITE	27%
BLACK/AFRICAN AMERICAN	18%
TWO OR MORE	11%
ASIAN	9%
PACIFIC ISLANDER	7%
NATIVE INDIAN	2%

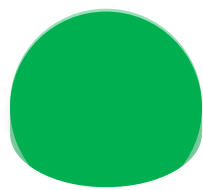
GRADE LEVEL



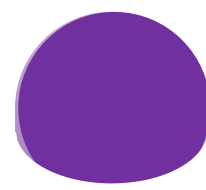
8th



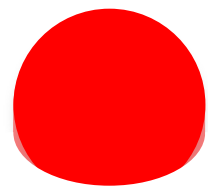
9th



10th

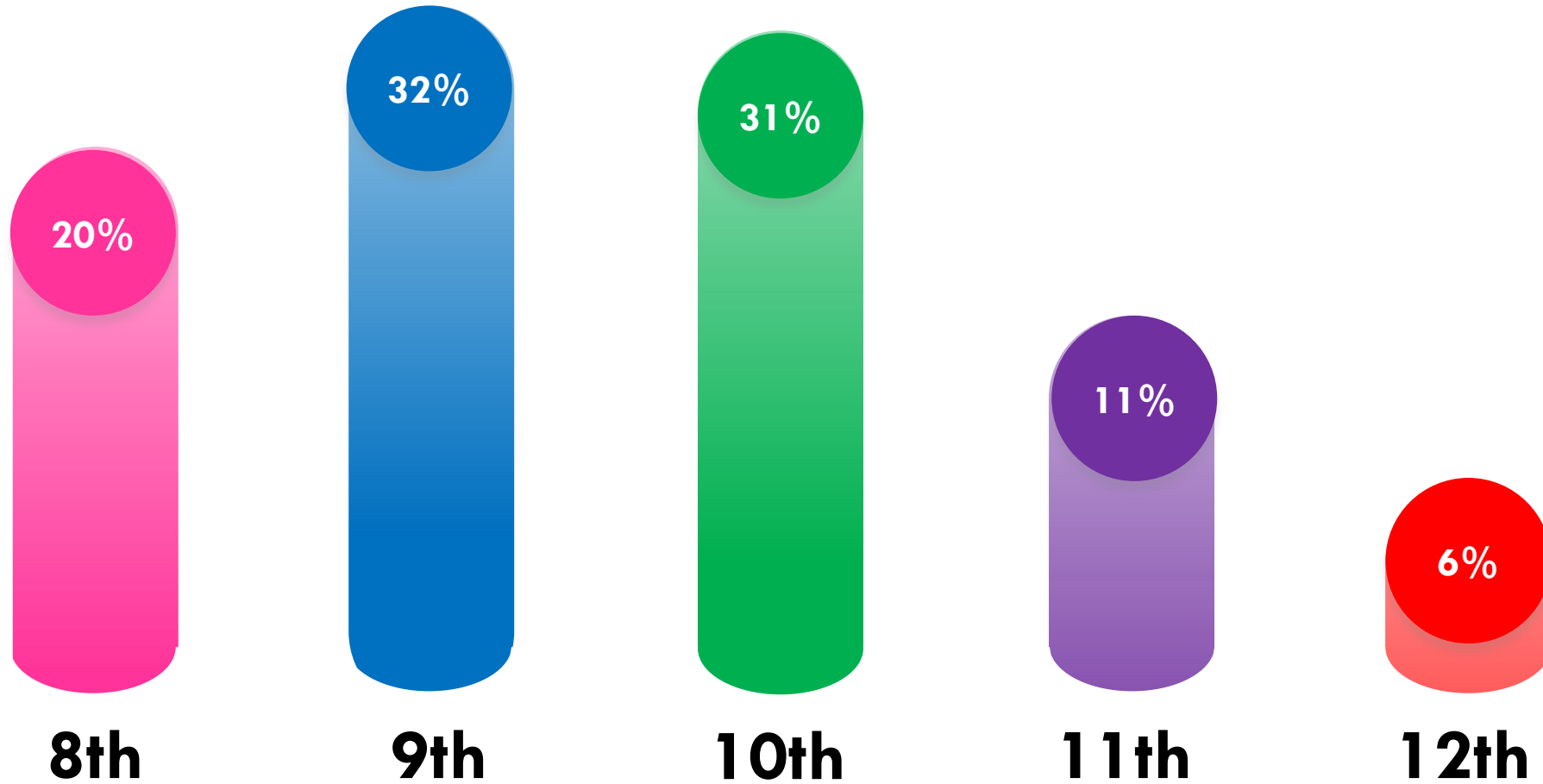


11th



12th

GRADE LEVEL



SURVEY QUESTIONS

Are you aware of the mental health resources available?

If so, have you utilized them?

On the following scale how likely are you to use the mental health resources if they were provided on campus?

If none apply, what type of resource would you utilize?

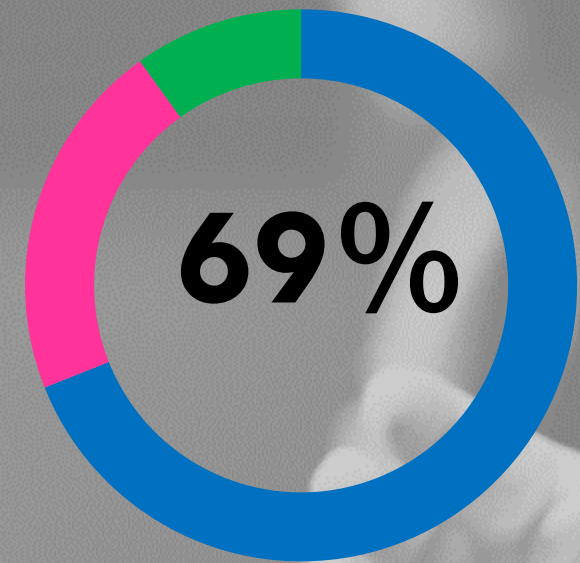
What topics regarding mental health/wellness do you think would best serve you or your school?

How would you prefer to learn about mental health?

Any suggestions regarding mental health resources?



**ARE YOU AWARE OF THE MENTAL HEALTH
RESOURCES AVAILABLE ON CAMPUS?**

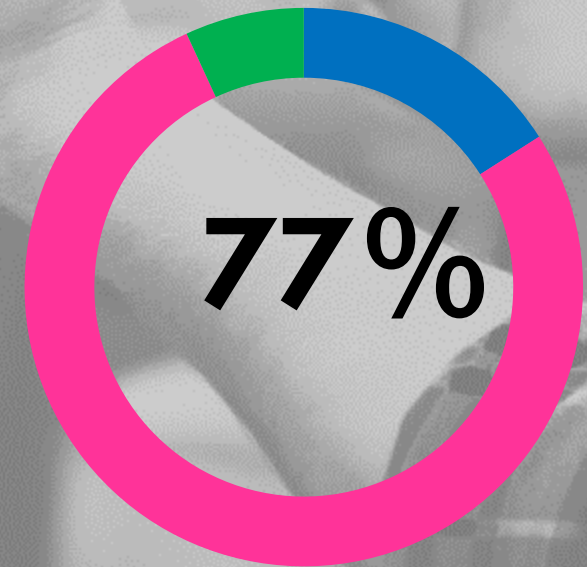


 YES

 NO

 MAYBE

IF SO, HAVE YOU UTILIZED ANY OF THEM?



HOW LIKELY ARE YOU TO UTILIZE THESE MENTAL HEALTH RESOURCES?

**INDIVIDUAL
THERAPY**

**GROUP
THERAPY**

**ONLINE
TOOLS**

**TOPIC
WORKSHOPS**

**PEER TO
PEER
SUPPORT**

**ARTICLES,
BOOKS, ETC.**

LIKELIHOOD OF UTILIZING MENTAL HEALTH RESOURCES



INDIVIDUAL



GROUP



PEER TO PEER

MENTAL HEALTH TOPICS WOULD BEST SERVE YOU AND YOUR SCHOOL?

ANXIETY

STRESS

MINDFULNESS/RELAXATION

FRIENDSHIPS/RELATIONSHIPS

**LGBTQ+ AND RELATED
TOPICS**

**DEPRESSION & OTHER MOOD
DISORDERS**

**SUBSTANCE USE &
PREVENTIONS**

EATING DISORDERS

GRIEF & LOSS

OVERALL WELLNESS

SOCIAL MEDIA

ANXIETY

69%

STRESS

73%



WHAT CAUSES STUDENTS STRESS AND ANXIETY?

“Stress from school workload”

“Feeling disconnected from school and friends”

“Kids aren’t getting their schoolwork done at all and when they try, they can’t focus on it.”

“Forgetting how to interact with people, feeling isolated”

“Don’t feel ambitious or motivated for future.”

“Anxiety from school.”

“Global events, cultural affairs, and personal actions.”

“School and community leaders have a profound impact”

HOW WOULD YOU PREFER TO LEARN ABOUT MENTAL HEALTH?

INDIVIDUAL	36%
GROUP/WORKSHOPS	33%
ONLINE	14%
VIDEOS	12%
OTHER	6%

STUDENT SOLUTIONS

Better understanding and support from teachers

Electives or classes over mental health topics

More counselors

Built in time during the class period to deal with mental health

Better advertisement on social media and around school

“Affordable professional mental health counseling”

“Events and socializing opportunities”

“Education on healthy stress management.”

“Express patient and compassionate teaching style.”

“Stagger tests, essays, and other point-heavy big assignments.”

“Eliminate late and diminishing credit policy.”

MAIN TAKEAWAYS

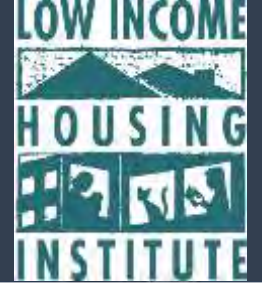
1.Students are aware of the mental health resources available to them.

2.They need support when it comes to dealing with anxiety and stress.

3.Students prefer people they have rapport or a relationship with when they need help with mental health.



Low Income Housing Institute



Affordable Housing

3,000 units of affordable housing throughout the Puget Sound Region.



Urban Rest Stops

2 Urban Rest Stops in Seattle providing free hygiene resources to people experiencing homelessness.



Tiny House Villages

17 tiny house villages in Seattle, Tacoma, and Olympia providing shelter and case management to individuals, couples, and families experiencing homelessness.⁴⁷



Sunset Meadows Apartments, Milton





Rainier View Apartments, Puyallup



●●● Tiny House Village at 6th & Orchard



Lincoln District Senior Housing with Asia Pacific Cultural Center

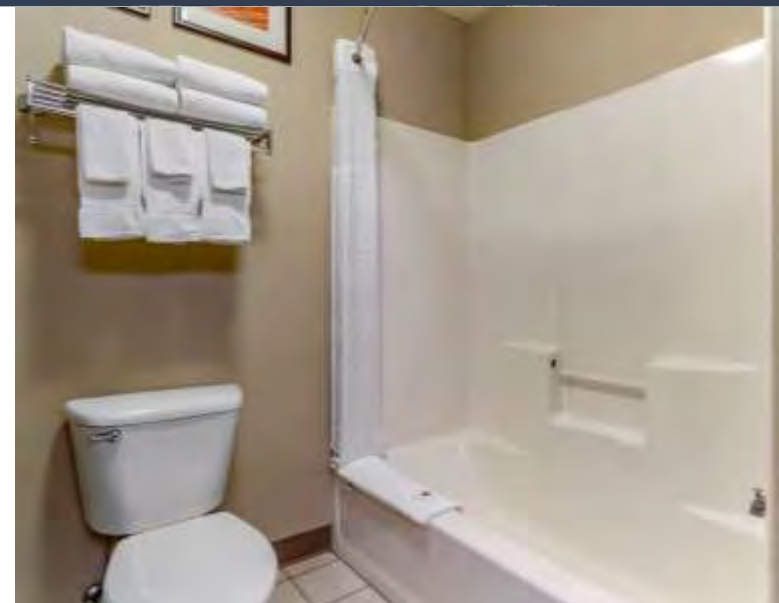


Aspen Court Current Operations





Current Operations





Staff & Program





Referrals

The Heal Team (formerly known as the “hot team” --
Tacoma police officers and their outreach team)

Lakewood Police Department

Urban League

CCS

Tacoma Rescue Mission

Next Chapter

Recovery Café

Greater Lakes

Other agencies

- Agencies work with homeless clients to ensure proper legal identification.
- LIHI meets with potential guests to outline program details and expectations.
- Contact info for qualified clients is kept on a waiting list.
- When there is an opening at Aspen Court LIHI contacts people on the waiting list and moves them in quickly.

Guests

Current population:		105	Last Updated: 7/12/2022	
Unduplicated clients served:		146		
Current open units:		0		
Referral Agency	Current		Unduplicated	Housed
Heal Team	72	69%	106	14
Lakewood	14	13%	18	
Urban League, CCS, CLR, and other agencies / walk in self referral	19	18%	22	4
American Indian or Alaskan Native	1	1%	2	
Black / African American	44	42%	58	
White / Caucasian	46	44%	70	
Asian	4	4%	5	
Hawaiian or another pacific islander	3	3%	5	
Hispanic	6	6%	6	
Male	56	53%	80	
Females	49	47%	66	
Couples	17	16%	21	

"Being here is like starting my life over. I feel so rejuvenated and rested. I am blessed to take a shower and not worry about a thing. My first day I slept and rested because I've been struggling to for days to find somewhere to rest my head. My phone is charged and I'm ready for anything. My name is Terrance Oliver and I give this place two thumbs up."



Guests

This Place Has given me hope and peace of mind. It has given me access to better resources to help me put homelessness behind me and get my own place. – K.P.A.

“The people are really nice. They are helping me with my marriage, helping me with getting a new place, and helping me get a car.” – Kathleen Figueroa

“My name is Gary Bergeson. Before I came here, I was struggling with homelessness and starting to lose my will for recovery. I was asked to come stay here by a police officer who was concerned about me being in the cold weather. Since I’ve been here, I’ve had a chance to rest and begin to plan to better my life. It has given me a sense of security I haven’t had in a long time.”

The program has helped me in many ways. I’ve learned that you can do things when you put your mind to it. The staff have been wonderful. They give you insight on yourself. I would recommend this program to anyone that is homeless or needs help. – Anita Williams

This program has helped me stay on track. Thank you so much. – Shuneka

Funders



On left, Pierce County Councilmember Jani Hitchen, City of Tacoma Mayor Victoria Woodards, Pierce County Councilmember Ryan Mello, Pierce County Executive Bruce Dammeier, and City of Tacoma Councilmember Kristina Walker

Pierce County
City of Tacoma
City of Lakewood
State Rapid Acquisition Program



City of Tacoma Mayor Victoria Woodards and Pierce County Executive Bruce Dammeier



Ellis Building –
LIHI is seeking funding from State ROW program for
purchasing new housing



Gov. Jay Inslee visiting True Hope Village on March 1
stating his support for tiny house villages, Rapid
Acquisition Housing, and more state housing
resources in the Supplemental Budget.



**TACOMAPROBONO COMMUNITY LAWYERS
HOUSING JUSTICE PROJECT**

CITY OF LAKEWOOD HELP TEAM REPORT



Housing Justice Project Staff at Lakewood City Hall, early 2022

January-June 2022

Cases Opened

162

**Average % of
Poverty Level**

93%*

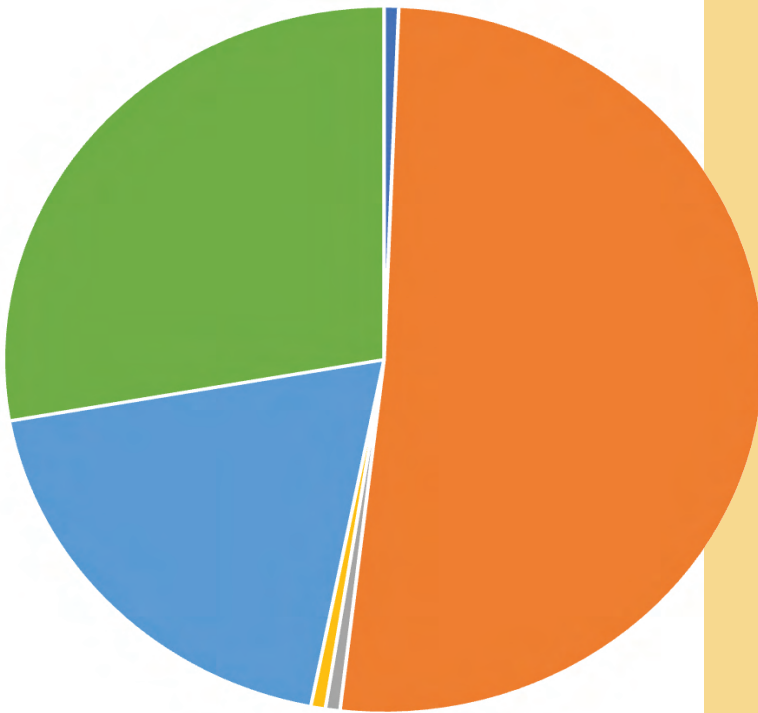
**Average Client
Age**

44**

*** 100% OF POVERTY
LEVEL WOULD BE
\$27,750 annual
INCOME FOR a FAMILY
OF FOUR**

**** CLIENT age range =
20-93 years old**

CASE OUTCOMES



An overwhelming majority of our clients receive an increased understanding of their legal rights and housing stability because of our services. “Blank” cases are still open in our system – outcomes forthcoming once the matter is resolved.

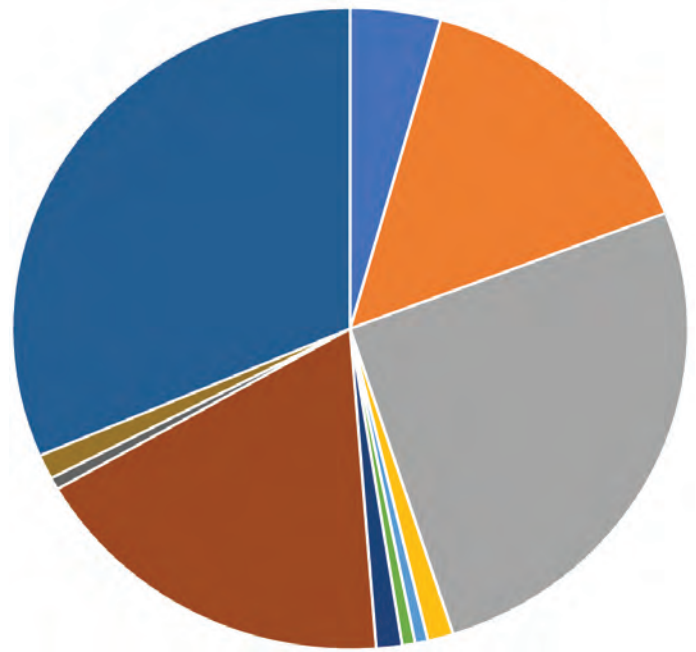
- Debt - Avoided or reduced debt, Housing - Obtained or preserved housing (owned or rented) or improved quality of housing
- Housing - Obtained or preserved housing (owned or rented) or improved quality of housing
- Housing - Obtained or preserved housing (owned or rented) or improved quality of housing, Privacy - Preserved privacy and dignity of client
- Not Achieved - Client benefitted from meaningful representation - desired outcome not achieved
- Unknown - Increased client's knowledge of rights, responsibilities, and legal options
- (blank)



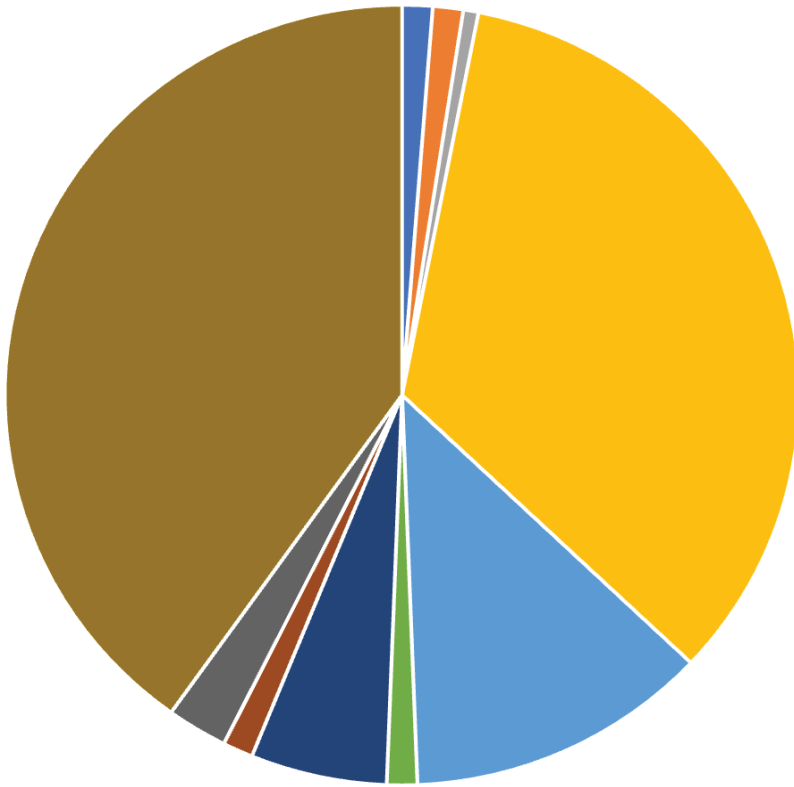
SERVICE LEVELS



Levels of service provided to clients by
Housing Justice Project Staff



- Administrative Agency Decision
- Brief Services/Limited Action
- Counsel and Advice/No further Referral
- Counsel and Advice/Referred Other
- Extensive Service
- Fair Housing - Referral to Community Organization
- Full Representation
- Limited Pro Bono Representation
- Referred to Community Resource
- Scheduled in Clinic
- (blank)



RACE DEMOGRAPHICS

- American Indian, Alaska Native, or First Nations
- Another race, ethnicity, or origin
- Asian - East Asian
- Black or African American
- Hispanic or Latino/a/x
- More than one race or ethnicity/multiracial
- Option to multi-select will appear
- Native Hawaiian or Other Pacific Islander
- Prefer Not to Answer
- Unknown
- White



Breakdown of client race demographics

MEET THE LAKEWOOD HELP* TEAM

***HELP** = Homeless & Eviction Legal Prevention



From left: Assistant Managing Attorney
Saranda Ross, Staff Attorney Allison
Adachi, Paralegal Latreya Sanders-Starks,
Intern Chanel Brown



LAKEWOOD CITY COUNCIL STUDY SESSION MINUTES

Monday, June 27, 2022

City of Lakewood

6000 Main Street SW

Lakewood, WA 98499

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

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

Participant ID: 868 7263 2373

CALL TO ORDER

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

ROLL CALL

Councilmembers Present: 7 – Mayor Whalen, Deputy Mayor Mary Moss; Councilmembers Don Anderson, Mike Brandstetter, Patti Belle, Linda Farmer and Paul Bocchi.

Parks and Recreation Advisory Board Members Present: 6 – Chair Jason Gerwen, Vice Chair Vito Iacobazzi, Sylvia Allen, Alan Billingsley, Michael Lacadie and Janet Spingath.

ITEMS FOR DISCUSSION:

Joint Parks and Recreation Advisory Board meeting.

Parks and Recreation Advisory Board (PRAB) members introduced themselves. Chair Jason Gerwen highlighted the PRAB 2021 accomplishments and Vice Chair Vito Iacobazzi reviewed 2022 work plan item items. Discussion ensued.

Parks Capital Improvement Program Update.

Parks, Recreation and Community Services Director Dodsworth highlighted the Parks Capital Improvement Projects completed which includes the Fort Steilacoom Park/Angle Lane South Improvements, the American Lake North Parking Lot and the Fort Steilacoom Park Barn Removal. She then highlighted projects currently underway or planned for 2022 such as the Chambers Creek Trail, American Lake Access Improvements, Fort Steilacoom Park Turf Improvements, Seeley Lake Improvements and Oakbrook Park Improvements. She shared that work continues in partnership with the Nisqually Tribe to develop interpretive signage, seating and art installations at Fort Steilacoom Park and an update to the Street End Study will be completed this year. She shared that work will continue on Gateway Monument Signs as well as the Parks Sign Design and Replacement program. Discussion ensued.

Parks, Recreation and Community Services Director Dodsworth reviewed the Wards Lake Park project and shared that Phase 2 improvement design plans

for expanded parking, new shelters, new restrooms, nature trails, park wayfinding signs and a BMX track. Discussion ensued.

Dodsworth shared that it is recommended that the City Council pass a Resolution authorizing the City Manager to seek grant funding from the Washington State Recreation and Conservation Office in support of grant funding for the Wards Lake Park project and for Harry Todd Pickle ball Courts. The Resolution will come forward on July 5th for approval.

At 8:50 p.m., Mayor Whalen announced that the City Council will recess for five minutes. The City Council reconvened at 8:55 p.m.

Body Worn Cameras Update.

Assistant Police Chief John Unfred, who was joined by Lt. Jeff Alwine, shared that Safefleet is not a workable product for body worn cameras due to several system flaws and it is recommended that the Lakewood Police Department transition to the Axon product. Unfred then reviewed each of the flaws of the Safefleet product which includes an audio drift, video duplication and slow wireless uploads. Lt. Alwine spoke about the amount of time spent to resolve minor technical issues and lack of technical service. Assistant Chief Unfred then provided an overview of the Axon product which will provide for In-Car Video (ICV), Body Worn Cameras, Tasers and unlimited cloud storage through Evidence.com. The contract approval will come forward for City Council approval at a future meeting.

ITEMS TENTATIVELY SCHEDULED FOR THE JULY 5, 2022 REGULAR CITY COUNCIL MEETING:

1. Police Commissioning Ceremony.
2. Proclamation recognizing July as Parks and Recreation month. – *Mary Dodsworth, Parks, Recreation and Community Services Director*
3. Proclamation recognizing July as the anniversary month of the Americans with Disabilities Act.
4. Clover Park School District Report.
5. Appointing Kyle Franklin to serve on the Community Services Advisory Board through December 15, 2024.
6. Authorizing the issuance of Conditional Certificate of Acceptance of Tax Exemption within a Residential Target Area to Ameriglaze Restoration, LLC. – (Resolution – Consent Agenda)
7. Approving a development agreement permitting a low income housing density bonus at the Meadow Park 55 Development Project - 7731 Dean Street West and 5402 77th St W, Lakewood, WA; Assessor's Parcel No. APN 3905000674. – (Resolution – Consent Agenda)

8. Removing the Hopkins House from the Lakewood Landmarks Historic Register - 7520 North Street SW, Lakewood, WA; Assessor's Parcel No. 6435000060. – (Resolution – Consent Agenda)
9. Authorizing the City Manager to seek grant funding assistance managed through the Washington State Recreation and Conservation Office for the Wards Lake Park Phase 2 project, Wards Lake BMX Track project and Harry Todd Pickle ball Courts. – (Resolution – Consent Agenda)
10. Adopting the Tacoma Pierce County Solid Waste and Hazardous Management Plan. – (Resolution – Regular Agenda)

REPORTS BY THE CITY MANAGER

City Manager Caulfield reported that the House Appropriates Committee has moved forward the South Tacoma Way from 80th to 88th Street project.

He shared that the Farmers Market will be held Tuesday, June 28th followed by a Concert in the Park that starts at 6:30 p.m. and the City's Outdoor Day Camp kicked off today and will be held weekly through August 19th.

The City and West Pierce Fire & Rescue have been working on community outreach related to Fireworks only being legal on July 4th this year. He noted that to date 11 fireworks stands have been permitted this year and one fireworks show.

CITY COUNCIL COMMENTS

Councilmember Bocchi spoke about use of the American Lake and Lakewood Gardens parking lots and shared that he will be attending the Concert in the Park tomorrow.

Councilmember Brandstetter shared that he attended the Association of Washington Cities (AWC) Annual Conference last week. He also shared that the Lakewood Library Advisory Committee is scheduled to hold their first meeting on Thursday, June 30th.

Councilmember Farmer complimented the utility box wrap program.

Councilmember Belle shared that she attended the Association of Washington Cities (AWC) Annual Conference last week. She encouraged the City Council to become more involved with AWC and consider opportunities to serve on the Board.

Councilmember Anderson spoke about the Association of Defense Communities Defense Authorization Act funding for community infrastructure improvements and recreational opportunities for the community.

Deputy Mayor Moss shared that last week she virtually attended the Association of Washington Cities (AWC) Annual Conference and participated in the Purple Heart Golf Tournament. She shared that the incoming Lakewood Rotary President is Mayor Jason Whalen.

Mayor Whalen shared that this morning he attended the Community Leaders Breakfast hosted by Lieutenant General Brunson.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:56 p.m.

ATTEST:

JASON WHALEN, MAYOR

BRIANA SCHUMACHER
CITY CLERK



LAKEWOOD CITY COUNCIL MINUTES

Tuesday, July 5, 2022

City of Lakewood

6000 Main Street SW

Lakewood, WA 98499

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

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

Participant ID: 868 7263 2373

CALL TO ORDER

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

ROLL CALL

Councilmembers Present: 6 – Mayor Jason Whalen, Deputy Mayor Mary Moss, Councilmembers Mike Brandstetter, Don Anderson, Patti Belle and Paul Bocchi.

Councilmember Excused: 1 – Councilmember Linda Farmer.

PLEDGE OF ALLEGIANCE

Mayor Whalen paused for a moment of silence and led the Pledge of Allegiance.

PROCLAMATIONS AND PRESENTATIONS

Police Commission Ceremony.

Lakewood Police Chief Mike Zaro called on Municipal Court Judge Lisa Mansfield who conducted the Oath of Office for Officers Raquel Brunson, Jack Johnson, Natalie Zieber, Sean Urckfitz and Detective Jordan Feldman.

At 7:08 p.m., Mayor Whalen announced that the City Council will recess for five minutes. The City Council reconvened at 7:11 p.m.

Proclamation recognizing July as Parks and Recreation month.

COUNCILMEMBER BRANDSTETTER PRESENTED A PROCLAMATION DECLARING THE MONTH OF JULY AS PARKS AND RECREATION MONTH TO JASON GERWEN, CHAIR OF THE PARKS AND RECREATION ADVISORY BOARD.

Proclamation recognizing July as the anniversary month of the Americans with Disabilities Act.

MAYOR WHALEN PRESENTED A PROCLAMATION RECOGNIZING JULY AS THE ANNIVERSARY MONTH OF THE AMERICANS WITH DISABILITIES ACT TO JUDI BROWN, BOARD OF DIRECTORS, REBUILDING TOGETHER SOUTH SOUND.

Clover Park School District Report.

Clover Park School District (CPSD) Boardmember Carole Jacobs reported that 631 students graduated this year from CPSD schools of which 109 students were honor graduates and several received scholarships. She shared that Superintendent Banner received a WASA Award of Merit for effective leadership. She shared that registration for kindergarten is now open for students five years or older, birth certificates and immunization proof is needed upon registration. She then shared that summer enrichment programs are being held at various locations, school zone lights are flashing as students are still in attendance and lunch is being provided at schools, to find locations visit the CPSD website. She reported CPSD is hiring for various positions such as substitute teachers, para-educators, custodians and bus drivers many of which are eligible for hiring bonuses. Discussion ensued.

PUBLIC COMMENTS

The City Council received written comments in advance of the meeting from James Dunlop and Christina Manetti.

Speaking before Council were:

Glen Spieth, Lakewood resident, spoke about the traffic signal at 59th Ave and Bridgeport Way not functioning correctly.

Christina Manetti, Lakewood resident, spoke about the City blocking her email address and that of the Action Network so public comments almost could not be submitted ahead of the Planning Commission public hearing of July 6. Manetti also spoke about fake comments being submitted through the Action Network.

James Dunlop, Lakewood resident, spoke about the Pierce County Library System betraying Lakewood's trust, lack of transparency and no publically available zoom access or ability to make public comments on the agenda for in the Library Advisory Ad Hoc Committee. Dunlop requested the City Council vote to put de-annexation from the Lakewood Library on the next ballot.

Yasmin Smith, questioned what the City Council is or is not doing in regards to keeping the library. Smith asked the City Council to address the Lakewood Library and the environmental impacts of oak tree removal.

Carlo Manetti, asked whose idea it was to close the Lakewood Library without a temporary location available. Manetti spoke in support of keeping the library open and making reasonable repairs.

Dennis Haugen, Sioux Falls, spoke about Washington being a sanctuary state, the growth of fentanyl in the community and associated deaths as well as math and reading scores in schools.

Addo Aequitas, Panther Party, spoke about a Clover Park Boardmember having two sanctions against them for racial comments, the Library System and police accountability.

Docere Pharmakis, Pullman resident, spoke about proclamations not doing anything, silencing the people by blocking the Action Network comments and dealing with the will of the people and listening to them.

Tichomir Dunlop, Lakewood resident, endorsed the Tree Advisory Ad Hoc Committee recommendations and spoke in support of fines for the removal of trees. Dunlop spoke in support of keeping the Lakewood Library open and access to information.

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

- A. Approval of the minutes of the City Council meeting of June 6, 2022.
- B. Approval of the minutes of the City Council study session of June 13, 2022.
- C. Approval of the minutes of the City Council meeting of June 21, 2022.
- D. Approval of claims vouchers, in the amount of \$3,037,669.55, for the period of May 19, 2022 through June 23, 2022.
- E. Approval of payroll checks, in the amount of \$2,554,912.19, for the period of May 16, 2022 through June 15, 2022.

F. Motion No. 2022-49

Authorizing the execution of a Master Services and Purchasing Agreement with Axon Enterprise, Inc., for In-Car Video, Body Worn Cameras, tasers and cloud storage.

G. Motion No. 2022-50

Authorizing the execution of an amendment to the agreement with R.L. Alia Company, increasing spending in the amount of \$377,925.24, for the construction of the JBLM-North Access Improvement Phase 1 Project.

H. Motion No. 2022-51

Appointing Kyle Franklin to serve on the Community Services Advisory Board through December 15, 2024.

I. Resolution No. 2022-07

Authorizing the City Manager to seek grant funding assistance managed through the Washington State Recreation and Conservation Office for the Wards Lake Park Phase 2 project, Wards Lake BMX Track project and Harry Todd Pickle Ball Courts.

- J. Items filed in the Office of the City Clerk:
- 1. Landmarks and Heritage Advisory Board meeting minutes of May 26, 2022.
 - 2. Planning Commission meeting minutes of June 1, 2022.
 - 3. Planning Commission meeting minutes of June 8, 2022.

DEPUTY MAYOR MOSS MOVED TO ADOPT THE CONSENT AGENDA. SECONDED BY COUNCILMEMBER ANDERSON. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

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

RESOLUTION

Resolution No. 2022-08 Authorizing the issuance of Conditional Certificate of Acceptance of Tax Exemption within a Residential Target Area to Ameriglaze Restoration, LLC.

COUNCILMEMBER ANDERSON MOVED TO CONTINUE CONSIDERATION OF RESOLUTION NO. 2022-08 TO THE JULY 18, 2022 CITY COUNCIL MEETING. SECONDED BY COUNCILMEMBER BELLE. VOICE VOTE WAS TAKEN CARRIED UNANIMOUSLY.

Resolution No. 2022-09 Authorizing the Inclusionary Housing Incentive Design Covenant for Permit Number 1622 Meadow Park 55 Design Review.

COUNCILMEMBER BRANDSTETTER MOVED TO CONTINUE CONSIDERATION OF RESOLUTION NO. 2022-09 TO THE JULY 18, 2022 CITY COUNCIL MEETING. SECONDED BY COUNCILMEMBER BOCCHI. VOICE VOTE WAS TAKEN CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Motion No. 2022-52 Termination of the Lakewood Landmark Designation for the Hopkins House located at 7520 North Street SW, Lakewood, Washington.

COUNCILMEMBER BOCCHI MOVED TO ADOPT MOTION NO. 2022-52. SECONDED BY DEPUTY MAYOR MOSS. VOICE VOTE WAS TAKEN CARRIED UNANIMOUSLY.

REPORTS BY THE CITY MANAGER

Deputy City Manager Kraus shared that the Farmers Market will be held Tuesdays from June 7th through August 30th, Summer Night Concerts at the Pavilion will be held on July 12th, 19th, 26th and SummerFEST will be held on July 23rd from 11:00 a.m. to 11 p.m. at Fort Steilacoom Park.

CITY COUNCIL COMMENTS

Councilmember Bocchi shared that he attended the Concert in the Park last week and spoke about working on an engagement plan with the Library and when a temporary location is expected to be opened.

Councilmember Brandstetter spoke about celebrating on July 4th, making progress with code changes that limited the discharge in fireworks and he looks forward to the Police and Fire Department statistics from this year. He spoke about four Vietnam Veterans who were awarded a Medal of Honor and he spoke about use of American Rescue Plan Act (ARPA) funds for a capital investment in a food program and requested the item be added to the study session for discussion.

Councilmember Anderson spoke about the consideration of de-annexation of the city from the Pierce County Library System.

Councilmember Belle spoke about the Pierce County Library System, congratulated the newly commissioned Police Officers and the scholarships Clover Park School District students received.

Mayor Whalen requested an update weekly on the status of the Library and shared that he attended the Concert in the Park last week.

Mayor Whalen announced that the City Council will recess into Executive Session for approximately 15 minutes pursuant to RCW 42.30.110(1) to discuss with legal counsel representing the City legal risks of a proposed action or current practice that the City has identified when public discussion of the legal risks is likely to result in an adverse legal consequence to the City and for approximately 15 minutes pursuant to RCW 42.30.110(1)(g) to review the performance of a public employee.

The City Council recessed into Executive Session at 9:20 p.m. and reconvened at 9:45 p.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:45 p.m.

JASON WHALEN, MAYOR

ATTEST:

BRIANA SCHUMACHER
CITY CLERK

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED:	TITLE: Lakewood Active Transportation Plan Update	TYPE OF ACTION:
July 18, 2022	ATTACHMENTS:	— ORDINANCE
	Contract for Professional Services	— RESOLUTION
REVIEW:	Appendix A – Scope of Services	<u>X</u> MOTION 2022-53
July 12, 2022	Appendix B – Fee Cost Estimate	— OTHER

SUBMITTED BY: Paul A. Bucich, P.E., Public Works Engineering Director
Weston Ott, P.E., Engineering Services Manager.

RECOMMENDATION: Authorize the City Manager to enter into the attached Contract for Professional Services with Transpo Group for the update to the City of Lakewood's existing Non-Motorized Plan.

DISCUSSION: In 2009 the City of Lakewood prepared a Non-Motorized plan for the City. This plan is at a point that an update is needed to reflect the substantial infrastructure investment the City has made and the future planned improvements. This work will entail an update to the existing document and not a wholesale rewrite. An element of public involvement is part of this work and will include an online survey.

ALTERNATIVE(S): The City Council could choose to not authorize execution of the attached agreement and continue to utilize the 2009 document.

FISCAL IMPACT: There is no fiscal impact beyond what is already budgeted for in the adopted 2022 Carry Forward Budget Adjustment.

Weston Ott, P.E. Weston C. Ott
Prepared by

Tho Kraus Tho Kraus, Acting City Manager
City Manager Review

Paul A. Bucich, P.E. Paul A Bucich
Department Director

**PROFESSIONAL SERVICES AGREEMENT
FOR**

Lakewood Active Transportation Plan Update

This Professional Services Agreement ("Agreement"), made and entered into this ____ day of ____, 20____, by and between the City of Lakewood, a Washington municipal corporation ("City"), and Transpo Group USA, Inc., _____ ("Contractor"). The City and Contractor (together "Parties") are located and do business at the below addresses which shall be valid for any notice required under this Agreement:

Transpo Group USA, Inc. 12131 113th Ave NE #203 Kirkland, WA 98034	:	CITY OF LAKEWOOD: Weston Ott 6000 Main St. SW Lakewood, WA 98499
--	---	--

The Parties agree as follows:

- 1. TERM.** The term of this Agreement shall commence upon the effective date of this Agreement, which shall be the date of mutual execution, and shall continue until the completion of the Work, but in any event no later than 12/31/2023 ("Term"). This Agreement may be extended for additional periods of time upon the mutual written agreement of the City and the Contractor.
- 2. SERVICES.** The Contractor shall perform the services more specifically described in Exhibit "A", attached hereto and incorporated by this reference ("Services"), in a manner consistent with the accepted professional practices for other similar services within the Puget Sound region in effect at the time those services are performed, performed to the City's satisfaction, within the time period prescribed by the City and pursuant to the direction of the City Manager or his or her designee. The Contractor warrants that it has the requisite training, skill, and experience necessary to provide the Services and is appropriately accredited and licensed by all applicable agencies and governmental entities, including but not limited to obtaining any applicable City of Lakewood business license. Services shall begin immediately upon the effective date of this Agreement. Services shall be subject, at all times, to inspection by and approval of the City, but the making (or failure or delay in making) such inspection or approval shall not relieve Contractor of responsibility for performance of the Services in accordance with this Agreement, notwithstanding the City's knowledge of defective or non-complying performance, its substantiality or the ease of its discovery.
- 3. TERMINATION.** Either party may terminate this Agreement, with or without cause, upon providing the other party ³⁰ days written notice at its address set forth above. The City may terminate this Agreement immediately if the Contractor fails to maintain required insurance policies, breaches confidentiality, or materially violates Section 12; and such may result in ineligibility for further City agreements.

4. COMPENSATION.

4.1 Amount. In return for the Services, the City shall pay the Contractor an amount not to exceed a maximum amount and according to a rate or method as delineated in Exhibit "B", attached hereto and incorporated by this reference. The Contractor agrees that any hourly or flat rate charged by it for its services contracted for herein shall remain locked at the negotiated rate(s) for the Term. Except as otherwise provided in Exhibit "B", the Contractor shall be solely responsible for the payment of any taxes imposed by any lawful jurisdiction as a result of the performance and payment of this Agreement.

4.2 Method of Payment. On a monthly basis, the Contractor shall submit a voucher or invoice in the form specified by the City, including a description of what Services have been performed, the name of the personnel performing such Services, and any hourly labor charge rate for such personnel. The Contractor shall also submit a final bill upon completion of all Services. Payment shall be made on a monthly basis by the City only after the Services have been performed and within thirty (30) days after receipt and approval by the appropriate City representative of the voucher or invoice. If the Services do not meet the requirements of this Agreement, the Contractor will correct or modify the work to comply with the Agreement. The City may withhold payment for such work until the work meets the requirements of the Agreement.

4.3 Non-Appropriation of Funds. If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the City will not be obligated to make payments for Services or amounts incurred after the end of the current fiscal period, and this Agreement will terminate upon the completion of all remaining Services for which funds are allocated. No penalty or expense shall accrue to the City in the event this provision applies.

5. INDEMNIFICATION.

5.1 Contractor Indemnification. Contractor shall defend, indemnify and hold the Public Entity, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of the Contractor in performance of this Agreement, except for injuries and damages caused by the sole negligence of the Public Entity.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Contractor and the Public Entity, its officers, officials, employees, and volunteers, the Contractor's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Contractor's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Contractor's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

5.2 Industrial Insurance Act Waiver. It is specifically and expressly understood that the Contractor waives any immunity that may be granted to it under the Washington State industrial insurance act, Title 51 RCW, solely for the purposes of this indemnification. Contractor's indemnification shall not be limited in any way by any limitation on the amount of damages, compensation or benefits payable to or by any third party under workers' compensation acts, disability benefit acts or any other benefits acts or programs. The Parties acknowledge that they have mutually negotiated this waiver.

5.3 Survival. The provisions of this Section shall survive the expiration or termination of this Agreement with respect to any event occurring prior to such expiration or termination.

6. **INSURANCE**. The Contractor shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, or employees.

6.1. No Limitation. Contractor's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the Contractor to the coverage provided by such insurance, or otherwise limit the Public Entity's recourse to any remedy available at law or in equity.

6.2. Minimum Scope of Insurance. Contractor shall obtain insurance of the types and coverage described below:

- a. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.
- b. Commercial General Liability insurance shall be at least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap independent contractors and personal injury and advertising injury. The Public Entity shall be named as an additional insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the Public Entity using an additional insured endorsement at least as broad as ISO CG 20 26.
- c. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
- d. Professional Liability insurance appropriate to the Contractor's profession.

6.3. Minimum Amounts of Insurance. Contractor shall maintain the following insurance limits:

- a. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
- b. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
- c. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

6.4 Other Insurance Provision. The Contractor's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance as respect the Public Entity. Any Insurance, self-insurance, or self-insured pool coverage maintained by the Public Entity shall be excess of the Contractor's insurance and shall not contribute with it.

6.5 Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

6.6 Verification of Coverage. Contractor shall furnish the Public Entity with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the

additional insured endorsement, evidencing the insurance requirements of the Contractor before commencement of the work.

6.7 Notice of Cancellation. The Contractor shall provide the Public Entity with written notice of any policy cancellation within two business days of their receipt of such notice.

6.8 Failure to Maintain Insurance. Failure on the part of the Contractor to maintain the insurance as required shall constitute a material breach of contract, upon which the Public Entity may, after giving five business days' notice to the Contractor to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the Public Entity on demand, or at the sole discretion of the Public Entity, offset against funds due the Contractor from the Public Entity.

6.9 Public Entity Full Availability of Contractor Limits. If the Contractor maintains higher insurance limits than the minimums shown above, the Public Entity shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Contractor, irrespective of whether such limits maintained by the Contractor are greater than those required by this contract or whether any certificate of insurance furnished to the Public Entity evidences limits of liability lower than those maintained by the Contractor.

6.10 Survival. The provisions of this Section shall survive the expiration or termination of this Agreement.

7. **WORK PRODUCT.** All originals and copies of work product, including plans, sketches, layouts, designs, design specifications, records, files, computer disks, magnetic media or material which may be produced or modified by Contractor while performing the Work shall belong to the City upon delivery. The Contractor shall make such data, documents, and files available to the City and shall deliver all needed or contracted for work product upon the City's request. At the expiration or termination of this Agreement, all originals and copies of any such work product remaining in the possession of Contractor shall be delivered to the City.

8. **BOOKS AND RECORDS.** The Contractor agrees to maintain books, records, and documents which sufficiently and properly reflect all direct and indirect costs related to the performance of the Work and maintain such accounting procedures and practices as may be deemed necessary by the City to assure proper accounting of all funds paid pursuant to this Agreement. These records shall be subject, at all reasonable times, to inspection, review or audit by the City, its authorized representative, the State Auditor, or other governmental officials authorized by law to monitor this Agreement.

9. **INDEPENDENT CONTRACTOR.** The Parties intend that the Contractor shall be an independent contractor and that the Contractor has the ability to control and direct the performance and details of its work, the City being interested only in the results obtained under this Agreement. The City shall be neither liable nor obligated to pay Contractor sick leave, vacation pay or any other benefit of employment, nor to pay any social security or other tax which may arise as an incident of employment. Contractor shall take all necessary precautions and shall be responsible for the safety of its employees, agents, and subcontractors in the performance of the contract work and shall utilize all protection necessary for that purpose. All work shall be done at Contractor's own risk, and Contractor shall be responsible for any loss of or damage to materials, tools, or other articles used or held for use in connection with the work. The Contractor shall pay all income and other taxes due except as specifically provided in Section 4. Industrial or any other insurance that is purchased for the benefit of the City, regardless of whether such may provide a secondary or incidental benefit to

the Contractor, shall not be deemed to convert this Agreement to an employment contract. If the Contractor is a sole proprietorship or if this Agreement is with an individual, the Contractor agrees to notify the City and complete any required form if the Contractor retired under a State of Washington retirement system and agrees to indemnify any losses the City may sustain through the Contractor's failure to do so.

10. CONFLICT OF INTEREST. It is recognized that Contractor may or will be performing professional services during the Term for other parties; however, such performance of other services shall not conflict with or interfere with Contractor's ability to perform the Services. Contractor agrees to resolve any such conflicts of interest in favor of the City. Contractor confirms that Contractor does not have a business interest or a close family relationship with any City officer or employee who was, is, or will be involved in the Contractor's selection, negotiation, drafting, signing, administration, or evaluating the Contractor's performance.

11. EQUAL OPPORTUNITY EMPLOYER. In all services, programs, activities, hiring, and employment made possible by or resulting from this Agreement or any subcontract, there shall be no discrimination by Contractor or its subcontractors of any level, or any of those entities' employees, agents, subcontractors, or representatives against any person because of sex, age (except minimum age and retirement provisions), race, color, religion, creed, national origin, marital status, or the presence of any disability, including sensory, mental or physical handicaps, unless based upon a bona fide occupational qualification in relationship to hiring and employment. This requirement shall apply, but not be limited to the following: employment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. Contractor shall comply with and shall not violate any of the terms of Chapter 49.60 RCW, Title VI of the Civil Rights Act of 1964, the Americans With Disabilities Act, Section 504 of the Rehabilitation Act of 1973, 49 CFR Part 21, 21.5 and 26, or any other applicable federal, state, or local law or regulation regarding non-discrimination.

12. GENERAL PROVISIONS.

12.1 Interpretation and Modification. This Agreement, together with any attached Exhibits, contains all of the agreements of the Parties with respect to any matter covered or mentioned in this Agreement and no prior statements or agreements, whether oral or written, shall be effective for any purpose. Should any language in any Exhibits to this Agreement conflict with any language in this Agreement, the terms of this Agreement shall prevail. The respective captions of the Sections of this Agreement are inserted for convenience of reference only and shall not be deemed to modify or otherwise affect any of the provisions of this Agreement. Any provision of this Agreement that is declared invalid, inoperative, null and void, or illegal shall in no way affect or invalidate any other provision hereof and such other provisions shall remain in full force and effect. Any act done by either Party prior to the effective date of the Agreement that is consistent with the authority of the Agreement and compliant with the terms of the Agreement, is hereby ratified as having been performed under the Agreement. No provision of this Agreement, including this provision, may be amended, waived, or modified except by written agreement signed by duly authorized representatives of the Parties.

12.2 Assignment and Beneficiaries. Neither the Contractor nor the City shall have the right to transfer or assign, in whole or in part, any or all of its obligations and rights hereunder without the prior written consent of the other Party. If the non-assigning party gives its consent to any assignment, the terms of this Agreement shall continue in full force and effect and no further assignment shall be made without additional written consent. Subject to the foregoing, the rights and obligations of the Parties shall inure to the benefit of and be binding upon their respective successors in interest, heirs and assigns. This Agreement is made and entered into for the sole protection and

benefit of the Parties hereto. No other person or entity shall have any right of action or interest in this Agreement based on any provision set forth herein.

12.3 Compliance with Laws. The Contractor shall comply with and perform the Services in accordance with all applicable federal, state, local, and city laws including, without limitation, all City codes, ordinances, resolutions, regulations, rules, standards and policies, as now existing or hereafter amended, adopted, or made effective.

12.4 Contractor's Employees – Employment Eligibility Requirements. The Contractor and any subcontractors shall comply with E-Verify as set forth in Lakewood Municipal Code Chapter 1.42. E-Verify is an Internet-based system operated by United States Citizenship and Immigration Services in partnership with the Social Security Administration. E-Verify is free to employers and is available in all 50 states. E-Verify provides an automated link to federal databases to help employers determine employment eligibility of new hires and the validity of their Social Security numbers. 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.

12.5 Contractor's Employees - Department of Retirement Systems (DRS) Retiree Return to Work Verification Process. The City's obligation to comply with DRS Retiree Return to Work Verification Process extends to Independent Contractors and Third Party Workers. Contractor and any subcontractors shall provide worker information as requested by the City. The Contractor shall provide such requested information, and/or proof of subcontractor compliance with this section, within three (3) working days of the date of the City's request for same.

12.6 Enforcement. Time is of the essence of this Agreement and each and all of its provisions in which performance is a factor. Adherence to completion dates set forth in the description of the Services is essential to the Contractor's performance of this Agreement. Any notices required to be given by the Parties shall be delivered at the addresses set forth at the beginning of this Agreement. Any notices may be delivered personally to the addressee of the notice or may be deposited in the United States mail, postage prepaid, to the address set forth above. Any notice so posted in the United States mail shall be deemed received three (3) days after the date of mailing. Any remedies provided for under the terms of this Agreement are not intended to be exclusive, but shall be cumulative with all other remedies available to the City at law, in equity or by statute. The failure of the City to insist upon strict performance of any of the covenants and agreements contained in this Agreement, or to exercise any option conferred by this Agreement in one or more instances shall not be construed to be a waiver or relinquishment of those covenants, agreements or options, and the same shall be and remain in full force and effect. Failure or delay of the City to declare any breach or default immediately upon occurrence shall not waive such breach or default. Failure of the City to declare one breach or default does not act as a waiver of the City's right to declare another breach or default. This Agreement shall be made in, governed by, and interpreted in accordance with the laws of the State of Washington. If the Parties are unable to settle any dispute, difference or claim arising from this Agreement, the exclusive means of resolving that dispute, difference, or claim, shall be by filing suit under the venue, rules and jurisdiction of the Pierce County Superior Court, Pierce County, Washington, unless the parties agree in writing to an alternative process.

If the Pierce County Superior Court does not have jurisdiction over such as suit, then suit may be filed in any other appropriate court in Pierce County, Washington. Each party consents to the personal jurisdiction of the state and federal courts in Pierce County, Washington and waives an objection that such courts are an inconvenient forum. If either Party brings any claim or lawsuit arising from this Agreement, each party shall pay all its legal costs and attorney's fees and expenses incurred in defending or bringing such claim or lawsuit, including all appeals, in addition to any other recovery or award provided by law; provided, however, nothing in this paragraph shall be construed to limit the Parties' rights to indemnification under Section 5 of this Agreement.

12.7 Execution. Each individual executing this Agreement on behalf of the City and Contractor represents and warrants that such individual is duly authorized to execute and deliver this Agreement. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and with the same effect as if all Parties hereto had signed the same document. All such counterparts shall be construed together and shall constitute one instrument, but in making proof hereof it shall only be necessary to produce one such counterpart. The signature and acknowledgment pages from such counterparts may be assembled together to form a single instrument comprised of all pages of this Agreement and a complete set of all signature and acknowledgment pages. The date upon which the last of all of the Parties have executed a counterpart of this Agreement shall be the "date of mutual execution" hereof.

[Signature page follows]

IN WITNESS, the Parties hereto have caused this agreement to be executed the day and year first above written.

Date: _____

CITY OF LAKEWOOD

John J. Caulfield, City Manager

ATTEST:

Briana Schumacher, City Clerk

APPROVED AS TO FORM:

Heidi Ann Wachter, City Attorney

Transpo Group USA, Inc.

Ryan Peterson

 Digitally signed by Ryan Peterson
DN: C=US,
E=ryan.peterson@transpogroup.com,
O=Transpo Group, CN=Ryan Peterson
Date: 2022.07.11 15:16:11-07'00'

Principal

Scope of Services for
Lakewood Active Transportation Plan Update

Scope of Services

Client Name:	City of Lakewood		
Project Name:	Active Transportation Plan Update		
Exhibit Dated:	Thursday, June 16, 2022	TG:	1.22026.PR

The City of Lakewood has requested consulting services to update its Active Transportation Plan (ATP). Transpo Group USA, Inc. (Transpo) will provide transportation planning services to the City of Lakewood (City) to complete the update to the Active Transportation Plan. The following scope of work outlines tasks, deliverables, roles and responsibilities, and assumptions for completing updates to the ATP. The scope is based on our past work in developing the existing plan and discussions with City staff.

General Assumptions

1. The project duration will be up to 8 months.
2. No systemwide data collection will be performed by the consultant.
3. Assumes that the plan document will be updated and not be completely re-written.
4. Budget may be transferred between Tasks, in consultation with the City Project Manager, provided the total contract amount is not exceeded.
5. The City will be responsible for coordinating the distribution of deliverables among City departments for review and comment. The City will be responsible for collecting review comments, resolving conflicting comments, and submitting one set of consolidated non-conflicting comments to Transpo for each deliverable.
6. Assumes one round of comment/revision for each deliverable. Additional rounds of comment/revision will be considered additional service, and based on project health, additional fee may need to be needed.
7. All deliverables will be provided by Transpo in electronic format.

Task 1 – Project Management

Organize, manage, and coordinate the services required to perform the scope of work. Transpo will provide project management and contract administration services to facilitate efficient progress on the scope of work. Transpo will maintain ongoing, clear communication with the City of Lakewood's Project Manager. All deliverables will be subjected to the Transpo's Quality Assurance/Quality Control procedures.

Check-in Meetings

Regular check-in meetings are expected to occur each month to review deliverables, milestones, and provide key direction to the consultant team. The meetings will be via conference call using Microsoft Teams software to share information. Additional coordination phone calls between the City and Transpo may occur more frequently, as needed.



Scope of Services for
Lakewood Active Transportation Plan Update

Invoicing and Progress Reports

Detailed progress reports and invoices will be prepared on a monthly basis and provided to the City.

City Responsibilities

- City project manager participation at check-in meetings

Consultant Deliverables

- Monthly progress reports and meetings (8)

Task 2 – Engage with the Community

The goal of this task will be to assist the City in sharing information and obtaining input from the public.

Web Site Content

Transpo will coordinate with City staff to share key deliverables with the public on the City's web site. Prepare a document summarizing the input received from the online survey and how the information was incorporated into the overall plan update.

Online Survey

Transpo will develop an online survey to obtain broad public input on issues, types of projects they would like to see, and gaps in the system or locations where people feel unsafe.

City Responsibilities

- Designation of web landing page on City's website for the ATP update
- Online posting of materials developed by Transpo to the City web site
- Support in the development of the online survey and sharing it through existing communication channels

Consultant Deliverables

- Materials for the public landing page
- Development of an online survey
- Summary of the survey results including comments received

Task 3 – Update Existing Conditions

Assessing the existing active transportation system in the City will provide the context of the future needs and guide how the project team will approach the overall plan update.

Review Existing Plans/Studies

The existing conditions review will build off the existing plan and other recent transportation and land use



Exhibit A

Scope of Services for Lakewood Active Transportation Plan Update

plans prepared by the City and other agencies since adoption of the last ATP in 2009. Many of the projects and strategies identified through past efforts will provide an excellent starting point for this update. The plans will be summarized and their relevancy to the ATP will be noted. Any planned active transportation projects will be noted for consideration and review as part of this update.

Review Available Data

Transpo will review the available pedestrian and bicycle data maintained by the City. A meeting will be held with City GIS staff to identify the various datasets available for use on the plan update, while also understanding the extent of the data available to identify gaps in the system and substandard segments. During the review, it is possible that additional data needs will be identified. It is expected that any additional data to be inventoried would be completed by the City.

Review Existing Ped/Bike System

Based on the existing availability of data, and past planning efforts, the City's current active transportation system will be updated. Updated maps will be prepared that benchmark the current extent of the system. The existing conditions maps will establish a baseline for the recommended updates.

City Responsibilities

- Provide all applicable and available data and plans
- Provide the following GIS layers, where available:
 - Street centerlines
 - Off-street trails
 - Bicycle facilities
 - Sidewalks
 - Curb ramps
 - Speed data
 - Volume data
 - Crosswalks
 - Crosswalk enhancements (e.g., active warnings, signals, islands, etc.)
 - Existing and unopened City rights-of-way
 - Signal data (Traffic signals, HAWKS, Overhead flashers, RRFBs, School Zones, etc.)
 - Transit stops
 - Parks & Community Centers
 - Schools
- Obtain any necessary missing GIS data
- Prepare the updated base maps for the existing active transportation system

Consultant Deliverables

- Map mark-ups of the existing active transportation system
- Figures of the existing active transportation system



Scope of Services for
Lakewood Active Transportation Plan Update

Task 4 – Update and Prioritize Active Transportation Projects

This task will update the pedestrian and bicycle network needs and project list. Network demand locations and key connections based on the existing plan and updated GIS data will be starting points for the evaluation and confirmation of future projects.

Network Analysis

The network analysis will update the previous analysis in the existing plan to confirm future areas of need for both pedestrians and cyclists. The effort will utilize the same walkability criteria used previously such as distance from parcels to identified destinations (e.g., urban villages, transit, schools). The analysis will confirm remaining critical gaps or locations where pedestrian and bicycle improvements need to be considered. The analysis will primarily focus on the arterial and collector roadway system.

Update Project List

An updated list of active transportation improvements will be prepared, including cost estimates and listing of priorities based on feedback and direction from the City. The effort will comprise the following major work items.

- Confirm the active transportation improvements that are already assumed in other City, state or regional plans.
- Identify projects to fill remaining gaps in the pedestrian and bicycle system.
- Coordinate with City staff to determine appropriate planning-level unit costs for active transportation improvements based on recent project experience. Develop project cost estimates for the resulting project list.
- Assess project priorities based on the established prioritization methodology.
- Prepare GIS mapping summaries of the active transportation system improvements.
- Prepare a prioritized project list of recommended active transportation improvements and their costs.

City Responsibilities

- Provide recent project bids
- Review and comment on the list of projects and costs
- Assist in preparing active transportation project maps

Consultant Deliverables

- Updated list of recommended active transportation projects
- Updated maps showing the location of each recommended active transportation project

Task 5 – Update Plan Document

This task includes the update of the existing plan document. The document will be consistent with the look/feel of the existing ATP plan. The updated plan document will be provided for review in electronic

Exhibit A

Scope of Services for Lakewood Active Transportation Plan Update

format (e.g., a Microsoft Word and Adobe Acrobat PDF file). Following review and comment by the City, the updated plan will be finalized.

City Responsibilities

- Review and comment on the final deliverables

Consultant Deliverables

- Draft active transportation plan including two rounds of edits.
- Final active transportation plan in PDF.
- Map data will be delivered in GIS map package format and transmitted through the consultant FTP site for the project. Database will be using an ESRI file geodatabase format where at all possible or at minimum ESRI shapefile. Deliverables shall include a GIS map package with mxd files containing functioning sources pointing to all mapped layers. GIS deliverables shall be in ESRI file geodatabase 10.8 or an earlier 10.x release.
- Electronic copies of all map/graphics provided in the report deliverable shall be included as PDFs.



Exhibit B - Cost Estimate Worksheet

Number / Project Name

Lakewood Active Transportation Plan Update

Pay rates are effective from Jun 4, 2022 through June 2, 2023, within the ranges shown in the attachment.

Only key staff are shown and other staff may work on and charge to the project as needed by the project manager.

	Project Manager	Quality Control	Project Engineer	Project Engineer	Engineer	GIS Analyst	Project Engineer	CAD/ Graphics	Project Admin
initials	JCP	BAS	PWS	KLL	FL	NEJ	JZP	CD	AMC
job title	Prin L7	Eng L6	Eng L5	Eng L5	Eng L4	Anyl L3	Eng L5	PA L3	PA L4
cost rate	\$290.00	\$230.00	\$190.00	\$190.00	\$170.00	\$125.00	\$210.00	\$140.00	\$185.00

Labor:

	Work Task									Hours	Cost
1	Project Management	8		8					3	19	\$4,395
2	Engage with Community	4		8		4		24		40	\$6,720
3	Update Existing Conditions	12		16		26	48	8		110	\$18,060
4	Update and Prioritize AT Projects	16	8	48		48	32	8		160	\$28,880
5	Update Plan Document	14		24		36	8	8		90	\$16,860
6										0	\$0
7										0	\$0
8										0	\$0
9										0	\$0
10										0	\$0
11										0	\$0
12										0	\$0
13										0	\$0
14										0	\$0
15										0	\$0
16										0	\$0
17										0	\$0
18										0	\$0
19										0	\$0
20										0	\$0
Total Hours		54	8	104	0	114	88	0	48	3	419
Labor Costs		\$15,660	\$1,840	\$19,760	\$0	\$19,380	\$11,000	\$0	\$6,720	\$555	\$74,915

Reimbursable Expenses:

	Item	Reimb. Cost
1	Application	
2	Business Meals	
3	Mileage	
4	Miscellaneous	
5	Models/Renderings/Photos	
6	Parking	
7	Records Filing	
8	Registrations	
9	Reproductions	
10	Shipping/Courier	
11	Specialty Software	
12	Supplies	
13	Traffic Accident Data	
14	Traffic Count Vendors	
15	Travel, Hotel, Taxi, & Air Fare	

Sub Total	\$0
Total (Cost + 15 percent)	\$0

Subconsultants:

	Firm	Subs. Cost
1	Subconsultant A	
2	Subconsultant B	
3	Subconsultant C	
4	Subconsultant D	
5	Subconsultant E	
Sub Total		\$0
Total (Cost + 15 percent)		\$0

TOTAL ESTIMATE \$75,000

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: July 18, 2022	TITLE: Motion authorizing award of a construction contract to Miles Resources, LLC in the amount of \$753,232.37 plus a five percent contingency for the construction of the Pacific Hwy/South Tacoma Way Overlay project.	TYPE OF ACTION: — ORDINANCE — RESOLUTION <u>X</u> MOTION #2022-54 — OTHER
REVIEW: July 18, 2022	ATTACHMENTS: Vicinity Map Bid Tabulations	

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

RECOMMENDATION: It is recommended that the City Council award a construction contract to Miles Resources, LLC. in the amount of \$753,232.37 plus a five percent contingency (\$37,661.00) for the construction of the Pacific Hwy/South Tacoma Way Overlay project, City Project 302.0068. Award is contingent upon WSDOT concurrence.

DISCUSSION: Through this project, the City will overlay Pacific Hwy/South Tacoma Way between 108th ST SW and State Route 512.

ALTERNATIVE(S): The City received 4 bids; attached are the Bid Tabulations for the project. It is not anticipated that rebidding the project would result in lower bids.

FISCAL IMPACT: The Engineer's Estimate for Construction was \$700,221.33. The low bid of \$753,232.37 is 7.6% higher than the Engineer's Estimate. This difference reflects the cost increases across the board from the impacts of the war in Europe, supply chain increases, and United States inflation. A more detailed analysis of funding sources and expenditures is listed below. **(continued on page 2)**

Eric Swanstrom

Prepared by

Department Director



Tho Kraus, Acting City Manager

City Manager Review

FISCAL IMPACTS (continued from page 1):

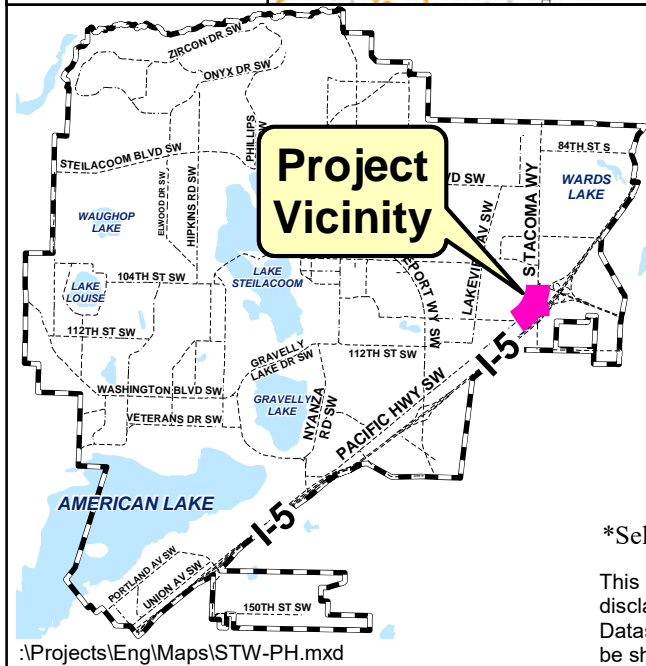
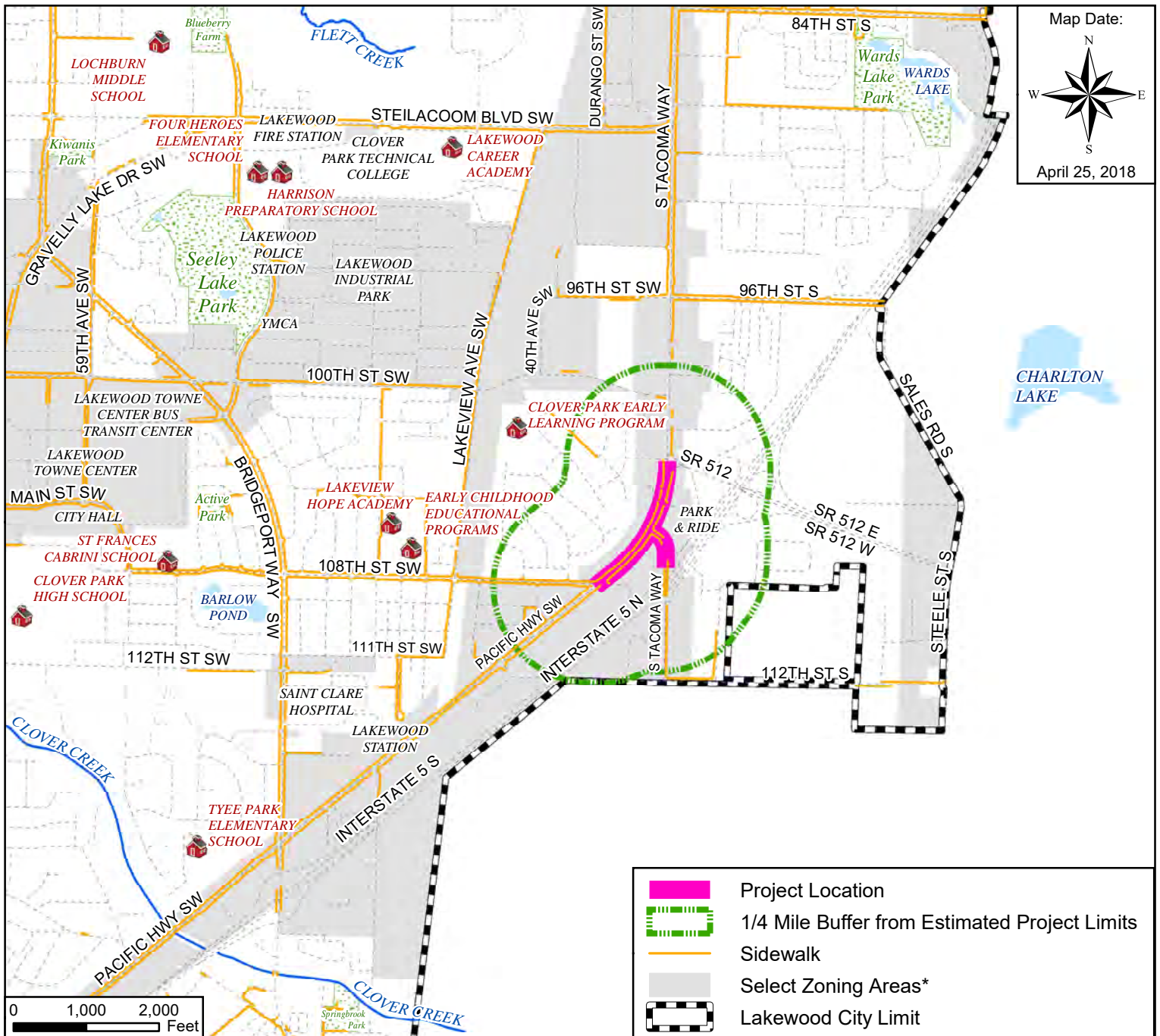
Pacific Hwy/South Tacoma Way Overlay	Budget	Projected
Funding Sources		
FHWA Grant	\$ 612,000	
General Fund	\$ 94,400	
REET	\$ 4,600	
Total Funding Sources	\$ 711,000	
Expenditures		
Design/Const. Mgmt.		\$87,898
Construction		\$ 753,232
10% Construction Contingency		\$ 37,661
Total Expenditures		\$878,791
Projected Budget Shortfall		\$ 167,791

The construction contract with a five percent construction contingency is \$790,893. Design costs for the project are \$67,898. Construction administration costs are expected to be \$20,000. It is anticipated that the total project expenditures will be \$878,791.

At this time, there are insufficient funds allocated to the project. An additional allocation of \$167,791 is available with existing Real Estate Excise Tax (REET) funding and will be allocated to this project through the 2022 end of year budget process.

WSDOT has indicated that additional federal funds may be available for projects given the unprecedented rise in project costs. Public Works staff will request additional project funding once City Council awards the project (a condition from WSDOT on any funding request) and will work the process with the Puget Sound Regional Council and WSDOT. Construction will likely occur before a decision on additional funds is made through this process but any additional funds will not require a delay in construction for award.

BID TABULATIONS													
PROJECT NAME: STW/Pac Hwy Overlay													
PROJECT NO.: 302.0068													
BID OPENING DATE: 7/7/20202													
Note: We hereby certify that these tabulated bids represent all bids received and that the additions of all prices shown have been checked and corrected.													
				Engineers Estimate		Miles Resources		Tucci & Sons		Central Paving		Lakeside Industries	
ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Mobilization	1	LS	\$65,000.00	\$65,000.00	\$31,800.00	\$31,800.00	\$24,000.00	\$24,000.00	\$79,575.00	\$79,575.00	\$118,000.00	\$118,000.00
2	Minor Change	5,000	FA	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00
3	Roadway Surveying	1	LS	\$5,000.00	\$5,000.00	\$7,728.00	\$7,728.00	\$11,000.00	\$11,000.00	\$7,725.00	\$7,725.00	\$10,500.00	\$10,500.00
4	SPCC Plan	1	LS	\$500.00	\$500.00	\$305.00	\$305.00	\$250.00	\$250.00	\$500.00	\$500.00	\$200.00	\$200.00
5	Project Temporary Traffic Control	1	LS	\$67,840.00	\$67,840.00	\$82,065.00	\$82,065.00	\$85,000.00	\$85,000.00	\$57,125.00	\$57,125.00	\$188,000.00	\$188,000.00
6	Uniformed Law Enforcement Personnel (min. bid \$70/hr)	100	HR	\$100.00	\$10,000.00	\$121.00	\$12,100.00	\$160.00	\$16,000.00	\$137.00	\$13,700.00	\$120.00	\$12,000.00
7	Portable Changeable Messge Sign	720	HR	\$3.00	\$2,160.00	\$7.70	\$5,544.00	\$2.50	\$1,800.00	\$7.70	\$5,544.00	\$8.00	\$5,760.00
8	Crushed Surfacing Top Course	150	TON	\$35.00	\$5,250.00	\$70.35	\$10,552.50	\$129.00	\$19,350.00	\$120.00	\$18,000.00	\$130.00	\$19,500.00
9	HMA Cl. 1/2" PG 64 -22	2,915	TON	\$105.00	\$306,075.00	\$95.10	\$277,216.50	\$105.50	\$307,532.50	\$95.00	\$276,925.00	\$166.00	\$483,890.00
10	HMA for Pavement Repair Cl. 1/2" PG 64 -22	250	TON	\$120.00	\$30,000.00	\$176.75	\$44,187.50	\$165.00	\$41,250.00	\$172.00	\$43,000.00	\$340.00	\$85,000.00
11	Pavement Repair Excavation Inc. Haul	948	SY	\$30.00	\$28,440.00	\$19.65	\$18,628.20	\$55.00	\$52,140.00	\$72.00	\$68,256.00	\$65.00	\$61,620.00
12	Planing Bituminous Pavement	23,961	SY	\$2.50	\$59,902.50	\$2.97	\$71,164.17	\$3.50	\$83,863.50	\$3.04	\$72,841.44	\$5.60	\$134,181.60
13	Asphalt Cost Price Adjustment	1	Calc	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
14	HMA Sawcut and Seal	41	LF	\$35.00	\$1,435.00	\$137.50	\$5,637.50	\$140.00	\$5,740.00	\$50.00	\$2,050.00	\$175.00	\$7,175.00
15	Adjust Manhole	7	EA	\$550.00	\$3,850.00	\$1,320.00	\$9,240.00	\$1,350.00	\$9,450.00	\$990.00	\$6,930.00	\$800.00	\$5,600.00
16	Adjust Catch Basin	3	EA	\$400.00	\$1,200.00	\$770.00	\$2,310.00	\$1,350.00	\$4,050.00	\$990.00	\$2,970.00	\$800.00	\$2,400.00
17	Adjust Valve/Junction/Meter box	6	EA	\$450.00	\$2,700.00	\$935.00	\$5,610.00	\$950.00	\$5,700.00	\$726.00	\$4,356.00	\$550.00	\$3,300.00
18	Erosion Control and Water Polution Prevention	1	LS	\$1,690.00	\$1,690.00	\$1,100.00	\$1,100.00	\$2,000.00	\$2,000.00	\$4,758.00	\$4,758.00	\$100.00	\$100.00
19	Raised Pavement Marker Type 2	260	EA	\$4.00	\$1,040.00	\$10.45	\$2,717.00	\$11.00	\$2,860.00	\$286.00	\$74,360.00	\$11.00	\$2,860.00
20	Monument Case and Cover	4	EA	\$1,800.00	\$7,200.00	\$550.00	\$2,200.00	\$1,500.00	\$6,000.00	\$1,650.00	\$6,600.00	\$600.00	\$2,400.00
21	Replace Curb Ramp at Transit Center	1	LS	\$4,500.00	\$4,500.00	\$8,240.00	\$8,240.00	\$11,000.00	\$11,000.00	\$9,230.00	\$9,230.00	\$5,000.00	\$5,000.00
22	Traffic Signal Vehicle Detection - Pac Hwy/108th St	1	LS	\$19,000.00	\$19,000.00	\$33,000.00	\$33,000.00	\$34,000.00	\$34,000.00	\$33,000.00	\$33,000.00	\$33,000.00	\$33,000.00
23	Profiled Plastic Lane Line	14,310	LF	\$2.50	\$35,775.00	\$3.30	\$47,223.00	\$3.25	\$46,507.50	\$3.30	\$47,223.00	\$3.50	\$50,085.00
24	Profiled Plastic Wide Lane Line	4,520	LF	\$4.00	\$18,080.00	\$6.60	\$29,832.00	\$6.50	\$29,380.00	\$6.60	\$29,832.00	\$7.00	\$31,640.00
25	Plastic Stop Line	390	LF	\$9.00	\$3,510.00	\$16.50	\$6,435.00	\$16.75	\$6,532.50	\$16.50	\$6,435.00	\$17.00	\$6,630.00
26	Plastic Traffic Arrow	30	EA	\$140.00	\$4,200.00	\$275.00	\$8,250.00	\$275.00	\$8,250.00	\$275.00	\$8,250.00	\$275.00	\$8,250.00
27	Plastic Traffic Letter	8	EA	\$60.00	\$480.00	\$198.00	\$1,584.00	\$200.00	\$1,600.00	\$198.00	\$1,584.00	\$200.00	\$1,600.00
28	Plastic Bike Lane Symbol	22	EA	\$60.00	\$1,320.00	\$291.50	\$6,413.00	\$300.00	\$6,600.00	\$292.00	\$6,424.00	\$300.00	\$6,600.00
29	Plastic Crosswalk Line	1,350	SF	\$4.50	\$6,075.00	\$11.00	\$14,850.00	\$11.00	\$14,850.00	\$11.00	\$14,850.00	\$11.00	\$14,850.00
30	Temporary Pavement Marking - Short Duration	10,000	LF	\$0.30	\$3,000.00	\$0.23	\$2,300.00	\$0.40	\$4,000.00	\$0.09	\$900.00	\$0.75	\$7,500.00
				Total	\$700,222.50	\$753,232.37		\$845,706.00		\$907,943.44		\$1,312,641.60	
DBE Condition of Award (17%)						\$128,049.50		\$143,770.02		\$154,350.38		\$223,149.07	



City of Lakewood Public Works

STW/Pacific Hwy SW 108th St SW to SR 512 (south side of intersection)

*Select Zoning Areas consist of C1, C2, C3, CBD, I1, I2, IBP, & TOC zones.

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

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: June 29th, 2022	TITLE: Resolution establishing August 15, 2022, as the date for a public hearing to consider the proposed vacation of the terminal westerly thirty-six (36) feet of 88 th Ave Ct SW west of the intersection with Wadsworth St SW.	TYPE OF ACTION: — ORDINANCE <u>X</u> RESOLUTION NO. 2022-10 — MOTION — OTHER
PUBLIC HEARING: July 18, 2022		
REVIEW:	ATTACHMENTS: Resolution, Application, Petition, Exhibit	

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

RECOMMENDATION: It is recommended that the City Council pass a resolution establishing August 15, 2022, as the date for a public hearing regarding the proposed vacation of the terminal westerly thirty-six (36) feet of 88th Ave Ct SW right-of-way west of the intersection with Wadsworth St SW.

DISCUSSION: A complete application for the vacation of 88th Ave Ct SW right-of-way was submitted on May 2, 2022, by Gomer Roseman representing Tacoma / Pierce County Habitat for Humanity, the owner of real property on 88th Ave Ct SW, which is adjacent to that portion of 88th Ave Ct SW under consideration. The property owner(s) desire to take ownership of the public right-of-way in order to increase the area of their existing lot.


In accordance with state law, the City Council shall, by resolution, fix a time when the petition shall be heard and determined by the City Council, which time shall not be more than 60 days nor less than 20 days after the date of adoption of the resolution. A staff report will be prepared in accordance with the City Code, and provided to the City Council in conjunction with the August 15, 2022 public hearing.

ALTERNATIVE(S): A public hearing is required by state statute. Therefore, the only alternative would be to modify the date of the public hearing, while staying within the time constraints as noted above.

FISCAL IMPACT: There are no fiscal impacts associated with setting a date for a public hearing. Fiscal aspects of the street vacation will be presented to the City Council in the public hearing staff report.

Franc Sawatzki
Prepared by

Paul A. Bucich
Department Director

 Tho Kraus, Acting City Manager
City Manager

RESOLUTION NO. 2022-10

A RESOLUTION of the City Council of the City of Lakewood, Washington, setting a public hearing on August 15, 2022, to consider the vacation of the terminal westerly thirty-six (36) feet of 88th Ave Ct SW west of the intersection with Wadsworth St 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 the unused right-of-way, located within the City of Lakewood, Washington, requesting that the same be vacated; and,

WHEREAS, pursuant to Section 35.79.010 of the Revised Code of Washington and Lakewood Municipal Code Chapter 12A.12, a hearing on such vacation shall be set by Resolution, with the date of such hearing being not more than sixty (60) days nor less than twenty (20) days after the date of passage of such Resolution; and,

WHEREAS, under Lakewood Municipal Code section 12A.12.080, the City Manager, or the designee thereof, shall prepare a report concerning the proposed vacation for the City Council that will be used in considering whether to vacate the property, with a copy of the report to be served upon the representative of the petitioners, at least five days prior to the hearing; and,

WHEREAS, after passage of this Resolution, notice of this hearing shall be given as required under state and local laws.

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

Section 1. That a hearing be held on the petition for vacation of the terminal westerly thirty-six (36) feet of 88th Ave Ct SW west of the intersection with Wadsworth St SW., within the City of Lakewood, Washington, more particularly shown in the attached map and legally described as follows:

THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 19 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, CITY OF LAKEWOOD, PIERCE COUNTY, WASHINGTON MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHWESTERLY LINE OF PORTLAND AVENUE AND THE WESTERLY LINE OF BERKELEY STREET IN AMERICAN LAKE, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGES 28 AND 29, RECORDS OF PIERCE COUNTY AUDITOR;
THENCE NORTH 50°44'59" EAST ALONG THE NORTHWESTERLY LINE OF SAID PORTLAND AVENUE, A DISTANCE OF 858.00 FEET;
THENCE CONTINUING ALONG SAID NORTHWESTERLY LINE A DISTANCE OF 50.00 FEET;

THENCE NORTH 39°15'01" WEST AT RIGHT ANGLES, 145.00 FEET TO THE SOUTHERLY MARGIN OF 88TH AVENUE COURT SO AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 39°15'01" WEST, 40.00 FEET TO THE NORTHERLY MARGIN OF SAID 88TH AVENUE COURT SW; THENCE SOUTH 50°44'59" WEST, 36.77 FEET; THENCE SOUTH 39°15'01" EAST, 40.00 FEET; THENCE NORTH 50°44'59" EAST, 36.77 FEET TO THE POINT OF BEGINNING.

And the same hereby is set for 7:00 p.m. on the 15th day of August, 2022, or as soon thereafter as the matter may be heard, at the City Council Chambers at 6000 Main Street SW, Lakewood, Washington.

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

PASSED by the City Council this 18th day of July, 2022.

CITY OF LAKEWOOD

Jason Whalen, Mayor

Attest:

Briana Schumacher, City Clerk

Approved as to form:

Heidi Ann Wachter, City Attorney



STREET OR ALLEYWAY VACATION APPLICATION

CITY OF LAKEWOOD - PUBLIC WORKS ENGINEERING DEPARTMENT
6000 MAIN STREET SW
LAKEWOOD, WA 98499
Office (253) 589-2489/ Fax (253) 512-2268

1142-1868

See Lakewood Municipal Code 12.12 for additional information

SITE ADDRESS: 15206 Portland Ave SW, Lakewood WA

TAX PARCEL NUMBER: 0219212108

PROPERTY OWNER INFORMATION (REQUIRED):

Name: Tacoma / Pierce County Habitat for Humanity

Daytime Phone: 253.261.9812

Mailing Address: 4824 South Tacoma Way

Fax Number: 253.284.2805

City/State/Zip: Tacoma, WA 98409

E-mail address: groseman@tpc-habitat.org

APPLICANT INFORMATION (REQUIRED)

☐ Check if same as Property Owner

Name: Gomer Roseman

Daytime Phone: 253.261.9812

Mailing Address: same as above

Fax Number: same as above

City/State/Zip: same as above

E-mail address: same as above

Will the Applicant be the contact Person?

☒ Yes OR ☐ No

If other, please specify below

Name:

Daytime Phone:

Mailing Address:

Fax Number:

City/State/Zip:

E-mail address:

Please provide a detailed project description. (Attach Additional Sheets if necessary)

Habitat for Humanity is proposing the vacation of 88th Street Court along the frontage of parcel #0219212108

THE FOLLOWING MUST BE SUBMITTED WITH THE APPLICATION

DESCRIPTION OF REQUIRED DOCUMENTS	NUMBER REQUIRED
STREET OR ALLEY VACATION APPLICATION	1
STREET OR ALLEY VACATION FEE: \$1,840.00*	1
SURVEY, VICINITY MAP, PLAT MAP, AND LEGAL DESCRIPTION	1
STREET VACATION PETITION	1

*A 2% Technology fee will be applied to the total permit cost for processing.

EXHIBIT A
RIGHT OF WAY VACATION DESCRIPTION
88TH AVENUE COURT SW

(ADJOINING PARCEL NOS. 0219212116 & 0219212108)

THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 19 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, CITY OF LAKEWOOD, PIERCE COUNTY, WASHINGTON MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHWESTERLY LINE OF PORTLAND AVENUE AND THE WESTERLY LINE OF BERKELEY STREET IN AMERICAN LAKE, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGES 28 AND 29, RECORDS OF PIERCE COUNTY AUDITOR;

THENCE NORTH 50°44'59" EAST ALONG THE NORTHWESTERLY LINE OF SAID PORTLAND AVENUE, A DISTANCE OF 858.00 FEET;

THENCE CONTINUING ALONG SAID NORTHWESTERLY LINE A DISTANCE OF 50.00 FEET;

THENCE NORTH 39°15'01" WEST AT RIGHT ANGLES, 145.00 FEET TO THE SOUTHERLY MARGIN OF 88TH AVENUE COURT SW AND THE **POINT OF BEGINNING**;

THENCE CONTINUING NORTH 39°15'01" WEST, 40.00 FEET TO THE NORTHERLY MARGIN OF SAID 88TH AVENUE COURT SW;

THENCE SOUTH 50°44'59" WEST, 36.77 FEET;

THENCE SOUTH 39°15'01" EAST, 40.00 FEET;

THENCE NORTH 50°44'59" EAST, 36.77 FEET TO THE **POINT OF BEGINNING**.

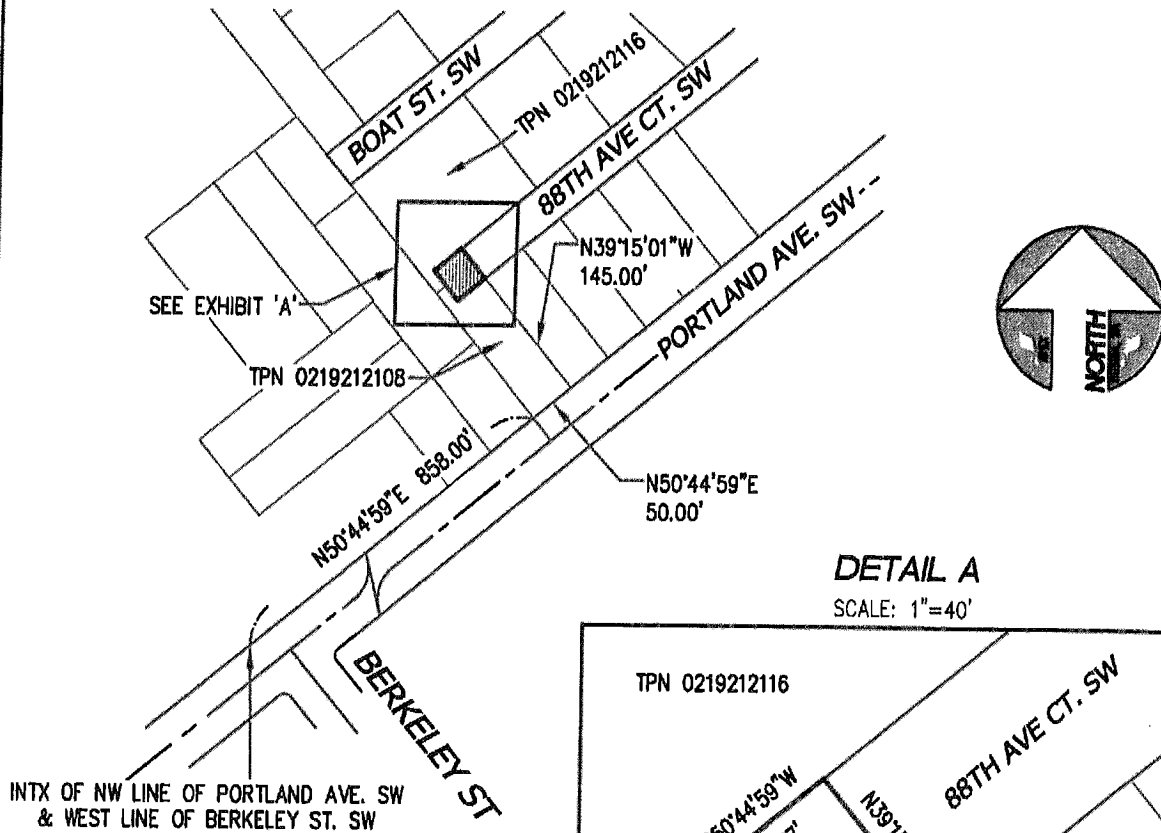
(CONTAINING 1,471 SQ. FT., MORE OR LESS)



TIMOTHY J. MCDANIEL, P.L.S.
WASHINGTON STATE REGISTRATION NO. 45792

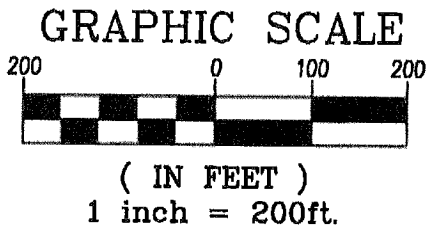
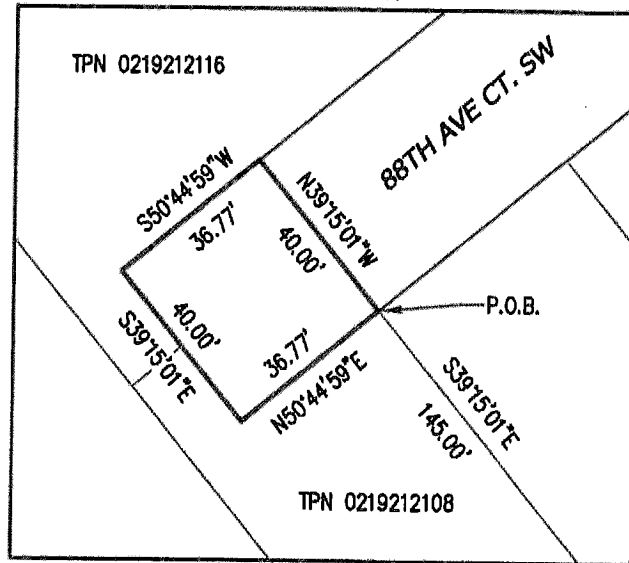
EXHIBIT B

A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21,
TOWNSHIP 19 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN,
CITY OF LAKEWOOD, PIERCE COUNTY, WASHINGTON



DETAIL A

SCALE: 1"=40'

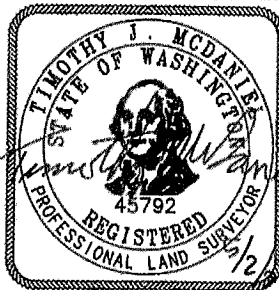


RIGHT-OF-WAY VACATION EXHIBIT FOR 88TH AVENUE COURT SW

APEX JOB NO: 34856 DATE: 04/29/2022

DRAWN BY: BKM CHECKED BY: TJM

DWG: 34856-VAC-EXH.DWG SCALE: 1"=200'



Apex

Engineering

2601 South 35th, Suite 200
Tacoma, Washington 98409-7479
(253) 473-4494 FAX: (253) 473-0599
© APEX ENGINEERING LLC 2022

TO THE LAKEWOOD CITY COUNCIL

To Whom It May Concern:

We, the undersigned freeholders of The City of Lakewood, Pierce County, State of Washington, do hereby respectfully petition for the vacation of the following described property:

See Exhibit A of Survey by Apex Engineering.

Reserving, however, to the City of Lakewood and to such utility companies duly franchised in the City of Lakewood, perpetual easements under or over the above described property for the installation, operation, and maintenance of such utility franchises as they may exist at the time of this vacation pursuant to provisions contained in RCW 36.87.140.

The Area To Be Vacated Contains:

The Appraised Value:

One-half the Appraised Value of Land to be Vacated,
Which Shall be Due Prior to the City Council Adopting
an Ordinance Vacating Said Land

Notice to all parties signatory hereto:

Please print your name beneath your signature and clearly print your address to assure notice of forthcoming public hearing(s).

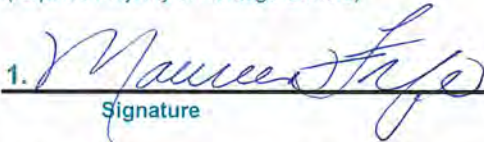
PRINCIPAL PETITIONER

PARCEL NO. OF
PROPERTY OWNED

COMPLETE
RESIDENTIAL
MAILING ADDRESS

1. T/PC Habitat for Humanity - 0219212108 - 15206 Portland Ave SW

ADDITIONAL PETITIONERS
INCLUDING ADJOINING OWNERS
(requires majority of frontage owners)

1. 
Signature

Maureen Fife, CEO T/PC Habitat for Humanity - 0219212116 - 15121 Boat St SW
Print Name

PRINCIPAL PETITIONER

PARCEL NO. OF
PROPERTY OWNED

COMPLETE
RESIDENTIAL
MAILING ADDRESS

2. Maureen Fife
Signature

Maureen Fife, CEO T/PC Habitat for Humanity - 0219212108 - 15206 Portland Ave SW
Print Name

3. _____
Signature

Print Name

4. _____
Signature

Print Name

5. _____
Signature

Print Name

6. _____
Signature

Print Name

7. _____
Signature

Print Name

8. _____
Signature

Print Name

Said Petitioners believe that the above described right-of-way is not useful as a part of the City of Lakewood Road System and that the public will be benefited by the Vacation; and , therefore, pray for the Vacation of said right-of-way as provided by law, and assume responsibility for all aforementioned fees and/or costs as per R.C.W. Chapter 36.87.

Respectfully submitted this _____ day of _____, 20_____.

NOTE: Petition must be returned within 90 days from _____.

STATEMENT OF UNDERSTANDING

In signing this Petition, the Principal Petitioner certifies that he/she has read and agrees to the following:

The City of Lakewood does not warrant title to any vacated lands. Such title as does pass by virtue of the vacation process will vest according to law.

Notice of the Vacation Hearing shall be mailed to the person designated as Principal Petitioner.



**PLANNING COMMISSION
SPECIAL MEETING MINUTES
June 15, 2022
Hybrid In-Person/Virtual Meeting via ZOOM
6000 Main Street SW, Lakewood, WA 98499**

Call to Order

Mr. Don Daniels, Chair called the hybrid ZOOM meeting to order at 6:30 p.m.

Roll Call

Planning Commission Members Present: Don Daniels, Chair; Ryan Pearson, Vice Chair; Phillip Combs and Paul Wagemann

Planning Commission Members Excused: Linn Larsen, Brian Parsons and Robert Estrada
Commission Members Absent: None

Staff Present: David Bugher, ACM, Director of Community and Economic Development; Tiffany Speir, Long Range & Strategic Planning Manager; Courtney Brunell, Planning Manager; and Karen Devereaux, Administrative Assistant

Council Liaison: Paul Bocchi (present)

Approval of Minutes

The minutes of the meeting held on June 8, 2022 were approved as recommended by voice vote M/S/C Pearson/ Wagemann. The motion carried, 4 - 0.

Agenda Updates: None

Public Comments

This meeting was held in a hybrid format, allowing both in-person and virtual testimony.

Mr. James Guerrero, Lakewood resident, spoke on behalf of the Silcox Island Corporation in favor of Comprehensive Plan Amendment 2022-02.

No other public comments were made or received. Chair Daniels closed the public comments.

Public Hearings: None

Unfinished Business

Action on 2022 Comprehensive Plan Amendments

Planning Commissioners held a public hearing on May 18th. Chair Daniels asked for a motion to approve Resolution 2022-04 including recommendations on the amendments for the City Council.

Mr. Philip Combs made the motion to accept Resolution 2022-04 with Mr. Ryan Pearson seconding. Discussion ensued.

Mr. Philip Combs made the motion to accept Option 2 of the 2022-04 amendments adding additional parcels to the rezoning of parcels from Single Family (SF)/Residential 3 (R3) o mixed Residential (MR)/Mixed Residential 2 (MR2). Mr. Ryan Pearson seconding. A voice vote was taken and the motion passed for "Option 2", 4-0.

Mr. Philip Combs made the motion to amend the Tillicum Neighborhood Plan, Item B8, to change notations from "Done" to "Ongoing". Mr. Ryan Pearson seconded. A voice vote was taken and the motion passed, 4-0.

A voice vote was taken and the motion to adopt Resolution 2022-04 as amended passed, 4-0.

Discussion of Tree Preservation Code Update

At the June 8, 2022 meeting Commissioners provided feedback on all the identified key items, which included the following:

- | | |
|--|--|
| 1. Tree Canopy | 8. Maximum Removal on Developed Single Family Properties |
| 2. Residential Lots Exemption | 9. Replacement |
| 3. Industrially Zoned Property Exemption | 10. City Tree Fund |
| 4. Easement and ROW Exemptions | 11. Violations and Enforcement |
| 5. Tree Permit Process | 12. Incentives |
| 6. Significant Tree Definition – Oaks | 13. Permit Fees (outlined in City's fee schedule) |
| 7. Heritage / Historical Tree | |

The Planning Commission had been asked to review the options and individually provide input on the matrix prior to June 15. The answers to the matrix were combined and staff developed a draft tree code for Planning Commissioner's review. This document would be the subject of the hearing on July 6th.

Review of Climate Change Action Plan

Due to time constraints and length of the discussions of this meeting, Mr. David Bugher offered, and the commission agreed, to table this topic to the July 20 meeting.

New Business

None

Report from Council Liaison

None

Reports from Commission Members and Staff

Ms. Tiffany Speir reviewed the following topics slated for discussion at future meetings:

Future Planning Commission Agenda Topics

07/06/2022: Public Hearing on Tree Preservation Code Update; Discussion re Tree Preservation Code Updates

07/13/2022: Public Hearing on Downtown Subarea Plan Biennial Review; Action on Energy and Climate Change Chapter Implementation Plan; Discussion on Tree Preservation Code Updates

07/20/2022: Action on DSAP Biennial Review; Action on Tree Preservation Code; Action on Climate Change Implementation Plan

08/01/2022: No meetings were scheduled for August 2022; the next scheduled meeting would be September 21, 2022

Next Regular Meeting would be held as a hybrid in-person/ZOOM meeting on July 6, 2022.

Meeting Adjourned at 8:33 p.m.

 FOR

Don Daniels, Chair
Planning Commission

7/6/22

07/06/2022



Karen Devereaux, Recording Secretary
Planning Commission

07/06/2022



TO: City Council
FROM: Tiffany Speir, Long Range & Strategic Planning Manager
THROUGH: Tho Kraus, Deputy City Manager *Tho Kraus*
DATE: July 18, 2022 Tho Kraus, Acting City Manager
SUBJECT: 2022 Comprehensive Plan Amendments (22CPAs)
ATTACHMENTS: Planning Commission Resolution 2022-04 including draft text and map amendments (Attachment A)

BACKGROUND

Through Resolution 2021-14, the Lakewood City Council set the docket list for the 2022 Comprehensive Plan amendment (22CPA) cycle as seven potential amendments. Following a number of meetings and a duly noticed public hearing, on June 15, the Commission passed Resolution 2022-04 recommending action on the 22CPA package.

Attachment A to this Memorandum includes Planning Commission Resolution 2022-04; the recommended text and map amendments are included as Exhibit A to the Resolution. The draft amendments were provided to the Department of Commerce on May 15; SEPA analyses of these amendments were provided to the Department of Ecology and the City of Lakewood's SEPA notification list on May 15 and 16 and to the Planning Commission in its May 18 meeting materials.

RECOMMENDATION

The Planning Commission recommended approval of six of the seven proposed amendment. The Commission recommended that amendment 2022-03 (regarding an update to the City's Housing Element and related municipal code sections) be continued to the 2023 or 2024 Comprehensive Plan amendment cycle in order to allow the work to fully review the housing items in relation to state law changes, regional and countywide policy changes to be completed.

The City Council is scheduled to hold a public hearing on the 22CPAs on July 18 and is scheduled to take action on the amendments on August 5.

PLANNING COMMISSION RESOLUTION NO. 2022-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKEWOOD, WASHINGTON, FORMALIZING ITS RECOMMENDATIONS REGARDING THE 2022 COMPREHENSIVE PLAN/ZONING MAP AMENDMENTS AND FORWARDING ITS RECOMMENDATIONS TO THE LAKEWOOD CITY COUNCIL FOR CONSIDERATION AND ACTION.

WHEREAS, the City of Lakewood is a code city planning under the Growth Management Act, codified in RCW 36.70A, and

WHEREAS, the City Council adopted its Comprehensive Plan via Ordinance No. 237 on July 10, 2000; and

WHEREAS, the Lakewood City Council adopted Title 18A, Land Use and Development Code, of the Lakewood Municipal Code (LMC) via Ordinance No. 264 on August 20, 2001; and

WHEREAS, it is appropriate for the Lakewood City Council to consider and adopt amendments needed to ensure that the Plan and implementing regulations provide appropriate policy and regulatory guidance for growth and development; and

WHEREAS, the Lakewood City Council established a docket of proposed 2022 Comprehensive Plan and Zoning Map amendments through Resolution No. 2021-14; and

WHEREAS, the docket consists of seven amendments (CPA/ZOA 2022-01 through 2020-07); and

WHEREAS, environmental review as required under the Washington State Environmental Policy Act (SEPA) has resulted in the issuance of a determination of environmental non-significance that was published on May 16, 2022 under SEPA # 202202380; and

WHEREAS, notice was provided to state agencies on May 15, 2022 per City of Lakewood--2022-S-3802A--60-day Notice of Intent to Adopt Amendment, prior to the adoption of this Resolution, and state agencies have been afforded the opportunity to comment per RCW 36.70A.106(1); and

WHEREAS, notice has been provided to Joint Base Lewis-McChord (JBLM) prior to the adoption of this Resolution, and JBLM has been afforded the opportunity to comment per RCW 36.70A.530 (5); and

WHEREAS, the Lakewood Planning Commission held an open record public hearing on May 18, 2022; and

WHEREAS, the Lakewood Planning Commission determined that the 2022 Comprehensive Plan amendments are consistent with the Growth Management Act and the other provisions of the City's Comprehensive Plan, and that proposed text amendments meet the criteria for approval found in LMC 18A.30.050; and

WHEREAS, the Lakewood Planning Commission finds that the proposed amendments

further the goals and policies of the Comprehensive Plan and promote the community's overall health, safety, and welfare;

NOW, THEREFORE, THE LAKEWOOD PLANNING COMMISSION OF THE CITY OF LAKEWOOD, WASHINGTON, DOES RECOMMEND AS FOLLOWS:

Section 1. Amendments to the City's Comprehensive Plan, Zoning Map, and land use and development regulations as contained in Exhibit A hereto, summarized as follows:

2022-01 Redesignate and rezone parcel hosting Garry Oaks near St. Clare Hospital from Public Institutional (PI) to Open Space & Recreation 1 (OSR1.)

Recommendation: Approval.

2022-02 Update Tillicum 2011 Neighborhood Plan and Tillicum Center of Local Importance (CoLI.)

Recommendation: Approval with the rezoning of the following parcels: Redesignate/rezone the following parcels from Single Family (SF)/Residential 3 (R3) to Mixed Residential (MR)/Mixed Residential 2 (MR2):

- Parcels 0219212108, -109, -110, -111, -112, -113, -114, -115, -117, -118, -141, -142, -143, -144, -192, -195, -196, -148, -149, -150, -151, and -189; and
- Parcels 0219216009, -010, -011, -012

The Planning Commission also recommends incorporating an update of the Tillicum Neighborhood Plan, including consideration of whether to adopt accompanying development regulations, into the 2024 Comprehensive Plan periodic update process.

2022-03 (Review and update of Housing Chapter and related amendments to LMC Title 18A development regulations.

Recommendation: Continue Amendment 2022-03 to the 2023 and/or 2024 Comprehensive Plan amendment cycle.

2022-04 Review Comprehensive Plan Zoning and Policies and Municipal Code related to Adult Family Homes (AFHs) to determine whether to allow AFHs in Air Corridor 1 (AC1) and Air Corridor 2 (AC2) zones.

Recommendation: Approval.

2022-05 Update text of the Comprehensive Plan to reflect the adoption of VISION 2050 and renaming Centers of Local Importance per the 2018 Regional Centers Framework and the 2019 Countywide Planning Policies.

Recommendation: Approval.

2022-06 Update Comprehensive Plan Figures 3-5, 3-6, and 3-8 to reflect adoption of the 2020 Parks Legacy Plan; update Figure 4.1 with an updated Urban Focus Area map depicting the Downtown and Lakewood Station District Subareas, the Tillicum

Neighborhood, and the City Landmarks listed in Section 4.4 text,

Recommendation: Approval.

2022-07 Parking requirements in LMC Chapters 18A.80 (Citywide) and in 18C.600 (Lakewood Station District Subarea Plan).

Recommendation: Approval.

Section 2: The Lakewood Planning Commission hereby directs staff to transmit its recommendations as contained herein to the Lakewood City Council in a timely manner.

PASSED AND ADOPTED at a regular meeting of the City of Lakewood Planning Commission this 15th day of June, 2022, by the following vote:

AYES: 4 BOARDMEMBERS: Don Daniels, Ryan Pearson, Paul Wagemann, and Philip Combs

NOES: 0 BOARDMEMBERS: None

ABSENT: 3 BOARDMEMBERS: Linn Larsen, Brian Parsons, and Robert Estrada



CHAIR, PLANNING COMMISSION

ATTEST:



KAREN DEVEREAUX, SECRETARY

EXHIBIT A
2022 Comprehensive Plan and Zoning Map Amendments

2022-01 Redesignate and rezone parcel(s) hosting Garry Oaks near St. Clare Hospital from Public Institutional to Open Space & Recreation

This amendment:

- redesignates parcel 0219126009 from Public & Semi-Public Institutional (PI) to Open Space & Recreation (OSR); and
- rezones the parcel from Public Institutional (PI) to Open Space & Recreation 1 (OSR1.)

[Demonstrative graphic]



2022-02 Update of 2011 Tillicum Neighborhood Plan (TNP) and Tillicum Center of Local Importance (CoLI)

This recommended amendment is divided into subsections:

- A. 2022 Addendum to 2011 Tillicum Neighborhood Plan
- B. 2022 Rezoning in Tillicum Area;
- C. Centers of Local Importance (CoLIs) / Centers of Municipal Importance (CoMIs);
- D. Comprehensive Plan Text Amendments; and
- E. Development Regulation Text Amendments.

The City of Lakewood will be conducting a full “periodic review” of its Comprehensive Plan per the GMA that must be completed by December 31, 2024. It is recommended to conduct a fuller update of the Tillicum Neighborhood Plan, developing updated implementation strategies and considering the adoption of development regulations specific to the subarea, during the 2024 periodic review.

A. New language to be added to the 2011 Tillicum Neighborhood Plan:

2022 Addendum to the 2011 Tillicum Neighborhood Plan

The 2011 Tillicum Neighborhood Plan (TNP) is 11 years old, and in 2022 the City conducted a review of its implementation as part of the annual Comprehensive Plan amendment cycle. While much has been accomplished to realize the visions and priorities discussed in the TNP, many of the plan’s Action Items are not yet complete. In addition, significant changes to the transportation systems near and adjacent to the subarea have occurred that will influence future development and travel patterns.

Included below are summary tables that identify the status as of Spring 2022 of the 68 the Action Items as well as the 12 Long Term Strategies (which were not assigned priority rankings or timeframes) adopted in the TNP.

One item not included in the TNP is the City’s Rental Housing Safety Program, which was launched 2016 and recognized by the Association of WA Cities in 2019 with a Municipal Excellence Award. This program will continue to operate and improve rental housing safety and quality in Tillicum.

TNP ACTION ITEMS DONE (12) OR ONGOING (26): Total = 38					
No.	WHAT	WHO	WHEN	Priority	2022 STATUS: (DONE, ONGOING)
B-1	<u>Install major sewer trunk line & side sewers in selected parts in Tillicum.</u>	<u>PW</u>	<u>Near-term</u>	<u>High</u>	<u>DONE</u>
B-3	<u>In conjunction with the sewer project, coordinate installation of new gas & water mains with utility companies.</u>	<u>PW, LWD, & PSE</u>	<u>Near-term</u>	<u>High</u>	<u>DONE</u> <u>The water main improvements in TNP Figure 22 were completed in 2010. LWD has coordinated with the County on several water main replacements in the Tillicum area as sewer replacement</u>

					<u>projects have occurred and will continue to do so as projects develop.</u>
B-8	<u>Make minor improvements to Harry Todd Park:</u> <ul style="list-style-type: none"> ▪ <u>Install trash enclosures with gates</u> ▪ <u>Install new playground border (wood chips)</u> ▪ <u>Install paved walking path around the park</u> ▪ <u>Resurface tennis/skate park area</u> ▪ <u>Remove perimeter fence at the park once a Park Watch team has been established & is in operation</u> 	<u>REC</u>	<u>Near-term</u>	<u>Medium</u>	ONGOING
B-10	<u>Make major improvements to Harry Todd Park:</u> <ul style="list-style-type: none"> ▪ <u>Repair existing docks</u> ▪ <u>Install new docks</u> ▪ <u>Install ADA improvements at Harry Todd Park</u> ▪ <u>Redesign Harry Todd park with realignment of Maple Street SW</u> 	<u>REC & CD</u>	<u>Long-term</u>	<u>Low</u>	DONE
C-5	<u>Use the community service & code enforcement officer positions to proactively ensure all Tillicum businesses & rental housing are properly licensed.</u>	<u>CD & LPD</u>	<u>Near-term</u>	<u>High</u>	DONE
D-1	<u>Prepare a traffic congestion report for the I-5 Corridor from Highway 512 to Mounts Road.</u>	<u>CD</u>	<u>Near-term</u>	<u>High</u>	DONE
D-3	<u>Initiate formal discussions with other agencies regarding improvements to the I-5, Union Avenue SW, & Berkeley Street SW road intersections.</u>	<u>CM, CD, PW, MD, FL, WSDOT & COMM</u>	<u>Near-term</u>	<u>High</u>	DONE
D-4	<u>Establish street design guidelines for Union Avenue SW</u>	<u>CC, CD, PW, COMM</u>	<u>Near-term</u>	<u>High</u>	DONE BUT MAY NEED REVISION
D-12	<u>Monitor the Point Defiance Rail project</u>	<u>CD & PW</u>	<u>Near- & long-term</u>	<u>Low</u>	DONE
E-5	<u>Update the City's current subdivision regulations, including the establishment of new regulations for condominiums & townhouses, & new design standards for small lots. Consider automatic consolidation of outdated "skinny-mini" lots.</u>	<u>CD, COMM, PAB, & CC</u>	<u>Near-term</u>	<u>High</u>	DONE
E-9	<u>Amend the City's sign regulations to allow larger pole signs for properties adjacent to the I-5 corridor.</u>	<u>CD, COMM, PAB, & CC</u>	<u>Near-term</u>	<u>Medium</u>	DONE
H-1	<u>Complete statutorily required shoreline master program update.</u>	<u>CD, CC</u>	<u>Near-term</u>	<u>High</u>	DONE
B-2	<u>As part of the sewer project, replace & upgrade existing stormwater system.</u>	<u>PW</u>	<u>Near-term (2009 & 2010)</u>	<u>High</u>	ONGOING <u>The majority of the area shown in TNP Figure 21 has been constructed to the final roadway buildout, including all stormwater system elements. The</u>

					exception is a section of Union Ave. that is shown in the 2023-2028 6-yr TIP under project 302.0096.
B-4	<u>Determine & work toward outcome for Tillicum Elementary School.</u>	<u>CPSD, CD, CPTC, & PC</u>	<u>Long-term</u>	<u>High</u>	<u>ONGOING</u>
B-6	<u>Monitor & pursue concurrency with outside agency (such as utilities, fire, schools, etc.) capital improvement projects & programs.</u>	<u>FIN, PW, CD (as appropriate)</u>	<u>Near- & long-term</u>	<u>High</u>	<u>ONGOING</u>
B-7	<u>Participate in PCLS master planning process & monitor its impact on the Tillicum branch, if any.</u>	<u>PCLS, CPSD, GSD, & CDD</u>	<u>Near-term ('09-'13)</u>	<u>Medium</u>	<u>ONGOING</u>
B-9	<u>Require commercial, institutional and multi-family developments to provide protected & secure bicycle parking.</u>	<u>CDD</u>	<u>Near-term</u>	<u>Medium</u>	<u>ONGOING</u>
B-11	<u>Develop/expand gateways that mark the entrances to Tillicum.</u>	<u>CD & PW</u>	<u>Near-term (2013)</u>	<u>Low</u>	<u>ONGOING</u>
C-2	<u>Maintain funding for public nuisance abatement aimed at improving property maintenance & building standards.</u>	<u>CM & CC</u>	<u>Near-term (2009-2013)</u>	<u>High</u>	<u>ONGOING</u>
C-3	<u>Finalize development of & carry out a Neighborhood Stabilization Program to address neighborhood blight, which may include purchasing & rehabilitating residential properties for sale to the Lakewood Area Shelter Association.</u>	<u>CD & GS</u>	<u>Near-term (2009-2013)</u>	<u>High</u>	<u>ONGOING</u>
D-5	<u>Use existing & seek additional funding to upgrade the following streets/intersections:</u> <ul style="list-style-type: none"> ▪ <u>Union Avenue SW from Berkeley Street SW to West Thorne Lane SW</u> ▪ <u>Berkeley Street SW/Union Avenue SW intersection</u> ▪ <u>Realignment of Maple St SW at Harry Todd Park</u> ▪ <u>Maple Street SW from Union Ave SW to Harry Todd Park</u> 	<u>CD & PW</u>	<u>Near- & long-term</u>	- <u>High</u> <u>High</u> <u>Low</u> <u>Low</u>	<u>ONGOING</u>
D-7	<u>Work with the Tacoma Country & Golf Club establish a preliminary pedestrian pathway design to connect Tillicum with the main body of Lakewood.</u>	<u>CD & PW</u>	<u>Long-term</u>	<u>Medium</u>	<u>ONGOING – partnering w WSDOT and Sound Transit</u>
D-9	<u>As properties redevelop along Union Avenue SW, explore opportunities to create adequate street frontage to provide new on-street parking.</u>	<u>CD & PW</u>	<u>Near-term (2009–2013)</u>	<u>Medium</u>	<u>ONGOING</u>
E-3	<u>Amend the City's development regulations to enable innovative layouts, designs & configurations such as Z-lots, great house design, & cottage housing.</u>	<u>CD, COMM, PAB, & CC</u>	<u>Near-term (2010)</u>	<u>High</u>	<u>ONGOING</u>
E-8	<u>Support driveway consolidation & shared use of parking lots by Tillicum businesses.</u>	<u>CD, PW & COMM</u>	<u>Near- & long-term</u>	<u>High</u>	<u>ONGOING</u>
E-10	<u>Prepare a utility plan for Union Avenue SW.</u>	<u>CD, PW, PSE, LWD & COMM</u>	<u>Near-term (2011-2012)</u>	<u>Medium</u>	<u>POWER DONE; WATER NOT DONE LWD unaware of any</u>

	<ul style="list-style-type: none"> ▪ <u>Determine the desirability & cost of placing utilities underground</u> ▪ <u>Work with utility purveyors to underground existing utilities</u> ▪ <u>Survey property owners to determine willingness to participate in a local improvement district (LID)</u> ▪ <u>Form an LID if property owners are in favor</u> ▪ <u>Work with present and future developers to ensure conformance with this action</u> 				<u>LIDs in the area.</u>
<u>E-11</u>	<u>Monitor development activity to identify regulatory &/or cost barriers that discourage investment in Tillicum.</u>	<u>CD & ED</u>	<u>Near- & long-term</u>	<u>Medium</u>	<u>ONGOING</u>
<u>F-1</u>	<u>Where feasible, use CDBG funding to enable owner-occupied residences to connect to the City's sewer system.</u>	<u>GS & PW</u>	<u>Near-term (2009- 2010)</u>	<u>High</u>	<u>ONGOING</u>
<u>F-3</u>	<u>Identify & take action against landlords who violate City codes, particularly building standards & garbage removal requirements.</u>	<u>CD, PW & LPD</u>	<u>Near-term (2009-2010)</u>	<u>High</u>	<u>ONGOING</u>
<u>F-4</u>	<u>Where appropriate, apply revised zoning regulations which remove impediments to urban infill and rehabilitation of existing housing stock.</u>	<u>CD, PAB, COMM & CC</u>	<u>Near-term (2009-2013)</u>	<u>High</u>	<u>ONGOING</u>
<u>F-6</u>	<u>Prepare a housing report for the Lakewood market which evaluates the feasibility & "break-even" point of offering density bonuses or other incentives. Utilize findings to review & adjust, as appropriate, the City's adopted Housing Incentives Program.</u>	<u>CD</u>	<u>Near-term (2010)</u>	<u>High</u>	<u>ONGOING</u>
<u>F-7</u>	<u>Vigorously enforce the 1997 Uniform Code for the Abatement of Dangerous Buildings (or subsequent code as may be adopted in the future).</u>	<u>CD, FIRE, CA, & LPD</u>	<u>Near-term (2009-2013)</u>	<u>High</u>	<u>ONGOING WITH CURRENT CODES</u>
<u>F-8</u>	<u>Vigorously enforce the 2006 International Property Maintenance Code. [Consider establishment of a pilot program that requires inspections of all rental housing. Where units do not meet minimum requirements, deny occupancy until repairs are made in a manner satisfactory to the City and Fire Marshal. This action item represents a significant expansion over existing levels of service & would require amendments to the City's business licensing regulations.]</u>	<u>CD, FIRE, CA & LPD</u>	<u>Near-term (2009-2013)</u>	<u>High</u>	<u>ONGOING WITH CURRENT CODE (2018 Int'l Property Maintenance Code) Pilot Program will not be done</u>
<u>F-9</u>	<u>Provide sufficient funds to relocate eligible individuals & families who are forced to move from their residences because of serious health & safety violations.</u>	<u>GS & CD</u>	<u>Near-term (2009-2013)</u>	<u>High</u>	<u>ONGOING</u>
<u>F-10</u>	<u>Aggressively seek compensation from property owners where the City is forced to close housing units for health and safety reasons.</u>	<u>CD & CA</u>	<u>Near-term (2009-2013)</u>	<u>High</u>	<u>ONGOING</u>
<u>F-11</u>	<u>Build at least one Habitat for Humanity home in Tillicum per year.</u>	<u>GS, CD & COMM</u>	<u>Near-term (2009-2013)</u>	<u>Medium</u>	<u>ONGOING</u>
<u>F-12</u>	<u>Seek new sources of housing subsidies for affordable housing. Work with non-profit corporations, investors, & financial brokers to</u>	<u>ED & GS</u>	<u>Near- & long-term</u>	<u>Medium</u>	<u>ONGOING</u>

	<u>secure funds which can be used to expand opportunities for lower-cost home ownership & affordable rental housing.</u>				
F-17	<u>Seek to increase the amount of transitional housing for homeless families & domestic violence victims.</u>	<u>GS & CD</u>	<u>Near- & long-term</u>	<u>Low</u>	<u>ONGOING</u>

TNP ACTION ITEMS <u>NOT DONE</u> (30)				
NO.	WHAT	WHO	WHEN	PRIORITY
A-1	<u>Establish a community leadership team (CLT) comprised of City Council & school board members, residents, property owners, Tillicum businesses, & selected public agencies that serve Tillicum. Explore whether the existing merchants' & neighborhood associations could be rechanneled into the community leadership team, or if those associations wish to continue to exist independently.</u>	<u>CC, CM, CPSD, CPTC, PC & COMM</u>	<u>Near-term (2009)</u>	<u>High</u>
A-2	<u>Identify & appropriate funding to support the development of community outreach & life skills program for youth utilizing existing community resources such as the Tillicum/American Lake Gardens Community Service Center, PCLS Library, &/or new Youth for Christ center.</u>	<u>CC, CM & GS</u>	<u>Near- & long-term (2009-2013)</u>	<u>High</u>
B-5	<u>Fund one FTE to prepare & maintain an ongoing capital facilities plan to prioritize & direct City capital investment.</u>	<u>FIN, CM, CC</u>	<u>Near- & long-term</u>	<u>High (lack of funding)</u>
B-12	<u>Improve facilities in community centers, school & parks to provide facilities for after-school & weekend activities for youth.</u>	<u>REC, CPSD & COMM</u>	<u>Long-term (date unknown)</u>	<u>Low (lack of funding)</u>
C-1	<u>Maintain funding for the neighborhood patrol program in Tillicum to support neighborhood watch groups & provide regular communication with neighborhood & civic organizations.</u>	<u>CM & CC</u>	<u>Near-term (2009-2013)</u>	<u>High</u>
C-4	<u>Provide development preapplication packets to the Police Department & include their feedback on design from a CPTED perspective.</u>	<u>CD & LPD</u>	<u>Near-term (2009-2013)</u>	<u>High</u>
D-2	<u>Establish bicycle & pedestrian connections between residential areas, Union Avenue SW, & Harry Todd Park</u>	<u>CC, PAB, CTAC, CD, PW</u>	<u>Near-term (2009)</u>	<u>High</u>
D-6	<u>Identify bus stops with inadequate lighting & improve lighting at these stops. Examine the need for more shelters & posted schedules. Provide the telephone number of Pierce Transit's community liaison at bus stops.</u>	<u>PW & PT</u>	<u>Near- & long-term</u>	<u>Medium</u>
D-8	<u>Periodically review & update routes & frequency of transit bus lines with community input. Provide timely notification of route & service changes.</u>	<u>PW & PT</u>	<u>Near- & long-term</u>	<u>Medium</u>
D-10	<u>Address the need for on-street parking by small businesses.</u>	<u>CD & PW</u>	<u>Near-term (2010)</u>	<u>Medium</u>
D-11	<u>Establish street design guidelines for other streets including North Thorne Lane SW, Woodlawn Avenue SW, Maple Street SW, West Thorne Lane SW, & portions of Portland Avenue SW and Berkeley Street SW</u>	<u>CC, CD, PW & COMM</u>	<u>Near-term (2013)</u>	<u>Medium</u>
D-13	<u>Monitor & support funding for the Cross-Base Highway project</u>	<u>PW & CC</u>	<u>Near- & long-term</u>	<u>Low</u>

D-14	<u>Establish "green street" designations & associated improvements, including sidewalks, landscaping, bike lanes, crosswalks, & lighting, for Union Avenue SW, North Thorne Lane SW, Woodlawn Avenue SW, & West Thorne Lane SW. Seek compatibility between the provision of bicycle lanes & vehicular parking.</u>	<u>CC, PAB, CD, & COMM</u>	<u>Long-term</u>	<u>Low (lack of funding)</u>
D-15	<u>Install pedestrian signals on streets with high traffic volumes.</u>	<u>PW</u>	<u>Near-term (2013)</u>	<u>Low</u>
D-16	<u>Require commercial, institutional & multi-family developments to provide protected & secure bicycle parking.</u>	<u>CD</u>	<u>Near- & long-term</u>	<u>Low</u>
E-1	<u>Develop a marketing program to improve perceptions of the Tillicum neighborhood & promote the neighborhood as a desirable & affordable place to live.</u>	<u>ED & COMM</u>	<u>Near-term (2009)</u>	<u>High</u>
E-2	<u>Develop & adopt new zoning classifications to implement freeway-oriented commercial on the I-5 side of Union Avenue SW & tailored neighborhood commercial on the opposite side.</u>	<u>CD, COMM, PAB, & CC</u>	<u>Near-term (2009-2010)</u>	<u>High</u>
E-3	<u>Amend the City's development regulations to enable innovative layouts, designs & configurations such as Z-lots, great house design, & cottage housing.</u>	<u>CD, COMM, PAB, & CC</u>	<u>Near-term (2010)</u>	<u>High</u>
E-4	<u>Amend the City's development regulations to require a greater level of design for small lot residential development & for commercial development located along Union Avenue SW.</u>	<u>CDD, EDD & COMM</u>	<u>Near-term (2009-2010)</u>	<u>High</u>
E-6	<u>Establish a contract post office on Union Avenue SW</u>	<u>CD, ED, USPS</u>	<u>Near-term (2011)</u>	<u>High</u>
E-7	<u>Allow a reduction in the amount of off-street parking based on a parking study prepared by a registered professional engineer.</u>	<u>CD, COMM, PAB, & CC</u>	<u>Near-term (2009- 2010)</u>	<u>High</u>
E-10	<u>Prepare a utility plan for Union Avenue SW.</u> <ul style="list-style-type: none"> ▪ <u>Determine the desirability & cost of placing utilities underground</u> ▪ <u>Work with utility purveyors to underground existing utilities</u> ▪ <u>Survey property owners to determine willingness to participate in a local improvement district (LID)</u> ▪ <u>Form an LID if property owners are in favor of doing so</u> ▪ <u>Work with present and future developers to ensure conformance with this action</u> 	<u>CD, PW, PSE, LWD & COMM</u>	<u>Near-term (2011-2012)</u>	<u>Medium</u>
E-11	<u>Monitor development activity to identify regulatory &/or cost barriers that discourage investment in Tillicum.</u>	<u>CD & ED</u>	<u>Near- & long-term</u>	<u>Medium</u>
F-2	<u>Initiate discussions with other agencies to consider a program of reducing/waiving development &/or capacity fees as a means of promoting housing affordability.</u>	<u>CC, PW, CM & CD</u>	<u>Near-term (2009- 2010)</u>	<u>High</u>
F-5	<u>Provide the news media with information about potential apartment closures.</u>	<u>CM</u>	<u>Near-term (2009-2010)</u>	<u>High</u>
F-13	<u>Establish an incentive awards program for well-maintained & trouble-free rentals.</u>	<u>CLT & CD</u>	<u>Near-term (2010)</u>	<u>Medium</u>
F-14	<u>Promote community awareness of financial subsidies available from public agencies for property & home improvement.</u>	<u>GS & ED</u>	<u>Near-term (2010)</u>	<u>Medium</u>
F-15	<u>Once sewers have been installed, consider use of the</u>	<u>CD, COMM,</u>	<u>Near-term</u>	<u>Medium</u>

	<u>multi-family tax incentive program to target multi-family growth into selected parts of Tillicum.</u>	<u>PAB & CC</u>	<u>(2010 – 2011)</u>	
F-16	<u>Hold joint landlord training sessions with the Tillicum and American Lake Gardens neighborhoods.</u>	<u>GS & LPD</u>	<u>Near-term (2010)</u>	<u>Low (lack of funding)</u>
I-1	<u>Produce a brochure on Tillicum's history.</u>	<u>CD, LHAB</u>	<u>2009</u>	<u>High</u>

LONG-RANGE STRATEGIES		
These are included here in unranked order as potential later-phase items, once more immediate priorities have been addressed.		
STRATEGY	DEPT	STATUS
• <u>Consider realignment of the main entrance to Harry Todd Park in a manner that better relates to residential areas and creates more favorable access, in order to encourage its use by the community.</u>	<u>PRCS / PWE if road alignment is needed</u>	<u>NOT DONE</u>
• <u>Expand the children's play area within Harry Todd Park.</u>	<u>PRCS</u>	<u>DONE – new playground, restroom, access paths and picnic shelter built</u>
• <u>Develop a regional model, based on Harry Todd Park, for sustainable park development and maintenance.</u>	<u>PRCS</u>	<u>ONGOING – interested in new models, practices, products and options</u>
• <u>Support the use of green roofs, green walls, vegetated swales, and other such strategies to replace traditional detention techniques where appropriate to slow and cleanse stormwater.</u>	-	<u>NOT DONE</u>
• <u>Implement low-impact development, "green streets," and targeted urban design strategies.</u>	-	-
• <u>Implement stronger design standards for commercial and multifamily development, including such items as location, materials, facade treatments, roof forms, pedestrian connectivity, landscaping, awnings, and signage.</u>	-	-
• <u>Examine where incentives may be used to encourage sustainable development employing such standards as LEED® Silver for commercial structures and BuiltGreen™ 4-star or better for multifamily development.</u>	-	-
• <u>Encourage street designs and plantings to increase canopy coverage, landscaping, and use of native species to beautify and enhance ecological value.</u>	<u>PWE/CED</u>	<u>NOT DONE - Challenge is funding of transportation projects.</u>
• <u>Improve regional transit connectivity with Tillicum. If Sound Transit service is extended southward, seek placement of an additional station in Tillicum.</u>	<u>PWE/CM</u>	<u>ONGOING</u>
• <u>Identify and encourage other community-based services that support neighborhoods and families, such as low-cost medical care providers.</u>	<u>PRCS</u>	<u>ONGOING – City supports Tillicum community center and other service providers in the neighborhood. 2 year grant funding cycle for 2023-24 begins mid-year</u>
• <u>Develop a program for acquiring additional right of way along portions of Union Avenue SW in order to facilitate further improvements. In the future, expand "civic boulevard" design standards to include Portland Avenue SW between North Thorne Lane SW and West Thorne Lane SW, Union Avenue SW from Berkeley Avenue SW to Spruce Street SW, and Spruce Street SW from Union Avenue SW to Portland Avenue SW.</u>	<u>PWE</u>	<u>ONGOING - Design to 30% starts in 2022. We will identify ROW needs for future funding requests. ROW will not be sufficient to create a boulevard with center median.</u>
• <u>As additional development occurs within Tillicum and public surveillance opportunities are improved, seek additional opportunities to enhance and expand nonmotorized transportation opportunities.</u>	<u>PWE</u>	<u>ONGOING</u>

B. 2022 Proposed Rezoning in Tillicum Area

Redesignate/rezone the following parcels from Single Family (SF)/Residential 3 (R3) to Mixed Residential (MR)/Mixed Residential 2 (MR2):

- Parcels 0219212108, -109, -110, -111, -112, -113, -114, -115, -117, -118, -141, -142, -143, -144, -192, -195, -196, -148, -149, -150, -151, and -189; and
- Parcels 0219216009, -010, -011, -012

[Demonstrative graphic]



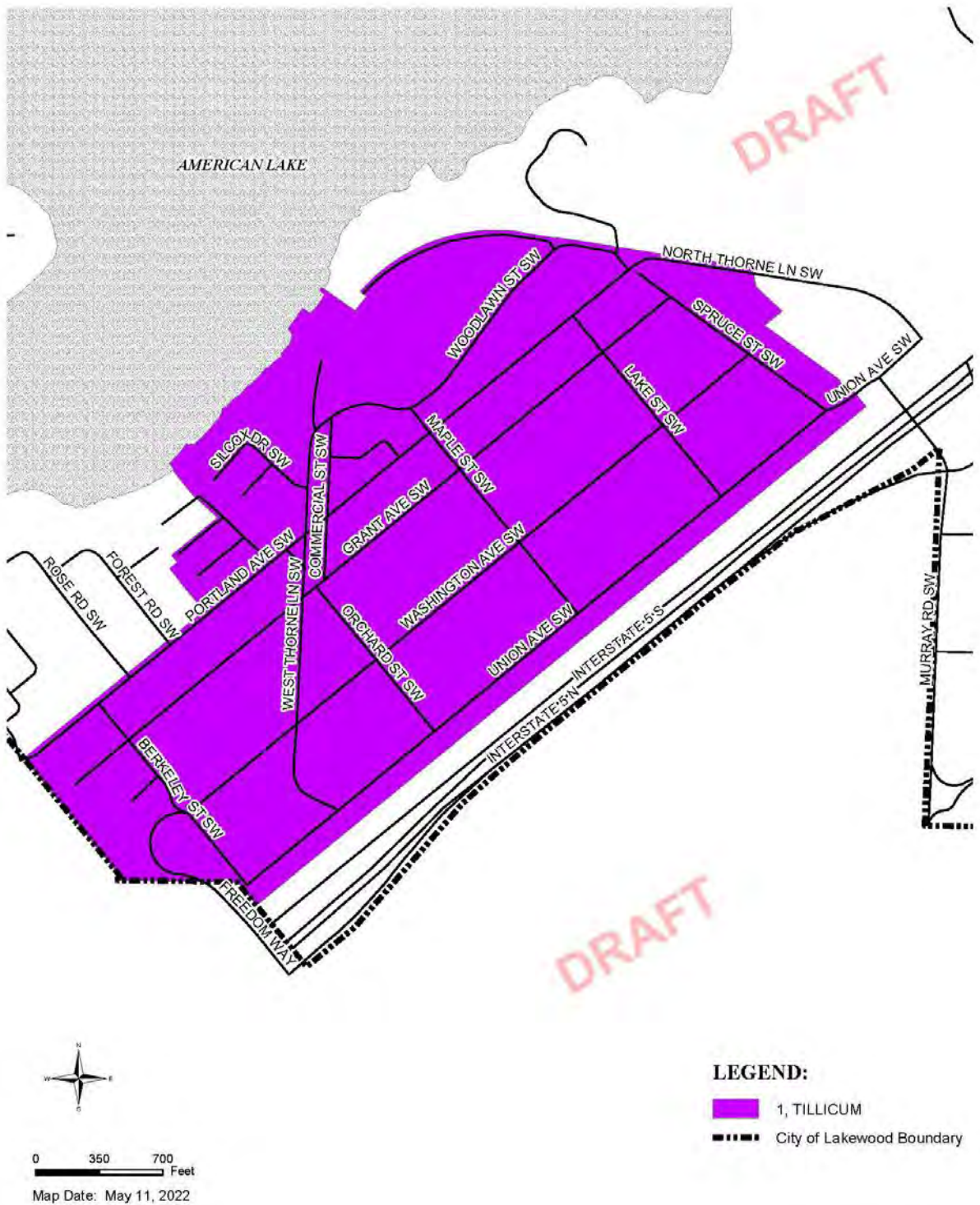
C. Tillicum Center of Local Importance (CoLI)

Amend the boundary of the Tillicum Center of Local Importance (CoLI) Boundary and remove the current Comprehensive Plan Figure 2.4, shown below:

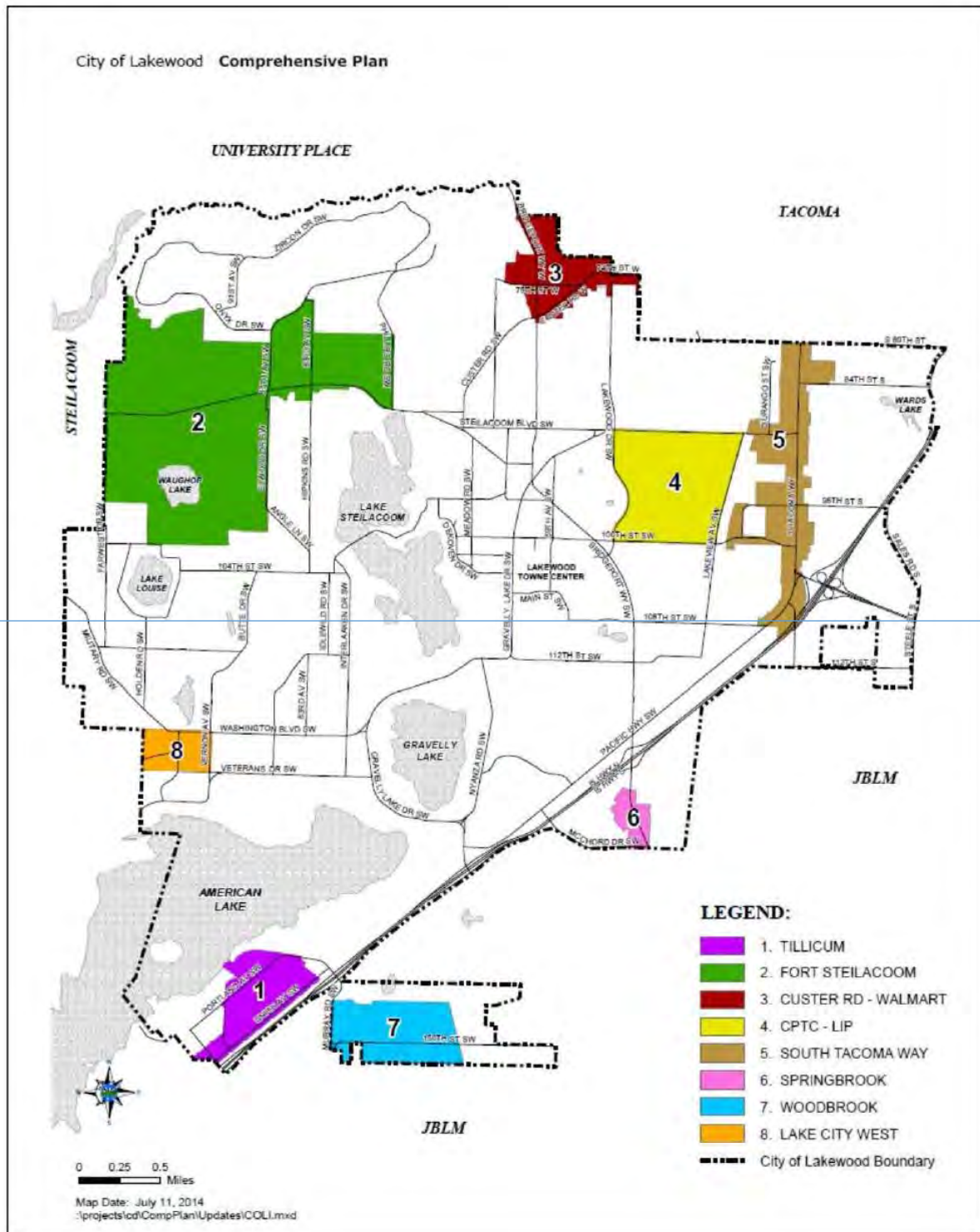


Insert a new Figure 2.1, shown below:

City of Lakewood **Comprehensive Plan**

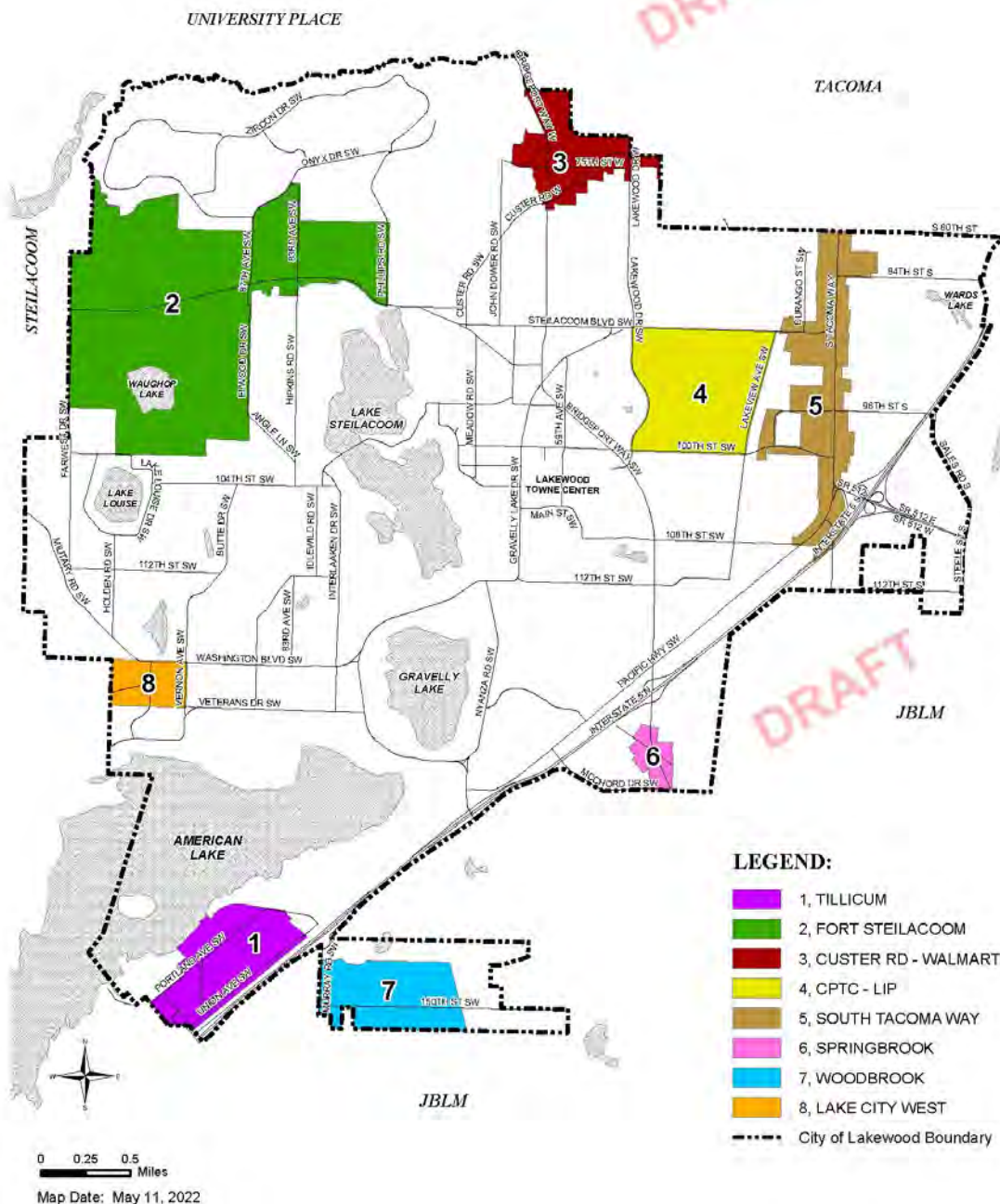


Remove the current Comprehensive Plan Figure 2.3, shown below:



Insert a new Comprehensive Plan Figure 2.3 as shown below:

City of Lakewood **Comprehensive Plan**



D. Comprehensive Plan Text Amendments

Proposed amendments to the Comprehensive Plan text and maps related to the Tillicum area are included below in redline/strikeout. Any other references to Tillicum would remain unchanged.

2.5.1 Tillicum

The community of Tillicum, Figure 2.4, is was designated as a CoLI in 2014 based on its characteristics as a compact, walkable community with its own unique identity

and character. The area is located just outside the main gates of both Joint Base Lewis-McChord (JBLM) and Camp Murray National Guard Base (“Camp Murray”). The area is geographically isolated from the rest of Lakewood ~~because of inadequate street connections. The~~ only practical access to the area is provided by I-5. This center provides a sense of place and serves as a gathering point for both neighborhood residents and the larger region with regard to the resources it provides for Camp Murray, JBLM, and access to American Lake.

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

- Civic services including the Tillicum Community Center, Tillicum Elementary School, a fire station, JBLM and Camp Murray, the Tillicum Youth and Family Center, and several veterans service providers;
- Commercial properties along Union Ave. SW that serve highway traffic from I-5, personnel from JBLM and Camp Murray, and local residents;
- Recreational facilities including Harry Todd Park, Bills Boathouse Marina, the Commencement Bay Rowing Club, and a WDFW boat launch facility that attracts boaters from around the region;
- Historic resources including Thornewood Castle. Much of the area was developed between 1908 and the 1940s. The street pattern around Harry Todd Park reflects the alignment of a trolley line that served the area in the early 1900’s;
- Approximately 62 acres partially developed with, and zoned for, multi-family residential uses; ~~and~~
- The Tillicum area’s is subject to specific treatment in the Comprehensive Plan (Section 3.10, Goal LU-52, LU-53 and Policies LU-53.1 through LU-53.4);
and
- Additionally, the The City’s adopted the Tillicum Neighborhood Plan, a subarea plan per RCW 36.70A.080(2) in June 2011, that was reviewed and updated through an Addendum in 2022.

The Comprehensive Plan describes the sewer expansion into Tillicum that began in 2009 and includes two Land Use Goals related specifically to Tillicum:

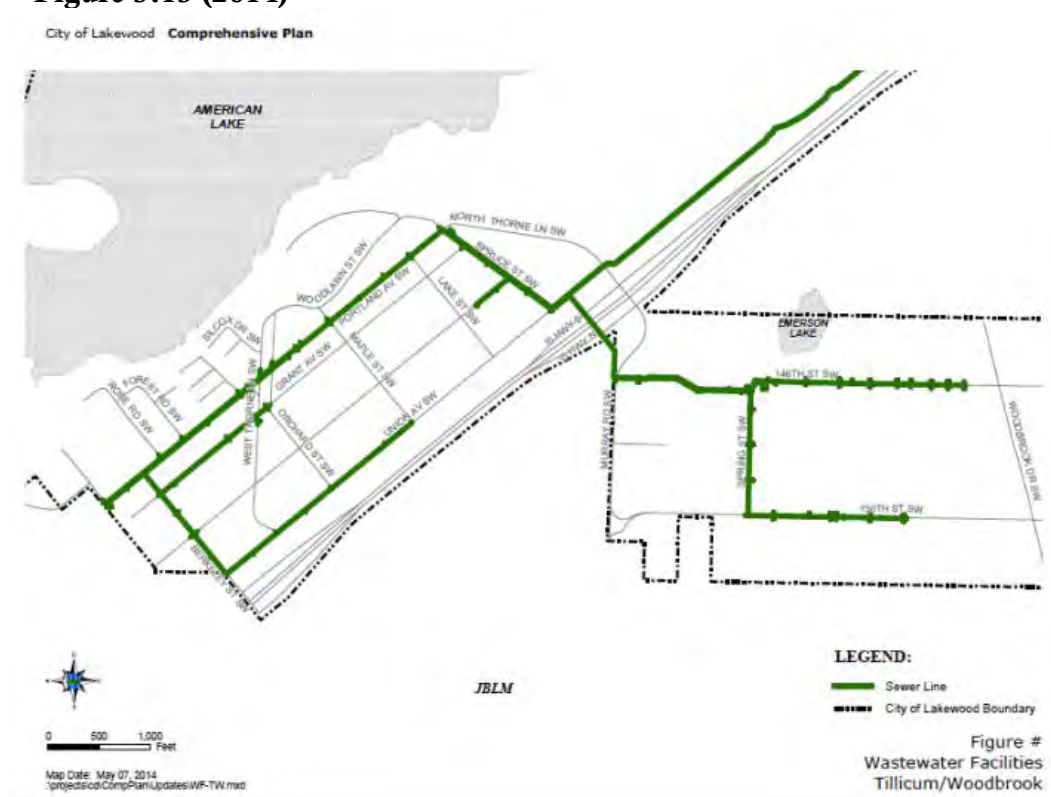
3.11 Isolated Areas

Lakewood has three significant areas that are geographically isolated from the rest of the City: Springbrook, Woodbrook, and Tillicum. The first two are separated from the rest of the City by I-5 and are bordered on several sides by fenced military installations. The third is geographically contiguous to other parts of the City, but there are no direct road connections between Tillicum and other Lakewood neighborhoods.

As a result of this isolation, all three neighborhoods exhibit signs of neglect. Historically, both Woodbrook and Tillicum ~~lacked~~ sewer systems. Beginning in June 2009, sewer trunk lines were installed in parts of both communities. Figure 3.12 shows the locations of major trunk lines in Lakewood-proper. Figure 3.13 shows the recently constructed sewer lines in Tillicum and Woodbrook. ~~A small percentage of the Woodbrook properties and~~

about one half of the Tillicum properties are connected, respectively, to sewers. It is the City's policy to connect all properties located within these neighborhoods to sewers based on available funding.

Figure 3.13 (2014)



Most property is old, run down, and undervalued. Springbrook is dominated by a chaotic assortment of land uses arranged according to a dysfunctional street pattern. Despite relatively high-density housing, Springbrook's residents lack schools, or even basic commercial services. Given the multitude of crime and health problems plaguing these areas, unique approaches are needed for each neighborhood and are presented in the goals and policies below.

Springbrook has a designated residential Center of Local Importance (CoLI), discussed in Section 2.5.6 and shown in Figure 2.9. The City Council also rezoned a number of Springbrook parcels outside of the CoLI to Industrial Business Park in 2020. Additional recommendations for Tillicum are included in Chapter 4, while Chapter 5 addresses economic development in Woodbrook.

GOAL LU-51: Minimize the impacts of geographic isolation of the Tillicum, Springbrook, and Woodbrook areas and focus capital improvements there to upgrade the public environment.

Policies:

LU-51.1: Provide for commercial and service uses for the daily needs of the residents within the neighborhoods.

LU-51.2: Support the expansion of recreation and open space.

LU-51.3: Provide pedestrian and bicycle paths within the neighborhoods and

which connect to other neighborhoods.

GOAL LU-52: Improve the quality of life for residents of Tillicum.

Policies:

LU-52.1: Enhance the physical environment of Tillicum through improvements to sidewalks, pedestrian-oriented lighting, street trees, and other pedestrian amenities.

LU-52.2: Promote integration of Tillicum with the American Lake shoreline through improved physical connections, protected view corridors, trails, and additional designated parks and open space.

LU-52.3: Identify additional opportunities to provide public access to American Lake within Tillicum.

LU-52.4: Seek a method of providing alternate connection between Tillicum and the northern part of the City besides I-5.

LU-52.5: Implement, and as necessary, update, the Tillicum Community Neighborhood Plan.

Section 4.5 of the Comprehensive Plan describes Tillicum in more detail:

4.5.2 Tillicum

The Tillicum neighborhood functions as a separate small village within Lakewood. Accessible only by freeway ramps at the north and south end of the area, it has its own commercial sector; moderately dense residential development; and an elementary school, library, and park. Tillicum is a very walkable neighborhood with a tight street grid and relatively low speed traffic. Harry Todd Park is one of the largest City-owned parks, and Tillicum is one of the few neighborhoods in the city with public waterfront access.

In public meetings discussing alternative plans for the city, Tillicum emerged as a neighborhood viewed as having significant potential for residential growth ~~over the next 20 years~~. With a traditional street grid, significant public open space and lake access, and strong regional transportation connections, there is a major opportunity for Tillicum to evolve into a more urban, pedestrian and bicycle-oriented community. This is further enhanced by the recent expansion of I-5 and new interchanges at Thorne Lane and Berkeley as well as the potential for a Sound Transit stop in Tillicum. ~~long-range potential for a commuter rail station and new highway connection to the east.~~

Because of recent extension of sewer service to the area, the development of multi-family housing in Tillicum is now possible. In addition to sewer development, there are other actions the City can take in support of the development of multi-family housing in Tillicum, including:

- ~~development~~ continued improvements to ~~of a long-range plan for~~ Harry Todd Park and ~~implementation of specific improvements to~~ expansion of sewer capacity access;
- development of a pedestrian connection between the park and commercial district along Maple Street, with sidewalks, curb ramps, crosswalks, lighting, and other improvements;

- consideration of incentivizing multi-family and mixed use development along Union Ave.
- review of land zoning and regulations near the improvements at the new Thorne Lane and Berkeley Ave. I-5 interchanges to create attractive, welcoming gateways; and
- a pedestrian/bikeway easement north along the railroad or through the country club to other portions of Lakewood.

The proposal by Amtrak to locate high-speed passenger rail service through the area (the Point Defiance Bypass project) will result in significant modifications to the freeway interchanges in Tillicum. These modifications should be designed in conjunction with improvements to I-5 to address congestion. In the 2010's, construction on two major changes to transportation systems near and adjacent to Tillicum began. In July 2015, the Washington State Legislature approved funding for the I-5 Mounts Road to Thorne Lane Interchange - Corridor Improvements project as part of the Connecting Washington transportation revenue package. This overall project was broken down into four separate construction projects, two of which were completed by 2022. The I-5 interchanges at Berkeley Street and Thorne Lane were replaced to make room for new HOV lanes. The new interchanges removed a potential conflict between passenger trains and vehicles and people who walk or ride. This work also raised the elevation of I-5 at Berkeley Street by 14 feet, eliminating the expense of maintaining water pumps in a location where I-5 sat below the water table.

In 2023, a third phase of construction will rebuild the I-5 and Steilacoom-DuPont Road interchange to complete widening of I-5. This will extend the HOV lane near 41st Division Drive in both directions into the DuPont area. WSDOT's overarching goal is to complete the HOV system between DuPont and the new HOV lanes that are nearly complete in Tacoma.

In 2024, a separate project off I-5 will build a new non-motorized path from Gravelly Lake Drive to Thorne Lane in Lakewood as the fourth phase of the overall work. The Gravelly-Thorne Connector will run parallel to but separate from I-5, providing access to Lakewood's Tillicum neighborhood for people who walk and ride. Until the Gravelly-Thorne Connector is complete, bicyclists going south on I-5 from Gravelly Lake Drive will use the shoulder on the exit to Berkeley Street to access local shared use paths.

A future shared-use path for bicyclists and pedestrians that would run parallel to roads open to the public between Lakewood and DuPont is being evaluated by stakeholders.

The 1999 urban design framework plan for Tillicum is shown in Figure 4.4. Some of the specific urban design actions identified at the time which could be undertaken in Tillicum include:

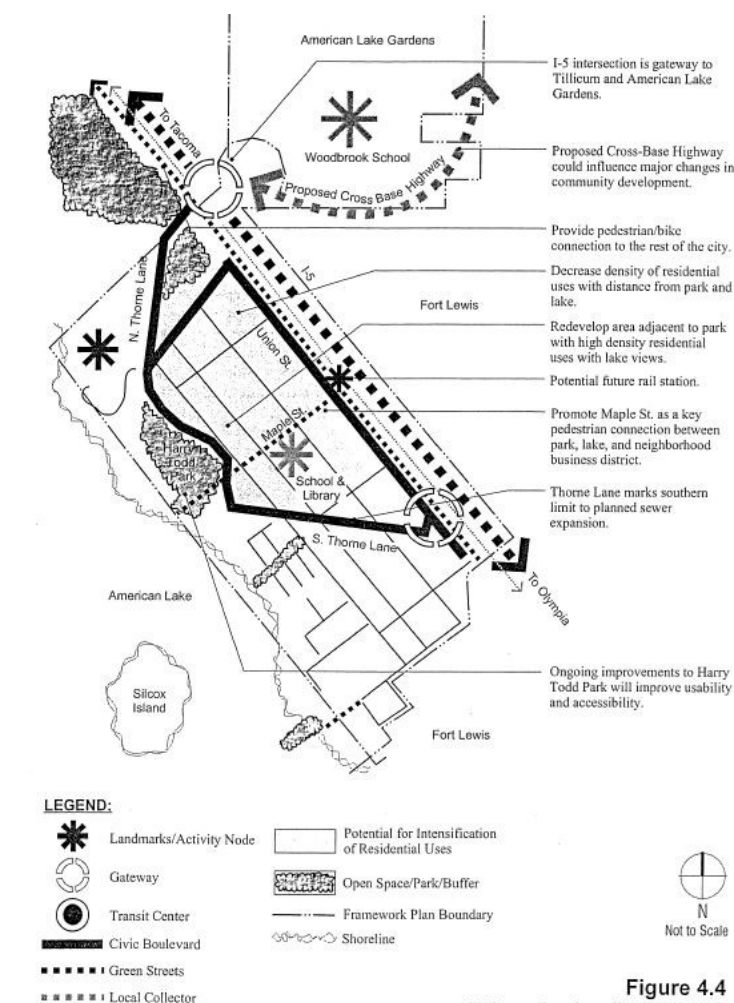
Landmark/Activity Nodes: The northern entrance into Tillicum, as well as the only entrance into Woodbrook, is at the Thorne Lane overpass and I-5. It would be improved as a civic gateway, with landscaping, road improvements, signage, and other elements as needed. This interchange may be significantly redesigned in conjunction with the Point Defiance Bypass and I-5 congestion management projects.

Civic Boulevards: As the main entrance road into Tillicum and the perimeter road embracing

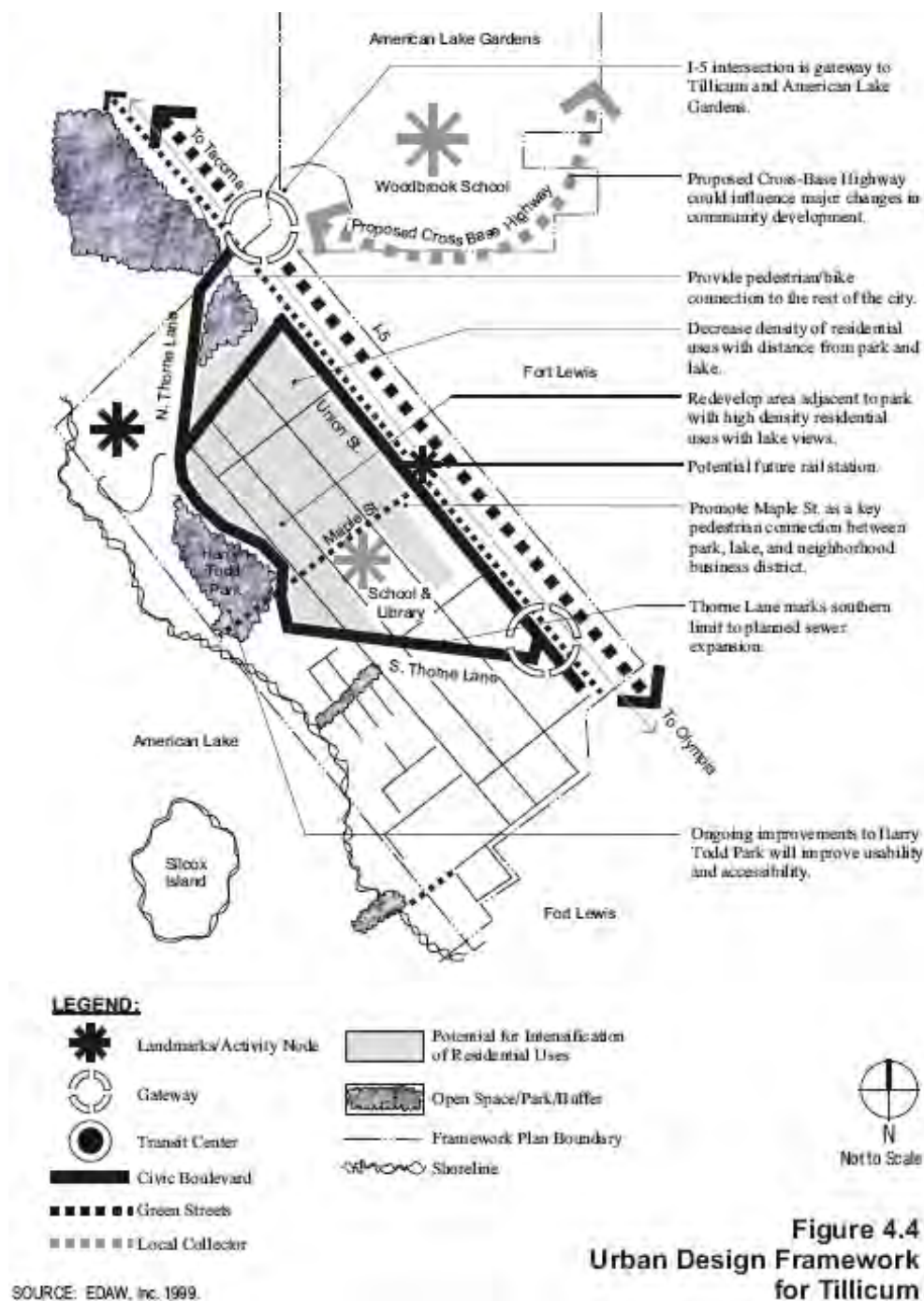
multi-family development, Thorne Lane would be improved as a civic boulevard. Development intensification in Tillicum would occur east of Thorne Lane, with W. Thorne Lane marking the initial southern boundary of the sewer extension to keep costs in check. Potential improvements of Union Street in support of commercial functions would include such elements as pedestrian improvements, parking, landscaping, lighting, and other functional items. Long-range planning would also identify site requirements for the planned future commuter rail stop and propose a strategy to fulfill this need.

Green Streets: Maple Street would be improved as a green street to provide a pedestrian-oriented connection between American Lake and Harry Todd Park at one end, and the commercial district/future rail station at the other. In between, it would also serve the school and the library. It would serve as a natural spine, gathering pedestrian traffic from the surrounding blocks of multi-family housing and providing safe access to recreation, shopping, and public transportation.

Open Space: Harry Todd Park would be improved by upgrading existing recreation facilities and constructing additional day use facilities such as picnic shelters and restrooms. A local connection between Tillicum and the Ponders Corner area could be built along an easement granted by various landowners, principally the Tacoma Country and Golf Club and Sound Transit/ Burlington Northern Railroad.



SOURCE: EDAW, Inc. 1999.



As the City of Lakewood conducts its 2024 Comprehensive Plan periodic update process, the Tillicum urban design framework and actions will be reviewed and updated to reflect what has been accomplished in Tillicum since the 2011 Neighborhood Plan was adopted as well as to reflect current housing policy and growth planning best practices.

GOAL UD-10: Promote the evolution of Tillicum into a vital higher density pedestrian-oriented neighborhood through application of urban design principles.

Policies:

UD-10.1: Identify opportunities for additional public/semi-public green space in Tillicum.

UD-10.2: Provide opportunities for pedestrian and bicycle connections from

Tillicum to other portions of Lakewood.

UD-10.3: Improve identified civic boulevards, gateways, and green streets within Tillicum to provide a unifying and distinctive character.

GOAL ED-5: Promote the revitalization/redevelopment of the following areas within Lakewood:

- 1) the Downtown Subarea;
- 2) the South Tacoma Way & Pacific Highway Corridors;
- 3) Springbrook;
- 4) Tillicum/Woodbrook;
- 5) the Lakewood Station District Subarea; and
- 6) Lake City.

Policies:

ED-5.1: Where appropriate, develop and maintain public-private partnerships for revitalization.

ED-5.2: Pursue regional capital improvement opportunities within these specific areas.

ED-5.5: Continue existing programs to expand sewers throughout Tillicum and Woodbrook.

ED-5.7: Expand housing ownership opportunities.

ED-5.8: Identify and implement strategies to foster small business development and expansion.

ED-5.11: Remove blighted buildings from residential neighborhoods.

ED-5.12: Promote affordable single and multi-family development in Lake City and Tillicum.

7.1 Sanitary Sewers

Sewer service in the City of Lakewood is almost entirely provided by Pierce County Public Works and Utilities. Sewer service was recently expanded to serve the Tillicum and Woodbrook communities. The Town of Steilacoom provides sewer service to Western State Hospital. Steilacoom has indicated that its facilities serving the Western State Hospital currently have additional growth capacity. The City of Tacoma provides sewer service to the Flett subdivision, and to commercial and residential users located in northeast Lakewood (80th Street and 84th Streets). Figure 7.2 describes the locations of all major sewer trunk lines within Lakewood.

The area immediately north of Pierce College and north of 101st Street SW, as well as the area along Clover Creek near Cochise Lane, remain unsewered. Since the adoption of the City's Comprehensive Plan in 2000, sewer trunk lines have been installed in Tillicum and Woodbrook.

Figure 7.2 (2014)



GOAL U-8: Ensure that new growth is served by sewers, and pursue a citywide system to eliminate current service deficits.

Policies:

U-8.1: Ensure that public sewage treatment and collection systems are installed and available for use coincident with new development.

U-8.2: Continue current efforts to extend sewers throughout all of Woodbrook and Tillicum.

U-8.3: Encourage extension of sewer service to Woodbrook and portions of Tillicum slated for density increases or changes in use consistent with the adopted Comprehensive Plan Future Land Use Map (see Policy LU-62.5).

Land-Use Implementation Strategies

11.3.12 Continue with redevelopment efforts in Tillicum and the preparation of development regulations and design standards as described in the Tillicum Neighborhood Plan originally adopted in June 2011 and updated thereafter.

Transportation Implementation Strategies

- Provide local support for the construction of a Sounder Station in Tillicum. ~~The station could also serve as an Amtrak station if Amtrak service is added to the Sound Transit rail line.~~

E. Development Regulation Text Amendments

18A.10.140 Establishment of subareas.

Per RCW 36.70A.080(2), in order to plan for and regulate the use of land and structures in a manner which recognizes that residential neighborhoods and business areas within Lakewood vary one from another in desired character, subareas may be established as optional elements of the comprehensive plan and implementing zoning regulations may be adopted as a title of the Lakewood Municipal Code (LMC.)

Subarea plans are implemented in part through the adoption of use, development, performance, or procedural regulations specific to the subarea or to a portion or portions of the subarea. Regulations which are specific to a subarea or portions of a subarea are located in the title of the LMC concerning the subarea.

The following subareas and subarea plans are established:

Name	Symbol	Code Title
Downtown Subarea Plan	DSAP	18B
Lakewood Station District Subarea Plan	LSDSP	18C
<u>Tillicum Subarea Plan</u>	<u>TSP</u>	<u>18D reserved</u>

**2022-03 Review and update of Housing Chapter and Related Amendments to LMC
Title 18A Development Regulations**

RECOMMENDATION:

Continue Amendment 2022-03 to the 2023 and/or 2024 Comprehensive Plan amendment cycle to allow for the City to incorporate work being performed by consultants to review the Housing Chapter.

2022-04 Review Comprehensive Plan Zoning and Policies and Municipal Code related to Adult Family Homes (AFHs) to determine whether to allow AFHs in Air Corridor 1 (AC1) and Air Corridor 2 (AC2) zones.

Amend portions of LMC 18A.40.130 (D) and (E) as follows (the remainder of LMC 18A.40.130 would remain unchanged):

18A.40.130 Air installation compatible use zones (AICUZ) and uses.

* * *

D. *AICUZ Land Use Table.* See LMC 18A.10.120 (D) for the purpose and applicability of zoning districts.

Land Use Categories	APZ-I	APZ-II	CZ	Density
Existing Uses				
Continuation of <u>conforming</u> uses <u>and structures</u> already legally existing within the zone at the time of adoption of this chapter. Maintenance, and repair, <u>and lateration/addition</u> of existing <u>conforming</u> structures shall be permitted.	P	P	–	N/A
Alteration or modification of nonconforming existing uses and structures. <u>(Subject to LMC 18A.40.130 (E).(4.); & LMC Chapter 18A.20, Article II, Nonconforming Uses & Structures.)</u>	<u>Director/ HEC</u>	<u>Director/ HEC</u>	–	N/A
Agriculture and Natural Resources				
Agriculture	–	–	–	N/A
Agriculture, clear zone	–	–	P	N/A
Agriculture, home	P	P	–	N/A
Natural resource extraction/recovery	C	C	–	Maximum FAR of 0.28 in APZ-I, no activity which produces smoke, glare, or involves explosives.
Research, scientific (small scale)	C	P	–	Office use only. Maximum FAR of 0.22 in APZ-I and APZ-II.
Undeveloped land	P	P	P	N/A
Residential Uses				
Accessory caretaker's unit	–	–	–	N/A
Accessory dwelling unit	–	–	–	N/A
<u>Adult family home: (Not subject to intensity of use criteria, LMC 18A.40.130 (E.) (1.); & subject to the Washington State Building Codes, as amended.)</u>	<u>P</u>	<u>P</u>	<u>–</u>	<u>N/A</u>
Cottage housing	–	–	–	N/A
Cohousing (dormitories, fraternities and sororities)	–	–	–	N/A
Detached single-family <u>structure(s)</u> on lot less than 20,000 square feet	–	–	–	N/A
<u>COMMENTARY: In both the APZ & APZ zones, there are a total of 290 single family units/ structures on tax parcels < 20,000 square feet. All 290 are nonconforming uses.</u>				

Land Use Categories	APZ-I	APZ-II	CZ	Density
Detached single-family <u>structure(s)</u> on lot greater than 20,000 square feet	–	P	–	N/A
Two-family residential <u>structure(s)</u> , attached or detached dwelling units	–	–	–	N/A
Three-family residential <u>structure(s)</u> , attached or detached dwelling units	–	–	–	N/A
Multifamily <u>structure(s)</u> , 4 or more residential units	–	–	–	N/A
Mixed use	–	–	–	N/A
Home occupation	P	P	–	N/A
Mobile home parks	–	–	–	N/A
Mobile and/or manufactured homes, in mobile/manufactured home parks	–	–	–	N/A
Rooms for the use of domestic employees of the owner, lessee, or occupant of the primary dwelling	–	P	–	N/A
Child care facility	–	–	–	N/A
Child day care center	–	–	–	N/A
Family day care provider	–	–	–	N/A
Special Needs Housing (Essential Public Facilities)				
Type 1 group home (<u>Excludes adult family home</u>)	–	–	–	N/A
Type 2 group home	–	–	–	N/A
Type 3 group home	–	–	–	N/A
Type 4 group home	–	–	–	N/A
Type 5 group home	–	–	–	N/A
Assisted living facilities	–	–	–	N/A
Continuing care retirement community	–	–	–	N/A
Hospice care center	–	–	–	N/A
Enhanced services facility	–	–	–	N/A
Nursing home	–	–	–	N/A
Commercial and Industrial Uses				
Building and landscape materials sales	P	P	–	Maximum FAR of 0.28 in APZ I and 0.56 in APZ II.
Building contractor, light	P	P	–	Maximum FAR of 0.28 in APZ I and 0.56 in APZ II.
Building contractor, heavy	C	–	–	Maximum FAR of 0.11 in APZ I and 0.22 in APZ II.
Business support service	P	–	–	Maximum FAR of 0.22 in APZ I.
Catering service	P	P	–	Maximum FAR of 0.22 in APZ II.
Construction/heavy equipment sales and rental	C	C	–	Maximum FAR of 0.11 in APZ I; and 0.22 in APZ II.
Equipment rental	P	P	–	Maximum FAR of 0.11 in APZ I; and 0.22 in APZ II.
Furniture, furnishings, appliance/equipment store	–	C	–	Maximum FAR of 0.28 in APZ II.

Land Use Categories	APZ-I	APZ-II	CZ	Density
Handcraft industries, small-scale manufacturing	P	P	–	Maximum FAR of 0.28 APZ I; Maximum FAR of 0.56 in APZ II.
Kennel, animal boarding	P	P	–	Maximum FAR of 0.11 APZ I; Maximum FAR of 0.22 in APZ II.
Laundry, dry cleaning plant	P	–	–	Maximum FAR of 0.22 in APZ II.
Live/work and work/live units	P	P	–	N/A
Maintenance service, client site services	P	P	–	Maximum FAR of 0.22 in APZ II.
Military installations	P	P	P	N/A
Mobile home, RV, and boat sales	C	C	–	Maximum FAR of 0.14 in APZ I and 0.28 in APZ II.
Office, business services	P	P	–	Maximum FAR of 0.22 in APZ II.
Office, professional	P	–	–	Maximum FAR of 0.22 in APZ II.
Places of assembly	–	–	–	N/A
Personal services	P	–	–	Office uses only. Maximum FAR of 0.11 in APZ II.
Small craft distillery	–	P	–	Maximum FAR 0.56 in APZ II.
Storage, personal storage facility	P	P	–	Maximum FAR of 1.0 in APZ I; 2.0 in APZ II.
Vehicle services, minor maintenance/repair	P	P	–	Maximum FAR of 0.11 APZ I; 0.22 in APZ II.
Vehicle storage	C	C	–	Maximum FAR of 0.28 in APZ I and 0.56 in APZ II.
Warehouse retail	P	–	–	Maximum FAR of 0.16 in APZ II.
Warehouse	P	P	–	Maximum FAR of 1.0 in APZ I; 2.0 in APZ II.
Wholesaling and distribution	P	P	–	Maximum FAR of 0.28 in APZ I and 0.56 in APZ II.
Wildlife preserve or sanctuary	P	P	–	N/A
Eating and Drinking Establishments				
Bar/tavern	–	–	–	N/A
Brewery, brew pub	–	–	–	N/A
Mobile food vending facility	P	P	–	N/A
Night club	–	–	–	N/A
Restaurant, café, coffee shop, counter ordering	–	–	–	N/A
Restaurant, café, coffee shop, drive- through services	–	–	–	N/A
Restaurant, café, coffee shop, table service	–	–	–	N/A
Restaurant, café, coffee shop, outdoor dining	–	–	–	N/A
Restaurant, café, coffee shop, serving alcohol	–	–	–	N/A
Tasting room	–	–	–	N/A
Lodging				
Bed and breakfast guest houses	–	–	–	N/A

Land Use Categories	APZ-I	APZ-II	CZ	Density
Hostels	–	–	–	N/A
Hotels and motels	–	–	–	N/A
Recreational vehicle parks	–	–	–	N/A
Transportation				
Parking facilities (surface)	P	P	–	N/A
Parking facilities (structured)	–	–	–	N/A
Streets with pedestrian and bicycle facilities	P	P	–	N/A
Transit park and ride lots	P	P	–	N/A
Transit shelter	P	P	–	N/A
Utilities				
Above-ground electrical distribution lines, pipes, and support poles, transformers, and related facilities, not including substations	P	P	–	N/A
Underground electrical distribution lines, pipes, and support poles, transformers, and related facilities, not including substations	P	P	P	N/A
Electrical distribution substations	P	P	–	N/A
Electrical transmission lines of 115 kV or less and support poles	P	P	–	N/A
Electric vehicle battery charging stations	P	P	–	N/A
Above-ground natural gas conveyance facilities	–	–	–	N/A
Underground natural gas conveyance facilities	P	P	P	N/A
Potable water conveyance facilities	P	P	–	N/A
Potable water storage facilities	C	P	–	N/A
Storm water collection and conveyance facilities	P	P	P	N/A
Storm water detention/retention facilities	P	P	C	N/A
Telecommunications earth receiving stations (satellite dishes)	P	P	–	N/A
Telecommunications lines, pipes, support poles and related facilities, not including earth receiving stations, personal wireless service, transmission/receiving/relay facilities, or switching facilities	P	P	–	N/A
Telecommunications switching facilities	P	P	–	N/A
Telecommunications transmission/receiving/relay facilities		P	–	N/A
Waste water conveyance facilities	P	P	P	N/A
Wireless communication facilities	P	P	–	N/A

Land Use Categories	APZ-I	APZ-II	CZ	Density
(WCFs)				
Essential Public Facilities				
Airport (American Lake Seaplane Base)	–	–	–	N/A
Community and technical colleges, colleges and universities	–	–	–	N/A
Correctional facilities	–	–	–	N/A
Electrical transmission lines of higher voltage than 115 kV, in existing corridors of such transmission lines	–	C	–	N/A
Electrical transmission lines of higher voltage than 115 kV, in new corridors	–	–	–	N/A
Group home	–	–	–	N/A
In-patient facility including but not limited to substance abuse facility	–	C	–	N/A
Intercity high-speed ground transportation	–	–		N/A
Intercity passenger rail service	–	–	–	N/A
Interstate Highway 5 (I-5)	P	–	–	N/A
Mental health facility	–	–	–	N/A
Military installation	P	P	P	N/A
Minimum security institution	–	–	–	N/A
Secure community transition facility (SCTFs)	–	–	–	N/A
Solid waste transfer station	–	–	–	N/A
Sound Transit facility	–	–	–	N/A
Sound Transit railroad right-of-way	–	–	–	N/A
Transit bus, train, or other high capacity vehicle bases	–	–	–	N/A
Washington State Highway 512	P	–	–	N/A
Work/training release facility	–	–	–	N/A

Director: Community & Economic Development Director

HE: Hearing Examiner

P: Permitted Use C: Conditional Use “–”: Not Allowed N/A: Not Applicable

Numbers in parentheses reference use specific development and operating conditions under subsection (E) of this section.

E. Operating and Development Conditions.

1. In addition to the other requirements of the chapter, the intensity of use criteria are applicable to all new land uses in the CZ, APZ-I, and APZ-II zoning districts and shall be used to determine compatibility of proposed uses with aircraft operations hazards. The applicant shall bear the burden of proof to demonstrate compliance of a proposed development with the following intensities of uses:

a. Within the CZ zoning district, the total number of people on a site at any time shall not exceed one (1) person per four thousand three hundred fifty-six (4,356) square feet of gross site area, or ten (10) persons per acre.

b. Within the APZ-I zoning district, the total number of people on a site at any

time shall not exceed one (1) person per one thousand seven hundred forty-two (1,742) square feet of gross site area, or twenty-five (25) persons per acre.

c. Within the APZ-II zoning district, the total number of people on a site at any time shall not exceed one (1) person per eight hundred seventy-one (871) square feet of gross site area, or fifty (50) persons per acre.

COMMENTARY: *Proposed code amendments would exempt adult family homes from the intensity criteria found in E.1. Intensity would instead be set by Washington State building code regulations.*

2. In addition to other requirements of the code, the following performance criteria shall be used to determine the compatibility of a use, project design, mitigation measures and/or any other requirements of the code with respect to aircraft operation hazards in the CZ, APZ-I and APZ-II zoning districts. The applicant shall bear the burden of proof to demonstrate compliance of a proposed development with the following performance criteria:

a. Any new use which involves release of airborne substances, such as steam, dust, and smoke, that may interfere with aircraft operations is prohibited.

b. Any new use which emits light or direct or indirect reflections that may interfere with a pilot's vision is prohibited.

c. Any new use that creates an undue hazard to the general health, safety and welfare of the community in the event of an aircraft accident in these zoning districts is prohibited.

COMMENTARY: *Arguably, subsection "c." is problematic for the city in the event an adult family home provider wants to locate underneath a military air corridor, or desires to expand living space in an existing single family structure which is nonconforming. This is where JBLM AICUZ, the city's zoning, and state law come into conflict. Lakewood is in a position where it must concede to state law, although there remains a compelling reason that placing adult family home residents, some of whom may have significant disabilities, underneath a military air corridor is not a good idea.*

d. Facilities which emit electrical currents shall be installed in a manner that does not interfere with communication systems or navigational equipment.

e. Any new use which attracts concentrations of birds or waterfowl, such as mixed solid waste landfill disposal facilities, waste transfer facilities, feeding stations, and the growth of certain vegetation, is prohibited.

f. Structures are prohibited within one hundred (100) feet of the aircraft approach-departure or transitional surfaces.

3. *Noise Attenuation.* Provisions for noise mitigation shall apply to all buildings or structures constructed or placed in use for human occupancy on sites within the Clear Zone (CZ), Accident Potential Zone One (APZ-I), and Accident Potential Zone Two (APZ-II) zoning districts, which are located within the sixty-five (65) Ldn Noise Contour or higher, as shown in the Final Air Installation Compatible Use Zone (AICUZ) Study Update, Joint Base Lewis-McChord, May 2015, and on file with the Community and Economic Development Department.

a. *Noise Insulation Required.* Those portions of new structures where the public is received or offices are located must be constructed with sound insulation or other means to achieve a day/night interior noise level (Ldn) of no greater than forty-five (45) dB. A remodeling project where the total cost of improvements is twenty-five (25) percent or more of the valuation of the existing building is ~~also~~ subject to these standards.

COMMENTARY: State's requirement for energy conservation often meets or exceeds Ldn requirements; considered a non-issue.

b. *Sound Isolation Construction.* A building will generally be considered acceptable by the Building Official if it incorporates the applicable features described in LMC Title [15](#). Alternate materials and methods of construction may be permitted, if such alternates are demonstrated to the satisfaction of the Building Official to be equivalent to those described.

COMMENTARY: Same as above; considered a non-issue.

c. *Acoustical Analysis and Design Report.* The applicant may elect to have a qualified architect or engineer examine the noise levels and needed building sound isolation requirements for a specific site. The analysis and design report signed by and prepared under the supervision of a qualified architect or engineer shall be submitted with the application for building permit. The report shall show the topographical relationship of the aircraft noise sources and the building site, identification of noise sources and their characteristics, predicated noise spectra at the exterior of the proposed building structure, basis for the predication (measured or obtained from published data), and effectiveness of the proposed construction showing that the prescribed interior day-night sound level is met.

COMMENTARY: Subsection "c." is for unusual situations. To-date, no acoustical reports have been submitted by applicants in APZ-I, APZ-II, & CZ; considered a non-issue.

d. *Exemptions.*

- i. Additions under five hundred (500) square feet that are not used for sleeping rooms;
- ii. A remodeling project where the total cost of improvements is less than twenty-five (25) percent ~~or more of the valuation~~ of the existing building valuation is also subject to these standards;
- iii. The noise standards in subsection ~~(B)~~(E)(3) of this section shall not apply to the construction of buildings or structures in the Air Installation Compatible Use Zone (AICUZ) Study for McChord Field with less than sixty-five (65) dB DNL.

e. *Noise Disclosure Statement.* Prior to the issuance of a building permit for new construction or remodeling where the total cost of improvements is twenty-five (25) percent or more of the valuation of the existing building, the property owner shall sign a noise disclosure statement and record the statement with the title of the property. The noise disclosure statement acknowledges that the property is located within the sixty-five (65) Ldn contour, as indicated on Noise Contour Map for McChord AFB as shown in the AICUZ study, and that noise

attenuation is required of any new construction or remodeled structure where it meets the threshold.

4. *Nonconforming Buildings and Structures.*

a. Any residential use group building, and any assembly, business, educational, institutional or mercantile use group building or structure or portion thereof, which lawfully existed on the date of adoption of this section and which is not in conformity, shall be deemed nonconforming and subject to LMC, Chapter 18A.20 Article II, Nonconforming Uses & Structures.

i. Exceptions to residential use group buildings. A one-time addition/expansion of nor more than two-hundred (200) square feet of conditioned space shall be permitted.

COMMENTARY: This subsection allows for minor expansions to mostly single family residences, and, further, allows adult family home providers to convert garages and/or carports to additional bedrooms. Beyond 200 square feet, a proposal would be subject to the City's standard nonconforming use regulations.

b. Any extension, enlargement, relocation, reconstruction or substantial alteration of a nonconforming residential use group building, and any assembly, business, educational, institutional or mercantile use group building or structure or portion thereof, shall be subject to the acoustical performance standards as set forth in LMC Title [15](#) unless otherwise modified by the Building Official pursuant to applicable provisions of the Washington State Building Code.

2022-05 Update text of the Comprehensive Plan to reflect the adoption of VISION 2050 and renaming Centers of Local Importance per the 2018 Regional Centers Framework and the 2019 Countywide Planning Policies.

Replace Comprehensive Plan text and maps as shown below. The remainder of the Plan remains unchanged.

1.6.7.1 Compliance with Vision 2040 and VISION 2050

The Lakewood Comprehensive Plan supports a sustainable approach to growth and future development. The Plan incorporates a systems approach to planning and decision-making that addresses protection of the natural environment. The plan commits to maintaining and restoring ecosystems, through steps to conserve key habitats, clean up polluted waterways, and reduce greenhouse gas emissions. The plan includes provisions that ensure that a healthy environment remains available for future generations in Lakewood.

Lakewood's Comprehensive Plan has been updated based on residential and employment targets that align with Vision 2040. The Plan will be updated no later than during the 2024 periodic update to reflect the 2044 growth targets adopted by the Pierce County Council. ~~Through the targeting process the City has identified the number of housing units in the city for the year 2031.~~ We have also established an affordable housing goal for this planning period. (See Policies LU-2.20 and LU-2.21).

The Comprehensive Plan addresses each of the policy areas outlined in VISION 2040 and will be updated no later than during the 2024 periodic update to reflect VISION 2050 and countywide planning policies. Lakewood has policies that address habitat protection, water conservation, air quality, and climate change. The City's land-use codes incorporate environmentally friendly development techniques, such as low-impact landscaping. The plan calls for more compact urban development and includes design guidelines for mixed-use and transit-oriented development. There are directives to prioritize funding and investments to our regional growth center. The housing (sub)element commits to expanding housing production at all income levels to meet the diverse needs of both current and future residents. The plan includes an economic development element that supports creating jobs, investing in all people, creating great communities, and maintaining a high quality of life. The transportation element advances cleaner and more sustainable mobility, with provisions for complete streets, green streets, context-sensitive design, and a programs and strategies that advance alternatives to driving alone. The City coordinates its transportation planning with neighboring jurisdictions, including our level-of-service standards and concurrency provisions. The City is committed to resource conservation in the provision of public services.

The Comprehensive Plan also addresses local implementation actions in VISION 2040 and VISION 2050, including identification of underused lands, mode-split goals for the City's designated center, and housing targets.

* * *

1.7 2015 Update

* * *

In 2014, the City designated eight (8) Centers of Local Importance (COLIs). These COLIs were adopted in Section 2.5 (Land Use Maps chapter) of this Comprehensive Plan. ~~CoLIsenters of Local Importance~~ were designated in order to focus development and funding to areas ~~that are~~ important to the local community. Residential COLIs ~~we~~ are intended to promote compact, pedestrian oriented development with a mix of uses, proximity to diverse services, and a variety of appropriate housing options. In 2014, COLIs ~~may~~ could also be used to identify established industrial areas. The ~~CoLIsenters of Local Importance~~ originally identified for the City of Lakewood include:

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

In 2019, per Pierce County Resolution 2019-070s, the Pierce County Countywide Planning Policies (CPPs) were updated to reflect the Regional Centers Framework that incorporated new policies regarding CoLIs. Lakewood ratified these changes per City Resolution 2020-03. CPP C-29 states in part that “CoLIs may only be located in a town or city without a Countywide or Regional Center located in Pierce County.” Lakewood has a Regional Growth Center coterminous with the Downtown Subarea.

As a result of Policy C-29, in 2022, the City of Lakewood redesignated its eight centers originally named CoLIs as “Centers of Municipal Importance”, or “CoMIs”. These CoMIs are not intended to be designated in the future as Countywide or Regional Centers, but instead reflect City of Lakewood focus areas for preservation, resource investment and/or economic development. Maps of the CoMIs were updated in Section 2.5 of this Comprehensive Plan as well.

* * *

2.4 Urban Center Designation

A key element of the urban growth strategy of the GMA and regional growth strategy is the direction of growth toward centers. Urban Centers are focal points within urban areas intended to complement compact communities providing viable alternatives to sprawl. They are intended to be dominated by relatively compact development, where housing, shopping, and employment are in proximity. Urban Centers are also intended to be the focal points for public investment in transit and other capital improvements.

According to the CWPP, centers are intended to:

- Be priority locations for accommodating growth;
- Strengthen existing development patterns;
- Promote housing opportunities close to employment;
- Support development of an extensive transportation system which reduces dependency on automobiles; and
- Maximizes the benefit of public investment in infrastructure and services.

Within its CWPP, the jurisdictions of Pierce County identified three types of Urban

Centers and one manufacturing/industrial center that are applicable and consistent with the Puget Sound Regional Council's (PSRC's) VISION 2040 plan. Lakewood's Downtown has been designated as an urban center under the CWPP and, by extension, is a recognized regional growth center under VISION 2040 and VISION 2050.

* * *

2.5 Centers of Local Importance and Centers of Municipal Importance

Centers of Local Importance (CoLIs) are designated for the purpose of identifying local centers and activity nodes that are consistent with VISION 2040's Multi-county Planning Policies. Such areas promote compact, pedestrian-oriented development with a mix of uses, proximity to diverse services, and a variety of appropriate housing options, or are in an established industrial area. CoLIs are designated by the local government with jurisdiction. Approval by Pierce County, the Pierce County Regional Committee (PCRC), or other state or regional organization is not required. In 2014, Lakewood ~~has~~ designated ~~adopted~~ eight CoLIs. These are illustrated in Figure 2.3.

In 2018, Puget Sound Regional Council (PSRC) adopted a new Regional Centers Framework. Local Centers are discussed as follows at Section 7 of the Framework:

VISION 2040 calls for central places in all jurisdictions to support a centers-based approach to development in the region. These places range from neighborhood centers to active crossroads in communities of all sizes. These centers play an important role in the region and help define our community character, provide local gathering places, serve as community hubs, and are often appropriate places for additional growth and focal points for services.

The Regional Centers Framework recognizes the importance of these places, but does not envision a regional or county designation for all types of local centers. The designation criteria outlined in this document may provide a path to regional or county designation for locations that continue to grow and change over time.

In 2019, per Pierce County Resolution 2019-070s, the Pierce County Countywide Planning Policies (CPPs) were updated to reflect the Regional Centers Framework that incorporated new policies regarding CoLIs. Lakewood ratified these changes per City Resolution 2020-03. County Planning Policy C-29 states in part that "CoLIs may only be located in a town or city without a Countywide or Regional Center located in Pierce County." Lakewood has a Regional Growth Center coterminous with the Downtown Subarea.

As a result of Policy C-29, in 2022, the City of Lakewood redesignated its eight centers originally named CoLIs as "Centers of Municipal Importance", or "CoMIs". These CoMIs are not intended to be designated in the future as Countywide or Regional Centers, but instead reflect City of Lakewood focus areas for preservation, resource investment and/or economic development.

* * *

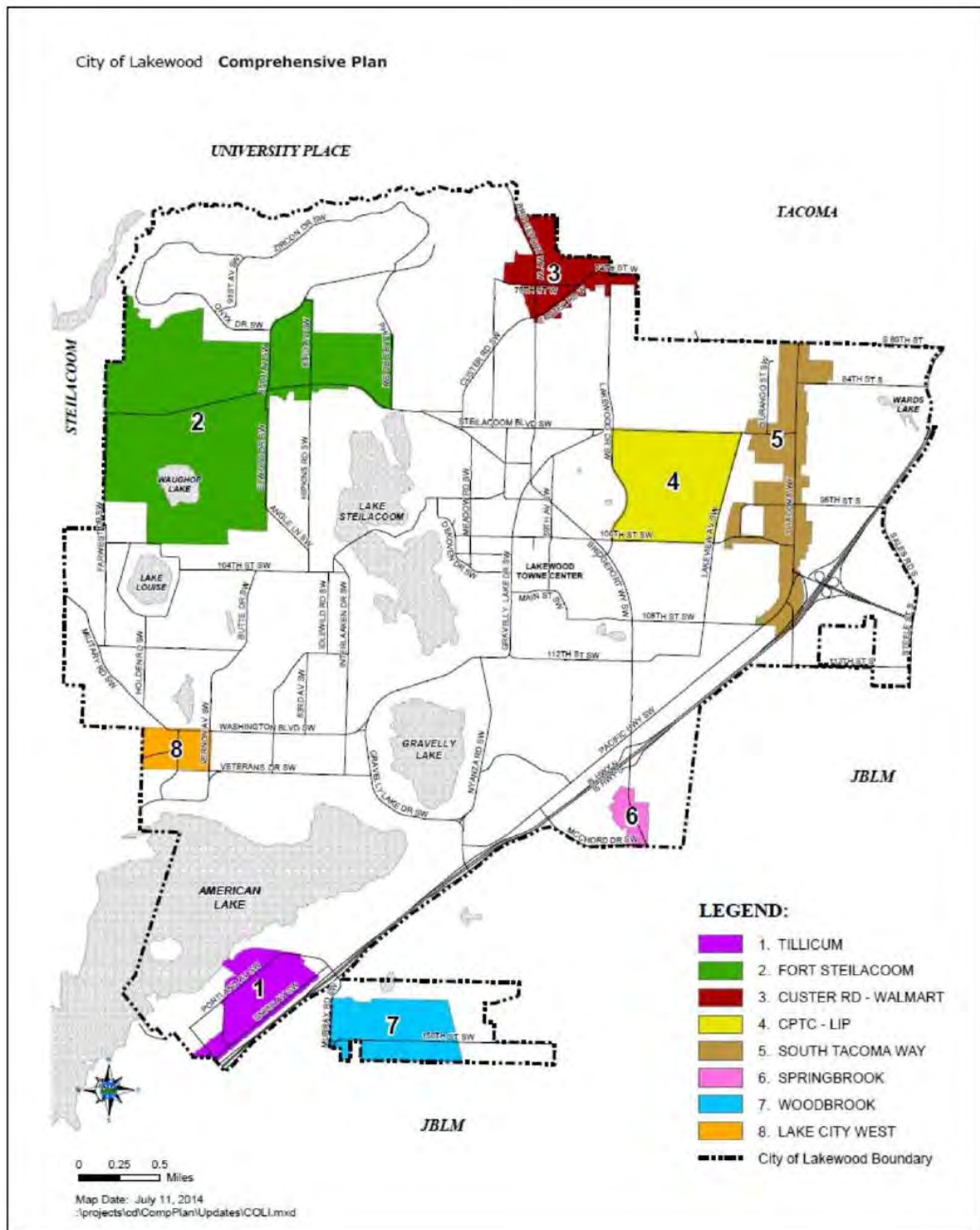


Figure 2.3
City-Wide Centers of Municipal Importance (CoMIs)



Figure 2.4
 Tillicum Center of Local Municipal Importance

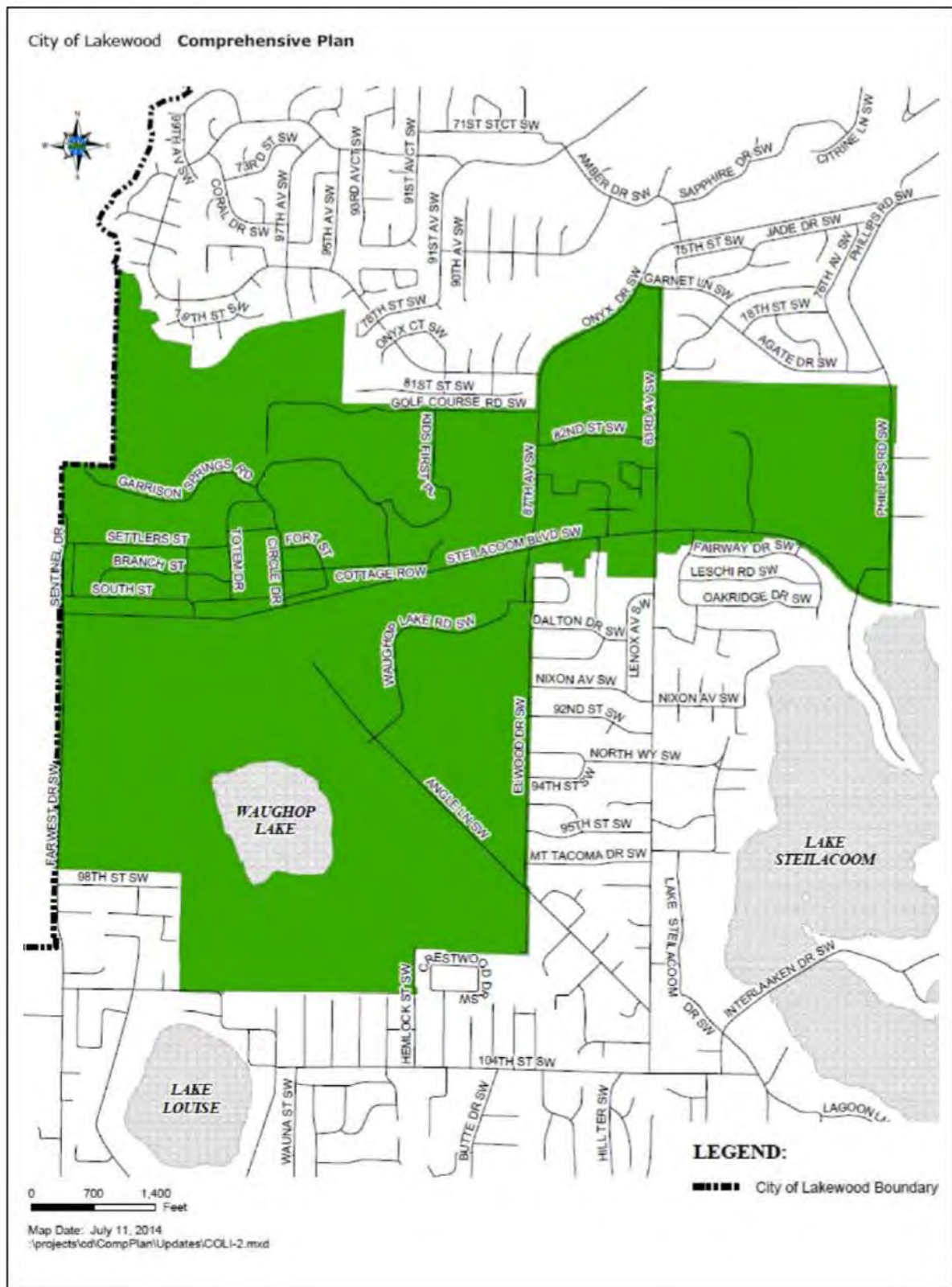


Figure 2.5
 Fort Steilacoom Park Center of Local Municipal Importance

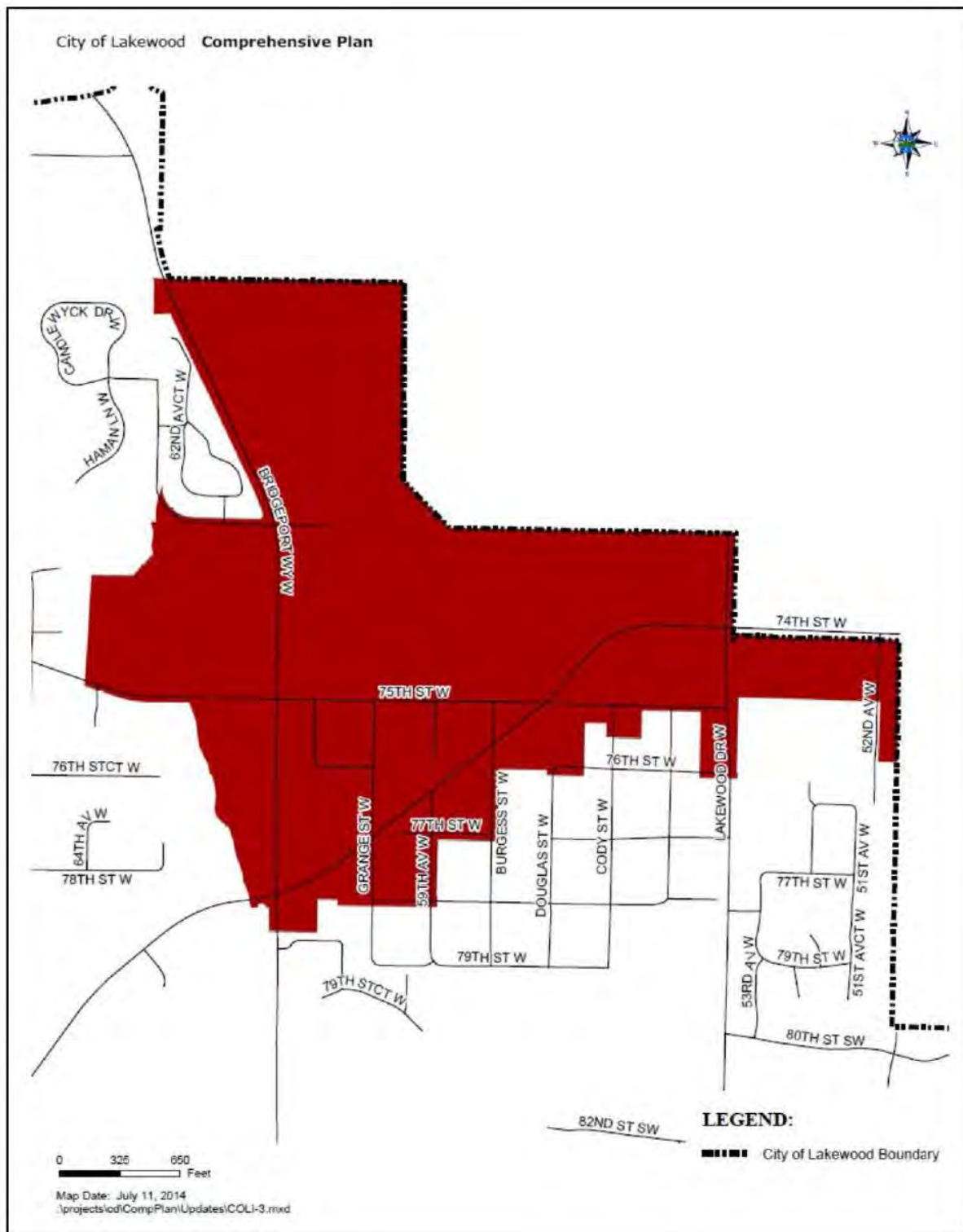


Figure 2.6
 Custer Road/Walmart Center of Local ~~Local~~ Municipal
 Importance

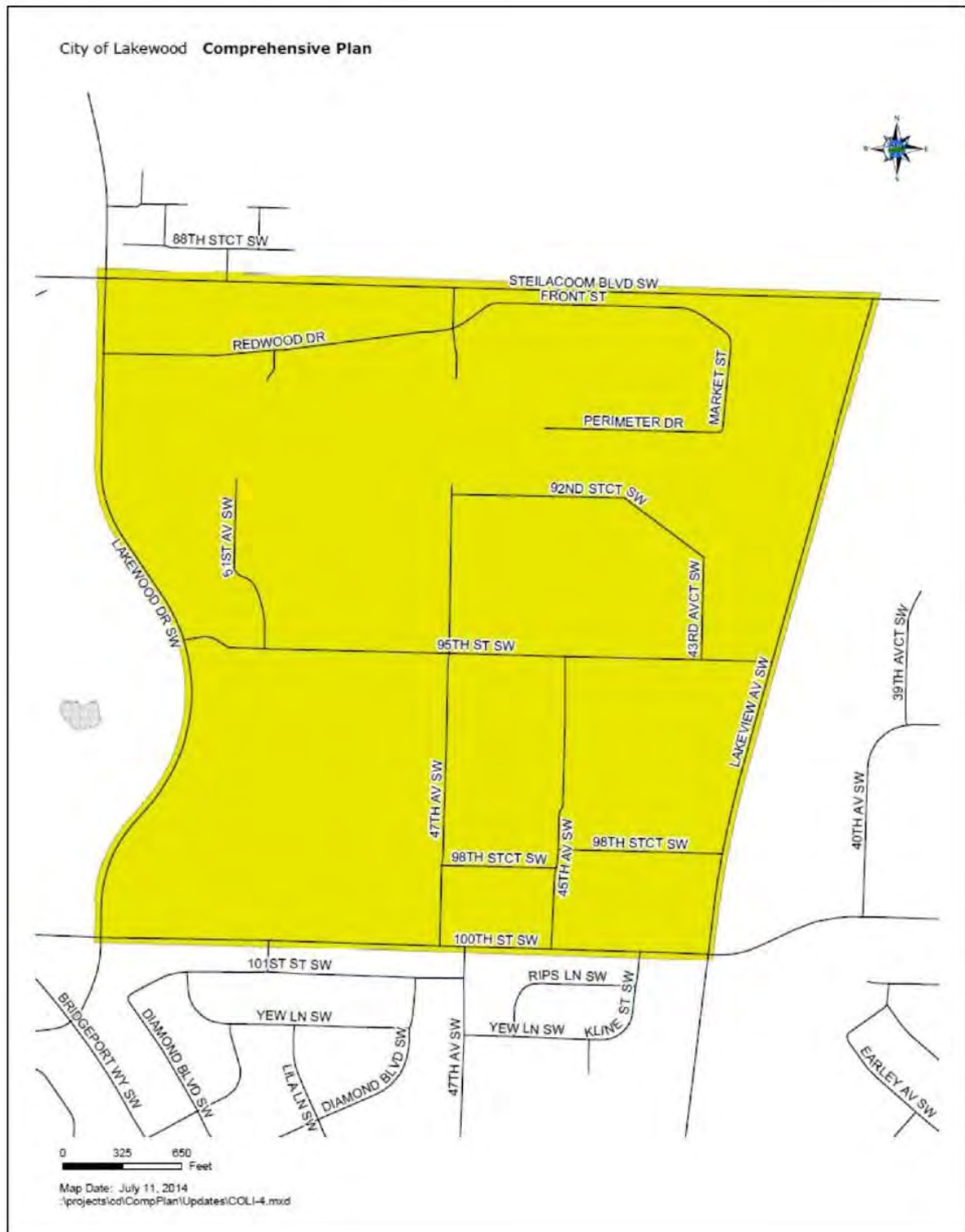
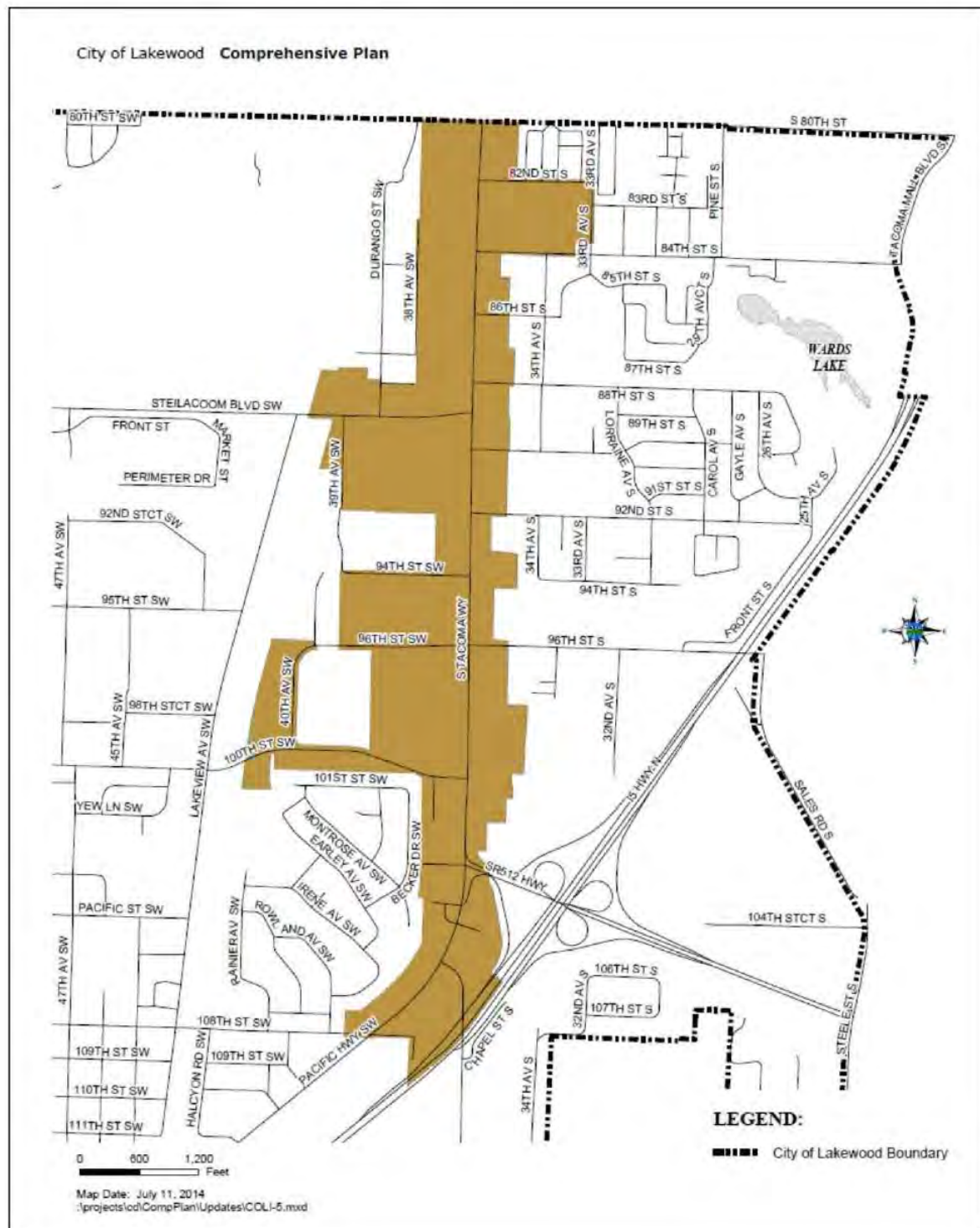


Figure 2.7
Clover Park Technical College / Lakewood Industrial Park Center
of Local ~~Local~~ Municipal Importance



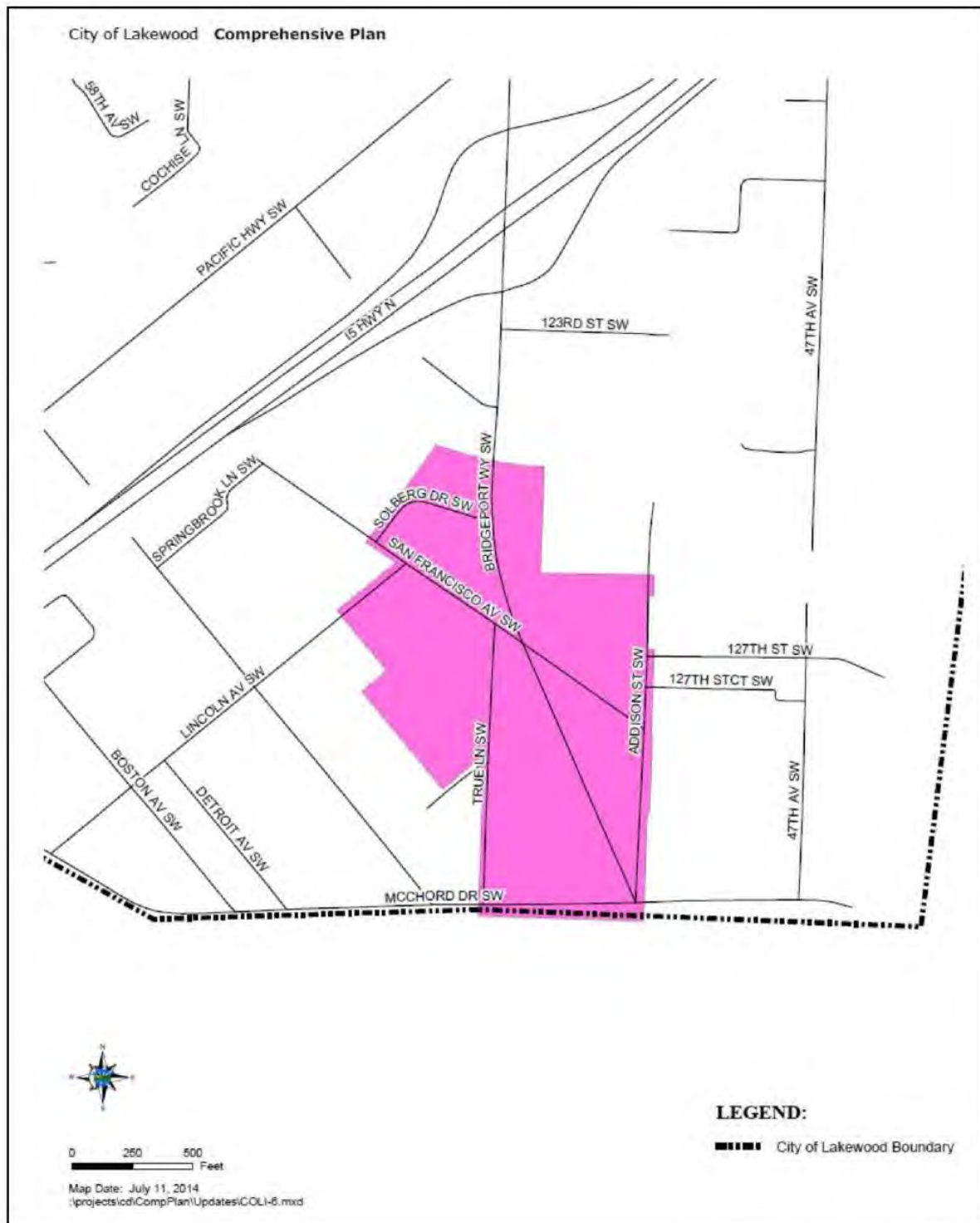


Figure 2.9
Springbrook Center of Local Municipal Importance

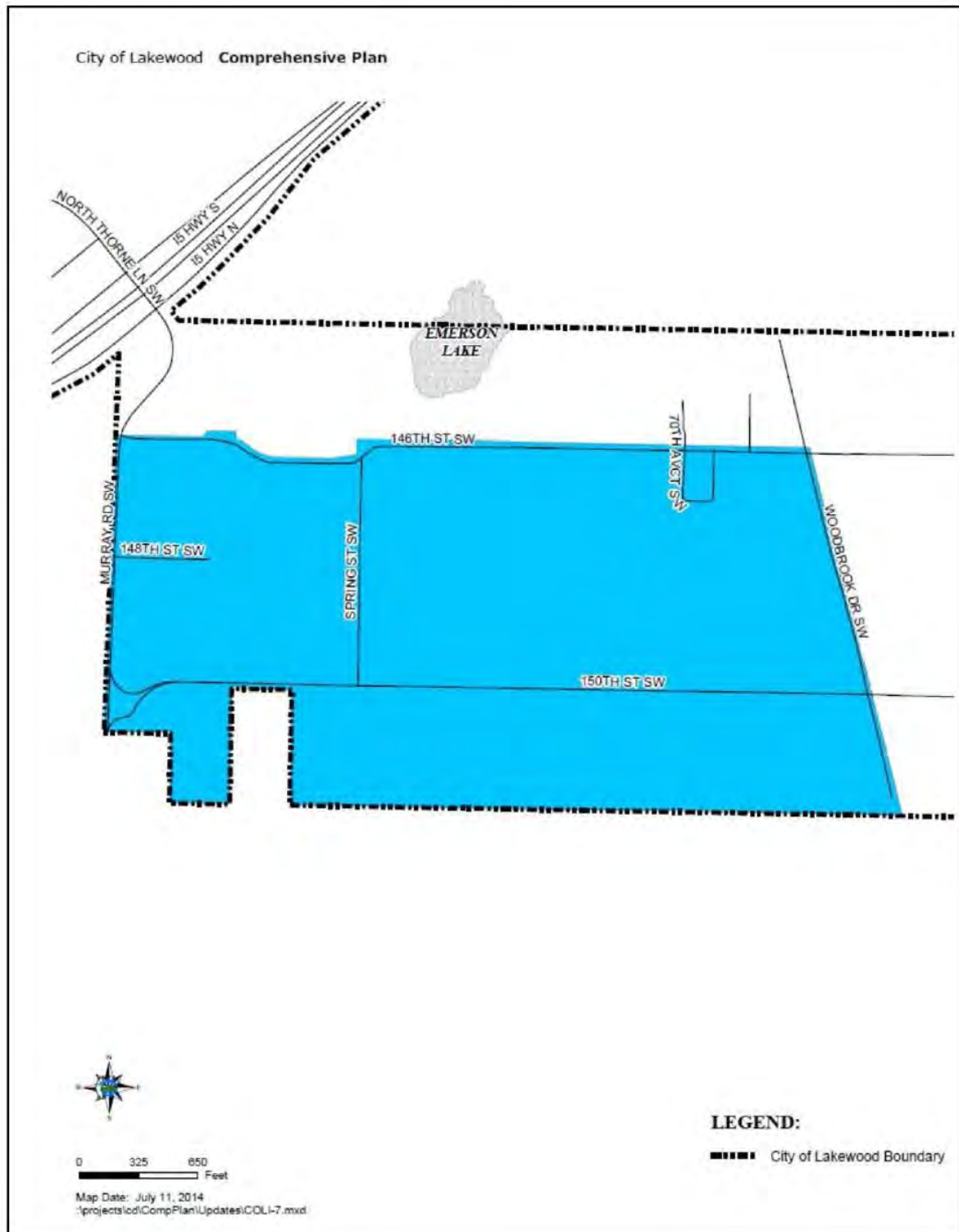


Figure 2.10
Woodbrook Center of Local Municipal Importance

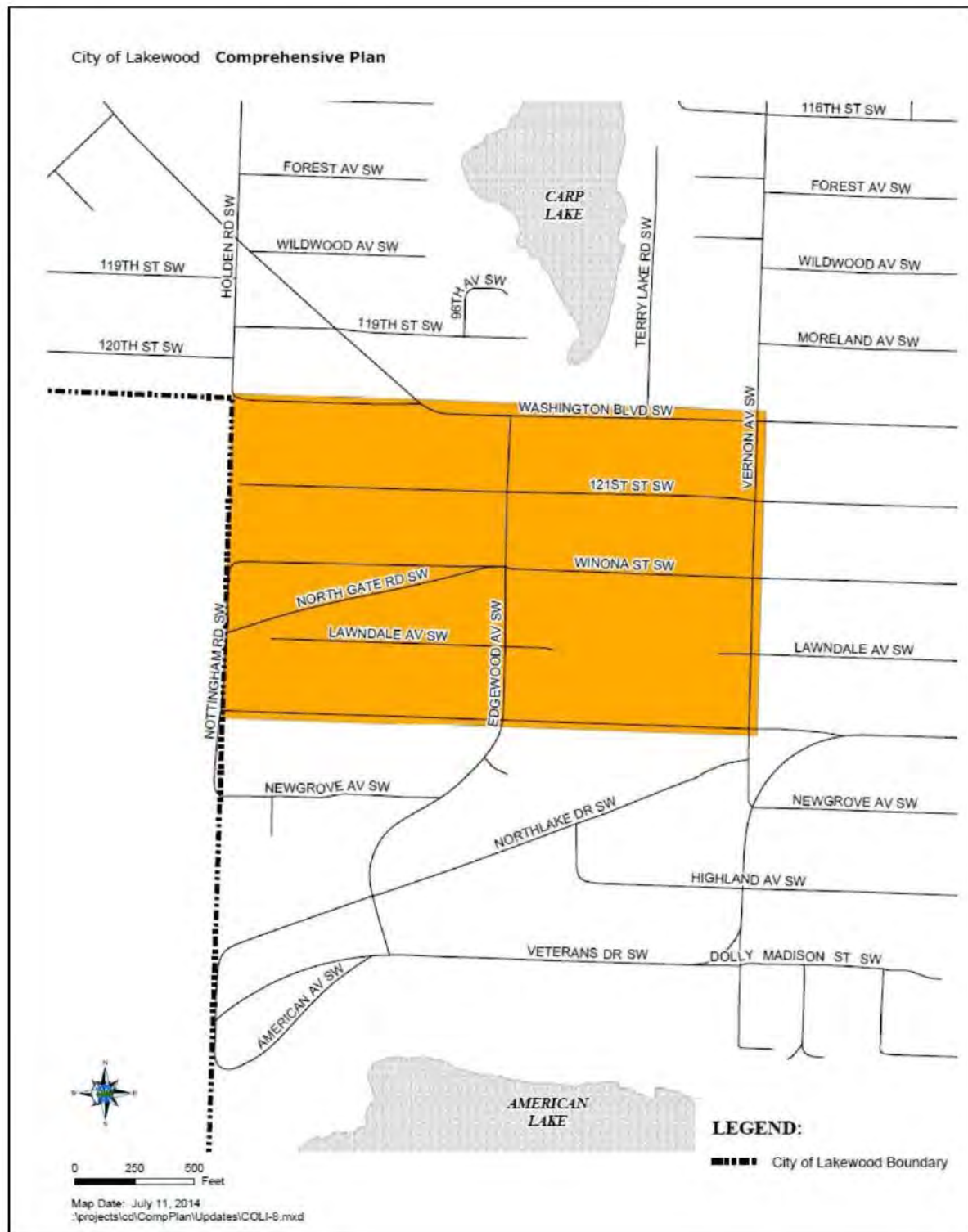


Figure 2.11
 Lake City West Center of Local Municipal Importance

* * *

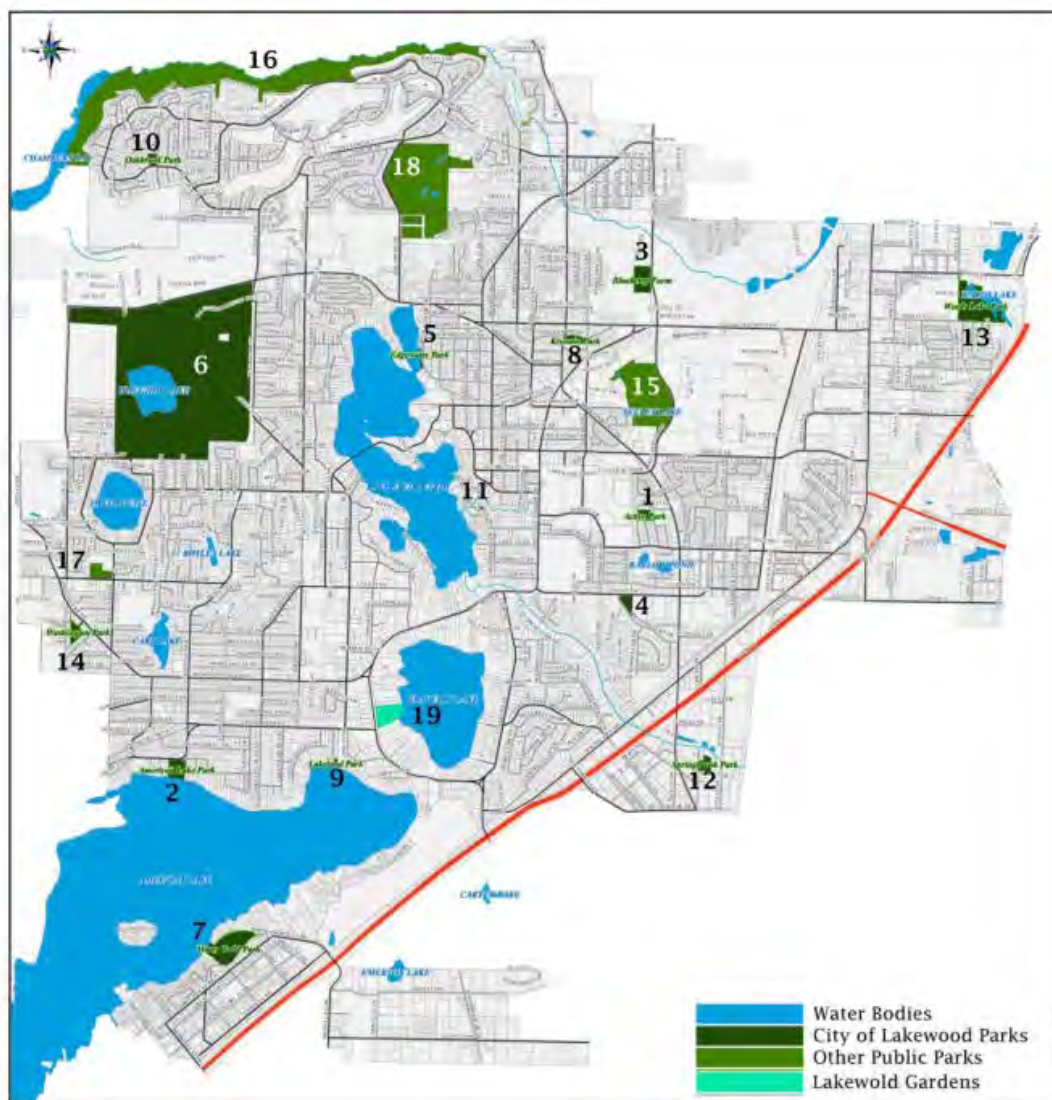
5.1 Introduction

The Growth Management Act (GMA) includes economic development as one of its basic goals, and it is a theme that runs throughout the Act. GMA considers the need to stimulate economic development throughout the state, but requires that these activities be balanced with the need to protect the physical environment. It encourages the efficient use of land, the availability of urban services, and the financing strategies necessary to pay for needed infrastructure. GMA mandates that communities perform long range planning, and then implement zoning and regulatory rules so that appropriate development can occur. It recognizes that while the public sector can shape and influence development, it is the private sector that generates economic growth.

At the regional level, Lakewood complies with the Multicounty Planning Policies (MPPs) adopted by the Puget Sound Regional Council (PSRC) as part of VISION 205~~40~~ and its successors. ~~(e.g., VISION 2050 will replace VISION 2040 in 2020.)~~ The MPPs provide an integrated framework for addressing land use, economic development, transportation, other infrastructure, and environmental planning. These policies play three key roles: (1) give direction for implementing the Regional Growth Strategy, (2) create a common framework for planning at various levels (including countywide planning, local planning, transit agency planning, and others) within the four-county region, and (3) provide the policy structure for the Regional Council's functional plans.

2022-06 Update Comprehensive Plan Figures 3-5, 3-6, and 3-8 to reflect adoption of the Parks Legacy Plan; update Figure 4.1 with an updated Urban Focus Area map depicting the Downtown and Lakewood Station District Subareas, the Tillicum Neighborhood, and the City Landmarks listed in Section 4.4 text.

Replace Comprehensive Plan figures as shown below. The remainder of the Plan would remain unchanged.



Public parks

City of Lakewood

- 1 Active Park
- 2 American Lake Park
- 3 Blueberry Park
- 4 Community Garden
- 5 Edgewater Park
- 6 Fort Steilacoom Park
- 7 Harry Todd Park

- 8 Kiwanis Park
- 9 Lakeland Park
- 10 Oakbrook Park
- 11 Primley Park
- 12 Springbrook Park
- 13 Wards Lake Park
- 14 Washington Park

Pierce County

- 15 Seeley Lake Park
 - 16 Chambers Creek Regional Park
- Other public parks**
- 17 Lake Louise School Park
 - 18 S Puget Sound Urban Wildlife Area
 - 19 Lakewold Gardens



Figure 3.5 Public Open Spaces

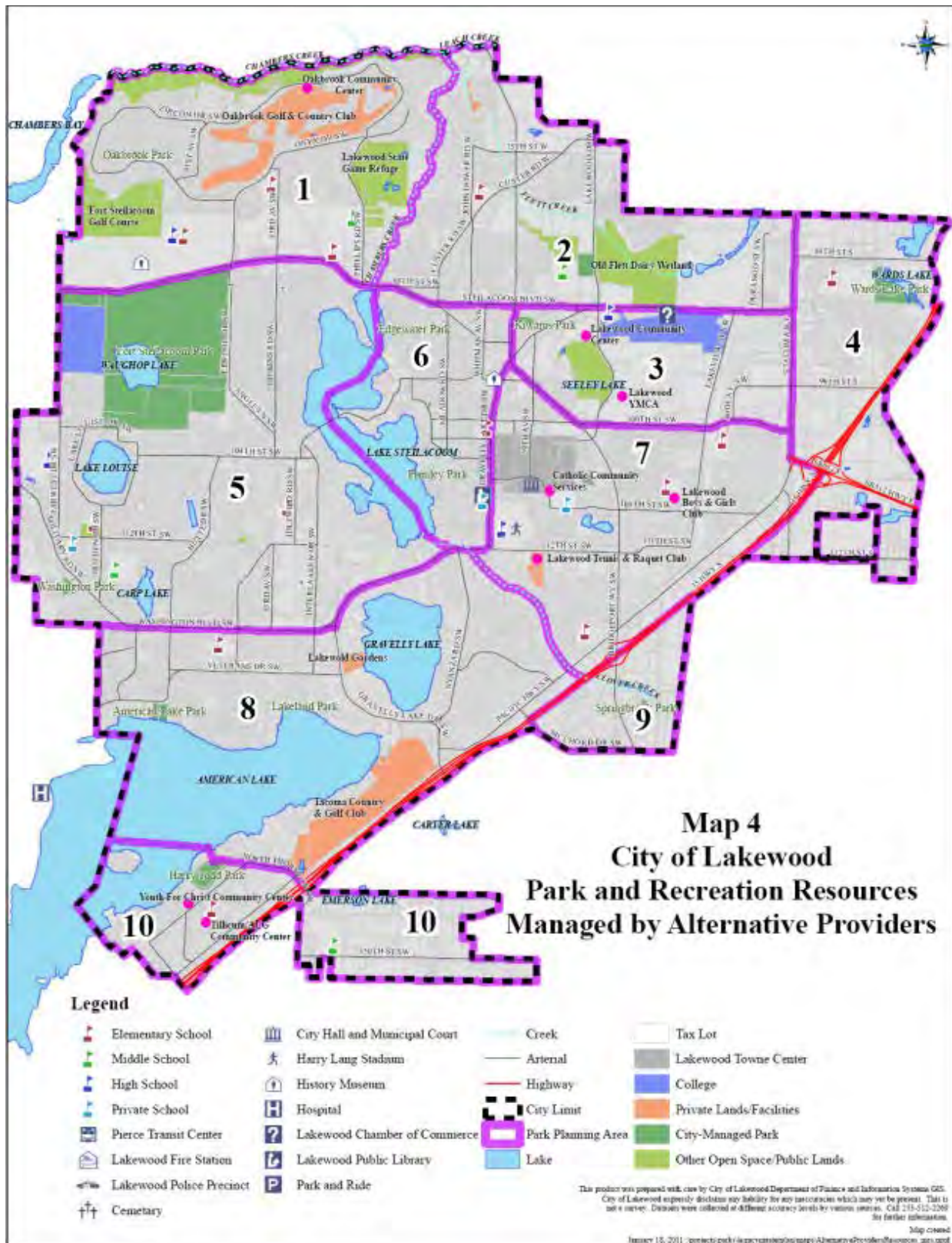
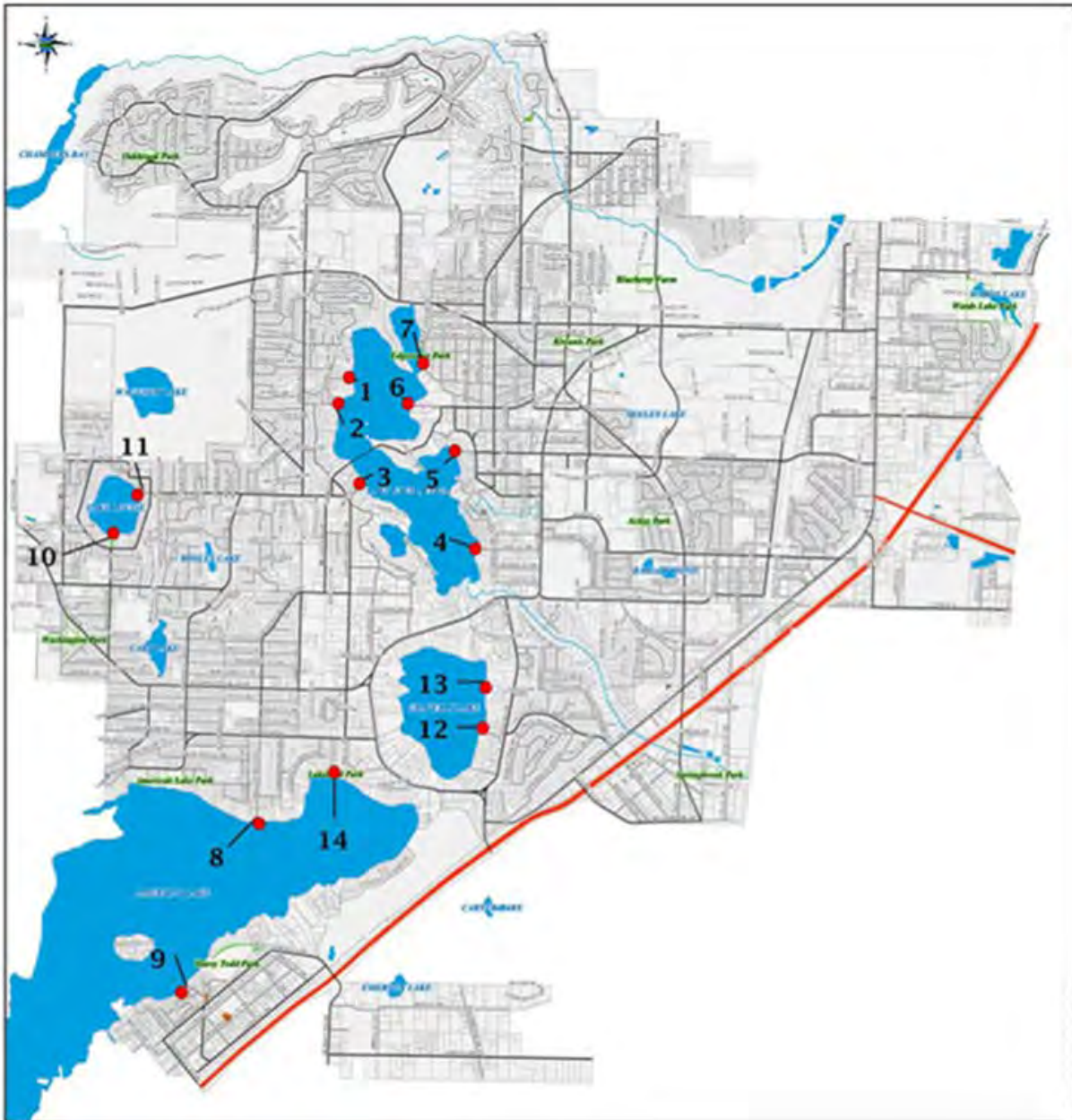




Figure 3.6 Park and Recreation Resource Managed by Alternative Providers



Street ends

Improve/develop

- 1 Westlake Avenue
- 3 Beach Lane
- 7 Edgewater/Foster
- 8 Lake City Boulevard
- 9 Wadsworth
- 10 104th/Melody Lane

- 11 Holden

- 14 Lakeland Avenue

Leave as is

- 12 Hilltop Lane
- 13 Linwood Lane

Lease

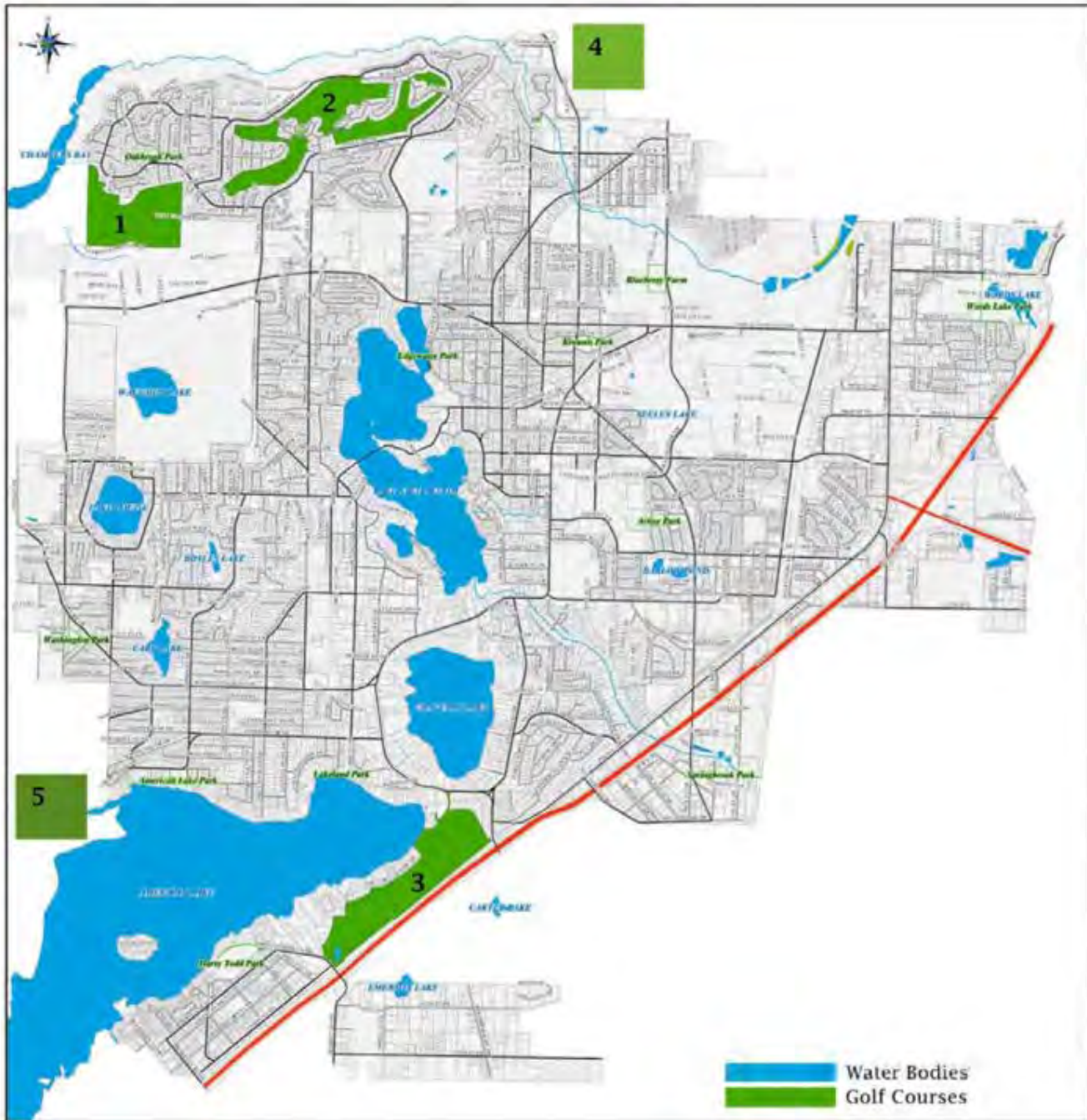
- 2 MtTacoma Drive
- 4 Lake Avenue

Vacate/sell

- 5 100th Street
- 6 Holly Hedge Drive



Figure 3-7 Street Ends



Golf Courses

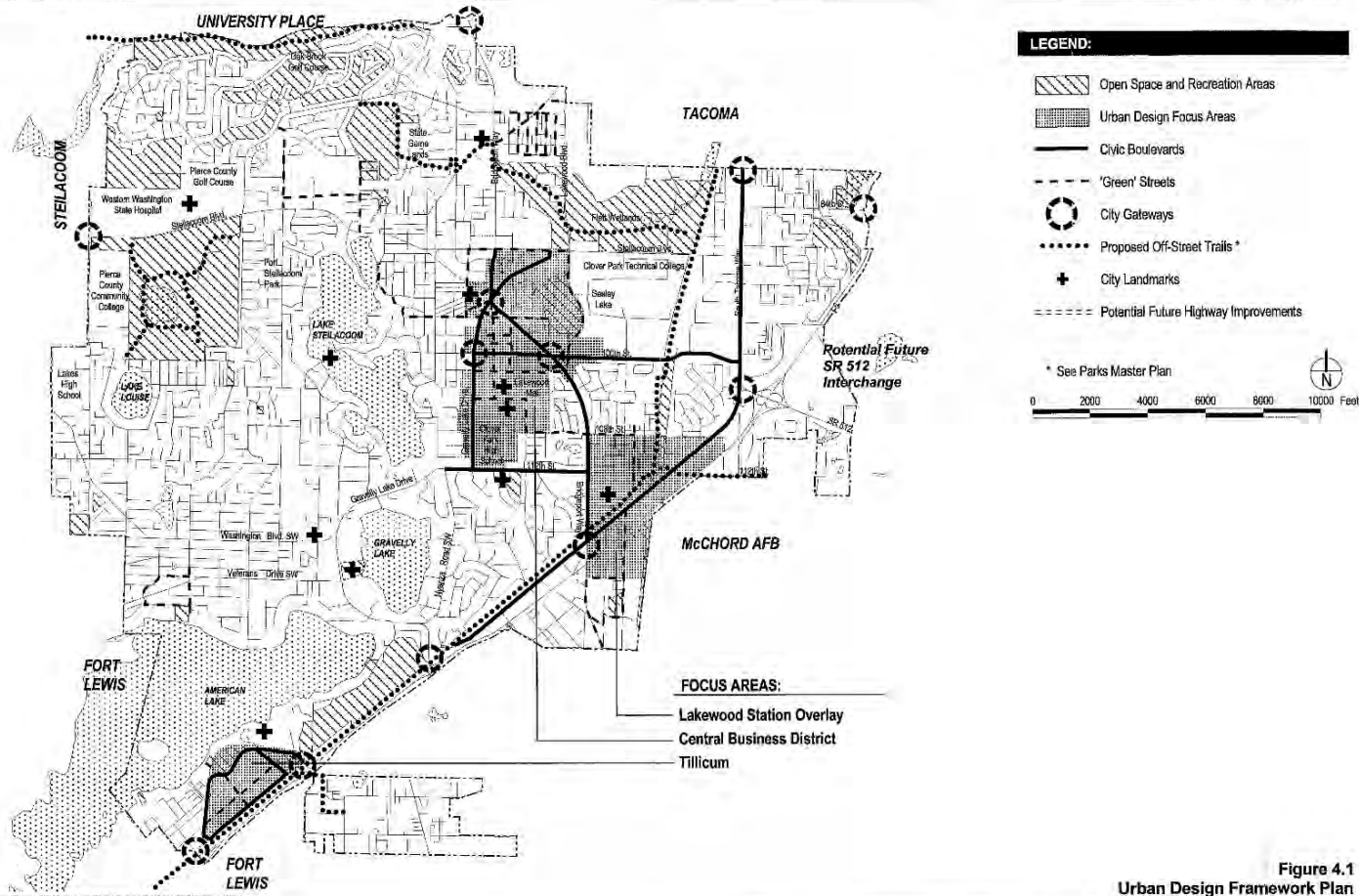
- 1 Fort Steilacoom Golf Course
- 2 Oakbrook Golf & Country Club

- 3 Tacoma Country & Golf Club
- 4 Meadow Park Golf Course

- 5 VA Golf Course



Figure 3.8 Golf Courses



Source: Pierce County GIS / Lakewood Parcel Survey Database / EDNW Inc., 1999.
July 2000
P:\624101\2SLAP\FINAL COMP.APR

Chapter 4, page 9

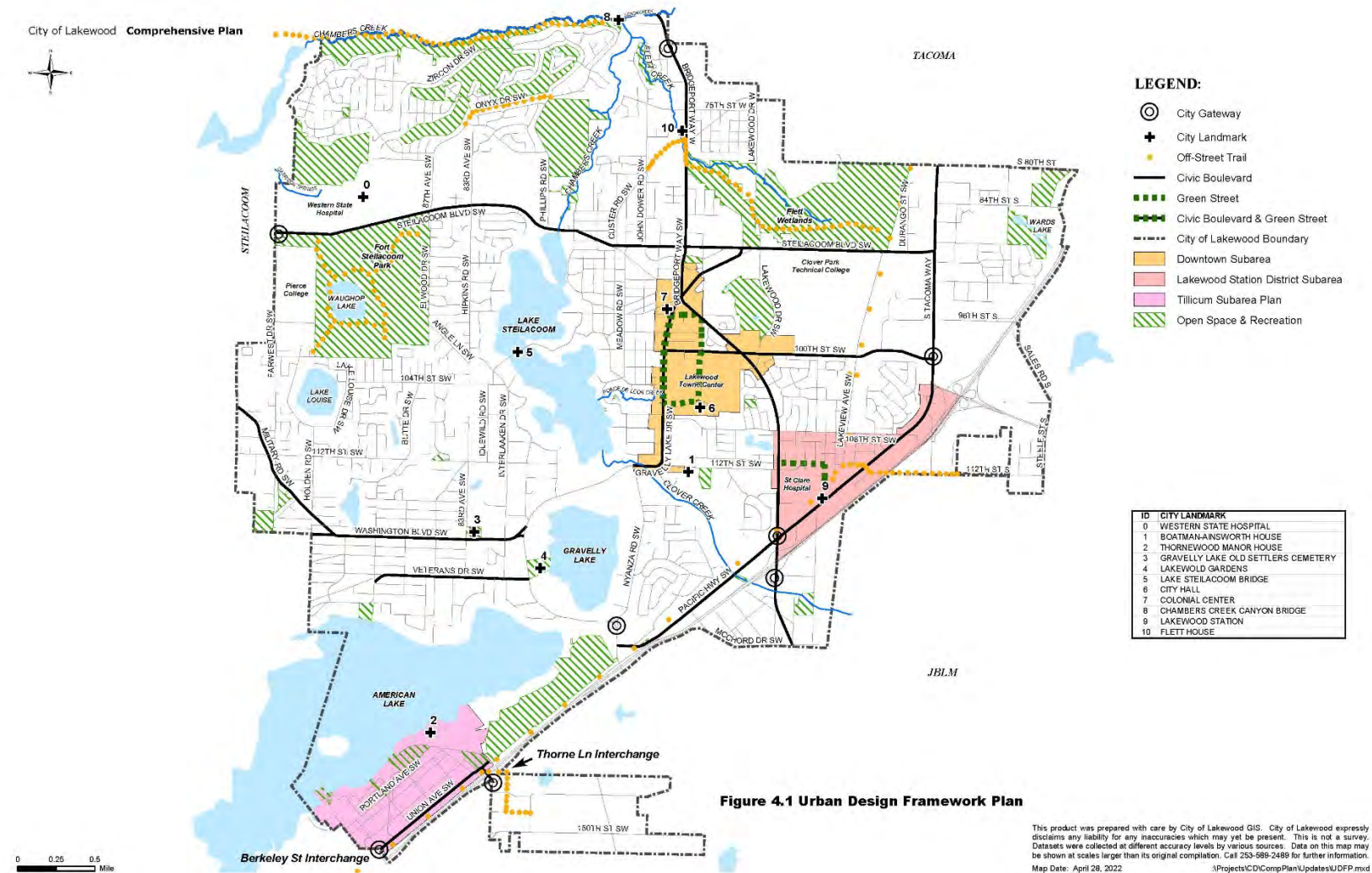


Figure 4.1 Urban Design Framework

2022-07 Parking requirements in LMC Chapters 18A.80.030 (Citywide) and in 18C.600.610 (Lakewood Station District Subarea Plan)

Proposed text amendments to the codes related to parking for multifamily use types Citywide (LMA 18A.30.030) and within the Lakewood Station District Subarea (LMC 18C.600.610) are included below. The remainder of LMC Chapter 18A.80 and 18C.600 would remain unchanged.

1. Amend 18A.80.030 Zoning district parking requirements. (CITY WIDE)

RESIDENTIAL				
Accessory dwelling unit	Per dwelling unit	1	N/A	None
Single-family	Per dwelling unit	2	N/A	None
Duplexes	Per dwelling unit	2	N/A	None
Multifamily structures	Per dwelling unit	<u>Studio- 1</u> <u>1 bedroom- 1.25</u> <u>2+ bedroom- 1.5</u> <u>(at least 10% of the total parking spaces must be set aside for unreserved guest parking)</u> <u>1.5</u>	N/A	1 per 10 auto stalls. 2 minimum per building

2. 18C.600.610 Parking. (LAKEWOOD STATION DISTRICT)

Land Use	Vehicular Parking Requirement	Bicycle Parking Requirement
Residential	<p>Single-family: 2 per dwelling unit Accessory dwelling: 1 per dwelling unit; provided, that no additional parking is required when located within one-quarter mile of the Sounder Station. (RCW 36.70A.698)</p> <p>Senior citizen apartments: 1 per 3 dwelling units*</p> <p>Multifamily housing:</p> <p><u>Studio- 1</u></p> <p><u>1+ bedroom- 1.25</u></p> <p><u>(at least 10% of the total parking spaces must be set aside for unreserved guest parking)</u><u>1.25 spaces per dwelling unit*</u></p> <p><i>*See process in subsection (B) of this section to prepare parking study to reduce further near station.</i></p>	Meet rates and standards of: Chapter 18A.80 LMC

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: July 18, 2022	TITLE: Bristol Apartments Multifamily Tax Exemption	TYPE OF ACTION: — ORDINANCE NO.
REVIEW: June 21, 2022	ATTACHMENTS: Draft Resolution; Application dated February 8, 2022; Application dated May 9, 2022; Signed Agreement Regarding Residential Target Area Center Development	<input checked="" type="checkbox"/> RESOLUTION NO. 2022-08
July 5, 2022		— MOTION NO.
		— OTHER

SUBMITTED BY: Courtney Brunell, Planning Manager

RECOMMENDATION: It is recommended that City Council decline to approve Resolution No. 2022-08.

DISCUSSION: On February 16, 2022 the City received a complete application for an 8-year Multifamily Tax Exemption (MFTE) for a 7-unit development, permit number 897, to be located at 9815 Bristol Dr SW. The application was signed by the property owner, Oleg Mikshanskiy with Ameriglaz Restoration, LLC. The original application stated that 100% of the units would be set aside for affordable housing.

On May 9, 2022 the City received a revised application signed by Oleg Mikshanskiy with Ameriglaz Restoration, LLC requesting a 12 year exemption with 100% of the units set aside for affordable housing.

Between March 22nd and May 9th the City spoke with with Mr. Oleg Mikshanskiy confirming the 100% set aside and that the Ameriglaze Restoration, LLC team was comfortable with the reporting requirements for the 12-year exemption.


On June 21, 2022 staff introduced permit number 897 including two draft agreements: the Conditional Certificate and Agreement Regarding Residential Target Area Center Development (Agreement). In the project description for the agreement, staff stated that 100% of the units would be set aside for affordable housing, the agreement and conditional certificate were signed by Mr. Oleg Mikshankiy, Ameriglaz Restoration, LLC on June 29, 2022. *(continued on page 2)*

ALTERNATIVE(S): None

FISCAL IMPACT: None

Courtney Brunell
Prepared by

Department Director

 Tho Kraus, Acting City Manager
City Manager Review

On July 5, 2022 staff presented the signed agreement and it was noted that on page 1 of the agreement, language was copied directly from LMC 3.64 , stating: “The applicant has committed to renting at least 20% of the multifamily housing units as affordable housing units to low-and moderate-income households.” Council requested that the agreement be amended to fully reflect the application; that 100% of the units be set aside for affordable housing.

On July 7, 2022 staff communicated with Oleg Mikshanskiy who confirmed that they would set aside 100% of the units for affordable housing. Staff sent copies of the revised agreement the same day.

On July 12, 2022 the City was made aware that 9615 Bristol Dr SW (APN: 9820000020), the location of the proposed development, changed ownership on April 6, 2022. The new owner, Kurkov Konstantin, has requested to withdraw permit number 897 and stated he intends to submit a new application. Mr Konstantin stated to the City that he works with Mr. Mikshanskiy and authorized him to continue with the original MFTE application submitted in February, revised in May, to avoid any additional delay.

The City’s permit software would automatically verify ownership and applicant information for any new application or at the time of permit issuance. Since the 12- year exemption application was submitted on May 9th as a revision, the system did not identify a change in ownership. In the future, staff will ensure ownership is verified prior to bringing items before Council. Additionally, the MFTE application has been updated to include ownership information in addition to applicant information.

The Community and Economic Development Department will bring this item back before Council once the revised application has been received.

RESOLUTION NO. 2022-08

A RESOLUTION of the City Council of the City of Lakewood, Washington, authorizing the issuance of Conditional Certificate of Acceptance of Tax Exemption within a Residential Target Area to Ameriglaze Restoration, LLC.

WHEREAS, pursuant to chapter 84.14 RCW and chapter 3.64 of the Lakewood Municipal Code; municipalities may identify Residential Target Areas. Such areas are designed to spur economic development and developments within those areas may be allowed certain tax benefits; and

WHEREAS, the City of Lakewood has received an application from Ameriglaze Restoration, LLC proposing a project within a Residential Target Area.

WHEREAS, the project meets the requirements, relative to location, size, housing and compliance with other guidelines meriting conditional approval for tax purposes;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY RESOLVES, AS FOLLOWS:

Section 1: The City Council approves the application from American Restoration, LLC for a Conditional Certificate of Acceptance of Tax Exemption (“Conditional Certificate”).

Section 2. The City Manager or designee is authorized to issue a Conditional Certificate of Acceptance of Tax Exemption and to execute any appropriate documents relative to the issuance of the Conditional Certificate, including the agreement in the form attached hereto as Exhibit A to this Resolution and incorporated by reference. This Conditional Certificate shall expire three years from the effective date of this resolution. The City Manager or designee is authorized to extend or revoke the Conditional Certificate as permitted in chapter 3.64 of the Lakewood Municipal Code.

Section 3. Any actions taken by the City Manager or designees to-date in connection with the Conditional Certificate of Acceptance of Tax Exemption be and hereby are ratified.

Section 4. That this Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 18th day of July, 2022.

CITY OF LAKEWOOD

Jason Whalen, Mayor

Attest:

Briana Schumacher, City Clerk

Approved as to Form:

Heidi Ann Wachter City Attorney



Application – Conditional Certificate of Tax Exemption for Multiple Family Units Located within a Residential Target Area

6000 Main Street SW. Lakewood, WA 98499
Telephone: (253) 512-2261

Application Fee: \$800.00

Number Required:	Description of Required Documents:	Required:
1	Conditional Certificate of Tax Exemption Application.	A
2 sets	Preliminary floor and site plans of the proposed project.	A
1	8 1/2" x 11" reduced copy of the preliminary floor and site plans.	
1	A statement acknowledging the potential tax liability when the project ceases to be eligible for the tax exemption	A
1	Verification by oath or affirmation of the information submitted.	A
1	For rehabilitation projects, the applicant shall also submit an affidavit that existing dwelling units have been unoccupied for a period of twelve (12) months prior to filing the application and shall secure from the City verification of property noncompliance with the City's minimum housing code.	A
1	If applicable, a statement that the project meets the affordable housing requirements as described in RCW 84.14.020.	A
Preliminary floor and site plans may be submitted in electronic PDF format.		

A = Always required.
M = May be required.



Application – Conditional Certificate of Tax Exemption for Multiple Family Units Located within a Residential Target Area

Program Requirements

Project must meet the following criteria for special valuation on multifamily property:

1. The project must be located within a Residential Target Area.
2. The project must not displace existing residential tenants of structures that are proposed for redevelopment. Existing dwelling units proposed for rehabilitation must have been unoccupied for a minimum of 12 months prior to submission of an application and must have one or more violations of the City's minimum housing code. Applications for new construction cannot be submitted for vacant property upon which an occupied residential rental structure previously stood, unless a minimum of 12 months has elapsed from the time of most recent occupancy.
3. The project must include at least four units of multi-family housing within a residential structure or as part of a mixed-use development. A minimum of four new units must be constructed or at least four additional multi-family units must be added to existing occupied multi-family housing. Existing multi-family housing that has been vacant for twelve (12) months or more does not have to provide additional units so long as the project provides at least four units of new, converted, or rehabilitated multi-family housing.
4. At least fifty (50) percent of the space designated for multi-family housing must be provided for permanent residential occupancy.
5. Proposed Completion Date. New construction multi-family housing and rehabilitation improvements must be scheduled to be completed within three years from the date of approval of the application.
6. The project must be designed to comply with the City's comprehensive plan, building, housing, and zoning codes, and any other applicable regulations in effect at the time the application is approved. Rehabilitation and conversion improvements must comply with the City's minimum housing code. New construction must comply with the International Building Code. The project must also comply with any other standards and guidelines adopted by the City Council for the Residential Target Area in which the project will be developed.

Once this application is approved, then:

1. The applicant and the City will execute a contract to be approved by the City Council under which the applicant agrees to implementation of the development on terms and conditions satisfactory to the City Council.

2. Once this contract is executed, the City will issue a Conditional Certificate of Acceptance of Tax Exemption based on the information provided by the applicant. The Conditional Certificate will be effective for not more than three years, but may be extended for an additional 24 months under certain circumstances.
3. Once the project is completed and all contract terms have been fulfilled, at the applicant's request, the applicant will receive an application for Final Certificate of Tax Exemption, which the applicant must complete and return to the City of Lakewood Community & Economic Development Department.
4. Upon approval of the application for Final Certificate of Tax Exemption, the City will within 40 days of application, file the Final Certificate of Tax Exemption with the Pierce County Assessor's Office.

Please Note: The Pierce County Assessor may require the applicant to submit pertinent data regarding the use of classified land.



Application – Conditional Certificate of Tax Exemption for Multiple Family Units Located within a Residential Target Area

APPLICATION INFORMATION

Date: 02/08/2022 Name of Applicant: Oleg Mikshanskiy
Business Name of Applicant: Ameriglaze Restoration
Mailing Address: PO BOX 99864, Lakewood, WA 98496
Telephone: 253-255-1551 Cell Phone: _____
Email: olegseattle@hotmail.com

PROJECT INFORMATION

Property Description

Name of Project: Bristol Apartments
Street Address of Project: 9615 Bristol Ave Sw, Lakewood, WA 98499
County Assessor Parcel Number(s): 9820000020

Term of Exemption Applying for:

☒ 8 years ☐ 12 years

Interest in Property: 100% ☐

Other (description):

Type of Construction

New Construction: ☒ Yes ☐ No

If rehabilitation/demolition, applicant must secure from the City verification of property

noncompliance with applicable building codes.

Intended Project Construction Timeline(s): _____

Project to be completed within 9 months of start date.

Number & Type of Units

Number of Units – New 7 Number of Units – Rehabilitated 0

Are the total numbers of units more than the number of units for which you are requesting a Tax Exemption?

☐ Yes ☒ No

Number of Units Proposed: Studio 0 One Bedroom 7 Two Bedroom 0

Other 0

Number and percentage of affordable units (if any): 7, 100%

Description of Building Use

Required Preliminary Plans are Attached:

Site Plan ☒ Yes ☐ No Floor plans ☒ Yes ☐ No

Describe building use and square feet intended for use:

Total gross square footage 6,040. First floor will include retail space, one bedroom and 4 garages. Total first floor 1,974 SF. Second floor includes three one-bedroom units, total square feet 2,033. Third floor includes three one-bedroom units, total square feet 2,033.

Identify square feet of commercial space (if any): 329

Cost of Construction Project cost of new construction/rehabilitation: \$950,000

Source of Cost Estimate: Builder

Expected Date to Start Project: April 2022

Expected Date to Complete Project: December 2022

Provide a brief statement describing the project and setting forth the grounds for qualifications for tax exemptions in the space below (attach additional information if necessary):

Project will include seven one-bedroom units, 4 garage/storage units, and a small retail/office space. This building will be located close to shopping with many ammenities at Lakewood Town Center and easy access to public transportation.



(Please attach additional information if necessary.)

AFFIRMATIONS

- I understand that the value of new housing construction, conversion, and rehabilitation improvements qualifying under this chapter is exempt from ad valorem property taxation for eight (8) successive years for market rate housing, and twelve (12) successive years for qualified affordable housing multi-family projects beginning January 1st of the year immediately following the calendar year of issuance of the Final Certificate of Tax Exemption eligibility. OM (initial)
- I understand that by December 15th of each year and/or within 30 days after the first anniversary of the date of filing the Final Certificate of tax Exemption and each year thereafter, I will be required to file a report with the City of Shoreline that provides detailed information concerning rental rates, occupancy, and tenant incomes during the year. OM (initial)

PROJ ID
643PERMIT
900

RECEIVED
02/16/2022
City of Lakewood

- I understand at the conclusion of the exemption period, the new or rehabilitated housing cost shall be considered as new construction for the purposes of chapter 84.55 RCW.  (initial)
- I am aware of the potential tax liability involved when the property ceases to be eligible for the tax exemption incentive.  (initial)
- I affirm that the submitted information is true and correct, subject to penalty of perjury under the law of the State of Washington.

Signed the 9 day of February, 2022.

Applicant Signature:  Oleg Mikshanskiy



PROJ ID
643PERMIT 900

RECEIVED
05/09/2022
City of Lakewood

REV #1

COMMUNITY DEVELOPMENT DEPARTMENT
6000 Main Street SW
Lakewood, WA 98499
253-512-2266
permits@cityoflakewood.us
www.cityoflakewood.us

Revision Submittal

Electronic resubmittals are strongly encouraged, please upload all resubmittals to existing dropbox and notify permits@cityoflakewood.us

NOTE: All building department resubmittals must include **the revised plan pages only**, with the revisions clearly identified by means of "clouding" or highlighted.

Date: 4/18/2022 Permit Number: 900

☐ Response to incomplete letter dated _____

☐ Response to correction letter dated _____

☒ Revision initiated by applicant

Revision requested by (if applicable): Oleg Mikshanskiy

Project Name: Bristol Apartments

Project Address: 9615 Bristol Ave SW, Lakewood WA 98499

Contact Person: Oleg Mikshanskiy Phone Number: 253-255-1551

Email: olegseattle@hotmail.com

Summary of Revision, including page numbers:

Please clearly outline what is being revised and the plan page numbers:

We are revising the term of tax exemption from 8 years to 12 years.

Sheet Number(s) revised: 1

Revised plans must be collated with original plan set. "Cloud" or highlight all areas amended and include date of revision on the revised plan set.

I acknowledge that the above required documents/plans contain all the listed information.

Authentisign
OM

05/06/22

Initials/ date

STAFF USE ONLY

File # _____

Intake by: _____

Date: _____



Application – Conditional Certificate of Tax Exemption for Multiple Family Units Located within a Residential Target Area

6000 Main Street SW. Lakewood, WA 98499
Telephone: (253) 512-2261

Application Fee: \$800.00

Number Required:	Description of Required Documents:	Required:
1	Conditional Certificate of Tax Exemption Application.	A
2 sets	Preliminary floor and site plans of the proposed project.	A
1	8 1/2" x 11" reduced copy of the preliminary floor and site plans.	
1	A statement acknowledging the potential tax liability when the project ceases to be eligible for the tax exemption	A
1	Verification by oath or affirmation of the information submitted.	A
1	For rehabilitation projects, the applicant shall also submit an affidavit that existing dwelling units have been unoccupied for a period of twelve (12) months prior to filing the application and shall secure from the City verification of property noncompliance with the City's minimum housing code.	A
1	If applicable, a statement that the project meets the affordable housing requirements as described in RCW 84.14.020.	A
Preliminary floor and site plans may be submitted in electronic PDF format.		

A = Always required.
M = May be required.



Application – Conditional Certificate of Tax Exemption for Multiple Family Units Located within a Residential Target Area

Program Requirements

Project must meet the following criteria for special valuation on multifamily property:

1. The project must be located within a Residential Target Area.
2. The project must not displace existing residential tenants of structures that are proposed for redevelopment. Existing dwelling units proposed for rehabilitation must have been unoccupied for a minimum of 12 months prior to submission of an application and must have one or more violations of the City's minimum housing code. Applications for new construction cannot be submitted for vacant property upon which an occupied residential rental structure previously stood, unless a minimum of 12 months has elapsed from the time of most recent occupancy.
3. The project must include at least four units of multi-family housing within a residential structure or as part of a mixed-use development. A minimum of four new units must be constructed or at least four additional multi-family units must be added to existing occupied multi-family housing. Existing multi-family housing that has been vacant for twelve (12) months or more does not have to provide additional units so long as the project provides at least four units of new, converted, or rehabilitated multi-family housing.
4. At least fifty (50) percent of the space designated for multi-family housing must be provided for permanent residential occupancy.
5. Proposed Completion Date. New construction multi-family housing and rehabilitation improvements must be scheduled to be completed within three years from the date of approval of the application.
6. The project must be designed to comply with the City's comprehensive plan, building, housing, and zoning codes, and any other applicable regulations in effect at the time the application is approved. Rehabilitation and conversion improvements must comply with the City's minimum housing code. New construction must comply with the International Building Code. The project must also comply with any other standards and guidelines adopted by the City Council for the Residential Target Area in which the project will be developed.

Once this application is approved, then:

1. The applicant and the City will execute a contract to be approved by the City Council under which the applicant agrees to implementation of the development on terms and conditions satisfactory to the City Council.

2. Once this contract is executed, the City will issue a Conditional Certificate of Acceptance of Tax Exemption based on the information provided by the applicant. The Conditional Certificate will be effective for not more than three years, but may be extended for an additional 24 months under certain circumstances.
3. Once the project is completed and all contract terms have been fulfilled, at the applicant's request, the applicant will receive an application for Final Certificate of Tax Exemption, which the applicant must complete and return to the City of Lakewood Community & Economic Development Department.
4. Upon approval of the application for Final Certificate of Tax Exemption, the City will within 40 days of application, file the Final Certificate of Tax Exemption with the Pierce County Assessor's Office.

Please Note: The Pierce County Assessor may require the applicant to submit pertinent data regarding the use of classified land.



Application – Conditional Certificate of Tax Exemption for Multiple Family Units Located within a Residential Target Area

APPLICATION INFORMATION

Date: 4/18/22 Name of Applicant: Oleg Mikshanskiy
 Business Name of Applicant: Ameriglaze Restoration
 Mailing Address: PO Box 99864 Lakewood WA 98496
 Telephone: 253-255-1551 Cell Phone: _____
 Email: olegseattle@hotmail.com

PROJECT INFORMATION

Property Description

Name of Project: Bristol Apartments
 Street Address of Project: 9615 Bristol Ave Sw, Lakewood, WA 98499
 County Assessor Parcel Number(s): 9820000020
 Term of Exemption Applying for:
☐ 8 years ☒ 12 years
 Interest in Property: 100% ☐
 Other (description):

Type of Construction

New Construction: ☒ Yes ☐ No

If rehabilitation/demolition, applicant must secure from the City verification of property

noncompliance with applicable building codes.

Intended Project Construction Timeline(s): _____

Project to be completed within 9 months of start date

Number & Type of Units

Number of Units – New 7 Number of Units – Rehabilitated 0

Are the total numbers of units more than the number of units for which you are requesting a Tax Exemption?

☐ Yes ☒ No

Number of Units Proposed: Studio _____ One Bedroom 7 Two Bedroom _____

Other _____

Number and percentage of affordable units (if any): 7, 100%

Description of Building Use

Required Preliminary Plans are Attached:

Site Plan ☒ Yes ☐ No Floor plans ☒ Yes ☐ No

Describe building use and square feet intended for use:

Total gross square footage 6,040. First floor will include retail space, one bedroom and 4 garages. Total first floor 1,974 SF. Second floor includes three one-bedroom units, total square footage 2,033. Third floor includes three one-bedroom units, total square footage 2,033.

Identify square feet of commercial space (if any): 329

Cost of Construction Project cost of new construction/rehabilitation: \$950,000

Source of Cost Estimate: Builder

Expected Date to Start Project: May 2022

Expected Date to Complete Project: January 2023

Provide a brief statement describing the project and setting forth the grounds for qualifications for tax exemptions in the space below (attach additional information if necessary):

Project will include seven one-bedroom units, 4 garage/storage units, and a small retail/office space. This building will be located close to shopping with many amenities at Lakewood Town Center and easy access to public transportation.

(Please attach additional information if necessary.)

AFFIRMATIONS

- I understand that the value of new housing construction, conversion, and rehabilitation improvements qualifying under this chapter is exempt from ad valorem property taxation for eight (8) successive years for market rate housing, and twelve (12) successive years for qualified affordable housing multi-family projects beginning January 1st of the year immediately following the calendar year of issuance of the Final Certificate of Tax Exemption eligibility. OM (initial)
- I understand that by December 15th of each year and/or within 30 days after the first anniversary of the date of filing the Final Certificate of tax Exemption and each year thereafter, I will be required to file a report with the City of Shoreline that provides detailed information concerning rental rates, occupancy, and tenant incomes during the year. OM (initial)

- I understand at the conclusion of the exemption period, the new or rehabilitated housing cost shall be considered as new construction for the purposes of chapter 84.55 RCW. OM (initial)
- I am aware of the potential tax liability involved when the property ceases to be eligible for the tax exemption incentive. OM (initial)
- I affirm that the submitted information is true and correct, subject to penalty of perjury under the law of the State of Washington.

Signed the _____ day of _____, 20____ .

Applicant Signature: Authentisign
Oleg Mikshanskiy 05/06/22

AGREEMENT REGARDING RESIDENTIAL TARGET AREA CENTER DEVELOPMENT

THIS STIPULATED AGREEMENT is entered into on the date signed below between Ameriglaze Restoration, LLC hereinafter referred to as "Applicant," and the City of Lakewood, Washington, a municipal corporation, hereinafter referred to as "City".

PROJECT DESCRIPTION

The applicant is proposing to construct a 7 unit mixed use development on approximately .14 acres located at 9615 Bristol Ave SW in the City of Lakewood, Washington Pierce County Assessor's Parcel (APN) # 9820000021. The property is located on the east side of Bristol Ave SW off of Mount Tacoma DR SW. The proposed development use type, *mixed use*, is a primary permitted use in the applicable central business district (CBD) zoning district. The property is located in the Downtown Subarea overlay district. The applicant has agreed to construct street improvements and landscaping along Bristol Ave SW in compliance Chapter 18B of the Lakewood Municipal Code.

The project site is currently vacant. The new development will consist of 7 one-bedroom units, 4 garage spaces and 7 undesignated parking spaces. The first floor will include 329sf of commercial retail space, a single one-bedroom apartment and 4 garages. The second floor will include three one-bedroom units. The third floor will include three one-bedroom units. The total building square footage is approximately 6,040 square feet. The project is proposing to fulfill affordable housing mandates as outlined in Chapter 3.64 of the Lakewood Municipal Code and set aside 100% of all units for affordable housing.

An application for tax exemption was filed with the City of Lakewood in April, 2022. The application supports the following determinations:

1. The proposed project is located within a designated Residential Target Area;
2. The proposed project meets the definition of multi-family housing pursuant to the Lakewood Municipal Code.
3. At least 50 percent of the space will be designated for multifamily housing offering permanent residential occupancy
4. The construction is proposed to be completed within 3 years of the date of approval of the application
5. The project complies with the City's comprehensive plan. Additional permits including: design review, SEPA, site development and building permits will be required. At the time of application the project must comply with all applicable regulations in effect. The project has currently vested under SEPA and design review.
6. There are no existing dwelling units on-site.
7. The applicant has committed to renting at least 20% of the multifamily housing units as affordable housing units to low-and moderate-income households.

CONDITIONS OF TAX EXEMPTION APPROVAL

The applicant may, upon completion of the multifamily housing and upon issuance by the City of a temporary or permanent certificate of occupancy, request a Final Certificate of Tax Exemption. The request shall be in writing directed to the City Manager and be accompanied by the following:

1. A statement of expenditures made with respect to each multi-family housing unit and the total expenditures made with respect to the entire property;
2. A description of completed work and a statement of qualification for the exemption; and
3. A statement that the work was completed within the required three-year period or any authorized extension.
4. In order to be issued building permits, the proposed development will require SEPA, design review and the buildings must comply with all local plans and regulations.
5. The City requires that building permits must be submitted for this project within 12 months of the date the conditional certificate is issued.
6. The parties to this agreement acknowledge and agree that at the time of completion of this project, the project shall be constructed in conformity with all local plans and regulations that applied to this project at the time the application was approved.

TAX EXEMPTION

Pursuant to RCW 84.14.020, the value of the new residential construction for the project described above shall be exempt from ad valorem property taxation for a period of twelve successive years beginning January 1 of the year immediately following the calendar year of issuance of the final certificate of tax exemption. The exemption does not include the value of land or non-housing-related improvements. This exemption does not apply to increases in assessed valuation made by the assessor on non-qualifying portions of building and value of land nor to increases made by lawful order of a county board of equalization, the department of revenue, or Pierce County to a class of property throughout the county or specific area of the county to achieve the uniformity of assessment or appraisal required by law. At the conclusion of the exemption period, the new or rehabilitated housing cost shall be considered as new construction for the purposes of chapter 84.55 RCW.

STATEMENT OF ADDITIONAL TAX, INTEREST, AND PENALTY DUE UPON CANCELLATION OF MULTI-FAMILY HOUSING EXEMPTION

If the exemption is canceled for noncompliance, an additional tax shall be imposed as follows:

- a. The difference between the tax actually paid and the tax which would have been due for the pro rata portion of the tax year following cancellation, and for each tax year thereafter, if the improvements had been valued without exemption, (not to exceed 3 years before discovery of the noncompliance); plus
- b. A penalty of 20 percent of the difference, plus
- c. Interest at the statutory rate provided for delinquent property taxes is due within the times provided by RCW 84.40.350-84.40.390.

The additional tax, penalty and interest constitute a lien by the City of Lakewood upon the land which attaches at the time the property is no longer eligible for exemption, and has priority to and must be fully paid and satisfied before a recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the land may become charged or liable.

AFFIRMATION

As owner(s) of the land described in this application, I hereby indicate by my signature that I am aware of the additional tax liability to which the property will be subject if the exemption authorized by Chapter 3.64 (LMC) is cancelled. I declare under penalty of perjury under the laws of the State of Washington that this application and any accompanying documents have been examined by me and that they are true, correct and complete to the best of my knowledge.

AGREEMENT REQUIRES APPROVAL OF CITY COUNCIL

In accordance with Lakewood Muni. Code 3.64.020 (H), this agreement is subject to approval by the Lakewood City Council. If this agreement is approved, the City of Lakewood shall issue a Conditional Certificate of Acceptance of Tax Administration. If this agreement is rejected by the City Council, both parties shall be discharged of their obligations under this agreement.

Signed at Tacoma, Washington, this 29 day of June, 2022

Signature(s) of all Owner(s) and Contract Purchaser(s)

By:


Oleg Mikshanskiy
Ameriglaz Restoration, LLC

This conditional certificate of tax exemption is hereby **approved**.

John Caulfield, City Manager
City of Lakewood, Washington

Agreement for of Tax Exemption

Bristol Apartments

June, 2022

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED:

July 18, 2022

REVIEW:

July 5, 2022

TITLE: Authorizing the
Inclusionary Housing Incentive
Design Covenant for Permit
Number 1622 Meadow Park 55
Design Review

ATTACHMENTS:

1. Resolution
2. Meadow Park 55 Covenant
3. Planning Commission
Resolution 2022-03

TYPE OF ACTION:

— ORDINANCE NO.

X RESOLUTION NO. 2022-09

— MOTION NO.

— OTHER

SUBMITTED BY: Courtney Brunell, Planning Manager

RECOMMENDATION: By Resolution it is recommended that the Mayor and City Council approve the Meadow Park 55 Design Review proposal, permit number 1622 to utilize the Lakewood Municipal Code (LMC) 18A.90 Housing Incentives Program and record a covenant to permit a 63 unit fifty-five and over multi family development with associated parking at 7721, 7731 Dean Street West and 5402 77th Street West to include 6 extremely-low-income units.

DISCUSSION: On July 5, 2022 the City Council reviewed the proposal and requested additional information related to the Senior Housing use type. To satisfy the Council, the developer has revised the covenant to include language specific to senior housing, which is found on page 4 of the attached covenant, item J.

The applicant has received full design approval for a portion of the proposed project. Permit number LU-20-00207 was approved on November 19, 2021 to construct a 42 dwelling unit multifamily development separated into 2 buildings consisting of 21 dwelling units per building, with 63 parking stalls perimeter landscaping and associated infrastructure improvements. (*Continued on page 2*)

ALTERNATIVE(S): Deny approval of the applicants request to utilize the housing incentives program and record a covenant to permit an additional 21 unit development at 7721, 7731 Dean Street West and 5402 77th Street West to include 6 extremely-low-income units. The developer has already received approval to construct a 42 unit multi family development separated into 2 buildings. The developer may choose to reapply for a 54 unit development which would be allowed outright in the MF2 zone.

FISCAL IMPACT: None.

Courtney Brunell

Prepared by

David Bugher

Department Director



Tho Kraus, Acting City Manager

City Manager Review

DISCUSSION CONTINUED:

In April, the applicant, Meadow Park Brownstones LLC, requested to amend LU-20-00207 design review approval to include the third building for a total of 63 units, all fifty-five and over with an inclusionary density bonus. Compared to the original 42 unit proposal, the 63 unit proposal would be fifty-five and over which reduces the parking requirement from a 1.5 stalls per unit to 1 stall per unit based on a submitted parking study, pursuant to LMC 18A.80.060. Given the lot size, the developer would be permitted to apply for a 54 unit development outright in the MF2 zone with no requirement for senior housing.

The applicant, Meadow Park Brownstones, LLC is managed by the same group that applied for the Gravelly Lake Gardens density bonus in January, 2022. The Gravelly Lake Gardens project was the first project approved using the housing density bonus code provisions. Once approval for Gravelly Lake was received, the applicant decided to increase the density at this location in order to provide for more affordable housing. They selected senior housing in order to comply with the parking standards in the municipal code, the project meets parking requirements based on LMC 18A.80.060.

Per LMC 18A.90.050.A 1.5 additional, on-site market rate dwelling units are permitted as a bonus for each qualified extremely-low-income¹ dwelling units provided. The applicant is proposing to provide six (6) extremely-low-income units as part of the development. $6 \times 1.5 = 9$ unit density bonus. 54 (allowed per base density) $+ 9$ (density bonus) $= 63$ total allowed density. The extremely-low-income qualified units are proposed to be provided within the entire development.

Pursuant to LMC 18A.90.050 in order to qualify for the inclusionary density bonus the owner of the impacted parcels shall deliver to the City a duly executed covenant running with the land, in a form approved by the City Attorney, requiring that the qualified dwellings created pursuant to this section shall remain as such for a period of at least twenty (20) years from the commencement date. The covenant shall form an enduring contractual agreement between the owner/applicant and the City.

Planning Commission Review

On May 4, 2022 the Planning Commission reviewed the proposal. A public hearing was held in front of the Planning Commission on May 18, 2022 and the Commission approved resolution 2022-03 recommending approval of the proposal on June 1, 2022.

¹ Pursuant to LMC 18A.10.180 “Extremely low income” means an individual, family, or unrelated persons living together, regardless of age or ability, whose adjusted gross income is thirty (30) percent or less of the median income, adjusted for household size, as determined by the United States Department of Housing and Urban Development for the Tacoma Primary Metropolitan Statistical Area.

RESOLUTION NO. 2022-09

A RESOLUTION of the City Council of the City of Lakewood, Washington, authorizing the Inclusionary Housing Incentive Design Covenant for Permit Number 1622 Meadow Park 55 Design Review.

WHEREAS, the City of Lakewood Title 18A.90 establishes a Housing Incentives Program; and

WHEREAS, the City Council most recently revised the Housing Incentives program in 2019 per ordinance 726; and

WHEREAS, the City of Lakewood received application LU-20-000207 on November 24, 2022 and revised application number 1622 on April 12, 2022 and

WHEREAS, pursuant to LMC 18A.90.050 in order to qualify for an inclusionary density bonus the owner of the affected parcels must executed a covenant on a form approved by the City attorney; and

WHEREAS, the covenant is an enduring contractual agreement between the owner/applicant and the City and processed as a development agreement; and,

WHEREAS, Development Agreements are considered a type V Legislative applications, which are subject to noticing requirements and require the Community Development Director and Planning Commission to make recommendation to a High Review Authority; and,

WHEREAS, the Planning Commission reviewed the proposal on May 4, 2022; and

WHEREAS, a public hearing was noticed pursuant to the Lakewood Municipal Code 18A.20.310 on May 4, 2022 for a public hearing before the Planning Commission; and,

WHEREAS, a public hearing was held before the Planning Commission on May 18, 2022; and,

WHEREAS, on June 1, 2022 via resolution 2022-03 the Lakewood Planning Commission found the proposed covenant to be in compliance with the Lakewood Municipal Code Section LMC 18A.90.050 and recommended the City Council approve the Housing Incentive Design Covenant; and

WHEREAS, On July 5, 2022 the City Council reviewed the proposal, public hearing comments and Planning Commission recommendation;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD,
WASHINGTON, HEREBY RESOLVES, AS FOLLOWS:**

Section 1. Permit Number 1622, Meadow Park 55 Design Review Covenant to allow 9 additional dwelling units, including 6 extremely-low income units, for a total of 63 units located at 7721, 7731 Dean Street West and 5402 77th Street West as allowed in LMC 18A90.050.

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

PASSED by the City Council this 18th day of July, 2022.

CITY OF LAKEWOOD

Jason Whalen, Mayor

Attest:

Briana Schumacher, City Clerk

Approved as to form:

Heidi Ann Wachter, City Attorney

WHEN RECORDED, MAIL TO:

City of Lakewood
6000 Main Street SW
Lakewood, WA 98499-5027

ATTN: City Clerk
Assistant City Manager for Development Services

WASHINGTON STATE COUNTY AUDITOR/RECORDER/S INDEXING FORM

Document Title(s) <i>(or transactions contained therein):</i> HOUSING INCENTIVES COVENANT -
Reference Number(s) of Documents assigned or released: <input type="checkbox"/> Additional reference numbers on page ____ of document.
Grantor(s) <i>(Last name first, then first name and initials):</i> 1. <u>Meadow Park Brownstones, LLC</u> <input type="checkbox"/> Additional names on page ____ of document.
Grantee(s) <i>(Last name first, then first name and initials):</i> 1. <u>CITY OF LAKEWOOD, WASHINGTON</u> <input type="checkbox"/> Additional names on page ____ of document.
Legal Description <i>(abbreviated form; i.e., lot, block, plat name, section-township-range):</i> <input checked="" type="checkbox"/> Additional legal on Exhibit "A" of document.
Assessor's Property Tax Parcel Account Number(s): <u>3900000677</u>

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document.

HOUSING INCENTIVES COVENANT

"MEADOW PARK GARDENS"

THIS HOUSING INCENTIVES COVENANT (the "Covenant") is made and entered into as of this _____ day of _____, _____ by and between the CITY OF LAKEWOOD, a Municipal Corporation of the State of Washington (the "City"); MEADOW PARK BROWNSTONES, LLC, a Washington limited liability company (the "Owner").

WHEREAS, the City has an interest in stimulating new construction of multi-family housing in order to reduce development pressure on single-family residential neighborhoods, increase and improve housing opportunities, provide affordable housing opportunities, and encourage development densities supportive of transit use; and

WHEREAS, the City is responsible for establishing regulations that will result in housing opportunities for all of its residents, no matter what their economic means; and

WHEREAS, the City desires to disperse low-income units throughout the City so as to avoid perpetuating existing concentrations of poverty; and

WHEREAS, as a means to promote housing opportunities, the City has established Lakewood Municipal Code (LMC), Chapter 18A.90, Housing Incentives Program, to allow for higher residential densities in exchange for building low-income housing units; and

WHEREAS, the Owner has made application to receive an inclusionary density bonus pursuant to LMC 18A.90.050; and

WHEREAS, the Owner submitted to the City a complete application for inclusionary density bonus outlining the proposed Project to be constructed on property located at 7720 Lakewood Drive W, Lakewood, WA 98499 in Lakewood, Washington ("Property") and legally described in **Exhibit A** of this Covenant; and

WHEREAS, in consideration of the City's approval of Permit No(s). LU 20-00207 and associated permit No(s). 1622 the Owner accepts certain conditions affecting the use of the Property and the improvements authorized by Permit No(s). LU 20-00207 and

associated permit number 1622. It is the purpose of this Covenant to set forth those conditions and to impose enforceable restrictions on the use and occupancy of the residential portion of the Property; and

WHEREAS, on June 29, 2022, the assistant city manager for development services determined that the application met all the eligibility and procedural requirements to qualify for an inclusionary density bonus, with the exception of entering in to and recording this Covenant; and

WHEREAS, the City has determined that the improvements will, if completed as proposed, satisfy the requirements of LMC 18A.90, Housing Incentives Program.

NOW, THEREFORE, for and in consideration of the mutual promises aforesaid and made and relied upon by the parties hereto, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner and the City mutually agree as follows:

A. The Applicant agrees to complete on the Property multi-family residential housing substantially as described in the most recent site plans, floor plans, and elevations on file with the City as of the date of approval of this Agreement. In no event shall such construction provide fewer than six (6), extremely-low income units for a total of sixty-three (63) multi-family permanent residential units.

B. The Applicant agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file with the City's Community and Economic Development Department the following:

(1) A description of the completed work and a statement of qualification for the exemption; and

(2) A description of the units created and the unit mix, as well as the number and unit types reserved for affordable housing.

C. The Applicant agrees, within 30 days following the first anniversary of the City's approval of a Certificate of Occupancy and each year thereafter for a period of twenty (20) years, to

submit the following documentation to the City's Community and Economic Development Department's Economic Division:

(1) A rent roll that includes all units in the project for the previous 12 months, or specified dates, the rent roll should clearly identify the units that are set aside for the affordable units under this covenant as well as any vacancies;

(2) A statement certifying that the property continues to be in compliance with this Agreement. Owner's compliance with this obligation may be established by Owner's participation, throughout the Compliance Period, in the HUD funded Housing Assistance Program (HAP) under Section 8 of the United States Housing Act of 1937, administered through the Pierce County Housing Authority. and,

(3) A description of any subsequent improvements or changes to the property.

D. If the Applicant converts to another use any of the new multi-family residential housing units constructed under this Agreement, the Applicant shall notify the Pierce County Assessor-Treasurer and the City's Department of Community and Economic Development within 60 days of such change in use.

E. The Applicant agrees to notify the City promptly of any transfer of Applicant's ownership interest in the Property or in the improvements made to the Property under this Agreement.

F. The Applicant's obligations, including but not limited to the affordability requirements of this Agreement, shall be specifically enforceable by the City for the full twenty (20) year term of this Agreement. In the event of any breach of this Agreement, including conversion, by the Applicant, the City may specially enforce this Agreement, or in its sole and absolute discretion, may as an alternative to specific enforcement, require the Applicant to pay a then-applicable in lieu of fee, if established, plus interest from the date of Certificate of Occupancy.

G. The description of the proposed project may be administratively modified if the submitted project requires alteration through the review and approval process. No other modifications of this Agreement shall be made unless mutually agreed upon by the parties in writing.

H. In the event that any term or clause of this Agreement conflicts with applicable law, such conflict shall not affect other terms of this Agreement which can be given effect without the conflicting term or clause, and to this end, the terms of this Agreement are declared to be severable.

I. The Applicant agrees to keep the property in a nuisance free condition during both the temporary and final tax exemption periods.

J. Applicant has elected to market the property as a 55 and over community as defined in Section 807(b)(C) of the Fair Housing Act and will maintain such policy so long as it is necessary for the property to meet the parking requirements of the City. If Applicant is able to meet such parking requirements, in the future, absent said 55 and over designation, it may, with the City's consent and signature (which shall not be unreasonably withheld), amend this Covenant to delete this paragraph J.

K. This Agreement shall be recorded on title to Property and shall be binding on the Applicant and all successors in title to the Property.

IN WITNESS WHEREOF, the Owner and City have each executed the Multi-Family Housing Limited Property Tax Exemption Contract on the Date first above written. [Signature page follows.]

Owner:
Meadow Park Brownstones LLC

City:

By: _____
Claude A. Remy

John Caulfield
City Manager

Approved as to Form:

Heidi Ann Wachter
City Attorney

Attest:

Briana Schumacher
City Clerk

STATE OF WASHINGTON }
 }
COUNTY OF PIERCE } ss.
 }

On this _____ day of _____, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____, known to me to be the _____ of the CITY OF LAKEWOOD, who executed the foregoing document on behalf of said City, and acknowledged the said document to be the free and voluntary act and deed of said City, for the uses and purposes therein mentioned, and on oath stated that he or she was authorized to execute said document.

IN WITNESS WHEREOF I have given under my hand and official seal this ____ day of _____.

Notary Public in and for the State
of Washington.

Print Name _____

Residing at _____

My commission expires _____

STATE OF WASHINGTON }
 }
COUNTY OF PIERCE }} ss.

On this __ day of _____, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Claude Remy, to me known to be the Manager of Meadow Park Brownstones, LLC, a Washington limited liability company, who executed the foregoing instrument on behalf of the said company, and acknowledged the said document to be the free and voluntary act and deed of said company for the uses and purposes therein mentioned, and on oath stated that he or she was authorized to execute said document.

IN WITNESS WHEREOF I have given under my hand and official seal this ____ day of _____.

Notary Public in and for the State
of Washington.

Print Name _____

Residing at _____

My commission expires _____

EXHIBIT A

LEGAL DESCRIPTION

PARCEL A:

PARCEL A OF RECORD OF SURVEY FOR BOUNDARLY LINE
ADJUSTMENT NO. LU-20-00155,
RECORDED UNDER RECORDING NUMBER 202101125005, RECORDS
OF PIERCE COUNTY
WASHINGTON.

PARCEL B:

LOTS 1 THROUGH 4, INCLUSIVE, OF BLOCK 36, FLETT
ADDITION, ACCORDING TO PLAT
RECORDED IN VOLUME 5 OF PLATS, PAGE 17, RECORDS OF
PIERCE COUNTY, WASHINGTON;
EXCEPT THE EAST 5 FEET CONVEYED TO PIERCE COUNTY FOR
54TH AVENUE WEST UNDER
RECORDING NUMBER 2349401;
TOGETHER WITH THAT PORTION OF ALLEY ABUTTING VACATED BY
PIERCE COUNTY
RESOLUTION NO. 14555 ABUTTING THEREON AND ATTACHED
THERE TO BY OPERATION OF
LAW.

PARCEL C:

LOTS 5 THROUGH 8, INCLUSIVE, BLOCK 36, OF FLETT
ADDITION, ACCORDING TO PLAT
RECORDED IN VOLUME 5 OF PLATS, PAGE 17, RECORDS OF
PIERCE COUNTY, WASHINGTON;
EXCEPT THE EAST 5 FEET CONVEYED TO PIERCE COUNTY FOR
54TH AVENUE WEST UNDER
RECORDING NUMBER 2349401;
TOGETHER WITH THAT PORTION OF ALLEY ABUTTING VACATED BY
PIERCE COUNTY
RESOLUTION NO. 14555 ABUTTING THEREON AND ATTACHED
THERE TO BY OPERATION OF
LAW.



July 15, 2022

Mike Griffus, CEO
Pierce Transit
3701 96th Street SW
Lakewood WA 98499

Jason Whalen
Mayor

Dear Mr. Griffus:

Mary Moss
Deputy Mayor

I am writing to express the City of Lakewood's support for Pierce Transit's Stream System Expansion Study efforts in prioritizing the next Bus Rapid Transit (BRT) corridors in Pierce County. Pierce Transit staff will bring forward a recommendation for a priority corridor at their September 12, 2022 Board of Commissioners meeting.

Michael D. Brandstetter
Councilmember

Don Anderson
Councilmember

Patti Belle
Councilmember

Lakewood recognizes that High Capacity Transit (HCT) corridors, like BRT, are significant investments bringing with them the highest level of public transit service that Pierce Transit can provide. We look forward to working with Pierce Transit on a long-term partnership to support development of the next BRT corridor, from the initial planning stage to completion of construction and launch of new BRT revenue service. Lakewood supports Pierce Transit's efforts to expand Stream BRT into Lakewood and encourages the agency to consider Corridor B as the next Stream project.

Linda Farmer
Councilmember

Paul Bocchi
Councilmember

John J. Caulfield
City Manager

The City of Lakewood is the most racially, demographically and economically diverse community in Pierce County, Washington. It is populated by both very wealthy and very poor residents. It is a transit, employment and freight mobility hub – it is bisected by Interstate 5, it is adjacent to State Highway 512, it contains both the Pierce Transit headquarters and a major transit center, it has a Sound Transit Sounder train station, it is located near the Port of Tacoma, and is also near SeaTac International Airport. In addition, Lakewood area public transit options serve not only the City, JBLM and Camp Murray, but also residents of Steilacoom, University Place, DuPont, Tacoma and unincorporated Pierce County, including Spanaway and Parkland.

Lakewood hosts both Clover Park Technical College and Pierce College Fort Steilacoom. Collectively, these colleges enroll roughly 8,360 students. Lakewood is also the host city to Joint Base Lewis-McChord, the largest military installation west of the Mississippi and the Power Projection Platform to the Pacific. JBLM's population is approximately 110,000: 40,000 active duty, 60,000 family members and 15,000 civilian and contract employees. 70% of service members and their families live off base in cities and counties along the I-5 corridor. Service members and their families need access to transit to and from JBLM as well as to their off-base lives.

Today, there are parts of Lakewood that do not have access to regular public transportation options to best suit their schedules; these happen to be our most economically challenged neighborhoods. The Springbrook/Tillicum, Woodbrook, Lakeview, and Monte Vista census tracts are Federal Opportunity Zones, HUD Qualified Census Tracts, and have high WA Environmental Health Disparities Scores. Major affordable housing redevelopment projects within close proximity to the Lakewood Sounder Station have recently been announced that will house hundreds of people wanting and needing access to transit.

The 2020 US Census estimated that 14.7% of Lakewood residents are living in poverty and 15.9% of Lakewood residents are over 65 years old. Recognizing the increasing need for transit of our population, we want to ensure that transit agencies take a proactive approach to assist those living near or below the poverty line and our aging population. Lakewood's residents deserve and need robust public transit, including a BRT route that connects to areas both north and south.

A BRT line will provide opportunity to some of our most disadvantaged citizens by providing transportation access to jobs and other economic prospects that currently does not exist. Service will also serve as a catalyst for making neighborhoods such as Springbrook and Tillicum more livable, increasing individual socioeconomic status, creating more equitable opportunities and providing transportation options currently not available for those living in these Lakewood neighborhoods.

A BRT route serving Lakewood will also be able to bring employees to major regional employment and education centers, including:

- the Lakewood Industrial Park, the fourth largest private employment site in Pierce County;
- Clover Park Technical College, with an enrollment of 3,500 full-time and 18,000 part-time students plus over 400 employees and teachers;
- the Woodbrook Industrial Park, which will be another major employment center with upwards of 3,500 employees in the coming years; and
- JBLM and Camp Murray.

As the next Stream BRT Corridor moves forward, the City of Lakewood will work directly with Pierce Transit's Planning and Community Development team on the necessary elements to develop this service within the City. Specific areas of coordination will include:

- Statements of support for Stream BRT capital and service investment, including commitments to politically support project development activities and potential federal or state funding grant applications (requiring letters of support from elected officials and agency leadership).
- Recommendations on how to best deliver Stream BRT service within our local agency including streamlining the design approval process within our right-of-way.
- City support for transit speed and reliability treatments within the City's right-of-way, such as far side bus stops, transit signal priority investments, in-lane transit stops/bus

bulbs, transit priority at key intersections, and exclusive business/access/transit lane (i.e., BAT) treatments.

- Identifying City staff to serve as a future project liaison during the project delivery phase. This liaison will support project implementation by providing internal coordination and ensuring permitting and review schedules are maintained. The liaison will also help maintain a focused message from the City to Pierce Transit.
- Identifying City technical staff and processes to provide formal comment responses to project permitting and design submittals within a firm four-week review window (a project schedule will be established at project commencement).
- City commitment to establishing a technical standard in writing for project design efforts, with focus on traffic level of service standards. This basis of design will be utilized for project approvals and adopted at the onset of project planning.
- City confirmation that relevant planning documents and capital improvement prioritization plans will be revised to include and support future Stream BRT investments.
- Discussions on the City's stance on permitting construction as a public works project.
- Discussions on our ability to provide financial commitment to support the project or path to provide a financial partnership.
- The City's stance on leading franchise utility relocation efforts through existing utility agreements.

We support Pierce Transit's efforts to expand Stream BRT within Pierce County into Lakewood and encourage the agency to consider Corridor B as the next Stream HCT corridor project.

Sincerely,



John Caulfield, City Manager

cc: Jason Whalen, Mayor
Mary Moss, Deputy Mayor
Don Anderson, Councilmember
Patti Belle, Councilmember
Paul Bocchi, Councilmember
Mike Brandstetter, Councilmember
Linda Farmer, Councilmember
Tho Kraus, Deputy City Manager
Paul Bucich, PWE Director
Dave Bugher, CED Director
Tiffany Speir, Long Range & Strategic Planning Manager