



*Shaping  
our community  
together*

CITY  
OF **LACEY**

420 COLLEGE ST SE  
LACEY, WA 98503-1238

April 19, 2021

Katrina Van Every, Senior Planner  
Thurston Regional Planning Council  
2411 Chandler Court SW  
Olympia, WA 98502

Subject: Notice of Intention Thurston County Boundary Review Board—Mosure  
54<sup>th</sup> Avenue Annexation

Dear Katrina:

Enclosed are the materials related to the Notice of Intention for the Thurston County Boundary Review Board for annexation of property located north of 54<sup>th</sup> Avenue SE between Lakehills Street SE and Alderglen Drive SE into the City of Lacey. The City is requesting an exemption from review per RCW 36.93.110 as the annexation area is less than 10 acres and \$2 million in assessed valuation.

Please let me know if you have any questions. I can be reached at (360) 412-3190 or [randrews@ci.lacey.wa.us](mailto:randrews@ci.lacey.wa.us).

Sincerely,

Ryan Andrews  
Planning Manager



TDD Relay  
1-800-833-6388

City Council  
(360) 491-3214

City Manager  
(360) 491-3214

City Attorney  
(360) 491-1802

Community Development  
(360) 491-5642

Finance  
(360) 491-3212

Parks & Recreation  
(360) 491-0857

Police  
(360) 459-4333

Public Works  
(360) 491-5600

Fax #  
(360) 438-2669



**NOTICE OF INTENTION**

(Application for Annexation/Merger)

**Thurston County Boundary Review Board**

2411 Chandler Court SW, Olympia, WA 98502

360.741.2514 (Direct) | 360.956.7575 (Main) | 360.741.2545 (Fax)

Email: [brbchiefclerk@trpc.org](mailto:brbchiefclerk@trpc.org)

Website: [www.trpc.org/brb](http://www.trpc.org/brb)



**SUBMITTAL REQUIREMENTS**

**Annexation: Original + 6 copies**

**CD containing all documents as separated .pdf format files**

**Waiver:Original + 8 copies**

**CD containing all documents as separated .pdf format files**

1. Jurisdiction Requesting Annexation/Merger: City of Lacey

Responsible Official: Ryan Andrews, Planning Manager

Phone: (360) 412-3190

FAX: (360) 438-2669

E-mail: randrews@ci.lacey.wa.us

2. If number of parcels is less than three, please list the owners:

11834320000: Patricia Mosure et al

\_\_\_\_\_

\_\_\_\_\_

3. Method used to initiate the proposed action: 60% Petition Method RCW 35A.14.120

4. Location (address, if assigned): No address assigned.

5. Legal Description. A copy of the legal description of the perimeter boundaries of the area involved in the proposed action certified by a registered engineer or land surveyor (attach as a separate exhibit):

6. Size in Acres: 9.91

7. Assessed Valuation (attach Assessor's information): \$222,000

8. Please state the nature of this action and the relevant statutory citation (i.e., annexation for municipal purposes pursuant to RCW 35.13.180):

Annexation using the direct petition method pursuant to RCW 35A.14.120 for code cities.

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9. Current Joint Plan Designation:

Low Density Residential 0-4

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10. Is the site currently served by sewer or water?

Sewer  Water  Neither

If no, specify services desired: \_\_\_\_\_

If sewer or water desired, include map showing location of nearest lines.

11. When is extension of water and sewer service planned to the area:

Upon development, properties will be connected to City of Lacey water and sewer which is available to the site but not currently served.

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12. Does this proposal affect any other interjurisdictional agreements?

Yes  No

If yes, please list these agreements:

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13. Does this proposal conform to adopted county-wide planning policies on annexation?

Yes, the county-wide planning policies requires cooperation on annexations in order to accomplish an orderly transfer of contiguous lands within growth areas into the adjoining cities and towns (CWPP 3.3).

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The county-wide planning policies also require that the jointly adopted plan or zoning will serve as the basis for county planning decisions and as the pre-annexation comprehensive plan for the city to use when annexations are proposed (CWPP 4.3) The City of Lacey and Thurston County

Land Use Element for the City of Lacey Urban Growth Area (joint plan) identifies the comprehensive plan designation for these properties which will be retained upon annexation.

The county-wide planning policies address the fiscal impact of annexations by stating that the jurisdictions cooperatively explore a method to mitigate the fiscal impact on county government of annexation of significant developed commercial and industrial properties (CWPP 6.2). No developed commercial or industrial property is being annexed with the proposal.

14. Other specific Reason(s) for Annexation:

Submittal of a notice of intent to annex by a property owner to the City of Lacey.

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15. Explain how this proposal furthers the objectives of the Boundary Review Board (as applicable) (RCW 36.93.180) [attach additional pages if necessary] (Some of these items may not apply because of Growth Management Agreements.):

a. Preservation of natural neighborhoods and communities:

The property is not an existing neighborhood.

b. Use of physical boundaries, including but not limited to bodies of water, highways, and land contours:

The area proposed for annexation a single parcel that is surrounded on three sides by the existing Lacey city limits. The configuration is a logical extension of the city limits and would not create any islands or illogical boundaries. All streets accessing the property including 54<sup>th</sup> Avenue SE and 53<sup>rd</sup> Avenue SE are City of Lacey rights-of-way.

c. Creation and preservation of logical service areas:

Utility service areas will not change as a result of the annexation. Police service will be provided by Lacey Police instead of Thurston County Sheriff. Fire district boundaries will not change upon annexation.

d. Prevention of abnormally irregular boundaries:

Annexation area follows established parcel boundaries. The proposal will make for more logical municipal boundaries.

e. Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas

Not applicable.

f. Dissolution of inactive special purpose districts:

Not applicable. No known inactive special purpose districts apply to the annexation area.

g. Adjustment of impractical boundaries:

Incorporation of the proposed annexation will create logical boundaries for an area that is currently surrounded on three sides by Lacey municipal boundaries.

h. Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character

The property within the proposed annexation area will develop consistent with the requirements of the Low Density Residential 0-4 zoning district. This zone allows for residential development that will require urban services. The Growth Management Act, RCW 36.70A.110(4), states that "In general, cities are the units of local government most appropriate to provide urban governmental services." This is further supported by RCW 36.70A.110(7) which states, " An urban growth area designated in accordance with this section may include within its boundaries...potential annexation areas designated for specific cities..." This RCW supports the annexation of any portion of the Lacey Urban Growth Area into the City of Lacey. Annexing areas of urban density is consistent with this objective of the Boundary Review Board and consistent with the Growth Management Act.

i. Protection of agricultural lands:

Not applicable. No agricultural lands would be affected by the proposal.

**NOTE:**

*The Boundary Review Board can consider the following factors (RCW 36.93.170) in deciding whether a particular decision furthers the objectives stated above:*

1. *Population and territory*
2. *Population density*
3. *Land area and land use*
4. *Comprehensive use plans and zoning*
5. *Per capita assessed valuation*
6. *Topography, natural boundaries and drainage basins, proximity to other populated areas*
7. *The existence of prime agricultural soils and agricultural uses*
8. *The likelihood of significant growth in the area and in adjacent incorporation and unincorporated areas during the next ten years*
9. *Location and most desirable future location of community facilities*
10. *Municipal services*
11. *Need for municipal services*
12. *Effect of ordinances, governmental codes, regulations and resolutions on existing uses*
13. *Present cost and adequacy of governmental services and controls in area*
14. *Prospects of governmental services from other sources*
15. *Probable future needs for such services and controls*
16. *Probable effect of proposal or alternative on cost and adequacy of services and controls in area and adjacent area*
17. *The effect of the finances, debt structure, and contractual obligations and rights of all affected governmental units*
18. *The effect of the proposal or alternative on adjacent areas, on mutual economic and social interests, and on the local governmental structure of the county*
19. *Decisions of the Boundary Review Board must also be consistent with the Washington State Growth Management Act RCW 36.70A.020, 36.70A.110, and 36.70A.210.*

**REQUIRED ATTACHMENTS:**

**SUBMITTAL REQUIREMENTS**

**Annexation: Original + 6 copies**

**CD containing all documents as separated .pdf format files**

**Waiver:Original + 8 copies**

**CD containing all documents as separated .pdf format files**

**THURSTON COUNTY BOUNDARY REVIEW BOARD:**

- I. **Notice of Intention** (the Boundary Review Board’s Notice).
- II. **Maps** (*NOTE: Must have legends/Colored maps no larger than 11 x 17 inches are encouraged in pdf format and attachments.*)

The following maps must be submitted with all notices of intention:

- A. Map of Entire City/Area. No larger than 11 x 17 inches:
    - 1. The general vicinity of the proposal.
    - 2. The area proposed for annexation, highlighted in some manner.
    - 3. The boundaries of other cities near the annexation area (highlighted if not readily discernable).
    - 4. Major streets/roads identified.
  - B. Assessor's Map showing specific parcel(s) and immediate vicinity, (reduced copy is preferable). Valuable, but not required:
    - 1. Map showing parcel numbers for the proposal and immediate vicinity
    - 2. Map showing owner names for the proposal and immediate vicinity
  - C. Physical Features. One or more maps showing the following (when available):
    - 1. Dominant physical features such as lakes, creeks, and ravines
    - 2. Flood plain boundaries (100-year)
    - 3. Railroad lines
    - 4. All public roads near the annexation/merger
    - 5. Commercial agriculture lands (when this information is available)
  - D. Service Area and Other Boundaries. Map showing the proposed annexation and its relationship to the Urban Growth Boundary.
  - E. Other Maps
    - 1. Existing joint plan zoning.
    - 2. Location of water and sewer mains within proposed annexation, if any, and those nearby (any jurisdiction).
- III. **Filing Fee.** \$50.00 check made out to “Thurston Regional Planning Council”. (*Note: the fee will not be processed until the application is determined complete*)
  - IV. **Method of Annexation** (only one will apply)
    - 1. Election Method: Complete copy of minutes of the meeting during which the City Resolution calling for annexation election is adopted or the city accepted the petition for election (certified if appropriate);  
  
OR
    - 2. Direct Petition Method:
      - a. Affidavit of publication of the initial public meeting notice.

- b. Copy of minutes of the public meeting required in which the city accepts the proposed annexation.
- c. A signed copy of the decision by the city accepting the proposed annexation. The Notice on Intent to annex needs to be filed with the Boundary Review Board within 180 days of the date when the city accepts the proposed annexation.
- d. Affidavit of publication of the public hearing as required under RCW35A.14.130.
- e. For non-city annexations, copies of the signed petitions for annexation with parcel numbers of the properties, which are represented by the signatures.
- f. Copy of the Declaration of Petition Sufficiency from the Office of the Thurston County Assessor (see RCW 35.21.005(4) for non-code cities, or 35A.01.040(4) for code cities).

V. **SEPA Determination** (does not apply to city/town annexations per RCW 43.21C.222)

RECEIVED

FEB 19 2021

BY 21-54

**PETITION FOR ANNEXATION  
60 PERCENT PETITION METHOD  
RCW 35A.14.120**

TO: THE HONORABLE CITY COUNCIL of the City of Lacey, State of Washington:

The undersigned, being property owner(s) and representing at least 60% of the assessed value of property herein depicted on Exhibit A and described on exhibit B, do hereby petition to annex this property to the City of Lacey pursuant to RCW 35A.14.120 and under the following terms and conditions.

- Adoption of Low Density Residential (0-4) comprehensive plan and zoning designation,
- Assumption of a pro rata share of the City's bonded indebtedness.

**Signature(s) of property owners:**

WARNING

EVERY PERSON WHO SIGNS THIS PETITION WITH ANY OTHER THAN HIS/HER TRUE NAME, OR WHO KNOWINGLY SIGNS MORE THAN ONE OF THESE PETITIONS, OR SIGNS A PETITION SEEKING AN ELECTION WHEN HE/SHE IS NOT A LEGAL VOTER, OR SIGNS A PETITION WHEN HE/SHE IS OTHERWISE NOT QUALIFIED TO SIGN, OR WHO MAKES HEREIN ANY FALSE STATEMENT, SHALL BE GUILTY OF A MISDEMEANOR.

NOTE: EACH PAGE WITH A SIGNATURE MUST CONTAIN ALL OF THE ABOVE INFORMATION

<u>Property Owner</u>	<u>Date</u>	<u>Address</u>	<u>Acreage</u>	<u>Parcel No</u>	<u>Assessor Value</u>
Patricia Mousu Jakala	1-23 2021	NA	9.83	11834320000	\$222,000
[Signature]	1/23/2021	"	"	"	"
[Signature]	1/23/2021	"	"	"	"
[Signature]	1/23/2021	"	"	"	"

# EXHIBIT "A"

A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.

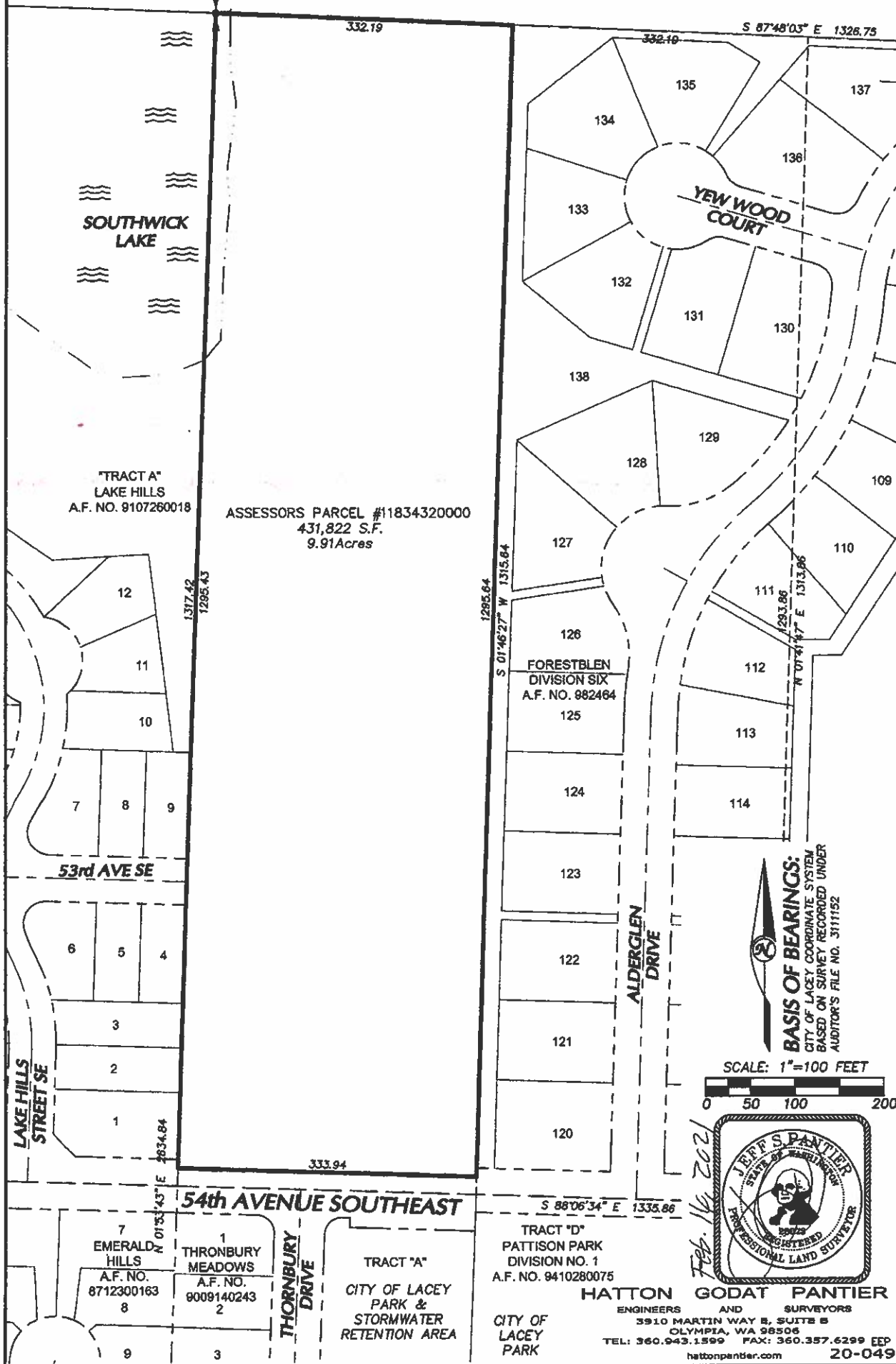


EXHIBIT "B"

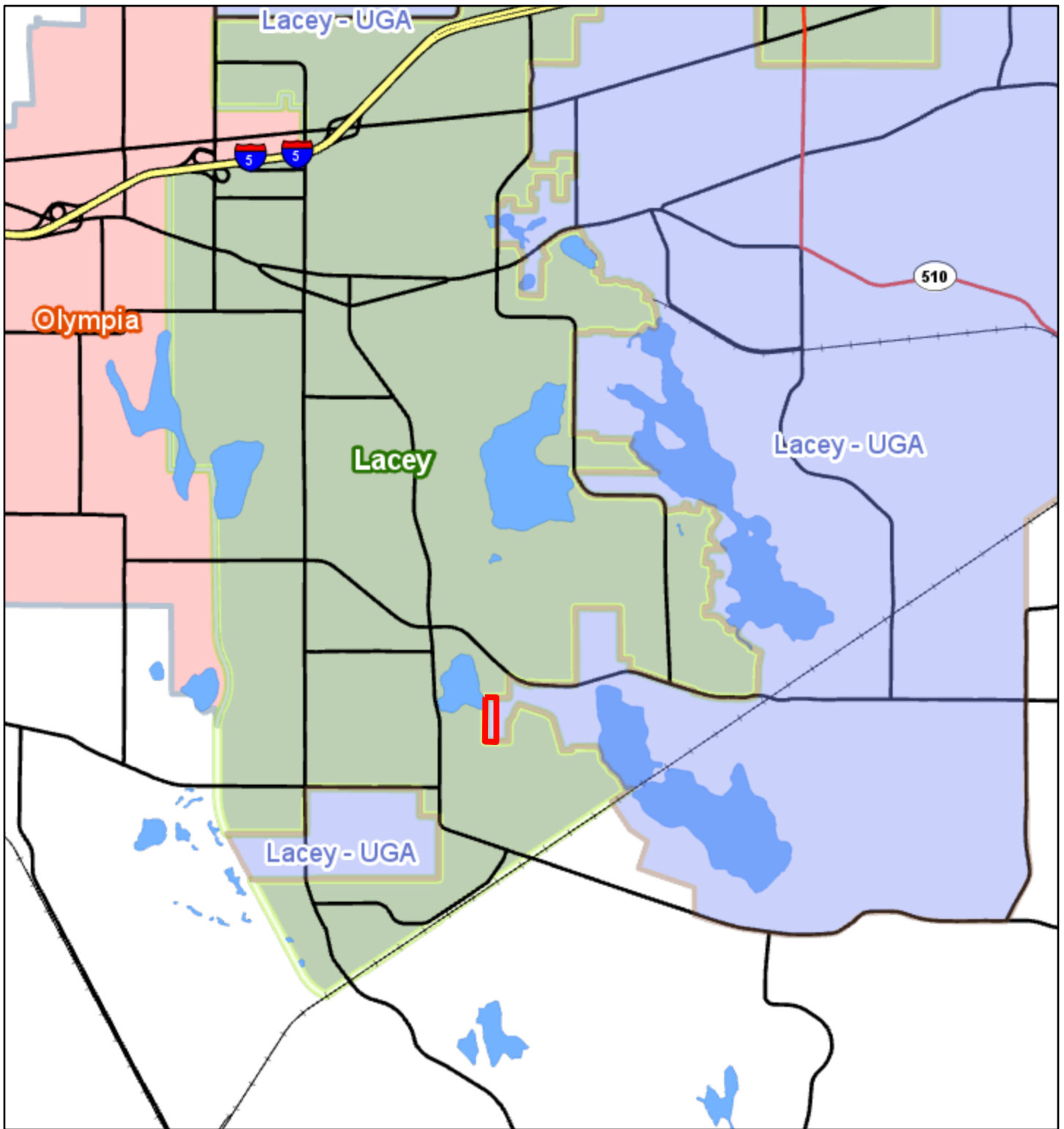
THE WEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER  
OF SECTION 34, TOWNSHIP 18 NORTH, RANGE 1 WEST, W.M.; EXCEPTING  
THEREFROM THE SOUTH 20 FEET FOR COUNTY ROAD KNOWN AS 54<sup>TH</sup> AVENUE  
SOUTHEAST.

IN THURSTON COUNTY, WASHINGTON.



Feb. 14, 2021

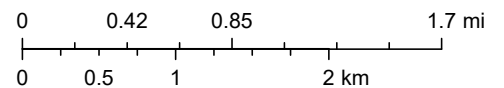
# Mosure 54th Avenue Annexation Vicinity Map



4/8/2021, 8:51:36 AM

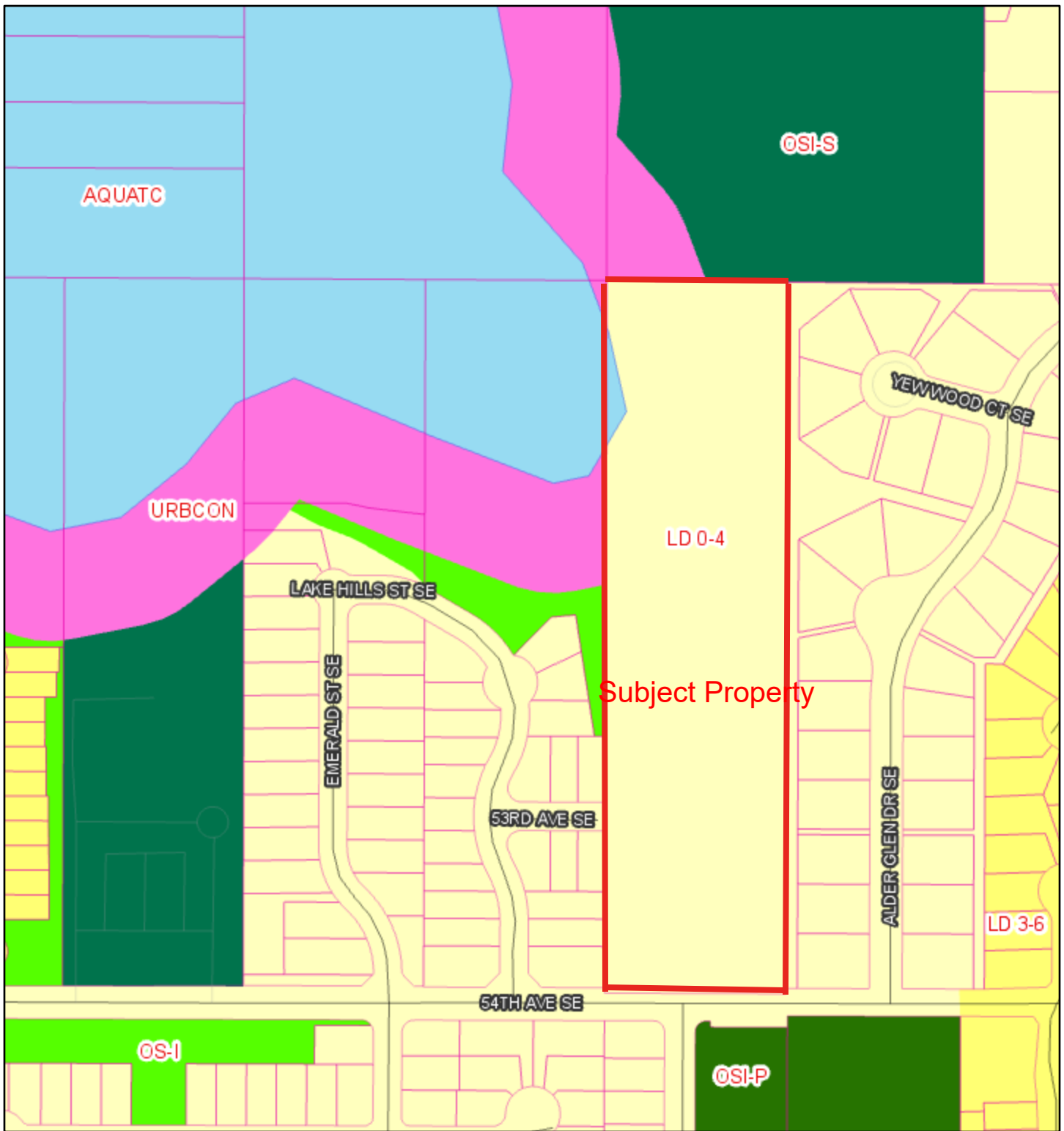
1:72,224

- |             |              |                 |
|-------------|--------------|-----------------|
| Olympia     | Water Bodies | US/State Routes |
| UGA         | Major Roads  | Major Roads     |
| City Limits | Interstate 5 | Railroad        |



GIS Coordinator, City of Lacey

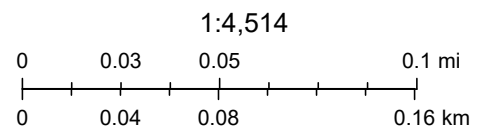
# Mosure 54th Avenue Annexation Zoning



12/21/2020, 9:48:27 AM

**Lacey Zoning**

- MGSA McAllister Geologically Sensitive Area
- LHN Lacey Historic Neighborhood
- LD 0-4 Low Density Residential
- LD 3-6 Low Density Residential



GIS Coordinator, City of Lacey

# Mosure 54th Avenue Annexation Aerial Photo



12/21/2020, 9:44:22 AM

1:4,514

Lacey Streets

Interstate 5

US/State Routes

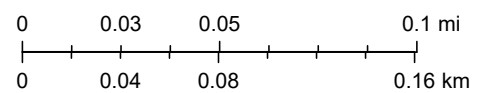
Major Roads

Minor Roads

Unnamed

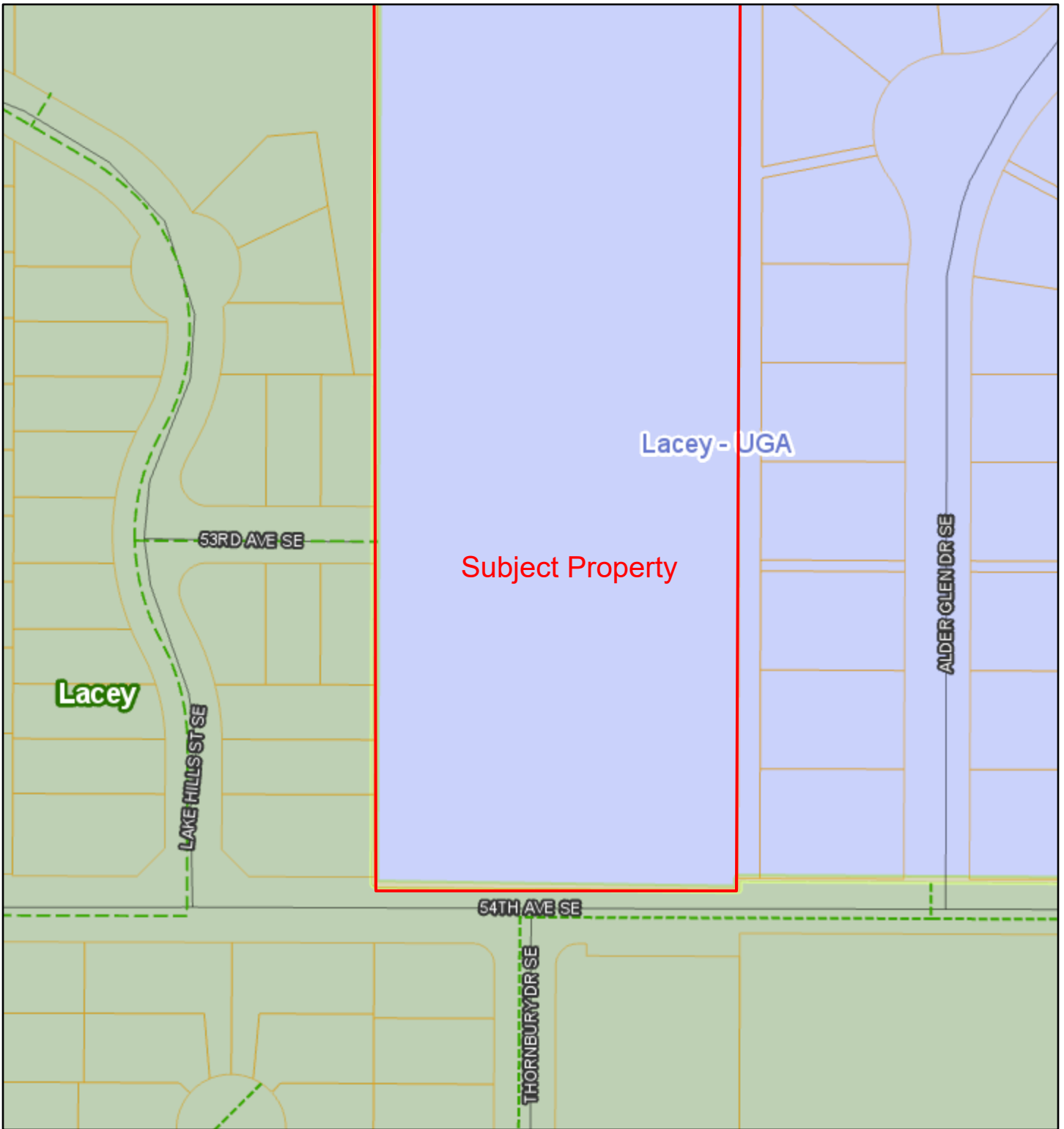
Railroad

Lacey Area Parcels



GIS Coordinator, City of Lacey

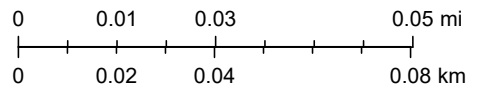
# Mosure 54th Avenue Annexation Sewer Lines



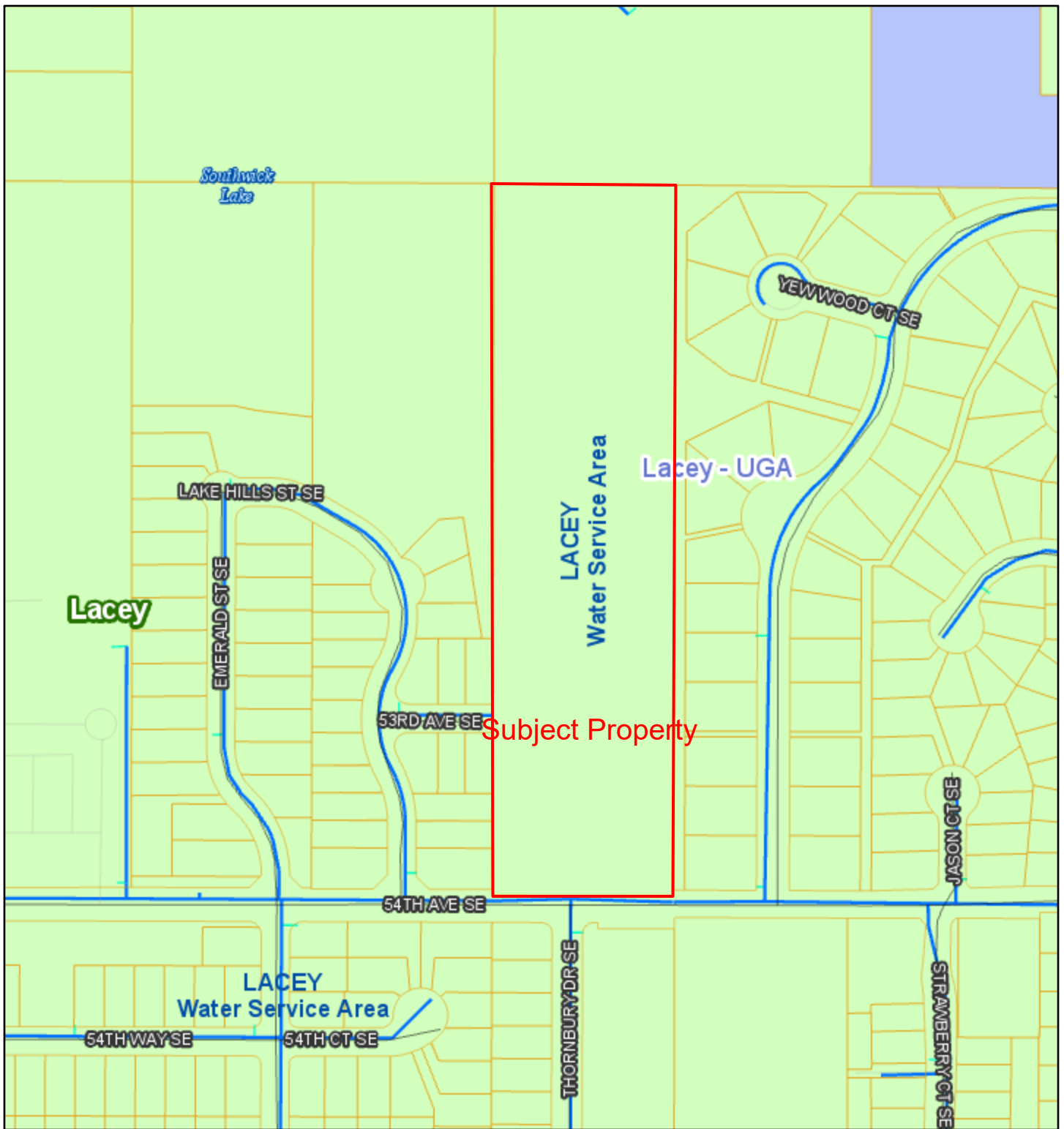
12/21/2020, 10:04:15 AM

1:2,257

- |            |                      |  |                         |
|------------|----------------------|--|-------------------------|
| Sewer Main |                      |  |                         |
|            | Gravity Main, LOTT   |  | <all other values>      |
|            | Force Main, COL      |  | Olympia                 |
|            | Gravity Main, COL    |  | UGA                     |
|            | STEP Main, COL       |  | City Limits             |
|            | Force Main, LOTT     |  | Force Main, PVT/Other   |
|            | Force Main, Thurston |  | Gravity Main, PVT/Other |
|            |                      |  | Stream                  |

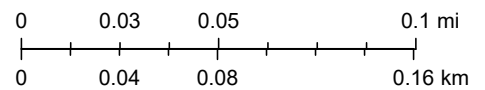
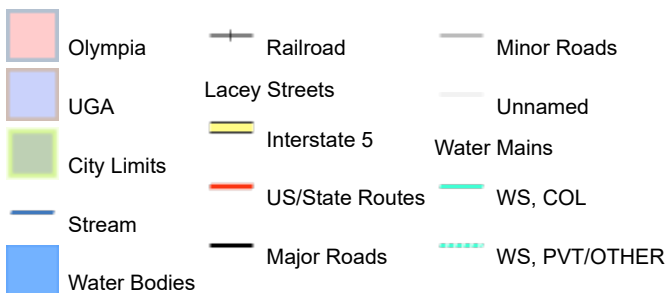


# Mosure 54th Avenue Annexation Water Lines and Service Areas

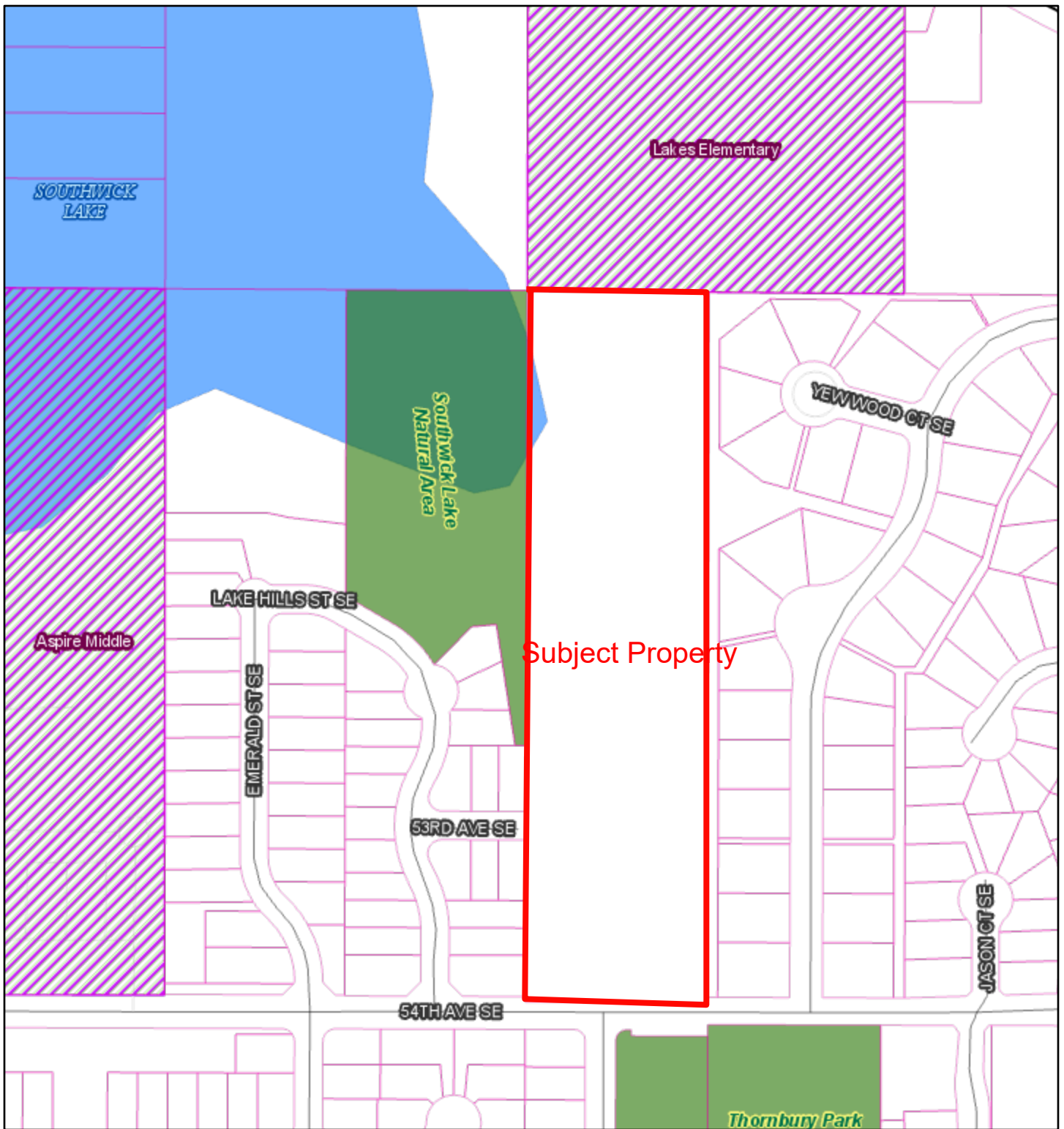


12/21/2020, 9:58:19 AM

1:4,514

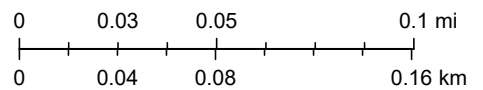













# Mosure 54th Avenue Annexation Physical Features Map



4/8/2021, 8:55:02 AM

1:4,514



- |   |   |  |
|---|---|--|
|  School       |  Interstate 5    |  Minor Roads        |
|  Park         |  US/State Routes |  Unnamed            |
|  Stream       |  Major Roads     |  Railroad           |
|  Water Bodies |   |  Lacey Area Parcels |

GIS Coordinator, City of Lacey

**UTILITIES COMMITTEE MINUTES**

JANUARY 4, 2021

12:00 P.M. – 12:17 P.M.

REMOTE ONLY

COUNCIL PRESENT: COUNCILMEMBERS STEADMAN (CHAIR), KUNKEL AND MILLER

STAFF PRESENT: SCOTT SPENCE, RICK WALK, RYAN ANDREWS, PERI EDMONDS, DINA CHRISTENSEN

ACTION: APPROVE UTILITIES COMMITTEE AGENDA

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

**MOSURE 54<sup>TH</sup> AVENUE ANNEXATION PROJECT NO. 20-312**

STAFF: RYAN ANDREWS, PLANNING MANAGER

ACTION: RECOMMEND TO FULL COUNCIL FOR APPROVAL TO PROCEED WITH MOSURE 54<sup>TH</sup> AVENUE ANNEXATION PROPOSAL INCLUDING PROVISIONS PRESENTED

MOTION: MOTION MADE, SECONDED AND CARRIED BY COUNCILMEMBER STEADMAN AND KUNKEL

The City has received a notice of intent to commence annexation proceedings filed by Patty Mosure for a single parcel located on 54th Avenue SE. The filing of the notice is the first step in the annexation process under the petition method, which requires a petition filed by property owners representing a minimum of 10% of the valuation of the area proposed for annexation. The City has verified that the ownership does comprise a minimum of more than 10% of the assessed valuation for general taxation purposes of the properties for which annexation is requested.

The annexation is for a single undeveloped tax parcel totaling 9.83 acres. The 2020-2021 assessed value of this parcel is \$222,000. There are critical areas on the site including Southwick Lake and a wetland. Prior to development of the site, a critical area report will need to be prepared to ensure the development meets the requirements of the City of Lacey's Shoreline Master Program and wetland regulations contained in chapter 14.28 of the Lacey Municipal Code.

The parcel is zoned Low Density Residential 0-4. Upon annexation, the zoning of these parcels will remain as currently designated as required by an annexation agreement with Thurston County.

The area proposed for annexation is a single parcel surrounded on three sides by the existing Lacey city limits. The configuration is a logical extension of the city limits and would not create any islands or illogical boundaries.

The proposed annexation area is located within the City of Lacey's water service area and served by an existing 10-inch waterline located in 54<sup>th</sup> Avenue SE and an 8-inch waterline in 53<sup>rd</sup> Avenue SE within the Lake Hills subdivision to the west. The lines are adequate to serve the future development of the proposed annexation area. City of Lacey sewer service is provided by existing 10-inch PVC line in 54<sup>th</sup> Avenue SE. An existing 2-inch step line is available in 53<sup>rd</sup> Avenue; however, staff is recommending the future development associated with this property be required to connect to the 54<sup>th</sup> Avenue gravity line.

Typically, as part of an annexation proposal, a full annexation study is performed to outline all issues associated with the annexation including taxes and fees. However, with this property, very little tax revenue is gained through the proposed annexation. It is the City Council's option to require an annexation study; however, staff believes in this case there is little to be gained by completing a study.

Comments were received from the Lacey Police Department about service to this area. Based on the property's limited capacity for future development, the annexation would not create traffic or call load issues for the Lacey Police Department that would be insurmountable for the existing operations division.

The applicant recently purchased the property and plans to build three homes for herself and her adult children at the southern end of the parcel. They do not intend to develop that portion north portion of the property, which is primarily wetlands.

The Utilities Committee reviewed the annexation proposal to verify the City can effectively provide utility service to the proposed annexation area and reviewed the boundaries of the annexation area for any recommended modifications. The City Council must now pass a motion notifying the petitioners of its approval, rejection, or modification of the annexation area's geographical boundaries.

The Committee reviewed the annexation request under the 60% petition method and recommends the Council pass a motion indicating the following:

1. Authorize the applicants to circulate a petition and gather signatures of property owners representing at least 60% of the assessed value of the annexation property demonstrating their consent to annex;

2. Require the assumption of all or of any portion of existing City indebtedness by the area to be annexed; and
3. Waive the requirement for completion of an annexation study in accordance with the City's annexation policies prior to adoption of an ordinance to formally annex the area or make application to the Boundary Review Board.

MINUTES OF A REGULAR MEETING OF THE  
LACEY CITY COUNCIL HELD THURSDAY,  
JANUARY 21, 2021, REMOTE ATTENDANCE

- CALL TO ORDER: Mayor Ryder called the meeting to order at 7:00 p.m.
- PLEDGE OF ALLEGIANCE: Mayor Ryder led the Pledge of Allegiance.
- COUNCIL PRESENT: A. Ryder, C. Pratt, L. Greenstein, C. Cox, S. Steadman, E. Kunkel, M. Miller
- STAFF PRESENT: S. Spence, J. Burbidge, S. Egger, M. Hardie, D. Schneider, R. Walk, T. Woo, S. Hock, S. Kirkman, P. Edmonds
- APPROVAL OF AGENDA AND CONSENT AGENDA: Consent Agenda Items:  
A. Council Meeting Minutes of January 7, 2021.  
B. A motion to approve payment of claims, wages and transfers for December 30, 2020, through January 14, 2021.
- COUNCILMEMBER GREENSTEIN MOVED TO APPROVE THE AGENDA AND CONSENT AGENDA. COUNCILMEMBER MILLER SECONDED. COUNCILMEMBER STEADMAN ABSENT DURING THE VOTE DUE TO TECHNICAL DIFFICULTIES. MOTION CARRIED.
- PUBLIC COMMENT: Persons wishing to provide public comment on items not on the agenda must pre-register to speak. Registration closed at 3:00 p.m. today.

There were ten people registered to provide public comment on *Agenda Item. 9.A. - Thurston Climate Mitigation Plan Resolution*. There was Council consensus to allow public comment during the agenda item. Public comments were limited to one minute each.

Public comments may also be submitted by email by 12:00 p.m. today. Comments will be provided to the City Council electronically prior to the meeting. Comments will not be addressed during the meeting; however, comments received will be added to the official record.

Thirty-four written public comments were received and made part of the official record.

#### PUBLIC HEARING:

Mayor Ryder opened the public hearing at 7:03 p.m. to accept public testimony on the Comcast Cable Communications Management-Cable Franchise Agreement Renewal.

Steve Kirkman, Public Affairs Manager, presented the proposed Comcast Cable Communications Management-Cable Franchise Agreement Renewal.

Since 1990, the City of Lacey has granted a series of non-exclusive, 10-year cable television franchises to Comcast Cable Communications Management and its predecessor corporations to operate and maintain a cable television system within the City.

In anticipation of franchise renewal talks with Comcast, in March of 2018, the City entered into an interlocal agreement with Thurston County and the cities of Olympia and Tumwater to share in the cost of hiring cable franchise consultant Kissinger & Fellman, P.C., to assist with negotiation of the new 10-year franchise agreements with the company.

In December 2019, Council approved Ordinance 1562 extending the term of Comcast's current franchise to allow completion of negotiations.

Ken Fellman, Kissinger & Fellman, provided an overview of the agreement. Specific provisions and conditions that have been updated or added in the proposed franchise include:

- Definition of Gross Revenues
- Audit/Financial Review
- Competitive Equity
- Insurance
- Public, Education, and Government (PEG) Fees
- Digital Public, Educational, and Government Channels
- Public, Education, and Government Studio Support

The following public testimony was received:

Deborah Vinsel, Executive Director, Thurston Community Media, provided testimony in support of some of the provisions in the Franchise Agreement Renewal, especially the high-definition channels for PEG operations.

Hans Hechtman, Comcast Cable, provided information on 5G services, which is separate from the services provided by Comcast.

Mayor Ryder closed the public hearing at 7:31 p.m.

#### RESOLUTIONS:

Jessica Brandt, Associate Planner, presented Council with Resolution 1102 to accept and place the Climate Action Plan on the 2021 Planning Commission Work Program for review and action.

The City Council signed an interlocal agreement with Thurston County, Olympia, and Tumwater in April 2018 to complete Phase 1 of a Regional Climate

Mitigation Plan. Phase 1 focused on assessing existing policies and targets of each jurisdiction for gaps and consistencies, recommending a regional emissions target, identifying each jurisdictions implemented mitigations actions to date, and recommend regional emissions reduction targets.

On October 11, 2018, Council approved an interlocal agreement for Phase 2. In early 2019, the planning process began with Phase 2, which has concluded including the following steps:

1. Develop steering committee and charter  
(January 2019)
2. Develop stakeholder advisory committee  
(February – March 2019)
3. Engage the general public and develop potential actions list  
(July – Sept 2019)
4. Assess potential actions and develop scenarios  
(September – June 2019)
5. Develop plan and strategies  
(March – July 2020)
6. Engage the general public  
(September 2020)
7. Adopt plan and strategies  
(October – December 2020)

Upon acceptance of the Thurston Climate Mitigation Plan, the Planning Commission will continue with the formal adoption process under their 2021 work program and follow the Comprehensive Amendment process. The Comprehensive Amendment process includes staff worksessions with the Planning Commission where they will assist in prioritizing actions and engaging the public, and then hold a

public hearing and make a recommendation to Council in July 2021.

A discussion about a Phase 3 interlocal agreement, outlining regional coordination, will be scheduled for a future Council Worksession.

Council accepted public comment limited to one minute per person. The following people spoke in support of the Thurston County Climate Mitigation Plan:

Barbara Scavezze  
Robert Jensen  
Carolyn Treadway  
Nancy Winters  
Tish Levee  
Phyllis Farrell  
Christina Janis  
Dr. Jennea Wood

DEPUTY MAYOR PRATT MOVED TO ACCEPT THE THURSTON CLIMATE MITIGATION PLAN AND FORWARD TO THE PLANNING COMMISSION FOR REVIEW AND ACTION. COUNCILMEMBER COX SECONDED.

MOTION CARRIED WITH MAYOR RYDER, DEPUTY MAYOR PRATT, AND COUNCILMEMBERS COX, GREENSTEIN, MILLER, AND STEADMAN VOTING IN FAVOR. COUNCILMEMBER KUNKEL VOTED AGAINST.

**ORDINANCES:**

Sarah Hock, Executive Director, Joint Animal Services, presented Ordinance 1579 restricting retail sales of dogs, cats, and rabbits in pet stores.

The Joint Animal Services Commission recommends the adoption of an ordinance to restrict the retail sale of dogs, cats, and rabbits in pet stores.

Preemptive ordinances, such as the one the City of Lacey is considering, protect constituents from predatory lending practices pet store's offer and from inadvertently supporting the puppy mill industry.

This legislation would not prohibit individuals who choose to breed their pet and place litters with interested individuals or families.

DEPUTY MAYOR PRATT MOVED TO APPROVE ORDINANCE 1579 RESTRICTING RETAIL SALES OF DOGS, CATS, AND RABBITS IN PET STORES. COUNCILMEMBER KUNKEL SECONDED. MOTION CARRIED.

Ryan Andrews, Planning Manager, presented Ordinance 1580 to approve the Serenity Carpenter Road Annexation, Project No. 20-183.

The City received a petition for annexation filed by Serenity Apartment Homes, LLC and the estate of Patrick Hefferman using the 60 percent petition method (RCW 35A.14.120). The Thurston County Assessor's office has verified that the signatures represent not less than 60 percent of the assessed valuation for general taxation of the property for which the annexation has been petitioned (RCW 35A.01.040). The annexation has been sent to the Thurston County Boundary Review Board (BRB) for their review. The BRB has declined to invoke jurisdiction so the application returns to the Council for final consideration in ordinance form.

Like other recently completed annexations, the annexation will require the assumption of the City's bonded indebtedness except that it specifically waives the City's portion of the bonded indebtedness associated with Fire District 3. This is to prevent the

property owners from paying both the Thurston County fire levy as well as the Lacey fire levy.

Procedurally, the next step is for the City Council to take final action through passage of an ordinance approving the annexation. Upon final ordinance passage, notification of the annexation is sent to affected agencies and the annexation certification process will be completed.

DEPUTY MAYOR PRATT MOVED TO APPROVE ORDINANCE 1580 APPROVING THE SERENITY CARPENTER ROAD ANNEXATION PROJECT NO. 20-183. COUNCILMEMBER STEADMAN SECONDED. MOTION CARRIED.

Scott Spence, City Manager, presented Council with Ordinance 1580 regarding a proposed Commission on Equity, adding a new chapter to the Lacey Municipal Code, codifying the creation of the commission and affirming the City of Lacey's commitment to equity and inclusion.

The primary vision of the Commission on Equity will be to support a welcoming and inclusive City for all members of the Lacey community. To support this effort, the Commission will focus on the improvement of equity through inclusion, education, and policy initiatives. The Commission will address and examine the barriers and constraints that limit the full potential of Lacey community members.

MAYOR RYDER MOVED TO APPROVE ORDINANCE 1580 APPROVING THE PROPOSAL OF A SEVEN MEMBER COMMISSION ON EQUITY. COUNCILMEMBER GREENSTEIN SECONDED. MOTION CARRIED.

Scott Spence, City Manager, presented Ordinance 1582 to amend LMC 2.04 relating to the City Council meeting schedule.

As per Lacey Municipal Code, Chapter 2.04, regular meetings are held on the second and fourth Thursdays of each calendar month with the exception of the months of January, November, and December of each calendar year. City Council Worksessions are held on Thursdays but occur on the first and third Thursdays of each calendar month with the exception of January, November, and December of each calendar year. During the months of January, November, and December, regular meetings are held on the first and third Thursdays and Worksessions are held the second and fourth Thursdays. Historically, the current meeting schedule was put in place to ensure regular meetings did not get canceled due to holidays in November and December.

For consistency and to avoid confusion when regular meetings and Worksessions are to be held for the public's business, an amendment is proposed to fix regular meetings of the City Council on the first and third day of each month of each calendar year. The amendment would establish the second and fourth Thursdays of each month for Worksessions.

COUNCILMEMBER STEADMAN MOVED TO APPROVE ORDINANCE 1582 AMENDING LMC 2.04 RELATING TO CITY COUNCIL MEETINGS. COUNCILMEMBER KUNKEL SECONDED. MOTION CARRIED.

**MAYOR'S REPORT:**

Mayor Ryder recommended the reappointment of Amy Blondin and Scott Robinson to the Lacey Library Board.

MAYOR RYDER MOVED TO REAPPOINT AMY BLONDIN AND SCOTT ROBINSON TO THE LACEY LIBRARY BOARD. COUNCILMEMBER GREENSTEIN SECONDED. MOTION CARRIED.

Mayor Ryder presented the proposed changes to the Intergovernmental Boards and Commission assignments.

COUNCILMEMBER COX MOVED TO APPROVE COUNCIL ASSIGNMENTS TO INTERGOVERNMENTAL BOARDS AND COMMISSIONS. DEPUTY MAYOR PRATT SECONDED. MOTION CARRIED.

CITY MANAGER'S REPORT:

Ryan Andrews, Planning Manager, presented the Mosure 54<sup>th</sup> Avenue Annexation Project No. 20-312.

The City has received a notice of intent to commence annexation proceedings filed by Patty Mosure for a single parcel located on 54th Avenue SE. The filing of the notice is the first step in the annexation process under the petition method (RCW 35A.14.120), which requires a petition filed by property owners representing a minimum of 10% of the valuation of the area proposed for annexation. The City has verified that the ownership does comprise a minimum of more than 10% of the assessed valuation for general taxation purposes of the properties for which annexation is requested.

As a result of the petition, the City Council must pass a motion notifying the petitioners of its approval, rejection, or modification of the annexation area's geographical boundaries. If the Council votes to approve the 10% petition, then the applicant moves

forward on obtaining a petition from a total of 60% of the assessed valuation of the area.

The City Council does have the opportunity to modify any boundaries prior to the applicant proceeding with the annexation. The only area that the annexation could be expanded into would be the existing Forest Glen subdivision to the east. Staff is not recommending that the annexation be expanded to include this area because of the City does not hold any power of attorney agreements for the Forest Glen parcels which would require a significant number of Forest Glen property owners to sign a petition for annexation.

If the Council votes to approve the petition, then the applicant moves forward on obtaining a petition from a total of 60% of the assessed valuation of the area. Once the City receives the 60% petition, the City can move forward on annexation proceedings.

Staff recommends Council review the annexation request under the 60% petition method and pass a motion indicating the following:

1. Authorize the applicants to circulate a petition and gather signatures of property owners representing at least 60% of the assessed value of the annexation property demonstrating their consent to annex;
2. Require the assumption of all or of any portion of existing City indebtedness by the area to be annexed; and
3. Waive the requirement for completion of an annexation study in accordance with the City's annexation policies prior to adoption of an ordinance to formally annex the area or make application to the Boundary Review Board.

COUNCILMEMBER STEADMAN MOVED TO APPROVE MOSURE 54<sup>TH</sup> AVENUE ANNEXATION PROJECT NO. 20-312, WHICH INCLUDES:

1. AUTHORIZE THE APPLICANTS TO CIRCULATE A PETITION AND GATHER SIGNATURES OF PROPERTY OWNERS REPRESENTING AT LEAST 60% OF THE ASSESSED VALUE OF THE ANNEXATION PROPERTY DEMONSTRATING THEIR CONSENT TO ANNEX;
2. REQUIRE THE ASSUMPTION OF ALL OR OF ANY PORTION OF EXISTING CITY INDEBTEDNESS BY THE AREA TO BE ANNEXED; AND
3. WAIVE THE REQUIREMENT FOR COMPLETION OF AN ANNEXATION STUDY IN ACCORDANCE WITH THE CITY'S ANNEXATION POLICIES PRIOR TO ADOPTION OF AN ORDINANCE TO FORMALLY ANNEX THE AREA OR MAKE APPLICATION TO THE BOUNDARY REVIEW BOARD.

COUNCILMEMBER GREENSTEIN SECONDED. MOTION CARRIED.

STANDING COMMITTEES:

Community Relations & Public Affairs Committee

Councilmember Steadman reported the Committee met on January 4, 2021, regarding the New Museum and Cultural Center Logo and the Blue Star Memorial.

Utilities Committee

Councilmember Steadman reported the Committee met on January 4, 2021, regarding the Mosure 54<sup>th</sup> Avenue Annexation Project No. 20-312.

Transportation Committee

Councilmember Cox reported the Committee met on January 5, 2021, regarding the TIB Award and Transportation Design, Construction Updates, and Lacey Snow and Ice Program. The discussion on the

Committee's meeting schedule was postponed until the next meeting.

## BOARDS, COMMISSIONS

### AND COMMITTEE REPORTS:

#### Transportation Policy Board

Mayor Ryder reported on the following items:

- Update from Washington Trucking Association
- 2021 meeting schedule
- Member appointments
- Election of officers scheduled for next meeting

#### ORCAA

Deputy Mayor Pratt reported on the following items:

- Welcomed 3 new members
- Air quality report for December 2020

#### Regional Housing Council

Councilmember Cox reported on the following items:

- Possible change in meeting schedule
- Update on Carpenter site
- Review of funding sources for awarding grants
- Thurston Thrives Housing Action Team recommendation in four broad priorities

#### EMS

Councilmember Greenstein reported on the following items:

- Medic One levy lid lift
- COVID vaccine update

#### Thurston Regional Planning Council

Councilmember Miller reported on Broadband in Washington State.

Olympia-Lacey-Tumwater Visitor & Convention  
Bureau

Councilmember Kunkel noted the lodging tax bill  
he reported on previously is now dead.

Mayor Ryder adjourned the Council Meeting at 9:38 p.m.

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

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

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



**STEVEN J. DREW**  
Assessor

OFFICE OF THE ASSESSOR  
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## DECLARATION OF PETITION SUFFICIENCY

I, Daniel Janiga, do hereby certify, pursuant to RCW 35A.01.040, the petition for annexation to the **City of Lacey, Mosure 54<sup>th</sup> Avenue Annexation - project no. 21-54** received in this office from **Ryan Andrews** on **February 24, 2021**, bears the names and purported signatures of persons who are owners or part owners of parcels of real property lying within the proposed annexation area collectively of not less than **sixty percent** of the assessed value of the total proposed annexation area. The review of the petition commenced on **February 25, 2021**, which is the “terminal date” as defined in RCW 35A.01.040.

The undersigned cannot certify the authenticity of the signatures of such named owners, because authenticated signatures of such owners are not required to be kept in the records of Thurston County for such real property.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this February 25, 2021 in Olympia, Washington.

Daniel Janiga  
Property Administration Manager  
Thurston County Assessor's Office



Belleville News-Democrat  
 Bellingham Herald  
 Bradenton Herald  
 Centre Daily Times  
 Charlotte Observer  
 Columbus Ledger-Enquirer  
 Fresno Bee

The Herald - Rock Hill  
 Herald Sun - Durham  
 Idaho Statesman  
 Island Packet  
 Kansas City Star  
 Lexington Herald-Leader  
 Merced Sun-Star

Miami Herald/el Nuevo Herald  
 Modesto Bee  
 Raleigh News & Observer  
 The Olympian  
 Sacramento Bee  
 Fort Worth Star Telegram  
 The State - Columbia

Sun Herald - Biloxi  
 Sun News - Myrtle Beach  
 The News Tribune - Tacoma  
 The Telegraph - Macon  
 San Luis Obispo Tribune  
 Tri-City Herald  
 Wichita Eagle

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
18685	29440	Print Legal Ad - IPL0015608		\$345.74	2	4.31

**Attention:** Reace Fant  
 CITY OF LACEY  
 420 COLLEGE ST SE  
 ATTN: ACCOUNTS PAYABLE  
 LACEY, WA 985031238

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**PUBLIC HEARING NOTICE**

Notice is hereby given that the Lacey City Council will conduct a public hearing on April 1, 2021, beginning at 4:00 PM for consideration of the following items:

**Capitol City Golf Club Estates/Chambers Estates Annexation (Project no. 21-08): A proposal to annex 491 parcels totaling approximately 288 acres.** The area proposed for annexation is located in the Horizons Planning Area and within the Lacey Urban Growth Area and is generally south of Yelm Highway SE, north of 66th Avenue SE, east of the Chehalis Western trail, and west of Ruddell Road SE. It includes the Capitol City Golf Club Estates, Chambers Estates, and Capitol City Townhomes. The zoning of Low Density Residential 0-4 is proposed to stay the same after annexation. Under the annexation agreement the parcels may assume a pro rata share of the City's bonded indebtedness. The Utilities Committee of the Lacey City Council and City staff has recommended approval of the annexation.

**Mosure 54th Avenue Annexation (Project no. 21-54): A proposal to annex one parcel with a size of approximately 9.83 acres.** The area proposed for annexation is located in the Lakes Planning Area and within the Lacey Urban Growth Area east of Ruddell Road SE and north of 54th Avenue SE between Lakehills Street SE and Alderglen Drive SE. The Assessor's parcel number is: 11834320000 and the property is currently unaddressed. The zoning of Low Density Residential 0-4 is proposed to stay the same after annexation. Under the annexation agreement the parcels may assume a pro rata share of the City's bonded indebtedness. The Utilities Committee of the Lacey City Council and City staff has recommended approval of the annexation.

The above summary is only an overview of the topics. For a complete review of the annexation proposals, interested individuals should contact the Community and Economic Development Department for a copy of the annexation petitions and staff analysis prepared for this proposals.

Persons wishing to provide oral testimony on the proposed annexations must preregister to speak at <http://bit.ly/3lplrs1>. Instructions and access details will be provided once registration is complete.

Persons wishing to provide written testimony on the annexation may send their comments to [randrews@ci.lacey.wa.us](mailto:randrews@ci.lacey.wa.us) no later than 4:00 p.m. on April 1, 2021. Written testimony will be provided to the City Council and made part of the public record. For more information, please contact Ryan Andrews, Planning Manager, at (360) 491-5642.

If you need special accommodations to participate in this meeting, please call us at (360) 491-5642 by 10:00 a.m. the day before the meeting.

Lacey Community and Economic Development Department  
 Ryan Andrews, Planning Manager

IPL0015608  
 Mar 22 2021

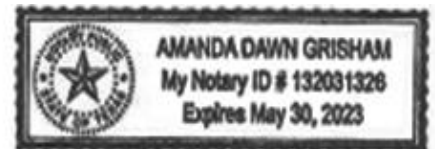
Calandra Daniels, being duly sworn, deposes and says: That she is the Principal Clerk of The Olympian, a daily newspaper printed and published at Olympia, Thurston County, State of Washington, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Olympian in accordance with RCW 65.16.020 and RCW 63.16.040, as amended, for:

No. of Insertions: 1  
 Beginning Issue of: 03/22/2021  
 Ending Issue of: 03/22/2021

Principal Clerk

Sworn to and subscribed before me this 9th day of April in the year of 2021 before me, a Notary Public, personally appeared before me Calandra Daniels known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.  
 Legal document please do not destroy!



**LACEY CITY COUNCIL MEETING**  
**April 1, 2021**

**SUBJECT:** Mosure 54<sup>th</sup> Avenue Annexation. Project no. 21-54

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**RECOMMENDATION:** Conduct a public hearing on the Mosure 54<sup>th</sup> Avenue Annexation. After the conclusion of the public hearing, approve a motion to send the annexation to the Thurston County Boundary Review Board.

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**STAFF CONTACT:** Scott Spence, City Manager  
Rick Walk, Community and Economic Development Director  
Ryan Andrews, Planning Manager

**ORIGINATED BY:** Community and Economic Development by Private Applicant

**ATTACHMENTS:**

1. Annexation Petition
2. Overview Map
3. Existing Zoning
4. Aerial Photo

**FISCAL NOTE:** None.

**PRIOR REVIEW:** January 21, 2021 City Council Meeting  
January 4, 2021 Utilities Committee Meeting

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**BACKGROUND:**

The City has received a notice of intent to commence annexation proceedings filed by Patty Mosure for a single parcel located on 54<sup>th</sup> Avenue SE using the 60 percent petition method (RCW 35A.14.120). The Thurston County Assessor's office has verified that the signatures represent not less than 60 percent of the assessed valuation for general taxation of the property for which the annexation has been petitioned (RCW 35A.01.040).

Prior to approval of the annexation, a public hearing is required to be held by the City Council. Notice of the public hearing has been published in The Olympian and posted in three public places in the proposed annexation area.

Procedurally, the annexation is required to be sent to the Thurston County Boundary Review Board (BRB) for their review after the hearing has been held.

**Proposed Annexation Area**

The area proposed for annexation is located in the Lakes Planning Area and within the Lacey Urban Growth Area east of Ruddell Road SE and north of 54<sup>th</sup> Avenue SE between Lakehills Street SE and Alderglen Drive SE. The area includes one tax parcel (parcel is currently unaddressed but has an assessor's parcel no. 11834320000) totaling 9.83 acres. The property is undeveloped and is accessible from 54<sup>th</sup> Avenue SE which is a Lacey city street. The 2020-2021 assessed value of this parcel is \$222,000. There are critical areas on the site including Southwick Lake and a wetland. Prior to development of the site, a critical area report will need to be prepared to ensure that the development meets the requirements of the City of Lacey's Shoreline Master Program and wetland regulations contained in chapter 14.28 of the Lacey Municipal Code.

The parcel is zoned Low Density Residential 0-4. The purpose of the LD 0-4 zone is to allow single-family residential development at a density of up to 4 units per acre for larger lot size development adjacent to environmentally sensitive areas. Upon annexation, the zoning of these parcels will remain as currently designated as required by an annexation agreement with Thurston County.

The area proposed for annexation a single parcel that is surrounded on three sides by the existing Lacey city limits. The configuration is a logical extension of the city limits and would not create any islands or illogical boundaries. All streets accessing the property including 54<sup>th</sup> Avenue SE and 53<sup>rd</sup> Avenue SE are City of Lacey rights-of-way.

The proposed annexation area is located within the City of Lacey's water service area and is served by an existing 10-inch waterline located in 54<sup>th</sup> Avenue SE and an 8-inch waterline in 53<sup>rd</sup> Avenue SE within the Lake Hills subdivision to the west. The lines are adequate to serve the future development of the proposed annexation area.

City of Lacey sewer service is provided by existing 10-inch PVC line in 54<sup>th</sup> Avenue SE. An existing 2-inch step line is available in 53<sup>rd</sup> Avenue, however, staff is recommending that the future development associated with this property be required to connect to the gravity line in 54<sup>th</sup> Avenue.

## **Process**

Procedurally, the next step is for the City Council to conduct a public hearing to accept testimony on the proposed annexation. Additionally, the annexation application is required to be sent to the Thurston County Boundary Review Board. Once the public hearing has been held and the Boundary Review Board process has been concluded, the City Council can take final action on the annexation through passage of an ordinance approving the annexation.

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## **ADVANTAGES:**

1. Conducting the public hearing will allow members of the public to provide testimony on the proposed annexation and will meet the procedural requirement.
2. The annexation is consistent with the City's regulations for extension of utility services to properties contiguous to City boundaries.

## **DISADVANTAGES:**

1. None identified.

MINUTES OF A REGULAR MEETING OF THE  
LACEY CITY COUNCIL HELD THURSDAY,  
APRIL 1, 2021, REMOTE ATTENDANCE

CALL TO ORDER:

Mayor Ryder called the meeting to order at  
4:00 p.m.

PLEDGE OF ALLEGIANCE:

Mayor Ryder led the Pledge of Allegiance.

COUNCIL PRESENT:

A. Ryder, C. Pratt, L. Greenstein, C. Cox, S. Steadman,  
E. Kunkel, M. Miller

STAFF PRESENT:

S. Spence, R. Almada, J. Burbidge, S. Egger, M. Hardie,  
S. Hock, S. Kelley-Fong, D. Schneider, R. Walk, T. Woo,  
R. Andrews, J. Brandt, P. Edmonds

APPROVAL OF AGENDA  
AND CONSENT AGENDA:

Consent Agenda Items:

- A. Council Meeting minutes of March 18, 2021.
- B. A motion to approve payment of claims, wages  
and transfers for March 12, 2021, through  
March 23, 2021.

COUNCILMEMBER STEADMAN MOVED TO  
APPROVE THE AGENDA AND CONSENT AGENDA.  
COUNCILMEMBER COX SECONDED. MOTION  
CARRIED.

PUBLIC COMMENT:

Persons wishing to provide public comment on items not  
on the agenda must pre-register to speak. Registration  
closed at 3:00 p.m. today.

Gina Stanton, union representative for grocery workers,  
spoke in support of a hazard pay ordinance.

Charlotte Verdini from Shelton, Washington spoke in  
favor of a hazard pay ordinance for grocery employees.

Danny Burkette spoke about the homeless youth in the community and deaths occurring.

Public comments may also be submitted by email by 12:00 p.m. today. Comments will be provided to the City Council electronically prior to the meeting. Comments will not be addressed during the meeting; however, comments received will be added to the official record.

No written public comments were received.

**PUBLIC HEARINGS:**

Ryan Andrews, Planning Manager, presented Capitol City Estates/Chambers Estates Annexation, Project No. 21-08.

The City received a petition for annexation for the area including Capitol City Golf Club Estates, Chambers Estates, Capitol City Townhomes, and the Capitol City Golf Course. The Thurston County Assessor's office has verified that the signatures represent not less than 60 percent of the assessed valuation for general taxation of the property for which the annexation has been petitioned.

The public hearing is required to be held by the City Council to accept testimony on the proposed annexation. Following the hearing, the annexation application will be sent to the Thurston County Boundary Review Board. Once the public hearing has been held and the Boundary Review Process has been conducted, the City Council can take final action on the annexation through passage of an ordinance approving the annexation.

There were no written public comments received for the Capitol City Estates/Chambers Estates Annexation project.

Mayor Ryder opened the Public Hearing on the Capitol City Estates/Chambers Estates Annexation at 4:19 pm.

Thomas Oatman, who resides in Chambers Estates, provided testimony in opposition to the Capitol City Estates/Chambers Estates Annexation project.

Mayor Ryder closed the Public Hearing on the Capitol City Estates/Chambers Estates Annexation at 4:26 pm.

MAYOR RYDER MOVED TO FORWARD THE CAPITOL CITY ESTATES/CHAMBERS ESTATES ANNEXATION TO THE THURSTON COUNTY BOUNDARY REVIEW BOARD. COUNCILMEMBER GREENSTEIN SECONDED. MAYOR RYDER, DEPUTY MAYOR PRATT, COUNCILMEMBERS COX, GREENSTEIN, MILLER, AND KUNKEL VOTED IN FAVOR. COUNCILMEMBER STEADMAN VOTED AGAINST. MOTION CARRIED.

Ryan Andrews, Planning Manager, presented the Mosure 54<sup>th</sup> Avenue Annexation, Project No. 21-54.

The City received a notice of intent to commence annexation proceedings filed by Patty Mosure for a single parcel located on 54th Avenue SE using the 60 percent petition method. The Thurston County Assessor's office has verified that the signatures represent not less than 60 percent of the assessed valuation for general taxation of the property for which the annexation has been petitioned.

The public hearing is required to be held by the City Council to accept testimony on the proposed annexation area. Following the hearing, the annexation application will be sent to the Thurston County Boundary Review Board. Once the public hearing has been held and the Boundary Review Process has been conducted, the City Council can take final action on the annexation through passage of an ordinance approving the annexation.

There were no written public comments received for the Mosure 54<sup>th</sup> Avenue Annexation.

Mayor Ryder opened the Mosure 54<sup>th</sup> Avenue Annexation Public Hearing at 4:43 p.m.

No public testimony was received.

Mayor Ryder closed the Mosure 54<sup>th</sup> Avenue Annexation Public Hearing at 4:44 p.m.

DEPUTY MAYOR PRATT MOVED TO FORWARD THE MOSURE 54<sup>TH</sup> AVENUE ANNEXATION TO THE THURSTON COUNTY BOUNDARY REVIEW BOARD. COUNCILMEMBER GREENSTEIN SECONDED. MOTION CARRIED.

**PROCLAMATIONS:**

Mayor and Council proclaimed April 2021 as Earth Month. Stephanie Bishop, South Sound GREEN, accepted the proclamation.

**MAYOR'S REPORT:**

Mayor Ryder announced the National Mayor's Challenge for Water Conservation and encouraged Lacey residents to sign up and make a pledge to conserve water.

**CITY MANAGER'S REPORT:**

Scott Egger, Public Works Director, requested Council award PW 2021-01 to low bidder South Sound Contractors in the amount of \$571,006.51.

This contract provides for the installation of approximately 2,100 LF of 8-inch and 12-inch diameter water main on Bedington Drive SE and Mugho Street SE. The work will include water and sewer service lines, meters, valves, transfer of water services, connections to existing water system, water main abandonments, pavement and lawn restoration and other work.

Three bids were received which ranged from a low of \$571,006.51 to a high of \$683,683.00. South Sound Contractors is the low bidder at \$571,006.51. The Engineer's Estimate is \$574,350.00.

South Sound Contractors is qualified and capable of performing the work. Start date of the project is anticipated to be May 2021, and there are 30 working days allotted.

COUNCILMEMBER STEADMAN MOVED TO AWARD LACEY CONTRACT NUMBER PW2021-01 TO LOW BIDDER SOUTH SOUND CONTRACTORS IN THE AMOUNT OF \$571,006.51 FOR THE BEDINGTON AND MUGHO IMPROVEMENTS PROJECT. DEPUTY MAYOR PRATT SECONDED. MOTION CARRIED.

Scott Spence, City Manager, announced the City received an award from Leadership Thurston County for the City's participation with Thurston Strong. He recognized the Community & Economic Development Department, Public Works Department, and Finance Department for their quick response to help local businesses during the COVID-19 pandemic.

STANDING COMMITTEES:

General Government & Public Safety Committee

Deputy Mayor Pratt reported the Committee met on March 23, 2021, to discuss the Thurston County Comprehensive Solid Waste Management Plan, 2020 Parks Maintenance Right of Way Annual Report, and were introduced to the Independent Investigation Team.

Land Use Committee

Councilmember Cox reported the Committee met on March 23, 2021, and received the Thurston Regional Planning Council Building Lands Report.

## BOARDS, COMMISSIONS

### AND COMMITTEE REPORTS:

#### Joint Animal Services Commission

Deputy Mayor Pratt reported JASCOM met regarding the following items:

- Interlocal Agreement
- New licensing software
- Modular surgery suite and medical area update

#### Thurston County Coalition Against Trafficking

Councilmember Miller reported on the upcoming annual 5k event.

#### Economic Development Council

Councilmember Miller reported they met regarding the following items:

- Supply gaps in Washington
- EDC accomplishments
- Filling the empty Shopko site

#### Community Action Council

Councilmember Steadman reported staff have been working hard to manage and distribute the grants received.

Mayor Ryder adjourned for a 5-minute break at 5:25 p.m., and convened to a Worksession at 5:30 p.m.

## WORKSESSION

### HAWKS GLENN STORMWATER FACILITY – MEMORANDUM OF UNDERSTANDING WITH THURSTON COUNTY

Scott Spence, City Manager, briefed Council on the Steilacoom/Marvin Annexation Project No. 18-154. The project originally began as an owner initiated annexation (i.e., Rainier Vista Mobile Home Park). The proposal expanded to include additional single-owner properties as well public properties from various local governments. On November 15, 2018, the City Council formally acted upon a petition for annexation filed by Frank Evans, Ostrom Mushroom Company, North Thurston Public Schools, Fire District 3, and the City of Lacey using the 60 percent petition method.

The proposed area for annexation included private properties within the Meadows Planning Area as well public properties such as the Regional Athletic Complex, Nisqually Middle

School, and Lacey Fire District 3. The annexation area generally centered on the intersection of Steilacoom Road SE and Marvin Road SE. This area included 259.1 acres on twelve separate tax parcels.

The City filed a petition with the Boundary Review Board (BRB), and during the review process, Thurston County submitted a Petition for Review and requested the boundaries be expanded by an additional 250 acres. After a series of meetings between the City and Thurston County, the request by Thurston County was reduced 150 acres from the original petition.

During the BRB's public hearings, the City learned of a stormwater facility referred to as Hawks Glenn or Hidden Forest, owned and operated by Thurston County within the revised annexation area. The BRB approved the revised annexation on April 9.

The discovery of the Hawks Glenn Stormwater System delayed the Steilacoom/Marvin annexation. It was necessary for Lacey staff to examine the scale of the stormwater system and the overall function. Several approaches to address the ownership and operations of the Hawks Glenn Stormwater System were unsuccessful. Additionally, COVID-19 delayed time and effort on this issue.

Eventually, the City and Thurston County settled on a principled agreement that addressed the orderly transfer of the main components of the stormwater system to the City, term of the agreement, potential for future joint projects, and liability.

Staff recommended approving the Memorandum of Understanding with Thurston County. Once executed, the Steilacoom/Marvin Annexation can go before City Council for final approval.

COUNCILMEMBER STEADMAN MOVED TO AUTHORIZE THE CITY MANAGER TO SIGN THE MEMORANDUM OF UNDERSTANDING WITH THURSTON COUNTY RELATING TO THE HAWKS GLENN STORMWATER SYSTEM. MAYOR RYDER SECONDED. MAYOR RYDER, DEPUTY MAYOR PRATT, COUNCILMEMBERS COX, STEADMAN, MILLER VOTED IN FAVOR. COUNCILMEMBERS GREENSTEIN AND KUNKEL VOTED AGAINST. MOTION CARRIED.

#### **IN-PERSON COUNCIL MEETING STATUS**

Dave Schneider, City Attorney, briefed Council on requirements the City would need to take in order to presume in-person meetings:

- 50% capacity in the Council Chambers
- Masks mandatory for everyone
- 6-foot social distancing required to be put in place
- Would need to retain a program supervisor, which would be present for the meeting
- Pre-registration would be required for those attending

- City would retain contact information for contract tracing purposes
- Entrances and exits would be staggered
- Entry times could be staggered

Staff is currently investigating a hybrid model for meetings and additional equipment needed for this model.

There was Council consensus not to return to in-person meetings at this time due to the current restrictions in place.

### AMERICAN RESCUE PLAN ACT DISCUSSION

Scott Spence, City Manager, provided an overview of the American Rescue Plan Act (ARPA). The \$1.9 trillion recovery package was signed on March 11, 2021.

The City meets the criteria of a metropolitan city and will receive \$11.45 million in two separate allocations. The first allocation will be 60 days from March 11 (before May 11), and the second allocation will be 12 months from the first allocation (before May 11). The deadline to expend the funds is December 31, 2024.

Local governments may use the funds as follows:

- Response to the public health emergency
- Response to workers performing essential work
- Reduction in revenue
- Investments in water, sewer, or broadband infrastructure

Staff presented policy considerations and potential options for internal and external uses.

Council will discuss the ARPA funds at the April 8, 2021, Joint Worksession with the Thurston County Board of County Commissioners. Council will continue discussions at the Council Retreat on April 23, 2021.

Mayor Ryder adjourned the meeting at 6:25 p.m.

MAYOR: Andy D. Ryder

ATTESTED BY CITY CLERK: Perri Edmonds

DATE APPROVED: April 15, 2021