



LAKESWOOD CITY COUNCIL AGENDA

Monday, May 15, 2023

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

1. Police Commissioning Ceremony.
- (4) 2. Proclamation declaring May 15, 2023 through May 21, 2023 as National Police Week. – *Chief Patrick Smith, Lakewood Police Department*

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.

- (5) 3. Proclamation declaring May 21, 2023 through May 27, 2023 as National Public Works. – *Weston Ott, Engineering Services Manager*

PUBLIC COMMENTS

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

- (6) A. Approval of the minutes of the City Council study session of April 24, 2023.
- (10) B. Approval of the minutes of the City Council meeting of May 1, 2023.
- (17) C. Motion No. 2023-53
- Approval of a construction contract with, Neeley Construction Company, for the Fort Steilacoom Park athletic field project.
- (20) D. Items filed in the Office of the City Clerk:
1. Lakewood's Promise Advisory Board meeting of March 2, 2023.
 2. Parks and Recreation Advisory Board meeting of March 28, 2023.
 3. Lakewood Arts Commission meeting minutes of April 3, 2023.
 4. Lakewood Arts Commission meeting minutes of April 12, 2023.
 5. Planning Commission meeting minutes of April 19, 2023.

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

ORDINANCE

- (31) Ordinance No. 785

Amending the 2023-2024 Biennial Budget.

- (74) Ordinance No. 786

Amending Chapter 9.06 of the Lakewood Municipal Code relating to Controlled Substances.

UNFINISHED BUSINESS

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.

NEW BUSINESS**(80) Motion No. 2023-54**

Approving an intergovernmental transfer agreement between Pierce County and the City of Lakewood related to the transfer of Old Settler's Cemetery property.

REPORTS BY THE CITY MANAGER

- (96)** Review Partners for Park request to include naming recognition in H-Barn fundraising program.
- (106)** Review Opioid Abatement Council (OAC) Formation for Pierce County.

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.

CITY OF LAKEWOOD



PROCLAMATION

WHEREAS, each May during the week surrounding May 15th, our nation salutes the American men and women who put their lives on the line every day to maintain public safety and hold accountable those who break the law; and

WHEREAS, over the last three years, the COVID-19 pandemic placed first responders at additional risk, dramatically impacting how they interact with the public and presenting challenges never faced before; and

WHEREAS, there are more than 900,000 sworn law enforcement officers serving in communities across the United States, including the 99 dedicated members of the Lakewood Police Department; and

WHEREAS, nearly 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 17,000 injuries; and

WHEREAS, since the first recorded death in 1786, more than 21,000 law enforcement officers in the United States have been killed in the line of duty, including four members of the Lakewood Police Department in 2009; and

WHEREAS, it is with heavy hearts we mourn the heroes taken from us only because they chose to serve, and we rededicate ourselves to carrying forward their noble legacy; and

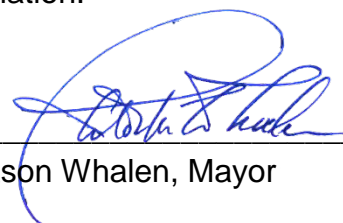
WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.

NOW THEREFORE, BE IT RESOLVED that the Lakewood City Council officially recognizes May 15 through May 21, 2023 as

NATIONAL POLICE WEEK

in the City of Lakewood, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

PROCLAIMED this 15th day of May, 2023.



Jason Whalen, Mayor

CITY OF LAKEWOOD



PROCLAMATION

WHEREAS, public works professional focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of people; and

WHEREAS, these services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees responsible for rebuilding, improving and protecting transportation routes, water, sewers, storm drainage, streets, solid waste collection, public buildings and other structures for our residents; and

WHEREAS, the health, safety and comfort of our community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design and construction is vitally dependent upon the skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff our Public Works Engineering Department is materially influenced by the public's attitude and understanding of the importance of the work they perform.

NOW, THEREFORE, the Lakewood City Council proclaim the week of May 21 through May 27, 2023 as

NATIONAL PUBLIC WORKS WEEK

in the City of Lakewood and do hereby recognize the daily contributions of our public works personnel to our health, safety, comfort and quality of life.

PROCLAIMED this 15th day of May, 2023.



Jason Whalen, Mayor



LAKEWOOD CITY COUNCIL STUDY SESSION MINUTES

Monday, April 24, 2023

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 Jason Whalen, Deputy Mayor Mary Moss, Councilmembers Mike Brandstetter, Don Anderson, Patti Belle, Trestin Lauricella and Paul Bocchi.

ITEMS FOR DISCUSSION:

Review of 2022 Transportation Benefit District (TBD) Annual Report.

Deputy City Manager Tho Kraus shared that in 2022 Transportation Benefit District funding in the amount of \$2,300,058 was transferred in support of four capital project including the Chip Seal program, the Hipkins Road and Steilacoom Boulevard project was well as the Ardmore at Whitman Ave and 93rd Street project.

Review of 2022 Year-End Financial Report.

Deputy City Manager Tho Kraus highlighted the activity in all funds through December 31, 2022. Discussion ensued.

Review of 2023 Carry Forward Budget Adjustment.

Deputy City Manager Tho Kraus presented the 2023 Carry Forward Budget Adjustment. She shared that a public hearing will be held on May 1st. Discussion ensued.

Review of Non-Motorized Transportation Plan Update.

Public Works Engineering Director Paul Bucich shared that the Non-Motorized Transportation Plan was last reviewed on March 20th. He shared that graphical omissions and changes to the plan were made based on prior discussion and the document was updated and reloaded to the city's website. Discussion ensued.

Review of City Council Liaisons to Citizens' Advisory Boards, Committees and Commissions.

The Mayor and City Councilmembers reviewed the 2023 liaisons to citizens' advisory board, committees and commissions. The changes in City Council representation is as follows:

Councilmember Brandstetter will serve as the Community Services Advisory Board liaison.

Councilmember Lauricella will serve as the Landmarks and Heritage Advisory Board liaison.

Councilmember Lauricella will serve as the Public Safety Advisory Committee liaison.

Councilmembers Belle and Lauricella will serve as Youth Council liaisons beginning in September for the 2023-2024 school year.

ITEMS TENTATIVELY SCHEDULED FOR THE MAY 1, 2023 REGULAR CITY COUNCIL MEETING:

1. Proclamation recognizing May, 2023 as Asian American, Native Hawaiian, Pacific Islander Heritage Month.
2. Proclamation declaring May, 2023 as Hunger Awareness Month.
– *Katie Titus, Communications Coordinator, Emergency Food Network*
3. Proclamation declaring May 7, 2023 through May 13, 2023 as Water Week.
– *John Korsmo, Jr. and Randall Black, General Manager, Lakewood Water District*
4. Proclamation recognizing May, 2023 as Building Safety Month.
– *Rafik Gindy, Building Official, City of Lakewood*
5. Youth Council Report.
6. Clover Park School District Report.
7. Authorizing the execution of an agreement for the 112th Street Sidewalk Project. – (Motion – Consent Agenda)
8. Authorizing the execution of an agreement for the 2023 Pavement Patching Program. – (Motion – Consent Agenda)
9. Authorizing the execution of an agreement for the Elwood Drive / Angle Lane Sidewalk Project. – (Motion – Consent Agenda)
10. Approving the 2022 Transportation Benefit District (TBD) Annual Report.
– (Motion – Consent Agenda)

11. This is the date set for a public hearing on the 2023 Carry Forward Budget Adjustment. – (Public Hearings and Appeals – Regular Agenda)
12. Adopting the FY 2023 Community Development Block Grant (CDBG) Annual Action Plan. – (Resolution – Regular Agenda)
13. Approving American Rescue Plan Act (ARPA) funding the Dolly Parton Imagination Library Program. – (New Business – Regular Agenda)
14. Approving American Rescue Act (ARPA) funding for the City Hall Energy Audit, American Lake Improvement Project and tenant improvements for the City's Senior Activity Center. – (New Business – Regular Agenda)

REPORTS BY THE CITY MANAGER

City Manager Caulfield shared that the City Council has received requests to issue proclamations recognizing Fair Housing Month and Childcare Providers Recognition Day. These will be presented at the May 1st meeting.

He shared that volunteers worked to beautify various sites throughout the city for Parks Appreciation Day and 458 people participated in the Spring Community Clean Up event.

The Nisqually Indian Tribe and City of Puyallup will become an Executive Leadership level member of South Sound Military and Communities Partnership.

He shared that the Pierce County Library System is working to submit engineering drawings for an interim facility for the Lakewood Library.

He reported that the Lakewood Police Citizens Academy will begin on June 8th and run through July 27th.

He provided an update on the State Legislative Session.

He then announced the following upcoming meetings and events:

- April 26, 7:30 A.M., Living Access Support Alliance (LASA) Breakfast, McGavick Conference Center
- April 27, 6:00 P.M., Lakeview Light and Power Annual Meeting, City Hall Council Chambers
- April 28, 6:00 P.M., Cops v. Teachers Basketball Game, Lakes High School
- May 3, 11:30 A.M., Tacoma Pierce County Economic Development Board Annual Meeting, McGavick Conference Center
- May 4, 6:00 P.M., Pierce County Law Enforcement Memorial Event, Bethany Baptist Church, Puyallup

CITY COUNCIL COMMENTS

Councilmember Lauricella recognized those who participated Parks Appreciation Day.

Councilmember Brandstetter shared that he will attend the South Sound 911 Board meeting and Pierce County Law Enforcement Memorial event.

Councilmember Anderson recognized the City of Puyallup for membership in the South Sound Military and Communities Partnership (SSMCP).

Councilmember Bocchi shared that he participated in Parks Appreciation Day and last week he attended the Pierce County Regional Council meeting.

Deputy Mayor Moss shared that she attended the Coleman Moving and Storage Ribbon Cutting Ceremony, Making Strides Against Cancer fundraising event in DuPont and she went to the Mount Vernon Tulip Fields.

Mayor Whalen shared that he attended the Coleman Moving and Storage Ribbon Cutting Ceremony, the North Lakewood Neighborhood Association meeting and Parks Appreciation Day. He shared that he will attend the Living Access Support Alliance (LASA) Breakfast and he will be hosting a Meet and Greet to highlight the Carriage House at Lakewold Gardens.

Mayor Whalen announced that the City Council will recess into Execution Session for approximately 15 minutes pursuant to RCW 42.30.110(1)(i) to discuss with legal counsel representing the city - litigation or potential litigation. The City Council is not expected to take action following the Executive Session other than to adjourn the meeting. The City Council recessed at 9:08 p.m.

At 9:23 p.m., Mayor Whalen announced that the Executive Session will be extended for an additional 10 minutes. At 9:33 p.m., Mayor Whalen announced that the Executive Session will be extended for an additional 5 minutes.

The City Council and reconvened at 9:38 p.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:38 p.m.

ATTEST:

JASON WHALEN, MAYOR

BRIANA SCHUMACHER
CITY CLERK



LAKEWOOD CITY COUNCIL MINUTES

Monday, May 1, 2023

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, Trestin Lauricella and Paul Bocchi.

Councilmembers Excused: 1 – Councilmember Patti Belle.

PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS AND PRESENTATIONS

Proclamation recognizing May, 2023 as Asian American, Hawaiian, Pacific Islander Heritage Month.

COUNCILMEMBER ANDERSON PRESENTED A PROCLAMATION RECOGNIZING MAY, 2023 AS ASIAN AMERICAN, HAWAIIAN, PACIFIC ISLANDER HERITAGE MONTH TO FAALUAINA PRITCHARD, EXECUTIVE DIRECTOR, ASIA PACIFIC CULTURAL CENTER.

Proclamation declaring May, 2023 as Hunger Awareness Month.

DEPUTY MAYOR MOSS PRESENTED A PROCLAMATION DECLARING MAY, 2023 AS HUNGER AWARENESS MONTH TO CLAIRE AIJIAN, DEVELOPMENT DIRECTOR, EMERGENCY FOOD NETWORK.

Proclamation declaring May 7, 2023 through May 13, 2023 as Water Week.

COUNCILMEMBER BOCCHI PRESENTED A PROCLAMATION DECLARING MAY 7, 2023 THROUGH MAY 13, 2023 AS WATER WEEK TO GREG REDISKE, VICE- PRESIDENT AND RANDALL BLACK, GENERAL MANAGER, LAEKWOOD WATER DISTRICT.

Proclamation declaring May 12, 2023 as Childcare Provider Appreciation Month.

COUNCILMEMBER BRANDSTETTER PRESENTED A PROCLAMATION DECLARING MAY 12, 2023 AS CHILDCARE PROVIDER APPRECIATION MONTH TO WYLEEN WEATHERSPOON, CO-DIRECTOR, LITTLE SCHOLARS EARLY LEARNING CENTER.

Proclamation recognizing the 55th Anniversary of Fair Housing Act.

MAYOR WHALEN PRESENTED A PROCLAMATION RECOGNIZING THE 55TH ANNIVERSARY OF THE FAIR HOUSING ACT TO JASMINE JEFFERSON, WINDERMERE, REPRESENTING THE TACOMA PIERCE COUNTY ASSOCIATION OF REALTORS.

Proclamation recognizing the May, 2023 as Building Safety Month.

COUNCILMEMBER LAURICELLA PRESENTED A PROCLAMATION RECOGNIZING MAY, 2023 AS BUILDING SAFETY MONTH TO RAFIK GINDY, BUILDING OFFICIAL, CITY OF LAKEWOOD.

Business Showcase. – *Crane's Creations*

MAYOR WHALEN RECOGNIZED DAVID OLSON, OWNER, CRANES CREATIONS AS THE MAY, 2023 BUSINESS SHOWCASE FOR ITS CONTINUED COMMITMENT TO EXCEPTIONAL CUSTOMER SERVICE, BEAUTIFUL AND CUSTOM FLOWER DESIGN.

Youth Council Report.

Youth Councilmember Hank Jones reported that students continue planning for a RoundTable focused on police accountability that will be held in the Council Chambers on May 16th. He shared that students volunteered at Parks Appreciation Day beautification events throughout the city and held an event at the Fort Steilacoom Park Pavilion to share information with new Youth Council recruits.

Clover Park School District Report.

Clover Park School District (CPSD) Boardmember Alyssa Anderson-Pearson reported that Lakes High School Senior Vivian Llorens Hernandez was selected as the Daffodil Queen. CPSD is launching a new K-12 virtual learning environment; enrollment began April 13th for the 2023-2024 school year. She shared that a Naming Committee has been formed to consider the request to rename Clover Park High School Baseball Stadium after Merle Hago, the Board will vote on the recommendation on May 8th. She shared that April is the month of the military child, Smarter Balanced tests will be held this month, the STEAM Fair was held last month and Kindergarten registration for fall is now open. She then reported that the Arlington Project will be held this year at Clover Park High School

PUBLIC COMMENTS

Speaking before Council were:

Amelia Escobedo, Lakewood resident, shared that she attended a celebration of life for Said Joquin and spoke in support of police accountability.

Dennis Haugen, Sioux Falls, spoke about the small home development on a wetland for houseless people, the State of Washington being a Sanctuary State and the importance of teaching math to students.

Kyle Manglona, Lakewood resident, spoke in support of the public servants specifically the Public Works Department Engineers who are communicating and responding to the public's inquiries regarding the construction project around Fort Steilacoom Park at Elwood Drive.

James Dunlop, Lakewood resident, spoke about the education in Lakewood schools, divided jurisdiction of responsibilities, declining performance of students test scores and the CPSD not addressing the issue.

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

- A. Approval of the minutes of the City Council study session of April 10, 2023.
- B. Approval of the minutes of the City Council meeting of April 17, 2023.
- C. Approval of claims vouchers, in the amount of \$2,887,277.36, for the period of March 16, 2023 through April 19, 2023.
- D. Approval of payroll checks, in the amount of \$2,944,305.25, for the period of March 16, 2023 through April 15, 2023.
- E. Motion No. 2023-46

Authorizing the execution of an agreement with Clover Park School District for Extra Duty police services; School Resource Officers.

- F. Motion No. 2023-47

Authorizing award of a construction contract to R.L. Alia Company, in the amount of \$691,171.50, for the construction of the 112th Street SW Clover Park High School Sidewalk project.

- G. Motion No. 2023-48

Authorizing the award of a construction contract to Puget Paving and Construction, Inc., in the amount of \$367,033, for the 2023 Roadway Patching Project.

H. Motion No. 2023-49

Authorizing award of a construction contract to Sound Pacific Construction, LLC., in the amount of \$2,189,403, for the construction of the Angle Lane/Elwood Drive Pedestrian Improvement Project.

I. Motion No. 2023-50

Approving the 2022 Transportation Benefit District (TBD) Annual Report.

J. Items filed in the Office of the City Clerk:

1. Planning Commission meeting minutes of April 5, 2023.

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

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

PUBLIC HEARINGS AND APPEALS

This is the date set for public hearing on the 2023 Carry Forward Budget Adjustment.

There being no testimony, the public hearing was declared closed at 8:11 p.m.

RESOLUTION

Resolution No. 2023-05 Adopting the Fiscal Year 2023 (July 1, 2023 – June 30, 2024) Joint Tacoma and Lakewood Consolidated Annual Action Plan, including Amendment to Fiscal Year 2021 Consolidated Annual Action Plan.

COUNCILMEMBER BRANDSTETTER MOVED TO ADOPT RESOLUTION NO. 2023-05. SECONDED BY COUNCILMEMBER ANDERSON. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Motion No. 2023-51 Approving American Rescue Plan Act (ARPA) funding for the Dolly Parton Imagination Library.

COUNCILMEMBER ANDERSON MOVED TO ADOPT MOTION NO. 2023-51. SECONDED BY COUNCILMEMBER LAURICELLA.

COUNCILMEMBER BRANDSTETTER MOVED TO AMEND THE MEMORANDUM OF UNDERSTANDING TO REPLACE RECITAL NO.3 AS FOLLOWS:

THE PIERCE COUNTY LIBRARY SYSTEM HAS CLOSED ITS MAIN BRANCH IN THE CITY OF LAKEWOOD AND IS CURRENTLY PROVIDING LIMITED ALTERNATE PUBLIC ACCESS TO BOOKS. ADDITION OF THE DOLLY PARTON IMAGINATION LIBRARY PROGRAM FURTHERS EFFORTS TO FILL THIS ACCESSIBILITY GAP IN THE COMMUNITY. SECONDED BY COUNCILMEMBER BOCCHI. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

VOICE VOTE WAS TAKEN ON MOTION NO. 2023-51 AS AMENDED AND CARRIED UNANIMOUSLY.

Motion No. 2023-52 Updating existing and authorizing new American Rescue Plan Act (ARPA) funding for certain internal and external uses.

COUNCILMEMBER ANDERSON MOVED TO ADOPT MOTION NO. 2023-52. SECONDED BY COUNCILMEMBER BOCCHI.

COUNCILMEMBER ANDERSON MOVED TO AMEND MOTION NO. 2023-52 TO REFERENCE AND INCORPORATE THE OBLIGATION OF \$500,000 OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDING FOR THE CITY HALL BUILDING ENERGY AUDIT. SECONDED BY COUNCILMEMBER BOCCHI. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

VOICE VOTE WAS ON MOTION NO. 2023-52 AS AMENDED WAS TAKEN AND CARRIED UNANIMOUSLY.

REPORTS BY THE CITY MANAGER

City Attorney Heidi Wachter shared that the State Legislature has not addressed Blake decision therefore on July 1st the current possession statue will expire. She recommended that the City Council adopt an Ordinance, making it a crime to knowingly possess drugs in the city, with the penalty of a gross misdemeanor. This item will come forward for approval on May 15.

City Manager Caulfield shared that an intergovernmental transfer agreement for the Old Settler's Cemetery will be presented to the City Council for review and consideration at the May 15 meeting. He shared that Partners for Parks will also be presenting to the City Council requesting feedback for them to secure donations in return for certain naming rights in the H-Barn building once constructed.

He then reported that the Public Works Engineering Department will be releasing a Request for Proposals for the Waughop Lake Alum Treatment and the City has received three applications to serve on the Independent Salary Commission Update.

He then announced the following upcoming events:

- May 3 to May 8, City Delegation visiting Sister City, Gimhae, Republic of Korea
- May 3, 11:30 A.M. to 1:00 P.M., Annual Meeting of the Economic Development Board for Tacoma-Pierce County, McGavick Conference Center
- May 4, 6:00 P.M., Annual Memorial Ceremony Honoring Law Enforcement Officers, Bethany Baptist Church, Puyallup
- May 6, 9:00 A.M. to 2:00 P.M., Caring for Kids Open House and Collectible Sale, 10527 Kendrick SW
- May 11, 8:00 A.M. to 10:00 A.M., SSMCP Elected Officials Council, Eagles Pride Golf Course
- May 13, 8:00 A.M. to 11:00 A.M., Kids Fishing Event, Harry Todd Park
- June 26, 6:00 P.M., Joint Meeting with Lakewood Water District Board of Commissioners

CITY COUNCIL COMMENTS

Councilmember Brandstetter shared that he will attend the Tacoma Pierce County Economic Development of Board meeting, the Law Enforcement Memorial Event and the South Sound Housing Affordability Partnership (SSHA³P) meeting. He spoke about an opportunity for Youth Councilmembers to participate in a program through the Puget Sound Regional Council to learn about regional and municipal planning.

Councilmember Lauricella spoke about the approval of the Dolly Parton Imagination Library and the importance of early literacy. He shared that he toured city parks with Parks Director Dodsworth last week.

Councilmember Bocchi spoke about the Lakewood Senior Activity Center, the second busiest in Pierce County, and complimented those who coordinate events for Seniors in Lakewood.

Councilmember Anderson shared that he attended the Puget Sound Regional Council (PSRC) Executive Board meeting and the PSRC General Assembly will be held on May 30th.

Deputy Mayor Moss shared that she attended the Vibrant Schools Purge to Surge program and the Cops v. Teachers Basketball Game at Lakes High School.

Mayor Whalen shared that he attended the Living Access Support Alliance (LASA) Breakfast and he hosted an informational event at Lakewold Gardens to share information about the Carriage House. He then complimented the city for their working advocating for State Legislative initiatives and funding.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:06 p.m.

JASON WHALEN, MAYOR

ATTEST:

BRIANA SCHUMACHER
CITY CLERK

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: May 15, 2023	TITLE: Approval of construction contract to Neeley Construction Company for the Fort Steilacoom Park athletic field projects	TYPE OF ACTION: — ORDINANCE NO. — RESOLUTION NO. <u>X</u> MOTION NO. 2023-53
REVIEW: May 23, 2022 January 23, 2023 February 2, 2023	ATTACHMENTS: Bid Tabulation	— OTHER

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

RECOMMENDATION: It is recommended that the City Council authorize the City Manager to execute an agreement with Neeley Construction Company for the Fort Steilacoom Park athletic field project in the amount of \$ 6,736,400 (includes WSST) plus a 7.5% contingency in the amount of \$459,300 for approved change orders specifically related to the contract with Neeley Construction or other project costs.

DISCUSSION: The City and Pierce College have been working on an athletic field complex project for the past two years. The project was advertised on April 6, 2023 and bids were opened on May 1, 2023 at Lakewood City Hall. The City received seven (7) bids. The bid was broken down to include a base-bid for improvements to all four fields and three alternates to support the additional Pierce College Field amenities. After checking bid submittals and company references, Neeley Construction Company provided the lowest responsive bid for the project. **Continued**

ALTERNATIVE(S): Council could not approve contract and request an alternative scope of work or re-design and re-bidding. Rebidding would delay project and could jeopardize project grant funding.

FISCAL IMPACT: Fiscal impact is \$7,195,700. See chart below which outlines budgeted revenues and expenditures for the project. This contract amount is within the council approved capital budgeted amounts including the requested contingency. The contingency was reduced to 7.5% to meet current budgeted funding. While this project is somewhat complex it does include several large, individual scope elements (Synthetic Turf Surfacing, Lighting System, Pre-Engineered Metal Building) that will be purchased and installed and are turn-key elements. Any anticipated overages will most likely be associated with the Pierce College field and as noted in the ILA, Pierce College will cover the costs. Any changes to the budget will be addressed during the mid-year budget adjustment. **Continued**

Stacey Reding
Prepared by

Mary Dodsworth
Department Director


City Manager Review


DISCUSSION (continued): The City did receive one Notice of Protest from one of the bidders. The City reviewed the information associated with the protest and our position is that the lowest responsive bidder submitted a bid with a minor irregularity that the City is prepared to waive.

Once the contract is approved by Council a notice to proceed will be given so those items requiring a long lead time between ordering and delivery can be secured. Construction is anticipated to begin mid-July following SummerFEST (July 15th) with substantial completion anticipated December 31, 2023. The site will be known as the Pierce College Home Field and the scoreboard, wind screens and other site improvements will utilize Pierce College colors and the Raiders Baseball logo. Any advertising, sponsorship or naming recognition will follow City ordinances or policies.

FISCAL IMPACT (continued):

FSP Athletic Fields 301.0031	
Revenues	Total
YAF (RCO)	\$350,000.00
Dept of Commerce	\$994,700.00
General	\$15,300.00
REET	\$250,000.00
Pierce College Funds	\$6,000,000.00
Total Revenue	\$7,610,000.00
Expenses	Total
Design & Engineering	\$345,265.00
Cultural Resources	\$19,994.00
Permits	\$47,000.00
Base bid - 4 fields	\$4,817,000.00
Ad Alt #1 (field 1 Lighting)	\$887,000.00
Ad Alt #2 (scoreboard)	\$125,000.00
Ad Alt #3 (stands/pressbox)	\$295,000.00
Subtotal Construction Bid including Alternates	\$6,124,000.00
Construction Contingency 7.5%	\$459,300.00
WSST 10%	\$612,400.00
Total Construction w/ tax & contingency	\$7,195,700.00
Total Pre-Construction (A+E & Permitting)	\$412,259.00
Total Project Costs	\$7,607,959.00

Fort Steilacoom Park Athletic Field Improvements							
Bid Tabulation							
Bid Opening 3:00 p.m. May 1, 2023 City Hall							
Bidder	Base Bid	Addendum #1	Addendum #2	Addendum #3	Total	WSST 10%	TOTAL
Neeley Construction	\$4,817,000	\$887,000	\$125,000	\$295,000	\$6,124,000	\$612,400	\$6,736,400
Specialized Landscaping	\$4,996,778	\$897,096	\$114,802	\$280,915	\$6,289,591	\$628,959	\$6,918,550
Active Construction Inc - ACI	\$4,864,864	\$1,029,029	\$163,163	\$338,338	\$6,395,394	\$639,539	\$7,034,933
Colf Construction	\$5,340,000	\$950,000	\$140,000	\$270,000	\$6,700,000	\$670,000	\$7,370,000
Terra Dynamics, Inc	\$5,400,000	\$950,000	\$190,000	\$313,000	\$6,853,000	\$685,300	\$7,538,300
Ohno-Touchdown JV	\$6,545,000	\$1,080,000	\$180,000	\$355,000	\$8,160,000	\$816,000	\$8,976,000
A-1 Landscaping	\$7,800,000	\$1,400,000	\$256,000	\$715,000	\$10,171,000	\$1,017,100	\$11,188,100

	<p>LAKEWOOD'S PROMISE ADVISORY BOARD Thursday, March 2, 2023 In-Person and Zoom Virtual Meeting Lakewood, WA 98499 7:30 am – 8:30 am</p>
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CALL TO ORDER

Kerri Pedrick called the meeting to order at 7:42 am

ATTENDANCE

Promise Advisory Members Present: Kerri Pedrick, Megan Dempsey, Ron Banner, Mary Dodsworth, Julie White and Dr. Wanda Elder

Promise Advisory Members Absent: Dr. Joyce Loveday, Ellie Wilson and Kyle Manglona

City Council Liaison: Mary Moss, Deputy Mayor (absent)

Youth Council Liaison: Cynthia Rodriguez, Hank Jones, Fatima Hernandez, Alli Laska

Staff Present: Shannon Bennett

Guest Presenter: Joshua Chambers, Youth Mental Health Coordinator, CPSD and Kiara Holden, Wellness Coordinator, CIS of Lakewood

Guest: None

PUBLIC COMMENT

None

MEETING MINUTES

Mary Dodsworth moved to approve the February 2, 2023 meeting minutes. Julie White seconded the motions. MPU.

NEW BUSINESS

Kerri gave the history of how LPAB got to its current point. In 2019 LPAB did a listening project including talking to youth, parents and the community and from it an emphasis on youth mental health and workforce development was derived and contracts with Workforce Central (Career Team) and CPSD were formed. Both initiatives are still very relevant. Shannon also mentioned how human service funds also contracted to providers fulfilling these initiatives.

Kiara advised the Board that CIS just completed the Great Kindness challenge at all of their sites. In addition, they've done wellness supported small groups through student referrals based on SEED assessment skills. The small group focuses on teaching students coping skills, mental well-being, wellness and social emotional learning (SEL). Conduct monthly wellness check-ins at the high schools. Barriers include creating excitement and pulling students during school schedules. Health First Aid classes coming into the schools will definitely help prioritize youth mental health. Kerri mentioned how the wellness project is funded though Pierce County Mental Behavioral health tax and has helped fund CIS positions that are embedded in schools.

Joshua talked about being the link between students, staff and the district office. Receives much feed-back through his one-on-one support program with students and school counselors. He trains teachers on student mental health which has resulted in every teacher in the district being trained on student mental health needs. In addition, he's helped Hudtloff Middle School and Lakes High School have student leadership programs helping student leaders to take on more peer support roles through youth mental health first aid certification. In response to the amount of suicides occurring recently in Lakewood, predominantly our athletes especially among athletes, CPHS, Josh and a therapist facilitated a conversation with 75 student athletes and coaches facilitated a conversation about mental health and will be using the information to pilot an ongoing program. Barriers include lack of awareness among adults regarding what's going on with students. Pulling students from class is also a barrier. How do we all get on the same page and get in front of the issue rather than taking a reactive position.

In response, Mary, Kerri and Ron agreed there's a need for the adults in the room, to include LPAB, coaches and the community need to figure out how to be proactive and infiltrate barriers to integrate in and be part of the youth mental health conversation and potential solutions and lessen the stigma of admitting mental health issues occur; to make it OK to have a conversation around mental health issues.

Julie shared that Pierce College partnered with Steilacoom HS to get 100 or so folks youth mental health raining and provide support to the running start program.

Kiara reminded members to remember we've all gone through Covid, and the negative impact has taken an exceptional toll on our youth. It's a hard topic to talk about, but we need to remember its part of their identity and be open to continuing to discuss the pandemic's negative effects on our students; especially certain marginalized communities.

Kerri reminded the members that the group is still trying to create the LPAB communication plan and that maybe focusing on youth mental health is the initiative that our plan focuses on. Megan suggested focusing on taking away the stigma of mental health and the Youth Council liaisons agreed there is a need to provide our youth with a safe space to admit their struggles and seek out solutions.

Mary D suggested we can't do it all and supports the LPAB becoming more focused on a specific purpose and work with the ad-hoc committee create a plan on how we get the message out and meet our goal(s).

Shannon provided an update on the Youth Summit. A recent decision to open the event up to 7th & 8th graders was made.

Members suggested a board update template on a shared doc and a week's notice be provided to members in support of submitting updates prior to each meeting.

BOARD MEMBER UPDATES

Kerri Pedrick, Communities in Schools of Lakewood (CISL)

- **CISL has increased supports this year for schools & students** - adding a "Mobile" Site Coordinator for McKinney Vento students, and a Wellness Coordinator. In addition to staff (7 FTE) we also have 7 Social Work Interns supporting students in school buildings and will case manage ~250 students this school year, in addition to our "whole school" supports. We are also excited for a potential expansion in our Lakewood Youth Wellness Project for the remainder of 2023 - funded through Pierce County/Behavioral Health Tax.
- **CISL 30th Anniversary Breakfast, Weds May 31st:** CISL is celebrating our 30th year serving the Lakewood community and our young people! Our annual fundraising breakfast will be held on Wednesday, May 31st 7:30 AM at McGavick Center at Clover Park Technical College. We would love LPAB members and our community to join us for this celebration - and to invite your networks to join

you! It will be an early and fun event with a panel of students and Site Coordinators sharing; Scholarship Presentations. [Register here to attend.](#)

- **Invitation to Volunteer and Mentor with CISL:** We invite our community to sign up to volunteer with Communities In Schools of Lakewood and join our students' "Community of Support": Learn more and sign-up to volunteer at <https://lakewood.ciswa.org/volunteer/>
 - **Clover Park High School Hispanic Heritage Family Night** scheduled for Wednesday, March 8th. If you would like to help volunteer with childcare for the event, sign up as a volunteer with us at <https://lakewood.ciswa.org/volunteer/>
- **Other Update:** I'm (Kerri) also excited to join 15 other CIS Executive Directors this year in the CIS National's Executive Leadership Development Program learning cohort.

Julie White, Pierce College

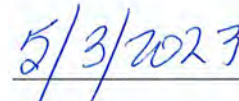
- Our interim Vice President for Equity, Innovation, and Engagement, Marie Johnson-Kola, was honored as the 2023 Puyallup Summer Chamber of Commerce Equity Advocate.
- Representatives from Pierce College met with Representative Derek Kilmer and Senator Maria Cantwell during the Community College Trustees' National Legislative Summit, to express our support for a number of policy items related to community colleges, including workforce training, improved and increased Pell grants, student basic needs, and support for Dreamers.
- A team of 20 attended the DREAM conference, where we presented our revision of faculty hiring, onboarding, and tenure to support and focus on Black and Brown student excellence and racial equity.
- Pierce College celebrated Black History Month with several events, including a Black Excellence Heritage Celebration and Black Ball formal dance.
- From mid-March to early April, Pierce College will be holding on-campus interviews for the presidencies at Pierce College Fort Steilacoom and Pierce College Puyallup.

ADJOURN


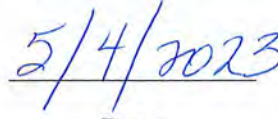
Kerri Pedrick adjourned the meeting at 8:35 am.




Prepared by: Shannon Bennett, Human Services Coordinator



Date:


Kerri Pedrick, Chair

Date


Mayor Dampy, Vice-Chair



PARKS & RECREATION ADVISORY BOARD MINUTES
Tuesday March 28, 2023– 5:30 PM
American Lake Conference Room @ City Hall & Zoom

CALL TO ORDER

Vito Iacobazzi called the meeting to order at 5:30 p.m.

ATTENDANCE

PRAB Members Present: Vito Iacobazzi-Vice-Chair, Sylvia Allen, Michael Lacadie, Janet Spingath, Anessa McClendon

PRAB Members Excused: Jason Gerwen-Chair, Alan Billingsley

Youth Council: Brandon Elliott-absent, Kloe Salazar-absent, Kera Buckmaster-absent, Kaitlyn Miller-present

PRAB Staff Present: Mary Dodsworth – Director, Nikki York – Office Assistant

Council Liaisons: Don Anderson, absent

Guests: Stacey Reding – Capital Project Coordinator, Gerard Bega, Guillaume Bega, France Bega, Cameron Fairfield –Recreation Coordinator, Jen Spane, Karli Schwimmer

APPROVAL OF MINUTES: Sylvia Allen moved and Anessa McClendon seconded the motion to approve the minutes of the February 28, 2023 meeting as written. MPU.

Public Comments: No public comments

NEW BUSINESS:

Eagle Scout Presentations:

Gerard Bega presented an Eagle Scout proposal to make and install compost bins at the Springbrook Garden. He presented two different styles. Sylvia Allen asked about the purpose of the three different sections and suggested to work with the master gardeners at the Community Garden. Vito Iacobazzi asked about the equipment that will be used move the compost between the bins. City maintenance staff will use a bobcat and their preference is the open style bin. It is also the preferred style of the Springbrook gardeners. Mary Dodsworth advised Gerard to meet with City maintenance staff to confirm that the specs will work with the equipment that will be used. Vito Iacobazzi asked about old nails in the salvaged wood. Old nails have been removed. The roof component is somewhat open to prevent over saturation. Sylvia Allen said it's a great project. Sylvia Allen moved to approve the proposed project. Anessa McClendon seconded. MPU.

Guillaume Bega presented an Eagle Scout proposal to refurbish benches that were built as part of his brother JP Bega's Eagle Scout Project. The legs will need to be repaired, painted or stained and recoated with water protectant. Vito Iacobazzi recommended sanding the benches. Sylvia Allen suggested using marine varnish to give them a clear waterproof finish. Mary suggested talking to garden caretakers to see if they want something whimsical or handprints. Sylvia Allen said

it's a great project. Michael Lacadie moved to approve the proposed project. Sylvia Allen seconded. MPU.

Diversity, equity & Inclusion (DEI): Mary Dodsworth and Cameron Fairfield presented a power point. Mary Dodsworth gave a simple definition that Diversity means everyone. Equity is to do what needs to be done to make the outcome the same. Inclusion means that people feel included after their experience. An example of how the City does this is to promote an event with a Spanish flyer but also realizing that people who speak Spanish need to be working the event so people feel welcome and can describe what's happening or how to experience the event. Mary shared that the Council Strategic Plan and the Parks Legacy Plan both have goals to make Lakewood a healthy and vibrant community and honor diversity and equity. The Park Amenity Condition Assessment (PACA), a measurement tool, was added to the Legacy Plan and includes having a park within ½ mile of every resident and having quality amenities at each site. Cultural awareness and inclusion are strategically included at events. Examples include: partnering with the Nisqually tribe on the honor walk, adding Fiesta de la Familia featuring Hispanic heritage, Summer FEST includes partnering with the Sister Cities Association for the international festival, MLK Celebration videos featured Jo Ethel and Brandon Elliott. The Farmers Market provides access and matching grants for visitors using SNAP/EBT, Market Match, WIC/Senior WIC and Kids Healthy Bucks, Senior Programs reduce isolation, Public Art on Signal Box wraps and our rotating art at City Hall highlight our diverse community, Summer Camps provide low cost childcare, Human Services provide a variety of support services for our most vulnerable citizens, we work with community partners, include diversity awareness in hiring and on boards and commissions. The City is thinking about DEI all the time.

Pierce County Specialized Recreation: Jen Spane provided background and Karli Schwimmer provided an overview to the program. The partnership that was developed 2 years ago. The City of Lakewood was one of the first City's to participate. The program is designed to modify recreation to meet the needs of people who come to the programs. It is more social based so that participants can use social skills and most include an active component. Current demand is still being determined. Pierce County started a summer camp 50 yrs ago to serve special needs. Metro Parks Tacoma offered programming for adults and few agencies were supporting Special Olympics. Many participants were travelling hours to participate in programs. The current program has three regular staff and 12 part time staff. The program requires over staffing to support the special needs of the participants. Activities that are listed in the quarterly "Adventure within Reach" Guide include: Weekly Art classes, Scrapbooking, cooking classes, social groups, crafts, hangouts and dances. They are still doing virtual programming as some participants aren't ready to come back to an in person activity. They have 300 shuttle riders getting to the programs each day. 2022 had 11,606 total registrations 26,000 hours of activities. The City of Lakewood began the year with 13 participants and ended the year with 32. Programs are located in cities throughout the community. Janet Spingath asked how the program would be able to grow. Expansion to other communities like Gig Harbor and more staffing. For the Special Olympics Programming they would like to recruit more volunteers and have more facilities to use. Pierce County Special Olympics has one of the largest teams. Vito Iacobazzi gave them Kudos! Sylvia Allen gave a Congratulations. Mary Dodsworth advised that the City's funding into the program is \$10,000 - \$20,000 per year based on Lakewood residents who participate. Janet Spingath asked how they are able to use the Lakewood community center. The gym and one meeting room are still safe to use.

Prepare for Parks Appreciation Day: Nikki York provided an overview of the parks and projects scheduled for this year's volunteer event on Saturday April 22, 2023 from 9 a.m. - Noon

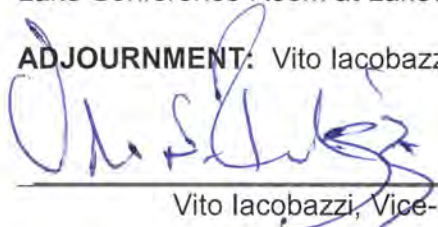
Directors Report: Mary Dodsworth provided an update that included: capital projects at Springbrook Park, Park Monument Sign project expanded to include wayfinding and reader boards,

Wards Lake Phase 1 & 2, FSP Turf Infields and home field, American Lake Park, and the Gateway Arcs public art ribbon cutting on Saturday, April 1, 2023 at 10 a.m.

Board Member Comments: None

NEXT MEETING: The next meeting is on Tuesday, April 25, 2023 at 5:30 p.m. in the American Lake Conference Room at Lakewood City Hall.

ADJOURNMENT: Vito Iacobazzi adjourned the meeting at 7:04 p.m.



Vito Iacobazzi, Vice-Chairman

Nikki York, Office Assistant



**LAKEWOOD ARTS COMMISSION
REGULAR MONTHLY MEETING Minutes**
Date: Monday, April 3, 2023 Time: 5:00PM – 6:15 PM
In Person and Virtual Zoom Meeting

CALL TO ORDER

Emily Feleen called the meeting to order at 5:04p.m.

ATTENDANCE:

Arts Commission Members Present: Emily Feleen- Chair, Earl Borgert- Vice-Chair, Paige Hansen, Sylvi Johnson, Lani Neil, Darryl Owens, Lua Pritchard, Phil Raschke

Arts Commission Members Excused: Adriana Serrienne, Darwin Peters, Susan Warner

Staff: Sally Martinez, Recreation Coordinator, Nicolette York, Office Assistant

Council Liaison: Patti Belle

Guests: Councilmember Trestin Lauricella, Juan La Torre, Maurico Robinano

Approval of Minutes: Lani Neil motioned to approve the January 9, 2023 Minutes. Earl Borgert seconded. MPU.

New Business:

Mural Presentation:

Juan La Torre presented his idea for a mural which included seven people of different cultural backgrounds including: Asian, Middle Eastern, Native American, Hawaiian, White, Black, Latino and three Lakewood buildings including City Hall, Thornewood Castle and Lakewood Theater. The commission expressed concerns about the cultures represented and the way they were drawn but they did like the concept.

The commission discussed if they wanted to choose Juan La Torre and work with him on the design or open a call to artists to see other work. The commission decided that a subcommittee meeting would be needed to discuss it further.

Art Review Process: Sally Martinez shared that some inappropriate quotes were on the Gateway Arcs due to not having a formal review process in place. The commission agreed that anything written needs to have approval by the City. This was a valuable learning experience and now we will have a process in place. Councilmember Trestin Lauricella recommended that all content be reviewed by the City and final payment of services be tied to that. The review process needs to be communicated to the public. Emily Feleen suggested a communication plan.

Unfinished Business:

Artist Reception: Mauricio Robalino invited everyone to the Artist Reception on Monday April 17th and reminded them to look at the new art in the hallway featuring Mauricio Robalino, River Meschi, and Laura Martinez.

Signal box wraps: The commission reviewed the submissions and locations. The locations for this round included: 96th & South Tacoma Way, 112th & Bridgeport, 100th & South Tacoma Way, Steilacoom & Bridgeport, Steilacoom & Gravelly Lake, Steilacoom & Hageness, Steilacoom & Lakeview, 88th & South Tacoma Way and Steilacoom & South Tacoma Way. The commission decided to have a subcommittee meeting to decide on the artists that would be selected.


Board Comments: None

NEXT MEETING:

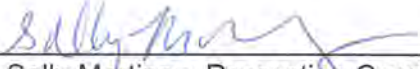
Artist Reception, Monday, March 17, 2023 at 5:30 pm at City Hall

Regular Arts Commission Meeting on Monday, May 8th at 5:30 p.m. in the American Lake Room at Lakewood City Hall.

ADJOURNMENT: The meeting adjourned at 5:58 p.m.



Earl Borgert, Vice-Chair



Sally Martinez, Recreation Coordinator



LAKEWOOD ARTS COMMISSION
PUBLIC ART SUBCOMMITTEE MEETING Minutes
Date: Monday, April 12, 2023 Time: 5:00PM – 6:15 PM
In Person and Virtual Zoom Meeting

CALL TO ORDER

The meeting to order at 12:00p.m.

ATTENDANCE:

Arts Commission Members Present: Emily Feleen- Chair, Earl Borgert- Vice-Chair, Lani Neil, Darryl Owens

Staff: Sally Martinez, Recreation Coordinator, Nicolette York, Office Assistant

Council Liaison: Patti Belle

Guests: Councilmember Trestin Lauricella

New Business:

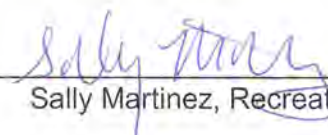
Signal box wraps: The commission reviewed the submissions and locations. The locations for this round included: 96th & South Tacoma Way, 112th & Bridgeport, 100th & South Tacoma Way, Steilacoom & Bridgeport, Steilacoom & Gravelly Lake, Steilacoom & Hageness, Steilacoom & Lakeview, 88th & South Tacoma Way and Steilacoom & South Tacoma Way. The commission selected art including: Make the Future by Samuel Reed, Lake Steilacoom by Samuel Reed, Speedway by Chuck Mathias, Animal/Nature Montage by Laura Martinez, Dancer by Juan Torres, Sail Boats/Fish by Jose Orantes, Moon & Sun by River Meschi.

NEXT MEETING:

Regular Arts Commission Meeting on Monday, May 8th at 5:30 p.m. in the American Lake Room at Lakewood City Hall.

ADJOURNMENT: The meeting adjourned at 1:03 p.m.


Earl Borgert, Vice-Chair


Sally Martinez, Recreation Coordinator



**PLANNING COMMISSION
MEETING MINUTES
April 19, 2023
Hybrid In-Person/Virtual Meeting via ZOOM
6000 Main Street SW, Lakewood, WA**

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; and Ryan Pearson, Vice-Chair; Phillip Combs, Robert Estrada, Paul Wagemann, Brian Parsons and Linn Larsen

Planning Commission Members Excused: None

Commission Members Absent:

Staff Present: Dave Bugher, Community Development Director and Assistant City Manager; Tiffany Speir, Long Range & Strategic Planning Manager; Becky Newton, Economic Development Manager; and Karen Devereaux, Administrative Assistant

Council Liaison: Paul Bocchi (not present)

Approval of Minutes

The minutes of the meeting held on April 5, 2023 were approved as written by voice vote M/S/C Pearson/Larsen. The motion carried unanimously, 6-0.

Agenda Updates

Staff requested that the Economic Development Multifamily Tax Exemption (MFTE) Program presentation be moved forward on the agenda to directly before the unfinished business item.

Public Comments

None. No one in person or virtually attending wished to comment.

Public Hearings, Continued

Proposed 2023 Comprehensive Plan Amendments

Ms. Tiffany Speir gave a brief background on each of the nine (2023-01 through 2023-09) proposed amendments being considered before Mr. Don Daniels, Chair, opened the floor for public comment.

Mr. Jon Grant, Chief Strategy officer, Low Income Housing institute (LIHI), stated that LIHI appreciated and supported changes made to proposed 2023-05 since the April 5 meeting. LIHI's continuing concerns included requirements for a community meeting, inspections by the Fire Marshal and Building Official, and for an operations plan. He voiced LIHI's concerns regarding Lakewood's compliance with the Federal Fair Housing Act with the draft 2023-05 language. Mr. Grant requested that the restriction on housing court-supervised individuals be removed, that the requirement to follow CPTED rules on existing structures be removed; and requested that emancipated minors be listed as allowed residents in special needs housing.

Amanda DeShazo, Tacoma-Pierce County Affordable Housing Consortium Executive Director, testified on proposed 2023-05. She thanked City staff for removing the conditional use permit requirements on special needs housing. She requested that the court supervised individual prohibition, the occupancy cap on PSH and TH projects, the 1,000 foot distance between facilities, and the development and operations conditions be removed from code.

Ms. Barbara Wyatt testified in opposition to the proposed rezoning in 2023-03 to NC2 due to the allowed uses of parcels in that zone aside from a fitness facility. She requested that the parcels be rezoned to OSR2.

Written public comment was received via email from Ms. Allison Reynolds, Steel Rives, LLC, representing LIHI, spoke in favor of '23CPA 2023-05 removing specific language to achieve a lower barrier requirement for the facilities.

The Commission closed the public hearing on proposed 2023 Comprehensive Plan amendments 2023-01, -02, -04, -06, -07, -08, and -09. The public hearing on amendments 2023-03 and 2023-05 was held open through the May 3 Planning Commission meeting.

New Business

Presentation re Updates to Lakewood Multifamily Tax Exemption (MFTE) Program

Ms. Becky Newton, Economic Development Manager, presented information summarizing potential changes to the City's MFTE program to comply with state law and also to make the program more attractive to developers. Ms. Newton would provide draft language to the Commission to react to and provide her feedback about prior to the May 17 public hearing.

Unfinished Business

Commission Discussion re 2023 Comprehensive Plan Amendments

Ms. Speir and CED Director Dave Bugher provided updated information regarding proposed amendment 2023-05 to the Commission following meetings city staff held with the Department of Commerce as well as stakeholders. Ms. Speir stated that the Commission would receive an updated version of the amendment in advance of the May 3 meeting. Commissioners reviewed the latest draft language and discussed it.

Report from Council Liaison

None.

Reports from Commission Members and Staff

Ms. Speir reviewed the upcoming meetings schedule with commissioners:

May 3:	Planning Commission Discussion, Continued
May 17:	Planning Commission Action on 2023 Comprehensive Plan Amendments Recommendation to City Council
June 12:	City Council Introduction
June 20:	City Council Public Hearing
July 3:	City Council Action

The Next Regular Meeting would be held as a hybrid in-person/ZOOM meeting on Wednesday, May 3, 2023.

Meeting Adjourned at 7:46 p.m.


Don Daniels, Chair
Planning Commission 05/03/2023


Karen Devereaux, Recording Secretary
Planning Commission 05/03/2023

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED:

May 15, 2023

REVIEW:

April 24, 2023

May 1, 2023

TITLE: An Ordinance amending the 2023/2024 Biennial Budget

ATTACHMENTS:

- Ordinance & Exhibits
- Memo

TYPE OF ACTION:

ORDINANCE NO.785

RESOLUTION NO.

MOTION

OTHER

SUBMITTED BY: Tho Kraus, Deputy City Manager

RECOMMENDATION: It is recommended that the City Council adopt this Ordinance amending the City's 2023/2024 Biennial Budget.

DISCUSSION: The Revised Code of Washington (RCW) Chapter 35A.34 stipulates that a public hearing be held in connection with the modification process. Following the RCW guidelines, the City held a public hearing on the 2023 Carry Forward Budget Adjustment ordinance on May 1, 2023. The proposed budget adjustment makes the following types of modifications to 2023/2024: revise the beginning balance by adjusting the estimated amount to reflect the final 2022 ending fund balance; incorporate items previously approved by Council; appropriate projects funded by grants and contributions; continuation of capital projects; and new allocations.

ALTERNATIVE(S): The City Council may approve the budget ordinance with modifications.

FISCAL IMPACT: The proposed budget adjustment for all funds:

Year 2023:

- Increase beginning fund balance by \$25.5M, resulting in a revised estimate of \$64.63M;
- Increases revenues by \$37.72M, resulting in a revised estimate of \$121.07M;
- Increases expenditures by \$60.35M, resulting in a revised estimate of \$155.09M; and
- Increases ending fund balance by \$3.70M, resulting in a revised estimate of \$30.61M.

Year 2024:

- Increase beginning fund balance by \$3.70M, resulting in a revised estimate of \$30.61M;
- Increases revenues by \$2.25M, resulting in a revised estimate of \$86.46M;
- Increases expenditures by \$2.06M, resulting in a revised estimate of \$90.39M; and
- Increases ending fund balance by \$3.89M, resulting in a revised estimate of \$26.68M.

Tho Kraus
Department Director


City Manager Review

ORDINANCE NO. 785

AN ORDINANCE of the City Council of the City of Lakewood, Washington, adopting the 2023/2024 Biennial Budget.

WHEREAS, the tax estimates and budget for the City of Lakewood, Washington, for the 2023/2024 fiscal biennium have been prepared and filed on October 3, 2022 as provided by Titles 35A.34 and 84.55 of the Revised Code of Washington; and

WHEREAS, the budget was printed for distribution and notice published in the official paper of the City of Lakewood setting the time and place for hearing on the budget and said notice stating copies of the budget can be obtained on-line and at the Office of the City Clerk; and

WHEREAS, the City Council of the City of Lakewood having held a public hearing on November 7, 2022, and having considered the public testimony presented; and

WHEREAS, the City Council of the City of Lakewood adopted Ordinance 779 on November 21, 2022 implementing the 2023/2024 Biennial Budget; and

WHEREAS, the City Council of the City of Lakewood finds it necessary to revise the 2023/2024 Budget to: revise the estimated beginning balances to reflect the 2022 ending fund balance; incorporate items previously approved by the City Council, appropriate projects funded by grants and contributions; continue capital projects; and include new allocations as necessary; and

WHEREAS, the City Council of the City of Lakewood having held a public hearing on the 2023 Carry Forward Budget Adjustment on May 1, 2023.

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

Section 1. Budget Amendment. The budget for the 2023/2024 biennium as set forth in Ordinance 779, Section 1 and as shown in Exhibit C (2023/2024 Original Adopted Budget) is amended to adopt the revised budget for the years 2023 and 2024 in the amounts and for the purposes as shown in exhibit A (Proposed Revised budget by Fund – Year 2023) and Exhibit B (Proposed Revised Budget by Fund – Year 2024).

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance or its application to any other person, property or circumstance.

Section 3. Copies of the Budget to Be Filed. A complete copy of the final budget as adopted herein shall be transmitted to the Office of the State Auditor, the Association of Washington Cities and to the Municipal Research and Services Center of Washington. Copies of the final budget as adopted herein shall be filed with the City Clerk and shall be made available for use by the public.

Section 4. Effective Date. The Ordinance shall be in full force and effective for the fiscal years 2023 and 2024 five (5) days after publication as required by law.

ADOPTED by the City Council this 15th day of May, 2023.

CITY OF LAKEWOOD

Jason Whalen, Mayor

Attest:

Briana Schumacher, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney

EXHIBIT A
PROPOSED REVISED BUDGET BY FUND - YEAR 2023

Fund	Beginning Fund Balance			Revenue			Expenditure			Ending Fund Balance
	Prior Amount	Adjustment	Revised	Prior Amount	Adjustment	Revised	Prior Amount	Adjustment	Revised	
General Government Funds:	21,309,004	5,251,861	26,560,865	54,253,705	13,624,674	67,878,379	58,594,205	19,739,385	78,333,590	16,105,654
001 General	\$ 15,837,013	\$ 3,550,785	\$ 19,387,798	\$ 43,535,910	\$ 1,756,204	\$ 45,292,114	\$ 48,207,266	\$ 5,085,451	\$ 53,292,717	\$ 11,387,195
101 Street	-	-	-	3,792,423	116,574	3,908,997	3,792,423	116,574	3,908,997	-
103 Transportation Benefit District	58,424	32,716	91,140	835,000	-	835,000	835,000	-	835,000	91,140
104 Hotel/Motel Lodging Tax Fund	2,677,042	333,133	3,010,175	1,125,000	-	1,125,000	1,125,000	(220,650)	904,350	3,230,825
105 Property Abatement/RHSP/1406	-	278,099	278,099	425,500	-	425,500	425,500	278,099	703,599	-
106 Public Art	-	50,588	50,588	37,000	-	37,000	37,000	50,588	87,588	-
180 Narcotics Seizure	-	55,667	55,667	-	-	-	-	55,667	55,667	0
181 Felony Seizure	-	23,305	23,305	-	-	-	-	23,305	23,305	(0)
182 Federal Seizure	-	703	703	-	-	-	-	703	703	0
190 CDBG	1,513,495	350,238	1,863,733	553,819	728,370	1,282,189	553,819	2,592,103	3,145,922	0
191 Neighborhood Stabilization Prog	-	14,148	14,148	28,000	275,000	303,000	28,000	289,148	317,148	0
192 SSMCP	-	(405,878)	(405,878)	311,125	216,000	527,125	306,377	-	306,377	(185,130)
195 Public Safety Grants	-	-	-	-	112,821	112,821	-	112,821	112,821	-
196 ARPA (American Rescue Plan Act)	19,209	807,078	826,287	-	10,419,705	10,419,705	-	11,245,992	11,245,992	-
201 GO Bond Debt Service	-	-	-	2,521,978	-	2,521,978	2,521,978	-	2,521,978	-
202 LID Debt Service	-	109,584	109,584	236,692	-	236,692	236,692	109,584	346,276	-
204 Sewer Project Debt	1,070,728	49,600	1,120,328	851,258	-	851,258	525,150	-	525,150	1,446,436
251 LID Guaranty	133,093	2,095	135,188	-	-	-	-	-	-	135,188
Capital Project Funds:	6,809,757	14,136,907	20,946,664	15,162,865	22,519,927	37,682,792	21,198,625	36,903,941	58,102,566	526,890
301 Parks CIP	-	3,947,368	3,947,368	965,000	12,022,858	12,987,858	965,000	15,970,226	16,935,226	-
302 Transportation CIP	3,767,000	9,340,490	13,107,490	11,154,000	9,548,485	20,702,485	14,921,000	18,763,110	33,684,110	125,865
303 Real Estate Excise Tax	2,068,447	190,329	2,258,776	2,200,000	948,584	3,148,584	3,866,625	1,540,735	5,407,360	-
311 Sewer Project CIP	974,310	658,720	1,633,030	843,865	-	843,865	1,446,000	629,870	2,075,870	401,025
Enterprise Fund:	4,393,180	6,616,555	11,009,735	4,731,450	-	4,731,450	5,731,863	1,707,814	7,439,677	8,301,508
401 Surface Water Management	4,393,180	6,616,555	11,009,735	4,731,450	-	4,731,450	5,731,863	1,707,814	7,439,677	8,301,508
Internal Service Funds:	5,802,936	305,659	6,108,595	9,200,400	1,580,124	10,780,524	9,209,630	2,003,749	11,213,379	5,675,740
501 Fleet & Equipment	5,000,658	180,213	5,180,871	2,898,946	50,000	2,948,946	2,526,520	348,000	2,874,520	5,255,297
502 Property Management	530,000	125,625	655,625	912,134	673,739	1,585,873	1,357,134	799,364	2,156,498	85,000
503 Information Technology	272,278	(179)	272,099	2,940,490	682,385	3,622,875	2,877,146	682,385	3,559,531	335,443
504 Risk Management	-	-	-	2,448,830	174,000	2,622,830	2,448,830	174,000	2,622,830	-
Total All Funds	38,314,877	\$ 26,310,982	\$64,625,859	\$ 83,348,420	\$ 37,724,725	\$121,073,145	\$ 94,734,323	\$ 60,354,889	\$155,089,212	\$ 30,609,792

EXHIBIT B
PROPOSED REVISED BUDGET BY FUND - YEAR 2024

Fund	Beginning Fund Balance			Revenue			Expenditure			Ending Fund Balance
	Prior Amount	Adjustment	Revised	Prior Amount	Adjustment	Revised	Prior Amount	Adjustment	Revised	
General Government Funds:	\$ 16,968,504	\$ (862,850)	\$ 16,105,654	\$ 54,102,848	\$ 1,619,661	\$ 55,722,509	\$ 57,869,295	\$ 1,672,607	\$ 59,541,902	\$ 12,286,262
001 General	11,165,657	221,538	11,387,195	44,145,920	1,356,000	45,501,920	47,837,515	1,507,684	49,345,199	7,543,916
101 Street	-	-	-	2,958,027	36,861	2,994,888	2,958,027	36,861	2,994,888	-
103 Transportation Benefit District	58,424	32,716	91,140	835,000	-	835,000	835,000	91,140	926,140	(0)
104 Hotel/Motel Lodging Tax Fund	2,677,042	553,783	3,230,825	1,125,000	-	1,125,000	1,125,000	-	1,125,000	3,230,825
105 Property Abatement/RHSP/1406	-	-	-	488,000	-	488,000	488,000	-	488,000	-
106 Public Art	-	-	-	37,000	-	37,000	37,000	-	37,000	-
180 Narcotics Seizure	-	0	0	-	-	-	-	-	-	0
181 Felony Seizure	-	(0)	(0)	-	-	-	-	-	-	(0)
182 Federal Seizure	-	0	0	-	-	-	-	-	-	0
190 CDBG	1,513,495	(1,513,495)	0	550,000	-	550,000	550,000	-	550,000	0
191 Neighborhood Stabilization Prog	-	0	0	45,500	-	45,500	45,500	-	45,500	0
192 SSMCP	4,748	(189,878)	(185,130)	311,125	226,800	537,925	315,874	36,922	352,796	-
195 Public Safety Grants	-	-	-	-	-	-	-	-	-	-
196 ARPA (American Rescue Plan Act)	19,209	(19,209)	-	-	-	-	-	-	-	-
201 GO Bond Debt Service	-	-	-	2,517,754	-	2,517,754	2,517,754	-	2,517,754	-
202 LID Debt Service	-	-	-	219,765	-	219,765	219,765	-	219,765	-
204 Sewer Project Debt	1,396,836	49,600	1,446,436	869,757	-	869,757	939,860	-	939,860	1,376,333
251 LID Guaranty	133,093	2,095	135,188	-	-	-	-	-	-	135,188
Capital Project Funds:	\$ 773,997	\$ (247,107)	\$ 526,890	\$ 16,388,940	\$ 191,423	\$ 16,580,363	\$ 17,071,470	\$ (71,025)	\$ 17,000,445	\$ 106,808
301 Parks CIP	-	-	-	3,115,000	670,788	3,785,788	3,115,000	670,788	3,785,788	-
302 Transportation CIP	-	125,865	125,865	9,154,000	(1,196,865)	7,957,135	9,154,000	(1,071,000)	8,083,000	-
303 Real Estate Excise Tax	401,822	(401,822)	-	2,200,000	717,500	2,917,500	2,587,470	329,187	2,916,657	843
311 Sewer Project CIP	372,175	28,850	401,025	1,919,940	-	1,919,940	2,215,000	-	2,215,000	105,965
Enterprise Fund:	\$ 3,392,767	\$ 4,908,741	\$ 8,301,508	\$ 4,847,382	\$ -	\$ 4,847,382	\$ 4,812,468	\$ 18,392	\$ 4,830,860	\$ 8,318,030
401 Surface Water Management	3,392,767	4,908,741	8,301,508	4,847,382	-	4,847,382	4,812,468	18,392	4,830,860	8,318,030
Internal Service Funds:	\$ 5,793,706	\$ (117,966)	\$ 5,675,740	\$ 8,864,139	\$ 442,550	\$ 9,306,689	\$ 8,574,688	\$ 442,550	\$ 9,017,238	\$ 5,965,191
501 Fleet & Equipment	5,373,084	(117,787)	5,255,297	2,479,927	-	2,479,927	2,172,320	-	2,172,320	5,562,904
502 Property Management	85,000	-	85,000	916,396	-	916,396	1,001,396	-	1,001,396	-
503 Information Technology	335,622	(179)	335,443	3,017,696	388,550	3,406,246	2,950,852	388,550	3,339,402	402,287
504 Risk Management	-	-	-	2,450,120	54,000	2,504,120	2,450,120	54,000	2,504,120	-
Total All Funds	26,928,974	\$ 3,680,818	\$30,609,792	\$ 84,203,309	\$ 2,253,634	\$86,456,943	\$ 88,327,921	\$ 2,062,524	\$90,390,445	\$ 26,676,291

EXHIBIT C
2023/2024 ORIGINAL ADOPTED BUDGET BY FUND
Per Ordinance 779 Adopted November 21, 2022

Fund	2023				2024			
	Beginning Fund Balance	Revenue	Expenditure	Ending Fund Balance	Beginning Fund Balance	Revenue	Expenditure	Ending Fund Balance
General Government Funds:	\$ 21,309,004	\$ 54,253,705	\$ 58,594,205	\$ 16,968,504	\$ 16,968,504	\$ 54,102,848	\$ 57,869,295	\$ 13,202,057
001 General Fund	15,837,013	43,535,910	48,207,266	11,165,657	11,165,657	44,145,920	47,837,515	7,474,061
101 Street	-	3,792,423	3,792,423	-	-	2,958,027	2,958,027	-
103 Transportation Benefit District	58,424	835,000	835,000	58,424	58,424	835,000	835,000	58,424
104 Hotel/Motel Lodging Tax	2,677,042	1,125,000	1,125,000	2,677,042	2,677,042	1,125,000	1,125,000	2,677,042
105 Property Abatement/RHSP	-	425,500	425,500	-	-	488,000	488,000	-
106 Public Art	-	37,000	37,000	-	-	37,000	37,000	-
180 Narcotics Seizure	-	-	-	-	-	-	-	-
181 Felony Seizure	-	-	-	-	-	-	-	-
182 Federal Seizure	-	-	-	-	-	-	-	-
190 CDBG	1,513,495	553,819	553,819	1,513,495	1,513,495	550,000	550,000	1,513,495
191 Neighborhood Stabilization Prog	-	28,000	28,000	-	-	45,500	45,500	-
192 SSMCP	-	311,125	306,377	4,748	4,748	311,125	315,874	-
195 Public Safety Grants	-	-	-	-	-	-	-	-
196 ARPA	19,209	-	-	19,209	19,209	-	-	19,209
201 GO Bond Debt Service	-	2,521,978	2,521,978	-	-	2,517,754	2,517,754	-
202 LID Debt Service	-	236,692	236,692	-	-	219,765	219,765	-
204 Sewer Project Debt	1,070,728	851,258	525,150	1,396,836	1,396,836	869,757	939,860	1,326,733
251 LID Guaranty	133,093	-	-	133,093	133,093	-	-	133,093
Capital Project Funds:	\$ 6,809,757	\$ 15,162,865	\$ 21,198,625	\$ 773,997	\$ 773,997	\$ 16,388,940	\$ 17,071,470	\$ 91,467
301 Parks CIP	-	965,000	965,000	-	-	3,115,000	3,115,000	-
302 Transportation CIP	3,767,000	11,154,000	14,921,000	-	-	9,154,000	9,154,000	-
303 Real Estate Excise Tax	2,068,447	2,200,000	3,866,625	401,822	401,822	2,200,000	2,587,470	14,352
311 Sewer Project CIP	974,310	843,865	1,446,000	372,175	372,175	1,919,940	2,215,000	77,115
Enterprise Fund:	\$ 4,393,180	\$ 4,731,450	\$ 5,731,863	\$ 3,392,767	\$ 3,392,767	\$ 4,847,382	\$ 4,812,468	\$ 3,427,681
401 Surface Water Management	4,393,180	4,731,450	5,731,863	3,392,767	3,392,767	4,847,382	4,812,468	3,427,681
Internal Service Funds	\$ 5,802,936	\$ 9,200,400	\$ 9,209,630	\$ 5,793,706	\$ 5,793,706	\$ 8,864,139	\$ 8,574,688	\$ 6,083,157
501 Fleet & Equipment	5,000,658	2,898,946	2,526,520	5,373,084	5,373,084	2,479,927	2,172,320	5,680,691
502 Property Management	530,000	912,134	1,357,134	85,000	85,000	916,396	1,001,396	-
503 Information Technology	272,278	2,940,490	2,877,146	335,622	335,622	3,017,696	2,950,852	402,466
504 Risk Management	-	2,448,830	2,448,830	-	-	2,450,120	2,450,120	-
Grand Total All Funds	\$ 38,314,877	\$ 83,348,420	\$ 94,734,323	\$ 26,928,974	\$ 26,928,975	\$ 84,203,309	\$ 88,327,921	\$ 22,804,361



To: Mayor and City Councilmembers
From: Tho Kraus, Deputy City Manager
Through: John J. Caulfield, City Manager *John J. Caulfield*
Date: May 15, 2023
Subject: Adoption – Proposed 2023 Carry Forward Budget Adjustment

BACKGROUND

The proposed budget adjustment makes the following types of modification to the current biennium:

- Revise the estimated beginning fund balance to reflect the final 2022 ending fund balance;
- Adjustments to incorporate items previously approved by the City Council;
- Appropriate projects funded by grants and contributions;
- Continuation of capital projects; and
- New allocations as necessary.

OTHER ITEMS FOR CONSIDERATION

Collective Bargaining Agreements. The carry forward budget adjustment does not include potential financial impacts to 2024 for the AFSCME contract.

Group	Contract Period	Status
AFCSME	1/1/2022 – 12/31/2023	Expires 12/31/2023
Teamsters	1/1/2022 – 12/31/2025	Current
LPIG	1/1/2023 – 12/31/2027	Current
LPMG	1/1/2023 – 12/31/2025	Current

Fort Steilacoom Park H-Barn Restoration and Renovation Construction. The City will apply for Lodging Tax grant funding for annual debt service payments of \$160,000 in support of \$2.0M construction bonds, 20 year life. The grant application will occur in August 2024 for funds availability in 1st quarter 2025.

PROPOSED BUDGET ADJUSTMENT SUMMARY

Year 2023:

- Increase beginning fund balance by \$25.50M, resulting in a revised estimate of \$64.63M;
- Increases revenues by \$37.72M, resulting in a revised estimate of \$121.07M;
- Increases expenditures by \$60.35, resulting in a revised estimate of \$155.09M; and
- Increases ending fund balance by \$3.70M, resulting in a revised estimate of \$30.61M.

Year 2024:

- Increase beginning fund balance by \$3.70M, resulting in a revised estimate of \$30.61M;
- Increases revenues by \$2.25M, resulting in a revised estimate of \$86.46M;
- Increases expenditures by \$2.06M, resulting in a revised estimate of \$90.39M; and
- Increases ending fund balance by \$3.89M, resulting in a revised estimate of \$26.68M.

The table below provides a breakdown of the proposed budget adjustment (\$ in millions):

Fund Group	Beginning Fund Balance			Revenue			Expenditure			Ending Fund Balance		
	Current Budget	Prop Adj	Proposed Revised Budget	Current Budget	Prop Adj	Proposed Revised Budget	Current Budget	Prop Adj	Proposed Revised Budget	Current Budget	Prop Adj	Proposed Revised Budget
Total Year 2023	\$ 38.30	\$ 25.50	\$ 64.63	\$ 83.35	\$ 37.72	\$ 121.07	\$ 94.73	\$ 60.35	\$ 155.09	\$ 26.91	\$ 3.70	\$ 30.61
General	\$ 15.84	\$ 3.55	\$ 19.39	\$ 43.54	\$ 1.76	\$ 45.29	\$ 48.21	\$ 5.09	\$ 53.29	\$ 11.17	\$ 0.22	\$ 11.39
Special Revenue	\$ 4.25	\$ 0.73	\$ 5.81	\$ 7.11	\$ 11.87	\$ 18.98	\$ 7.10	\$ 14.54	\$ 21.65	\$ 4.25	\$ (1.12)	\$ 3.14
Debt Service	\$ 1.20	\$ 0.16	\$ 1.37	\$ 3.61	\$ -	\$ 3.61	\$ 3.28	\$ 0.11	\$ 3.39	\$ 1.53	\$ 0.05	\$ 1.58
Capital Projects	\$ 6.81	\$ 14.14	\$ 20.95	\$ 15.16	\$ 22.52	\$ 37.68	\$ 21.20	\$ 36.90	\$ 58.10	\$ 0.77	\$ (0.25)	\$ 0.53
Enterprise	\$ 4.39	\$ 6.62	\$ 11.01	\$ 4.73	\$ -	\$ 4.73	\$ 5.73	\$ 1.71	\$ 7.44	\$ 3.39	\$ 4.91	\$ 8.30
Internal Service	\$ 5.80	\$ 0.31	\$ 6.11	\$ 9.20	\$ 1.58	\$ 10.78	\$ 9.21	\$ 2.00	\$ 11.21	\$ 5.79	\$ (0.12)	\$ 5.68
Total Year 2024	\$ 26.91	\$ 3.70	\$ 30.61	\$ 84.20	\$ 2.25	\$ 86.46	\$ 88.33	\$ 2.06	\$ 90.39	\$ 22.79	\$ 3.89	\$ 26.68
General	\$ 11.17	\$ 0.22	\$ 11.39	\$ 44.15	\$ 1.36	\$ 45.50	\$ 47.84	\$ 1.51	\$ 49.35	\$ 7.47	\$ 0.07	\$ 7.54
Special Revenue	\$ 4.25	\$ (1.12)	\$ 3.14	\$ 6.35	\$ 0.26	\$ 6.61	\$ 6.35	\$ 0.16	\$ 6.52	\$ 4.25	\$ (1.02)	\$ 3.23
Debt Service	\$ 1.53	\$ 0.05	\$ 1.58	\$ 3.61	\$ -	\$ 3.61	\$ 3.68	\$ -	\$ 3.68	\$ 1.46	\$ 0.05	\$ 1.51
Capital Projects	\$ 0.77	\$ (0.25)	\$ 0.53	\$ 16.39	\$ 0.19	\$ 16.58	\$ 17.07	\$ (0.07)	\$ 17.00	\$ 0.09	\$ 0.02	\$ 0.11
Enterprise	\$ 3.39	\$ 4.91	\$ 8.30	\$ 4.85	\$ -	\$ 4.85	\$ 4.81	\$ 0.02	\$ 4.83	\$ 3.43	\$ 4.89	\$ 8.32
Internal Service	\$ 5.79	\$ (0.12)	\$ 5.68	\$ 8.86	\$ 0.44	\$ 9.31	\$ 8.57	\$ 0.44	\$ 9.02	\$ 6.08	\$ (0.12)	\$ 5.97

GENERAL FUND ENDING FUND BALANCE

In support of the City's financial integrity, the City Council originally adopted on September 15, 2014, a set of financial policies including fund balance reserves totaling 12% of General/Street O&M Funds operating revenues as follows:

- 2% General Fund Contingency Reserves: The purpose of this reserve is to accommodate unexpected operational changes, legislative impacts, or other economic events affecting the City's operations which could not have been reasonably anticipated at the time the original budget was prepared.
- 5% General Fund Ending Fund Balance Reserves: The purpose of this reserve is to provide financial stability, cash flow for operations and the assurance that the City will be able to respond to revenue shortfalls with fiscal strength.
- 5% Strategic Reserves: The purpose of this reserve is to provide some fiscal means for the City to respond to potential adversities such as public emergencies, natural disasters or similarly major, unanticipated events.

Additionally, on November 15, 2021 the City Council via Ordinance 764 established an Economic Development Opportunity Fund within the General Fund ending fund balance for the purpose of accumulating excess funds from the General Fund and other funds that are eligible to provide funding for economic development opportunity related expenditures. The set aside amount as approved in the 2021/2022 mid-biennium budget adjustment is \$1,000,000 in each year of 2021 and 2022 for a total of \$2,000,000. The City shall appropriate and use the funds as approved by the City Council.

The proposed budget adjustment maintains General Fund ending fund balance reserves, Economic Development Opportunity Fund, and a balanced budget as follows:

General Fund Ending Fund Balance	Proposed Revised Budget	
	2023	2024
2% Contingency Reserves	\$ 907,696	\$ 923,986
5% Ending Fund Balance Reserves	2,269,239	2,309,965
5% Strategic Reserves	2,269,239	2,309,965
Total 12% Ending Fund Balance Reserves	5,446,174	5,543,916
+ Economic Development Opportunity Fund	2,000,000	2,000,000
+ Unreserves/Designated for 2023/2024 Budget	3,941,021	-
Total Ending Fund Balance	\$ 11,387,195	\$ 7,543,916

General Fund Financial Summary	Proposed Revised Budget	
	2023	2024
Operating Revenue	\$ 44,403,360	\$ 45,219,370
operating Expenditures	44,390,769	45,121,263
Operating Income / (Loss)	12,591	98,107
As a % of Operating Expenditures	0.03%	0.22%
Other Financing Sources	888,754	282,550
Other Financing Uses	8,901,949	4,223,936
Beginning Fund Balance	\$ 19,387,798	\$ 11,387,195
Ending Fund Balance	\$ 11,387,195	\$ 7,543,916

PROPOSED BUDGET ADJUSTMENT DETAILS

The narrative below provides detailed information on the proposed budget adjustments. A summarized list is included as an attachment to this memo.

Fund 001 General

REV – Sales Tax,

Increase sales tax revenue estimates by \$1,150,000 in 2023 and \$1,356,000 in 2024, resulting in revised estimates of \$1,315,000 and \$1,349,600, respectively. Prior years actuals were \$11,946,044 in 2020 / \$14,413,902 in 2021 / \$14,471,103 in 2022.

CC – Gimhae Sister City Trip, New/1-Time

Add \$11,900 for Mayor and four Councilmembers to participate in the Gimhae Sister City Trip.

CC – AWC Annual Conference, New/1-Time

Add \$4,800 for three additional attendees. The original adopted budget provides for 2 attendees.

CD – City Tree Fund, Continuation / 1-Time

Carry forward the balance of \$56,496 for projects that meet certain program criteria. The City collects money for its City Tree Fund as payment in lieu of onsite tree replacement for removal of trees in excess of retention requirements, and as mitigation for oak trees removed in conjunction with development projects. The City has an obligation to spend the funds received for planting of trees to include oak trees and activities intended to improve Oregon White Oak Woodland habitat as well as improving the health of current or new tree and natural areas citywide. Since inception, the City has received \$118,240 in City Tree Funds and spent \$61,744 as of December 31, 2022.

CD – Comprehensive Plan Amendment, New/1-Time

Add \$50,000 for comprehensive plan amendments for the Housing Element update.

CD – Lakewood Equity Map, New/1-Time

Add \$30,000 for consultant to assist with developing the City's equity map as part of the 2024 Comprehensive Plan periodic review process.

CD – Economic Development Strategy, Continuation/1-Time

Carry forward \$11,900 for economic development strategy. The City developed a draft economic development strategy in the fall of 2019, but the adoption of this document was placed on hold due to COVID-19 pandemic. The City is now in the process of updating and finalizing this strategy, which will be used to align City and partner expectations regarding the City's economic development vision and efforts. The final document will be posted to the City's website and should communicate the City's ongoing approach to external audiences (both community members and economic development partners), while also serving as an internal management tool to coordinate efforts across City departments. Scope of work includes baseline information gathering, strategy revisions, and document finalization.

CD – Tax Increment Financing Strategy, New/1-Time

Add \$58,500 for consultant services to conduct a Tax Increment Financing (TIF) analysis and to provide an implementation plan within the Downtown Subarea. : The Downtown Planned Action Ordinance, adopted October 2018, requires upwards of \$30 million in infrastructure improvements plus a Downtown park. The area is a Regional Center, as designated by Puget Sound Regional Council, calling for a significant increase in commercial and residential development. The following thresholds of new land uses are contemplated by the Downtown Planned Action: By 2035, to support 2,257 net residential units, and to support 7,369 net jobs. At the time of subarea adoption there were 419 dwelling units, and approximately 5,000 jobs. The TIF for Jobs bill was signed by Governor Jay Inslee in May of 2021. TIF is a powerful public-private partnership tool that allows local governments to encourage private

development in targeted areas by financing public infrastructure and improvements with additional property taxes from increased property values resulting from that public investment and the ensuing, related private investment. A local government may create increment areas and bond against future increases in taxes anticipated due to new development. An established TIF increment area will help the City of Lakewood to fund infrastructure within the Downtown. TIF increment areas require highly technical analysis, carefully planned implementation, and collaboration with private development in order to be successful. Timing is critical in creating increment areas where we know development will occur.

CD – Economic Development Annual Meeting Gold Sponsor, New/1-Time

Add \$6,000 for

CD – Woodworth Industrial Park Community Association Membership Dues, New/Ongoing

Add \$3,300 for the annual maintenance costs of an existing private road for two Tactical Tailor parcels the City purchased. Maintenance costs are part of an underlying maintenance easement which the City agreed to upon purchase.

PK – Lakewood Multicultural Coalition Signature Event, New/Ongoing

Add \$3,000 per year for a signature event.

PK – Sponsorships, New/1-Time

Add sponsorships for various parks programs as follows:

- Amazon \$15,000 (\$10,000 for SummerFest / \$5,000 for Love Lakewood)
- Virginia Mason \$5,000 for Love Lakewood Walk/Yoga
- Lakewood Rotary \$500 for Love Lakewood Walk/Yoga

PK – CHOICE Grant, Grant/1-Time

Carry forward program expenditures of \$330,925 funded by grant revenue from the Washington State Health Care Authority (HCA) CHOICE. The City has been the fiscal agent for the Lakewood's CHOICE program since July 1, 2019. It is a behavioral health initiative that serves parents and youth directly with various programs and curricula in partnership with the school district and local nonprofit organizations. This initiative does high impact work and is a great partner in Lakewood. The contract ends 12/31/2023. Most of the contract pays for the two CHOICE contractors who perform the work, and 8% is set aside to cover a portion of the administrative costs as it relates to the Human Services Coordinator position but does not cover other administrative costs such as finance and accounting.

LG - Opioid Funds, New/1-Time

Carry forward \$84,168 for distributions 1 & 2 received in 2022. The specific uses of the fund is currently under review.

MC – Office of Public Defense Grant, Grant/1-Time

Add \$77,947 for OPD grant received from Washington State Office of Public Defense (\$68,000 for funding period 1/1/2022-12/31/2023 and \$9947 from prior year balance). The funds must be used in accordance with the grant agreement which provides for reimbursement of training costs for public defense service providers, investigator and/or expert services, social worker services to assist public defense attorneys and interpreter services for attorney-client interviews and communications.

PD – Collective Bargaining Implementation, New/Ongoing

- LPIG (Lakewood Police Independent Guild) – Add \$955,478 in 2023 and \$1,000,458 in 2024.
- LPMG (Lakewood Police Management Guild) – Add \$149,787 in 2023 and \$195,043 in 2024.

PD – Tahoma Narcotics Enforcement Team Puyallup (TNET) – Grant/1-Time

Add \$10,675 in carry forward revenue available for drawdown. The current contract runs from 7/1/2022 – 6/30/2023. This is an indirect federal funding from the Department of Justice through the Department of Commerce and the City of Puyallup. These funds pay a portion of regular time and benefits of a dedicated Lakewood Officer to TNET.

PD – Pierce County Sex Offender Residency Verification, Grant/1-Time

Add \$7,871 in carry forward revenue for contract available for draw down. The current contract runs from 7/1/2022 – 6/30/2023. The purpose of this contract is to aid in the verification of all registered sex offenders' places of residence for level I offenders every twelve months, level II offenders every six months, and level III offenders every three months in Pierce County.

PD – FBI Innocence Lost Grant, Continuation/1-Time

Add \$17,622 in carry forward revenue for contract available for drawdown. The current contract runs from 10/1/2022 – 9/30/2023. The grant provides overtime work of two officers with the FBI in targeting the prosecution of organized crime groups responsible for the promotion of prostitution, specifically juvenile prostitution, interstate, or through the use of interstate commerce, drug trafficking, money laundering and alien smuggling.

Internal Service Charges:

See internal services funds for additional information.

Transfers to Parks CIP, New/1-Time

See Parks CIP Fund for additional information.

- \$1,710,877 to 301.0027 American Lake Access Park

Reduce Transfers to Transportation CIP, New/1-Time

See Transportation CIP Fund for additional information.

- Reduce General Fund source \$624,000 and replacing with TBD \$20 VLF funds (delay bond issuance)
- Reduce General Fund source \$91,140 and replacing with TBD \$20 VLF funds (prior year ending fund balance)
- Reduce General Fund source \$99,399 and replacing with REET (prior year ending fund balance)
- Reduce General Fund source \$125,865 and replacing with various transportation CIP project savings

General/Street Fund Subsidy

See Street O&M Fund for additional information.

Fund 101 Streets O&M

Internal Service Charges:

See internal services funds for additional information.

Fund 102 Transportation Benefit District

Transfer to Transportation Capital Improvement Projects, New/1-Time

Defer debt service issuance until end of 2023 and redirect funds to TBD (Transportation Benefit District) eligible projects and free up General Fund as follows:

- \$159,000 to 302.0001 Personnel, Engineering & Professional Services
- \$180,000 to 302.0001 New LED Street Lights
- \$25,000 to 302.0003 Neighborhood Traffic Safety
- \$260,000 to 302.0004 Minor Capital & Major Maintenance

Replace General Fund source with TBD source:

- \$91,140 to 302.0001 Personnel, Engineering & Professional Services

Fund 104 Hotel-Motel Lodging Tax

2023 LTAC Grant Allocation, New/1-Time

Eliminate \$1,125,000 estimated grant awards and replace with actual 2023 grant awards totaling \$904,350 as follows:

- \$15,000 for Asian Pacific Cultural Center

- \$5,000 for Grave Concerns
- \$12,000 for Historic Fort Steilacoom
- \$100,000 for Lakewold Gardens
- \$23,000 for Lakewood Arts Book Festival Association
- \$100,000 for Lakewood Chamber of Commerce Tourism
- \$25,000 for Lakewood Chamber of Commerce Night of Lights
- \$32,500 for Lakewood Historical Society
- \$25,000 for Lakewood Playhouse
- \$115,000 for Travel Tacoma + Mt. Rainier Sports
- \$21,500 for Lakewood Sister Cities Association Gimhae Delegation
- \$9,000 for Lakewood Sister Cities International Festival
- \$60,000 for City of Lakewood Imaging Promotions
- \$57,000 for City of Lakewood Farmers Market
- \$135,000 for City of Lakewood SummerFEST
- \$30,000 for City of Lakewood Summer Concert Series
- \$37,500 for City of Lakewood Saturday Street Festivals on Motor Avenue
- \$101,850 for Clover Park Technical College McGavick Center Debt Service

Fund 105 Property Abatement/Rental Housing Safety Program /1406 Affordable Housing

Property Abatement, Continuation/1-Time

Carry forward \$33,185 in expenditures funded by program balance. The Property Abatement portion of this fund accounts for projects that the City has identified and processed through the abatement program. All revenue and the rightful recovery of those project expenses, along with all revenues from fees, fines, and interest, and other rightful recoveries from those projects are deposited into the program for the purpose of funding additional abatement projects.

Rental Housing Safety Program, Continuation/1-Time

Reduce expenditures by \$40,271 as a result of ending balance shortfall. This program will be evaluated as part of the mid-biennium budget adjustment and may be moved to the General Fund.

1406 Affordable Housing, Continuation/1-Time

Carry forward \$285,185 funded by ending balance.

Fund 106 Public Art

Public Art, Continuation/1-Time

Earmark \$50,588 for a major art project to be determined funded by ending fund balance.

Fund 180 Narcotics Seizure Fund

Narcotic Seizure Balance Available for Eligible Expenditures, New/1-Time

Add \$55,667 in expenditures for eligible uses.

The purpose of this fund is to track assets seized as a result of involvement with the illegal sale, possession, or distribution of drugs or controlled substances, and for the purchase of controlled substances or drugs by law enforcement officers or agents, as well as other expenses to enhance and improve law enforcement activities having a close and demonstrable relationship to enforce enforcement of controlled substances. Funds may not be used to supplant existing funding sources.

Fund 181 Felony Seizure

Felony Seizure Balance Available for Eligible Expenditures, New/1-Time

Add \$23,305 in expenditures for eligible felony seizure related activity.

The purpose of this fund is for tracking assets seized under RCW 10.105.101 and the related expenditures. The state statute authorizes the seizure of assets that have been or was actually employed as an instrumentality in the commission or in the aiding or abetting in the commission of any felony, or which was furnished or was intended to be furnished by any person in the commission of, as a result of, or as a compensation for the commission of, any felony, or which was acquired in whole or in part with the proceeds traceable to the commission of a felony. Funds shall be used exclusively by the City in the expansion and improvement of law enforcement activity; however may not be used to supplant existing funding sources.

Fund 182 Federal Seizure

Federal Seizure, New/1-Time

Add \$703 in expenditures for eligible federal seizure related activity.

The Federal Equity Sharing Guidelines lists the following (funds shall be used to increase or supplement and not be used to replace or supplant):

Permissible Uses: law enforcement investigations; law enforcement training, law enforcement and detention facilities; law enforcement equipment; law enforcement travel and transportation; law enforcement awards and memorials; drug and gang education awareness programs; matching fund for grants; pro rata funding of the law enforcement agency's percentage of costs associated with supporting multi-agency items or facilities; asset accounting and tracking of expenditures of federally shared funds; language assistance services in connection with law enforcement activity; transfers of cash to other law enforcement agencies; support of community-based programs (cash transfers to community-based programs are not permitted); and windfall situations to provide additional support to community-based programs.

Impermissible Uses: Salaries and benefits of permanent law enforcement personnel, except in limited circumstances (i.e. express statutory authorization, overtime of officers and investigators, new positions and temporary or not-to-exceed one year appointments and salary of an officer hired to replace an officer assigned to a task force, specialized programs that generally to not involve traditional law enforcement functions); use of forfeited property by non-law enforcement personnel; payment of education-related costs; uses contrary to the laws of the state or local jurisdiction; non-official government use of shared assets; purchase of food and beverage (except for conference and meals during local operations); extravagant expenditures or wasteful expenditures and entertainment; cash on hand, secondary accounts, and stored value cards (such as prepaid credit cards); transfers to other law enforcement agencies; purchase of items for other law enforcement agencies; costs related to lawsuits; loans; and money laundering operations.

Fund 190 Community Development Block Grant (CDBG) Fund

Fund 190 CDBG is predominantly comprised of U.S. Department of Housing and Urban Development funds for Community Development Block Grant Entitlements (CDBG), HOME program funding through the Lakewood and Tacoma HOME Consortium and Section 108 Loan Guarantees. There is also a grant from the Nisqually Tribe for minor home repairs and West Pierce Fire & Rescue for emergency assistance for displaced residents.

Through the planning and citizen participation process CDBG and HOME spending priorities are set on an annual basis, to be broken out into funding projects for physical improvements, public service (not to exceed 15%), housing, economic development, and administration (not to exceed 20%).

2023 CDBG Funds – Total \$646,422 – Grant/1-Time

- \$248,971 Housing – Major Home Repair
- \$20,000 Housing – Emergency Assistance for Displaced Residents

- \$75,000 Housing – Rebuilding Together South Sound
- \$80,000 Public Service – Emergency Payments Program
- \$108,493 Administration
- \$3,958 Housing Major Home Repair – Reprogrammed CDBG
- \$100,000 Housing Major Home Repair – Program Income

CDBG CARES (Coronavirus Aid, Relief, and Economic Security Act) – CV2 (Round 2) Grant/1-Time

Carry forward of \$81,948 for LASA program through the Washington State Department of Commerce.

CDBG – Restricted Funds, Grant/1-Time

Earmark \$1,863,733 restricted funds for future loan programs. The required accounting does not recognize revenues or expenditures since these are revolving funds.

Fund 191 Neighborhood Stabilization Program

NSP1 (Neighborhood Stabilization Program 1), Continuation/1-Time

Add \$275,000 for abatements funded by program income.

NSP3 (Neighborhood Stabilization Program 3), Continuation/1-Time

Carry forward \$14,148 funded by project balance.

Fund 192 South Sound Military Communities Partnership

Interfund Loan Repayment, Continuation/Ongoing

Add Tactical Tailor Lease Revenue \$442,800 to pay back General Fund interfund loan \$405,878 and earmark funds for future NCZ (North Clear Zone) property purchases \$36,922.

Fund 195 Public Safety Grants

Emergency Management Planning, Grant/1-Time

Carry forward \$33,384 for remaining balance for grant period of 6/1/2022-6/30/2023. The grant pays the partial salary and benefits of an emergency management coordinator in cooperation with West Pierce Fire and Rescue and the City of University Place. This grant requires a match which is already budgeted in the General Fund Emergency Management budget in addition to in-kind Assistant Police Chief personnel cost and balance of coordinator's salary.

Washington State Parks Recreational Boating Safety, Grant/1-Time

Add \$12,906 for grant period 3/1/2023 – 9/30/2023. This grant provides funding for officer overtime for emphasis patrol, vessel safety inspections, and educational boater safety related activities. This grant has in-kind (such as personnel, maintenance of boats, fuel, trailers, boat house) matching requirements of \$3,226. The match is the annual vessel registration fee.

JAG Ballistic Helmet & Rifle Plates, Grant/1-Time

Add \$42,486 for grant starting 10/1/2021 and expires 9/30/2025. This grant provides funding to purchase ballistic helmets and rifle plates.

Pierce County Sheriff's STOP Grant 2023, Grant/1-Time

Add \$5,000 for grant period 3/1/2023 – 9/30/2023. This grant provides funding for training of law enforcement officers to more effectively identify and respond to violent crimes against women.

Washington Traffic Safety Commission – Motorcycle/Seatbelts/Distracted Driving, Grant/1-Time

Add \$5,000 for grant period 10/1/2022 – 9/30/2023. This grant provides funding for overtime and related benefits for law enforcement personnel to participate in scheduled multijurisdictional seatbelt, motorcycle, and distracted driving focused patrol.

Washington Traffic Safety Commission – Impaired Driving Emphasis, Grant/1-Time

Add a total of \$14,045 for WTSC Impaired Driving Emphasis grant (10/1/2022-09/30/2023). The grant provides funding for overtime wages and related benefits for law enforcement personnel to participate in scheduled local and multi-jurisdictional DUI, distracted, speeding, and safety patrols.

Fund 196 American Rescue Plan Act (ARPA)

ARPA Programs, Grant/1-Time

Carry forward \$11,945,992 for ARPA programs funded by grant balance \$10,419,705 and earmark program income of \$700,000 and interest earnings \$126,287. The specific projects will be itemized as part of the Q1 2023 quarterly financial report and will also City Council approval date.

Fund 301 Parks Capital

301.0003 Harry Todd Park Phase 1 & 2, Continuation/1-Time

Carry forward \$197,801 in project expenditures funded by project balance.

This budget adjustment results in a life-to-date 2024 cost estimate of \$3,596,435 funded by:

- \$1,080,000 RCO Grant
- \$1,126,718 ALEA Grant
- \$10,000 Contributions/Donations
- \$404,474 Sale of Lakeland Property
- \$107,129 General Fund
- \$618,114 REET
- \$200,000 LTAC
- \$50,000 SWM
- \$3,596,435 Total Sources**

The Tillicum Neighborhood is both economically and geographically challenged. Harry Todd Park is the only public open space in this neighborhood area. The waterfront area is not ADA accessible. The docks are in a state of disrepair and sections have been removed for safety. This project will complete phase one and two of the Harry Todd waterfront restoration master plan. Improvements include ADA pathways and new access to docks, bulkhead replacement, shoreline and open space restoration, playground, restroom, fishing pier and site amenities. This project was identified as a high priority project in the Legacy Plan and in the 6 year CIP. Grant funds from RCO will offset construction costs.

301.0005 Chambers Creek Trail, Continuation/1-Time

Carry forward \$660,860 in project expenditures funded by project balance of \$560,860 and transfer in from SWM of \$100,000 for storm related elements of the project. In 2019 Lakewood, Pierce County and University place entered into an interlocal agreement for the purpose of designing and constructing the Chambers Creek Trail along with bridges and one boardwalk. Bridge #1 construction was completed in late 2021 and opened approximately one mile of trail to users. Phase 2 will build approximately 3.5 miles of trail in the Canyon and will include two more bridges and the associated boardwalks.

<u>Sources/Project Costs</u>	<u>Phase I – Bridge</u>	<u>Phase 2 - Trail</u>
City of Lakewood	\$179,451	\$657,659
City of University Place	\$179,451	\$657,659
Pierce County	\$179,451	\$657,659
RCO Grant	\$150,000	\$709,000
Total	\$688,353	\$2,681,977

This budget adjustment results in a life-to-date 2024 cost estimate of \$837,110 funded by:

\$591,701 General Fund
\$100,000 REET
\$20,409 Paths & Trails
\$125,000 SWM
\$837,110 Total Sources

301.0006 Gateways, Continuation/1-Time

Carry forward \$81,170 in project expenditures funded by project balance. Funds will be used to construct new gateways. The cost of a gateway is estimated at \$75,000 and is based on standards costs and does not take into consideration of potential unknowns.

301.0014 Fort Steilacoom Park/South Angle Lane, Continuation/1-Time

Carry forward \$46,657 in project expenditures funded by project balance.

This budget adjustments results in a life-to-date through 2024 cost estimate of \$1,525,827 funded by:

\$500,000 WWRP Grant
\$24,763 Contributions/Donations
\$350,000 General Fund
\$390,130 REET
\$209,870 LTAC
\$51,064 Project Savings from North Angle Lane Improvements
\$1,525,827 Total Sources

Fort Steilacoom Park is the most popular park in our system. Access off Elwood and Angle Lane is limited and has created issues regarding illegal parking and unauthorized access into the park. These issues create negative neighborhood impacts, safety issues when people pull in and back out at various angles. Parking lot improvements on park land adjacent to Angle Lane could provide another way to support use of the park and provide neighborhood and safe pedestrian access at the south end of the park. Temporary use of this area occurred while roadway was built and was well received by visitors. Improvements included trail heads, signage a new parking area on the south side of the park and a new restroom near the dog park and Waughop Lake trail parking lot.

301.0016 Park Equipment Replacement – Annual Program, Continuation/1-Time

Carry forward \$42,863 in project expenditures funded by project balance and increasing the total amount available in 2023 to \$62,863. The amount available in 2024 remains unchanged at \$171,000. Upon incorporation the City started rehabilitating park sites. This included adding concrete picnic tables and benches to address excessive use and vandalism. The City also inherited metal framed wooden picnic tables from Pierce County. Equipment replacement is needed at all of the parks. The current standard for tables and benches is a heavy gauge metal mesh with thermoplastic coating. This protective coating creates a smooth surface that stays cool to the touch even in the sun, resists fading, mold and vandalism, and will ensure durability through years of high traffic usage. This annual replacement program (current 6-year CIP plan includes \$20,000 cost per year) would enable the City to replace up to 20 tables each year unless funded are needed for park equipment replacement. Equipment replacement may include: drinking fountains, benches, damaged playground elements and other site amenities as they wear out, are vandalized or need replacement. The City is able to offset the cost and/or expand this program by allowing visitors to purchase memorable tables and benches at the park. Specific projects to be determined based on park need and equipment replacement schedules.

301.0017 Park Playground Resurfacing – Annual Program, Continuation/1-Time

Carry forward \$10,294 in project expenditures funded by project balance and increasing the total amount available in 2023 to \$25,294. The amount available in 2024 remains unchanged at \$15,000. This annual program includes \$10,000 per year cost per the current 6-year CIP plan. Playgrounds at all City parks are used year round. The engineered wood chips below the structure gets compressed, worn down and migrates to the edges of the park. Replacement is needed to keep the areas safe and to meet national playground and risk management safety standards. Besides wood chips, mats and other surfacing materials are purchased to support areas under swings, slides and entry ramps. The \$10,000 per year allows for purchases of approximately 200 cubic yards each year to update all city parks. Traditionally, the City purchases large quantities in advance of Parks Appreciation Day and Make a Difference Day and utilizes volunteers to move and spread the material.

301.0019 Edgewater Dock, Continuation/1-Time

Add \$51,556 in project expenditures funded by project balance. The City will submit for an RCO grant for the next round in 2023. The additional funds will be used for engineering, traffic study, design, and cost estimating in advance of the grant application.

This budget adjustment results in a life-to-date through 2024 cost estimate of \$175,000 funded by:

\$50,000 REET
\$125,000 General Fund
\$175,000 Total Sources

301.0020 Wards Lake Improvements, Continuation & New/1-Time

Carry forward/add \$3,671,648 (includes \$1,436,912 new) in project expenditures funded by project balance \$328,459, MVET Paths & Trails \$23,575, WWRP grant \$500,000, Land & Water Conservation Fund \$1,000,000, YAF Grant \$350,000, REET \$900,206, and transfer in from SWM \$56,277 for storm drainage element of the project. Add \$20,200 from General Fund to cover loss of Pierce County Conservation Futures.

This budget adjustments results in a life-to-date through 2024 cost estimate of \$5,982,068 funded by:

- \$7,315 Grant - Pierce County Conservation Futures
- \$1,850,000 Funds Anticipated
- \$500,000 Grant - WWRP
- \$1,000,000 Grant- LWCF (Land & Water Conservation Fund)
- \$350,000 Grant - YAF (Youth Athletic Fields)
- \$252,840 Grant – DOC (Department of Commerce)
- \$237,500 General Fund
- \$1,660,837 REET
- \$100,000 SWM
- \$23,575 MVET for Paths & Trails
- \$5,982,068 Total Sources**

The City received a grant in 2020 to purchase two parcels of land near Wards Lake Park. One of the parcels was purchased in 2020. The other parcel has been extremely complicated due to having to define and divide portions of three parcels to create one, amend a binding site plan and address title issues. A reimbursement of \$7,315 was received to reimburse for 2020 appraisal costs. If the purchase were to be completed, the City anticipated receiving \$27,500 in 2022 to offset 50% of the land costs. Due to complications regarding the binding site plan, multiple parties and legal issues delayed the purchase, the City will not receive the remaining Pierce County Conservation Futures since the funding period ended.

Wards Lake Park is located in the Northeast neighborhood area of Lakewood. Since incorporation, the City has utilized a variety of funding sources (approx. \$2 million) to purchase several parcels of contiguous land to make up the Wards Lake Park property. At over 26 acres, Wards Lake is an amazing natural area in a densely populated area. This project would start to implement elements of the master plan approved in 2010. Improvements would include removing aquatic vegetation affecting the storm water pond, demolition and removal of the vacated duplex near the 25th Ave South entry and park development accessible from 88th street south. Development would include pathways to connect to current trail system, enhanced open space areas, picnic shelter, tables and benches and access to a fishing dock (already on site). The City will work with the neighborhood to discuss improvements and impacts. We will also work with adjacent property owners to purchase land or obtain easements to create a loop trail around Wards Lake which would provide more pedestrian access and also allow City to more easily access and clean up area(s) when dumping or encampments are created.

301.0022 Banners & Brackets, Continuation/1-Time

Carry forward \$7,858 in project expenditures funded by project balance. This budget adjustments results in a life-to-date through 2024 cost estimate of \$50,000 funded by the General Fund. The majority of work on this project occurred prior to the COVID-19 pandemic when old banners and brackets were replaced and integrated with the current banner program to identify and beautify areas. The remaining funds will be used for brackets, equipment and materials needed to support hanging baskets and planters primarily in the Motor Avenue area. Since the area was not being used regularly the City waited to reduce wear and tear and potential for vandalism.

301.0027 American Lake Improvements, Continuation & New/1-Time

Carry forward/add \$2,142,400 funded (includes new \$1,782,452) project expenditures funded by project balance \$982,341, WWRP Grant \$433,006, ALEA Grant \$500,000, Department of Commerce Grant from state legislative ask \$227,053, General Fund \$1,710,877 and REET \$71,575.

This budget adjustments results in a life-to-date through 2024 cost estimate of \$4,193,792 funded by:

\$500,000 Grant - WWRP

\$500,000 Grant - ALEA

\$252,840 Grant - DOC (Department of Commerce)

\$35,000 Pierce County

\$3,500 Donations/Contributions

\$2,330,887 General Fund

\$571,575 REET

\$4,193,792 Total Sources

American Lake park is a 5 ½ acre park with upland play spaces and viewing areas, 450 feet of fresh water shoreline and also includes a boat launch. This project will expand and improve 3 acres of the 5 acre site. By completing this project, American Lake Park will continue to be an important community asset providing a place where visitors can play, exercise, gather and enjoy the outdoors. Improvements will include ADA access to the waterfront, a new restroom building, group picnic shelter, viewpoint upgrades, and new entry sign.

301.0028 Oakbrook Park Improvements, Continuation/1-Time

Carry forward \$50,000 in project expenditures funded by project balance.

This budget adjustments results in a life-to-date through 2024 cost estimate of \$200,000 funded by:

\$37,000 Grant - Pierce County

\$100,000 General Fund

\$63,000 REET

\$200,000 Total Sources

Oakbrook Park is located in the NW neighborhood of Lakewood. In 2022 (\$50,000) funds were provided to make improvements at this site. After meeting with neighborhood groups, additional resources totaling \$100,000 is needed to complete the anticipated improvements which include: picnic shelter, perimeter walking path, site furnishings, vegetation removal, landscaping, fencing and sport court.

301.0031 Fort Steilacoom Parks Turf Infields, Continuation/1-Time

Carry forward \$5,883,203 in project expenditures funded by project balance \$264,487 and grants totaling \$5,618,716. Pierce College increased their financial contribution from \$1,600,000 to \$4,472,339, an increase of \$2,872,339. In addition to paying for their share of infield turf, Pierce College will install outfield turf, add ballfield lighting for field #3 that they would use along with all the necessary electrical upgrades and some other proposed improvements such as dugouts, press box, and batting facility.

This budget adjustment results in a life-to-date through 2024 cost estimate of \$6,082,339 funded by:

\$4,472,339 Grant - State Community College Pierce

\$350,000 Grant – YAF (Youth Athletic Fields)

\$994,700 Grant – DOC (Department of Commerce)

\$15,300 General Fund

\$250,000 REET

\$6,082,339 Total Sources

The City has made major improvements at Fort Steilacoom Park to support youth sports in recent years. This project would continue in that tradition. The baseball fields at Fort Steilacoom Park serve youth throughout Pierce, Thurston and South King Counties, and are also home to the Lakewood Baseball Club. Often baseball tournament organizers select tournament locations where they are assured a full day or weekend of play. Replacing these dirt infields with synthetic turf material would make Fort Steilacoom Park a more desirable location for large tournaments. Fields could be used year round in all types of weather. This improvement would also save the City 60% on annual ballfield maintenance costs. By leaving the grass outfields, the City would retain an old fashioned baseball tradition and feel of playing on the grass. With an increase in ballgames, these fields could provide local economic increases for businesses, restaurants, and hotels in and around Lakewood. This project also includes the development of a home field for Pierce College baseball program.

301.0032 Springbrook Park Expansion Phase V, Continuation/1-Time

Carry forward \$1,409,945 in project expenditures funded by project balance \$739,481, various project savings \$77,659 and Department of Commerce grant \$592,805. The total project cost includes legal fees associated with the Louwien property and removal of the house.

This budget adjustment results in a life-to-date through 2024 cost estimate of \$1,875,916 funded by:

\$757,540 Department of Commerce Grant

\$19,000 Tacoma Pierce County Health Department Grant

\$900,100 General Fund

\$121,616 Springbrook Park Acquisition Phase III Project Savings

\$77,659 Various CIP Project Savings

\$1,875,916 Total Sources

This project continues City efforts to improve the quality of life for residents in the Springbrook neighborhood. This project would help us restore the ecosystem along approximately 660 linear feet of shoreline, improve water quality, and create a healthy place for Springbrook residents. Restoration efforts will improve the biodiversity of native and aquatic plants and improve water quality within this important salmon bearing riparian area. Other improvements could include walking paths, viewpoints, picnic and open space areas on park property and SWM property across the bridge. The project was delayed for 12 months due to permitting issues.

301.0034 Park Sign Replacement/Monument Signs, Continuation/1-Time

Carry forward \$209,104 in project expenditures funded by project balance.

This budget adjustment results in a life-to-date through 2024 cost estimate of \$330,000 funded by:

\$120,000 General Fund

\$210,000 REET

\$330,000 Total Sources

301.0037 Seeley Lake Improvement Project, Continuation/1-Time

Carry forward \$81,399 in project expenditures funded by project balance \$31,399 and transfer in from SWM \$50,000 for the storm drainage element of the project. Pierce County will be contributing approximately \$100,000 in additional funding directly to project and site improvements to include parking area, trail access, bidding and construction management.

This budget adjustment results in a life-to-date through 2024 cost estimate of \$175,000 funded by:

\$100,000 Pierce County Grant

\$25,000 General Fund (new)

\$50,000 SWM

\$175,000 Total Sources

301.0038 Playground Replacement – Annual Program, Continuation/1-Time

Carry forward \$55,000 in project expenditures funded by project balance and increasing the total amount available in 2023 to \$165,000. The amount available in 2024 remains unchanged at \$125,000.

Playgrounds are an important amenity in city parks, especially neighborhood parks. Playgrounds are regularly inspected and repaired as needed. The life span of a playground is influenced by use, materials and environment but can typically last between 15-20 years.

301.0041 Parks Sign Replacement (Design), Continuation/1-Time

Carry forward \$16,416 project balance and add new \$42,930 from various parks CIP savings, interest, miscellaneous, etc. While reviewing park entry sign design options, the City Council requested expansion of the program to include a review of signs city-wide to ensure they are cohesive uniform. Outside support and skills are needed to provide review, design services and project management.

This budget adjustment results in a life-to-date through 2024 cost estimate of \$62,930 funded by:

\$20,000 General Fund

\$42,930 Various CIP Project Savings

\$62,930 Total Sources

Council authorized \$20,000 in the 2022 budget for design services to support a park sign replacement program for 11 different park sites. The City created a stakeholders group to support the project. During the first stakeholders meeting it became apparent there were several concurrent projects and community needs that could be coordinated to make best use of the stakeholder team and the hired consultants. Examples include electronic reader boards, park and pedestrian and vehicle wayfinding. The expanded scope of work will focus on park wayfinding to include the Ft. Steilacoom park main entry, and communications and electronic reader boards.

301.0042 Downtown Park Schematic Design & Planning, Continuation/1-Time

Carry forward \$100,000 for schematic design and planning. The City's Legacy Plan regarding Parks Capital Facility Plan (PCFP) consists of the top ranked projects. Two PCFPs are provided to account for the development of two different downtown parks: 1) a 2-acre park and 2) a 4-acre park. Funds will be used to explore the options, including schematic design and planning.

This budget adjustment results in a life-to-date through 2024 cost estimate of \$100,000 funded by:

\$100,000 General Fund

\$100,000 Total Sources

301.0045 Motor Avenue Uplighting & Gary Oaks, New/1-Time

Add \$27,458 funded by various CIP project saving, interest, etc. The City's downtown sub area plan identifies improvements to road corridors for vehicular and pedestrian functioning and safety. General streetscape improvements such as street lighting, landscaping and signage contribute to increase use and the overall public experience. These funds will be used to design, install and add up lighting and landscaping improvements near the Garry oak trees adjacent to the new public art installation and colonial plaza festival street improvements on Motor Avenue.

This budget adjustment results in a life-to-date through 2024 cost estimate of \$98,329 funded by:

\$15,000 General Fund

\$83,329 Various CIP Project Savings

\$98,329 Total Sources

Uplighting of the oak trees on the city property near the old QFC project was complete in 2022. However, additional work is needed to landscape the area, install water meter and plantings. This will be done in the spring. Costs for lights/meters was \$54,000 with the remainder to be used for landscaping (install water service/meter, update irrigation and landscaping supplies. The City will do the work. The infrastructure (water and power meters / systems) put in now may support future events, restroom building or community park.

301.0048 Nisqually Partnership Project, Continuation/1-Time

Add \$50,000 to increase the state legislative ask to \$300,000 for a total project cost of \$300,000.

The City, in partnership with the Nisqually Indian Tribe, is expected to receive \$250,000 from the state legislature to fully fund art and signage improvements at Fort Steilacoom Park related to the history and culture of the Nisqually Indian Tribe. The City of Lakewood and the Nisqually Indian Tribe are engaged in a collaborative partnership to develop interpretive installations on public lands within the City featuring the unique culture and history of the Nisqually Indian Tribe. The City and Nisqually Indian Tribe's partnership pilot project at Ft. Steilacoom Park intends to add signage, art, and interpretive information throughout the park that will provide an introduction to the Nisqually people and will include Lushootseed language. The installations incorporate information regarding Chief Leschi's legacy. Cultural interpretive markers will be installed along the 1.7 mile Nisqually Loop Trail. The plaza area will include a new kiosk sign with historic territory map, land acknowledgement statement and introduction to Nisqually tribe along with new benches that include tribal artwork. The Nisqually loop trail will include 6-8 interpretive markers featuring seasonal tribal cultural practices and/or highlighting flora and fauna endemic to the park with Lushootseed language along the trail. The Chief Leschi Trailhead will include kiosk signage and a significant sculptural art installation at newly established park entrance honoring the past and present legacy of the tribe and Chief Leschi.

Fund 302 Transportation Capital

302.0000 Earmark Traffic Mitigation LTD 2022 Balance, Continuation/1-Time

Life-to-date through December 2022 traffic mitigation fees received total \$103,505. Plan for the use of these moneys is to first to construct a new traffic signal at Avondale and Gravelly Lake Drive to include signal coordination along the Gravelly Lake Drive Corridor. The estimated cost for a new traffic signal in 2020 dollars is roughly \$700,000 and is anticipated to be covered 50% by traffic mitigation funds matched by 50% City funds. The carry forward budget adjustment includes earmarking \$103,505 of life-to-date 2022 funds for this purposes.

302.0001 Personnel, Engineering, Professional Services, Continuation/1-Time

Carry forward project expenditures of \$114,824 funded by project balance resulting in a 2023 budget of \$761,824. This project accounts for Public Works Engineering time for grant writing, feasibility studies, street capital program management, federal funding reporting requirements, and professional services. The professional services include traffic engineering studies, professional land surveyor research and exhibits, geotechnical and structural engineering, and comprehensive planning. The 2024 budget remains unchanged at \$679,000.

302.0002 New LED Street Light, Continuation/1-Time

Carry forward project expenditures of \$285,529 funded by project balance. This budget adjustments results in a 2023 budget of \$465,529. The 2024 budget remains unchanged at \$180,000.

302.0003 Safety: Neighborhood Traffic Safety/Traffic Calming, Continuation/1-Time

Carry forward \$34,990 in project expenditures funded by project balance. This budget adjustment results in a 2023 budget of \$59,990. The 2024 budget remains unchanged at \$25,000.

302.0004 Minor Capital & Major Maintenance, Continuation/1-Time

Carry forward \$112,849 in project expenditures funded by project balance. This budget adjustment results in a 2023 budget of \$372,849. The 2024 budget remains unchanged at \$260,000

302.0005 Chip Seal Program – Local Access Roads, Continuation/1-Time

Carry forward \$198,764 in project expenditures funded by project balance. This budget adjustment results in a 2023 budget of \$558,764. The 2024 budget remains unchanged at \$360,000.

302.0024 Streets: Steilacoom Blvd – Farwest to Phillips Road (ROW Only), Continuation/1-Time

Carry forward \$718,037 in project expenditures funded by project fund balance \$523,002 and Federal WSDOT \$195,035.

This budget adjustment results in a life-to-date through 2022 cost estimate of \$2,038,388 funded by:

\$1,101,883 Federal WSDOT Grant

\$134,052 Other/Town of Steilacoom

\$163,190 General Fund

\$526,300 REET

\$15,964 SWM

\$97,000 Unallocated CIP (from various project savings, interest earnings, miscellaneous revenue)

\$2,038,388 Total Sources

302.0074 Streets: South Tacoma Way – 88th to 80th Street, Continuation/1-Time

Carry forward \$413,506 in expenditures funded by project balance \$128,692 and Federal Highway Administration (FHWA) grant balance \$284,814.

This budget adjustment results in a life-to-date through 2024 cost estimate of \$4,618,935 funded by:

- \$389,250 Grant - FHWA
- \$6,685 Contributions
- \$2,500,000 Funds Anticipated – Congressional Direct Spending
- \$1,723,000 REET
- \$4,618,934 Total Sources**

302.0083 Hipkins Road SW from Steilacoom Blvd to 104th St SW Continuation/1-Time

Carry forward \$313,050 funded by project balance \$1,043,000 and transfer in from SWM \$190,000 for storm drainage element of project. SWM contribution increased by \$153,500 resulting in a decrease in the amount of REET source needed, which will be transferred back to REET fund.

This budget adjustment results in a life-to-date through 2024 cost estimate of \$3,640,000 funded by:

- \$1,422,000 GO Bonds Funded by TBD \$20 VLF
- \$1,337,000 REET
- \$364,000 TBD \$20 VLF
- \$517,000 SWM
- \$3,640,000 Total Sources**

302.0096 Union Avenue, Berkley to Thorne Lane, Continuation & New

Carry forward \$1,065,000 funded by project balance \$65,000, new TIB Grant \$500,000, new allocation from REET \$452,000 for grant match and new fee-in-lieu from Manic Meatballs \$48,000 for grant match. The funds from Manic Meatballs is for construction of curb, gutter, sidewalks, driveways for 175 feet of street frontage as part of the development permit requirements.

The budget adjustment results in a life-to-date through 2024 cost estimate of \$1,065,000 funded by:

- \$500,000 Grant - TIB
- \$452,000 REET (Grant Match Match)
- \$48,000 Fee-in Lieu Manic Meatballs (Grant Match)
- \$65,000 General Fund
- \$1,065,000 Total Sources**

302.0098 Pine Street Sidewalk & Pedestrian Crossing, New/1-Time

Carry forward \$172,716 funded by project balance \$86,000 and WSDOT Grant \$86,716. The project scope includes installing a full traffic signal at 84th & Pine along with sidewalks on Pine Street 200' north along with street lighting. Additional elements include pedestrian lighting at crossings, crosswalks, ADA curb ramp retrofits, bike lanes on Pine Street, lighting, and removal of some on-street parking.

The budget adjustment results in a life-to-date through 2024 cost estimate of \$1,080,330 funded by:

- \$883,000 Grant - WSDOT
- \$86,000 REET
- \$111,330 SWM
- 1,080,330 Total Sources**

302.0114 112th St SW – Clover Park High School Sidewalk – Gravelly Lake Drive to Highland, Continuation/1-Time

Carry forward \$54,679 funded by project balance. Project scope includes pedestrian lighting at crossings, school speed zone flashing beacons and signage re-installed, ADA curb ramp retrofits, sidewalk with curb, pedestrian-scale lighting, and bike lane on one side of the road.

The budget adjustment results in a life-to-date through 2022 cost estimate of \$743,130 funded by:

\$656,000 WSDOT Safe Routes to Schools

\$87,130 REET

\$743,130 Total Sources

302.0116 Custer Road from Bridgeport Way to 75th Street - Continuation/1-Time

Carry forward \$65,000 funded by project balance for design to position the City for pursuing grant funding for completion of design and construction. Design will include the option of adding a middle turn lane to aid access to the many businesses along this corridor. This would require a number of rights of way (ROW) acquisition. This project will consist of public outreach on the design, roadway surface improvements, curb, gutter, sidewalks, street lighting, drainage, and identification of any ROW acquisition needs.

This budget adjustment results in a life-to-date 2024 cost estimate of \$65,000 funded by:

\$65,000 General Fund

\$65,000 Total Sources

302.0131 Overlay & Sidewalk Fill-In: Custer Rd - John Dower to 500' West of Bridgeport Way, Continuation/1-Time

Carry forward \$1,535,303 funded by project balance \$11,303, WSDOT grant \$1,382,000 and transfer in from SWM \$142,000 for storm drainage element of project and remove grants anticipated of \$125,000 in 2024. This project costs of two phases of work. Phase 1 constructs improvements to the existing signal at John Dower and Custer Boulevard with left turn pockets and includes curb/gutter and sidewalks on the north side of Custer from the intersection to the existing sidewalk approximately 500' west of Bridgeport Way. Phase 2 is under design and will identify ROW needs and will be used in pursuit of additional funding as opportunities arise.

This budget adjustment results in a life-to-date through 2024 cost estimate of \$1,762,000 funded by:

\$1,420,000 Grant – WSDOT (Phase 1)

\$75,000 General Fund (Phase 2)

\$142,000 SWM

\$1,637,000 Total Sources

302.0133 Streets & Sidewalks: Steilacoom Blvd (Farwest to Weller) ROW, Continuation/1-Time

Carry forward \$935,000 in project expenditures funded by project balance \$165,000 and PSRC grant \$935,000. This project is the ROW acquisition and construction to add sidewalks and bike lanes from 87th Ave SW to Weller Rd. Improvements would include Curb, gutter, sidewalks, sharrows, turn lanes, street lighting, drainage, and overlay.

This budget adjustment results in a life-to-date through 2024 cost estimate of \$6,130,000 funded by:

\$935,000 Grant – PSRC (ROW)

\$1,500,000 Grant – PRSC (Construction)

\$442,680 Grant – TIB (Construction)

\$2,301,800 Grant - Safety (Construction)

\$950,520 REET

\$6,130,000 Total Sources

302.0135 JBLM North Access, Continuation & New/1-Time

Carry forward \$6,249,607 in project expenditures funded by project balance \$4,439,930, developer contributions including Lakewood Water District \$845,829, TIB Grant \$605,999 transfer in from SWM \$357,849 for storm drainage related element of the project. The improvements paid by Lakewood Water District will be owned by the District.

The budget adjustment results in a life-to-date through 2024 budget of \$22,245,580 as follows:

Sources:

\$ 5,484,970 GO Bonds
\$ 6,698,002 TIB Grant
\$ 252,860 General Fund
\$ 2,352,638 REET
\$ 195,000 TBD \$20 VLF
\$ 150,126 Developer Fees
\$ 4,311,914 SWM
\$19,445,510 Subtotal City
\$ 2,800,070 Lakewood Water District
\$22,245,580 Total Project

Uses:

\$ 2,176,000 Preliminary Engineering
\$ 122,710 ROW Acquisition
\$ 6,775,000 Phase 1 Construction & 5% Contingency
\$ 389,500 Construction Management Phase I
\$ 9,582,300 Phase 2 Construction & 5% Contingency
\$ 400,000 Construction Management Phase 2
\$19,445,510 Subtotal – City
\$ 2,800,070 Lakewood Water District
\$22,245,580 Total Project

Through this project, the City will reconstruct the roadway along Washington Boulevard between Interlaaken Drive and Edgewood Avenue, along Edgewood Avenue between Washington Boulevard and North Gate Road, along North Gate Road between Edgewood Avenue between North Gate Road and Nottingham Road, and along Vernon Avenue between Washington Boulevard and Veterans Drive. Improvements include reconstructed pavement, storm drainage, water main, street lighting, curb, sidewalk and landscaping. All water main work will be covered by the Interlocal agreement with the Lakewood Water District currently in place. It is anticipated that construction will be completed in March, 2024. This second phase of the JBLM North Access Improvement Project will complete a vision for the corridor from JBLM North Gate to I-5 the City has been working towards since 2020.

302.0136 100th St SW from Lakeview Drive to South Tacoma Way, inclusive of 40th, Continuation/1-Time

Carry forward \$583,381 funded by project balance \$50,831 funded by new PSRC Grant \$413,230 and new REET \$119,770 for grant match. The grant covers design of 100th Street: Lakeview to South Tacoma Way.

The budget adjustment results in a life-to-date through 2024 cost estimate of \$633,000 funded by:

\$413,230 PSRC Grant
\$100,000 General Fund
\$119,770 REET
\$633,000 Total Sources

302.0137 Streets: Steilacoom Boulevard/88th (Weller to Custer Road), Continuation/1-Time

Carry forward \$2,131,875 in project expenditures funded by project balance \$1,962,175, Federal WSDOT grant \$111,690 and transfer in from SWM \$58,010 for storm drainage element of project. The accounting below includes other projects that were merged with this project.

The budget adjustment results in a life-to-date through 2022 cost estimate of \$5,351,431 funded by:

\$1,197,000 Federal WSDOT Grant
\$2,981,730 General Obligation Bonds
\$75,000 General Fund
\$405,194 REET
\$461,506 Transportation Benefit District
\$231,000 SWM
\$5,351,431 Total Sources

302.0142 Ardmore/Whitman/93rd, Continuation/1-Time

Carry forward \$213,881 in project expenditures funded by project balance \$179,381 and transfer in from SWM \$34,500 for storm drainage element of project. The intent of this project is to complete Ardmore/Whitman/93rd Streets with curb, gutter, and sidewalks and a new driving surface where appropriate. This will connect the Steilacoom Boulevard corridor to the new Colonial Plaza and Towne Center shopping complex. This will improve pedestrian and non-motorized access through the corridor and improve the ride quality for the motoring public that utilize this road. The reconstruction of this roadway will be accomplished by bringing the infrastructure up to current standards by completing the street lighting system along the corridor, curb, gutter and sidewalks, pavement milling of the existing roadway and an overlay to improve mobility and ride quality.

Existing traffic signals will be upgraded with cameras for vehicle detection, and improved storm drain facilities will be installed.

The budget adjustment results in a life-to-date through 2024 cost estimate of \$3,375,000 funded by:

\$1,683,500 REET

\$1,354,000 General Obligation Bonds

\$337,500 SWM

\$3,375,000 Total Sources

302.0144 146th St. SW: Murray Rd. SW to Woodbrook Dr. SW, Continuation/1-Time

Carry forward \$41,036 in project expenditures and return of REET source not needed \$77,584 funded by project balance \$69,540 and transfer in from SWM \$49,080.

This budget adjustment results in a life-to-date through 2024 cost estimate of \$128,504 funded by:

\$40,584 Port of Tacoma

\$9,416 REET

\$50,000 SWM

\$100,000 Total Sources

302.0151 South Tacoma Way Between 96th St South & Steilacoom Boulevard, Continuation/1-Time

Reduce expenditures by \$133,000 and reduce REET source by \$251,000. The purpose of this project is to reconstruct the wearing course of asphalt along South Tacoma Way between 96th Street SW and Steilacoom Boulevard. Improvements also include pavement repair, grinding, two-inch overlay, channelization, upgrading sidewalk ramps to conform to ADA, and signage.

This budget adjustment results in a life-to-date through 2024 cost estimate of \$868,000 funded by:

\$750,000 PSRC Grant

\$118,000 REET

\$868,000 Total Sources

302.0156 Angle Lane/Elwood Sidewalks and Pedestrian Pathway – Continuation & New/1-Time

Add \$1,871,482 (includes \$941,241 new) in project expenditures funded by Complete Streets grant \$713,055, transfer in from General Fund \$549,000, transfer in from REET Fund \$316,241 and transfer in from SWM \$214,186 for storm drainage element of project.

This budget adjustment results in a life-to-date through 2022 cost estimate of \$900,000 funded by:

\$746,000 Complete Streets Grant

\$628,000 General Fund

\$316,241 REET

\$220,000 SWM

\$1,910,241 Total Sources

302.0164 Sidewalk Fill-in Farwest Dr from 112th to Lakes HS, & 100th St Ct SW to STL, Blvd, Continuation/1-Time

Carry forward \$291,412 in project expenditures funded by project balance \$139,000 and Federal WSDOT grant \$152,412. The project scope includes pedestrian lighting, road reconfiguration, ADA curb ramp retrofits, sidewalk with curb, and bike lanes. Project is anticipated to open to traffic in July 2023.

The budget adjustment results in a life-to-date through 2024 cost estimate of \$1,653,030 funded by:

\$1,336,000 Safe Routes to Schools

\$317,030 REET

\$1,653,030 Total Sources

302.xxxx Military Road SW – Edgewood to 112th, New/1-Time

Add \$48,600 in revenues and expenditures funded by REET for potential PSRC grant required local match.

The budget adjustment results in a life-to-date through 2024 cost estimate of \$48,600 funded by:

\$48,600 REET

\$48,600 Total Sources

Fund 303 Real Estate Excise Tax

Increase REET Revenue Estimate, New/1-Time

Increase REET revenue estimate by \$717,500 per year, resulting in revised estimates of \$2,917,500 per year. Actual revenues received are as follows: \$3.00M in 2019 / \$3.64M in 2020 / \$4.56M in 2021 / \$4.1M in 2022.

Transfers to Parks CIP

Total \$1,084,912 – See Parks CIP Fund for details.

- \$1,013,337 to 301.0020 Wards Lake Park
- \$71,575 to 301.0027 American Lake Park Access

Transfers to Transportation CIP

Total \$926,611 – See Transportation CIP Fund for details.

- \$99,399 to 302.0004 Minor Capital & Major Maintenance
- \$48,600 to 302.xxxx Military Road SW - Edgewood to 112th
- \$452,000 to 302.0096 Union Avenue, Berkley to Thorne Lane
- \$119,770 to 302.0136 100th St: 59th to South Tacoma Way
- (\$251,000) eliminate transfer to 302.0151 South Tacoma Way Between 96th St South & Steilacoom Blvd
- \$316,241 to 302.0156 Angle Lane/Elwood Sidewalks & Pedestrian Pathway

Fund 311 Sewer Capital Projects

311.0002 Side Sewers, Continuation/1-Time

Carry forward \$300,419 in project expenditures funded by project balance. This is annual program averaging \$51,000 per year starting in 2017.

The budget adjustment results in a life-to-date through 2024 cost estimate of \$408,000 funded by:

\$408,000 Transfer In From Fund 204 (4.75% Sewer Surcharge)

\$408,000 Total Sources

311.0004 North Thorne Lane Sewer Extension, Continuation/1-Time

Carry forward \$7,615 in project expenditures funded by project balance.

The budget adjustment results in a life-to-date through 2024 cost estimate of \$1,419,000 funded by:

\$450,000 Pierce County Interlocal Grant

\$35,000 Sewer Availability

\$934,000 Transfer In From Fund 204 (4.75% Sewer Surcharge)

\$1,419,000 Total Sources

311.0005 Maple Street Sewer Extension, Continuation/1-Time

Carry forward \$327,905 in project expenditures funded by project balance.

The budget adjustment results in a life-to-date through 2024 cost estimate of \$1,316,905 funded by:

\$1,141,905 Sewer Availability

\$27,000 General Fund (for transportation CIP element of project)

\$140,000 Transfer In From Fund 204 (4.75% Sewer Surcharge)

\$8,000 SWM (for storm drainage element of project)

\$1,316,905 Total Sources

311.0006 Rose Road & Forest Road Sewer Extension, Continuation/1-Time

Reduce current year's budget by \$6,069 for amounts spent in prior year.

The budget adjustment results in a life-to-date through 2024 cost estimate of \$1,209,000 funded by:

\$611,005 Sewer Availability

\$597,995 Pierce County ARPA Grant

\$1,209,000 Total Sources

Fund 401 Surface Water Management

401.0012 Outfall Retrofit Feasibility, Continuation/1-Time

Carry forward \$60,000 in project expenditures funded by project balance. The budget adjustment results in a life-to-date through 2024 cost estimate of \$60,000 funded by SWM.

401.0014 Water Quality Improvements 2021, Continuation/1-Time

Carry forward \$228,531 in project expenditures funded by project balance. The budget adjustment results in a life-to-date through 2024 cost estimate of \$245,000 funded by SWM.

401.0018 Waughop Lake Treatment, Continuation/1-Time

Carry forward \$16,364 in project expenditures funded by project balance.

The budget adjustment results in a life-to-date through 2024 cost estimate of \$402,085 funded by:

\$301,883 SWM

\$46,565 Department of Ecology Grant

\$300,202 Pierce County Flood Control

\$648,650 Total Sources

401.0020 Drainage Pipe Repair 2022, Continuation/1-Time

Carry forward \$85,729 in project expenditures funded by project balance. The budget adjustment results in a life-to-date through 2024 cost estimate of \$350,000 funded by SWM.

401.0021 American Lake Management District, Continuation/1-Time

Carry forward \$32,912 in project expenditures funded by project balance from special assessments.

401.0023 Clover Creek Reduction Study, Continuation & New/1-Time

Carry forward \$188,987 in project expenditures funded by project balance. This budget adjustment result in a life-to-date through 2024 cost estimate of \$371,263 funded by SWM fees.

401.0025 Drainage Pipe Repair 2023, Continuation/1-Time

Carry forward \$30,719 in project expenditures funded by project balance. The budget adjustment results in a life-to-date through 2024 cost estimate of \$375,000 funded by SWM.

Internal Service Charges

See internal services funds for additional information.

Transfers to Parks CIP

Total \$206,277 – See Parks CIP Fund for details.

- \$100,000 to 301.0005 Chambers Creek Trail
- \$56,277 to Wards Lake Improvements
- \$50,000 to Seeley Lake Resource Conservancy Park

Transfers to Transportation CIP

Total \$823,045 – See Transportation CIP Fund for details.

- \$36,500 to 302.0083 Hipkins Road SW from Steilacoom Blvd to 104th St SW
- \$142,000 to 302.0131 Overlay & Sidewalk Fill-In: Custer-John Dower to 500' West of BPW
- \$357,849 to 302.0135 Streets: WA Blvd & Edgewood Dr (North Fort to Gravelly Lk. Dr.)
- \$58,010 to 302.0137 Streets: Steilacoom Blvd/88th (Weller to Custer Rd.)
- \$34,500 to 302.0142 Ardmore/Whitman/93rd
- \$194,186 to 302.0156 Angle Lane/Elwood Sidewalks and Pedestrian Pathway

Fund 501 Fleet & Equipment

Vehicle & Equipment Purchases/Replacements, Continuation/1-Time

Carry forward \$330,000 funded by replacement reserves \$280,000 and insurance proceeds \$50,000 for the following:

- \$65,000 Replace Police Vehicle 41790
- \$70,000 Replace Municipal Court Van 42160
- \$15,000 Purchase Safety Light for PRCS O&M Vehicles
- \$65,000 Replace PW/PRCS O&M Vehicle 42420
- \$50,000 Replace PRCS O&M Double Drum Roller 42970
- \$65,000 Replace PRCS O&M Rake-O-Vac 42880

Police Public Address (PA) Microphones, Continuation/1-Time

Carry forward \$18,000 for the purchase of PA microphones funded by replacement reserves. The Washington State Criminal Justice Training Commission (WSCJTC) is providing legislatively mandated training for all commissioned officers called Patrol Tactics. The training teaches de-escalation as well as basic patrol tactical concepts that includes high risk stops. These are used when an officer needs to detain/arrest a high risk subject (i.e. subject who did a shooting, robbery, or possesses firearms). The old technique was to use the PA microphone from the driver's seat and instruct the suspect to exit their car and walk back to the officer. The new tactic that is being taught/recommended by WSCJTC is to conduct this stop while the officer is standing at the rear of the patrol vehicle. This is a much safer technique and requires new microphones installed at the rear of the patrol vehicle at a cost of \$300 per marked patrol vehicle for a total cost of approximately \$18,000. This item was previously approved as part of the 2021/2022 mid-biennium budget adjustment but was not purchased in 2022.

Fund 502 Property Management

City Hall Exterior Beam Painting, Continuation/1-Time

Carry forward \$75,000 to seal and protect the exposed exterior beams on City Hall funded by replacement reserves. This was previously approved in 2019/2020 and is expected to be completed in 2023.

CW – City-wide Parking Lot Improvements, Continuation/1-Time

Carry forward \$9,855 in project expenditures funded by project balance (replacement reserves). The city manages and maintains many parking lots throughout the City. The City purchased a striping machine in 2017 to support ongoing maintenance of the parking areas. Paint, signs, crack seal material and curb replacements are needed to maintain safe and efficient parking areas.

City Hall Space Reconfiguration Study, Continuation/1-Time

Carry forward \$30,000 for consultant services to perform a needs and space assessment of City hall for post COVID-19 return to work/telework and the potential to reduce the footprint at City hall. This funding is in addition to the \$105,000 ARPA grant allocation. The City is looking to reconfigure the City's operations in City Hall to just the 1st and 2nd floors in order to open up the 3rd floor for other uses. These funds would be for the first phase, hiring a space expert to analyze how to organize the first two floors. Actual remodeling and relocation would be handled in future phases with as-yet unidentified funds. The proposed phase 1 plan does not include anticipating the creation of a vet center in City Hall; however, the idea is to consolidate space needed for City services (to one or two floors) to allow "other" types of businesses / agencies to use or lease space.

City Hall 3rd Floor ADA Improvements, New/1-Time

Add \$16,000 for door access pad for hands free access to the 3rd women's restroom door as an ADA accommodation.

City Hall Stairwell Card Reader, New/1-Time

Add \$14,000 for card reader access control. With employees returning to City Hall post Covid closures, new security measures were put in place to support staff and visitor ingress and egress. New card readers were installed to restrict access to first floor.

City Hall Energy Upgrades, New/1-Time

Add \$421,566 for City Hall energy upgrades. Lakewood City Hall is over 20 years old and several of the building systems are experiencing lifecycle issues. Over the next six years or three biennium's, it is recommended that the City update the City Hall HVAC system which includes three components; the chillers (which create cold air); the boilers (that create warm air); and the air handlers (which move the air through the building). All systems contribute to City Hall air quality. In order to implement a facility upgrade project and to do the necessary and/or selected improvements within the required timeline, engineering is needed to develop the designs and plans needed to complete the work. The City will also need to allow time at the end of the project to review energy savings to ensure we have met compliance by June 1, 2028.

PD – Police Station Firearms Range Equipment, Continuation/1-Time

Carry forward \$35,178 funded by project balance (replacement reserves). Repair/replace shooting range equipment as needed. Currently, it is difficult to estimate when a major repair is needed, therefore the request is to earmark some funds for that purpose. Due to the hazardous materials (lead) being used in the range, the HVAC system will need to be repaired/replaced along with the foam acoustic tiles. At that same time, new trap and target systems will be installed thus completing major systems upgrades to keep the facility state of the art.

PD Police Station Fuel Modernization, Continuation/1-Time

Carry forward \$30,000 for repairs and maintenance. The fueling system that was installed as part of the original construction in 2009 is suffering multiple failures on an ongoing basis. As a result, the system is not accurately capturing fuel dispensing. The proposal is to replace the computerized system and pump with new modern equipment.

PD – Police Station Parking Lot Improvements, Continuation/1-Time

Carry forward \$1,293 funded by project balance (replacement reserves). Slurry seal should occur every 5 years on City parking lots to maximize the life and functionality of the pavement. The slurry seal helps replace the fines in the existing surface that have been created over time. The police station parking lot is over 10 years old and has not been resealed. A complete restripe is needed after a treatment.

Police Station Generator Controls, New/1-Time

Add \$75,000 to replace generator controls. The pro-logic computer (PCL) controls the Police Station backup generator system which is used as an emergency power supply during system / electrical failures. The automatic monthly testing sequence is out of sync and needs to be replaced in order to keep the generator in normal operating conditions.

Police Station HVAC Controls, New/1-Time

Add \$15,000 for replacement and installation. The controls for the Police Station HVAC system are the original equipment from 2009 and are no longer manufactured or supported on either parts or service. If/when they fail, the Police Station will not have HVAC until upgrades are made to the new controller, which could take weeks. As a preventative measure, controllers were ordered in September 2022 and installation date is pending delivery.

Fort Steilacoom Park Caretaker's House Repairs, Continuation/1-Time

Carry forward \$32,899 balance for repairs and maintenance at the Fort Steilacoom Park caretaker's house funded by internal service charges to the General Fund. Other than painting the exterior of the house in 2006 when the City took over maintenance and operations from Pierce County, there hasn't been any major repairs. The City Council authorized \$10,000 for a new roof and gutters necessary to keep the property in good useable condition and ensure a safe living environment is maintained for the tenant at this site. The original additional \$40,000 request is for the HVAC system, new doors and windows and updates to the electrical panel. The repairs are necessary to keep the property in good useable condition and ensure a safe living environment is maintained for the tenant at this site.

Front Street O&M Shop Security System, Continuation/1-Time

Carry forward \$26,073 for security system repairs and updates funded by internal service charges. The current security system at the Front St Shop was installed in 2013. The system started failing in 2019 and was patched together until the main components failed and cannot be replaced. The current system is also not compatible with the City's card reader system. This new system was proposed by our Information Technology team to interface with City systems and includes a new gate access and building control systems plus an intercom for visitor communication.

Sound Transit Elevator, Continuation/1-Time

Carry forward \$17,500 for elevator door replacement. The glass doors were smashed and the cost to replace the glass with glass is half the cost of replacing with stainless steel door panels, however, this cost is for every time the glass is broken. The replacement with a solid door instead will eliminate future breakage. The stainless steel doors are on back order and will be installed when received.

Fund 503 Information Technology

Small Tools & Minor Equipment, Continuation/1-Time

Carry forward \$11,500 for unforeseen requests city-wide.

Computer Replacement, Continuation/1-Time

Carry forward \$70,000 for computer replacement that were not completed in the prior years. Computer desktop, laptop & mobile device replacement is a necessity as the aging life of computers and mobile devices will drive replacements. Older computers are unlikely to support newer generation operating systems in the future. Whether by hardware failure or software obsolescence the city will need to replace computers and mobile devices to continue to function and provide services to the general public. Current replacement cycle for existing systems is 4 years.

Document Management System, Continuation/1-Time

Carry forward \$95,000. Working in partnership with GRM, City employees are working with the vendor to implement the document management system. This process will take some time to complete as the project spans across all City departments. Once completed, the system will provide a comprehensive solution for managing the creation, capture, indexing, storage, retrieval, and disposition of records within the city. The roll out has been slow due to other higher priority projects such as PALS/CED+, daily City operations, and more recently, issues with the GRM system requiring GRM engineers to resolve and City to test. Target date for completion is December 2023.

Website Update/Redesign, Continuation/1-Time

Carry forward \$4,785 for continuation of the City's website redesign project. This process will modernize the system; provide additional enhancements to include video, enhanced customer service options and to provide a solution, which not only looks better, but one that works better for both visitors and search engines.

Server/Hardware Upgrades, New/1-Time

Carry forward \$50,000 to replace two physical servers that have reached the end of life but not yet replaced. It is essential to maintain information technology equipment that performs critical processing functions at a level to ensure their reliability and availability to support the business process for the City. Objectives related to energy efficiency, performance & operating system migration will be thoroughly considered prior to procurement. Further analysis related to the separation of processing capability and data management will be evaluated as well as positioning to improve our security, disaster recovery and continued business operations.

RHSP Software Enhancements, New/1-Time

Carry forward \$30,000 for third party software developer to continue working with RHSP team to streamline the processes, resolve outstanding bugs and implement newly requested.

Phone System Upgrade, New/1-Time

Carry forward \$20,000 for upgrade of phone system servers and controllers. The City is currently two upgrade versions behind and is likely another version will be released in 2023/2024 which would make the City three versions behind and is not recommended.

Copier Replacement, New/1-Time

Add \$10,000 for copier replacement. The existing copiers are in need of replacement due to continuous maintenance and repair required to keep them up and running. These replacement copiers will continue to provide secure printing, scanning, repository hold and e-mail capability.

GIS Streetsaver Software Upgrade, New/1-Time

Add \$5,000 in additional funds to reflect higher than anticipated costs. The 2023/2024 original budget includes \$3,500 for the purchase of Streetsaver software upgrade for integration into the City's GIS platform. The City uses a proprietary software to evaluate existing roadway conditions. Adding on the functionality of GIS compatibility will improve the City's ability to manage the visual representation of the data and reflect roadway conditions to other.

Replace Firewall, New/1-Time & Ongoing

Add \$60,000 to replace the current firewall that will reach end of life in December 2023 which means no more software updates or patches. Also, add ongoing m&o costs of \$20,000 in 2024.

Storage System, New/1-Time & Ongoing

Add \$109,850 for the purchase of storage system Disaster Recovery (DR) site as previously approved by City Council. The City has been planning and building a DR site to be housed in a data center in Hillsboro Oregon. This site will be used by the City to maintain a replica of city's core systems and for restoring its information technology infrastructure when/if the primary center is affected by a natural or man-made disaster. DR sites are often built in a remote location so as to ensure that the disaster which has affected the primary site will not affect the secondary site as well. The DR site will allow the City to resume conducting operations and delivering services with minimal disruption, until the primary location is restored. To build the DR site, the City is using mostly existing and replacement equipment,

however, greater storage capacity is needed for this location. The purchase of a Dell/DD6900 storage system with 60TB net storage capacity from Xiologix utilizing the Washington State Contract # 05815044 provides the capacity needed. The estimated annual ongoing M&O cost is \$25,000 per year.

CrowdStrike, New/1-Time

Add \$38,000 in 2023 and \$54,550 in 2024 for purchase of CrowdStrike as previously approved by City Council for information systems security malware detection and respond system and services, replacing and enhancing the current Palo Alto antivirus system. CrowdStrike products and services, include monitoring and prevention of malicious attacks on our infrastructure. The products and services described will be supplied by CrowdStrike directly and includes 24 hour monitoring, detection and response. CrowdStrike is one of the leading systems for Endpoint Detection and Response (EDR) and Managed Detection and Response services (MDR).

Managed Services Provider, New/1-Time

Add \$123,250 in 2023 and \$174,000 in 2024 for purchase of information technology managed services as previously approved by City Council. There are many aspects of the information technology services that require specialized knowledge to manage and maintain. It is difficult for smaller organizations to recruit and retain experts in all areas of technology. Contracting with Managed Service Providers (MSPs) is an efficient opportunity to acquire multiple talents and services in one package to augment the City's information technology skill pool and bandwidth. During the past several years, the City has made great efforts in maintaining core systems while expanding the support for the end-users, a large number of devices, applications and services in addition to exposing our systems for interconnecting with other jurisdictions, providing online services for citizens, and telework capability for staff and much more. This growth has also increased vulnerabilities and reliance on information technology services has introduced the need for additional skills to protect and keep up with the changing landscape. A managed services provider (MSP) is an outsourced company that provides proactive management of information technology by a third party on behalf of an organization. These professionals have the technical expertise, personnel resources, automated software, and insightful solutions necessary to monitor the organization's technology infrastructure remotely, and respond and prevent technical issues from occurring. The proposed MSP includes: performance monitoring of critical IT infrastructure components, including networks, servers, end point devices, applications, databases, patch management, multifactor authentication, and helpdesk. The MSP does not replace City's IT personnel, rather it supplements it, improves the customer service level, and allows time for future enhancements.

Microsoft 365, New/1-Time & Ongoing

Add \$55,000 ongoing (includes \$20,000 1-time implementation) in 2023 and \$115,000 in 2024. This project is part of the City's strategic plan to migrate applications and data to secure cloud. Microsoft 365 is a turnkey suite of integrated collaboration and productivity applications designed to be deployed all at once to save time and resources. Businesses can use Microsoft 365 to deploy IT infrastructure that incorporates desktop and mobile devices, and the security and authentication systems required to keep data safe in a mobile workforce environment. Microsoft 365 combines features and toolsets from the Windows operating system, the Office 365 productivity suite and the Enterprise Mobility and Security package, which establishes authentication and security protocols for employees and systems to protect data and infiltration by outside influences.

504 Risk Management

Insurance Proceeds, Continuation/1-Time

Transfer \$50,000 vehicle insurance proceeds to Fleet & Equipment.

WCIA Assessment, New/1-Time

Add \$54,000 per year for WCIA assessment to account for increases in general liability.

Bridgeport Gateway Replacement, New/1-Time

Add \$70,000 for replacement of Bridgeport Way Gateway funded by insurance proceeds.

**2023 Carry Forward Budget Adjustment
Summary of Proposed Requests**

	Adjustment Type	Ongoing/ 1-Time	Year 2023		Year 2024	
			Revenue	Expenditure	Revenue	Expenditure
Grand Total - All Funds			\$ 37,724,725	\$ 60,354,890	\$ 2,253,634	\$ 2,062,524
Total - Fund 001 General			\$ 1,756,204	\$ 5,085,452	\$ 1,356,000	\$ 1,507,684
RV Sales Tax	Rev	Ongoing	1,150,000	-	1,356,000	-
CC Gimhae Sister City Trip	New	1-Time	-	11,900	-	-
CC AWC Conference	New	1-Time	-	4,800	-	-
CD City Tree Fund	Continuation	1-Time	56,496	56,496	-	-
CD Lakewood Equity Map	New	1-Time	-	30,000	-	-
CD Comprehensive Plan Amendment	New	1-Time	-	50,000	-	-
CD Economic Development Strategy	Continuation	1-Time	-	11,900	-	-
CD Tax Increment Financing Strategy	New	1-Time	-	58,500	-	-
CD Economic Development Annual Meeting Gold Sponsor	New	1-Time	-	6,000	-	-
CD Woodworth Industrial Park Community Park Assoc Dues	New	Ongoing	-	3,300	-	3,300
PK Lakewood Multicultural Cultural Coalition Signature Event	New	Ongoing	-	3,000	-	3,000
PK Amazon Sponsorship - SummerFest	Grant	1-Time	10,000	10,000	-	-
PK Amazon Sponsorship - Love Lakewood	Grant	1-Time	5,000	5,000	-	-
PK Virginia Mason Sponsorship - Love Lakewood Walk/Yoga	Grant	1-Time	5,000	5,000	-	-
PK Lakewood Rotary Sponsorship - Love Lakewood Walk/Yoga	Grant	1-Time	500	500	-	-
PK Washington State Health Care Authority HCA CHOICE	Grant	1-Time	330,925	330,925	-	-
LG Opioid Funds Distributions 1& 2 Received in 2022	New	1-Time	84,168	84,168	-	-
MC Office of Public Defense Grant	Grant	1-Time	77,947	77,947	-	-
PD Collective Bargaining Implementation LPIG (Lakewood Police Independent Guild)	New	Ongoing	-	955,478	-	998,587
PD Collective Bargaining Implementation LPMG (Lakewood Police Management Guild)	New	Ongoing	-	149,787	-	195,043
PD Tahoma Narcotics Enforcement Team (TNET)	Grant	1-Time	10,675	-	-	-
PD Pierce County Sex Offender Residency Verification Grant	Grant	1-Time	7,871	-	-	-
PD FBI Innocence Lost Grant	Grant	1-Time	17,622	-	-	-
Property Management Internal Service Charges:						
City Hall Space Reconfiguration Study - Total \$30,000	Continuation	1-Time	-	21,736	-	-
City Hall 3rd Floor ADA Hands Free Improvements - Total \$16,000	New	1-Time	-	11,594	-	-
City Hall Stairwell Card Reader - Total \$14,000	New	1-Time	-	10,144	-	-
City Hall Energy Upgrades	New	1-Time	-	421,566		
Police Station Generator Controls	New	1-Time	-	75,000	-	-
Police Station HVAC Controller	New	1-Time	-	15,000	-	-
Police Station Fuel System Modernization	Continuation	1-Time	-	30,000	-	-
Fort Steilacoom Park Caretaker's House	Continuation	1-Time	-	28,600	-	-
Information Technology Internal Service Charges:						
Small Tools/Minor Equipment - Total \$11,500	Continuation	1-Time	-	10,075	-	-
Computer Replacement - Total \$70,000	Continuation	1-Time	-	61,329	-	-
Document Management - Total \$95,000	Continuation	1-Time	-	83,231	-	-
Rental Housing Safety Program Software Enhancements - Total \$30,000	Continuation	1-Time	-	30,000	-	-
Phone System Upgrade - Total \$20,000	Continuation	1-Time	-	17,522	-	-
Website Update/Upgrade	Continuation	1-Time	-	4,785	-	-
Copier Replacement - Total \$10,000	New	1-Time	-	8,761	-	-
Server Hardware Upgrade - Total \$50,000	New	1-Time	-	43,808		
Replace Firewall -Total \$60,000	New	1-Time	-	52,567	-	-
Firewall M&O - Total \$20,000	New	Ongoing	-	-	-	17,522
Crowdstrike - Total \$38,000 / \$54,550	New	1-Time	-	33,294	-	47,792
Disaster Recovery Storage Server - Total \$109,850	New	1-Time	-	96,241	-	-
Disaster Recovery Storage Server M&O - Total \$25,000	New	Ongoing	-	-	-	21,904

**2023 Carry Forward Budget Adjustment
Summary of Proposed Requests**

	Adjustment Type	Ongoing/ 1-Time	Year 2023		Year 2024	
			Revenue	Expenditure	Revenue	Expenditure
Information Technology Managed Services Provider - Total \$123,250 / \$174,000	New	1-Time	-	107,983	-	152,446
Microsoft Office 365 - Total \$35,000 / \$115,000	New	Ongoing	-	30,665	-	100,756
Microsoft Office 365 Initial Setup- Total \$20,000	New	1-Time	-	17,522	-	-
Risk Management Internal Service Charges:						
WCIA Assessment Property Assessment Increase - Total \$54,000 / \$54,000	New	1-Time	-	46,877	-	46,877
General/Street Fund Subsidy	New	1-Time	-	113,695	-	23,699
General/Street Fund Subsidy	New	Ongoing	-	2,879	-	13,162
Transfers to Parks CIP:						
301.0020 Wards Lake Improvements	New	1-Time	-	220,000	-	200,000
301.0027 American Lake Park Access	New	1-Time	-	1,710,877	-	-
Transfers to Transportation CIP:						
302.0001 Personnel, Engineering & Professional Services Replace with Transfer from TBD \$20 VLF	Continuation	1-Time	-	(159,000)	-	(91,140)
302.0001 New LED Street Lights Replace with Transfer from TBD \$20 VLF	Continuation	1-Time	-	(180,000)	-	-
302.0003 Neighborhood Traffic Safety Replace with Transfer from TBD \$20 VLF	Continuation	1-Time	-	(25,000)	-	-
302.0004 Minor Capital & Major Maintenance Replace with Transfer from TBD \$20 VLF in 2023 Replace with Transfer from REET in 2024 \$99,399 & Various CIP Project Savings \$125,865	Continuation	1-Time	-	(260,000)	-	(225,264)
302.0156 Angle Lane/Elwood Sidewalks and Pedestrian Pathway	New	1-Time	-	549,000	-	-
Total - Special Revenue Funds			\$ 11,868,470	\$ 14,544,350	\$ 263,661	\$ 164,923
Total - Fund 101 Street O&M			116,574	116,574	36,861	36,861
TR General/Street Fund Subsidy	New	Ongoing	2,879	-	13,162	-
TR General/Street Fund Subsidy	New	1-Time	113,695	-	23,699	-
Property Management Internal Service Charges:						
City Hall Space Reconfiguration Study - Total \$30,000	Continuation	1-Time	-	5,120	-	-
City Hall 3rd Floor ADA Hands Free Improvements - Total \$16,000	Continuation	1-Time	-	2,731	-	-
City Hall Stairwell Card Reader - Total \$14,000	New	1-Time	-	2,389	-	-
Front Street O&M Security	New	1-Time	-	26,073	-	-
Sound Transit Elevator	New	1-Time	-	17,500	-	-
Information Technology Internal Service Charges:						
GIS Software	New	1-Time	-	5,000	-	-
Small Tools/Minor Equipment - Total \$11,500	Continuation	1-Time	-	946	-	-
Computer Replacement - Total \$70,000	Continuation	1-Time	-	5,758	-	-
Document Management - Total \$95,000	Continuation	1-Time	-	7,815	-	-
Phone System Upgrade - Total \$20,000	Continuation	1-Time	-	1,646	-	-
Server Hardware Upgrade - Total \$50,000	New	1-Time	-	4,113	-	-
Copier Replacement - Total \$10,000	New	1-Time	-	823	-	-
Replace Firewall -Total \$60,000	New	1-Time	-	4,936	-	-
Firewall M&O - Total \$20,000	New	Ongoing	-	-	-	1,646
Crowdstrike - Total \$38,000 / \$54,550	New	1-Time	-	3,126	-	4,488
Disaster Recovery Storage Server - Total \$109,850	New	1-Time	-	9,037	-	-
Disaster Recovery Storage Server M&O - Total \$25,000	New	Ongoing	-	-	-	2,056
Information Technology Managed Services Provider - Total \$123,250 / \$174,000	New	1-Time	-	10,139	-	14,314
Microsoft Office 365 - Total \$35,000 / \$115,000	New	Ongoing	-	2,879	-	9,460
Microsoft Office 365 Initial Setup- Total \$20,000	New	1-Time	-	1,646	-	-
Risk Management Internal Service Charges:						
WCIA Assessment Property Assessment Increase - Total \$54,000 / \$54,000	New	1-Time	-	4,897	-	4,897

**2023 Carry Forward Budget Adjustment
Summary of Proposed Requests**

	Adjustment Type	Ongoing/ 1-Time	Year 2023		Year 2024	
			Revenue	Expenditure	Revenue	Expenditure
Total - Fund 103 Transportation Benefit District			\$ -	\$ -	\$ -	\$ 91,140
AD Reduce Annual Debt Service Payment (Move Issue Debt Late 2023)	New	1-Time	-	(624,000)	-	-
AD Transfers to Transportation Projects (Swap General Fund)	New	1-Time	-	624,000	-	91,140
Total - Fund 104 Hotel/Motel Lodging Tax			\$ -	\$ (220,650)	\$ -	\$ -
AD Remove Original LTAC Grant Allocation Estimate	Grant	1-Time	-	(1,125,000)	-	-
AD Add Approved 2023 Grant Allocations	Grant	1-Time	-	904,350	-	-
Total - Fund 105 Property Abatement			\$ -	\$ 278,099	\$ -	\$ -
CD Abatement Program	Continuation	Ongoing	-	33,185	-	-
CD Rental Housing Safety Program	Continuation	Ongoing	-	(40,271)	-	-
CD 1406 Affordable Housing	Continuation	Ongoing	-	285,185	-	-
Total - Fund 106 Public Art			\$ -	\$ 50,588	\$ -	\$ -
PK Public Art Program - Earmark for Major Project To Be Determined	New	1-Time	-	50,588	-	-
Total - Fund 180 Narcotics Seizure			\$ -	\$ 55,667	\$ -	\$ -
PD Narcotics Seizure Balance Available for Eligible Expenditures	Continuation	1-Time	-	55,667	-	-
Total - Fund 181 Felony Seizure			\$ -	\$ 23,305	\$ -	\$ -
PD Felony Seizure Balance Available for Eligible Expenditures	Continuation		-	23,305	-	-
Total - Fund 182 Federal Seizure			\$ -	\$ 703	\$ -	\$ -
PD Federal Seizure Balance Available for Eligible Expenditures	Continuation		-	703	-	-
Total - Fund 190 CDBG			\$ 728,370	\$ 2,592,103	\$ -	\$ -
FY 2023 CDBG:						
Housing Major Home Repair	Grant	1-Time	248,971	248,971	-	-
Housing - Emergency Assistance for Displaced Residents	Grant	1-Time	20,000	20,000	-	-
Housing - Rebuilding Together South Sound	Grant	1-Time	75,000	75,000	-	-
Services - CDBG Emergency Payments Program	Grant	1-Time	80,000	80,000	-	-
CDBG Admin of HOME Housing Services	Grant	1-Time	10,000	10,000	-	-
Administration	Grant	1-Time	108,493	108,493	-	-
Housing Major Home Repair - Reprogrammed CDBG	Grant	1-Time	3,958	3,958	-	-
Housing Major Home Repair - Program Income	Grant	1-Time	100,000	100,000	-	-
CDBG - CV2 Department of Commerce for LASA	Grant	1-Time	81,948	81,948	-	-
CDBG Restricted Funds	Grant	1-Time	-	1,863,733	-	-
Total - Fund 191 Neighborhood Stabilization Program			\$ 275,000	\$ 289,148	\$ -	\$ -
CD Neighborhood Stabilization Program1	Continuation	1-Time	275,000	275,000	-	-
CD Neighborhood Stabilization Program 3	Continuation	1-Time	-	14,148	-	-
Total - Fund 192 South Sound Military Communities Partnership (SSMCP)			\$ 216,000	\$ -	\$ 226,800	\$ 36,922
CD Tactical Tailor Lease Revenue (Pay Back General Fund Interfund Loan)	Continuation	1-Time	216,000	-	189,878	-
CD Tactical Tailor Lease Revenue (Earmark for Future NCZ Purchases)	Continuation	1-Time	-	-	36,922	36,922
Total - Fund 195 Public Safety Grants			\$ 112,821	\$ 112,821	\$ -	\$ -
PD Emergency Management Performance Grant (EMPG)	Grant	1-Time	33,384	33,384	-	-
PD WA State Parks & Recreation Boater Safety	Grant	1-Time	12,906	12,906	-	-
PD Ballistic Helmets and Rifle Plates Grant	Grant	1-Time	42,486	42,486	-	-
PD Pierce County Sheriff STOP Grant	Grant	1-Time	5,000	5,000	-	-
PD Washington Traffic Safety Commission - Motorcycle/Seatbelts/Distracted Driving	Grant	1-Time	5,000	5,000	-	-
PD Washington Traffic Safety Commision - Impaired & Distracted Driving Emphasis	Grant	1-Time	14,045	14,045	-	-
Total - Fund 196 ARPA Grant			\$ 10,419,705	\$ 11,245,992	\$ -	\$ -
Earmark - Program Income	Grant	1-Time	-	700,000	-	-
Earmark - Interest Earnings	Grant	1-Time	-	126,287	-	-
ARPA Grant - Balance	Grant	1-Time	10,419,705	10,419,705	-	-

**2023 Carry Forward Budget Adjustment
Summary of Proposed Requests**

	Adjustment Type	Ongoing/ 1-Time	Year 2023		Year 2024	
			Revenue	Expenditure	Revenue	Expenditure
Grand Total - Debt Service Funds			\$ -	\$ 109,584	\$ -	\$ -
Total - Fund 202 LID Debt Service			\$ -	\$ 109,584	\$ -	\$ -
Earmark for Early Redemption	Continuation	1-Time	-	109,584	-	-
Total - Capital Improvement Project Funds			\$ 22,519,927	\$ 36,903,941	\$ 191,423	\$ (71,025)
Total - Fund 301 Parks CIP			\$ 12,022,858	\$ 15,970,226	\$ 670,788	\$ 670,788
301.0003 Harry Todd Park Phase 1 & 2 Funded by Project Balance	Continuation	1-Time	-	197,801	-	-
301.0005 Chambers Creek Trail - Bridge 1 & Bridge 2 Funded by SWM \$100,000 / Project Balance \$560,860	Continuation	1-Time	100,000	660,860	-	-
301.0006 Gateways Funded by Project Balance \$81,170	Continuation	1-Time	-	81,170	-	-
301.0014 FSP Angle Lane Parking & Trail Improvement Funded by Project Balance	Continuation	1-Time	-	46,657	-	-
301.0016 Park Equipment Replacement Funded by Project Balance	Continuation	1-Time	-	42,863	-	-
301.0017 Playground Resurfacing Funded by Project Balance	Continuation	1-Time	-	10,294	-	-
301.0019 Edgewater Dock Funded by Project Balance	Continuation	1-Time	-	51,556	-	-
301.0020 Wards Lake Funded by Grants \$1,850,000 / Gen Fund \$20,000 / SWM \$56,277 / Project Bal \$328,459 REET \$969,762 / General Fund \$420,000 / Project Balance MVET Paths & Trails \$23,575	Continuation	1-Time	1,926,277	2,254,736	-	-
	New	1-Time	742,549	766,124	670,788	670,788
301.0022 Banners & Brackets Phase II Funded by Project Balance	Continuation	1-Time	-	7,858	-	-
301.0027 American Lake Park Funded by Grants \$1,160,059 & Project Balance \$982,341 Funded by General Fund \$1,710,877 & REET \$71,575 REET	Continuation	1-Time	1,160,059	2,142,400	-	-
	New	1-Time	1,782,452	1,782,452		
301.0028 Oakbrook Park Funded by Project Balance	Continuation	1-Time	-	50,000	-	-
301.0031 Fort Steilacoom Park Turf Infields Funded by Grants \$5,618,716 / Project Balance \$264,487	Continuation	1-Time	5,618,716	5,883,203	-	-
301.0032 Springbrook Park Expansion Phase V Funded by Grant \$592,805 / Parks CIP Savings, Interest, etc \$77,659 / Project Balance \$739,481	Continuation	1-Time	592,805	1,409,945	-	-
301.0034 Park Sign Replacement/Monument Signs Funded by Project Balance	Continuation	1-Time	-	209,104	-	-
301.0037 Seeley Lake Funded by SWM \$50,000 / Project Balance \$31,399	Continuation	1-Time	50,000	81,399	-	-
301.0038 Playground Replacement Funded by Project Balance \$55,000	Continuation	1-Time	-	55,000		
301.0041 Park Sign Replacement (Design) Funded by Project Balance \$16,416 / Parks CIP Savings, Interest, etc \$42,930	Continuation	1-Time	-	59,346	-	-
301.0042 Downtown Park Schematic Design and Planning Funded by Project Balance	Continuation	1-Time	-	100,000	-	-
301.0045 Motor Avenue Uplighting & Gary Oaks Funded by Various CIP Project Savings	New	1-Time	-	27,458	-	-
301.0048 Nisqually Partnership Project Funded by General Fund New \$28,096 / Parks CIP Savings, Interest, etc \$21,904	New	1-Time	50,000	50,000	-	-

**2023 Carry Forward Budget Adjustment
Summary of Proposed Requests**

	Adjustment Type	Ongoing/ 1-Time	Year 2023		Year 2024	
			Revenue	Expenditure	Revenue	Expenditure
Total - Fund 302 Transportation CIP			\$ 9,548,485	\$ 18,763,110	\$ (1,196,865)	\$ (1,071,000)
302.0000 Earmark LTD 2022 Traffic Mitigation Fees Funded by Project Balance	Continuation	1-Time	-	103,505	-	-
302.0001 Personnel, Engineering & Professional Services Funded by Project Balance	Continuation	1-Time	-	114,824	-	-
302.0002 Street Lights: New LED Street Lights Funded by Project Balance	Continuation	1-Time	-	285,529	-	-
302.0003 Safety: Neighborhood Traffic Safety/Traffic Calming Funded by Project Balance	Continuation	1-Time	-	34,990	-	-
302.0004 Minor Capital & Major Maintenance Funded by Project Balance \$112,849 / Change General Fund Source to Various CIP Savings \$125,865	Continuation	1-Time	-	112,849	(125,865)	-
302.0005 Chip Seal Program - Local Access Roads Funded by Project Balance \$198,764	Continuation	1-Time	-	198,764	-	-
302.0024 Streets: Steilacoom Blvd – Farwest to Phillips Rd (ROW Only) Funded by Grant Balance \$195,035 & Project Balance \$718,037	Continuation	1-Time	195,035	718,037	-	-
302.0038 Bridgeport Way - I-5 Ramp To Pac Highway Refund Contributions	Continuation	1-Time	(6,210)	-	-	-
302.0074 Streets: S Tacoma Way - 88th to 80th St Funded by Grant Balance \$284,814 & Project Balance \$128,692	Continuation	1-Time	284,814	413,506	-	-
302.0083 Hipkins Road SW from Steilacoom Blvd to 104th St SW Funded by SWM \$190,000 & Project Balance \$313,050 Return REET Source Not Needed (Increase SWM Eligible) \$153,500	Continuation	1-Time	190,000	466,550	-	-
302.0096 Union Ave, Berkley to Thorne Lane Funded by Grant Project Balance \$65,000 and New Grant \$500,000 / REET Grant Match \$452,000 / Fee-In Lieu \$48,000	Continuation	1-Time	-	65,000	-	-
	New	1-Time	1,000,000	1,000,000	-	-
302.0098 Pine Street Sidewalk & Pedestrian Crossing Funded by Grant \$86,716 & Project Balance \$86,000	Continuation	1-Time	86,716	172,716	-	-
302.0114 112th Street SW - Clover Park High School Sidewalk Funded by Grant \$54,679	Continuation	1-Time	54,679	54,679	-	-
302.0116 Custer Road from BPW to 75th St Funded by Project Balance \$65,000	Continuation	1-Time	-	65,000	-	-
302.0131 Overlay & Sidewalk Fill-In: Custer-John Dower to 500' West of BPW Funded by Grant \$1,420,000 SWM \$142,000 & Project Balance \$11,303	Continuation	1-Time	1,524,000	1,535,303	(125,000)	(125,000)
302.0133 Street & Sidewalks: Steilacoom Blvd (Farwest to Weller) ROW Funded by Grant \$935,000 / Project Balance \$165,000	Continuation	1-Time	935,000	1,100,000	-	-
302.0135 Streets: WA Blvd & Edgewood Dr (North Fort to Gravelly Lk. Dr. Funded by Grant \$605,999 / Developer Contributions \$845,829 / SWM \$357,849 / Project Balance \$380,710	Continuation	1-Time	1,809,677	6,249,607	-	-
302.0136 100th St SW from Lakeview Dr to So Tac Way, including 40th Funded by Project Balance \$50,381	Continuation	1-Time	-	50,381	-	-
	New	1-Time	533,000	533,000	-	-
302.0137 Streets: Steilacoom Blvd/88th (Weller to Custer Rd.) Funded by Grant \$111,690 / SWM \$58,010 / Project Balance \$1,962,175	Continuation	1-Time	169,700	2,131,875	-	-
302.0142 Ardmore/Whitman/93rd Funded by SWM \$34,500 / Project Balance \$179,381	Continuation	1-Time	34,500	213,881	-	-
302.0144 146th St. SW: Murray Rd. SW to Woodbrook Dr. SW Funded by Project Balance \$69,540 & SWM \$50,000 Return REET Source Not Needed \$77,584	Continuation	1-Time	49,080	118,620	-	-
302.0151 So Tac Way Between 96th St So & Steilacoom Blvd Funded by Grant \$868,000 / Project Balance \$118,000	Continuation	1-Time	695,000	813,000	(946,000)	(946,000)
302.0156 Angle Lane/Elwood Sidewalks and Pedestrian Pathway Funded by Grant \$713,055 / Project Balance \$79,000 / SWM 138,186 Funded by General Fund \$549,000 / REET \$316,241 / SWM \$76,000	Continuation	1-Time	851,241	930,241	-	-
	New	1-Time	941,241	941,241	-	-
302.0164 Sidewalk Fill-in: Farwest Dr 112th to LHS, 100th St Ct SW to STL Blvd Funded by Grant \$152,412 / Project Balance \$139,000	Continuation	1-Time	152,412	291,412	-	-
302.xxxx Military Road SW - Edgewood to 112th Earmark Grant Match from REET \$48,600	New	1-Time	48,600	48,600	-	-

**2023 Carry Forward Budget Adjustment
Summary of Proposed Requests**

	Adjustment Type	Ongoing/ 1-Time	Year 2023		Year 2024	
			Revenue	Expenditure	Revenue	Expenditure
Total - Fund 303 Real Estate Excise Tax			\$ 948,584	\$ 1,540,735	\$ 717,500	\$ 329,187
REET Revenue Increase	New	1-Time	717,500	-	717,500	-
Transfers to Parks CIP:						
301.0020 Wards Lake Park	New	1-Time	-	542,549	-	470,788
301.0027 American Lake Park Access	New	1-Time	-	71,575	-	-
Transfers to/from Transportation CIP:						
302.0004 Minor Capital & Major Maintenance Change General Fund Source to REET	New	1-Time	-	-	-	99,399
302.xxxx Military Road SW - Edgewood to 112th	New	1-Time	-	48,600	-	-
302.0083 Hipkins Road SW from Steilacoom Blvd to 104th St SW SWM Eligible Increase / Reduce REET Source	Continuation	1-Time	153,500	-	-	-
302.0096 Union Avenue, Berkley to Thorne Lane	New	1-Time	-	452,000	-	-
302.0136 100th St: 59th to South Tacoma Way	New	1-Time	-	119,770	-	-
302.0144 146th St. SW: Murray Rd. SW to Woodbrook Dr. SW	Continuation	1-Time	77,584	-	-	-
302.0151 So Tac Way Between 96th St So & Steilacoom Blvd	Continuation	1-Time	-	(10,000)	-	(241,000)
302.0156 Angle Lane/Elwood Sidewalks & Pedestrian Pathway	New	1-Time	-	316,241	-	-
Total - Fund 311 Sewer Project CIP			\$ -	\$ 629,870	\$ -	\$ -
311.0002 Side Sewers	New	1-Time	-	300,419	-	-
311.0004 North Thorne Lane Sewer Extension	New	1-Time	-	7,615	-	-
311.0005 Maple Street Sewer Extension	New	1-Time	-	327,905	-	-
311.0006 Rose Road & Forest Road Sewer Extension	New	1-time	-	(6,069)	-	-
Total - Enterprise Funds			\$ -	\$ 1,707,814	\$ -	\$ 18,392
Total - Fund 401 Surface Water Management			\$ -	\$ 1,707,814	\$ -	\$ 18,392
401.0012 Outfall Retrofit Feasibility	Continuation	1-Time	-	60,000	-	-
401.0014 Water Quality Improvements 2021	Continuation	1-Time	-	228,531	-	-
401.0018 Wauhop Lake Treatment	Continuation	1-Time	-	16,364	-	-
401.0020 Drainage Pipe Repair 2022	Continuation	1-Time	-	85,729	-	-
401.0021 American Lake Management District	Continuation	1-Time	-	32,912	-	-
401.0023 Clover Creek Risk Reduction Study	Continuation	1-Time	-	188,987	-	-
401.0025 Drainage Pipe Repair Project 2023	Continuation	1-Time	-	30,719	-	-
Transfer to Parks CIP:						
301.0005 Chambers Creek Trail - Bridge 1 & Bridge 2	Continuation	1-Time	-	100,000	-	-
301.0020 Wards Lake	Continuation	1-Time	-	56,277	-	-
301.0037 Seeley Lake Resource Conservancy Park	Continuation	1-Time	-	50,000	-	-
Transfers to Transportation CIP:						
302.0083 Hipkins Road SW from Steilacoom Blvd to 104th St SW	Continuation	1-Time	-	36,500		
302.0131 Overlay & Sidewalk Fill-In: Custer-John Dower to 500' West of BPW	Continuation	1-Time	-	142,000		
302.0135 Streets: WA Blvd & Edgewood Dr (North Fort to Gravelly Lk. Dr.	Continuation	1-Time	-	357,849		
302.0137 Streets: Steilacoom Blvd/88th (Weller to Custer Rd.)	Continuation	1-Time	-	58,010		
302.0142 Ardmore/Whitman/93rd	Continuation	1-Time	-	34,500		
302.0156 Angle Lane/Elwood Sidewalks and Pedestrian Pathway	Continuation	1-Time	-	194,186		
Property Management Internal Service Charges:						
City Hall Space Reconfiguration Study - Total \$30,000	Continuation	1-Time	-	3,144	-	-
City Hall 3rd Floor ADA Hands Free Improvements - Total \$16,000	Continuation	1-Time	-	1,675	-	-
City Hall Stairwell Card Reader - Total \$14,000	New	1-Time	-	1,467	-	-
Information Technology Internal Service Charges:						
Small Tools/Minor Equipment - Total \$11,500	Continuation	1-Time	-	479	-	-
Computer Replacement - Total \$70,000	Continuation	1-Time	-	2,913	-	-
Document Management - Total \$95,000	Continuation	1-Time	-	3,954	-	-

**2023 Carry Forward Budget Adjustment
Summary of Proposed Requests**

	Adjustment Type	Ongoing/ 1-Time	Year 2023		Year 2024	
			Revenue	Expenditure	Revenue	Expenditure
Phone System Upgrade - Total \$20,000	Continuation	1-Time	-	832	-	-
Server Hardware Upgrade - Total \$50,000	New	1-Time	-	2,079	-	-
Copier Replacement - Total \$10,000	New	1-Time	-	416	-	-
Replace Firewall -Total \$60,000	New	1-Time	-	2,497	-	-
Firewall M&O - Total \$20,000	New	Ongoing	-	-	-	832
Crowdstrike - Total \$38,000 / \$54,550	New	1-Time	-	1,580	-	2,270
Disaster Recovery Storage Server - Total \$109,850	New	1-Time	-	4,572	-	-
Disaster Recovery Storage Server M&O - Total \$25,000	New	Ongoing	-	-	-	1,040
Information Technology Managed Services Provider - Total \$123,250 / \$174,000	New	1-Time	-	5,128	-	7,240
Microsoft Office 365 - Total \$35,000 / \$115,000	New	Ongoing	-	1,456	-	4,784
Microsoft Office 365 Initial Setup- Total \$20,000	New	1-Time	-	832	-	-
Risk Management Internal Service Charges:						
WCIA Assessment Property Assessment Increase - Total \$54,000 / \$54,000	New	1-Time	-	2,226	-	2,226
Total - Internal Service Funds			\$ 1,580,124	\$ 2,003,749	\$ 442,550	\$ 442,550
Total - Fund 501 Fleet & Equipment			\$ 50,000	\$ 348,000	\$ -	\$ -
Vehicle & Equipment Replacements Funded by Replacement Reserves:						
Replace Police Vehicle 41790	Continuation	1-Time	-	65,000	-	-
Police Public Address Microphone	Continuation	1-Time	-	18,000	-	-
Replace Municipal Court Van 42160	Continuation	1-Time	-	70,000	-	-
Purchase Safety Light for PRCS O&M Vehicles	Continuation	1-Time	-	15,000	-	-
Replace PW/PRCS O&M Vehicle 42420	Continuation	1-Time	-	65,000	-	-
Replace PRCS O&M Double Drum Roller 42970	Continuation	1-Time	-	50,000	-	-
Replace PRCS O&M Rake-O-Vac 42880	Continuation	1-Time	-	65,000	-	-
Insurance Proceeds from Risk Management	Continuation	1-Time	50,000	-	-	-
Total - Fund 502 Property Management			\$ 673,739	\$ 799,364	\$ -	\$ -
PK City Hall Exterior Beam Painting	Continuation	1-Time	-	75,000	-	-
PK City Hall Parking Lot Improvements	Continuation	1-Time	-	9,855	-	-
PK City Hall Space Reconfiguration Study	Continuation	1-Time	30,000	30,000	-	-
PK City Hall 3rd Floor ADA Hands Free Improvements	New	1-Time	16,000	16,000	-	-
PK City Hall Stairwell Card Reader	New	1-Time	14,000	14,000	-	-
PK City Hall Energy Upgrades	New	1-Time	421,566	421,566	-	-
PK Police Station Firearms Range Equipment	Continuation	1-Time	-	35,178	-	-
PK Police Station Fuel System Modernization	Continuation	1-Time	30,000	30,000	-	-
PK Police Station Parking Lot Improvements	Continuation	1-Time	-	1,293	-	-
PK Police Station Generator Controls	New	1-Time	75,000	75,000	-	-
PK Police Station HVAC Controller	New	1-Time	15,000	15,000	-	-
PK Fort Steilacoom Park Caretaker's House	Continuation	1-Time	28,600	32,899	-	-
PK Front Street O&M Shop Security System	Continuation	1-Time	26,073	26,073	-	-
PK Sound Transit Elevator Repair	Continuation	1-Time	17,500	17,500	-	-

**2023 Carry Forward Budget Adjustment
Summary of Proposed Requests**

	Adjustment Type	Ongoing/ 1-Time	Year 2023		Year 2024	
			Revenue	Expenditure	Revenue	Expenditure
Total - Fund 503 Information Technology			682,385	682,385	388,550	388,550
AD Small Tools/Minor Equipment	Continuation	1-Time	11,500	11,500	-	-
AD Computer Replacement	Continuation	1-Time	70,000	70,000	-	-
AD Document Management System	Continuation	1-Time	95,000	95,000	-	-
AD Website Update/Redesign	Continuation	1-Time	4,785	4,785	-	-
AD Server Hardware Upgrade	New	1-Time	50,000	50,000	-	-
AD Rental Housing Safety Program Software Enhancement	New	1-Time	30,000	30,000	-	-
AD Phone System Upgrade	New	1-Time	20,000	20,000	-	-
AD Copier Replacement	New	1-Time	10,000	10,000	-	-
AD GIS Software for Streets	New	1-Time	5,000	5,000	-	-
AD Replace Firewall	New	1-Time	60,000	60,000	-	-
Annual M&O	New	Ongoing	-	-	20,000	20,000
AD New Disaster Recovery Storage Server	New	1-Time	109,850	109,850	-	-
Annual M&O	New	Ongoing	-	-	25,000	25,000
AD CrowdStrike	New	1-Time	38,000	38,000	54,550	54,550
AD Information Technology Managed Services Provider	New	1-Time	123,250	123,250	174,000	174,000
AD Microsoft Office 365	New	1-Time	20,000	20,000	-	-
Annual M&O	New	Ongoing	35,000	35,000	115,000	115,000
Total - Fund 504 Risk Management			\$ 174,000	\$ 174,000	\$ 54,000	\$ 54,000
Transfer Insurance Proceeds to Fleet for Vehicle 40731	Continuation	1-Time	50,000	50,000	-	-
WCIA Assessment Property Assessment Increase	New	1-Time	54,000	54,000	54,000	54,000
Bridgeport Way Gateway Replacement Funded by Insurance Proceeds	New	1-Time	70,000	70,000	-	-

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED: May 15, 2023	TITLE: Amending Lakewood Municipal Code Chapter 9.06 related to Controlled Substances.	TYPE OF ACTION: <input checked="" type="checkbox"/> ORDINANCE NO. 786 <input type="checkbox"/> RESOLUTION NO. <input type="checkbox"/> MOTION NO. <input type="checkbox"/> OTHER
REVIEW: May 1, 2023	ATTACHMENTS: Draft Ordinance	

SUBMITTED BY: Heidi Ann Wachter, City Attorney

RECOMMENDATION: It is recommended that the City Council adopt an Ordinance amending the Lakewood Municipal Code Chapter 9.06 related to Controlled Substances in order that law enforcement may arrest individuals who knowingly possess controlled substances.

DISCUSSION: *Background:* In February 2021, the Washington State Supreme Court invalidated the state's felony drug possession law due to what was ruled to be a Constitutional defect; specifically, state law did not include the element of knowledge. Cities responded to this ruling by adopting local ordinances incorporating the knowledge element and knowing possession of controlled substances became a crime in those jurisdictions. In the City of Lakewood, the knowing possession of controlled substances became a gross misdemeanor. <https://lakewood.municipal.codes/enactments/Ord750>

The State legislature followed with action preempting local government. This action had the effect of removing local authority to enforce city ordinances that make drug possession illegal. This legislative enactment has a sunset date of July 1, 2023. The City of Lakewood repealed Ordinance 750 as a result. <https://lakewood.municipal.codes/enactments/Ord757>

No new law to make knowing possession of drugs illegal was passed by the state legislature this session, which means that the preemption sunsets unless the legislature does something to take effect by July 1, 2023. The session has closed, but the legislature has been called into special session to start May 16 to focus on passing a new drug possession law.

Meanwhile, many cities have adopted ordinances against the public use of illegal drugs. On March 20, the City of Lakewood passed such an ordinance. Public Use of illegal drugs is a gross misdemeanor in the City of Lakewood. <https://lakewood.municipal.codes/enactments/Ord782>

ALTERNATIVE(S): The City can take no action, which would mean possession of drugs remains unenforceable in the City of Lakewood.

FISCAL IMPACT: None.

Heidi Ann Wachter

Prepared by

Department Director


City Manager Review

DISCUSSION CONTINUED: *Current Status:* Pierce County has met with cities in an effort to achieve consistent enforcement against illegal drugs. Cities and counties are local government and therefore limited to classifying crimes as misdemeanor or gross misdemeanor; felonies are beyond the legislative authority of local government.

Some representatives of Pierce County suggest that police officers in cities can enforce a County ordinance. Such arrests would be made through Mutual Aid and processed through Pierce County and not on behalf of the City. The City and County have concurrent jurisdiction but the Lakewood Municipal Court does not have jurisdiction to adjudicate violations of Pierce County Code. The City would not have authority as to disposition of these cases, thus those cases would be adjudicated through Pierce County.

Another issue of concern has been stated as “charge stacking.” This is a colloquial term and apparently has a variety of meanings.

One hypothetical offered is that an individual could be charged twice for the same crime by being detained in one city and then later committing the crime in another city and again being detained. That is not “charge stacking,” that is an individual committing the same crime twice. Criminal conduct can only be charged by governments with jurisdiction over the individual. Jurisdiction is most typically satisfied when an element of the crime occurs within the boundaries of the charging government. Thus, if someone only commits the crime in one city, the other city cannot arrest for that crime.¹

An different hypothetical is that an individual could be charged by the County and then the case is referred to the City with the potential to be charged in both jurisdictions. This is not “charge stacking” but seems to be referring to what are commonly known as “felony declines.” This is a practice where a felony matter does not meet the charging standards of the County for any number of reasons not related to provability. The crime can be proven but perhaps is not sufficiently severe to justify drawing resources from other felonies. The County declines to file the felony charges and the case is referred to the City where the crime took place for review as a misdemeanor or gross misdemeanor. The City processes cases originating in the City of Lakewood that are filed as misdemeanors and gross misdemeanors; such cases do not start in the County to be declined to a city.

The concept of an individual being charged for both possession and use based on one incident merits some consideration. Because use necessarily includes possession, possession meets the legal definition of a “lesser included offense.” Washington courts have held generally that if each element of the lesser offense (possession) is a necessary element of the greater offense (use) and the evidence supports commission of the lesser offense, then the elements necessary to plead a lesser included offense are met.² This holds regardless of the penalties being the same; typically lesser included offenses become relevant due to the difference in classification of crime. The Prosecutor will determine which charge to file and, in the event of a use charge, can amend to the lesser charge of possession if the evidence supports it at trial.

¹ Note the important distinction between where a crime is committed and who makes the arrest; officers can, through mutual aid, make arrests in other jurisdictions. Officers in such an instance act on behalf of that jurisdiction. A Lakewood officer arresting someone who committed the crime in University Place does so on behalf of University Place. A Lakewood officer arresting someone who committed the crime in Lakewood and then was apprehended in University Place does so on behalf of the City of Lakewood.

² See, generally *State v. Workman*, 90 Wash. 2d 443, 584 P.2d 382 (1978), *State v. Porter*, 133 Wash. 2d 177, 942 P.2d 974 (1997), and *State v. Coryell*, 197 Wash.2d 397, 483 P.3d 98 (2021) (affirming Workman).

In addition to activity in Pierce County, different approaches to municipal drug possession laws abound. The most common approach is proposed in Ordinance 786, which simply adds the element of knowledge to the existing possession law and makes it a misdemeanor.

Other cities combine drug possession laws with open use laws and, in Everett, a “no sit, no lie” law. Lakewood has separately adopted an open public use ordinance as well as a law prohibiting illegal occupation of public spaces.

The City of Kent passed a drug possession law that builds in requirements about treatment as a balance to the legislated criminal sanctions. This portion of the Kent ordinance borrows heavily from the state law authorizing “deferred prosecution.”³ It should be noted that state law provides the opportunity for two years of treatment leading to a dismissal for eligible offenders: “In a court of limited jurisdiction a person charged with a misdemeanor or gross misdemeanor may petition the court to be considered for a deferred prosecution program.”⁴ This opportunity is available to all offenders who meet the criteria detailed in the state law regardless of whether a city adopts the language and this program is frequently used throughout the state in DUI cases.

Going forward: The state legislature is expected to begin the special session on May 16 with the goal of adopting state law addressing drug possession. Forecasting the outcome is not destined for accuracy given the core division between the potential solutions; the sides of this division are social services solutions such as treatment versus criminal justice solutions such as detention. This is taking place against the back drop of the July 1, 2023 sunset date.

³ [RCW 10.05.](#)

⁴ [RCW 10.05.010\(1\).](#)

ORDINANCE NO. 786

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Chapter 9.06 of the Lakewood Municipal Code relating to Controlled Substances.

WHEREAS, the City of Lakewood finds that laws prohibiting possession of illegal drugs are a valuable tool to law enforcement in preserving public safety in the City; and

WHEREAS, the Supreme Court of the State of Washington has declared illegal and rendered useless the state law prohibiting possession of illegal drugs due to the deficiency in the state law of requiring the element of intent; and

WHEREAS, the state legislature has failed to immediately remedy this deficiency; and

WHEREAS, the City of Lakewood has the authority to adopt laws to protect public safety to the extent such laws are not in conflict with State or Federal law; and

WHEREAS, loss of the State law hinders effective law enforcement in the City of Lakewood.

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

Section 1. That Chapter 9.06 of the Lakewood Municipal Code is amended to add a new section, 9.06.005 Possession of controlled substance, to read as follows:

Section 9.06.005 Definitions

(1) RCW 69.50.101(e) is adopted by reference. "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules.

Section 2. That Chapter 9.06 of the Lakewood Municipal Code is amended to add a new section, 9.06.045 Possession of controlled substance, to read as follows:

Section 9.06.045 Possession of controlled substance

(1) It is unlawful for any person to knowingly possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Any person who violates this section is guilty of a gross misdemeanor punishable pursuant to LMC 9.06.080.

(3)(a) The possession, by a person twenty-one years of age or older, of useable cannabis, cannabis concentrates, or cannabis-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section.

(b) The possession of cannabis, useable cannabis, cannabis concentrates, and cannabis-infused products being physically transported or delivered within the state, in amounts not exceeding those that may be established under RCW 69.50.385(3), by a licensed employee of a common carrier when performing the duties authorized in accordance with RCW 69.50.382 and 69.50.385, is not a violation of this section.

(4)(a) The delivery by a person twenty-one years of age or older to one or more persons twenty-one years of age or older, during a single twenty-four hour period, for noncommercial purposes and not conditioned upon or done in connection with the provision or receipt of financial consideration, of any of the following cannabis products, is not a violation of this section:

(i) One-half ounce of useable cannabis;

(ii) Eight ounces of cannabis-infused product in solid form;

(iii) Thirty-six ounces of cannabis-infused product in liquid form; or

(iv) Three and one-half grams of cannabis concentrates.

(b) The act of delivering cannabis or a cannabis product as authorized under this subsection (4) must meet one of the following requirements:

(i) The delivery must be done in a location outside of the view of general public and in a nonpublic place; or

(ii) The cannabis or cannabis product must be in the original packaging as purchased from the cannabis retailer.

(5) No person under twenty-one years of age may knowingly possess, manufacture, sell, or distribute cannabis, cannabis-infused products, or cannabis concentrates, regardless of THC concentration. This does not include qualifying patients with a valid authorization.

(6) The possession by a qualifying patient or designated provider of cannabis concentrates, useable cannabis, cannabis-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section.

Section 3. Severability. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 4. Effective Date. That this Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 15th day of May, 2023.

CITY OF LAKEWOOD

Attest:

Jason Whalen, Mayor

Briana Schumacher, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney

REQUEST FOR COUNCIL ACTION

DATE ACTION IS REQUESTED:	TITLE: Approving an intergovernmental transfer agreement between Pierce County and the City of Lakewood related to the transfer of Old Settlers Cemetery property.	TYPE OF ACTION:
May 15, 2023		— ORDINANCE NO.
REVIEW:		— RESOLUTION NO.
		— MOTION NO. 2023-54
		— OTHER
	ATTACHMENTS: Draft Agreement	

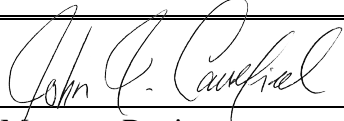
SUBMITTED BY: Heidi Ann Wachter, City Attorney

RECOMMENDATION: It is recommended that the City Council approve an intergovernmental transfer agreement between Pierce County and the City of Lakewood related to the transfer of Old Settlers Cemetery property.

DISCUSSION: Old Settlers Cemetery is property located entirely within the City of Lakewood, on the corner of Washington Blvd and 83rd Ave SW, but owned by Pierce County. This area is highly visible to our citizens and visitors and the City's effort to enhance the arterial will benefit from being able to maintain the property directly. By acquiring the property the City can ensure maintenance consistent with the City's standards. The cemetery is no longer in regular use; the most recent burial dates back to the early 2000's and there is no specific right to burial there. The draft agreement is being reviewed by Pierce County to conform it to the Title and Escrow are not required for this transaction.

ALTERNATIVE(S): The property could remain with Pierce County and the City would negotiate maintenance standards.

FISCAL IMPACT: The cost to transfer the property is one dollar (\$1.00).

Heidi Ann Wachter Prepared by	 City Manager Review
Department Director	

This **INTERGOVERNMENTAL TRANSFER AGREEMENT** (this “Agreement”) is entered into between Pierce County, a municipal corporation and political subdivision of the State of Washington (also referred to as the “County,” “Seller” or “Party”) and the City of Lakewood, a Washington municipal corporation (the “City,” “Buyer” or “Party”).

RECITALS

- A. The County is the owner of that certain real property located in the City of Lakewood, Pierce County, State of Washington, which consists of approximately five acres located at the intersection of 83rd Avenue SW and Washington Boulevard at address 8201 Washington Blvd SW, identified by Tax Parcel Account No. 021910-2002, and commonly referred to as the Old Settlers’ Cemetery, the legal description of which is attached hereto as **Exhibit 1** (the “Cemetery Property”).
- B. The County desires to sell and transfer the Cemetery Property to the City and the City desires to accept transfer and purchase the Cemetery Property.
- C. The Pierce County Council has approved an ordinance declaring the Cemetery Property surplus to the needs of Pierce County and authorizing the execution of an intergovernmental transfer agreement between the County and the City of Lakewood.
- D. The effective date of this agreement is the date that it is executed by the County and by the City, whichever is later (“Effective Date”).

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and other valuable consideration, receipt, and sufficiency of which are hereby acknowledged, the Parties agree as follows:

Article 1.

Transfer of Cemetery Property

Subject to and upon the terms and conditions set forth in this Agreement, Seller shall sell and convey to Buyer on the Closing Date (as hereinafter defined) and Buyer shall buy and accept from Seller on the Closing Date the Cemetery Property as legally described in **Exhibit 1**, including any improvements and structures located on the Cemetery Property.

Article 2

Consideration for Transfer

Buyer shall pay to Seller on the Closing Date a total purchase price of one dollar (\$1.00) (the “Purchase Price”) and shall provide the following additional valuable consideration:

- (a) Assume responsibility to maintain the Cemetery Property, preserve existing monuments and fencing (if any), and secure the Cemetery Property against removal or disturbance of buried human remains and other vandalism; and
- (b) Comply with laws governing cemeteries.

Article 3

Acknowledgments

The Parties make the following acknowledgments regarding their understanding of the status of the Cemetery Property:

- 3.1 The Cemetery Property is a cemetery within the meaning of RCW 68.04.040.
- 3.2 The Cemetery Property constitutes burial grounds where it is likely that at least five human remains are buried.
- 3.3 Pursuant to RCW 68.60.020, the Cemetery Property is considered permanently dedicated and subject to RCW 68.24.070.
- 3.4 Any attempt to remove the Cemetery Property from cemetery dedication will be subject to the requirements and procedures for removal in Chapter 68.24 RCW or as it may be amended.
- 3.5 The County's conveyance of title is subject to rights of sepulcher in and to any portion of the Cemetery Property used for this purpose.
- 3.6 It is possible that there could be records indicating rights to internment vested in individual persons, but they do not appear in title records, and the County shall not be responsible for ascertaining historic rights to internment that may or may not be vested.
- 3.7 The County has shared with the City a title report generated by Chicago Title Company dated January 31, 2023 (Order No. PC-0251543-16) disclosing easements, encroachments, and other title encumbrances.
- 3.8 The County's transfer of the Cemetery Property to the City shall be by quit claim deed.

Article 4

Representations

4.1 Representations of County/Seller.

Other than the following representations, the County makes no representations or warranties with regard to the Cemetery Property or its contemplated transfer of title to City:

- 4.1.1 The Seller is a county and a political subdivision of the state of Washington with legal authority to transfer the Cemetery Property to the City pursuant to state law governing intergovernmental disposition of real property at Chapter 39.33 RCW.
- 4.1.2 There is no pending, or to the best of Seller's knowledge, threatened lawsuit or material claim against or relating to Seller with respect to the Cemetery Property, which would impede Seller's ability to sell the Cemetery Property to the City.
- 4.1.3 No broker or similar intermediary has acted for or on behalf of Seller in connection with this Agreement and no broker or similar intermediary is entitled to any broker's fee or commission in connection with this Agreement.

4.2 Representations of Buyer.

4.2.1 Buyer is a Washington municipal corporation and city with legal authority to acquire, hold or improve land for cemetery purposes, make regulations, fence the property, and preserve monuments pursuant to RCW 68.52.030 and 68.52.040.

4.2.2 There is no pending or, to the best of Buyer's knowledge, threatened lawsuit or material claim against Buyer that would impede Buyer's ability to purchase and accept title to the Cemetery Property.

4.2.3 No broker or similar intermediary has acted for or on behalf of Buyer in connection with this Agreement and no broker or similar intermediary is entitled to any broker's fee or commission in connection with this Agreement.

Article 5

Condition of Property Disclaimer; Buyer Acceptance of Disclaimer

5.1 Condition of Property Disclaimer.

5.1.1 Seller has not made, does not make, and specifically disclaims any representations, warranties, promises, covenants, contracts, or guarantees of any kind or character whatsoever, whether express or implied, oral, or written, past, present, or future of, as to, concerning, or with respect to the value, nature, quality, or condition of the Cemetery Property, including, without limitation:

- (i) Water, soil and geology;
- (ii) Suitability of the Cemetery Property for any and all activities and uses that Buyer or anyone else may conduct thereon;
- (iii) The compliance of or by the Cemetery Property or its operation with any laws or regulations of any applicable governmental authority;
- (iv) The fitness for any particular purpose of the Cemetery Property; or
- (v) Any other matter with respect to the Cemetery Property.

5.1.2 Seller has not made, does not make, and specifically disclaims any representations regarding compliance with any environmental protection, pollution, zoning or land use laws, rules, regulations, orders, or requirements, including the existence in or on the Cemetery Property of hazardous materials or substances.

5.1.3 Without limitation, Seller does not make and specifically disclaims, express or implied, any warranties or representations with respect to the existence or nonexistence of any Hazardous Substances or underground storage tanks, or the actual or threatened release, deposit, seepage, migration or escape of Hazardous Substances, for or into the Cemetery Property, and the compliance or noncompliance of the Cemetery Property with applicable federal, state, county and local laws and regulations, including, without limitation, environmental laws and regulations. For purposes of this Agreement, the term "Hazardous Substances" shall mean: "hazardous substance" as defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended

("CERCLA"); "hazardous waste" as defined by the Resource Conservation and Recovery Act of 1976 ("RCRA") as amended; hazardous wastes, hazardous materials, hazardous substances, toxic waste, toxic materials, or toxic substances as defined in state or federal statutes or regulations.

5.2 Buyer Acknowledgment of Disclaimer

5.2.1 Buyer acknowledges and accepts Seller's disclaimer of the condition of the Cemetery Property in Section 5.1.1 of this Agreement.

5.2.2 Buyer further acknowledges and agrees that, having been given the opportunity to inspect the Cemetery Property, Buyer is relying solely on its own investigation of the Cemetery Property, and not on any information provided or to be provided by Seller. Buyer further acknowledges and agrees that Seller has not made any independent investigation or verification of such information and makes no representations as to the accuracy or completeness of such information and no employee or agent of Seller is authorized otherwise. To the maximum extent permitted by law, the transfer of the Cemetery Property is made on an "AS-IS" condition and basis with all faults. It is understood and agreed that the purchase price reflects that the Cemetery Property is sold by Seller to Buyer subject to the foregoing.

5.2.3 Buyer acknowledges that, within the Due Diligence Period, as defined in Section 6.1 of this Agreement, Buyer will have conducted a physical inspection and made all investigations that Buyer deems necessary in connection with its purchase of the Cemetery Property, and that, as of the Effective Date hereof, Seller has provided Buyer with copies of all reports in Seller's possession that have been requested by Buyer. Upon waiver or satisfaction by Buyer of its contingencies pursuant to Article 5, Buyer will be deemed to have approved the physical condition of the Cemetery Property and agrees to accept and purchase the same "AS IS, WHERE IS," including, without limitation, the existence or non-existence of any pollutants, contaminants, hazardous waste, dangerous waste, toxic waste, contaminated soil, or the actual or threatened release, deposit seepage, migration or escape of such substances at, from or into the Cemetery Property and the Cemetery Property's compliance with applicable federal, state, county and local laws and regulations, including without limitation, environmental laws and regulations.

5.2.4 Buyer acknowledgment of Seller's Disclaimer in Section 5.1 shall survive Closing.

Article 6 Contingencies – Due Diligence

6.1 Due Diligence Inspection and Feasibility.

Buyer shall satisfy itself by investigation and inspection, in its sole and absolute discretion that the title and condition of the Cemetery Property meets with Buyer's approval. If Buyer approves title and condition of the Property, Buyer agrees to notify Seller, in writing, thereby removing the contingency. Buyer shall make such determination within 90 days following the Effective Date ("Due Diligence Period."). In the event this contingency is not satisfied or waived within the Due Diligence Period, Buyer

may terminate this Agreement upon written notice to Seller on or before the expiration of the Due Diligence Period, and neither party shall have any further rights or obligations to the other hereunder.

6.1.1 Inspections.

During the Due Diligence Period, Buyer, its designated representatives, or agents shall have the right at Buyer's expense to (a) perform any and all inspections, studies, surveys, or appraisals of the Cemetery Property subject to limitations set forth below in subsection on Right of Entry; (b) obtain a Phase I or Phase II environmental site assessment on the Cemetery Property and perform tests, inspections and studies associated with a Phase I or Phase II ESA.

6.1.2 Right of Entry.

Buyer and Buyer's designated representatives, including employees, contractors, subcontractors or agents, shall have the right - and Seller hereby grants to Buyer's designated representatives the right - to enter the Cemetery Property and conduct tests, investigations and studies as provided in this Article 6 upon two (2) business days' advance written notice; provided that such right of entry will be limited to those times and dates that will not disrupt Seller's activities on the Cemetery Property. Invasive tests of the Cemetery Property, such as drilling or excavation, shall be subject to regulatory approvals as they may apply to historic cemeteries, and shall not be undertaken without prior written approval of detailed scope of work by Seller. In connection with such tests and inspections, Buyer agrees to hold harmless, indemnify and defend Seller, its officers, agents and employees, for and against all claims, losses, or liability, for injuries, sickness or death of persons, including but not limited to employees of Buyer caused by any act, error or omission of Buyer, its officers, agents, contractors, subcontractors or employees in entering the Cemetery Property for the above purposes, to the extent not caused by any act, error or omission of Seller, its officers, agents and employees.

Article 7 Title Matters

7.1 Title Commitment.

Buyer shall obtain a preliminary commitment for an owner's policy of title insurance ("Title Commitment") issued by Chicago Title Company ("Title Company").

7.2 Survey.

Prior to the expiration of the Due Diligence Period, Buyer shall have the option, at its expense, to have prepared and furnished to the Title Company and Buyer a survey of the Cemetery Property prepared by a licensed public surveyor.

7.3 Buyer's Review of Title Matters.

Buyer shall have until ten (10) calendar days before the expiration of the Due Diligence Period to notify Seller in writing of Buyer's objections to matters shown or referred to in the Title Commitment or Survey. Seller shall have no obligation to remove exceptions to title unless Seller affirmatively responds in writing to Buyer's objections that Seller will remove or resolve any title exception. Buyer may either

waive its objections or terminate this Agreement by written notice to Seller by the expiration of the Due Diligence Period. All title encumbrances not objected to by Buyer and not resolved or cured shall be Permitted Exceptions to title if Buyer chooses to proceed with the transaction rather than terminate it. Notwithstanding the foregoing, monetary liens (if any) shall be paid by Seller at Closing.

7.4 Title Insurance Policy.

At Closing, Buyer shall cause an owner's policy of title insurance to be issued by the Title Company in the full amount of the Purchase Price, insuring that fee simple title to the Cemetery Property is vested in Buyer subject to the Permitted Exceptions, to the usual printed exceptions contained in such title insurance policy and to any other matters approved in writing by Buyer. The obligation of Buyer to provide the title policy called for herein shall be satisfied if, at Closing, the Title Company has given a binding commitment, in a form reasonably satisfactory to Buyer, to issue the policies in the form required by this Section. Buyer shall pay any sum owing to the Title Company for the preparation of the preliminary and binding commitments generated by the Title Company.

7.5 Title Conveyance.

At Closing, Seller shall convey to Buyer title to the Cemetery Property by quitclaim deed in the form attached hereto as **Exhibit 2**.

7.6 Title Officer Contact.

Kathleen Hall, Title Officer
Chicago Title of Washington
701 5th Avenue, Suite 2700
Seattle, WA 98109
Phone: 206-628-5623

Article 8

Conditions Precedent to Parties' Obligations

8.1 Conditions Precedent to Buyer's Obligations

8.1.1 Buyer is satisfied with or has waived its objections to exceptions and encumbrances in the Title Commitment.

8.1.2 Seller's representations are true and correct in all material respects as of the date of Closing.

8.1.3 This Agreement has been approved by the City of Lakewood's City Council and executed by a person with authority to sign this Agreement on behalf of the City of Lakewood.

8.1.4 Seller has delivered documents for Closing as described in Section 9.

8.2 Conditions Precedent to Seller's Obligations

8.2.1 Buyer has sent Seller and Escrow Agent defined at Section 9.2 written notice to proceed with Closing.

8.2.2 Buyer's representations are true and correct in all material respects as of the date of Closing.

8.2.3 This Agreement has been approved by the Pierce County Council and executed by the County Executive.

8.2.4 Buyer has delivered documents, the Purchase Price and Buyer's share of costs for Closing as described in Section 9.

Article 9 Closing

9.1 Closing Date.

Closing, which shall mean release of sale proceeds to Seller and recording conveyancing deed in the records of Pierce County, shall take place within 30 days following the latest approval of this Agreement by the Pierce County Council and Lakewood City Council. Prior to the expiration of the 30 days following latest approval of this Agreement by the Parties' respective Councils, the Parties shall confirm with Escrow Agent (defined in Section 9.2) a specified date as the Closing Date. The specified date confirmed for Closing with Escrow Agent shall be the Closing Date unless prior to such Closing Date, the Notice Representatives indicated in Section XXXX have sent each other and sent Escrow Agent written notice confirming a specified later Replacement Closing Date.

9.2 Escrow.

Upon execution of this Agreement, the Parties agree to open an escrow account with Chicago Title Company (the "Escrow Agent"). The Escrow Agent shall serve as closing agent for the transaction contemplated in this Agreement.

9.3 Prorations and Closing Costs.

Seller shall pay the cost of one-half of the escrow fee charged by Escrow Agent, any real estate or other transfer tax due. Seller's share of Closing costs shall be paid from proceeds of sale of the Cemetery Property. Buyer shall pay one-half of the escrow fee charged by Escrow Agent, the cost of obtaining an owner's policy of title insurance and the recording fees for the deed. If not otherwise stated in this Agreement, any other transaction fees and costs shall be paid by the Party incurring such expenses.

9.4 Seller's Delivery of Documents.

At least three business days prior to the Closing Date or Replacement Closing Date, the Seller will deliver to the Escrow Agent the quitclaim deed in the form of Exhibit 2 and other documents necessary to close as provided by Escrow Agent for execution by Seller.

9.5 Buyer's Delivery of Purchase Price and Documents.

At least three business days prior to the Closing Date or Replacement Closing Date, the Buyer will deliver to the Escrow Agent documents necessary to close as provided by Escrow Agent for execution by Buyer and deliver to Escrow Agent cash or immediately available funds in the amount of the Purchase Price plus Buyer's share of Closing Costs.

Article 10
Termination

Either Party may terminate this Agreement by written notice to the other Party's Notice Representative if their respective conditions precedent in Article 9 have not been satisfied or waived by the Closing Date or Replacement Closing Date. In the event of such written notice, if neither Party is in default under this Agreement, the parties shall have no further obligations or liabilities to one another and all documents delivered into escrow shall be returned to the appropriate Party minus any fees owed to the Escrow Agent.

Article 11
Miscellaneous Provisions

11.1 Notices.

Notices relating to confirmation of the Closing Date or Replacement Closing Date, and notice to proceed with closing may be provided by email to the email addresses provided below for the respective Party's Notice Representative and their copy recipient(s). All other notices shall be in writing and shall be deemed to have been duly given upon receipt when personally delivered or sent by overnight courier or three days after deposit in the United States mail if by first class, certified or registered mail. Notice to the respective Parties shall be sent to their respective Notice Representatives at the addresses set forth below unless the address has been updated by written notice:

If to Buyer – to Buyer's Notice Representative:

City of Lakewood
6000 Main Street SW
Lakewood, WA 98499
Attn: John Caulfield, City Manager

With a copy to:

Heidi Ann Wachter, City Attorney
6000 Main Street SW
Lakewood, WA 98499
Email: hwachter@cityoflakewood.us

If to Seller – to Seller's Notice Representative:

Pierce County
Facilities Management Department
1102 Broadway, Suite 302
Tacoma, WA 98402
Attn: Rick Tackett, Real Property Specialist
Email: rick.tackett@piercecountywa.gov

With a copy to:

Pierce County Prosecuting Attorney's Office Civil Division
930 Tacoma Avenue South, Room 946
Tacoma, WA 98402
Attn: Soojin Kim, Deputy Prosecuting Attorney
Email: Soojin.Kim@piercecountywa.gov

11.2 Attorney's Fees.

In any claim or lawsuit for damages arising from the Parties' performance of this Agreement, each Party shall be responsible for payment of its own legal costs and attorney's fees incurred in defending or bringing such claim or lawsuit.

11.3 Governing Law and Venue.

This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. If any dispute arises between the Parties under any of the provisions of this Agreement, resolution of that dispute shall be available only through the jurisdiction, venue and rules of the Pierce County Superior Court, Pierce County, Washington.

11.4 Non-Waiver of Breach.

The failure of either Party to insist upon strict performance of any provision of this Agreement or to exercise any right based upon a breach thereof or the acceptance of any performance during such breach shall not constitute a waiver of any right under this Agreement.

11.5 Severability.

If this Agreement, or any portion of this Agreement, is held invalid by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect.

11.6 Entire Agreement.

This Agreement contains the entire understanding between the Parties and supersedes any prior understandings and agreements between them regarding the subject matter hereof. No amendment of, or supplement to, this Agreement shall be valid or effective unless made in writing and executed by the Parties hereto.

11.7 Assignment.

The Parties shall not assign this Agreement or any interest, obligation, or duty therein without the express written consent of the other Party.

11.8 Execution/Counterparts.

This Agreement shall be executed by the Parties hereto by their duly authorized representative. This Agreement may be executed in one or more counterparts and by electronic signatures.

[Signature pages follow]

DRAFT

**PIERCE COUNTY
SIGNATURE PAGE**

Pierce County

By _____
Bruce F. Dammeier Date
Pierce County Executive

Recommended:

By _____
Finance Director Date

By _____
Facilities Management Director Date

By _____
Parks & Recreation Director Date

Approved as to legal form:

By _____
Deputy Prosecuting Attorney Date

**CITY OF LAKEWOOD
SIGNATURE PAGE**

City of Lakewood:

By _____
John Caulfield Date
City Manager

Approved as to form:

By _____
Heidi Ann Wachter Date
City Attorney

Attest:

By _____
Briana Schumacher Date
City Clerk

Exhibit 1
Legal Description of Cemetery Property

THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 19 NORTH, RANGE 2 EAST, W.M., IN PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 10; THENCE EAST 30.02 RODS TO A STAKE; THENCE NORTH 26 RODS TO A STAKE; THENCE WEST 30 AND 10/16THS RODS TO A STAKE; THENCE DUE SOUTH 26 RODS TO THE POINT OF BEGINNING; EXCEPT THE RIGHTS-OF-WAY FOR COUNTY ROADS.

SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON.

Address: 8201 Washington Blvd SW, Lakewood, Washington
Tax Parcel Account No.: 021910-2002

Exhibit 2
Quitclaim Deed – Form Only – Do Not Sign

WHEN RECORDED RETURN TO:

City of Lakewood
Attn: City Clerk
6000 Main Street SW
Lakewood, WA 98499

Quit Claim DEED
(RCW 64.04.050)

Grantor: PIERCE COUNTY, a municipal corporation and political subdivision of the state of Washington.

Grantee: CITY OF LAKEWOOD, a Washington municipal corporation

Abbreviated Legal: PTN SW NW, SEC 10-19-2E, W.M.

Tax Parcel Number(s): 021910-2002

GRANTOR, PIERCE COUNTY, a municipal corporation and political subdivision of the State of Washington, for and in consideration of TEN DOLLARS and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, conveys, and quit claims to GRANTEE, CITY OF LAKEWOOD, a Washington municipal corporation, the following described real estate, situated in the County of Pierce, State of Washington, together with all after acquired title of Grantor therein:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 19 NORTH, RANGE 2 EAST, W.M., IN PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 10; THENCE EAST 30.02 RODS TO A STAKE; THENCE NORTH 26 RODS TO A STAKE; THENCE WEST 30 AND 10/16THS RODS TO A STAKE; THENCE DUE SOUTH 26 RODS TO THE POINT OF BEGINNING; EXCEPT THE RIGHTS-OF-WAY FOR COUNTY ROADS.

SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON.

Assessor's Tax Parcel Account Number: 021910-2002

Address: 8201 Washington Blvd SW in Lakewood

Dated this ____ day of _____, 2023.

PIERCE COUNTY, a municipal corporation and political subdivision of the state of Washington:

Bruce F. Dammeier
Pierce County Executive

STATE OF WASHINGTON)
) ss.
COUNTY OF PIERCE)

On this ____ day of _____, 2023, before me, the undersigned, a notary public in and for the state of Washington, duly commissioned and sworn, personally appeared BRUCE F. DAMMEIER, known to me to be the Executive of Pierce County, a municipal corporation and political subdivision of the state of Washington, who executed the within and foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.


In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

NOTARY SIGNATURE _____
 PRINTED NAME _____
 NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON,
 RESIDING AT _____
 MY COMMISSION EXPIRES _____



To: Mayor and City Council

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

Through: John Caulfield, City Manager 

Date: May 15, 2023

Subject: Request to include naming recognition in H-barn fundraising program

Attachments: Letter from Partners for Park
Attachment – Examples of naming opportunity documents
Resolution No. 2022-06

Summary: In February, 2022 the City entered into a public private partnership with the non-profit group Partners for Parks to raise funds to support the restoration of the H-barn building and to enhance the area around it. The area is being referred to as the H-Barn complex. The City received a letter from Partners for Parks requesting permission to add naming elements or recognition areas in and around the H-Barn complex as a strategy for their fund raising program.

Discussion: In 2022 the City updated their naming resolution to provide more specificity as well as flexibility when recognizing, naming or renaming a public park, facility, street, open space or natural area. Flexibility regarding the review process was added to address naming or recognizing smaller things like benches, beautification areas and site amenities.

The city has a history of partnering with people and organizations to support park improvements. We also have a variety of ways we recognize this support in our parks. Examples of this include a plaque on a post near the agility area in the dog park that honors the eagle scout project as well as the financial support of a dog park user in honor of his pet, we have a brick paver area in front of the pavilion building with a large logo and names of people who supported that project, picnic shelters that recognize the financial support of service clubs and family members, plaques along the dog park fence that honor lost pets or loved ones which also provide financial support for the off leash area, most of the benches and tables throughout all our parks have memorial plaques and we place monument style

plaques on large and small rocks noting the support of grant agencies, foundations, neighborhood organizations, businesses and services clubs who contribute to a variety of park improvements (trails, playgrounds, bridges, and restrooms)

Partners for Parks is not looking to rename the barn. They want to add a naming and recognition strategy to their fundraising program. This is a very typical element of public and private fundraising. The strategy includes recognizing large and small contributions to the project in a variety of creative ways. For example, they recently received a \$1 million dollar contribution towards restoring the barn. This foundation could be recognized by contributing art somewhere in the building or on the grounds near the building. There are individuals or organizations who might want to contribute towards restoring a silo or honor someone who has passed away by contributing towards one of the meeting rooms. A plaque near those spaces could recognize the contribution. Smaller contributions could be identified on a brick plaza area or honor wall. The recognition would be done in a planned and tasteful manner to enhance the restoration project. All gift-related naming will be reviewed and vetted by the city and City Council would have final approval on the naming recognitions and locations. If Council has concerns, the city and/or Partners for Parks can negotiate with the individual or organization to come up with a mutually agreed upon solution.

Next steps: Representatives from Partners for Parks will be attending the May 15th Council meeting to discuss this topic and get concurrence from Council regarding next steps.



Partners For Parks

April 26, 2023

To the Lakewood City Council

Partners for Parks is grateful to the City of Lakewood for creating a public-private partnership to restore and renovate the H-Barn Complex at Fort Steilacoom Park into a multi-purpose community facility. This is by far our most ambitious project to date. We are grateful for your support and partnership.

With your support we have completed Phase one (Apr-Dec, 2022) to build organizational capacity and campaign readiness. Phase Two of the external campaign is now underway (Jan, 2023 – Dec, 2024). Phase two is a focused, major gifts campaign effort with a private sector goal of \$1.75 million in each of the next two years. Based on current funding status, we are well on our way to meet our goals.

Most fund raising campaigns have named gift opportunities to encourage major contributions. It is a traditional strategy for both private sector and public-private partnerships to generate significant contributions from private donors (see attachment A). The City of Lakewood currently has a tradition of recognizing donations and capital project funders by placing plaques or other recognition elements on benches, rocks, shelters, fences and other park structures and amenities. Today we are requesting that the City authorize Partners for Parks to add naming elements or recognition areas in and around the H-Barn complex as a funding strategy for our private public partnership and fund raising campaign.

We appreciate this is a public space and we need to follow public policy. Resolution # 2022-06 establishes criteria and procedures for the official naming of public facilities. The resolution notes that the city benefits from the generosity of residents, businesses, organizations and foundations and the significance of the donation may warrant acknowledgment of the gift. We also understand that if considering an individual posthumously, there needs to be a lapse of 36 months between date of death and the naming.

We would ask Council to consider allowing Partners for Parks to include the opportunity for naming recognition as part of our partnership and our fundraising campaign. Examples of recognition could include small plaques inside the barn or near a specific room or area, an honor wall /space inside or outside the barn (like the Rotary brick area outside the pavilion) or interactive elements (like the tractor near the barn) or art within the H-barn complex area. All gift-related naming will be documented by a written donor agreement and City Council would have final approval on the naming recognitions and locations.

Board of Directors

Sally Saunders (President)
Hallie McCurdy
(Vice-President)
Mary Dodsworth (Secretary)
Sylvia Allen (Treasurer)

Cynthia Balzarini
Brian Benedetti
Dave Betz
Alan Billingsley
Bruce Dees
Phil Eng
Sydna Koontz
Ken Witkoe



Please let us know if you have questions, concerns or are in need of further information. We will attend the May 15th Council meeting to present this request and answer any questions.

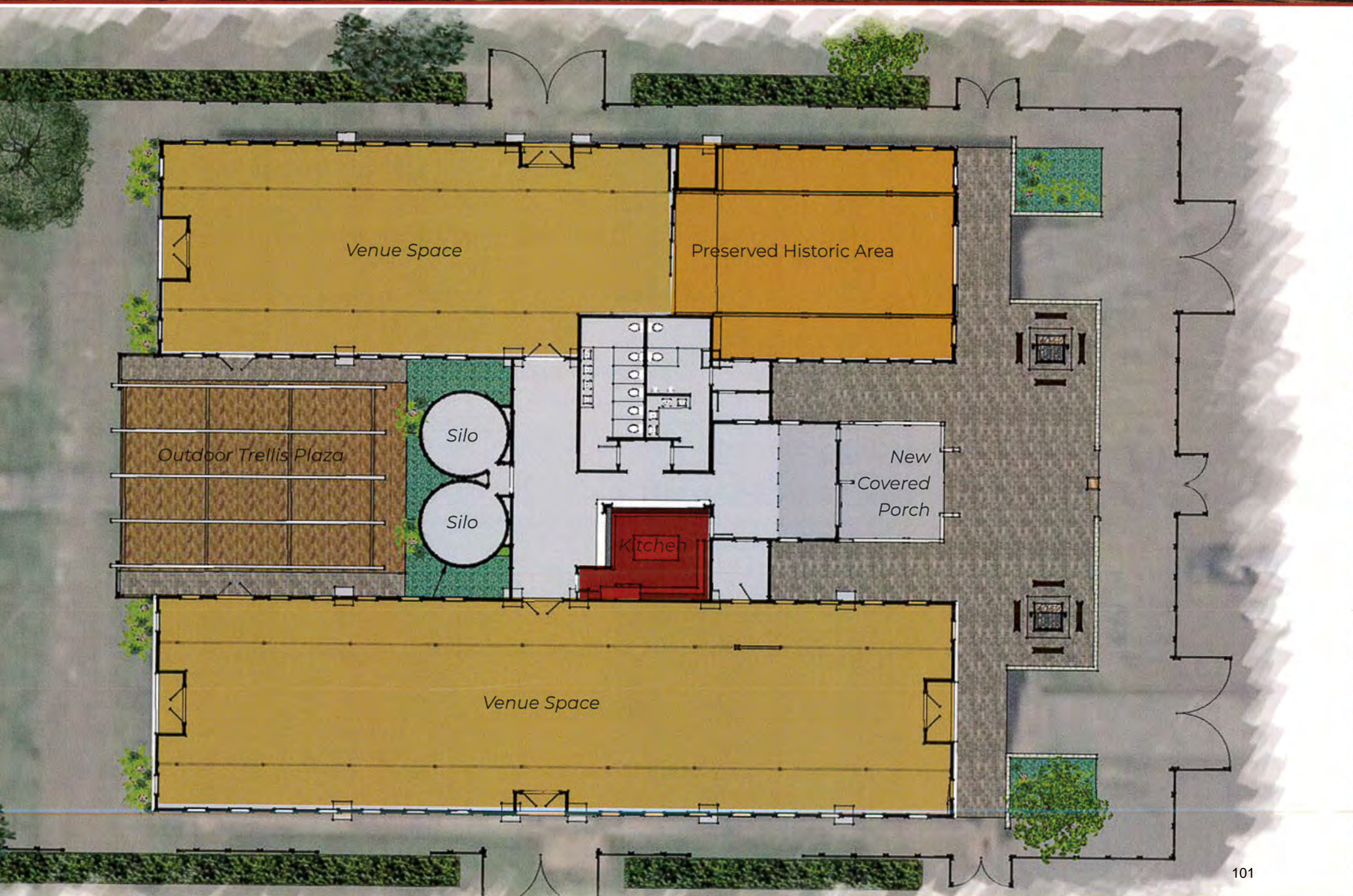
Thanks again for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Sally E. Saunders". The signature is fluid and cursive, with the first name "Sally" and last name "Saunders" clearly distinguishable.

Sally Saunders

Board President



RESOLUTION NO. 2022-06

A RESOLUTION of the City Council of the City of Lakewood, Washington, creating a policy and procedure for the naming/renaming of a public park, facility, street, open space or natural area.

WHEREAS, the City Council is inspired by its own sense of history, progress and heritage to provide lasting remembrance of events and individuals; and

WHEREAS, the naming and renaming of a public park, facility, street, open space or natural area must reflect dignity and significance as well as honoring the past, present and future of the land or community; and

WHEREAS, the City Council and community have sufficient occasion to name or rename a public park, facility, street, open space or natural area that a transparent process will be of use; and

WHEREAS, it is appropriate to establish criteria and procedures for the official naming/renaming of a public park, facility, street, open space or natural area.

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

Section 1. That Resolution 2016-18 is hereby repealed.

Section 2.

A. The naming/renaming of a public park, facility, street, open space or natural area shall be in accordance with the procedures and criteria set forth below. City parks and other city facilities referenced in the procedures and criteria includes but is not limited to a public park, facility, street, open space or natural area. Once adopted, name changes should occur on an exceptional basis only. Permanent naming/renaming opportunities shall comply with this policy.

B. Naming Application Process

Any group, person, or organization may submit an application to name or rename a public park, facility, street, open space or natural area. The application is to be submitted to the City Manager. Applications should contain the following information:

1. Name of applicant;
2. Proposed name;
3. Background/support for proposed name;
4. Demonstrated community support for proposed name on a petition that includes not less than 300 signatures and residential address within the city;
5. Identification of interested/impacted stakeholders;
6. Description/Map showing location; and
7. If proposing to name/rename after an outstanding person, documentation of that person's community or financial contribution to the City, State or Nation's history.

Applications pursuant to this section shall be accompanied by a \$250 fee. When the fee is added to the fee schedule, the fee schedule shall apply.

- C. Proposed naming information submitted to the City or referred by the City Council will be reviewed by the City Manager or designee, who shall then direct a process appropriate to the proposal.
 - 1. Such process shall most often involve a City community advisory board or committee as assigned by the City Manager or designee.
 - 2. Names shall be considered based on the criteria outlined below and with consideration of public input appropriate to the proposal. Public input solicited shall include appropriate notice to and communication with residents.
 - 3. The proposal shall be submitted to the City Council, who will review the recommendations, suggestions and public input, after which the City Council shall determine the name for public park, facility, street, open space or natural area. The City Council is not bound in any way by the proposal submitted. City Council review shall include adequacy of notice, communication with residents and composition of the committee.
- D. If the City Council determines that a public park, facility, street, open space or natural area should be named or renamed, the City may solicit suggestions for names from community organizations and individuals. All suggestions, whether solicited or independently offered, shall be acknowledged and considered.
- E. The following criteria shall be considered:
 - 1. The past, present and future history of the land or community. Such consideration should include the following:
 - a) It is in the best interest of the city and provides a worthy and enduring legacy for the city; and
 - b) The name reflects the significance of a feature and the mission and vision of the city; and
 - c) The name is appropriate to the location and will remain relevant as the city grows and changes.
 - 2. The individual or entity who has donated substantial monies or land or has been otherwise instrumental in the acquisition of the property.
 - 3. The articulated preference of residents of the neighborhood surrounding the public facility.
 - 4. Engenders a strong, positive image.
 - 5. Has broad public support.
 - 6. Outstanding individuals will be considered posthumously. Consideration will be given when the person was exceptionally dedicated or demonstrated excellence in service in ways that made a significant contribution to the land, community, park, or city department or the person risked his or her life to save or protect others. There shall be a lapse of at least thirty six (36) months between the date of the death of the person(s) or

of the event commemorated and the submittal of application naming or renaming of the public park, facility, street, open space or natural area; or at the discretion of the City Council.

7. When a public park, facility, street, open space or natural area is associated with or located near events, people, and places of historic, cultural or social significance: consideration will be given to naming the park and/or facility, after such events, people and places. This history may include its founders, other historical figures, Native American heritage, local landmarks, prominent geographical locations, and natural features.
8. A gift-related naming occurs when a donor makes a significant contribution that adds considerable value to the City of Lakewood. If the city benefits from the generosity of residents, businesses, organizations and foundations, the significance of the donation may warrant consideration for requests from either the donor or another party to acknowledge such a gift by naming. Decisions regarding such recognition are made on a case-by-case basis and will take into consideration the total cost of the project, the availability of other funds and the level of financial contribution. All gift-related naming will be documented by a written donor agreement. As a guideline, the threshold for considering the naming of an asset will include one or more of the following:
 - a) Land for the majority of the park was deeded to the City by the donor; and
 - b) Contribution of a minimum of 60% of the capital construction costs associated with developing the park and/or facility; and
 - c) Provision of a minimum 20-year endowment for the continued maintenance, operation and/or programming of the Asset.
9. Name changes will be subject to review that includes consideration of the original justification for the current name, the monetary value of prior contributions, and the rationale for changing the name. The naming/renaming process would follow all other steps in the naming application process.

The naming of physical entities is intended to be in place for the life of the specific physical entity. If, in the determination of the City Council, circumstances change so that the purpose for which the physical entity was established is significantly altered, past its life cycle or if the physical entity is no longer needed or habitable, they will determine an appropriate way to recognize the donor's naming gift in perpetuity. If the City and the donor(s) previously established a contract that provides a practicable course of action, then that action shall be followed.

10. The donation of land, facilities, or funds for the acquisition, renovation or maintenance of land or facilities, shall not constitute an obligation by the City to name the land and/or facility or any portion thereof after an individual, family or organization. The City retains sole discretion with regard to initiating the process to name or rename a park or facility and further, the City retains sole discretion to implement, modify or reject the name or rename recommended by the process.
11. As modifications are made to property over time, situations may occur where it is in the best interest of the city at the sole discretion of the city, to relocate, modify, or reallocate named city property. This is to insure that the original purpose of the naming and the donor's wishes, if built with private funds, are preserved as appropriate.

F. Naming/Renaming Process

The following steps shall be used as guidelines for consideration:

1. Refer completed application to appropriate staff or committee for review and recommendation;
2. Solicit public input, the purpose of which is to represent the broad range of demographics and interests of city residents;
3. Forward recommendation to City Council for review and consideration; and
4. Notify the applicant of the application status once the City Council has taken action.

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

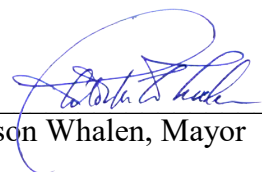
PASSED by the City Council this 6th day of June, 2022.

CITY OF LAKEWOOD

Attest:



Briana Schumacher, City Clerk


Jason Whalen, Mayor

Approved as to Form:



Heidi Wachter, City Attorney



To: Mayor and City Councilmembers

From: Heidi Ann Wachter, City Attorney

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

Date: May 15, 2023

Subject: Review Opioid Abatement Council (OAC) Formation for Pierce County

The State of Washington and 33 of its local political subdivisions, including counties and cities and towns with a population of over 10,000, are engaged in litigation with opioid Pharmaceutical Supply Chain Participants. The Opioid Litigation is expected to result in settlements and/or judgments with direct money payments to the state and its political subdivisions. To comply with the One Washington Memorandum of Understanding between Washington Municipalities requires the formation of an Opioid Abatement Council (OAC).

Pierce County as a region constitutes one OAC. The purpose is to serve as an oversight of funds, which is specifically to say that the OAC is not intended to provide authorization for expenditures. The OAC shall conduct an audit of expenditures from each jurisdiction annually to ensure that expenditures are consistent with the purpose of the One MOU.

The proposed OAC includes Pierce County, Auburn, Bonney Lake, Edgewood, Fife, Gig Harbor, Lakewood, Puyallup, Sumner, Tacoma, and University Place. Each jurisdiction may appoint their own member, but at minimum there shall be three members in attendance to satisfy quorum. Each member serves for 3 years and will be appointed by the legislative body of the jurisdiction. The members may be elected officials or duly appointed employees, subject matter experts or community members.

Duties of the OAC are as follows:

- **Accounting** – PCOAC shall account for all funds allocated.
- **Presenting** – PCOAC shall prepare and present the region's distribution of all Opioid Abatement Funds derived from the Opioid Litigation.
- **Administrative Expenses** – Administrative support for the PCOAC performed by the Pierce County Auditor as authorized by the PCOAC.
- **Meetings** - The PCOAC shall meet at least one time per year to consider and review the allocations, distribution, and management of all currently available Opioid Abatement Funds derived from the Opioid Litigation.

Required Activities for each Jurisdiction within the OAC:

- Develop a methodology for obtaining proposals for use of Opioid Abatement Funds;
- Ensure opportunities for community-based input on priorities for Opioid Abatement Funds programs and services;
- Receive and review proposals for use of Opioid Abatement Funds consistent with the approved purposes set forth by the MOU and Exhibit A;
- Approve or deny proposals for use of Opioid Abatement Funds for approved uses;
- Receive funds from the Trustee for approved proposals and distribute the funds to the approved recipients;

Each Party shall have the power to allocate, distribute, and manage all funds apportioned to their respective political subdivisions under any and every agreement to settlement, judgment, or any other method of Opioid Fund allocation provided for in the underlying Opioid Litigation as set forth by the MOU.

**INTERLOCAL AGREEMENT BETWEEN PIERCE COUNTY, CITIES OF AUBURN, BONNEY LAKE,
EDGEWOOD, FIFE, GIG HARBOR, LAKEWOOD, PUYALLUP, SUMNER,
TACOMA, AND UNIVERSITY PLACE**

This Agreement is made and entered into among Pierce County, a political subdivision of the state of Washington, and the municipal corporations of Auburn, Bonney Lake, Edgewood, Fife, Gig Harbor, Lakewood, Puyallup, Sumner, Tacoma, and University Place each a “Party” and collectively “Parties.”

SECTION 1. RECITALS

WHEREAS, the State of Washington and 33 of its local political subdivisions, including counties and cities and towns with a population of over 10,000, are engaged in litigation with opioid Distributors and Pharmaceutical Supply Chain Participants (“Opioid Litigation”); and

WHEREAS, the Opioid Litigation is expected to result in settlements and/or judgments with direct money payments to the state and its political subdivisions and this Agreement will apply to all Opioid Funds received pursuant to the Allocation Agreement and as a result of future settlements as defined in the One WA MOU; and

WHEREAS, to comply with the One Washington Memorandum of Understanding between Washington Municipalities (“MOU”), attached hereto with Exhibits A and B, and incorporated by reference, which has been previously approved and executed by the Parties and requires the formation of an Opioid Abatement Council (“OAC”); and

WHEREAS, each Party will receive direct distribution of funds from the Opioid Litigation (“Opioid Funds”), based upon the default methodology set forth at Section C.4 of the MOU, for purposes of future opioid remediation, training, and treatment efforts; and

WHEREAS, because each Party has a greater understanding of its own local impacts and local needs for such future opioid remediation, training, and treatment efforts, the undersigned Parties do hereby adopt and implement this Agreement for the creation of the Pierce County OAC (PCOAC), which is bound by the terms of the Agreement herein, as well as the MOU and exhibits thereto, the settlement Agreement provisions, and any applicable state statute(s); and

WHEREAS, each Party shall select a representative to serve as a Council Member to the PCOAC; and

NOW, THEREFORE, it is hereby agreed by the Parties:

SECTION 2. DEFINITIONS

1. “Opioid Litigation” shall mean the litigation between local Parties and Opioid Distributors and Pharmaceutical Supply Chain Participants, and any other settlements entered pursuant to the MOU.
2. “Approved Purpose(s)” shall mean the strategies specified and set forth in the Opioid Abatement Strategies attached as Exhibit A of the MOU.
3. “Council” or “Council Member” as used throughout this Agreement refers to the body or members to the PCOAC.

SECTION 3. PARTICIPATING ENTITIES

The Parties to this Agreement consist of the political subdivisions entitled to payment of the Opioid Funds derived from the Opioid Litigation conducted by the attorneys identified in the MOU. The Pierce County Parties are Pierce County, and the municipalities of Auburn, Bonney Lake, Edgewood, Fife, Gig Harbor, Lakewood, Puyallup, Sumner, Tacoma, and University Place.

SECTION 4. CREATION OF PIERCE COUNTY OPIOID ABATEMENT COUNCIL

The PCOAC shall be comprised of one member from each Party; each appointed by the governing body. Qualified members may be elected officials or duly appointed employees with experience in the subject matter, subject matter experts or community members. The PCOAC may call upon subject matter experts and/or outside bodies or organizations for advice and input as needed.

A. Selection and Meetings

1. **Selection and Terms** – Each Party shall select their representative to the PCOAC from qualified persons and the representative shall be appointed by the Party’s governing body. A Party may choose to leave its positions vacant; however, the Council must have a minimum of five filled positions. Using the same process as the primary member selection process, each Party’s governing body may also appoint an alternate to serve where the primary appointment is not available to serve. The term shall be for a period of three years. The terms of each Council Member shall be staggered. The selection of the initial panel will identify the term for each initial Council Member in consultation with the other Parties to ensure a staggering of terms. Nothing prohibits a Council Member from serving multiple terms.
2. **Chair** – The PCOAC Members shall select one person to serve as Chair of the PCOAC whose responsibilities will include the right to conduct meetings as well as act as the representative for the PCOAC in other matters. The Chair shall serve for a term of one year. Nothing prohibits a person from serving multiple consecutive terms as the Chair.

3. **Meetings** - Meetings shall be properly noticed to all Council Members and in compliance with RCW 42.30, the Open Public Meetings Act (OPMA). A quorum consists of three Members in attendance either virtually or in person. While Council Members are not required to attend or participate in meetings, each Council Member shall be responsible for meeting the annual obligations of MOU Section C.4.j.ii to account for proper expenditure of all distributed Opioid Funds.

The first meeting shall occur within 120 days of the recording of this Agreement. At the first meeting the Council shall (1) elect a Chair, (2) adopt a date for a regular annual meeting, (3) assign tasks to the Administrator. The Council may adopt rules of procedures governing meetings of the Council, including deciding the total number of meetings held annually.

4. **Structure of Council** - The PCOAC created in this Agreement is not a separate legal or administrative entity within the meaning of RCW 39.34.030(3).

B. Duties of PCOAC

1. **Oversight:** Overseeing distribution of funds from Parties for Approved Purposes.
2. **Annual Review:** Annual review of expenditure reports from Parties for compliance with Approved Purposes and the terms of the settlement.
3. **Publicly Available Reports** - Reporting and making publicly available all decisions on Opioid Fund allocation applications, distributions and expenditures by the PCOAC or directly by Parties.
4. **Public Dashboard:** Developing and maintaining a centralized public dashboard or other repository for the publication of expenditure data from the Parties and for expenditures by PCOAC, which it shall update at least annually.
5. **Data Collection & Guidelines:** Adopt data collection guidelines regarding how Parties share allocation and expenditure data, including the type of data, method, and timing of sharing of data to conduct the annual review. Receive such data to be used for annual report, public dashboard, and if determined to be necessary, report outcomes.
6. **Complaints:** Hearing complaints by Parties regarding alleged failure to (1) use Opioid Funds for Approved Purposes or (2) comply with reporting requirements. If the PCOAC concludes that a Party's expenditure of its allocation of Opioid Funds did not comply with the Approved Purposes listed in Exhibit A, or the terms of this MOU, or that the Party otherwise misused its allocation of Opioid Funds, the PCOAC may take remedial action against the alleged offending Party. Such remedial action is left to the discretion of the PCOAC and may include withholding future Opioid Funds owed to the offending Party or requiring the offending Party to reimburse improperly expended Opioid Funds back to the PCOAC to be re-allocated to the remaining Parties.

- 7. Ending of Agreement** – Within the last five years of this Agreement, the PCOAC shall determine the final reporting cycle and ensure that there are sufficient funds to pay any remaining invoices of the Administrator.

C. Duties of Parties

The Parties are expected to conduct required activities in the method best suited to the needs of their respective Parties. It is not anticipated that the PCOAC dictate methods to member Parties. Each Party is responsible for:

1. Developing a methodology for obtaining proposals for use of Opioid Funds.
2. Ensuring there is opportunity for community-based input on priorities for Opioid Fund programs and services.
3. Receiving and reviewing proposals for use of Opioid Funds for Approved Purposes.
4. Approving or denying proposals for use of Opioid Funds for Approved Purposes.
5. Receiving funds from the Trustee according to the allocation amounts listed in the MOU, for Approved Purposes and expending such funds in accordance with Exhibit A. Nothing in this Agreement prohibits the pooling of funds for designated purposes as outlined in Exhibit A. If a Party chooses to pool funds with another Party or Parties, the pooling agreement shall state which Party is responsible for providing expenditure data to the PCOAC, and the pooling Agreement shall be shared with PCOAC Administrator.
6. Reporting to the PCOAC, in accordance with data reporting guidelines, all decisions on Opioid Fund allocation applications, distributions, and expenditures.
7. If a Party elects neither to retain or pool its settlement allocation, its allocation will be reallocated to the other Parties to this Agreement according to the MOU allocation method.
8. Parties shall maintain all records related to the receipt and expenditure of Opioid Funds in accordance with Washington State retention laws, but for no less than five (5) years and shall make such records available for review by other Parties, the PCOAC, or the public.
9. Public Records Requests: Each party to this Agreement shall be responsible for

retaining and producing the records it creates, owns or uses, in accordance with applicable public records access and retention laws and regulations. Nothing in this section is intended to require a Party to collect or produce records that are not prepared, owned, used, or retained by that agency as defined by the Public Records Act (RCW 42.56), other than as provided for herein. Each party shall designate a Records Coordinator. The Administrator shall be responsible for maintaining and storing, in compliance with the state Public Records Act (Chapter 42.56 RCW), those records of the PCOAC that are owned, used, created or obtained by the PCOAC. Upon receipt of a request for PCOAC records, the PCOAC Administrator shall timely share the request with the Parties' Records Coordinator. In the event that the Administrator shares a request for PCOAC records with the Records Coordinator, each Records Coordinator notified by the Administrator shall cooperate with the Administrator as requested to fulfill the request, including contacting their respective Council Members to gather records. Parties who receive requests for PCOAC or records related to PCOAC are also encouraged, but not required, to share those with the Administrator.

SECTION 5. ADMINISTRATION OF PCOAC AND EXPENSES

Pierce County agrees to provide for the administration of the PCOAC through the Pierce County Auditor's Office as outlined in this Agreement. The Pierce County Auditor's Office (Administrator) will serve as the administrator for PCOAC and shall perform all administrative functions, including scheduling of meetings, making reports publicly available, maintaining a public dashboard, preparing a report for consideration of the PCOAC at its annual meeting, and other such tasks as assigned by the Chair.

A. Administrative Expenses

10% of the Opioid Funds received by the Parties will be reserved by each Party, on an annual basis, for administrative costs related to the PCOAC. Administrative costs are limited to 10% and every effort shall be made to keep administrative costs below 10%.

The Administrator shall provide itemized invoices for all administrative expenses to each of the Parties before the end of each fiscal year. Each Party will be billed by the Administrator a pro-rated amount based on the overall percentage each Party annually receives in direct allocation from the Trustee. Any reserved funds that exceed a party's pro-rated share of the administrative costs will be reallocated to each Party for Approved Purposes under the MOU.

B. PCOAC Records Retention

The PCOAC Administrator shall maintain PCOAC records according to Washington State retention laws, but for no less than five (5) years and shall make such records available for review by other Parties or the public. Records requested by the public shall be produced in

accordance with the Washington Public Records Act, chapter 42.56 RCW. Nothing in this section supplants any Party's obligations to retain and produce its own records as provided in this Agreement.

SECTION 6. CHAPTER 39.34 REQUIREMENTS

- A. Duration** – This Agreement shall be effective for the time-period that the Parties receive allocations of Opioid Funds under any of the current Opioid Litigation claims and shall continue to be effective until 36 months after the final distribution of such funds.
- B. Structure** – The organizational structure of the PCOAC is set forth above.
- C. Powers** – Each Party shall have the power to allocate, distribute, and manage all funds apportioned to their respective political subdivisions under any and every Agreement to settlement, judgment, or any other method of Opioid Fund allocation provided for in the underlying Opioid Litigation as set forth by the MOU.
- D. Purpose** – The purpose of the PCOAC herein shall be to ensure future remediation of the opioid abuse epidemic and the distribution and management of the funds identified herein.
- E. Financing** – The financing of the PCOAC shall be through the Opioid Funds received as a result of the Opioid Litigation identified herein.
- F. Termination** – This Agreement shall be self-terminating 36 months after the final distribution of funds through or by the Parties to the MOU.
- G. Joint Council** – The PCOAC shall be responsible for ensuring compliance with MOU, applicable state and federal law, and applicable regulations.
- H. Real Property and Personal Property** – This Agreement does not contemplate the joint acquisition of property by the Parties.

SECTION 7. INDEMNIFICATION

Parties agree to fully indemnify all other Parties, for all court awarded penalties, costs, and attorneys' fees incurred by another Party resulting from any claims, including under the Public Records Act, brought against a Party/Parties, where the liability is premised upon the sole acts or omissions by the Party or its appointed Council Member. The PCOAC only acts through the Parties and is not a separate legal entity for purposes of any claim. If more than one Party is held to be at fault, the obligation to indemnify and to pay costs and attorney's fees, will be only to the extent of the percent of fault allocated to each respective Party by a final judgment of the court.

SECTION 8. MODIFICATIONS OR AMENDMENTS

This Agreement may be modified or amended upon written agreement by all Parties. Any modifications or amendments must be consistent with the terms of the MOU and Exhibit A.

SECTION 9. HEADINGS

The article headings in this Agreement have been inserted solely for the purpose of convenience and ready reference. In no way do they purport to, and shall not be deemed to, define, limit, or extend the scope or intent of the articles to which they appertain.

SECTION 10. ENTIRE AGREEMENT

This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original, but such counterparts shall together constitute but one and the same.

This Agreement sets forth the entire Agreement between the Parties with respect to the subject matter hereof and supersedes all previous discussions and agreements. Understandings, representations, or warranties not contained in this Agreement, or a written amendment hereto shall not be binding on any Party.

SECTION 11. SEVERABILITY

In the event any term or condition of this Agreement or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions, or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this end the terms and conditions of this Agreement are declared severable.

In the event any portion of this Agreement should become invalid or unenforceable, the remainder of the Agreement shall remain in full force and effect.

SECTION 12. NON-DISCRIMINATION

The Parties, their employees, and agents shall not discriminate against any person based on any reason prohibited by Washington state or federal law as adopted or subsequently amended.

SECTION 13. COMPLIANCE WITH LAWS

The Parties shall observe all federal, state, and local laws, ordinances, and regulations, to the extent that they may be applicable to the terms of this Agreement.

SECTION 14. GOVERNING LAW; VENUE

This Agreement has been and shall be construed as having been made and delivered within the State of Washington and it is mutually understood and agreed by each Party that this Agreement shall be governed by the laws of the State of Washington both as to interpretation and performance. Any action at law, suit in equity, or other judicial proceeding for the enforcement of this Agreement, or any provision hereto, shall be instituted only in courts of competent jurisdiction within Pierce County, Washington.

SECTION 15. RECORDING

Pursuant to RCW 39.34.040, copies of this Agreement shall be filed with the Pierce County Auditor.

SECTION 16. APPROVAL BY LOCAL POLITICAL SUBDIVISION

Adoption of this Agreement by each Party shall be by resolution and by signature below.

WHEREFORE, the undersigned authorities do hereby approve and adopt the Agreement on the Pierce County OAC (PCOAC) as set forth herein.

Done on this ____ day of _____, 2023.

DRAFT