



## **LAKEWOOD CITY COUNCIL STUDY SESSION AGENDA**

Monday, February 12, 2024

7:00 P.M.

City of Lakewood  
Council Chambers  
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 call in to listen by telephone via Zoom: Dial +1(253) 215-8782 and enter meeting ID: 868 7263 2373

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Page No.1

### **CALL TO ORDER**

### **ITEMS FOR DISCUSSION:**

- (3) 1. Partners for Parks Update. – (Memorandum)
- (11) 2. Review of Lakewood Police Department 2023 Annual Report. – (Memorandum)
- (37) 3. Review of code amendments related to fines and forfeitures for parking. – (Memorandum)
- (46) 4. Review of City Council Rules of Procedure. – (Memorandum)

### **ITEMS TENTATIVELY SCHEDULED FOR THE FEBRUARY 20, 2024 REGULAR CITY COUNCIL MEETING:**

- 1. Recognizing the Clover Park School District Daffodil Princesses.
- 2. Proclamation recognizing Micheal David Bugher for his service to the City of Lakewood.

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

<http://www.cityoflakewood.us>

3. Authorizing the execution of an amendment to the agreement with Olson Bros. Pro-Vac, LLC for surface water infrastructure cleaning and inspection services. – (Motion – Consent Agenda)
4. Authorizing the execution of an amendment to the agreement with McDonough & Sons, Inc. for street sweeping services. – (Motion – Consent Agenda)
5. Amending Lakewood Municipal Code Chapter 9 related to fines and forfeitures for parking. – (Ordinance – Regular Agenda)
6. Flag Policy Update. – (Reports by the City Manager)

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

### **CITY COUNCIL COMMENTS**

### **ADJOURNMENT**

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## UPDATE – The H-Barn Project

**From:** Partners for Parks  
**To:** Lakewood City Council  
**Date:** February 12, 2024  
**RE:** H-Barn Project Update

### **Objectives for Presentation:**

- 1) Provide Council a campaign update for the H-Barn restoration project at Fort Steilacoom Park
- 2) Demonstrate all deliverables have been achieved, per \$150,000 city grant and May 2022 contract
- 3) Show plan of campaign – what’s been accomplished, where we’re going and how we’ll get there
- 4) Share our four fundraising strategies – foundations, individuals, businesses, and organizations
- 5) Identify challenges and opportunities for strengthening this public-private partnership
- 6) Build enthusiasm and confidence to bring this shared vision into reality, and address any questions

### **Materials for Council Review** *(all one-page documents):*

1. Master Calendar – 36 months
2. Table of Investments – gift chart
3. Fundraising Status – as of 2/5/24
4. Campaign Overview – (pdf) case for support, brochure
5. \$7.5M Project Budget- (city’s original doc)

### **I. Deliverables** *to be achieved by Partners for Parks per contract with the City, dated May 2022*

1. Develop a plan of campaign to raise awareness and funds to support barn renovation project; &
2. Create organizational capacity to manage data base, leadership teams, marketing and campaign.

#### ➤ **The Update** – *Ref. Master Calendar and Table of Investments*

- The 36-month Master Calendar provides an overview of our Plan of Campaign, reflecting dates for implementation of all activities, broke out into three primary areas of focus:
  - 1) Management and Organization
  - 2) Awareness and Marketing
  - 3) Solicitation
- A detailed Plan of Campaign was presented and accepted by the PFP Board in 2022.
- A robust organizational and fundraising data base was developed (*aka Bloomerang*).
- A community leadership team was enlisted and the Legacy Task Force was created.

- Two awareness committees were enlisted; including the Speakers Bureau (presentations to organizations) and Leadership Awareness (individual, small group gatherings).
- PFP contracted with two organizations to help build organizational capacity, provide staffing support and to manage data base, finance, marketing & promotion, leadership teams, in order to implement fundraising strategies and the plan of campaign. Staffing consultancy firms include: Phoenix Risen Consulting and Red Barn Communications.
- The Table of Investments shows the number and level of commitments necessary to raise \$3.5M and reflects the current number and level of commitments received thus far.

## **II. Implementing the Plan of Campaign**

The purpose of this written plan is to serve as blueprint for an intensive, major gifts campaign – such as the H-Barn Project at Fort Steilacoom Park. This plan is based upon best practices, and fundraising principles that are incorporated into Board and leadership team trainings, tailored to the project at hand.

### ➤ **The Update** – Ref. [www.partnersforparks.net](http://www.partnersforparks.net)

- The website link (above) includes most everything you'd want to know about PFP and the H-Barn Project – including a compelling Case for Support, leadership teams, organizational chart, project FAQs, press releases, video, campaign graphic showing progress with fundraising, an online giving page, and much more!
- A key role of the Legacy Task Force is to measure progress against the plan of campaign.
- A dozen project presentations to ORGS were made with over 250 persons in attendance.
- Two house parties, and one event at the country club, were hosted and well attended.

## **III. Momentum and Fundraising**

The H-Barn campaign is slated to last 36 months and is composed of three phases:

- The City's grant of \$150,000 to Partners for Parks funded the *Quiet Phase* to build organizational capacity and campaign readiness (**Phase one / 2022**).
- We are currently in the *Major Gifts Phase* (**Phase 2 / 2023 & 2024**).
- The *Community Phase* is a broad-based effort, lower-level gifts and includes outreach and gifts from 'everyone' (**Phase 3 / 1<sup>st</sup> Qtr. - 2025**).

### ➤ **The Update** – Ref. Master Calendar, Table of Investments & Fundraising Status docs

- The H-Barn campaign is staff managed and volunteer driven.
- One year ago, we had 15 donors, and commitments of \$152,900.
- Today we have 77 donors, and commitments of nearly \$1,400,000.
- The fundraising status doc shows current commitments and future plans in 2024/25.

#### **IV. Overview & Budget**

##### **➤ The Update – *Ref Campaign Overview & \$7.5M Project Budget***

- The campaign overview was prepared as an insert for our campaign brochure, and was based upon a total project budget of \$7.5M and the conduct and feedback from 75 feasibility study interviews among public officials, PFP board and community leaders.
- The overview reflects the campaign timeline, the three phases, community impact (appeal), expenditure breakdown and amount of private and public funding to be raised.
- The total budget doc was prepared by the city and was previously submitted to Council.

#### **V. Challenges and Opportunities**

##### **➤ The Update - *further to the City Manager's project update to Council on Jan. 22, 2024 ...***

- Fundraising is both an art and a science, with no guarantee as to the generosity in the hearts of men and women. All gifts are gratefully received and deeply appreciated.
- Foundation donors (*indeed all donors*) want to see progress; and when they make a grant, they require from grantees an annual report on use of funds.
- PFP currently has more than \$1.1M available for use and transfer to the city, which is currently restricted funding to be used only for project design and capital construction.
- In addition to reporting back on use of funds to grantors, it would be valuable for all to know whether project costs have escalated or remained about the same.
- And from a fundraising point of view, it would be most beneficial to have detailed architectural plans and drawings so we could address major / lead gift 'prospective donors' concerning possible naming opportunities inside or near the building.
- It's also important to note that PFP is providing major donors the opportunity to maximize their support for the H-Barn Project by making a 3-5 year written (signed) pledge commitment. PFP's administrative staff currently manages this process.

***THANK YOU!***

**Partners for Parks  
H-Barn Campaign: 36 Month Schedule**

	2022									2023												2024												2025		
	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
MANAGEMENT & ORG	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36
Governance + Campaign Readiness																																				
Draft / approve PLAN of CAMPAIGN																																				
QUIET PHASE KICKOFF																																				
DATABASE prospects / Bloomerang																																				
Leadership Enlistment																																				
Prospect Listing & Evaluation																																				
CASE FOR SUPPORT																																				
ENLIST HONORARY Co-CHAIRS																																				
LEGACY TASK FORCE																																				
AWARENESS & MARKETING																																				
COMMUNICATIONS																																				
Community Summit																																				
Executive Awareness																																				
Leadership Awareness																																				
Promotional & Training Materials																																				
Speakers' Bureau																																				
WEBSITE																																				
SOLICITATION																																				
Employee Division - City of Lakewood																																				
Board Division																																				
Lead Gifts / GRANTS																																				
NAMING Rights																																				
Major Gifts / GRANTS																																				
COMMUNITY GIFTS: public phase																																				
VICTORY CELEBRATION (2025)																																				



PFP TABLE OF INVESTMENTS - \$3,500,000 GOAL				
<u>Giving Level</u>	<u># of Gifts NEEDED</u>	<u>TOTAL</u>	<u>Commitments</u>	<u>TOTAL Cash/Pledge to Date</u>
\$500,000 +	1	\$500,000	1	\$1,000,000.00
250,000	2	\$500,000		
100,000	3	\$300,000		
50,000	14	\$700,000	2	\$100,000.00
25,000	20	\$500,000	4	\$105,000.00
15,000	14	\$210,000	4	\$73,000.00
10,000	29	\$290,000	3	\$30,330.88
5,000	60	\$300,000	8	\$41,000.00
Less than \$5,000	500	\$200,000	27	\$34,715.24
\$500 and less			28	\$6,482.44
<b>TOTALS</b>		<b>\$3,500,000</b>	<b>77</b>	<b>\$1,390,528.56</b>

UPDATED 2.2.24

## **Fundraising Status**

### **H-Barn Project**

**Feb. 5, 2024**

#### **PUBLIC sector Commitment = \$4,000,000**

The City of Lakewood has committed \$4,000,000 toward project costs of \$7.5 million. In addition, the city also provided an operational grant of \$150,000 to Partners for Parks in 2022 to 'staff up' in order to address organizational, fiscal management, overall planning and campaign readiness requirements.

#### **PRIVATE sector TOTAL from all sources = \$1,390,528.56**

##### **-- FOUNDATIONS & ORG (list of donors):**

\$1,000,000 (Names Family Foundation)  
\$50,000 (Tom & Meg Names Family Foundation)  
\$25,000 (Woodworth Family Foundation)  
\$25,000 (The Baker Foundation)  
\$22,000 (Clover Park Rotary)  
\$1000 (Clover Park Kiwanis)  
\$515.24 (Firefighters West 1488)  
\$485 (Network for Good)  
\$200 (South Tacoma Rotary)

#### **2024 GRANT seeking efforts – researched, in-process (\$1,660,000)**

Murdock Charitable Trust (\$500,000)  
Milgard Family / Whisper Foundation (\$500,000)  
Oscar & Olivann HOKOLD Foundation (\$200,000)  
Lakewood Rotary (\$100,000)  
The Norcliffe Foundation (\$100,000)  
Korum for Kids Foundation (\$50,000)  
Bamford Family Foundation (\$50,000)  
Ben B. Cheney Foundation (\$50,000)  
Sequoia / Forest Foundations (\$50,000)  
George & Dorothy BABARE Family Foundation (\$50,000)  
Lakewood Community Foundation Fund (\$10,000)

#### **2024 BUSINESS Partnerships – planning, in-process (\$500,000)**

#### **FUNDRAISING Strategies / % toward \$3.5M GOAL**

- Foundations = est. 50%+
- Individuals = est. 25%
- Businesses = est. 15%
- Organizations = est. 10%

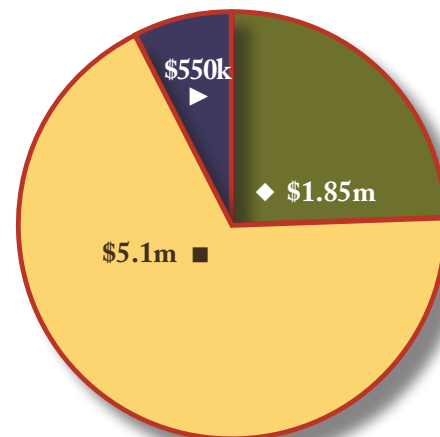




# CAMPAIGN OVERVIEW

## H-Barn Project By the Numbers

Total Project Cost = \$7,500,000



### Expenditure Breakdown

- ◆ Architectural plans & engineering, permits and construction management = \$1.85M
- Construction costs & materials = \$5.1M
- Campaign management & consulting, board development, promotion and marketing = \$550,000

## Campaign Timeline

### 2018

**A cost study** is completed and recommends renovation of H-Barn for historical preservation while also providing a unique community gathering space.

**Partners for Parks** conducts a feasibility study that includes interviews with stakeholders including the City Council, City Manager, PFP Board of Directors and selected community leaders.

### 2021

## Community Impact

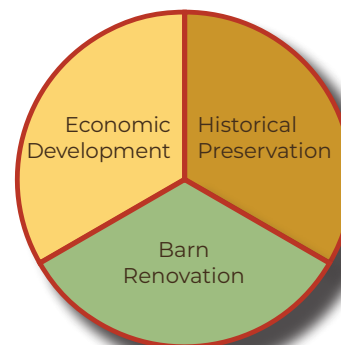
Rich history to be preserved, a thriving present to protect and a renovation that brings a promising future are not lofty or non-substantiated ideas. Fort Steilacoom Park envelopes these ideals and strives to bring a community both diverse and exponentially growing together in a very tangible way. The H-Barn project will stand as a hub for economic growth and development in a beautifully designed and full functional multi-use facility that will allow the legacy of this iconic barn and other nearby structures to live on.

### 2022

**Partners for Parks** launches the H-Barn Project with the unanimous consent of the City of Lakewood.

**The H-Barn Project** fundraising campaign is projected to take 36 months.  
**Internal phase** – 9 months (2022)  
**External phase** – 24 months (2023-2024)  
**Public phase** – 3 months (2025)

### 2022 - 2025



Sources & Uses Schedule	Year 2022				Year 2023				Year 2024				Year 2025				Total 2022	Total 2023	Total 2024	Total 2025	Grand Total		
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4							
		PFP - Internal & Community Readiness																					
					PFP - Community Public/Private Partnership Planning & Outreach																		
									PFP - Public Outreach/Solicitation														
							City of Lakewood - A&E, Permits, Construction Management																
												City of Lakewood - Construction											
Sources:																							
PFP (Partners for Parks) Capital Campaign	\$ -	\$ -	\$ -	\$ -	\$ 437,500	\$ 437,500	\$ 437,500	\$ 437,500	\$ 437,500	\$ 437,500	\$ 437,500	\$ 437,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,750,000	\$ 1,750,000	\$ -	\$ 3,500,000		
Potential Grants (City to Apply): - Trust for Historic Preservation - Pierce County LTAC	-	-	-	-	-	-	-	-	-	-	-	-	1,000,000	-	-	-	-	-	-	1,000,000	1,000,000		
Other/Funding Needed - To Be Determined	-	-	-	-	-	-	-	-	-	-	-	-	530,000	-	-	-	-	-	-	530,000	530,000		
State Capital Budget (City to Apply)	-	-	-	-	-	-	-	-	-	-	-	-	250,000	-	-	-	-	-	-	250,000	250,000		
City Contribution - Startup	-	50,000	50,000	50,000	-	-	-	-	-	-	-	-	-	-	-	-	150,000	-	-	-	150,000		
City Contribution - LTAC <sup>(1)</sup>	-	-	-	-	-	-	-	-	-	-	-	-	2,000,000	-	-	-	-	-	-	2,000,000	2,000,000		
Total Sources	\$ -	\$ 50,000	\$ 50,000	\$ 50,000	\$ 437,500	\$ 437,500	\$ 437,500	\$ 437,500	\$ 437,500	\$ 437,500	\$ 437,500	\$ 437,500	\$ 3,780,000	\$ -	\$ -	\$ -	\$ 150,000	\$ 1,750,000	\$ 1,750,000	\$ 3,780,000	\$ 7,430,000		
Uses:																							
Partners for Parks:																	-	-	-	-	-		
PFP (Partners for Parks) <sup>(2)</sup>	-	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	-	-	-	-	60,000	80,000	80,000	-	220,000		
Consultant Contract <sup>(3)</sup>	-	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	15,000	15,000	-	-	-	90,000	120,000	105,000	15,000	330,000		
Subtotal - PFP	-	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	35,000	15,000	-	-	-	150,000	200,000	185,000	15,000	550,000		
City of Lakewood:																							
A&E, Permit & Construction Management	-	-	-	-	-	-	100,000	100,000	200,000	400,000	400,000	300,000	200,000	130,000	-	-	-	200,000	1,300,000	330,000	1,830,000		
Construction	-	-	-	-	-	-	-	-	-	-	-	1,000,000	1,450,000	1,400,000	1,200,000	-	-	-	1,000,000	4,050,000	5,050,000		
Subtotal - COL	-	-	-	-	-	-	100,000	100,000	200,000	400,000	400,000	1,300,000	1,650,000	1,530,000	1,200,000	-	-	200,000	2,300,000	4,380,000	6,880,000		
Total Uses	\$ -	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 150,000	\$ 150,000	\$ 250,000	\$ 450,000	\$ 450,000	\$ 1,335,000	\$ 1,665,000	\$ 1,530,000	\$ 1,200,000	\$ -	\$ 150,000	\$ 400,000	\$ 2,485,000	\$ 4,395,000	\$ 7,430,000		

Year 2022	Total Sources	\$ 150,000
	Total Uses	\$ 150,000
	Over/(Under)	\$ -

Year 2023	Total Sources	\$ 1,750,000
	Total Uses	\$ 400,000
	Over/(Under)	\$ 1,350,000

Year 2024	Total Sources	\$ 1,750,000
	Total Uses	\$ 2,485,000
	Over/(Under)	\$ (735,000)

Year 2025	Total Sources	\$ 3,780,000
	Total Uses	\$ 4,395,000
	Over/(Under)	\$ (615,000)

LTD 2022	LTD Sources	\$ 150,000
	LTD Uses	\$ 150,000
	Over/Under	\$ -

LTD 2023	LTD Sources	\$ 1,900,000
	LTD Uses	\$ 550,000
	Over/Under	\$ 1,350,000

LTD 2024	LTD Sources	\$ 3,650,000
	LTD Uses	\$ 3,035,000
	Over/Under	\$ 615,000

LTD 2025	LTD Sources	\$ 7,430,000
	LTD Uses	\$ 7,430,000
	Over/Under	\$ -

Note:

<sup>(1)</sup> City Contribution - LTAC: City to apply for LTAC funding for annual debt service payments of \$160,000 in support of \$2M construction bonds, 20 Year Life.

<sup>(2)</sup> Partners for Parks (PFP) is capital campaign lead; once \$3.5M has been secured, project responsibility to include design, planning and construction transitions to City of Lakewood. PFP costs includes: executive director and team, operating expenses and promotional materials.

Originally that that PFP would need to contract out executive director, then pay additional monthly operational expenses and contract separately for promotional materials. Per further research, various firms include the monthly expenses as part of their wrap around services, eliminating the need to break out monthly expenses and promotional materials. These firms also have people on their team or partners who provide promotional services. The idea is to provide resources to get the various tasks done - one stop shopping versus a bunch of separate contracts. And, based on cost estimates, the monthly fees would cost less than originally proposed, from \$170,000 the first year to \$150,000.

Operational expenses includes: clerical, phone, office equipment, postage, meeting support, bookkeeping, etc. Promotional materials includes: brochures, newsletters, inserts, letterhead, webpage development, graphic design, promotional videos and printing.

If itemized per month: \$15,000 for executive director and team / \$3,500 for promotional materials /\$1,500 for operational expenses.

<sup>(3)</sup> Consultant contract services includes capital campaign initiative.



# Lakewood Police Department

## 2023 ANNUAL REPORT





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## Our Numbers

**100**  
Sworn

**9**  
Limited Commission

**10**  
Civilian

**2**  
K9



# Letter from the Chief

I am pleased to present the 2023 Annual Lakewood Police Department Report to the community. This will encompass my first year as Chief of Police in the City of Lakewood. Please know that I am very thankful, humbled, and pleased to serve the community and to work along-side a very talented group of women and men who serve with pride and professionalism.



Each year, law enforcement faces new challenges and 2023 has been no different. What is different and significant, however, has been our ability to adapt to the changes, improvise operations, and improve the level of service we provide. One of our central focuses was to bring the department back to full staffing in order to meet calls for service, meet the needs of the community, and reduce overall response time to calls, all while reducing crime and victimization. I am pleased to let you know that we have hired a number of exceptional officers to fill every position. The Lakewood Police Department is now fully staffed with officers who are “Making a Difference” every day, which has allowed us to reduce crime and victimization, as well as to address quality of life issues.

As a department, we recognize that we cannot police the city alone, but, together, we can accomplish great things. So, we are extremely thankful for all of our community partnerships, many who have helped us extensively, behind the scenes, to improve city services and help to make Lakewood an attractive place to live. We can’t thank you enough.

Please know that the women and men of the Lakewood Police Department stand committed to the protection of life, and security of property, and to serve our community with pride and professionalism. In Lakewood, we share a common interest of creating a safer city with safer schools, safer businesses, and safer communities so we all can thrive. We welcome your community group or association to partner with us to develop a stronger Lakewood Community for all to enjoy.

Chief Patrick D. Smith

## CORE VALUES

INTEGRITY DEDICATION TEAMWORK COMPETENCE RESPECT

“ ***Making a Difference*** ”

## MISSION

The purpose of the Lakewood Police Department is to create a safer city that is conducive to thriving families, schools, and productive businesses. The Department is committed to the safety and welfare of its citizens and visitors, while staying focused on crime reduction, to minimize victimization. We proudly work cohesively with our citizenry, and community groups, to create a harmonious city for all to enjoy.



# ABOUT LPD

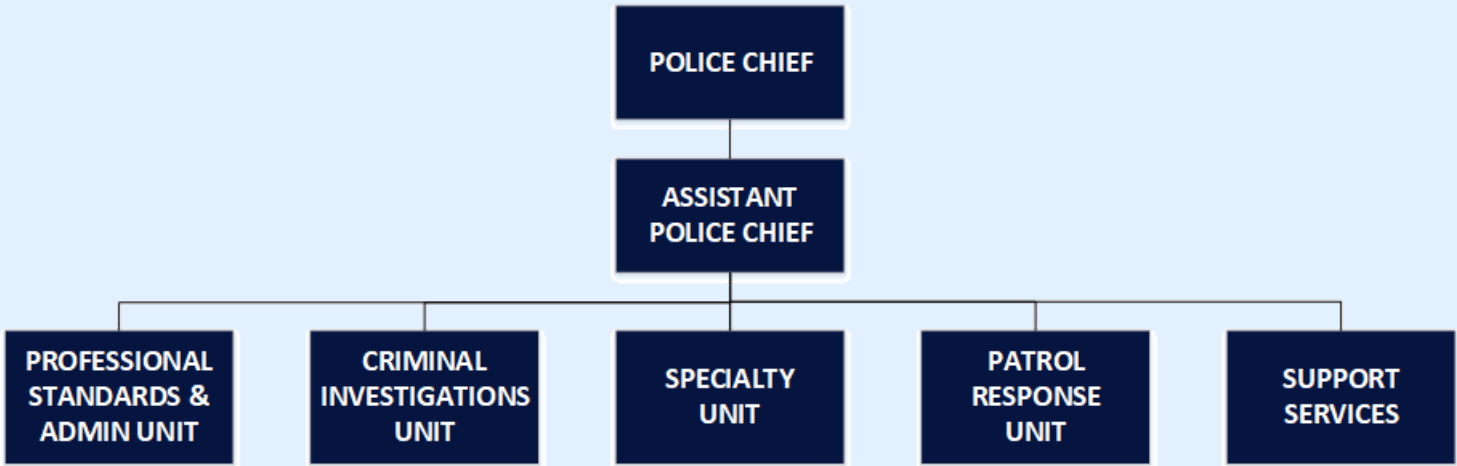


Lakewood's 21st century department consists of 100 commissioned police officers, two Community Service Officers, two Court Compliance Officers, two Animal Control Officers, three Code Enforcement Officers, and ten civilian support staff. The Lakewood Police Department is one of the largest departments in the State of Washington, serving a population of over 60,000. To successfully counter crime challenges, the Department operates a large array of programs and employs modern technology to expand its reach and efficiency.



## Command Staff:

- Chief Patrick D. Smith
- Assistant Chief John Unfred
- Lieutenant Jeff Alwine
- Lieutenant Chris Westby
- Lieutenant Andy Gildehaus
- Lieutenant Jeremy Prater
- Lieutenant Peter Johnson





# WELCOME



## FAREWELL



## CONGRATS

### PROMOTIONS



## AWARDS



- 1 Medal of Meritorious Service
- 1 Lifesaving Award
- 6 Police Chief Commendation
- 14 Distinguished Service Awards
- 1 Core Value Awards



# PATROL



The Patrol Division is comprised of 48 sworn personnel who are responsible for responding to emergency calls, traffic enforcement, proactively fight crime and solve problems in the community 24 hours a day, 7 days a week, 365 days a year.

The patrol division is commanded by the patrol Lieutenant, along with six patrol sergeants that lead their individual squads of seven officers.

## YOU CALL. WE RESPOND.



**53,921**

**Calls for Service**

Lakewood Population: 63,612

**45,996**

**Dispatched Calls for Service**



Average  
Response  
Times

**4.3 minutes**

**Priority 1/ Life Threatening**

**8.1 minutes**

**All Other Priority Calls**



### Top 4 Categories of Calls for Service

- Welfare Check
- Traffic Stop
- Suspicious Vehicle
- Unwanted Person



**14,955**

**Officer Initiated Calls**



**1,716**

**Tickets**



**1,057**

**Collision Reports**



# INVESTIGATIONS



The Investigations Division consists of five units:

- Forensic Services
- Major Crimes
- Property Crimes/Robbery Unit
- Special Assault
- Special Operations

## YOU NEED ANSWERS. WE INVESTIGATE.



**538**

### **Violent Crimes**

Homicide; Forcible Rape;  
Robbery; Aggravated Assault



**663**

**Cases Assigned**



**2,742**

### **Property Crimes**

Burglary; Larceny/Theft;  
Motor Vehicle Theft; Arson



**559**

**Cases Cleared**



### **INVESTIGATIVE PARTNERSHIPS**

Innocence Lost  
Task Force

South Sound Violent  
Crimes Task Force

**PSATT/ Puget Sound  
Auto Theft Task Force**

DEA/Tahoma Narcotics  
Task Force

PCFIT/Pierce Co. Force  
Investigation Team

### **Cases Assigned/Cleared**

**223/196**- Special Assault  
**185/104**- Property Crimes/Robbery  
**188/194** - Major Crimes  
**67/65** - Special Operations

### **Special Operations**

**22** Arrests

**35** Search  
Warrants

**\$100,000+**  
Assets Seized

**32**  
Guns Seized

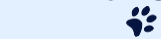
# SPECIALTY UNITS



## Traffic

The Lakewood Police Department's Traffic Unit consists of one sergeant, three officers and one community service officer and is focused on increasing public safety on the roadways. This goal is accomplished through enforcement, engineering and education. The unit uses a variety of selective enforcement measures along with emphasis patrols in school zones and high traffic areas to make Lakewood roads safer. The unit also conducts emphasis patrols to crack down on impaired driving.

### Animal Control Stats:



**1,757**

Service Requests

**183**

Animal Impounds

**206**

Tickets Issued

**4**

Potentially Dangerous  
Dogs

### Traffic 2023 Stats:

**1,057**

Accidents

**-17%** from 2022 (1,270)

Citations/Tickets Written:

**1,719**

## Animal Control

Animal Control is staffed by two full time officers who work with the communities of Lakewood, Steilacoom, and DuPont.

They work with citizens to promote responsible pet ownership, control pet disease and public safety through education, service, and enforcement.





## Property Room



### Pieces of Evidence Collected

**5,149**

including:

**236** Firearms

**18,536.1** Grams of Narcotics

**\$28,349.14** Money

The three staff in the Property/Evidence Room hold, preserve, and document all of the evidence collected from crime scenes and provide it to courts when needed for trial. They also ensure that property recovered from solved crimes, such as burglaries and car prowls, are returned to the rightful owners.

### MSU 2023 Stats:

**391**

On-Water Patrol Hours

**228**

Total Citations/Warnings

**334**

Total Written Vessel  
Inspections

**12**

Search and Rescue/Recovery  
Cases

### Police Station Front Desk:

**12,096**

Phone Calls

**6,289**

Walk-Ins

**341**

Reports

## Marine Services Unit (MSU)

The Marine Services Unit (MSU) provides services to the area lakes. The department maintains a large boat on American Lake, as well as a rigid inflatable boat on a trailer and two jet skis. The diversity in marine fleet allows officers to respond quickly to the variously sized lakes in the city.

Officers patrol and provide rescue/recovery services to numerous waterfront homes, businesses, beaches, marinas, and parks that are used by thousands of visitors and residents alike all year long. They are also part of the Metro Dive Team.



# SPECIALTY UNITS



Kona



## K9 Unit

The Lakewood Police Department's K9 Unit consists of two K9 teams. The Lakewood K9 unit is part of the Pierce County Metro K9 Team. Both teams are State Certified through Washington State Criminal Justice Training Commission, State Accredited through the Washington State Police K9 Association, and certified through the Peirce County Metro K9 Agreement. This means that they undergo an additional 500 hours of K9 specific training, in addition to the base training all officers receive, each year.

The K9 patrol teams responds to calls for service county wide to assist in safely tracking wanted subjects, pursuing fleeing subjects, and building searches.



### 2023 K9 Stats:

42

Captures

156

Deployments



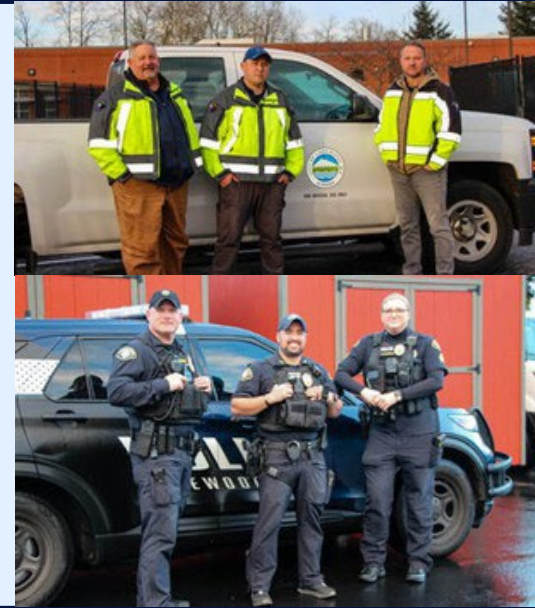
Hawk



# Community Safety Resource Team (CSRT)

The Community Safety Resource Team (CSRT) consists of one sergeant, three Neighborhood Police Officers (NPOs), two Community Service Officers (CSOs), and three Code Enforcement Officers (CEOs).

Each member of the team is assigned to designated areas of the city where they work together to tackle not only full-blown neighborhood problems, but the root conditions that contribute to them. This includes, but is not limited to, criminal activity, nuisance properties, dangerous buildings, unlawful business practices, and homelessness issues.



## BMHCT 2023 Stats:

**123**

Care Response Episodes

**113**

New Admissions to Behavioral  
Health Resources

**70**

Re-Admissions to Programs  
For Further Treatment

## CSRT 2023 Stats:

**561**

Total Code Complaints Received

**459**

Code Complaints Received Via  
MyLakewood311

**34**

Reports Written

**47**

Community Meetings

# Behavioral Mental Health Contact Team (BMHCT)



We welcomed two new Mental Health Professionals to our team; one in August and one in December of 2023.

Matt Landis and Kristi Flesher will work with Officer Arbiol as part of the BMHC Team and with CSRT and Patrol to find people proper help and assistance instead of taking them to jail or sending them to overcrowded emergency rooms. Their work helps people with mental health issues get streamlined mental health and medical care, along with finding housing, and solutions to personal needs.

# OFFICE OF PROFESSIONAL STANDARDS

## Use of Force & Pursuits

*Each “|” equals 100 incidents*

**29** Pursuits

| **140** Use of Force

||||| **1,870** Arrests

||||| **45,996** Dispatched Calls for Service

### Reasons for Pursuits

- 14** Possible DUI
- 4** Felony Property Crime
- 8** Felony Person Crime
- 3** Wanted Subject

### Reasons for Use of Force

- 8** Traffic Stops
- 18** On View
- 11** Field Contact
- 103** Calls for Service

## Internal Investigations & Findings

- 8** Internal Investigations
- 10** Allegations

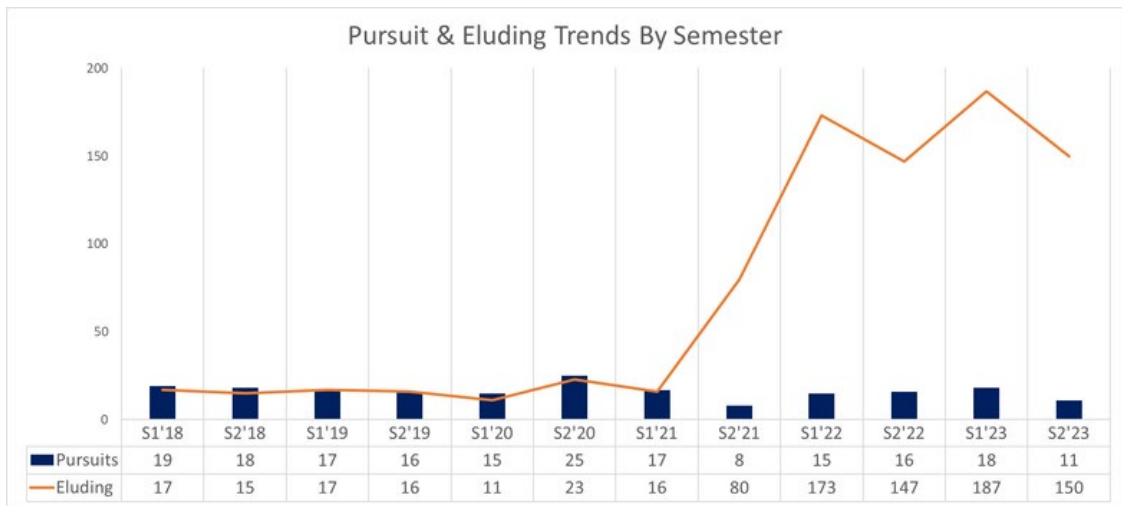
- 1** - Exonerated
- 6** - Sustained
- 1** - Not Sustained
- 2** - Unfounded

**Exonerated** - incident occurred but the conduct or performance of the employee was found to be lawful and proper.  
**Sustained** - allegation is supported by sufficient evidence to justify a reasonable conclusion that the alleged misconduct occurred.  
**Not Sustained** - there is insufficient evidence to either prove or disprove the allegation(s).  
**Unfounded** - the investigation revealed that the incident or allegation(s) did not occur.  
**Standards Failure** - standards were followed but had undesired results. This results in reassessing standards and modifying/expanding training.

The Professional standards section is staffed by a lieutenant, a sergeant, a training officer, a recruiter, and a police administrative technician. This division handles citizen complaints and conducts internal and background investigations. It oversees the training and department administrative functions. It also periodically evaluates the operation of the department for changes in policy, training and equipment.

## Eluding. A Constant Struggle.

Eluding = Any driver who willfully fails or refuses to immediately bring his or her vehicle to a stop after being given a visual/audible signal to stop. Class C felony. *RCW 46.67.024*

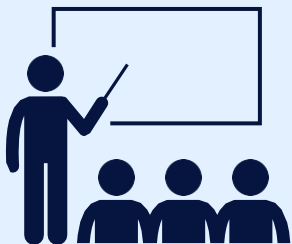


Semester = 6 months    S1 = January - June    S2 = July - December

Prior to legislative action in 2021, many cities and towns already had restrictive pursuit policies that weighed the community's safety with the underlying reason for the pursuit. People committing crimes were not necessarily aware of an agency's pursuit policy, and, therefore, appear to have been less likely to flee from police or use a vehicle in the commission of a crime. Unfortunately, offenders are currently using the state's vehicular pursuit laws to their advantage by using a vehicle in the commission of their criminal activity -- an unintended consequence of a well-intentioned public safety goal.

Given the number of criminals who use stolen vehicles to facilitate other crimes, we are asking our State Legislature to make refinements to the pursuit policy to allow for the pursuit of stolen vehicles, and to allow local jurisdictions to individually continue with their current policy against all pursuits if they consider that to be the best choice for their community. Working within current pursuit laws, Lakewood Police Department has developed training on the use of tactics and updated policies to help minimize opportunities for drivers who would otherwise seek to flee in a vehicle.

### Training



**24 hours**

Ongoing Training State Mandated

**14,439 hours**

Officer In-Service and Additional Training

**140.2 hours**

Average Hours of Training Per Officer



# COMMUNITY OUTREACH

Every year, with the help of generous community partners, such as WalMart, and donations received from Lakewood citizens and police employees, the Lakewood Officers' Charity hosts two events for the Holiday Season; Holiday Meals and Shop with an Officer.

## SHOP WITH AN OFFICER

This year, as part of our 13th annual Shop with an Officer event, our officers had the honor of taking 18 families shopping at Walmart. Families are nominated by our officers, the Clover Park School District, and local churches. This event was coordinated and financed by the Lakewood Officers' Charity, which is funded by contributions from Lakewood Police officers.



## HOLIDAY MEALS

Through this program, our Lakewood Officer's Charity partners with WalMart to provide meals to 150 families enrolled in the Clover Park School District Headstart Program. We are grateful for the opportunity to connect with these families and give back to our community.





# CITIZENS ACADEMY



In 2023, LPD offered it's 5th annual Citizens Academy, providing an opportunity for residents to learn about police work from the inside. Through this eight-week course, residents met once a week from June to July at the Lakewood police station. They had the opportunity to learn from Lakewood police officers and department leadership, received interactive training from police officers, and had direct access to police detectives and command staff to ask questions about operations.

We had 18 graduates in this class and are looking forward to hosting it again in 2024.

## NATIONAL NIGHT OUT



Each year the Lakewood Police Department participates in this national event focused on bringing communities and neighbors together and creating a positive relationship with law enforcement.





*"Without a sense  
of caring,  
there can be no sense  
of community."  
Unknown*

**#IAMLAKEWOOD**



K9 Kira (Retired)

April 28, 2010- November 6, 2023  
Service. Dedication. Belly Rubs.

**Lakewood Police Department**

**9401 Lakewood Dr. SW**

**Lakewood, WA 98499**

**253-830-5000**

**[policefrontdesk@cityoflakewood.us](mailto:policefrontdesk@cityoflakewood.us)**



[www.cityoflakewood.us/police](http://www.cityoflakewood.us/police)

# LAKEWOOD POLICE QUARTERLY STATS

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*4<sup>th</sup> Quarter 2023*

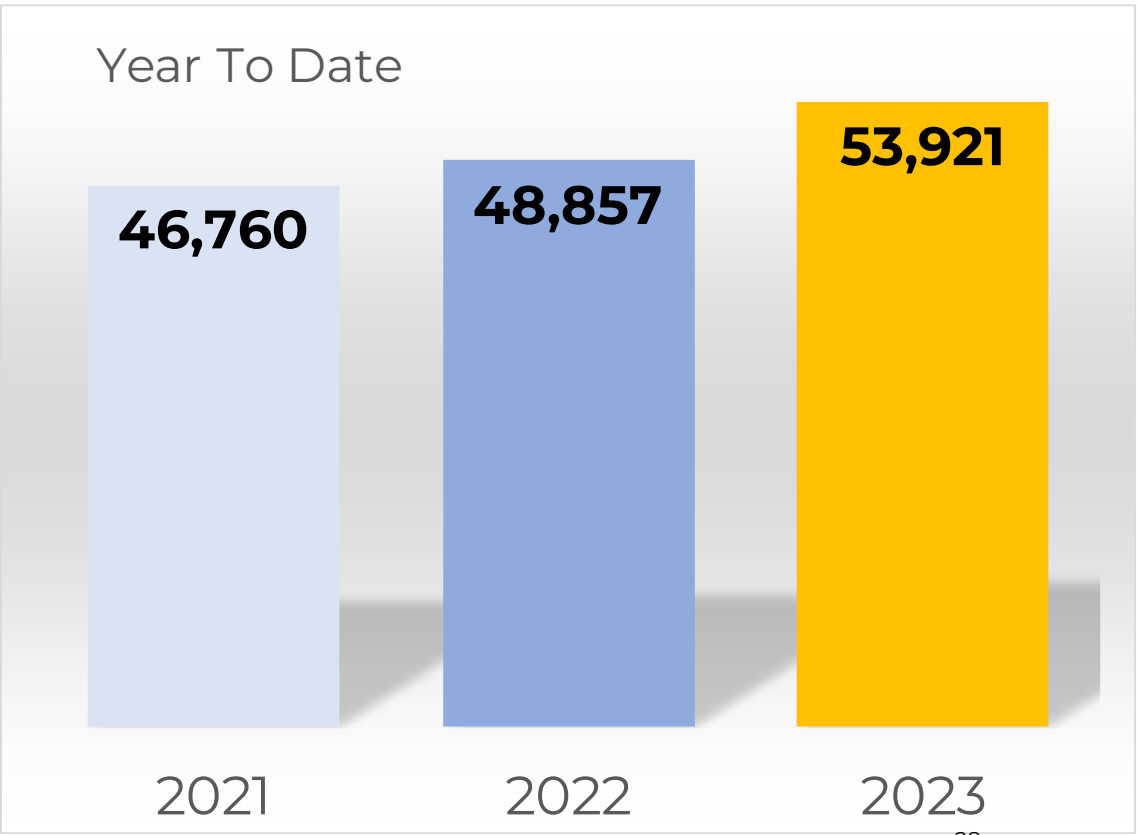
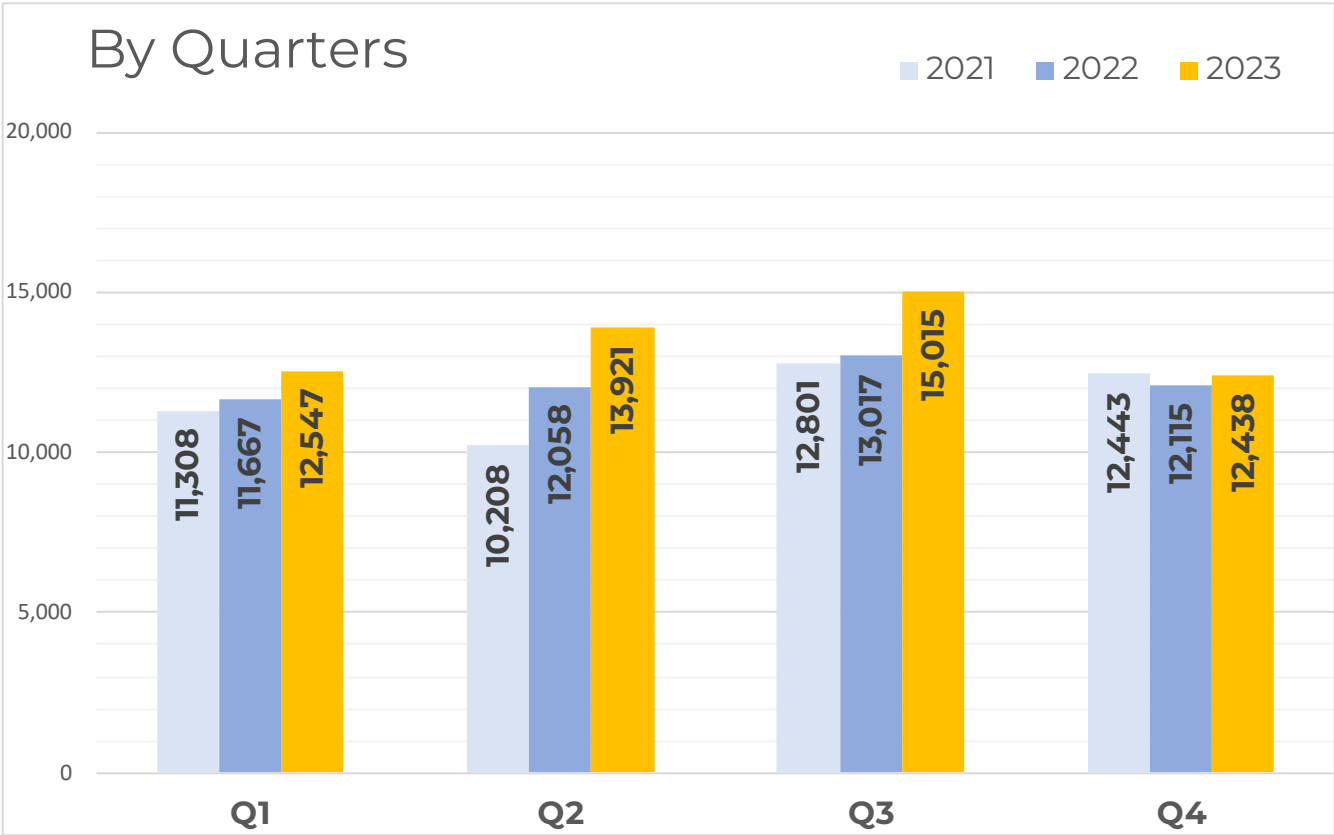


# Calls for Service



\*Calls for Service include resident calls for service in Lakewood’s jurisdiction & self-initiated activity by officers.

	3rd Quarter 2023	4th Quarter 2023	% Change	4th Quarter 2022	4th Quarter 2023	% Change	Year to Date 2022	Year to Date 2023	% Change
Calls for Service	15,015	12,438	-17.2%	12,115	12,438	2.7%	48,857	53,921	10.4%





# Arrests

\*Arrests are counted by the highest charge for an individual under the same case number. Example: an individual arrested on multiple charges (Felony, Misdemeanor and Warrant) under the same case number will only be counted as a Felony arrest.

	3rd Quarter 2023	4th Quarter 2023	% Change	4th Quarter 2022	4th Quarter 2023	% Change	Year to Date 2022	Year to Date 2023	% Change
Felony	155	<b>154</b>	-0.6%	109	<b>154</b>	41.3%	363	<b>580</b>	59.8%
Gross Misdemeanor	6	<b>10</b>	66.7%	6	<b>10</b>	66.7%	12	<b>31</b>	158.3%
Misdemeanor	202	<b>193</b>	-4.5%	195	<b>193</b>	-1.0%	705	<b>756</b>	7.2%
Warrants	131	<b>153</b>	16.8%	84	<b>153</b>	82.1%	397	<b>503</b>	26.7%
<b>Total</b>	<b>494</b>	<b>510</b>	<b>3.2%</b>	<b>394</b>	<b>510</b>	<b>29.4%</b>	<b>1477</b>	<b>1870</b>	<b>26.6%</b>

## ARREST TOTALS

### Previous Quarter

**494**

**510**

Q 3 2023

Q 4 2023

### Q4 Comparisions

**430**

**394**

**510**

2021

2022

2023

### Year To Date Comparison

**1,484**

**1,477**

**1,870**

2021

2022

2023

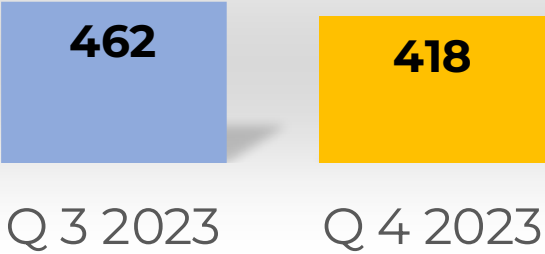
# Crimes Against PERSONS



	3rd Quarter 2023	4th Quarter 2023	% Change	4th Quarter 2022	4th Quarter 2023	% Change	Year to Date 2022	Year to Date 2023	% Change
Aggravated Assault	119	113	-5.0%	147	113	-23.1%	486	435	-10.5%
Simple Assault	286	251	-12.2%	253	251	-0.8%	977	1018	4.2%
Homicide	1	0	-100.0%	2	0	-100.0%	5	5	0.0%
Robbery	34	36	5.9%	40	36	-10.0%	114	114	0.0%
Sex (Forcible & Non-Forcible)	22	18	-18.2%	20	18	-10.0%	97	108	11.3%
Total	462	418	-9.5%	462	418	-9.5%	1679	1680	0.1%

PERSON  
TOTALS

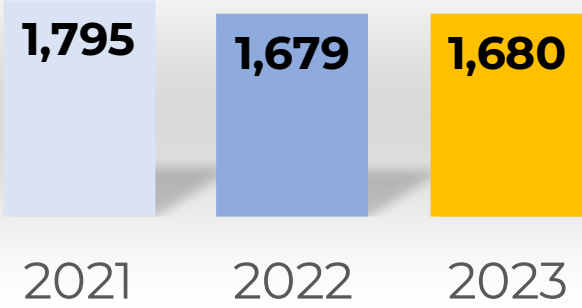
Previous Quarter



Q4 Comparisions



Year To Date Comparison

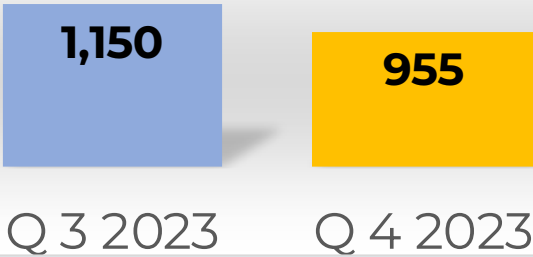


# Crimes Against PROPERTY & SOCIETY

	3rd Quarter 2023	4th Quarter 2023	% Change	4th Quarter 2022	4th Quarter 2023	% Change	Year to Date 2022	Year to Date 2023	% Change
Burglary	105	96	-8.6%	96	96	0.0%	522	417	-20.1%
Fraud (Counterfeit & Embezzlement)	68	39	-42.6%	71	39	-45.1%	265	230	-13.2%
Larceny	293	298	1.7%	314	298	-5.1%	1278	1142	-10.6%
Motor Vehicle Theft	310	205	-33.9%	297	205	-31.0%	1016	1174	15.6%
Stolen Property	47	55	17.0%	47	55	17.0%	204	193	-5.4%
Vandalism	301	226	-24.9%	281	226	-19.6%	1236	1125	-9.0%
Weapon Laws Violations	26	36	38.5%	34	36	5.9%	126	128	1.6%
Total	1,150	955	-17.0%	1,140	955	-16.2%	4,647	4,409	-5.1%

## PROPERTY TOTALS

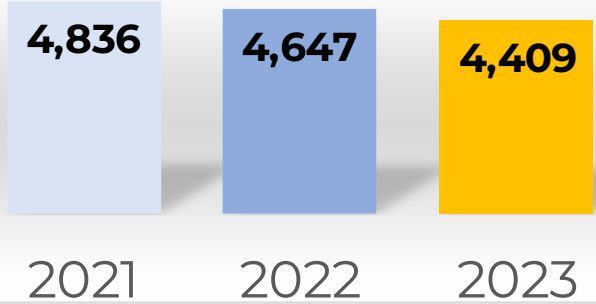
Previous Quarter



Q4 Comparisions



Year To Date Comparison

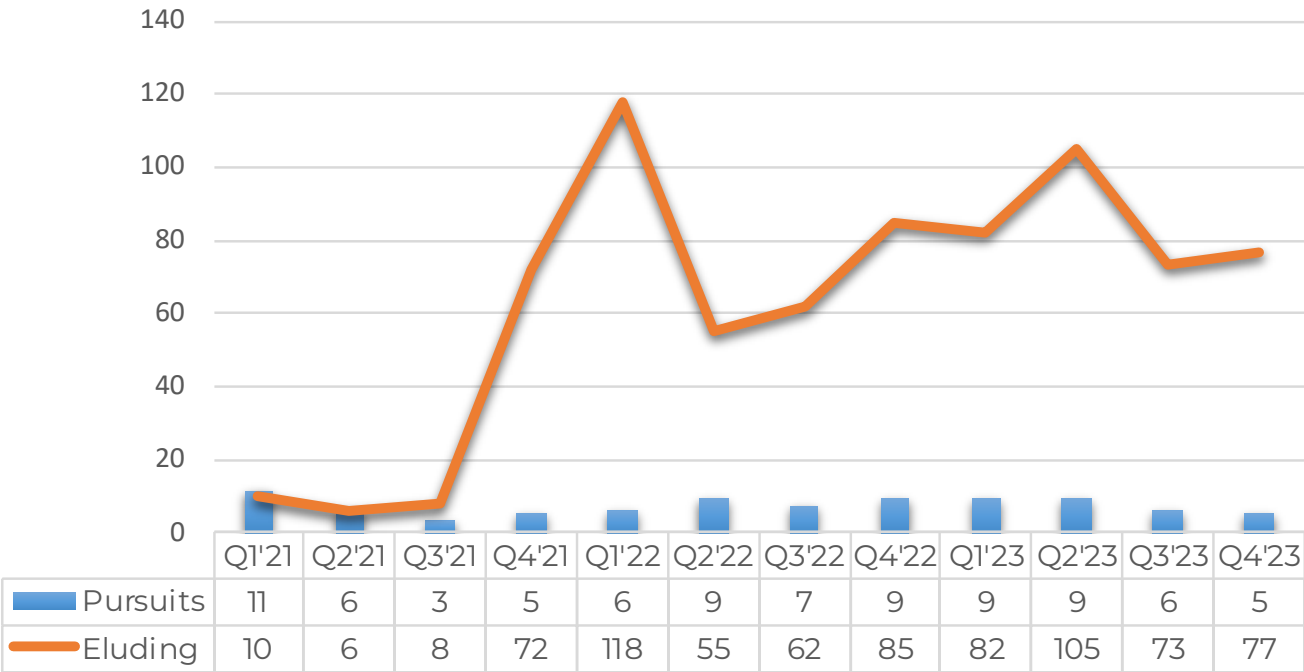


# Pursuits & Eluding

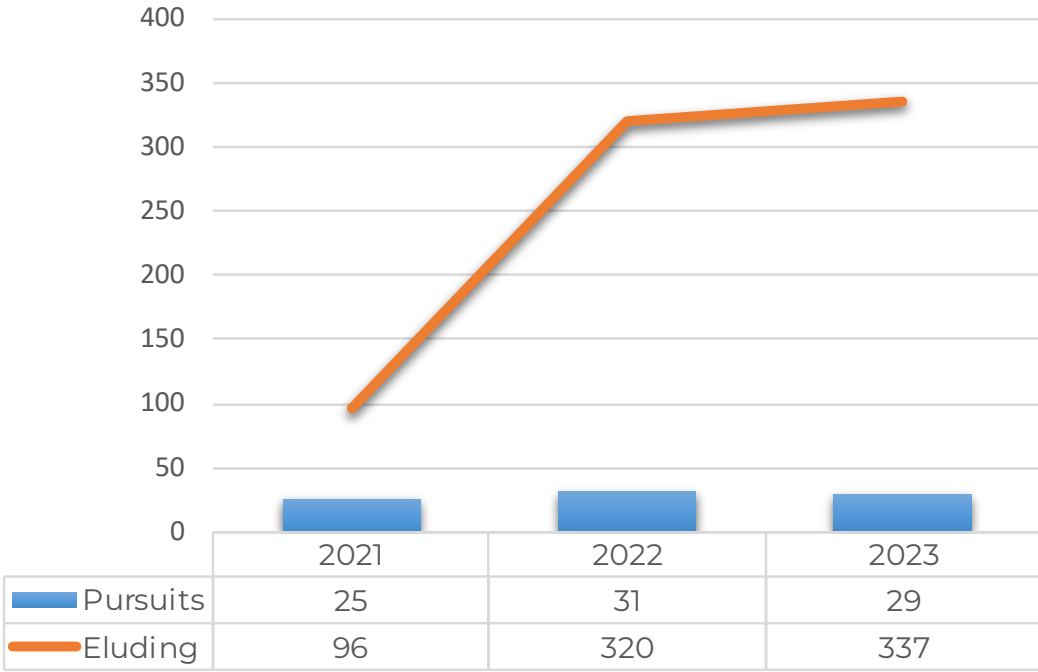


	3rd Quarter 2023	4th Quarter 2023	% Change	4th Quarter 2022	4th Quarter 2023	% Change	Year to Date 2022	Year to Date 2023	% Change
Pursuits	6	5	-16.7%	9	5	-44.4%	31	29	-6.5%
Eluding	73	77	5.5%	85	77	-9.4%	320	337	5.3%

Three Year Trend by Quarter



Year to Date Comparison

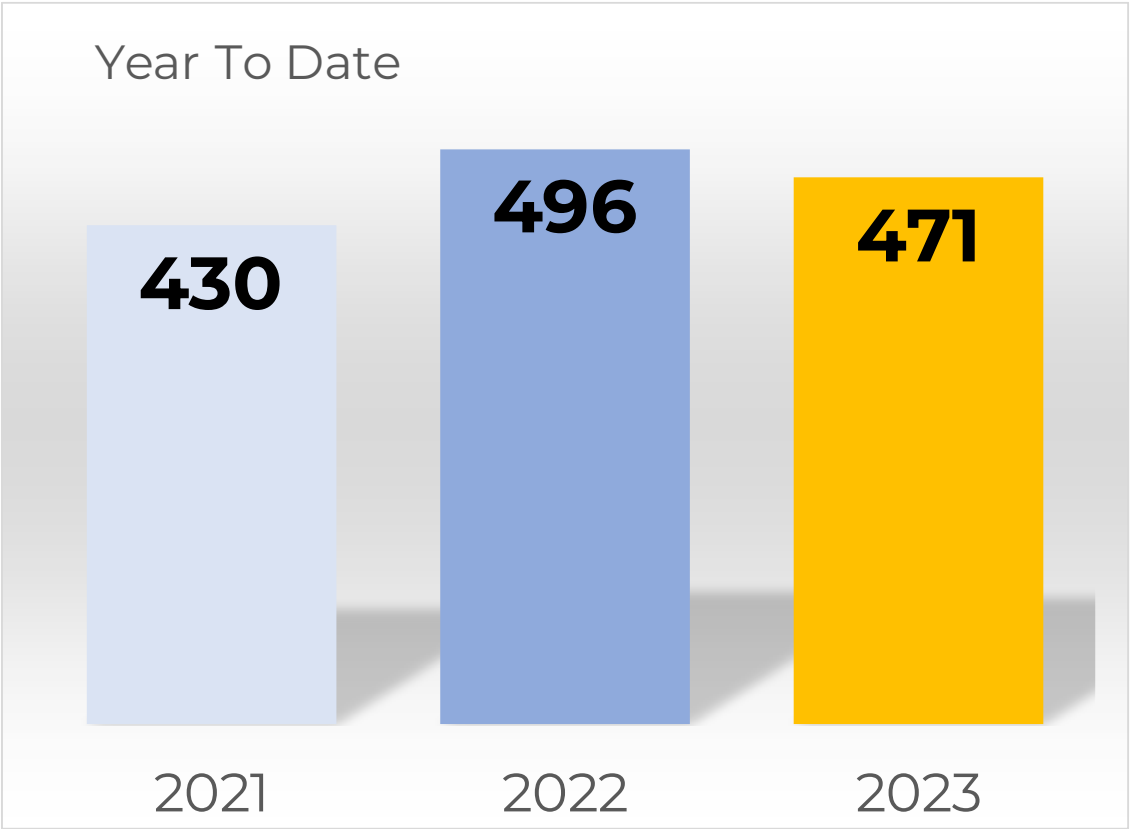
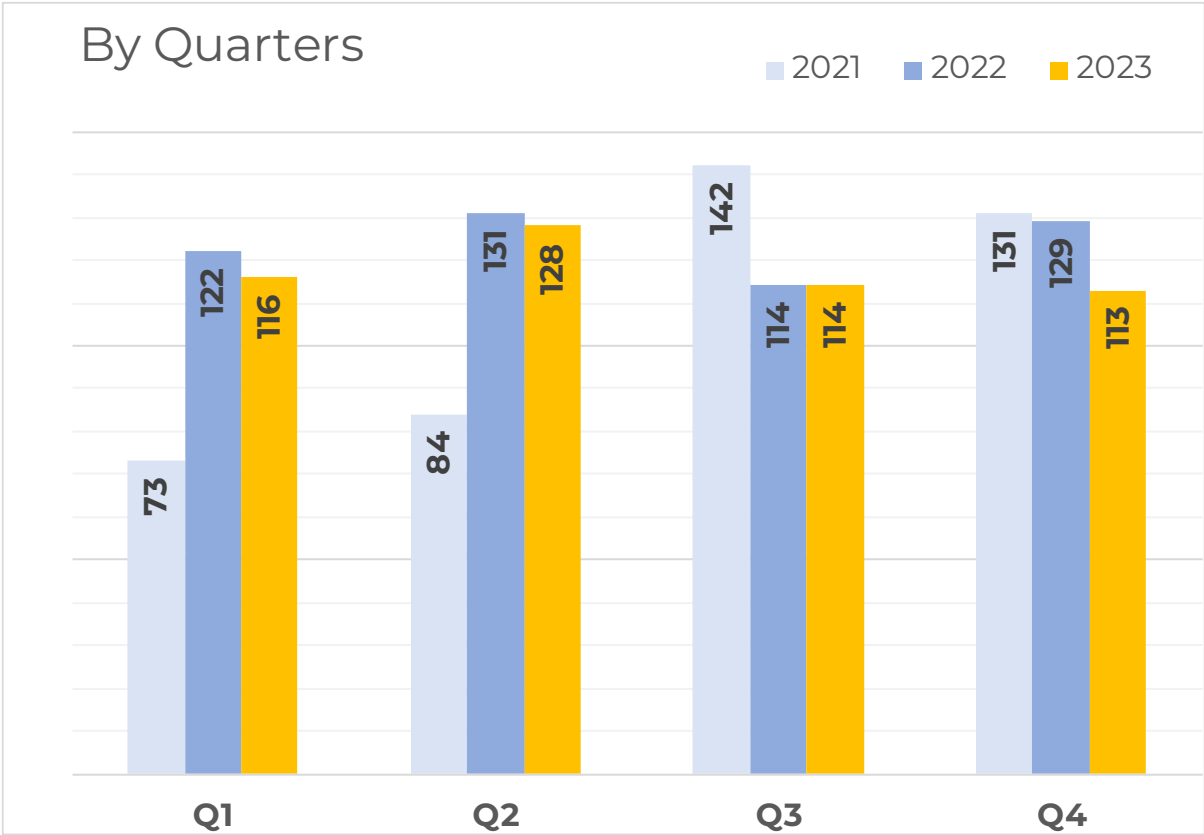




# Shots Fired

\*Numbers include Calls for Service within Lakewood with a call type of SHOOT, SHOTS, or SHOTSD.

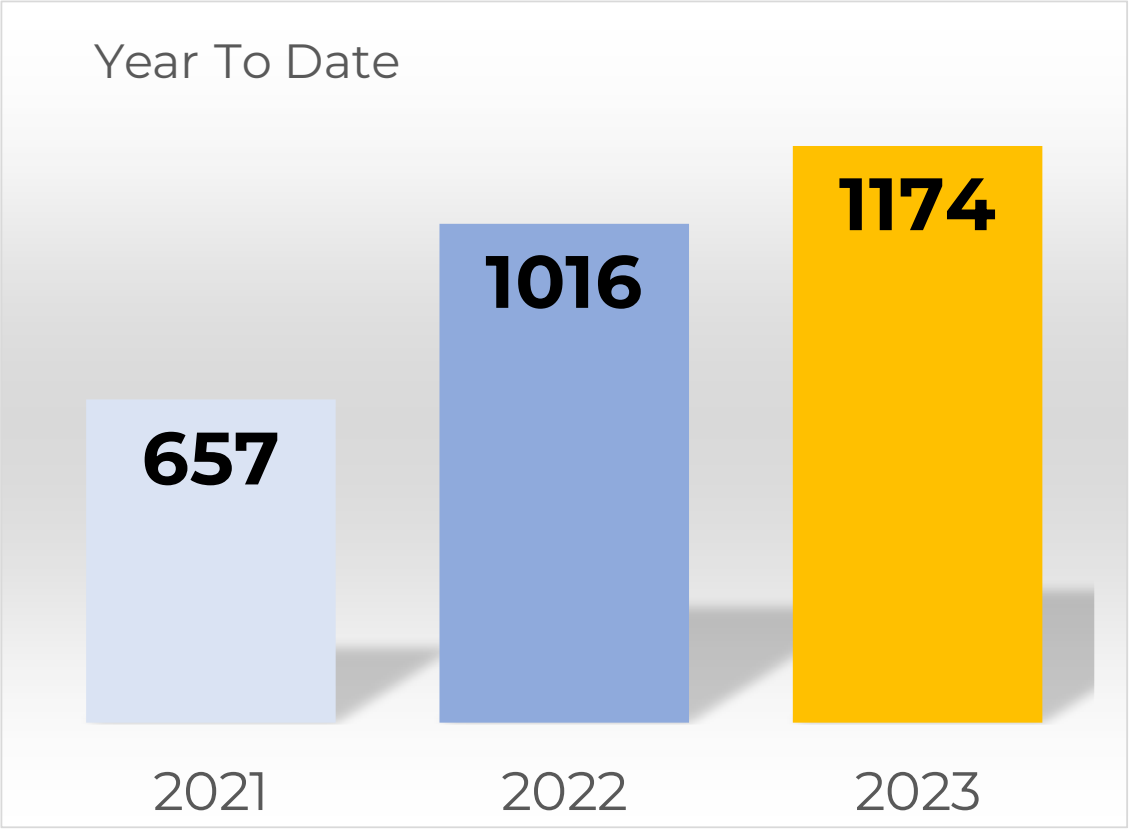
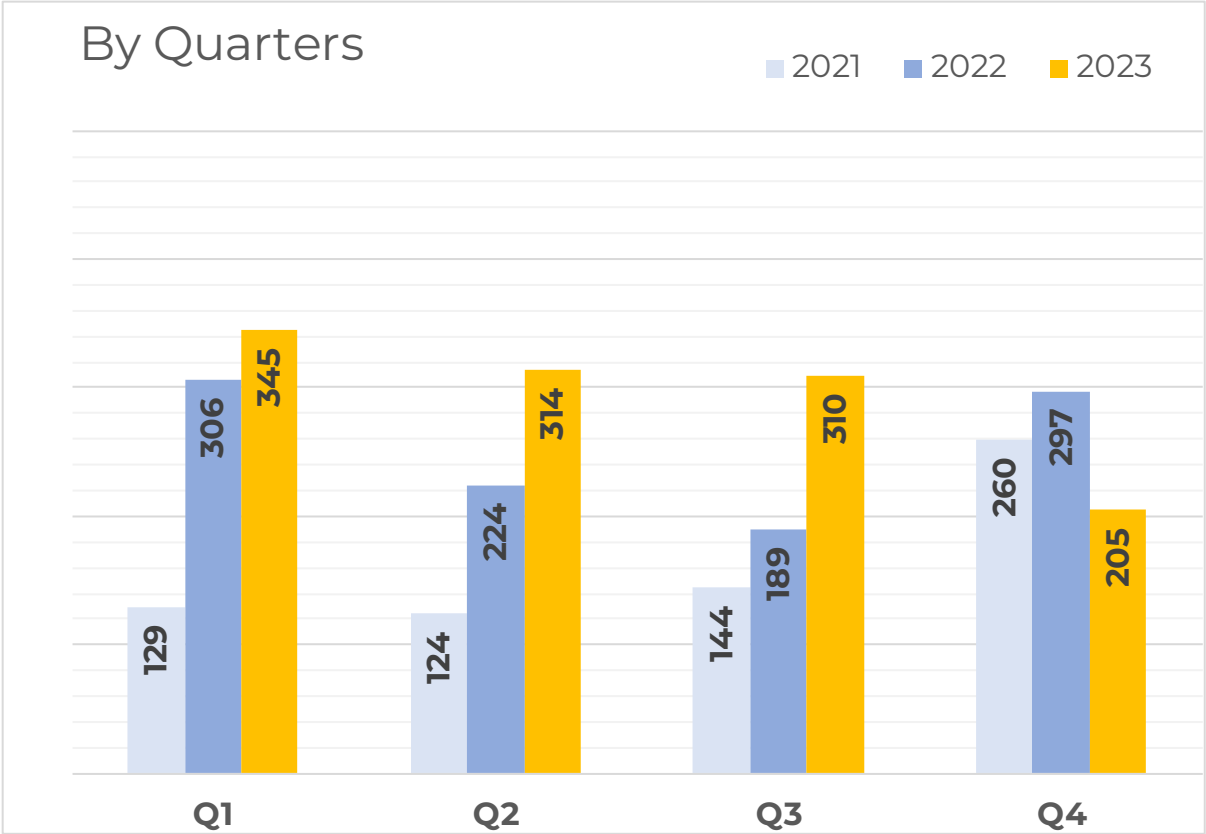
	3rd Quarter 2023	4th Quarter 2023	% Change	4th Quarter 2022	4th Quarter 2023	% Change	Year to Date 2022	Year to Date 2023	% Change
Shots Fired	114	113	-0.9%	129	113	-12.4%	496	471	-5.0%



# Motor Vehicle Thefts



	3rd Quarter 2023	4th Quarter 2023	% Change	4th Quarter 2022	4th Quarter 2023	% Change	Year to Date 2022	Year to Date 2023	% Change
Motor Vehicle Thefts	310	205	-33.9%	297	205	-31.0%	1,016	1,174	15.6%

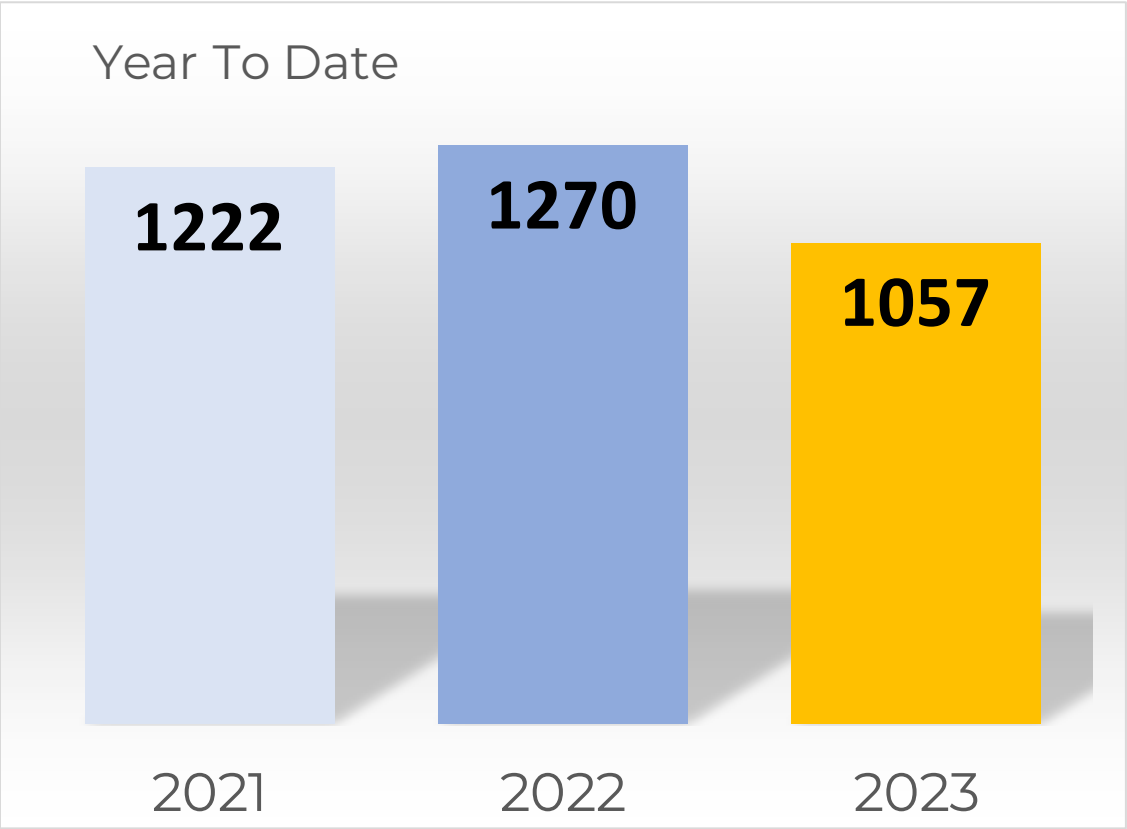
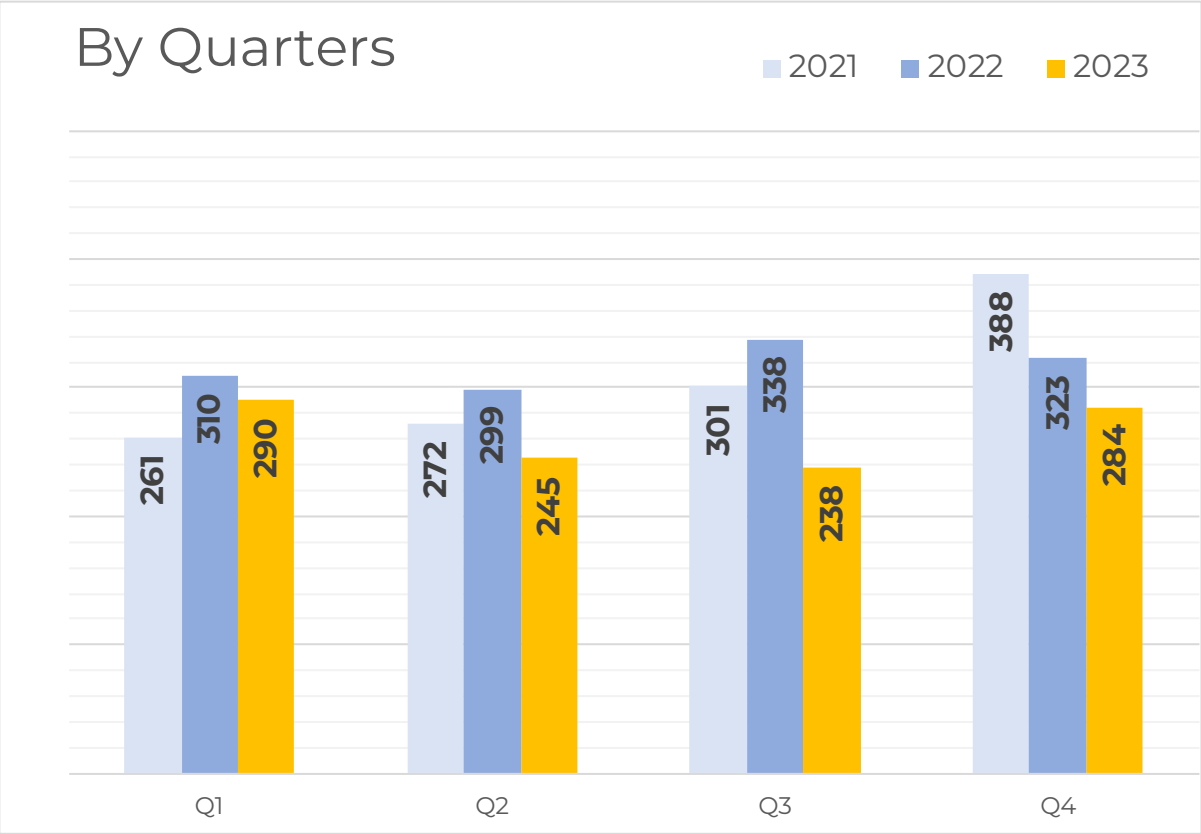


# Collisions



\*Reports taken by Lakewood PD for Collisions.

	3rd Quarter 2023	4th Quarter 2023	% Change	4th Quarter 2022	4th Quarter 2023	% Change	Year to Date 2022	Year to Date 2023	% Change
Collision Reports	238	284	19.3%	323	284	-12.1%	1,270	1,057	-16.8%



# Summary of Crimes



	3rd Quarter 2023	4th Quarter 2023	% Change	4th Quarter 2022	4th Quarter 2023	% Change	Year to Date 2022	Year to Date 2023	% Change
Calls for Service	15,015	<b>12,438</b>	-17.2%	12,115	<b>12,438</b>	2.7%	48,857	<b>53,921</b>	10.4%
Arrests									
Felony	155	<b>154</b>	-0.6%	109	<b>154</b>	41.3%	363	<b>580</b>	59.8%
Gross Misdemeanor	6	<b>10</b>	66.7%	6	<b>10</b>	66.7%	12	<b>31</b>	158.3%
Misdemeanor	202	<b>193</b>	-4.5%	195	<b>193</b>	-1.0%	705	<b>756</b>	7.2%
Warrants	131	<b>153</b>	16.8%	84	<b>153</b>	82.1%	397	<b>503</b>	26.7%
<b>Total</b>	494	<b>510</b>	3.2%	394	<b>510</b>	29.4%	1477	<b>1870</b>	26.6%
Person Crimes									
Aggravated Assault	119	<b>113</b>	-5.0%	147	<b>113</b>	-23.1%	486	<b>435</b>	-10.5%
Simple Assault	286	<b>251</b>	-12.2%	253	<b>251</b>	-0.8%	977	<b>1018</b>	4.2%
Homicide	1	<b>0</b>	-100.0%	2	<b>0</b>	-100.0%	5	<b>5</b>	0.0%
Robbery	34	<b>36</b>	5.9%	40	<b>36</b>	-10.0%	114	<b>114</b>	0.0%
SEX (Forcible & Non-Forcible)	22	<b>18</b>	-18.2%	20	<b>18</b>	-10.0%	97	<b>108</b>	11.3%
<b>Total</b>	462	<b>418</b>	-9.5%	462	<b>418</b>	-9.5%	1679	<b>1680</b>	0.1%
Property & Society Crimes									
Burglary	105	<b>96</b>	-8.6%	96	<b>96</b>	0.0%	522	<b>417</b>	-20.1%
Fraud (Counterfeit & Embezzlement)	68	<b>39</b>	-42.6%	71	<b>39</b>	-45.1%	265	<b>230</b>	-13.2%
Larceny	293	<b>298</b>	1.7%	314	<b>298</b>	-5.1%	1278	<b>1142</b>	-10.6%
Motor Vehicle Theft	310	<b>205</b>	-33.9%	297	<b>205</b>	-31.0%	1016	<b>1174</b>	15.6%
Stolen Property	47	<b>55</b>	17.0%	47	<b>55</b>	17.0%	204	<b>193</b>	-5.4%
Vandalism	301	<b>226</b>	-24.9%	281	<b>226</b>	-19.6%	1236	<b>1125</b>	-9.0%
Weapon Laws Violations	26	<b>36</b>	38.5%	34	<b>36</b>	5.9%	126	<b>128</b>	1.6%
<b>Total</b>	1150	<b>955</b>	-17.0%	1140	<b>955</b>	-16.2%	4647	<b>4409</b>	-5.1%
Other Crimes Of Interest									
Shots Fired	114	<b>113</b>	-0.9%	129	<b>113</b>	-12.4%	496	<b>471</b>	-5.0%
Pursuits	6	<b>5</b>	-16.7%	9	<b>5</b>	-44.4%	31	<b>29</b>	-6.5%
Eluding	73	<b>77</b>	5.5%	85	<b>77</b>	-9.4%	320	<b>337</b>	5.3%
Collision Reports	238	<b>284</b>	19.3%	323	<b>284</b>	-12.1%	1,270	<b>1,057</b>	-16.8%



**TO:** Mayor and City Council

**FROM:** Heidi Ann Wachter, City Attorney

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

**DATE:** February 12, 2024

**SUBJECT:** Review of code amendments related to fines and forfeitures for parking

This is to review the city's effort to enforce parking regulations with specific attention to penalties and whether current penalties are controlling illegal parking. Law enforcement is experiencing ongoing issues with illegal parking such as parking on sidewalks in part due to low fines; current fines do not sufficiently discourage repeat offenders.

Illegal parking can present hazards to pedestrians who must navigate around a vehicle blocking what is intended to be a safe path for the pedestrian. Illegal parking detracts from the appearance of a neighborhood and can create traffic issues.

Penalties for infractions are addressed by the Washington State Supreme Court through the Infraction Rules for Courts of Limited Jurisdiction (IRLJ). The City has no authority to change the fines that are specifically identified there.<sup>1</sup> The Rule goes on to say that "any infraction not listed in this rule shall be \$48..." but then states that the Rule "does not apply to penalties for parking, standing, stopping, or pedestrian infractions established by municipal or county statute."<sup>2</sup>

Penalties for the following infractions are within the authority of the city to set and their current penalties are identified in City Code, in some instances through adoption of the Model Traffic Ordinance (MTO):

- RCW 46.61.570 Improper Parking<sup>3</sup>
- LMC 10.16.010 Parking on Roadway
- LMC 10.16.015 Parking in Public ROW
- LMC 10.16.030 Oversize vehicle

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<sup>1</sup> ...penalty for any infraction listed in this rule may not be changed by local court rule...[IRLJ 6.2\(d\)\(1\)](#). This begs the question regarding authority of a legislative body to change such penalty, but the infractions of concern are not identified in this court rule and therefore should be subject to local preference.

<sup>2</sup> Id. (b) and (c).

<sup>3</sup> This RCW is adopted by reference through the Model Traffic Ordinance (MTO), which is adopted at [LMC 10.04.010](#). The MTO is contained in the [Washington Administrative Code \(WAC\) 308-330-462](#).

- LMC 10.16.040 Postal Interference
- LMC 8.76.190 Parking/Am Lake Boat Launch

Penalties range from \$20 to \$250 with little consistency. At the low end, violators are not incentivized to change. Overall, messaging is challenging given the variety of penalties.

## **Options**

Authorize a penalty for each of these parking infractions of \$250 to change behavior around illegal parking and to provide consistency of penalty.

Create a penalty scheme to ensure compliance. First offense \$125, second \$250, third \$500 and on a fourth violation impound the vehicle for illegal parking. Providing for impoundment addresses the occasional violator who does not pay the penalty. Currently, unpaid infractions are referred to collections; removing the car is expected to have a more immediate result.

The MTO provides for impoundment; the city will need to comply with regulations such as posting the area as notification to potential illegal parkers. [Chapter 46.55](#) regulates towing and impound. That chapter has been adopted by reference into the MTO as [WAC 308-330-406](#). The city has authority to impound vehicles in compliance with state law.

When vehicles are impounded an administrative process is required. The city currently conducts few vehicle impound hearings. Due process following the impound is included in state law and adding impound hearings will correspondingly impact resource allocation.

## **Recommendation**

Establishing a penalty scheme that ultimately results in impoundment of the vehicle is the most likely to change behavior. The City Council should adopt such a penalty scheme and the city should develop enforcement accordingly. Such enforcement would begin with establishment of necessary administrative process such as signage and implementing the necessary impound process. It is recommended that changes to parking enforcement be communicated to the public and educational warnings be used at the outset.

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, AMENDING CERTAIN SECTIONS OF LAKEWOOD MUNICIPAL RELATIVE TO PARKING FINES AND VEHICLE IMPOUNDMENT.

WHEREAS, from the time of incorporation the city has endeavored to improve traffic and pedestrian safety throughout the city; and

WHEREAS, the city has similarly invested resources in improving the overall appearance of the city; and

WHEREAS, the city has invested city resources and sought grant funding in order to improve traffic and pedestrian safety as well as the overall appearance of the city; and

WHEREAS, illegal parking interferes with the city's goals of a safe and attractive city by blocking safe pedestrian passage on sidewalks, blocking views of the roadway for drivers and creating unnecessary visual clutter; and

WHEREAS, efforts to enforce legal parking are hampered by fines that incentivize the illegal parking; and

WHEREAS, it is within the authority of the city to implement not only increased fines but also the potential for vehicle impoundment which is expected to deter the ongoing illegal parking.

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

**SECTION 1.** Lakewood Municipal Code Section 10.04.010 entitled Adoption of Model Traffic Ordinance is hereby amended to read as follows:

- A. The "Washington Model Traffic Ordinance," as set forth in Chapter 308-330 WAC, is hereby adopted by reference as the traffic ordinance of the City of Lakewood, as set forth in full-and as amended by the City.
- B. The penalty for violation of section 308-330-462 of the Model Traffic Ordinance regarding Stopping, standing, and parking shall be as follows:

Violation of this section shall constitute a traffic infraction punishable by a penalty not to exceed \$500, with a minimum fine of \$125 for a first violation; a minimum fine of \$250 for the second violation and a minimum fine of \$500 for a third violation in addition to other costs and assessments provided by law. In the event that parking enforcement action must be taken more than three times for the same vehicle, the city may impound such vehicle in accordance with state law.

**SECTION 2.** Lakewood Municipal Code Section 10.16.010 entitled Parking on Roadway or in a manner which impedes traffic - Exceptions, is hereby amended to read as follows:

A. It shall be unlawful for any driver or operator of a vehicle to stop, park or leave standing any vehicle, whether attended or unattended, on the travel portion of any public roadway or park, stop or leave any motor vehicle in any other location which impedes, restricts or prevents travel over, or across any public roadway. ~~Violation of this section shall constitute a traffic infraction punishable by a penalty not to exceed the amount of \$124.00, in addition to other costs and assessments provided by law.~~ The penalty for this violation in the City of Lakewood shall be as follows:

Violation of this section shall constitute a traffic infraction punishable by a penalty not to exceed \$500, with a minimum fine of \$125 for a first violation; a minimum fine of \$250 for the second violation and a minimum fine of \$500 for a third violation in addition to other costs and assessments provided by law.

In the event that parking enforcement action must be taken more than three times for the same vehicle, the city may impound such vehicle in accordance with state law.

B. The travel portion of any public roadway, for the purposes of this section, shall include any roadway median, center, merge or turn lane.

C. A law enforcement officer may immediately remove any vehicle that is unsafely parked, stopped or blocking traffic on a public street. Such removal may take place without notice to the driver or registered owner of the vehicle.

D. It is provided, however, that this section shall not apply to the driver of a public transit vehicle who temporarily stops the vehicle upon the roadway for the purpose of and while actually engaged in receiving or discharging



passengers at a marked transit vehicle stop; and, this section shall not apply to the driver of a solid waste collection company or recycling company vehicle who temporarily stops the vehicle as close as practical to the right edge of the right-hand shoulder of the roadway or right edge of the roadway if no shoulder exists for the purpose of and while actually engaged in collection of solid waste or recyclables, or both under Chapters 81.77, 35.21, and 35A.21 RCW or by contract under RCW 36.58.030.

E. A vehicle is defined as any device capable or designed to be capable of moving upon a public highway whether motorized or not; including vehicles towed by another vehicle such as trailers.

**SECTION 3.** Lakewood Municipal Code Section 10.16.015 entitled Parking in public right-of-way, is hereby amended to read as follows:

A. Consistent with the procedures and requirements of RCW 46.55.085, as now stated or hereinafter amended, a law enforcement officer discovering an unauthorized vehicle parked upon public right-of-way shall attach to the vehicle a readily visible notification sticker. The sticker shall contain the following information:

1. The date and time the sticker was attached;
2. The identity of the officer;
3. A statement that if the vehicle is not removed within 48 hours from the time the sticker is attached, the vehicle may be taken into custody and stored at the owner's expense;
4. A statement that if the vehicle is not removed from the roadway, the registered owner will have committed the crime of littering, a gross misdemeanor; and
5. The address and telephone number where additional information may be obtained about the notification.

B. If the vehicle has a current vehicle license plate, the officer shall check the record to determine the identity of the registered owner and, if possible, contact the owner.

C. For purposes of this chapter, law enforcement officers shall include police officers as well as those employees who have special limited commissions such as code enforcement officers and community service officers.

D. If the vehicle is not removed within 48 hours from the time the notification sticker is attached, the law enforcement officer may take custody of the vehicle and provide for the vehicle's removal to a place of safety. A vehicle that does not pose a safety hazard may remain on the roadside for more than 48 hours if the owner or operator is unable to remove it from the place where it is located and so notifies law enforcement officials and requests assistance for removal of the vehicle.

E. ~~In addition, a violation of this section shall constitute a traffic infraction punishable by a penalty not to exceed the amount of \$20.00, in addition to other costs and assessments provided by law.~~ The penalty for this violation in the City of Lakewood shall be as follows:

Violation of this section shall constitute a traffic infraction punishable by a penalty not to exceed \$500, with a minimum fine of \$125 for a first violation; a minimum fine of \$250 for the second violation and a minimum fine of \$500 for a third violation in addition to other costs and assessments provided by law.

In the event that parking enforcement action must be taken more than three times for the same vehicle, the city may impound such vehicle in accordance with state law.

**SECTION 4.** Lakewood Municipal Code Section 10.16.030 entitled No oversize or commercial vehicles on residential streets, is hereby amended to read as follows:

No person shall park any vehicle which is more than 80 inches in width or any commercial vehicle larger than a three-quarter-ton pick-up on any street, alley or public right-of-way in any residential neighborhood in the City. For the purposes hereof, a residential neighborhood shall mean an area where the majority of property in the vicinity is used for residential purposes and/or open space uses and is zoned for residential purposes or open space uses; provided, that it shall be a defense to a violation of this section that the vehicle was parked directly adjacent to and on the same side of the street as property on which a commercial business, other than a home occupation, is located; and it shall be a defense to a violation of this section that during the entire time that the vehicle was parked in the residential neighborhood the operator of the vehicle was actively engaged in making a delivery or providing services to residents in the immediate vicinity of where the vehicle was parked. ~~The penalty for parking in violation of this section shall be a fine of up to \$250.00, with a minimum fine of \$100.00 per violation, in addition to other costs and assessments provided by law. A violation of this section shall~~

~~be considered an infraction and shall be processed in accordance with the state statutes regarding infractions. Each 24-hour period during which a violation occurs constitutes a separate infraction. The penalty for this violation in the City of Lakewood shall be as follows:~~

Violation of this section shall constitute a traffic infraction punishable by a penalty not to exceed \$500, with a minimum fine of \$125 for a first violation; a minimum fine of \$250 for the second violation and a minimum fine of \$500 for a third violation in addition to other costs and assessments provided by law.

In the event that parking enforcement action must be taken more than three times for the same vehicle, the city may impound such vehicle in accordance with state law.

**SECTION 5.** Lakewood Municipal Code Section 10.16.040 entitled Interference with Postal Service, is hereby amended to read as follows:

~~It shall be unlawful for any person to park any vehicle in front of, adjacent or in such proximity to any mailbox, postal drop box, or other similar postal receptacle so as to interfere with the delivery of mail by the United States Postal Service. The penalty for parking in violation of this section shall be \$35.00, in addition to other costs and assessments provided by law. A violation of this section shall be considered an infraction and shall be processed in accordance with the state statutes regarding infractions. The penalty for this violation in the City of Lakewood shall be as follows:~~

Violation of this section shall constitute a traffic infraction punishable by a penalty not to exceed \$500, with a minimum fine of \$125 for a first violation; a minimum fine of \$250 for the second violation and a minimum fine of \$500 for a third violation in addition to other costs and assessments provided by law.

In the event that parking enforcement action must be taken more than three times for the same vehicle, the city may impound such vehicle in accordance with state law.

**SECTION 6.** Lakewood Municipal Code Section 8.76.190 entitled Motor vehicles – Parking is hereby amended to read as follows:

No operator of any automobile, trailer, camper, boat trailer, or other vehicle, shall park such vehicle in any park area, except where the operator is using the area for the designated recreational purpose and the vehicle is parked either in the designated parking area, or in another area with the permission

of a facility supervisor and for which all applicable fees have been paid. No person shall park, leave standing, or abandon a vehicle in any park area after closing time except persons using park facilities as part of an activity authorized by the Department. ~~In addition to the penalties found in Article V of this chapter, any vehicle found parked in violation of this section may be towed away at the owner's expense, consistent with signs posted in conformity with state law.~~ The penalty for this violation in the City of Lakewood shall be as follows:

Violation of this section shall constitute a traffic infraction punishable by a penalty not to exceed \$500, with a minimum fine of \$125 for a first violation; a minimum fine of \$250 for the second violation and a minimum fine of \$500 for a third violation in addition to other costs and assessments provided by law.

In the event that parking enforcement action must be taken more than three times for the same vehicle, the city may impound such vehicle in accordance with state law.

Overnight parking in the American Lake Park boat launch parking lot is allowed only if an overnight pass is purchased from the launch kiosk. The receipt will note the time of purchase and is valid for 24 hours from the dated time stamp. The City of Lakewood is absolved of all liability and/or responsibility for damage to the vehicle or boat trailer parked in the parking lot overnight.

No recreational vehicle may be parked overnight in any City of Lakewood park facility unless authorized by the Department.

**SECTION 7.** Impoundment of vehicle for ongoing parking violations. In the event that parking enforcement action must be taken more than three times for the same vehicle, the city may impound such vehicle in accordance with state law.

**SECTION 8.** Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

**SECTION 9.** Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local,

state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

SECTION 10. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the City Council this 20<sup>th</sup> day of February, 2024.

CITY OF LAKEWOOD

\_\_\_\_\_  
Jason Whalen, Mayor

Attest:

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

Approved as to form:

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





**TO:** Mayor and City Council

**FROM:** Heidi Ann Wachter, City Attorney

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

**DATE:** February 12, 2024

**SUBJECT:** Review of City Council Rules of Procedure

The Washington State legislature, in 2022, revised the law regarding public comment; this law applies to City Council meetings.<sup>1</sup> The revisions are designed to expand public comment, but the City of Lakewood has been routinely providing the opportunity for public comment at City Council meetings since incorporation.

This memo is to recommend that the City continue with the current process and procedure for public comment. It goes beyond what is required by law and provides convenient access for citizens to the City Council.

Like many other cities throughout the state and country, the City has received occasional waves of disruptive callers. These instances have been infrequent and have not impeded the City Council from conducting city business.

Virtual public comment came about during the pandemic when cities held meetings virtually. Live meetings resumed after COVID restrictions lifted and

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<sup>1</sup> [RCW 42.30.240](#) **Public comment.**

(1) Except in an emergency situation, the governing body of a public agency shall provide an opportunity at or before every regular meeting at which final action is taken for public comment. The public comment required under this section may be taken orally at a public meeting, or by providing an opportunity for written testimony to be submitted before or at the meeting. If the governing body accepts written testimony, this testimony must be distributed to the governing body. The governing body may set a reasonable deadline for the submission of written testimony before the meeting.

(2) **Upon the request of any individual who will have difficulty attending a meeting of the governing body of a public agency by reason of disability, limited mobility, or for any other reason that makes physical attendance at a meeting difficult, the governing body shall, when feasible, provide an opportunity for that individual to provide oral comment at the meeting remotely if oral comment from other members of the public will be accepted at the meeting.**

(3) Nothing in this section prevents a governing body from allowing public comment on items not on the meeting agenda.

(4) Nothing in this section diminishes the authority of governing bodies to deal with interruptions under RCW [42.30.050](#), limits the ability of the governing body to put limitations on the time available for public comment or on how public comment is accepted, or requires a governing body to accept public comment that renders orderly conduct of the meeting unfeasible.

[ [2022 c 115 § 13](#) ]

the City continued to offer virtual public comment without restriction. This goes beyond what is required in the law. The law requires virtual access only when a citizen requests virtual access due to an inability to attend the meeting and provide live public comment.<sup>2</sup>

It should be noted that the city receives input from citizens in myriad ways – informally through everyday contact with citizens, through the City’s ‘My Lakewood311’ system which takes reports of action needed throughout the city, via social media, by email, phone or letter and through public comment at City Council meetings held twice a month.

Given the array of ways to comment to the City and the limit on virtual comment afforded by state law, one option for amending City Council Rules of Procedure would allow virtual comment only to those commentators unable to physically attend the meeting:<sup>3</sup>

### 3.5 Public Comments

Members of the audience may comment on items relating to any matter related to City business under the “Public Comments” period. Comments are limited to three (3) minutes per person, but may be shortened to accommodate a large number of speakers in the time set by the Mayor. If the amount of time per person is shortened, this will be announced at the outset of the Public Comment portion of the agenda and will apply to all members of the audience. The Mayor shall determine the overall amount of time set for “Public Comments.”

Public comments sign-up forms will be available at the City Clerk’s desk at each meeting for use of those who wish to address the Council in person. Pursuant to RCW 42.30.240 virtual access will be provided to individuals who have difficulty attending the meeting. Such access must be requested no later than one hour before the meeting. Individuals making comments by phone or video conference will be called upon from the virtual queue. The City Clerk shall serve as timekeeper.

At the first regular meeting each month, in-person comments will be called to speak first and at the second regular meeting each month phone and video conference comments will be called to speak first.

In addressing the Council, each person should give his/her name and city of residence, and unless further time is given by the presiding officer, shall limit his/her comments to three minutes. Meeting minutes of comments shall reflect identification of speakers as speakers identify themselves. All remarks shall be made to the Council as a body and not to any individual member.

No person shall be permitted to enter into any discussion from the floor without first being recognized by the Presiding Officer.

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<sup>2</sup> Id.

<sup>3</sup> See bolded section 2 above. [RCW 42.30.240](#).

Written comments may be provided in advance by mail or email. Send comments to the City Clerk for distribution to the City Council. Comments received up to one hour before the meeting will be provided to the City Council in advance of the meeting and meeting minutes shall reflect receipt of these comments.

## **Maintaining Decorum**

The [City Council Rules of Procedure](#) also provide for the ability to conduct city business free from disruption:

Section 6.2 The Presiding Officer: a. Shall preserve order and decorum at all meetings of the Council and to cause the removal of any person from any meeting for disorderly conduct;

Discussions of this rule and its application reflect the competing interests of the strong desire to hear from the public with a concern for the impact of behavior that will discourage some members of the public from speaking and interfere with the conduct of city business.

Several cities have restricted public comment to items on the agenda. This would prevent citizens from bringing forward concerns that the city has not yet considered. However, such concerns could still be brought forward through any of the other venues offered by the city, such as an email or letter.

“City business” is much more challenging to define and to defend as a boundary for public comment. This may be the reason cities generally opt for agenda items as the boundary to the degree boundaries are set at all.

It should be noted that the city maintains an agenda calendar going out as much as a year. This could be used to provide a more broad boundary than limiting comments to the agenda items of only one evening.

## **Recommendation**

The occasional wave of disruptive callers has thus far not impeded the City Council from conducting city business and provides additional options for citizens to provide input. Therefore this is the recommended option. It requires no change to the current City Council Rules.

An alternative is to limit virtual participation to those callers who will not be able to attend the meeting in person. This option increases work for the City Clerk, who will have to review requests for virtual participation in advance of the meeting and make arrangements for virtual public comment accordingly. This is extra effort for the City and reduces access for citizens.

Another alternative is to tighten rules regarding decorum. Again, this would be to address a limited number of disruptions and potentially draws First Amendment scrutiny.

Given the degree of disruption and the challenges associated with other options, the recommendation is to continue under current City Council Rules.