



# Meeting Agenda

## City Council

City Hall  
601 4th Avenue E  
Olympia, WA 98501

Information: 360.753.8447

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**Tuesday, September 22, 2015**

**7:00 PM**

**Council Chambers**

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**1. ROLL CALL**

**1.A ANNOUNCEMENTS**

**1.B APPROVAL OF AGENDA**

**2. SPECIAL RECOGNITION - None**

**3. PUBLIC COMMUNICATION**

*(Estimated Time: 0-30 Minutes) (Sign-up Sheets are provided in the Foyer.)*

*During this portion of the meeting, citizens may address the City Council regarding items related to City business, including items on the Agenda. In order for the City Council to maintain impartiality and the appearance of fairness in upcoming matters and to comply with Public Disclosure Law for political campaigns, speakers will not be permitted to make public comments before the Council in these three areas: (1) on agenda items for which the City Council either held a Public Hearing in the last 45 days, or will hold a Public Hearing within 45 days, or (2) where the public testimony may implicate a matter on which the City Council will be required to act in a quasi-judicial capacity, or (3) where the speaker promotes or opposes a candidate for public office or a ballot measure.*

*Individual comments are limited to three (3) minutes or less. In order to hear as many people as possible during the 30-minutes set aside for Public Communication, the City Council will refrain from commenting on individual remarks until all public comment has been taken. The City Council will allow for additional public comment to be taken at the end of the meeting for those who signed up at the beginning of the meeting and did not get an opportunity to speak during the allotted 30-minutes.*

**COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)**

**4. CONSENT CALENDAR**

*(Items of a Routine Nature)*

**4.A [15-0914](#) Approval of September 15, 2015 City Council Meeting Minutes**

**Attachments:** [Minutes](#)

**4.B [15-0832](#) Approval of Interagency Agreement Between the Washington Department of Ecology and the City of Olympia for Washington Conservation Corp (WCC) Services**

**Attachments:** [Interagency Agreement with Washington Department of Ecology](#)

**4. SECOND READINGS**

4.C [15-0868](#) Amendment to Ordinance 6963 (Operating Budget)

Attachments: [Ordinance](#)

4.D [15-0870](#) Amendment to Ordinance 6964 (Capital Budget)

Attachments: [Ordinance](#)

4.E [15-0869](#) Amendment to Ordinance 6965 (Special Funds)

Attachments: [Ordinance](#)

#### 4. FIRST READINGS

#### 5. PUBLIC HEARING

5.A [15-0886](#) Public Hearing - The Extension of the Moratorium on Marijuana Establishments

Attachments: [Ordinance](#)

#### 6. OTHER BUSINESS

6.A [15-0873](#) Approval of Percival Plinth Project People's Choice Award 2015

Attachments: [Hyperlink to People's Prize / Plinth Project Web page](#)

6.B [15-0884](#) Authorization of Hulbert Notice of Intent to Annex

Attachments: [Notice of Intent to Annex](#)

[Annexation Map](#)

[Map with Zoning](#)

#### 7. CONTINUED PUBLIC COMMUNICATION

*(If needed for those who signed up earlier and did not get an opportunity to speak during the allotted 30 minutes)*

#### 8. REPORTS AND REFERRALS

##### 8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS

##### 8.B CITY MANAGER'S REPORT AND REFERRALS

#### 9. ADJOURNMENT

*The City of Olympia is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources. If you require accommodation for your attendance at the City Council meeting, please contact the Council's Secretary at 360.753-8244 at least 48 hours in advance of the meeting. For hearing impaired, please contact us by dialing the Washington State Relay Service*

*at 7-1-1 or 1.800.833.6384.*



City Hall  
601 4th Avenue E.  
Olympia, WA 98501  
360-753-8447

## City Council

### Approval of September 15, 2015 City Council Meeting Minutes

**Agenda Date:** 9/22/2015  
**Agenda Item Number:** 4.A  
**File Number:** 15-0914

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**Type:** minutes **Version:** 1 **Status:** Consent Calendar

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**Title**

Approval of September 15, 2015 City Council Meeting Minutes



# Meeting Minutes - Draft

## City Council

City Hall  
601 4th Avenue E  
Olympia, WA 98501

Information: 360.753.8447

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**Tuesday, September 15, 2015**

**7:00 PM**

**Council Chambers**

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### 1. ROLL CALL

**Present:** 6 - Mayor Stephen H. Buxbaum, Mayor Pro Tem Nathaniel Jones, Councilmember Jim Cooper, Councilmember Julie Hankins, Councilmember Jeannine Roe and Councilmember Cheryl Selby

**Excused:** 1 - Councilmember Steve Langer

### 1.A ANNOUNCEMENTS

Mayor Buxbaum announced the Council met in Closed Session at 5:30 p.m. to discuss labor negotiations. He noted no decisions were made. Staff in attendance included the City Manager, Assistant City Manager, City Attorney, Administrative Services Director, Human Relations Director, two Senior Personnel Analysts, Police Administrative Services Manager, and Public Works Director. The meeting adjourned at 6:20 p.m.

### 1.B APPROVAL OF AGENDA

The agenda was approved.

### 2. SPECIAL RECOGNITION - None

### 3. PUBLIC COMMUNICATION

The following people spoke: Bourtai Hargrove, Jim Reeves, Mary Abramson, Ron Nesbitt, Brittini Hazzard, Chase Boring, Richard Burgess and James Wright, Jr.

### COUNCIL RESPONSE TO PUBLIC COMMUNICATION

Mayor Buxbaum noted a Study Session is scheduled October 27 to discuss the minimum wage.

### 4. CONSENT CALENDAR

4.A [15-0879](#) Approval of September 1, 2015 City Council Meeting Minutes

The minutes were adopted.

4.B [15-0878](#) Bills and Payroll Certification

Payroll check numbers 88058 through 88135 and Direct Deposit transmissions:  
Total: \$3,983,767.39; Claim check numbers 3663568 through 3664905: Total:  
\$7,026,922.59.

**The decision was adopted.**

- 4.C [15-0811](#) Approval of Amendment to Interagency Agreement with State of Washington Department of Enterprise Services for Energy Project Management

**The decision was adopted. Mayor Pro Tem Jones abstained from voting on Item 4C because the agreement is with his employer.**

- 4.D [15-0844](#) Annual Comprehensive Plan Amendment Schedule for 2016

**The decision was adopted.**

#### 4. SECOND READINGS

- 4.E [15-0801](#) Approval of Appropriations Ordinance in the Amount of \$100,000 Transferring Funds From the General Fund Balance to the HUD Fund

**The ordinance was adopted on second reading.**

#### 4. FIRST READINGS

- 4.F [15-0868](#) Amendment to Ordinance 6963 (Operating Budget)

**The ordinance was approved on first reading and moved to second reading.**

- 4.G [15-0869](#) Amendment to Ordinance 6965 (Special Funds)

**The ordinance was approved on first reading and moved to second reading.**

- 4.H [15-0870](#) Amendment to Ordinance 6964 (Capital Budget)

**The ordinance was approved on first reading and moved to second reading.**

#### Approval of the Consent Agenda

**Councilmember Hankins moved, seconded by Councilmember Selby, to adopt the Consent Calendar. Mayor Pro Tem Jones abstained from voting on Item 4C. The motion carried by the following vote:**

**Aye:** 6 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Hankins, Councilmember Roe and Councilmember Selby

**Excused:** 1 - Councilmember Langer

## 5. PUBLIC HEARING

### 5.A [15-0854](#) Development Agreement with Fortis Development, LLC

CP&D Deputy Director Leonard Bauer introduced this item and provided a brief background on the two parcels. Councilmembers asked clarifying questions.

The public hearing was opened at 7:46 p.m. The following people spoke: Dina Lee and Mario Lee. The public hearing was closed at 7:48 p.m.

Mr. Bauer said the wetland would remain in private ownership and no development can occur in the wetland.

**Councilmember Cooper moved, seconded by Councilmember Hankins, to adopt a resolution approving a development agreement with Fortis Development LLC for demolition of existing buildings and future development known as Martin Way Residential. The motion carried by the following vote:**

**Aye:** 6 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Hankins, Councilmember Roe and Councilmember Selby

**Excused:** 1 - Councilmember Langer

## 6. OTHER BUSINESS

### 6.A [15-0827](#) Update on the Recreation Program Review

Parks, Arts, and Recreation Director Paul Simmons reviewed the human side of parks and introduced Associate Scott River who reviewed the business side of parks. Councilmembers asked clarifying questions.

**The report was received.**

## 7. CONTINUED PUBLIC COMMUNICATION

## 8. REPORTS AND REFERRALS

### 8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS

Councilmembers reported on meetings and events they attended.

### 8.B CITY MANAGER'S REPORT AND REFERRALS

City Manager Steve Hall reported on the recent assault downtown and provided a number to Thurston County Crimestoppers, 1-800-222-TIPS. He said vandalism to

City Hall last week is estimated to cost the taxpayers \$12,000.

**9. ADJOURNMENT**

The meeting adjourned at 8:39 p.m.





## City Council

### Approval of Interagency Agreement Between the Washington Department of Ecology and the City of Olympia for Washington Conservation Corp (WCC) Services

**Agenda Date:** 9/22/2015  
**Agenda Item Number:** 4.B  
**File Number:** 15-0832

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**Type:** decision **Version:** 1 **Status:** Consent Calendar

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#### **Title**

Approval of Interagency Agreement Between the Washington Department of Ecology and the City of Olympia for Washington Conservation Corp (WCC) Services

#### **Recommended Action**

##### **Committee Recommendation:**

Not referred to a committee.

##### **City Manager Recommendation:**

Move to approve authorizing the City Mayor to sign the agreement between the Washington Department of Ecology and the City of Olympia for Washington Conservation Corp (WCC) Services.

#### **Report**

##### **Issue:**

Whether to enter into an interagency agreement that allows the City to sponsor a WCC, six-person work crew to support the Storm and Surface Water Utility's habitat and vegetation stewardship project for another year.

##### **Staff Contact:**

Jesse Barham, Public Works Water Resources, Associate Planner, 360.753.8164

Joe Roush, Public Works Water Resources, Planning & Implementation Supervisor, 360.753.8563

Andy Haub, Public Works Water Resources Director, 360.753.8475

##### **Background and Analysis:**

The City sponsored a WCC work crew in 2015 to support field implementation of the Storm and Surface Water Utility's habitat and stewardship strategy. By implementing the habitat and stewardship strategy, the Storm and Surface Water Utility and our partners are protecting and restoring critical habitat throughout the City. This interagency agreement allows us to continue sponsoring a WCC work crew through 2016.

The Washington State Department of Ecology screened, interviewed, and hired the current work

crew that started in 2015. Although the crew members change every year, this interagency agreement allows the City to continue to work with the same crew supervisor for another year. The cost to the City is \$140,000. This expense covers a fully-equipped, six-person crew including a supervisor for 41 weeks.

Staff will be briefing Council at an upcoming study session in October on the Habitat and Stewardship Strategy which will include the work performed by the WCC crew.

**Neighborhood/Community Interests (if known):**

The habitat and stewardship strategy supports community and neighborhood environmental protection. Neighborhoods have expressed strong interest in the program. Staff is currently working with neighborhoods to refine habitat enhancement priorities, and on-the-ground work efforts.

**Options:**

1. Authorize the City Mayor to sign the agreement. This will allow the WCC crew to continue working on the habitat and stewardship strategy.
2. Decline to participate in the WCC program. The utility will investigate other opportunities to implement the habitat and stewardship strategy.

**Financial Impact:**

The agreement will dedicate WCC staff to the City for one year at a cost of \$140,000. Funds have been allocated through the Storm and Surface Water Utility's capital program (434-9017, Aquatic Habitat Improvements). The City Utility Advisory Committee initiated and continues to support the overall work effort. The scheduling and funding of other capital projects will not be affected by the proposed agreement.

**Attachment:**

Interagency Agreement with Washington Department of Ecology



IAA NO. WCC-1506

INTERAGENCY AGREEMENT (IAA)  
BETWEEN

The State of Washington, Department of ECOLOGY  
AND  
City of Olympia

THIS AGREEMENT is made and entered into by and between the Department of Ecology, hereinafter referred to as "ECOLOGY", and City of Olympia hereinafter referred to as the "SPONSOR."

IT IS THE PURPOSE OF THIS AGREEMENT to provide Washington Conservation Corps (WCC) members to complete natural resource projects in Thurston County, pursuant to Chapter 43.220 of the Revised Code of Washington.

THEREFORE, IT IS MUTUALLY AGREED THAT:

STATEMENT OF WORK

Both parties agree to do all things necessary for or incidental to the performance of the work set forth in Attachment "A" attached hereto and incorporated herein.

PERIOD OF PERFORMANCE

Subject to its other provisions, the period of performance of this Agreement shall commence on 10/5/2015 and be completed on 9/18/2016, unless terminated sooner as provided herein. The WCC Crew and/or WCC Individual Placement corpsmember specified in this agreement will be available to SPONSOR on the dates set forth on the calendar in Attachment "B" attached hereto and incorporated herein.

COMPENSATION

The parties have determined that the cost of accomplishing the work herein will not exceed \$140,000. Payment for satisfactory performance of the work shall not exceed this amount unless the parties mutually agree to a higher amount. Compensation for service(s) shall be based on the following established rates:

Provided by ECOLOGY	Reimbursed to ECOLOGY by SPONSOR
One 12 month cost share crew	\$140,000
Total SPONSOR COST	\$140,000
	<i>Above cost Not to be Exceeded</i>

The costs reimbursed to ECOLOGY by SPONSOR are a cost-share rate. ECOLOGY will provide the remainder of the funding for the projected total costs of \$195,000 dollars annually per WCC Crew consisting of five WCC/AmeriCorps Members and one WCC Supervisor and/or \$22,500 dollars annually per WCC Individual Placement.

### FUNDING AVAILABILITY

The obligation of the SPONSOR to provide reimbursements beyond the end fiscal year 2015 is contingent upon appropriation of funds by the SPONSOR's governing body for the specific purpose of funding the project, which is the subject of this Agreement. Upon the failure of such appropriation, the SPONSOR may terminate this Agreement.

ECOLOGY's ability to provide cost-share is contingent on availability of funding. In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date and prior to completion or expiration date of this Agreement, ECOLOGY, at its sole discretion, may elect to terminate the agreement, in whole or part, for convenience or to renegotiate the agreement subject to new funding limitations and conditions. ECOLOGY may also elect to suspend performance of the agreement until ECOLOGY determines the funding insufficiency is resolved. ECOLOGY may exercise any of these options with no notification restrictions.

### BILLING PROCEDURE

ECOLOGY shall submit invoices monthly to the SPONSOR's designated contact person listed under the "Contract Management" section. Payment to ECOLOGY for approved and completed work will be made by warrant or account transfer by SPONSOR within 30 days of receipt of the invoice. Upon expiration of the Agreement, any claim for payment not already made shall be submitted within 30 days after the expiration date or the end of the fiscal year, whichever is earlier.

### RECORDS MAINTENANCE

The parties to this Agreement shall each maintain books, records, documents and other evidence that sufficiently and properly reflect all direct and indirect costs expended by either party in the performance of the service(s) described herein. These records shall be subject to inspection, review or audit by personnel of both parties, other personnel duly authorized by either party, the Office of the State Auditor, and federal officials so authorized by law. All books, records, documents, and other material relevant to this Agreement will be retained for six years after expiration and the Office of the State Auditor, federal auditors, and any persons duly authorized by the parties shall have full access and the right to examine any of these materials during this period.

### INDEPENDENT CAPACITY

The employees or agents of each party who are engaged in the performance of this Agreement shall continue to be employees or agents of that party and shall not be considered for any purpose to be employees or agents of the other party.

### AGREEMENT ALTERATIONS AND AMENDMENTS

This Agreement may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

### TERMINATION

Either party may terminate this Agreement upon 30 days' prior written notification to the other party. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

### TERMINATION FOR CAUSE

If for any cause, either party does not fulfill in a timely and proper manner its obligations under this Agreement, or if either party violates any of these terms and conditions, the aggrieved party will give the other party written notice of such failure or violation. The responsible party will be given the opportunity to correct the violation or failure within 15 working days. If failure or violation is not corrected, this Agreement may be terminated immediately by written notice of the aggrieved party to the other.

### DISPUTES

In the event that a dispute arises under this Agreement, it shall be determined by a Dispute Board in the following manner: Each party to this Agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint an additional member to the Dispute Board. The Dispute Board shall review the facts, agreement terms and applicable statutes and rules and make a determination of the dispute. The determination of the Dispute Board shall be final and binding on the parties hereto.

## GOVERNANCE

This Agreement is entered into pursuant to and under the authority granted by the laws of the state of Washington and any applicable federal laws. The provisions of this Agreement shall be construed to conform to those laws.

In the event of an inconsistency in the terms of this Agreement, or between its terms and any applicable statute or rule, the inconsistency shall be resolved by giving precedence in the following order:

1. Applicable federal and state of Washington statutes, regulations, and rules.
2. Mutually agreed written amendments to this Agreement
3. This Agreement
4. Statement of Work and Budget.
5. Any other provisions of this Agreement, including materials incorporated by reference.

## ASSIGNMENT

The work to be provided under this Agreement, and any claim arising thereunder, is not assignable or delegable by either party in whole or in part, without the express prior written consent of the other party, which consent shall not be unreasonably withheld.

## WAIVER

A failure by either party to exercise its rights under this Agreement shall not preclude that party from subsequent exercise of such rights and shall not constitute a waiver of any other rights under this Agreement unless stated to be such in a writing signed by an authorized representative of the party and attached to the original Agreement.

## SEVERABILITY

If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this agreement, and to this end the provisions of this Agreement are declared to be severable.

## ALL WRITINGS CONTAINED HEREIN

This Agreement contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

## CONTRACT MANAGEMENT

The program manager for each of the parties shall be responsible for and shall be the contact person for all communications and billings regarding the performance of this Agreement.

The Contract/Program Manager for ECOLOGY is:

Peter Nevin  
PO Box 47600  
Olympia, WA 98504  
(206) 940-3615  
peter.nevin@ecy.wa.go

The Contract/Program Manager for SPONSOR is:

Joe Roush  
PO Box 1967  
Olympia WA 98507  
360-753-8152  
jroush@ci.olympia.wa.us



STATEMENT OF WORK  
ATTACHMENT A

## Work summary:

Restoration Activities: Under direction of Sponsor organization, crew(s) will perform restoration, in-stream, and habitat maintenance projects. Specific tasks include invasive control, native species installation, and fence work.

## ECOLOGY shall:

1. Provide WCC members for the number of weeks specified in this agreement. Full-time crews and Individual Placements are available to SPONSOR for a maximum of 41 weeks during the Federal AmeriCorps program service year, within which members will be allowed to work up to 1,880 hours total hours (includes training, meetings, spikes, and other professional development).
2. Hire members to begin work no sooner than October 5, 2015 and no later than October 30, 2015 to attain a full AmeriCorps scholarship. Member vacancies may be filled with a 900 hour, half-term AmeriCorps Education Award beginning April 1, 2015. Any further member hiring for the remainder of the program year is at the discretion of ECOLOGY and based on availability.
3. In the event of a disaster response deployment, the WCC Program will make every effort to fulfill sponsor program needs, including sending additional members, whenever possible. Invoices will include all activities during the program year including training, community service events, and other activities required by WCC, excluding Emergency Response, if needed.
4. Provide training and development specified in Attachment "B": eight (8) days of formal WCC member training, a four (4) day Orientation Training, and one (1) day dedicated to MLK Community Service. An eight-day spike will be scheduled on dates to be determined in coordination with the SPONSOR. These dates, along with up to three (3) additional days reserved for meetings, trainings or other events, are dates in which WCC members and supervisors are logging hours, but are unavailable to sponsor to perform project work.
5. Provide a 4-day Assistant Supervisor training to the designated Assistant Supervisor.
6. For crew (s), ECOLOGY agrees to provide a crew of 5 members, a crew supervisor, vehicle, and basic hand tools.
7. Cost-share rates are not based on actual attendance, however, invoices will be reduced for member or supervisor vacancies lasting 20 days or more.

## SPONSOR shall:

1. Obtain applicable permits as set by local, state, tribal or federal laws and regulations.
2. Provide site orientation for WCC members, specific on-the job task training, and any materials beyond basic hand tools to complete tasks assigned under this Agreement.
3. Help to promote the AmeriCorps and WCC brand name, logo, slogans and phrases. The WCC will provide camera-ready logo upon request. AmeriCorps is a registered service mark of the Corporation for National and Community Service.
4. For a SPONSOR hosting Individual Placement positions, SPONSOR agrees to provide a work station, email, transportation to and from WCC events (or private mileage reimbursement for personal vehicle use), and day-to-day direction of work activities.
5. For a SPONSOR hosting WCC Crew(s), SPONSOR agrees to provide a secure site to store tools and park crew vehicles as well as desk and internet access for the crew supervisor. Vehicle is not to be used for heavy hauling. The primary use of the crew vehicle is for transportation of crew, tools, and safety equipment.

## Special Terms and Conditions:

- A. The assignment of corpsmembers shall not result in the displacement of currently employed workers, including partial displacement such as reduction in hours of nonovertime work, wages, or other employment benefits. Agencies that participate in the program may not terminate, lay-off, or reduce the working hours of any employee for the purpose of using a corpsmember with available funds. In circumstances where substantial efficiencies or a public purpose may result, participating agencies may use corpsmembers to carry out essential agency work or contractual functions without displacing current employees.

- B. All state holidays and 3 planning days are non-working days for members. Planning days are to be used by WCC staff/supervisors for planning purposes.
- C. The WCC standard 40-hour workweek is Monday through Thursday from 7:00am to 5:30pm. An alternate work schedule may be arranged with prior approval from the WCC.

Prohibited Activities:

While charging time to the AmeriCorps program, accumulating service or training hours, or otherwise performing activities supported by the AmeriCorps program or CNCS, staff and members may not engage in the following activities (see 45 CFR § 2520.65):

- A. Attempting to influence legislation;
- B. Organizing or engaging in protests, petitions, boycotts, or strikes;
- C. Assisting, promoting, or deterring union organizing;
- D. Impairing existing contracts for services or collective bargaining agreements;
- E. Engaging in partisan political activities, or other activities designed to influence the outcome of an election to any public office;
- F. Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation, or elected officials;
- G. Engaging in religious instruction, conducting worship services, providing instruction as part of a program that includes mandatory religious instruction or worship, constructing or operating facilities devoted to religious instruction or worship, maintaining facilities primarily or inherently devoted to religious instruction or worship, or engaging in any form of religious proselytization;
- H. Providing a direct benefit to—
  - I. A business organized for profit;
  - II. A labor union;
  - III. A partisan political organization;
  - IV. A nonprofit organization that fails to comply with the restrictions contained in
  - V. section 501(c)(3) of the Internal Revenue Code of 1986 related to engaging in political activities or substantial amount of lobbying except that nothing in these provisions shall be construed to prevent participants from engaging in advocacy activities undertaken at their own initiative; and
  - VI. An organization engaged in the religious activities described in paragraph 3.g. above, unless CNCS assistance is not used to support those religious activities;
- I. Conducting a voter registration drive or using CNCS funds to conduct a voter registration drive;
- J. Providing abortion services or referrals for receipt of such services; and
- K. Such other activities as CNCS may prohibit.

AmeriCorps members may not engage in the above activities directly or indirectly by recruiting, training, or managing others for the primary purpose of engaging in one of the activities listed above. Individuals may exercise their rights as private citizens and may participate in the activities listed above on their initiative, on non-AmeriCorps time, and using non-CNCS funds. Individuals should not wear the AmeriCorps logo while doing so.



ATTACHMENT B  
WCC CALENDAR

2015-2016 WCC Events Calendar

OCTOBER							NOVEMBER							DECEMBER							JANUARY						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
5	6	7	8	9	10	11	2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10
12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17
19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24
26	27	28	29	30	31		23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30	31
							30																				

FEBRUARY							MARCH							APRIL							MAY						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
1	2	3	4	5	6	7	1	2	3	4	5	6	4	5	6	7	8	9	10	2	3	4	5	6	7	8	
8	9	10	11	12	13	14	7	8	9	10	11	12	13	11	12	13	14	15	16	17	9	10	11	12	13	14	15
15	16	17	18	19	20	21	14	15	16	17	18	19	20	18	19	20	21	22	23	24	16	17	18	19	20	21	22
22	23	24	25	26	27	28	21	22	23	24	25	26	27	25	26	27	28	29	30	23	24	25	26	27	28	29	
29							28	29	30	31											30	31					

JUNE							JULY							AUGUST							SEPTEMBER						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
8	9	10	11	12	13	14	4	5	6	7	8	9	10	1	2	3	4	5	6	7	5	6	7	8	9	10	11
15	16	17	18	19	20	21	11	12	13	14	15	16	17	8	9	10	11	12	13	14	12	13	14	15	16	17	18
22	23	24	25	26	27	28	18	19	20	21	22	23	24	15	16	17	18	19	20	21	19	20	21	22	23	24	25
29							25	26	27	28	29	30	31	22	23	24	25	26	27	28	26	27	28	29	30		

- Start (FT=10/5, HT=3/28, QT=6/20)
- WCC Planning (Members Off)
- Holiday (observed)-Day Off
- Orientation
- AmeriCorps Kick-off (Central Puget Sound crews)-4 hours
- Assistant Supervisor Training
- MLK/Sup. Holiday (Member Service Day)
- Elective Training-Week 1
- 6-month member orientation
- Earth Day (flexible, sponsor projects)
- Elective Training-Week 2
- TBD Spike (5 day-Costshare members/crews)
- TBD Debrief presentations (1 day)
- TBD Supervisor Refresher Training
- ♦ Member PDPs Due (June=Checkin only)
- Timesheets Due
- End Date (HT=3/30, Cost-share=9/15, Spike=9/20)
- ★ Payday
- Production Due
- MyAmeriCorps enrollment/exit required  
Enrollment: FT=10/15, HT=4/7, QT=6/30;  
Exit: HT=3/24; all others=9/7

Members' Potential Hours

October	160	November	140	December	160	January	160
February	160	March	180	April	160	May	170
June	180	July	150	August	180	September	80
Oct 5-Sep 17:	1880	Oct 5-Mar 30:	960	March 28* - Sep 15:	960	Jun 20 - Sep 15:	490

1700-hour min. \$5,730 Ed Award      900-hour min. \$2,865 Ed Award      900-hour min. \$2,865 Ed Award      450-hour min. \$1,515.55 Ed Award

\* 6-month Paperwork must be received March 24

WCC Work Week (40 hours) is Monday - Sunday

The specified end date shown (09/15/2016) may be extended to 09/18/2016 if the mutually agreed upon work schedule extends through Sunday.



## City Council

### Amendment to Ordinance 6963 (Operating Budget)

**Agenda Date:** 9/22/2015  
**Agenda Item Number:** 4.C  
**File Number:** 15-0868

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**Type:** ordinance **Version:** 2 **Status:** 2d Reading-Consent

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**Title**

Amendment to Ordinance 6963 (Operating Budget)

**Recommended Action**

**Committee Recommendation:**

Not referred to a committee.

**City Manager Recommendation:**

Move to approve amending ordinance on second reading.

**Report**

**Issue:**

Amendment to Ordinance 6963

**Staff Contact:**

Dean Walz, Fiscal Services Director, Administrative Services Department, 360.753.8465

**Presenter(s):**

Dean Walz, Fiscal Services Director

**Background and Analysis:**

There is no change in background and analysis from first to second reading.

To change the budget the Council must approve a new ordinance amending the budget. Generally, budgetary amendments are made quarterly. On occasion a budget change needs to be made between the quarterly updates and a separate ordinance will come before the Council. These ordinances do not officially amend the budget ordinance, but does provide authorization to expend funds. The attached ordinance reflects ordinances which may have been adopted relating to the budget since the last quarterly update, and other proposed changes to the budget.

No ordinances were passed since the adoption of ordinance 6963 relating to the Operating Budget.

Budget Items Not Previously Presented to the Council:

- 1) Appropriation of \$48,292 for payout of unused leave upon retirement of two Fire Department employees assigned to the medic service. Funding is from reimbursements from Medic I.
- 2) Appropriation of \$3,384 for overtime for Fire Department employees for active shooter training on April 1, 2015 at SPSCC. Funding is from a grant from Homeland Security.
- 3) Appropriation of \$21,000 for recreation programs. Participation exceeded original projections. Funding is from additional revenue generated for the programs.
- 4) Appropriation of \$1,350 for the recreation scholarship special account. Funding is from donations exceeding original projections.
- 5) Appropriation of \$272 to the LEOFF 1 long-term-care special account. Funds in this account were transferred to the new LEOFF Post-Employment Benefits Fund created earlier this year by the council. The budget in the account was \$272 less than funds to be transferred. This appropriation provides the authority to transfer the \$272.
- 6) Appropriation of \$150,000 within the Information Services special account for system development for the acquisition of engineering project management software. Funding is provided from existing funds within the Engineering section budget.
- 7) Appropriation of \$14,000 for interest expense for the DOE State Avenue Stormwater Loan for 2015. At the time of development of the 2015 budget the exact amount of loan interest for 2015 was not finalized.

**Neighborhood/Community Interests (if known):**

None noted.

**Options:**

- 1) Approve ordinance amending ordinance 6963.
- 2) Do not approve the amending ordinance. The budget items not previously presented to the council would not be authorized.

**Financial Impact:**

Total increase appropriations by \$238,298. Funding for these appropriations is noted above.

**Ordinance No.**

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING TO BUDGETS, FINANCE, AND SALARIES, AND AMENDING ORDINANCE NO. 6963.**

**WHEREAS**, the Olympia City Council held a public hearing on the preliminary budget on November 18, 2014, as required by law, and considered the public testimony presented; and

**WHEREAS**, the City Council passed Ordinance No. 6947 relating to budgets, finance and salaries on December 16, 2014; and

**WHEREAS**, updates are required throughout the year to recognize changes to budgets, finance and salaries; and

**WHEREAS**, the City Council amended Ordinance No. 6947 on April 14, 2015, by passage of Ordinance No. 6957; and

**WHEREAS**, the City Council amended Ordinance No. 6957 on June 16, 2015, by passage of Ordinance No. 6963; and

**WHEREAS**, the amendments contained in this Ordinance need to be made to Ordinance No. 6963;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1. 2015 Budget.** The budget for the calendar year 2015 is hereby adopted in the amounts and for the purposes as shown below; and the following sums, or so much thereof as shall severally be found necessary, are hereby appropriated out of any of the monies in the several funds in the City Treasury hereinafter named.

<b>FUND</b>	<b>APPROP. FUND BALANCE</b>	<b>ESTIMATED REVENUE</b>	<b>APPROP.</b>	<b>ADDITIONS TO FUND BALANCE</b>
General, Regular Operations	\$2,088,336	\$65,755,638 \$65,828,314	\$67,843,974 \$67,916,650	
General, Special Sub-Funds				
Special Accounts	343,123 343,395	1,373,502 1,524,852	1,716,625 1,868,247	
Washington Center	5,000	258,988	263,988	
Municipal Arts	21,100	50,000	71,100	
Equip & Facilities Reserve	967,880	1,510,105	2,477,985	
<b>Total General Fund</b>	<b>3,425,439</b> <b>3,425,711</b>	<b>68,948,233</b> <b>69,172,259</b>	<b>72,373,672</b> <b>72,597,970</b>	-
4 <sup>th</sup> /5 <sup>th</sup> Avenue Corridor Bridge Loan		561,450	561,450	
LTGO Bond Fund - 2006 Parks		1,196,000	1,196,000	

<b>FUND</b>	<b>APPROP. FUND BALANCE</b>	<b>ESTIMATED REVENUE</b>	<b>APPROP.</b>	<b>ADDITIONS TO FUND BALANCE</b>
UTGO Bond Fund – 2009 Fire	3,621	1,191,510	1,195,131	-
City Hall Debt Fund – 2009	-	2,422,622	2,421,718	904
2010 LTGO Bond – Street Projects	4	436,009	436,013	
L.O.C.A.L. Debt Fund – 2010	-	178,283	178,282	1
2010B LTGO Bonds - HOCCM		413,688	413,688	
2013 LTGO Bond Fund		674,725	674,725	
Water Utility O&M	61,558	11,630,610	11,692,168	
Sewer Utility O&M	-	18,047,323	18,047,323	
Solid Waste Utility	186,112	10,008,528	10,194,640	
Storm Water Utility	78,821	4,741,910	4,820,731	
Water/Sewer Bonds		2,042,632	2,019,257	23,375
Stormwater Debt Service	<u>14,000</u>	83,262	<del>83,262</del> <u>97,262</u>	
Equipment Rental	-	1,686,365	1,672,188	14,177
<b>TOTALS</b>	<del><b>\$3,755,555</b></del> <b><u>\$3,769,827</u></b>	<del><b>\$124,263,150</b></del> <b><u>\$124,487,176</u></b>	<del><b>\$127,980,248</b></del> <b><u>\$128,218,546</u></b>	<b>\$38,457</b>

**Section 2. Administration.** The City Manager shall administer the budget, and in doing so may authorize adjustments within the funds set forth in Section 1 above, to the extent that such adjustments are consistent with the budget approved in Section 1.

**Section 3. Salaries and Compensation.** The salaries and compensation for the City of Olympia employees for the calendar year 2015 shall be as set forth in the "Supplementary Information" section of the 2015 Adopted Operating Budget document, or as the same may be amended by the City Manager as part of his administration of the budget pursuant to Section 2 above.

**Section 4. Benefit Cost Sharing.** The City Manager is authorized to modify and establish benefit cost sharing for City employees; and such programs may be based, in part, on an employee's start date with the City.

**Section 5. Severability.** The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances shall be unaffected.

**Section 6. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 7. Effective Date.** This Ordinance shall take effect five (5) days after publication, as provided by law.

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MAYOR

**ATTEST:**

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CITY CLERK

**APPROVED AS TO FORM:**



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ASSISTANT CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**



## City Council

### Amendment to Ordinance 6964 (Capital Budget)

**Agenda Date:** 9/22/2015  
**Agenda Item Number:** 4.D  
**File Number:** 15-0870

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**Type:** ordinance **Version:** 1 **Status:** 2d Reading-Consent

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**Title**

Amendment to Ordinance 6964 (Capital Budget)

**Recommended Action**

**Committee Recommendation:**

Not referred to a committee.

**City Manager Recommendation:**

Move to approve amending ordinance on second reading.

**Report**

**Issue:**

Amendment to Ordinance 6964

**Staff Contact:**

Dean Walz, Fiscal Services Director, Administrative Services Department, 360.753.8465

**Presenter(s):**

Dean Walz, Fiscal Services Director

**Background and Analysis:**

There is no change in background and analysis from first to second reading.

To change the budget the Council must approve a new ordinance amending the budget. Generally, budgetary amendments are made quarterly. On occasion a budget change needs to be made between the quarterly updates and a separate ordinance will come before the Council. These ordinances do not officially amend the budget ordinance, but does provide authorization to expend funds. The attached ordinance reflects ordinances which may have been adopted relating to the budget since the last quarterly update, and other proposed changes to the budget.

There were no ordinances passed since the adoption of Ordinance 6964 related to the Capital Budget.

Budget Items Not Previously Presented to the Council:

- 1) Appropriation of \$12,800 for the State Avenue Overlay project for safety improvements. Funding is from additional resources made available for the project, \$7,800 from contributions from property owners and \$5,000 from the City Risk Management Fund.
- 2) Transfer of \$75,000 from the 18<sup>th</sup> Avenue project for a transportation multimodal concurrency study. There is no overall increase in budget.
- 3) Appropriation of \$150,000 for the first payment of the purchase of the Kaiser Heights (Wonderland Holdings) property. Funding is from a transfer from the Open Space Impact Fees Fund.
- 4) Appropriation of \$150,000 of Open Space Impact Fees to fund the purchase of the Kaiser Heights property. Funding is from previously collecting Open Space impact fees.

**Neighborhood/Community Interests (if known):**

None noted.

**Options:**

- 1) Approve ordinance amending ordinance 6964.
- 2) Do not approve the amending ordinance or re-allocation of budget. The budget items would not be authorized.

**Financial Impact:**

Total increase in appropriations \$312,800. The sources of funding of these appropriations are noted above.



**Ordinance No.**

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING TO THE CAPITAL FACILITIES PLAN FOR THE YEARS 2015-2020, AND AMENDING ORDINANCE NO. 6964.**

**WHEREAS**, the Olympia City Council adopted the "Capital Facilities Plan," herein referred to as the "CFP," for the fiscal years 2015 through 2020 by passing Ordinance No. 6946 on December 16, 2014; and

**WHEREAS**, the CFP is periodically amended to recognize additional revenue and/or appropriations, as provided for in RCW 36.70A.130(2)(a)(iv); and

**WHEREAS**, the City Council amended Ordinance No. 6946 on April 14, 2015, by passage of Ordinance No. 6958; and

**WHEREAS**, the City Council amended Ordinance No. 6958 on June 16, 2015, by passage of Ordinance No. 6964; and

**WHEREAS**, the amendments contained in this Ordinance need to be made to Ordinance No. 6964;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1.** That certain document entitled the "Capital Facilities Plan," covering the years 2015 through 2020, a copy of which will be on file with the Office of the Director of Administrative Services and available on the City's web site, is hereby adopted as the Capital Facilities Plan for the City of Olympia and is incorporated herein as though fully set forth.

**Section 2.** Upon appropriation by the City Council of funds therefor, the City Manager shall be authorized to prepare plans and specifications, to take bids, and to make expenditures for the projects set forth in the CFP during the year for which said projects are scheduled; provided, however, that any award of bids and execution of contracts for construction shall be approved as provided in OMC Chapter 3.16.

**Section 3.** It is anticipated that the funding source and the construction schedule for projects identified in the CFP may be changed over the next year. Such changes shall not constitute an amendment to the Comprehensive Plan for purposes of RCW 36.70A.130.

**Section 4.** The Director of Administrative Services is hereby authorized to bring forward into fiscal year 2015 all appropriations and allocations not otherwise closed, completed, or deleted from prior fiscal years' capital budgets.

**Section 5.** The following appropriations are hereby made:

<b>FUND</b>	<b>APPROP. FUND BALANCE</b>	<b>ESTIMATED REVENUE</b>	<b>APPROP.</b>	<b>ADDITIONS TO FUND BALANCE</b>
Impact Fee Fund	\$1,507,513 <u>\$1,657,513</u>	-	\$1,507,513 <u>\$1,657,513</u>	
SEPA Mitigation Fee Fund	447,438	-	447,438	
Parks & Recreational Sidewalk, Utility Tax Fund	211,124	\$2,553,276	2,764,400	

<b>FUND</b>	<b>APPROP. FUND BALANCE</b>	<b>ESTIMATED REVENUE</b>	<b>APPROP.</b>	<b>ADDITIONS TO FUND BALANCE</b>
Real Estate Excise Tax Fund	230,000	1,125,000	1,355,000	
Capital Improvement Fund	224,300	8,337,562 <u>8,500,362</u>	8,561,862 <u>8,724,662</u>	
City Hall Construction Fund	250,000		250,000	
Fire Equipment Reserve Fund		450,000	450,000	
Water CIP Fund	1,100,000	2,505,500	3,605,500	
Sewer CIP Fund	602,400	741,300	1,343,700	
Storm Water CIP Fund		1,129,200	1,129,200	
<b>TOTALS</b>	<b><u>\$4,572,775</u></b> <b><u>\$4,722,775</u></b>	<b><u>\$16,841,838</u></b> <b><u>\$17,004,638</u></b>	<b><u>\$21,414,613</u></b> <b><u>\$21,727,413</u></b>	<b>\$0</b>

**Section 6. Severability.** The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances, shall be unaffected.

**Section 7. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 8. Effective Date.** This Ordinance shall take effect five (5) days after publication, as provided by law.

\_\_\_\_\_  
MAYOR

**ATTEST:**

\_\_\_\_\_  
CITY CLERK

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
ASSISTANT CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**



## City Council

### Amendment to Ordinance 6965 (Special Funds)

**Agenda Date:** 9/22/2015  
**Agenda Item Number:** 4.E  
**File Number:** 15-0869

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**Type:** ordinance **Version:** 2 **Status:** 2d Reading-Consent

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**Title**

Amendment to Ordinance 6965 (Special Funds)

**Recommended Action**

**Committee Recommendation:**

Not referred to a committee.

**City Manager Recommendation:**

Move to approve amending ordinance on second reading.

**Report**

**Issue:**

Amendment to Ordinance 6965

**Staff Contact:**

Dean Walz, Fiscal Services Director, Administrative Services Department, 360.753.8465

**Presenter(s):**

Dean Walz, Fiscal Services Director

**Background and Analysis:**

There is no change in background and analysis from first to second reading.

To change the budget the Council must approve a new ordinance amending the budget. Generally, budgetary amendments are made quarterly. On occasion a budget change needs to be made between the quarterly updates and a separate ordinance will come before the council. These ordinances do not officially amend the budget ordinance, but does provide authorization to expend funds. The attached ordinance reflects ordinances which may have been adopted relating to the budget since the last quarterly update, and other proposed changes to the budget.

One ordinance was passed since the adoption of Ordinance 6965 related to the Special Funds Budget.

Ordinance 6962 passed on June 9, 2015. The ordinance appropriated \$150,000 of The Washington Center Endowment Fund for operation needs of the Washington Center and \$200,000 for a

development position. Funding was from the fund balance of The Washington Center Endowment Fund.

Budget Item Not Previously Presented to the Council:

- 1) Appropriation of \$245,000 of program income of the HUD Fund. Funding is from loan repayments.
- 2) Appropriation of \$20,000 for exterior painting at the Farmers Market. Funding is from the Farmers Market Fund, fund balance (prior payments to the Fund from the Farmers Market association).
- 3) Appropriation of \$960,000 for the purchase of 3 front-loader Waste ReSource vehicles by fleet equipment replacement fund. These vehicles were originally schedule for replacement in 2016. Due to order lead time, ordering them now will allow for the vehicles to be in service by May 2016. Funding is from fund balance of the replacement fund (previous rent payments).

**Neighborhood/Community Interests (if known):**

None noted.

**Options:**

- 1) Approve ordinance amending ordinance 6965.
- 2) Do not approve the amending ordinance. The budget items would not be authorized.

**Financial Impact:**

Total increase in appropriations is \$1,575,000. The sources of funding for these appropriations are noted above.

**Ordinance No.**

**AN ORDINANCE OF THE THE CITY OF OLYMPIA, WASHINGTON, APPROPRIATING FUNDS WITHIN VARIOUS SPECIAL FUNDS, AND AMENDING ORDINANCE NO. 6965.**

**WHEREAS**, the Olympia City Council passed Ordinance No. 6944 on December 16, 2014, appropriating funds within various special funds; and

**WHEREAS**, the City Council amended Ordinance No. 6944 on June 16, 2015, by the passage of Ordinance No. 6965; and

**WHEREAS**, the amendments contained in this Ordinance need to be made to Ordinance No. 6965;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1.** The following appropriations are hereby made:

<b>FUND</b>	<b>APPROP. FUND BALANCE</b>	<b>ESTIMATED REVENUE</b>	<b>APPROP.</b>	<b>ADDITIONS TO FUND BALANCE</b>
CDBG Loan Repayment Fund	\$36,000	<del>\$70,000</del> <u>\$315,000</u>	<del>\$106,000</del> <u>\$351,000</u>	
Housing Urban Development Fund		790,375	790,375	
Lodging Tax Fund		525,000	501,664	\$23,336
Parks & Recreational Sidewalk Utility Tax Fund		728,944	728,944	
Parking Business Improvement Area Fund	10,000	100,000	110,000	
Farmers Market Repair & Replacement Fund	<del>10,000</del> <u>30,000</u>		<del>10,000</del> <u>30,000</u>	
Hands On Children's Museum	42,468	385,165	427,633	
Equipment Rental Replacement Reserve Fund	<u>960,000</u>	1,428,800	<del>1,076,646</del> <u>2,036,646</u>	352,154
Unemployment Compensation Fund	7,200	190,300	197,500	
Insurance Trust Fund	86,720	1,478,280	1,565,000	
Workers Compensation Fund	317,500	1,448,000	1,765,500	
Washington Center Endowment Fund	<u>350,000</u>	5,347	<del>5,347</del> <u>355,347</u>	
<b>TOTALS</b>	<b><del>\$509,888</del> <u>\$1,839,888</u></b>	<b><del>\$7,150,211</del> <u>\$7,395,211</u></b>	<b><del>\$7,284,609</del> <u>8,859,609</u></b>	<b><del>\$375,490</del></b>

**Section 2. Severability.** The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances, shall be unaffected.

**Section 3. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 4. Effective Date.** This Ordinance shall take effect five (5) days after publication, as provided by law.

\_\_\_\_\_  
MAYOR

**ATTEST:**

\_\_\_\_\_  
CITY CLERK

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
ASSISTANT CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**



## City Council

### Public Hearing - The Extension of the Moratorium on Marijuana Establishments

**Agenda Date:** 9/22/2015  
**Agenda Item Number:** 5.A  
**File Number:** 15-0886

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**Type:** public hearing **Version:** 1 **Status:** Public Hearing

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#### **Title**

Public Hearing - The Extension of the Moratorium on Marijuana Establishments

#### **Recommended Action**

##### **Committee Recommendation:**

Not referred to a committee.

##### **City Manager Recommendation:**

Hold the public hearing. After closing the Public Hearing, if Council has enough information for a decision, move to approve the ordinance extending the moratorium on medical marijuana collective gardens and other cannabis-related uses not licensed by Washington State for an additional 6 months on first reading and forward to second reading.

#### **Report**

##### **Issue:**

Should the City Council extend the City's existing moratorium on new Medical Marijuana Collective Gardens and other cannabis-related land uses not licensed by Washington State for an additional 6 months, to a total of 729 days?

##### **Staff Contact:**

Chris Grabowski, Code Enforcement Officer, 360.753.8168  
Darren Nienaber, Deputy City Attorney, 360.753.8044

##### **Presenter(s):**

Chris Grabowski, Code Enforcement Officer, 360.753.8168  
Darren Nienaber, Deputy City Attorney, 360.753.8044

##### **Background and Analysis:**

City staff requests that the Council extend the City's moratorium on marijuana establishments that are not State-licensed. The Washington State legislature voted to further regulate medical marijuana and collective gardens in its last legislative session but the rules are in the process of being written by the Liquor and Cannabis Board and Department of Health. It is anticipated that this process will be completed and a clear set of rules and guidelines will be in place by the end of December 2015.

In November of 2012, Washington State voters passed Initiative Measure No. 502 (I-502) legalizing the sale of recreational cannabis in the State of Washington. Subsequently, on May 7, 2013, the Olympia City Council established a moratorium on all new cannabis related land uses. The moratorium was for one year. On October 15, 2013, Council approved interim zoning regulations for I-502 recreational marijuana and lifted that portion of the moratorium which applied to those uses. The moratorium on new medical marijuana collective gardens and other cannabis land uses not addressed by I-502 remained in place. At its April 7, 2015 meeting, the City Council extended the moratorium for an additional six months after holding the requisite public hearing.

The 2015 Washington State Legislature passed comprehensive legislation (2SSB 5052 & HB 2136) addressing medical cannabis collectives and establishing a State regulated system overseen by the Washington State Department of Health. The legislation was signed into law by Governor Jay Inslee on April 24, 2015. The long-standing "collectives" will now no longer be allowed. Instead, much smaller and more tightly regulated "cooperatives" will be allowed, and cannot easily rotate their four-person membership. The four-person cooperative can grow up to fifteen (15) plants per member. Cooperatives cannot sell or donate their product to other medical users, even those registered with the state, and members have to work the plants rather than pay into the cooperative. This step alone effectively ends the proliferation of medical collective storefronts. The State's new regulations mandate that all existing collective storefronts cease operation by July 1, 2016. Some of those storefronts may be able to become State licensed medical cannabis outlets when the new rules are established. King County has already sent letters telling collective storefronts that they must shut down immediately.

The State has only allotted the City of Olympia two recreational cannabis outlets. It is unclear if the two existing retail shops (Green Lady Inc. and A Bud & Leaf) will receive endorsements from the State to sell medical cannabis, or if the State will approve the licensing of medical only shops, or both. It is likely that the number of State licensed retailers will increase in the City to meet demand currently met by the collective storefronts. To serve the many medical users who will need or want access to marijuana at a store, the state will license potentially hundreds more retailers than the 334 it originally set out to validate. So far, the state has licensed roughly 171 retailers.

In its August 29, 2013 memorandum to all United States Attorneys, the Department of Justice outlined its expectation that those jurisdictions which allow the use of recreational cannabis do so with the "expectation that states and local governments...will implement strong and effective regulatory and enforcement systems that will address the threat those state laws could pose to public safety, public health, and other law enforcement interests." The State's move to regulate medical marijuana was partly in response to the Department of Justice memorandum.

The Washington State Court of Appeals upheld the City of Kent's ban on medical marijuana collective gardens. Thus, cities are authorized to prohibit collective gardens outright. It is uncertain how this decision will apply to the newly-authorized medical marijuana cooperatives, though it appears cities will likely be authorized to prohibit them under the new law.

#### **Neighborhood/Community Interests (if known):**

There are a number of shops currently serving the medical marijuana community that hold themselves out as existing collective gardens and came into existence prior to the City's moratorium. Some of these shops may be able to transition to being State licensed medical cannabis providers.



This will become clear when the State establishes its rules by the end of this year. Those shops which are unable to make the transition will be required by the State to shut down by July 1, 2016.

**Options:**

1. Conduct public hearing, pass moratorium extension on first and final reading.
2. Conduct public hearing, first reading moratorium extension. Final reading on September 29, 2015.
3. Conduct public hearing, do not extend moratorium, and let the moratorium expire in early November, 2015.

**Financial Impact:**

None

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, EXTENDING FOR SIX MONTHS THE MORATORIUM UPON MEDICAL MARIJUANA COLLECTIVE GARDENS AS ESTABLISHED BY ORDINANCE NO. 6851 AND AS AMENDED BY ORDINANCE NO. 6873, ORDINANCE NO. 6900, ORDINANCE NO. 6929 AND ORDINANCE NO. 6959.**

WHEREAS, since 1970, federal law has prohibited the manufacture and possession of marijuana as a Schedule I drug; and

WHEREAS, Initiative Measure No. 692, approved by the voters of Washington State on November 30, 1998, and now codified as chapter 69.51A RCW, created an affirmative defense for "qualifying patients" to the charge of possession of marijuana (cannabis); and

WHEREAS, the intent of Initiative 692 was that qualifying "patients with terminal or debilitating illnesses who, in the judgment of their physicians, would benefit from the medical use of marijuana, shall not be found guilty of a crime under state law" (RCW 69.51A.005), but that nothing in the law "shall be construed to supersede Washington state law prohibiting the acquisition, possession, manufacture, sale, or use of marijuana for non-medical purposes" (RCW 69.51A.020); and

WHEREAS, the Washington State Legislature passed E2SSB 5073 in 2011; and

WHEREAS, on April 29, 2011, former Governor Christine Gregoire vetoed all of the provisions of E2SSB 5073 relevant to medical marijuana dispensaries but left the provisions relating to cultivation of marijuana for medical use by qualified patients individually and in collective gardens; and

WHEREAS, RCW 69.51A.085 authorizes qualifying patients "to create and participate in collective gardens for the purpose of producing, processing, transporting, and delivering cannabis for medical use," provided no more than ten qualifying patients participate in a collective garden, a collective garden does not contain more than 15 plants per patient up to a total of 45 plants per collective garden, and the collective garden does not contain more than 24 ounces of useable cannabis per patient, up to a total of 72 ounces of useable cannabis; and

WHEREAS, under RCW 69.51A.060(1), it is a class 3 civil infraction to display medical cannabis in a manner or place which is open to view of the general public, which would include growing plants; and

WHEREAS, RCW 69.51A.140 authorizes cities to adopt and enforce zoning requirements, business licensing requirements, health and safety requirements, and business taxes pertaining to the production, processing, or dispensing of cannabis or cannabis products within their jurisdiction and that nothing in chapter 181, Laws of 2011 is intended to limit the authority of cities to impose zoning requirements or other conditions upon licensed dispensers, so long as such requirements do not preclude the possibility of siting licensed dispensers within the jurisdiction; and

WHEREAS, Initiative Measure No. 502, approved by the voters of Washington State on November 6, 2012, calls for the establishment of a regulatory system licensing producers, processors, and retailers of recreational marijuana for adults 21 years of age and older, legalizes the possession and private recreational use of marijuana, and requires the Washington State Liquor Control Board to adopt procedures and criteria for issuing licenses to produce, process, and sell marijuana; and

WHEREAS, the City of Olympia adopted Ordinance No. 6851 on May 7, 2013, imposing a moratorium (the Moratorium) on the establishment of medical cannabis collective gardens and other establishments involved in the sale, manufacturing, distribution, or use of marijuana because of the potential impact on the public health, safety, and welfare; and

WHEREAS, the City Council conducted a public hearing on June 25, 2013, as required by Ordinance No. 6851, to take public testimony regarding the establishment of the Moratorium; and

WHEREAS, the City Council conducted a public hearing on October 15, 2013, to take public testimony regarding interim regulations pertaining to state-licensed producers, processors, and retailers of state-licensed recreational marijuana; and

WHEREAS, on November 4, 2013, the City Council adopted Ordinance No. 6873 establishing interim regulations to avoid unanticipated negative impacts on the community and the public health, safety, and welfare associated with state-licensed marijuana producers, processors, and retailers; and

WHEREAS, Ordinance No. 6873 repealed the Moratorium insofar as it applied to state-licensed retailers, producers, or processors of recreational marijuana. All other new marijuana uses, including medical marijuana establishments, continue to be prohibited by the Moratorium; and

WHEREAS, the City has received no evidence that there is insufficient access to medical marijuana; and

WHEREAS, the Washington State Attorney General issued an advisory opinion in January 2014, that states municipalities can prohibit state-licensed marijuana businesses within a city's boundaries or impose zoning and other land use regulations pertaining to such businesses; and

WHEREAS, legislation was introduced in the Washington State Legislature's 2014 session concerning recreational, commercial, and medical marijuana, which would have merged medical marijuana into the state-licensed recreational market; and

WHEREAS, the Legislature failed to act on the bills, leaving the laws regarding medical marijuana regulations unchanged; and

WHEREAS, the Federal Bureau of Investigation has indicated that it will not conduct criminal background checks on recreational marijuana applicants; and

WHEREAS, there remains uncertainty as to the federal government's position on the legality of and potential enforcement against medical marijuana collective gardens and dispensaries; and

WHEREAS, the United States Department of Justice issued a memorandum on August 29, 2013, which suggested that Washington's medical marijuana system is untenable and inconsistent with federal law enforcement priorities; and

WHEREAS, the legislation adopted in the Washington State legislature concerning medical marijuana was intended, in part, to respond to direction from the federal government about the need to regulate recreational and medical marijuana; and

WHEREAS, the Court of Appeals affirmed a city's right to prohibit collective gardens in *Cannabis Action Coalition v. City of Kent*; and

WHEREAS, jurisdictions are experiencing an increase in violence involving medical marijuana businesses; and

WHEREAS, the City is authorized pursuant to RCW 35A.63.220 and RCW 36.70A.390 to renew an existing moratorium for up to six months as long as the City adopts findings of fact and holds a public hearing prior to renewing the moratorium; and

WHEREAS, after conducting a public hearing on April 15, 2014, the City Council found it necessary to extend the duration of the Moratorium and adopted Ordinance No. 6900, extending the Moratorium for an additional six months; and

WHEREAS, after conducting a public hearing on October 28, 2014, the City Council found it necessary to extend the duration of the Moratorium and adopted Ordinance No. 6929, extending the Moratorium for an additional six months; and

WHEREAS, after conducting a public hearing on April 7, 2015, the City Council found it necessary to extend the Moratorium and adopted Ordinance No. 6959, extending the Moratorium for an additional six months; and

WHEREAS, a public hearing was held on September 22, 2015, to receive and consider public testimony regarding an additional six-month extension of the Moratorium; and

WHEREAS, the City Council finds it necessary to extend the duration of the Moratorium as established by Ordinance No. 6851 and as amended by Ordinance No. 6873, Ordinance No. 6900, Ordinance No. 6929 and Ordinance No. 6959 for an additional six months in order to evaluate administrative rules to be adopted by the Washington State Liquor and Cannabis Control Board; and

WHEREAS, the City has completed certain portions of its work plan regarding permanent regulations of marijuana, including assessing the approaches of other jurisdictions; and

WHEREAS, in 2015, the Washington State Legislature passed comprehensive legislation (2SSB 5052 and HB 2136) creating laws for the largely unregulated medical cannabis market and establishing a state-regulated system overseen by the Washington State Department of Health; and

WHEREAS, Washington State's new regulations mandate that all existing collective storefronts cease operation by July 16, 2016; and

WHEREAS, additional time is needed for the City to evaluate administrative rules to be adopted by the Washington State Liquor and Cannabis Control Board related to medical marijuana; and

WHEREAS, this Ordinance is also adopted pursuant to Article 11, Section 11, of the Washington State Constitution; and

WHEREAS, this Ordinance is supported by the staff report and attachments and documents on file with the City of Olympia and also by the professional judgment and experience of City staff;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1. Extension of Moratorium Duration.** Section 3 of Ordinance No. 6851, as amended by Ordinance No. 6873, Ordinance No. 6900, Ordinance No. 6929 and Ordinance No. 6959, is hereby amended as follows:

**Section 3. Duration.** The interim zoning control set forth in this Ordinance shall be in effect ~~nine hundred eleven (911)~~ one thousand ninety-three (1,093) days, unless subsequently extended by the City Council pursuant to state law.

**Section 2. Ordinance No. 6930.** This Moratorium does not apply to state-licensed recreational marijuana uses regulated by Ordinance No. 6930, as may be subsequently amended.

**Section 3. Findings.** The City Council hereby adopts the above recitals as findings of fact in support of this Ordinance.

**Section 4. Ordinance No. 6851.** All remaining provisions of Ordinance No. 6851, as amended by Ordinance No. 6873, Ordinance No. 6900, Ordinance No. 6929 and Ordinance No. 6959, not herein amended or supplemented shall remain in full force and effect.

**Section 5. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 6. Severability.** The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances shall be unaffected.

**Section 7. Effective Date.** This Ordinance shall take effect five (5) days after publication, as provided by law.

---

MAYOR

**ATTEST:**

---

CITY CLERK

**APPROVED AS TO FORM:**

*Darren Neneke*

---

DEPUTY CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**



## City Council

### Approval of Percival Plinth Project People's Choice Award 2015

**Agenda Date:** 9/22/2015  
**Agenda Item Number:** 6.A  
**File Number:** 15-0873

---

**Type:** decision **Version:** 1 **Status:** Other Business

---

#### **Title**

Approval of Percival Plinth Project People's Choice Award 2015

#### **Recommended Action**

##### **Committee Recommendation:**

Move to approve the purchase of **Olympia Oyster** by Colleen R. Cotey as the 2015 People's Choice Award.

##### **City Manager Recommendation:**

Move to approve the recommendation from the Arts Commission.

#### **Report**

##### **Issue:**

Voting has concluded for the 2015 Plinth Project's Peoples' Choice Award, which chooses the one sculpture among the loaned exhibition that should be purchased by the City. The City Council must approve the purchase.

##### **Staff Contact:**

Stephanie Johnson, Arts & Events Manager, Olympia Parks, Arts & Recreation, 360.709.2678

##### **Presenter(s):**

Stephanie Johnson, Arts & Events Manager, Olympia Parks, Arts & Recreation  
Diana Fairbanks, Chair, Art in Public Places Committee, Olympia Arts Commission

#### **Background and Analysis:**

On May 26, 2015, Council approved the fifteen sculptures recommended by the Arts Commission for the fifth year-long display of loaned sculpture for the Percival Plinth Project. Associated with this exhibition is the public vote known as the Peoples' Choice Award, by which one sculpture is selected for purchase by the City. The period of voting took place from July 31 (with a public kick-off) - August 31, 2015. All loaned sculptures will be returned in spring 2016 and the popularly selected piece will be moved to City Hall for one year before being reinstalled in another Olympia location. This will leave all plinths cleared for another exhibition and competitive process.

#### Selected Sculpture

A total of 426 votes were received during the voting period. Of that, 278 were from Olympia proper, and 58 were from Lacey, Tumwater and Thurston County. The final 22% of the votes were received from visitors from 27 Washington cities, 11 states and 3 countries.

With 116 votes, **Olympia Oyster** by Colleen Cotey was front runner, with **Great Catch** by Marilyn Murch coming in as runner up with 57 votes, and **The Gardener** by Louise McDowell holding third with 46 votes. Comments regarding why **Olympia Oyster** appealed to voters overwhelmingly included the significance of the theme - the word "iconic" was used often. Viewers also expressed appreciation for the simplicity and elegance in the design.

An image of **Olympia Oyster** will be displayed as part of the presentation at Tuesday's Council meeting.

**Neighborhood/Community Interests (if known):**

Public opinion was solicited through public vote.

**Options:**

1. Move to approve the purchase of **Olympia Oyster** by Colleen R. Cotey. This sculpture is the 2015 People's Choice Award recommendation.
2. Do not approve the People's Choice Award recommendation.

**Financial Impact:**

The purchase price for **Olympia Oyster** is \$2,500 and falls within the project budget (\$21,500) for sculpture honoraria, purchase and installation.

Home » City Services » Parks, Arts & Recreation » Public Art » Percival Plinth Project

# Percival Plinth Project

Navigation  
[Public Art](#)

PLINTH noun \ˈplɪn(t)h\

- 1) In architecture, a plinth is the base or platform upon which a column, pedestal, statue, monument or structure rests.
- 2) On Percival Landing, plinths are the sculpture stands which form the basis of an art and performance promenade along Olympia's waterfront.



### People's Prize Competition

Every year, the plinths at Percival Landing host a new selection of loaned sculpture by local and regional artists. A community vote is held and the sculpture that receives the most votes is purchased for permanent display at another location within the City.

Sculpture not awarded the People's Prize is available for purchase at the completion of its exhibition. Please contact the artist directly for purchase inquiries.

### How to Vote

To be eligible to vote you must pick up an official ballot at Percival Landing and personally visit each of the displayed sculptures. Ballots may then be submitted at The Olympia Center, the weekend drop-box, or by mail.

View Previous Years Plinth Entries: [2011](#) | [2012](#) | [2013](#) | [2014](#)

## Loaned Sculpture Currently on Display



**The Three Graces**  
by **Sylvia Perle**

Bronze

4th Avenue, East end of bridge

[About the Artist](#)

Art begins with visual communication. I express my view of the world and hope the viewer responds. If the art is visually strong it will involve the viewer emotionally. That is what I try to do in my statues.

Contact: 360.753.3103 | [perlestudios@hotmail.com](mailto:perlestudios@hotmail.com)



**Daphne**  
by **Karston Boysen**

Found Steel

4th Avenue, East end of bridge

[About the Artist](#)

Art is all about mystery, stealth and transformation. The recycled metals I use as a materials are selected by a twist, a bend, a crumple - almost as if it is returning to its natural state. The essence of nature - something artists have known from time immemorial -- is the spiral, the DNA twist that imparts life to all things. The spiral animates my art with movement. What we discard today may be the best of what we have tomorrow. As you will notice from the images of my work, there is a strong emphasis on natural inspiration, dynamic processes, symbolic gestures and contextual themes relevant to people and place. My approach is often guided by my direct response to the material - what it suggests to me. That is what becomes the transformation of my personal vision.

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**City Calendar**

09/19 - 10:00 a.m.  
[Volunteer Work Party](#)

09/19 - 10:00 a.m.  
[26th Annual Nisqually Watershed Festival](#)

09/19 - 12:00 p.m.  
**CANCELED: Artesian Commons: Play! at the Well**

09/21 - 6:30 p.m.  
[Olympia Planning Commission Regular Commission Meeting](#)

09/22 - 6:00 p.m.  
[Transportation Benefit District Meeting](#)

→ [View full calendar...](#)

**City Updates**

**POLICE & COMMUNITY RELATIONS.** Learn more about the City's new ad-hoc Police & Community Relations Committee. [More...](#)

**LODGING TAX TOURISM FUNDING.** Non-profit and government agencies that provide tourism services may now apply for 2016 funding from Olympia's lodging tax. [More...](#)

**GROW OLYMPIA FUND.** Have a small business in Olympia? The Grow Olympia Fund offers flexible long-term, low-interest loans to help small businesses grow and improve. [More...](#)

**OLYMPIA MUNICIPAL CODE.** Quick link to codes and standards including [Olympia Municipal Code](#).

**MEETINGS.** [Agenda and Minutes](#) for City Council and most advisory committees.

feedback



**Contact:** 360.876.3234 | [karsten.boysen@yahoo.com](mailto:karsten.boysen@yahoo.com)



**CULTURE - Ring Dance #10**  
by **Don Freas**

Steel

Sylvester Street, at Percival Landing

[About the Artist](#)

I collaborate with chance and momentary urges, using whim and play to "find" or expose these forms as they come together. I begin fabrication with a gathering of elements, but no idea what the final piece will look like. I just begin. Each part finds its place and orientation based on what has come before. For "CULTURE: Ring Dance #10" I had a supply of three and six inch steel rings, and several long scraps of six-inch and two-inch square tube. I made squares from the square tubes and added a couple dozen channel-iron slices for a straight staple-form. From this complex and extensive pallet of elements the piece began to grow. As the top structure came into being, I imagined a square column to firmly ground its flailing, organic form. The "head-piece" balanced beautifully on top, even before it was affixed. I'm delighted to see what happens as I work my way through this process of risk and improvisation to make real a new form I could not have imagined.

**Contact:** 360.357.2850 | [don@donfreas.com](mailto:don@donfreas.com) | [donfreas.com](http://donfreas.com) [↗](#)



**The Gardener**  
by **Louise McDowell**

Bronze

Water Street & 4th Avenue

[About the Artist](#)

I sculpt because I love it. I love working with a tactile medium creating a three-dimensional, figurative sculpture that is transformed into bronze. Movement and transformation are very much a part of the on-going creation, and is apparent in the final representation of my work. there is a sense of energy going in different directions at the same time. through my experiences I seek to capture soul and story, creating a sculpture that will touch the viewer in such a way that he/she sees with new perceptions and, in a sense, becomes part of the narrative. I wish to create a sense of place. As a sculptor, I create environments and focal points within environments. Much of my work speaks of the interrelationship of life, a rootedness in the Earth and the importance of the environment. Within each piece there are layers of meaning with ecological significance at the core. I seek to inspire observers and stimulate imaginative thought, as well as affirming the human condition.

**Contact:** 206.782.8648 | [mtmcdowell@hotmail.com](mailto:mtmcdowell@hotmail.com) | [louisemcdowellsculptor.com](http://louisemcdowellsculptor.com) [↗](#)



**Olympia Oyster**  
by **Colleen R. Cotey**

Bronze

State Street Pavillion

[About the Artist](#)

I am a wildlife artist who specializes in wire sculpture. The majority of my work is centered on relationships in the animal kingdom, as well as the effect humans have on the creatures of this planet. My aim as an artist is to convey that wildlife is worth protecting. This piece is modeled after my small oysters that have become a crowd favorite. My family has been in the Tumwater/Olympia area since the 1880's and therefore the Oyster holds significant meaning to me as an iconic symbol of my hometown. On a commercial level, the Olympia oysters have been a point of pride in the area since the 1860's, when export industry of the little shellfish first began. Prior to that, they were a staple of the native people of the area and today many in our community continue to work, in one way or another, in the industry. I believe the Olympia oyster is such an enjoyable creature to Olympians because they, like the evergreen trees, represent home.

**Contact:** 360.561.3142 | [ccotey@gmail.com](mailto:ccotey@gmail.com) | [ccoteystudios.com](http://ccoteystudios.com) [↗](#)



**Twisted Halo**  
by **Ulrich Pakker**

Steel & Bronze

State Street Pavillion

[About the Artist](#)

I have always been excited and inspired by the geometry of a ram's horn. The strength and durability of this body part is truly an amazing structure for an animal and critical to its survival. Through study and practice I have found this elemental organic shape to be very satisfying to try to work out in metal. Full Curl is just the beauty of that natural shape extended. Full Curl is made of galvanized steel and practically indestructible.

**Contact:** 206.789.7454 | [info@ulrichpakker.com](mailto:info@ulrichpakker.com) | [ulrichpakker.com](http://ulrichpakker.com) 



**Swirl**  
by **Kevin Au**

Painted Steel  
Olympia Avenue Plaza

[About the Artist](#)

I started metal work since my retirement in 2008. It is a natural progression with my various skills in computer 3D design, tailoring, and welding. I built my sculptures with sheet metal. Each sculpture started out on the computer. A basic concept is modeled in 3D. Numerous adjustments and changes follows the design spiral until the model meets my design goal. Further refinements are made to enable the surfaces to be developable, which means that it could be fabricated with flat metal sheets. Structural stress analysis is then done to ensure adequate strength. The design is then scaled down for a model with card stock paper. If necessary, the design is further adjusted for artistic appeal, or buildability. Only then, full size paper pattern are printed and used as template for the actual sculpture. Through experience, I desire sharp clean edges on my sculpture. That I was able to achieve by multiple passes of the welder with edge grinding in between.

**Contact:** 206.232.5977 | [kevinau01@gmail.com](mailto:kevinau01@gmail.com) | [kasculpture.wordpress.com](http://kasculpture.wordpress.com) 



**Shorebirds**  
by **Lin McJunkin**

Steel & Kiln-carved Glass  
Olympia Avenue Plaza

[About the Artist](#)

As an artist and science educator, Lin feels compelled to advocate for the health of our planet and its inhabitants through her work. Inspired by Coast Salish carvings, "Shorebirds" features colorful avian mates "kiln-carved" or embossed with eagles, trees, sailboats, and surf-n-turf foods emblematic of life in Olympia. They're edged in black - feathers? oil?

**Contact:** 360.941.6742 | [lin@mcjunkinglass.com](mailto:lin@mcjunkinglass.com) | [mcjunkinglass.com](http://mcjunkinglass.com) 



**Iris Flare**  
by **Lin McJunkin & Milo White**

Steel & Kiln-carved Glass  
Olympia Avenue Plaza

[About the Artist](#)

For "Iris Flare," metal sculptor Milo White experiments with the interaction of light on positive and negative shapes in layered, powder-coated metals. In this collaboration with Lin McJunkin, he added a highly colored and textured cast glass shape to the metal framework, creating a bold floral design that burns with the solar flares known to influence climate changes. Their work invites viewers to question how our behaviors affect the environment we wish to save.

**Contact:** 360.941.6742 | [lin@mcjunkinglass.com](mailto:lin@mcjunkinglass.com) | [mcjunkinglass.com](http://mcjunkinglass.com)   
360.391.0505 | [peter.willowsteel@gmail.com](mailto:peter.willowsteel@gmail.com) | [milowhite.com](http://milowhite.com) 



**Good Dog**  
by **Rodger Squirrell**

Steel  
South of Harbor House

[About the Artist](#)

The two pieces I am exhibiting emerge from my on-going interests in creating organic, approachable art from metals. Torso III is a human scale form that is both abstract and approachable. Penetrated by a stainless steel cone, the oxidizing steel form suggests strength and grace. Good Dog! is a cheerful little fellow.

**Contact:** 206.450.6664 | [metalsquirrell@gmail.com](mailto:metalsquirrell@gmail.com) | [metalsquirrell.com](http://metalsquirrell.com) 



**Tennyson**  
by **Kyle Dillehay**

Bronze

Near Harbor House

[About the Artist](#)

As I spend time in a place, natural or architectural, I develop a relationship with this space. This relationship influences my mood, my thoughts and my imagination. To communicate these newly found influences to others I create art for that environment. Each site is different and compels me to react with sometimes a very wide range of sculptural styles, but each art piece is linked to the previous image through my processing of the present spatial and visual influences that I have absorbed from each site and the relationships that have formed with me because of these influences. I love to observe people, places, and things and am always fascinated in how people respond and interact. My art is created to offer people an enhanced experience related to a specific site. Often times I try to be subtle with my approach and its placement, rewarding only the more curious willing to search and discover new things about their surroundings.

**Contact:** 253.232.7377 | [kyledillehay@yahoo.com](mailto:kyledillehay@yahoo.com) | [kyledillehay.com](http://kyledillehay.com)



**Great Catch**  
by **Marilyn Murch**

Bronze

Near Harbor House

[About the Artist](#)

Wildlife and figures are the focus of my artwork. My surroundings have a lot to do with what inspires me to create a sculpture. The forests, the Puget Sound and the people that live in the Olympia area have influenced each piece. I have always loved to draw and paint when I was younger and now creating sculpture is my passion.

**Contact:** 360.264.7733 | [murchart1@yahoo.com](mailto:murchart1@yahoo.com) | [murchart.weebly.com](http://murchart.weebly.com)



**A Soothing Melody**  
by **Leon White**

Marble & Bronze

Near Harbor House

[About the Artist](#)

My focus is sculpture and painting, primarily Stone Sculpture, but I use other mediums as well such as Bronze, Ceramic, Mix Medium. My stone sculptures evolve from the natural shape of a stone. I spend time rolling it around waiting for the stone to speak to me what it wants to be. Keeping in mind the color of the stone, I may see a curve, a point that reminds me of say, in this case, the stripes on the marble reminded me of the stripes on an Indian Blanket. My design followed the flow of those lines creating a blanket-Shaw wrapping around the elder lady protecting the little bird that she found from the blowing winds.

**Contact:** 206.922.3241 | [leonwhitestudio@comcast.net](mailto:leonwhitestudio@comcast.net)



**Torso III**  
by **Rodger Squirrell**

Steel

North of Harbor House

[About the Artist](#)

The two pieces I am exhibiting emerge from my on-going interests in creating organic, approachable art from metals. Torso III is a human scale form that is both abstract and approachable. Penetrated by a stainless steel cone, the oxidizing steel form suggests strength and grace. Good Dog! is a cheerful little fellow.

**Contact:** 206.450.6664 | [metalsquirrell@gmail.com](mailto:metalsquirrell@gmail.com) | [metalsquirrell.com](http://metalsquirrell.com)

**Venus**  
by **Kevin Au**

Painted Steel

North of Harbor House



### [About the Artist](#)

I started metal work since my retirement in 2008. It is a natural progression with my various skills in computer 3D design, tailoring, and welding. I built my sculptures with sheet metal. Each sculpture started out on the computer. A basic concept is modeled in 3D. Numerous adjustments and changes follows the design spiral until the model meets my design goal. Further refinements are made to enable the surfaces to be developable, which means that it could be fabricated with flat metal sheets. Structural stress analysis is then done to ensure adequate strength. The design is then scaled down for a model with card stock paper. If necessary, the design is further adjusted for artistic appeal, or buildability. Only then, full size paper pattern are printed and used as template for the actual sculpture. Through experience, I desire sharp clean edges on my sculpture. That I was able to achieve by multiple passes of the welder with edge grinding in between.

**Contact:** 206.232.5977 | [kevinau01@gmail.com](mailto:kevinau01@gmail.com) | [kasculpture.wordpress.com](http://kasculpture.wordpress.com) 

### Questions?

Contact Stephanie Johnson, **360.709.2678** or [sjohnso1@ci.olympia.wa.us](mailto:sjohnso1@ci.olympia.wa.us)

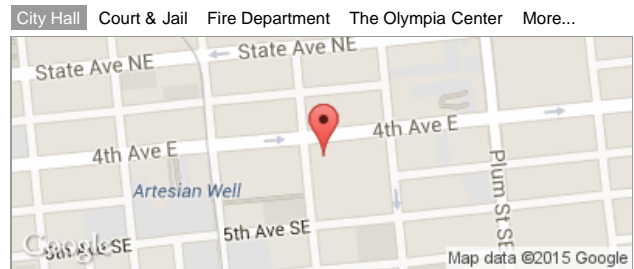
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## City Council

### Authorization of Hulbert Notice of Intent to Annex

**Agenda Date:** 9/22/2015  
**Agenda Item Number:** 6.B  
**File Number:** 15-0884

---

**Type:** decision **Version:** 1 **Status:** Other Business

---

#### Title

Authorization of Hulbert Notice of Intent to Annex

#### Recommended Action

##### Committee Recommendation:

Move to authorize the applicants of the Hulbert Notice of Intent to Annex to submit a petition for the proposed annexation with a one-year time limit. Also move to require the adoption of the rezoning and the assumption of the City's bonded-indebtedness upon annexation.

##### City Manager Recommendation:

Move to approve the recommendations from the Land Use and Environment Committee.

#### Report

##### Issue:

Applicants submitted an Annexation Notice of Intent to the City on June 15, 2015. Pursuant to RCW 35A.14, upon receiving a Notice of Intention, the City Council must meet with the initiating party to determine whether the Council will:

1. accept the annexation as proposed,
2. geographically modify the proposed annexation, or
3. reject the annexation

##### Staff Contact:

Tim Smith, Principal Planner, Community Planning & Development, 360.570.3915

##### Presenter:

Tim Smith, Principal Planner, Community Planning & Development

##### Background and Analysis:

Under the petition method of annexation, an interested party may propose an annexation by submitting a 'Notice of Intent to Annex.' A Notice of Intent may be filed by an initiating party owning only ten percent of the assessed property value of the proposed area. The Hulbert Notice of Intent was submitted by Phillip and Therese Hulbert, Grace Slater, and Trong and Rani Hong, who

combined own all of the proposed area.

This Notice of Intent is for a proposed annexation that consists of four parcels totaling approximately 8.5 acres. The parcels are located in the Olympia Urban Growth Area and adjacent to the City in an area zoned single-family residential development (R-4-8). The two westerly parcels are developed with a landscape nursery. The two easterly parcels are developed with single family residences. Land uses in the vicinity consist of single family residences to the east, west and south. The Briggs Village development including senior apartments is to the north across Yelm Highway.

State law provides that parties submitting a Notice of Intent are entitled to a meeting with the City Council where the Council will determine whether to consider the annexation proposal, and what properties should be considered in the annexation. If the Council determines that an annexation should be considered, the applicant generally has one year in which to submit the more substantial 'Petition to Annex' leading to a public review of the proposal and ultimately a decision by the Council.

Acceptance of the annexation as proposed in the Notice of Intent, or a modified annexation area, does not commit the Council to annex the proposed area. It simply allows the annexation process to go forward. If the Council accepts the Notice of Intent as proposed, the annexation boundary will be finalized. The initiating parties would then be authorized to circulate an annexation petition. The petition must be signed by owners of at least 60 percent of the assessed property value within the annexation established by the City Council. Receipt of the petition leads to a public hearing and other substantial review processes.

City staff have evaluated the proposed area and discussed annexation options with public service providers. The adjacent section of Yelm Highway is already within the City. The adjacent section of Henderson Boulevard and the intersection are within the City of Tumwater. The southern boundary of the proposed annexation is the Urban Growth Boundary beyond which the City cannot annex property. The staff sees no better boundary to the west nor any immediate benefit to the public in expanding the annexation area. Thus staff recommends acceptance of the boundary as proposed. The area has been pre-zoned and will not, therefore, require either a comprehensive plan or a zoning amendment.

The Land Use & Environment Committee discussed the annexation proposal at the August 27, 2015 meeting. The committee recommends that Council accept the annexation boundary as proposed.

**Neighborhood/Community Interests (if known):**

There has been occasional interest in annexation in this vicinity of the City. If the Council accepts the proposal, City staff will notify adjacent property owners and other parties potentially interested.

**Options:**

1. accept the annexation as proposed in the Notice of Intent,
2. geographically modify the proposed annexation, or
3. reject the annexation

**Financial Impact:**

If the area is annexed, the property owners would be required to assume a proportionate share of the

City's bonded-indebtedness





# NOTICE OF INTENT TO COMMENCE ANNEXATION PROCEEDING

OFFICIAL USE ONLY

Case #: \_\_\_\_\_ Master File #: 15-0086 Date: 6.18.15  
Received By: J. Smith Related Cases: \_\_\_\_\_ Project Planner: \_\_\_\_\_

We, the undersigned, who are owners of more than ten percent in value, according to the assessed valuation for general taxation of the property described below, wish to inform the Olympia City Council that we intend to circulate a petition annexing this area to the City of Olympia. We request a public meeting with the City Council to determine whether the City is interested in annexing our property and, if so, under what conditions. A map of the proposed annexation area is attached to this notice.

Annexation Proposal Contact Person: PHILLIP OR THERESE HULBERT Phone: (360) 791-8091 or  
Mailing Address: P.O. BOX 2121, OLYMPIA, WA 98507 (360) 790-7068  
E-Mail Address: theresehulbert@hotmail.com

Legal Description of Proposed Annexation Area (attached ): LEGAL DESCRIPTIONS FOR FOUR ADJACENT PARCELS.

**RECEIVED**  
JUN 18 2015  
COMMUNITY PLANNING AND DEVELOPMENT DEPT.

### Signatures

### Tax Parcel Number(s) of Ownership

1. Phillip W. Hulbert & Therese Hulbert (1) 12836310600, 12836310500  
Signature  
PHILLIP & THERESE HULBERT  
Print Name  
P.O. BOX 2121, OLYMPIA, WA 98507  
Mailing Address  
OLYMPIA, WA 9850  
City, State, Zip

2. x Grace Slater (2) 12836310400  
Signature  
GRACE SLATER  
Print Name  
311 MONTERRA DRIVE  
Mailing Address  
PORT ANGELES, WA 98362  
City, State, Zip

Please attach signatures, addresses and tax parcel number/s of any other annexation initiators. #3 ATTACHED.

Received by the Community Planning and Development Department on the \_\_\_\_\_ day of \_\_\_\_\_  
Public Meeting Date: \_\_\_\_\_



All **Annexation Requests** shall be on forms provided by the Department, accompany a **General Land Use Application**, and include each of the following:

1. Notice of Intent to Petition for Annexation
  - Legal description of area to be annexed.
2. The following maps must be submitted with all notices of intent:
  - ✓ Vicinity Map showing:
    - The general vicinity of the proposal.
    - The area proposed for annexation, highlighted in some manner.
    - The boundaries of other cities near the annexation area.
    - Assessor's Map. Assessor's map showing specific parcels to be annexed and immediate vicinity.
    - Physical Features. One or more maps showing the following:
      - Dominant physical features such as lakes, creeks, and ravines.
      - All public roads near the annexation.
- ✓ 3. Typed and certified 300-foot adjacent property owners mailing list

*Applicants may be required to post the annexation site with one or more signs provided by the City. Please contact City staff for more information.*



# NOTICE OF INTENT TO COMMENCE ANNEXATION PROCEEDING

**OFFICIAL USE ONLY**

Case #: \_\_\_\_\_ Master File #: \_\_\_\_\_ Date: \_\_\_\_\_  
Received By: \_\_\_\_\_ Related Cases: \_\_\_\_\_ Project Planner: \_\_\_\_\_

We, the undersigned, who are owners of more than ten percent in value, according to the assessed valuation for general taxation of the property described below, wish to inform the Olympia City Council that we intend to circulate a petition annexing this area to the City of Olympia. We request a public meeting with the City Council to determine whether the City is interested in annexing our property and, if so, under what conditions. A map of the proposed annexation area is attached to this notice.

Annexation Proposal Contact Person: PHILLIP OR THERESE HULBERT Phone: (360) 791-9091 or (360) 790-7068  
Mailing Address: P.O. BOX 2121 OLYMPIA WA 98507  
E-Mail Address: theresehulbert@hotmail.com

Legal Description of Proposed Annexation Area (attached ): LEGAL DESCRIPTIONS FOR FOUR ADJACENT PARCELS.

**RECEIVED**  
JUN 18 2015  
COMMUNITY PLANNING AND DEVELOPMENT DEPT.

**Signatures**

**Tax Parcel Number(s) of Ownership**

~~1. Phillip W. Hulbert & Therese Hulbert 12836310600, 12836310500  
Signature  
Phillip & THERESE HULBERT  
Print Name  
P.O. BOX 2121 OLYMPIA, WA 98507  
Mailing Address  
Olympia, WA 9850  
City, State, Zip~~

2. x Conroy & Rani Hong 3. 12836310300  
Signature  
TRONG & RANI HONG  
Print Name  
4440 VILLAGE DRIVE S.E.  
Mailing Address  
Olympia, WA 98501  
City, State, Zip

Please attach signatures, addresses and tax parcel number/s of any other annexation initiators.

Received by the Community Planning and Development Department on the \_\_\_\_\_ day of \_\_\_\_\_  
Public Meeting Date: \_\_\_\_\_

All **Annexation Requests** shall be on forms provided by the Department, accompany a **General Land Use Application**, and include each of the following:

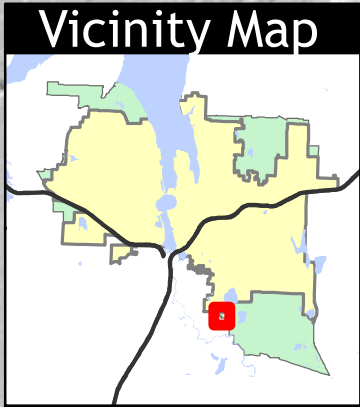
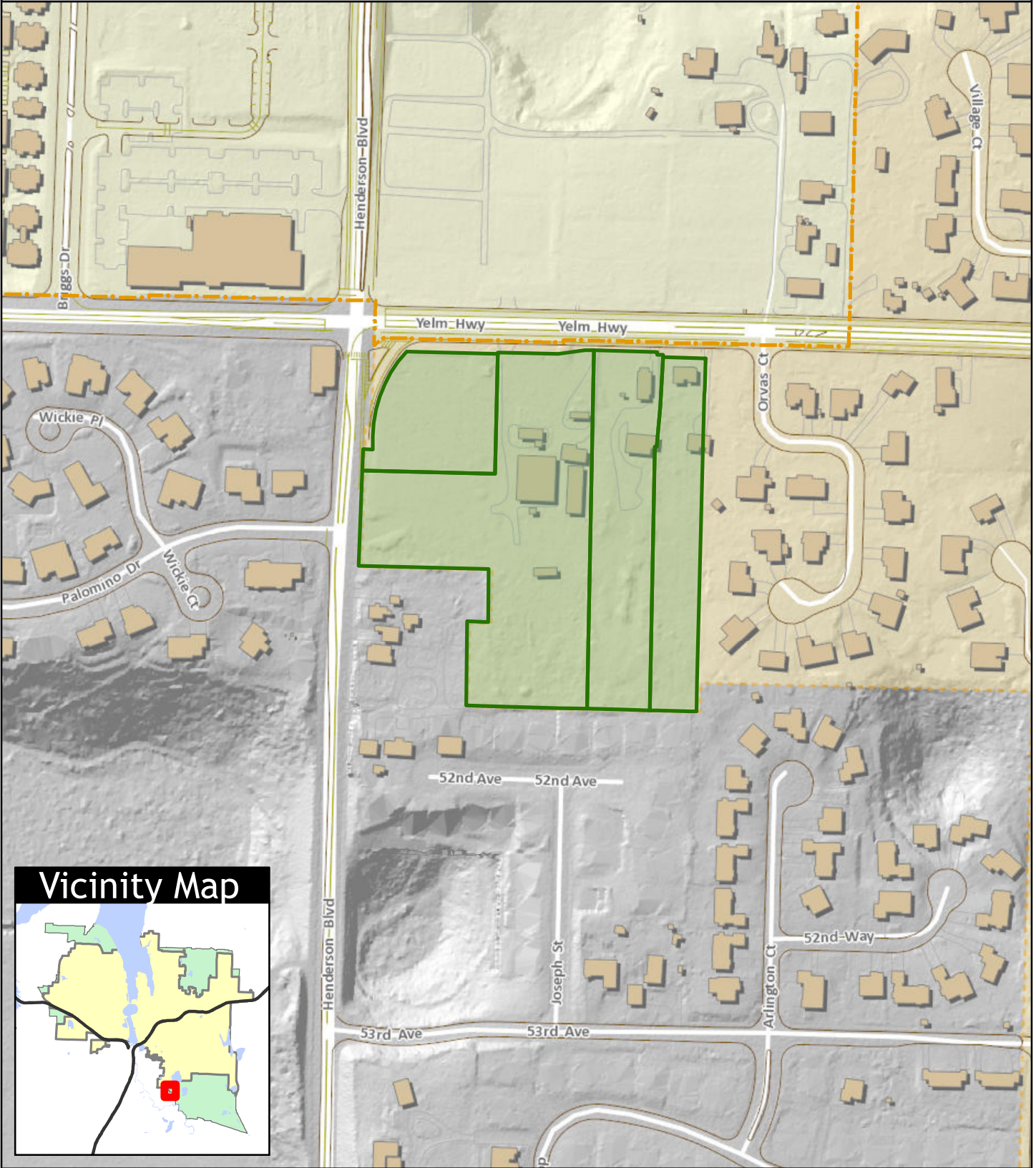
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# Hulbert, Hong and Slater Annexation Proposal

4920 Henderson Boulevard



0 0.025 0.05 Miles 1 inch = 260 feet

Map printed September 10, 2015  
 For more information, please contact:  
 Tim Smith, Principal Planner  
 tsmith@ci.olympia.wa.us  
 (360) 570-3915

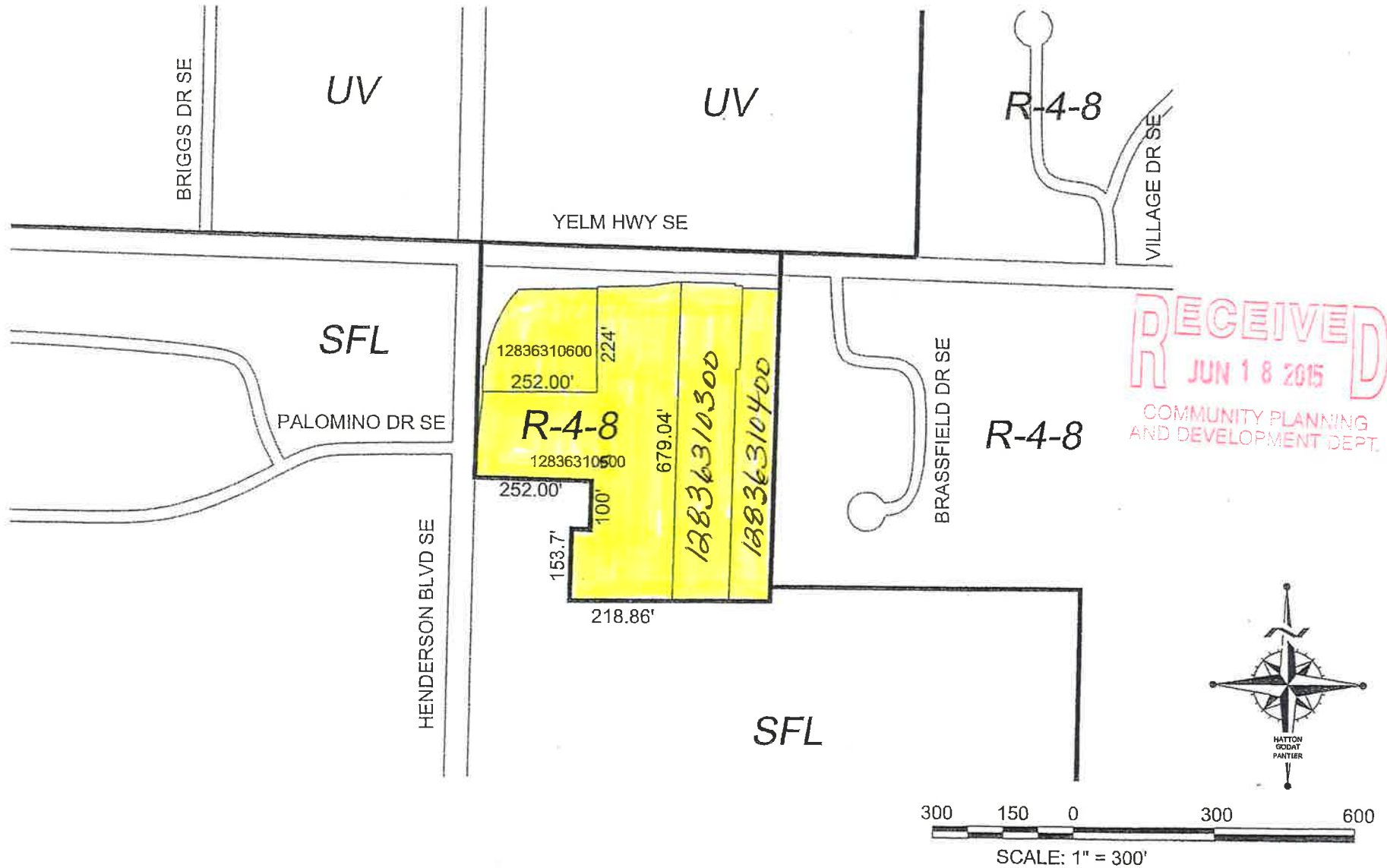
The City of Olympia and its personnel cannot assure the accuracy, completeness, reliability, or suitability of this information for any particular purpose. The parcels, right-of-ways, utilities and structures depicted hereon are based on record information and aerial photos only. It is recommended the recipient and/or user field verify all information prior to use. The use of this data for purposes other than those for which they were created may yield inaccurate or misleading results. The recipient may not assert any proprietary rights to this information. The City of Olympia and its personnel neither accept or assume liability or responsibility, whatsoever, for any activity involving this information with respect to lost profits, lost savings or any other consequential damages.





# HENDERSON BLVD & YELM HWY

4920 HENDERSON BLVD SE, OLYMPIA WA 98501



RECEIVED  
JUN 18 2015  
COMMUNITY PLANNING  
AND DEVELOPMENT DEPT.

## EXISTING ZONING MAP

NOVEMBER 5, 2013

## HATTON GODAT PANTIER

ENGINEERS AND SURVEYORS

3910 MARTIN WAY E, SUITE B

OLYMPIA, WA 98506

TEL: 360.943.1599 FAX: 360.357.6299

hattonpantier.com

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