



**CITY COUNCIL**  
ANDY RYDER  
*Mayor*

MALCOLM MILLER  
*Deputy Mayor*

LENNY GREENSTEIN  
MICHAEL STEADMAN  
CAROLYN COX  
ED KUNKEL  
ROBIN VAZQUEZ

**INTERIM CITY MANAGER**  
RICK WALK

**LACEY CITY COUNCIL AGENDA**  
**FEBRUARY 2, 2023**  
**6:00 P.M.**  
**REMOTE AND IN-PERSON ATTENDANCE**

The Lacey City Council meeting will be conducted both remote and in person.

The public may attend the meeting in person in the Council Chambers at Lacey City Hall, 420 College Street SE, Lacey, Washington, or you may view or listen to the meeting by using one of the following platforms:

[Live Meetings](#), [YouTube](#), [Facebook](#), Thurston Community Media, Channel 3 with your local cable provider, or Zoom [https://us02web.zoom.us/webinar/register/WN\\_J2teFDLISp2EM65awb7iaw](https://us02web.zoom.us/webinar/register/WN_J2teFDLISp2EM65awb7iaw)

The public may listen to the meeting via telephone by dialing toll-free: **(888) 788-0099** or **(877) 853-5247** - when prompted enter Webinar ID **879 7007 0310**

**CALL TO ORDER:**

1. **PLEDGE OF ALLEGIANCE**
2. **APPROVAL OF AGENDA & CONSENT AGENDA ITEMS:**
  - A. [Council Worksession minutes of January 12, 2023](#)
  - B. [Council minutes of January 19, 2023](#)
  - C. [A motion to approve payment of claims, wages, and transfers for January 7, 2023, through January 23, 2023.](#)

*\*Items listed under the consent agenda are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

3. **PUBLIC RECOGNITIONS AND PRESENTATIONS:**
4. **PUBLIC COMMENT:**

**VERBAL PUBLIC COMMENT**

*Those wishing to provide verbal public comment may do so in-person or by Zoom:*

*In-Person: Use the sign-up sheet located in the Council Chambers.*

*By Zoom: Preregister using the following Zoom link no later than **4:00 p.m. on February 2, 2023:***

[https://us02web.zoom.us/webinar/register/WN\\_J2teFDLISp2EM65awb7iaw](https://us02web.zoom.us/webinar/register/WN_J2teFDLISp2EM65awb7iaw)

*Instructions and access details will be provided once registration is complete.*

**WRITTEN PUBLIC COMMENT**

*Public comments may also be submitted by email to [publiccomment@ci.lacey.wa.us](mailto:publiccomment@ci.lacey.wa.us). Written comments will be provided to the City Council electronically prior to the meeting. Comments will not be addressed during the Council meeting; however, comments received will be added to the official record. The commenting period will close at **4:00 p.m. on February 2, 2023.***

5. **PUBLIC HEARING:**
6. **PROCLAMATIONS:**
  - A. [Future Business Leaders of America \(FBLA\) Week Proclamation](#) (*Kate Reece, FBLA Advisor, Satapat Tatarian, Chapter President, and Spencer Hall, Chapter Vice President*)
7. **REFERRAL FROM PLANNING COMMISSION:**
8. **REFERRAL FROM HEARINGS EXAMINER:**
9. **RESOLUTIONS:**
10. **ORDINANCES:**
  - A. [Ordinance No. 1635 – Compost Procurement](#) (*Marcus Hoch, Management Analyst*)
11. **MAYOR'S REPORT:**
12. **CITY MANAGER'S REPORT:**
  - A. Federal Legislative Update (*Joel Rubin, CFM Advocates*)
13. **STANDING GENERAL COMMITTEES:**
14. **OTHER BUSINESS:**
15. **BOARDS, COMMISSIONS AND COMMITTEE REPORTS:**
  - A. Mayor Andy Ryder:
    1. Mayors' Forum
    2. Thurston Chamber Shared Legislative Committee
    3. Transportation Policy Board (TPB)
  - B. Deputy Mayor Malcolm Miller:
    1. Economic Development Council (CDC)
    2. Lodging Tax Advisory Committee (LTAC)
    3. Thurston County Coalition Against Trafficking (TCCAT)
    4. Thurston Thrives
  - C. Councilmember Carolyn Cox:
    1. Climate Action Steering Committee
    2. LOTT Clean Water Alliance
    3. Regional Housing Council
  - D. Councilmember Lenny Greenstein:
    1. Emergency Medical Services (EMS)
    2. TCOMM911
  - E. Councilmember Michael Steadman:
    1. Community Action Council
    2. Nisqually River Council
    3. Thurston County Law & Justice Council
  - F. Councilmember Ed Kunkel:
    1. Joint Animal Services Commission (JASCOM)
    2. Lacey South Sound Chamber
    3. Olympia-Lacey-Tumwater Visitor & Convention Bureau (VCB)
    4. Solid Waste Advisory Committee (SWAC)

G. Councilmember Robin Vazquez:

1. Intercity Transit Authority
2. Olympic Region Clean Air Agency (ORCAA)
3. Thurston Regional Planning Council (TRPC)
4. Thurston County Board of Health

**16. ADJOURN**

**MINUTES OF THE LACEY CITY COUNCIL WORKSESSION**

THURSDAY, JANUARY 12, 2023

6:00 P.M. – 7:56 P.M.

REMOTE AND IN-PERSON

To hear the full discussion of a specific topic, or the complete meeting, watch the recorded meeting available on YouTube:

<https://www.youtube.com/watch?v=KXzPX-IJjLg>

COUNCIL PRESENT: MAYOR RYDER, DEPUTY MAYOR MILLER, COUNCILMEMBERS COX, GREENSTEIN, KUNKEL, AND VAZQUEZ

COUNCIL EXCUSED: COUNCILMEMBER STEADMAN

STAFF PRESENT: R. WALK, S. KELLEY-FONG, S. HOCK, E. FONTAINE

ACTION: APPROVE WORKSESSION AGENDA

MOTION: MOTION MADE, SECONDED, AND CARRIED BY COUNCILMEMBERS GREENSTEIN AND KUNKEL

**LOTT “PLANNING FOR THE FUTURE”**

PRESENTER: MATT KENNELLY, EXECUTIVE DIRECTOR, LOTT CLEAN WATER ALLIANCE

ACTION: INFORMATION ONLY

Matt Kennelly, Executive Director of LOTT Clean Water Alliance, presented on the progress of the LOTT Master Plan.

LOTT is a collaboration of four local governments, Lacey, Olympia, Tumwater, and Thurston County for regional wastewater utility.

The Wastewater Resource Management Plan and original management strategies were discussed in detail. Topics included the following:

- Flow Reduction
- Continued to Discharge to Budd Inlet
- Reclaimed Water
- Continuous Planning Approach

The presentation included a detailed review of the 2050 Master Planning process and updates. The Master Plan was divided into the following:

Phase 1: Site Plan

- Focus on Budd Inlet Treatment Plant
- Assess treatment process needs

Phase 2: Capacity Strategy

- Review overall system capacity
- Weigh strategies to meet future needs

Phase 3: Public Review

- Share planning progress
- Refine long-term plan for the future

Next steps were highlighted and included the following:

- Community Presentations
  - Community groups
  - Partner jurisdictions
- Community Forum #2
  - In-depth look at master planning effort
  - February 27, 2023
- Environmental and public review
- Refine and finalize updated plan

**CITY MANAGER RECRUITMENT UPDATE**

PRESENTER: RAY CORPUZ, SENIOR CONSULTANT, GMP CONSULTANTS

ACTION: INFORMATION ONLY

Ray Corpuz, Senior Consultant with GMP Consultants, presented the recruitment brochure, provided updates, and discussed next steps for the City Manager position.

Council provided feedback relating to a grammatical revision within the brochure, as well as led discussions on salary range, total benefits, market distribution and next steps. Council also expressed a need for community involvement, as well as have meetings with staff, instead of staff representatives.

Currently, there is a targeted deadline of February 19, 2023, to accept applications. It is anticipated to have semi-finalists identified by mid-March, with finalists expected to interview early April.

Mayor Ryder requested a status report be presented to Council before the recruitment closes.

### **COMMUNITY CAT PROGRAM UPDATE**

PRESENTERS: SARAH HOCK, EXECUTIVE DIRECTOR, JOINT ANIMAL SERVICES  
JENN STONE, SENIOR SPECIALIST, BEST FRIENDS ANIMAL SOCIETY

ACTION: INFORMATION ONLY

Sarah Hock, Joint Animal Services Executive Director, provided an update on the Community Cat Program.

Joint Animal Services (JAS) and JASCOM recommend updating definitions and language to the City of Lacey municipal code to support the prosecution of animal cruelty and a new program at JAS, called the Community Cat Program (CCP).

JAS will be partnering with Best Friends Animal Society (Best Friends) on the implementation of the CCP across all jurisdictions in Thurston County. Specifically, Best Friends will be supporting JAS with funding and training for the program.

Jenn Stone, with Best Friends, spoke on the benefits of a Community Cat Program. The CCP will expand in 2023 with JAS's new medical department. JAS will be able to perform Trap-Neuter-Vaccinate-Return (TNVR) and combine efforts with community trap and releases and other nonprofits for a more effective program.

Staff highlighted the proposed changes to the Lacey Municipal Code. Council expressed support in the updates.

### **2023 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**

STAFF: SHANNON KELLEY-FONG, ASSISTANT CITY MANAGER

ACTION: INFORMATION ONLY

Shannon Kelley-Fong, Assistant City Manager, presented on the 2023 Community Development Block Grant (CDBG) Program.

Prior to 2021, the City of Lacey had a population of less than 50,000 and did not qualify as a standalone CDBG entitlement community. Staff advised this is no longer the case since the City's population is well over 56,000. At the time of the last funding cycle agreement (2022-2024), the City was eligible to qualify as a standalone CDBG entitlement community. The City elected not to pursue becoming a standalone entitlement community at the time. The U.S. Department of Housing and Urban Development (HUD) later confirmed the Thurston County CDBG Consortium would be eligible to continue to receive CDBG funds should the City elect to become a standalone entitlement community in the future.

In 2021, Council directed staff to begin groundwork for the creation of a standalone entitlement program for Lacey. This directive was incorporated in the 2022-2024 Work Plan.

Staff advised the City can prioritize funding of CDBG projects for 2023 as part of its request for proposals. Staff recommended the City's RFP solicit specifically for projects that align with one of the following goal areas:

- Affordable Housing
- Social Services
- Public Facilities and Infrastructure

Staff also recommend the City have a goal of allocating 15% of CDBG funding to public services. This is the maximum allocation and is estimated to result to around \$187,000.

Council expressed support in staff recommendations.

### **CITY COUNCIL INTERGOVERNMENTAL BOARDS AND COMMITTEE ASSIGNMENTS**

PRESENTER: MAYOR ANDY RYDER

ACTION: INFORMATION ONLY

Mayor Ryder asked Council to identify any conflicts or requests to change the current Intergovernmental Boards and Committee assignments. Council advised no changes were needed to the current assignments.



**MINUTES OF A REGULAR MEETING OF THE  
LACEY CITY COUNCIL  
THURSDAY, JANUARY 19, 2023,  
IN PERSON AND REMOTE ATTENDANCE**

To hear Council's full discussion of a specific topic, or the complete meeting, watch the video-stream available on YouTube –  
<https://www.youtube.com/watch?v=zxgXrllZXP0&list=PL0fgffnajWBrFio1FPgKAY4gZNX6G-U4C&index=1>

**CALL TO ORDER**

Deputy Mayor Miller called the meeting to order at 6:00 p.m.

**1. PLEDGE OF ALLEGIANCE**

Deputy Mayor Miller led the Pledge of Allegiance.

Council Present:

Deputy Mayor Malcolm Miller  
Councilmember Carolyn Cox  
Councilmember Lenny Greenstein  
Councilmember Ed Kunkel  
Councilmember Robin Vazquez

Council Excused:

Mayor Ryder  
Councilmember Michael Steadman

Staff Present:

Rick Walk, Interim City Manager  
Shannon Kelley-Fong, Assistant City Manager  
Robert Almada, Chief of Police  
Jen Burbidge, Parks, Culture & Recreation Director  
Scott Egger, Public Works Director (remote)  
Dave Schneider, City Attorney  
Troy Woo, Finance Director (remote)  
Sarah Hock, Executive Director, Joint Animal Services  
Peter Brooks, Water Resources Manager  
Aubrey Collier, City Engineer  
Puna Clark, Utility Engineer  
Samra Seymour, Senior Planner



Jeannette Sieler, Parks, Culture & Recreation Supervisor II  
Elissa Fontaine, Deputy City Clerk

## 2. APPROVAL OF AGENDA AND CONSENT AGENDA

### Consent Agenda Items:

- A. Council meeting minutes of January 5, 2023.
- B. A motion to approve payment of claims, wages and transfers for December 12, 2022, through January 6, 2023.

**COUNCILMEMBER GREENSTEIN MOVED TO APPROVE THE AGENDA AND CONSENT AGENDA. COUNCILMEMBER VAZQUEZ SECONDED. MOTION CARRIED.**

## 3. PUBLIC RECOGNITIONS AND PRESENTATIONS

- A. **Public Service Award to Dennis Reed – CAR-PFD:** Deputy Mayor Miller and Council presented a public service award to Dennis Reed for his service on the CAR-PFD Board of Directors.
- B. **Public Service Award to Trent Grantham – CAR-PFD:** Deputy Mayor Miller, Council and Tumwater Mayor Sullivan presented a public service award to Trent Grantham for his service on the CAR-PFD Board of Directors.
- C. **Director’s Award of Excellence for College Street and Yelm Highway Super T Pavement Rehab Project:** Jay Drye, Director of WSDOT Highways and Local Programs, John Ho, WSDOT Local Programs Engineer, and Mindy Roberson Assistant Division Administrator for FHWA Washington Division, presented the Director’s Award for Excellence to the City of Lacey. Aubrey Collier, City Engineer, provided additional details about the project.
- D. **Honor Dave Weber – Board of Park Commissioner:** Jennifer Burbidge, Parks, Culture & Recreation Director, and Board of Park Commissioners Chair Wendy Goodwin, honored the late Dave Weber for his service on the Board of Park Commissioners and impact to the community. Dave Weber’s daughter spoke a few words in her father’s memory.
- E. **Lacey Youth Council Report:** Justin Begley, Nathan Miller, Keegan Boldt, and Ayiana Young provided highlights on current and upcoming projects and events at their high schools.
- F. **Lacey Loves to Read Bookmark Winners:** Jeannette Sieler, Parks, Culture & Recreation Supervisor II, Jami Roberts, Director of ELA, Social Studies and Library Programs with North Thurston Public Schools, and Raina Sedore, Youth Services Librarian, Lacey Timberland Library, presented the bookmark winners for Lacey Loves to Read. Staff provided information on the 2023 Featured Author and upcoming events.

#### 4. PUBLIC COMMENT

Verbal Public Comments: The deadline to pre-register to speak via Zoom was 4:00 p.m. the day of the meeting.

1 – person signed up to speak via Zoom  
Holly Paxson, Lacey Timberland Library Manager, shared an update to the Lacey Timberland Library's hours of operation. Starting February 5, 2023, the Library will be open 10:00 a.m. – 6:00 p.m., Tuesday through Sunday.

0 – person signed up to speak at the meeting

Written Public Comments: The deadline to submit written public comments was 4:00 p.m. the day of the meeting. Written comments are not addressed during the meeting; however, they are added to the official record.

0 - written public comments were received.

#### 5. PUBLIC HEARING

#### 6. PROCLAMATIONS

A. **Lacey Loves to Read:** Mayor Ryder and Council proclaimed February 2023 as Lacey Loves to Read Month. Jeannette Seiler, Parks, Culture & Recreation Supervisor II, Jami Roberts, Director of ELA, Social Studies and Library Programs with North Thurston Public Schools, and Raina Sedore, Youth Services Librarian, Lacey Timberland Library accepted the proclamation.

B. **Jonathan Stewart Day:** Deputy Mayor Miller advised that agenda item 6-B. will be rescheduled to a future Council meeting.

#### 7. REFERRAL FROM PLANNING COMMISSION

#### 8. REFERRAL FROM HEARINGS EXAMINER

A. **Project #19-309 – Joyner/Gusta Shoreline CUP, SDP, and Variance:** Samra Seymour, Senior Planner, presented the Hearings Examiner's recommendation to approve in part and deny in part the Joyner/Gusta Shoreline Substantial Development Permit, Shoreline Conditional Use Permit, and Shoreline Variance for Project #19-309.

Dave Schneider, City Attorney, asked the City Council as a whole, the following questions:

1. Whether they have any personal interests (financial, property, employment, membership, family/social) that would be affected by denying or approving the requested conditional use.

2. Whether they have had any “ex-parte” communications (off-the-record), either written or oral, concerning the requested conditional use with any proponents or opponents while this matter was before the Council.
3. Whether there is any reason they cannot consider the requested conditional use application in a fair and impartial manner.

The City Council unanimously answered no to all three questions.

**COUNCILMEMBER GREENSTEIN MOVED TO APPROVE THE HEARINGS EXAMINER’S RECOMMENDATION REGARDING PROJECT #19-309. COUNCILMEMBER VAZQUEZ SECONDED. MOTION CARRIED.**

## **9. RESOLUTIONS**

## **10. ORDINANCES**

- A. **Ordinance No. 1633 – Update Language to LMC Chapter 7 Animals:** Sarah Hock, Executive Director Joint Animal Services, presented Ordinance No. 1633 relating to updates to Lacey Municipal Code Chapter 7 to support the Community Cat Program and prosecution of animal cruelty.

**COUNCILMEMBER KUNKEL MOVED TO APPROVE ORDINANCE NO. 1633 TO UPDATE LACEY MUNICIPAL CODE CHAPTER 7 – ANIMALS TO SUPPORT THE COMMUNITY CAT PROGRAM AND THE PROSECUTION OF ANIMAL CRUELTY. COUNCILMEMBER COX SECONDED. MOTION CARRIED.**

- B. **Ordinance No. 1634 – Board of Park Commissioners Name Change:** Jennifer Burbidge, Parks, Culture & Recreation Director, presented Ordinance No. 1634 relating to changing the name of the Board of Park Commissioners to Parks, Culture and Recreation Board.

**COUNCILMEMBER GREENSTEIN MOVED TO ADOPT ORDINANCE NO. 1634 APPROVING THE NAME CHANGE FROM BOARD OF PARK COMMISSIONERS TO PARKS, CULTURE AND RECREATION BOARD. DEPUTY MAYOR MILLER SECONDED. MOTION CARRIED.**

## **11. MAYOR’S REPORT**

- A. **Appoint Spencer Zeman to the CAR-PFD Board of Directors:** Deputy Mayor Miller recommended the appointment of Spencer Zeman as the City of Lacey representative on the CAR-PFD Board of Directors.

**DEPUTY MAYOR MILLER MOVED TO APPROVE THE APPOINTMENT OF SPENCER ZEMEN TO THE CAR-PFD BOARD OF DIRECTORS AS THE CITY OF LACEY’S REPRESENTATIVE. COUNCILMEMBER COX SECONDED. MOTION CARRIED.**

- B. **Reappoint Sharla Desy to the Lacey Library Board of Directors:** Deputy Mayor Miller recommended the reappointment of Sharla Desy to the Lacey Library Board.

**DEPUTY MAYOR MILLER MOVED TO APPROVE THE REAPPOINTMENT OF SHARLA DESY TO THE LACEY LIBRARY BOARD OF DIRECTORS. COUNCILMEMBER GREENSTEIN SECONDED. MOTION CARRIED.**

## **12. CITY MANAGER'S REPORT**

- A. **Memorandum of Agreement – Brewery Wellfield Asset Transfer:** Peter Brooks, Water Resources Manager, presented a memorandum of agreement to transfer assets between the cities of Olympia, Tumwater, and Lacey related to the Brewery Wellfield.

**COUNCILMEMBER VAZQUEZ MOVED TO AUTHORIZE THE INTERIM CITY MANAGER TO SIGN THE MEMORANDUM OF AGREEMENT BETWEEN THE CITIES OF OLYMPIA, LACEY, AND TUMWATER FOR TRANSFER OF ASSETS RELATED TO THE BREWERY WELLFIELD. COUNCILMEMBER KUNKEL SECONDED. MOTION CARRIED.**

- B. **Award PW 2019-29 – Beachcrest Wellfield pH Improvements:** Puna Clark, Utility Engineer, presented contract PW 2019-29 for the Beachcrest Wellfield pH Improvements project. The project was advertised for 5 weeks and bids were opened on January 6, 2023. Seven (7) bids were received. McClure & Sons from Mill Creek, Washington, was the low bidder at \$4,088,846.07. The Engineer's Estimate is \$4,499,738.25.

**COUNCILMEMBER GREENSTEIN MOVED TO AWARD PW 2019-29 BEACHCREST WELLFIELD PH IMPROVEMENT TO LOW BIDDER MCCLURE & SONS, INC., FROM MILL CREEK, WASHINGTON, IN THE AMOUNT OF \$4,088,846.07. DEPUTY MAYOR MILLER SECONDED. MOTION CARRIED.**

Rick Walk, Interim City Manager, provided an update to Council on the Lacey MakerSpace. The City will receive \$1 million in federal funding through Congressionally Directed Spending from Senator Patty Murray and Senator Maria Cantwell to complete an upgrade and expansion to the Lacey MakerSpace.

## **13. STANDING COMMITTEES**

- A. Community Relations & Public Affairs Committee:  
Councilmember Steadman was excused from the Council meeting. Councilmember Cox reported on the December 5, 2022, meeting as alternate.

Deputy Mayor Miller and Shannon Kelley-Fong, Assistant City Manager, provided additional information on the City's Banner Program.

- B. Utilities Committee:  
Councilmember Kunkel reported on the December 5, 2022, meeting.
- C. Transportation Committee:  
Deputy Mayor Miller reported on the December 6, 2022, meeting.

#### 14. OTHER BUSINESS

#### 15. BOARDS, COMMISSIONS AND COMMITTEE REPORTS

- A. Mayor Ryder
  - 1. Mayor's Forum – **excused, no report**
  - 2. Thurston Chamber Shared Legislative Committee – **excused, no report**
  - 3. Transportation Policy Board – **excused, no report**
- B. Deputy Mayor Miller
  - 1. Economic Development Council (EDC) – **no report**
  - 2. Lodging Tax Advisory Committee (LTAC) – **no report**
  - 3. Thurston County Coalition Against Trafficking (TCCAT) – **no report**
  - 4. Thurston Thrives – **no report**
- C. Councilmember Cox
  - 1. Climate Mitigation Steering Committee – **no report**
  - 2. LOTT Clean Water Alliance – **no report**
  - 3. Regional Housing Council – **made report**
- D. Councilmember Greenstein
  - 1. Emergency Medical Services (EMS) – **made report**
  - 2. TCOMM911 – **no report**
- E. Councilmember Steadman
  - 1. Community Action Council – **excused, no report**
  - 2. Nisqually River Council – **excused, no report**
  - 3. Thurston County Law & Justice – **excused, no report**
- F. Councilmember Kunkel
  - 1. Joint Animal Services Commission (JASCOM) – **no report**
  - 2. Lacey South Sound Chamber – **no report**
  - 3. Olympia-Lacey-Tumwater Visitor & Convention Bureau (VCB) – **no report**
  - 4. Solid Waste Advisory Committee (SWAC) – **no report**
- G. Councilmember Vazquez
  - 1. Intercity Transit – **no report**
  - 2. Olympic Region Clean Air Agency – **made report**
  - 3. Thurston Regional Planning Council – **made report**
  - 4. Thurston County Board of Health – **made report**

Council and staff highlighted a current clothing drive. The City is helping to collect new and gently used clothing for all ages. Bins are located in Lacey Police Department Lobby,

Thurston County Public Health, Thurston County Atrium, and Thurston County Public Works. The bins will be available until February 1, 2023.

Deputy Mayor Miller spoke about his experience attending the City's Martin Luther King Jr. Day of Service, volunteering at Woodland Creek Community Park.

**16. ADJOURN**

Deputy Mayor Miller adjourned the Council Meeting at 8:00 p.m.

MAYOR: \_\_\_\_\_

ATTESTED BY CITY CLERK: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_



**LACEY CITY COUNCIL MEETING**  
**February 2, 2023**

**SUBJECT:** Disbursement Approval

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**RECOMMENDATION:** By motion, approve payment of claims, wages, and transfers.

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**STAFF CONTACT:** Troy Woo, Finance Director *TW*

**ORIGINATED BY:** Troy Woo, Finance Department

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**BACKGROUND:**

The action requested of the City Council is by motion to approve payment of claims, wages and transfers for 1/7/2023 through 1/23/2023. The disbursements consist of the following:

Checks:	<u>Week of</u>	<u>Beg. Check No.</u>	<u>End. Check No.</u>	<u>Amount</u>
	1/13/2023	268326	268412	1,431,955.41
	1/20/2023	268413	268514	562,097.40

Electronic Transfers:	<u>Week of</u>	<u>Amount</u>
	1/11/2023	1,104.94
	1/13/2023	509,311.68
	1/20/2023	334,070.95

**Significant Disbursements:**

Assoc. of WA Cities	\$ 87,779.12	Membership, Worker's Comp Retro
Axon Enterprise, Inc.	\$ 128,634.41	Police Body Worn Cameras
KBM Architects	\$ 178,009.78	New Police Station Design
WA Cities Insurance Auth.	\$1,096,729.00	Liability & Property Insurance
Phoenix Fabricators	\$ 250,214.17	T Cargil Reservoir
Puget Sound Energy	\$ 103,060.21	Utilities
Simmons & Sons	\$ 81,637.40	2022 Sidewalk Repair
Thurston Economic Dev.	\$ 200,000.00	Lacey MakerSpace Operations

**CITY OF LACEY**  
***Official Proclamation***

**Whereas**, Future Business Leaders of America, Inc. (FBLA) is a non-profit educational organization whose first chapter was established in Johnson City, Tennessee in 1942, and Iowa became the first state chapter in 1947; and

**Whereas**, FBLA currently includes more than 250,000 members and advisers in 4,600 chapters nationwide in middle schools, high schools, colleges, universities, career and technical schools, and private business schools; and

**Whereas**, FBLA is a professional business organization dedicated to bringing business and education together in a positive working relationship through innovative leadership and career development programs; and

**Whereas**, FBLA members perform community service activities and strive to build student understanding of the realities of the modern business world; and

**Whereas**, FBLA teaches middle school, high school, and college students basic business and leadership principles, and assists them in the transition from school to work; and

**Whereas**, North Thurston Public Schools has six active FBLA chapters with over student 250 members; and

**Whereas**, Komachin Middle School officially chartered its FBLA local chapter on October 9, 2018; and

**Now, Therefore**, I, Andy Ryder, Mayor of the City of Lacey, on behalf of the Lacey City Council, do hereby proclaim February 5 to 11, 2023, as

***Future Business Leaders of America Week***

in the City of Lacey and urge all community members to support and encourage the future entrepreneurs and business leaders of our community and the United States of America.

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Mayor Andy Ryder  
February 2, 2023







**LACEY CITY COUNCIL MEETING**  
**February 2, 2023**

**SUBJECT:** HB 1799 – Organics Management Law

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**RECOMMENDATION:** Adopt Ordinance No.1635 Compost Procurement Policy for Public Capital Projects.

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**STAFF CONTACT:** Rick Walk, Interim City Manager *RW*  
Shannon Kelley-Fong, Assistant City Manager *SKF*  
Scott Egger, Public Works Director *SE*  
Aubrey Collier, City Engineer  
Marcus Hoch, Public Works Management Analyst *MH*

**ORIGINATED BY:** City Manager's Department

**ATTACHMENTS:** 1. [Ordinance No. 1635 - Compost Procurement Policy for Public Capital Projects](#)

**FISCAL NOTE:** Likely future cost impacts to City capital projects

**WORK PLAN GOAL AND STRATEGY:** N/A – New State Mandate

**PRIOR REVIEW:** Council Worksession – January 26, 2023

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**BACKGROUND:**

In 2022, Washington's Legislature passed [House Bill 1799 \(HB 1799\)](#) requiring diversion of organic materials away from landfill disposal and towards food rescue programs and organics management facilities. These actions are intended to help Washington achieve its 2030 goal to cut landfill-disposed organic material by 75%, compared to 2015 which in turn will reduce methane emissions associated with organic materials.

Washington's new organics management law requires state and local governments, businesses, and other organizations to reduce the amount of organic materials disposed in landfills and increase the demand for processed organic materials like compost. The

legislation also calls for an increase in edible food recovery and amends many laws affecting organics management.

Pursuant to Part 7 of the bill, all cities with curbside organics collection services as well as cities with a population greater than 25,000 must comply with the following:

- Adopt a compost procurement ordinance to implement RCW 43.19A.120 for government-funded projects (public City capital projects), to include:
  - Landscape;
  - Construction and postconstruction; and
  - Erosion prevention, stormwater runoff filtration, plant growth, or to improve the stability and longevity of roads.
- Develop a strategy to inform residents about the value and city use of compost.
- Develop reporting metrics every even-numbered year, starting December 2024, to the Department of Ecology stating:
  - Tons of organic material diverted (only applies to those collecting organics)
  - Volume and cost of compost purchased

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**ADVANTAGES:**

1. Adopting a compost procurement ordinance is in alignment with state law. A compost procurement ordinance could be amended as necessary, or repealed and replaced, as needed at a later date.

**DISADVANTAGES:**

1. None identified at this time.

ORDINANCE NO. 1635

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY RELATED TO ESTABLISHING A COMPOST PROCUREMENT POLICY IN THE CITY OF LACEY, ADDING CHAPTER 14.39 TO THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION.

WHEREAS, 70A.205.007 RCW establishes goals for the state of Washington to cut landfill-disposed organic material by 75% compared to 2015; and

WHEREAS, landfills are a significant source of methane emissions; and

WHEREAS, estimates suggest that eight to ten percent (8 to 10%) of global greenhouse gas emissions are associated with food waste that is not consumed; and

WHEREAS, in March 2022, ESSHB 1799 was signed into Washington law with the primary goal of increasing the diversion of organic materials going to landfills in order to reduce methane emissions; and

WHEREAS, as more organic materials are diverted and recycled, it is critical the compost manufactured be procured by local jurisdictions and others to support the economic viability of these processes and programs; and

WHEREAS, it is well established compost production and use provide significant environmental benefits to our soil and food; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, AS FOLLOWS:

Section 1. There is hereby added to the Lacey Municipal Code a new Chapter, 14.39, to read as follows:

**14.39 Use of Compost Materials in Public Capital Projects.**

14.39.010 Use of Compost Materials in Public Capital Projects.

The City shall plan for the use of composted material as follows.

- A. When planning government-funded projects or soliciting and reviewing bids for such projects, the City shall consider whether compost products can be utilized in the project.

- B. If compost products can be utilized in a public capital project, the City, or its contractor(s), shall use compost products, except that the City, or its contractor(s), is not required to use compost products if:
1. Compost products are not available within a reasonable period of time;
  2. Compost products that are available do not comply with existing purchasing standards;
  3. Compost products that are available do not comply with federal or state health, quality, and safety standards; or
  4. Compost purchase prices are not reasonable or competitive.
- C. Compost products used under this section shall be purchased from a facility that meets the requirements of RCW 43.19A.150(6) as exists or is hereafter amended.
- D. Use of compost products must be considered, and if possible, compost products must be used, for the following public capital projects:
1. Landscaping projects;
  2. Construction and postconstruction soil amendments;
  3. Applications to prevent erosion, filter stormwater runoff, promote vegetation growth, or improve the stability and longevity of roadways; and
  4. Low-impact development and green infrastructure to filter pollutants or keep water on-site, or both.
- E. Projects requiring application of this ordinance shall conform to the City's Stormwater Design Manual, Lacey Municipal Code, or other relevant permit requirements and guideline(s). Requests for variance to this ordinance shall be submitted for review and approval to the Public Works Director, or designee, describing the need for deviation and mitigation, as appropriate.

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

Section 3. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the

correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. The Summary attached hereto is hereby approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, at a regularly-called meeting thereof, held this 2<sup>nd</sup> day of February, 2023.

CITY COUNCIL

By: \_\_\_\_\_  
Mayor

Approved as to form:

\_\_\_\_\_  
City Attorney

Attest:

\_\_\_\_\_  
City Clerk

SUMMARY FOR PUBLICATION  
ORDINANCE NO 1635  
CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on February 2, 2023, Ordinance No. 1635, entitled “AN ORDINANCE OF THE CITY OF LACEY RELATED TO ESTABLISHING A COMPOST PROCUREMENT POLICY IN THE CITY OF LACEY, ADDING CHAPTER 14.39 TO THE LACEY MUNICIPAL CODE AND APPROVING A SUMMARY FOR PUBLICATION. “

The main points of the Ordinance are described as follows:

1. The Ordinance adds a new chapter to the Lacey Municipal Code, 14.39, pertaining to compost procurement.
2. The Ordinance approves this Summary for Publication.

A copy of the full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: February 6, 2023