

# TUMWATER CITY COUNCIL MEETING

## MINUTES OF MEETING

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**CONVENE:** 7:01 p.m.

**PRESENT:** Mayor Debbie Sullivan and Councilmembers Peter Agabi, Michael Althausen, Joan Cathey, Leatta Dahlhoff, Angela Jefferson, Charlie Schneider, and Eileen Swarthout.

Staff: City Administrator John Doan, Community Development Director Michael Matlock, Communications Manager Ann Cook, Transportation Manager Mary Heather Ames, Utility Operations Manager Steve Craig, Planning Manager Brad Medrud, and City Clerk Melody Valiant.

### **SPECIAL ITEMS:**

**PROCLAMATION:  
PUBLIC WORKS  
WEEK, MAY 15-21,  
2022:** Councilmember Swarthout read a proclamation declaring the week of May 15-21, 2022 as *Public Works Week*. The proclamation calls upon the people of the City of Tumwater to learn about Tumwater's public works facilities and services, and to recognize Water Resources and Sustainability and Transportation and Engineering employees for the substantial contributions they make to protect health, safety, comfort, and quality of life for community residents and businesses.

Transportation Manager Mary Heather Ames and Utility Operations Manager Steve Craig accepted the proclamation.

Manager Craig reported this year's theme for *Public Works Week* is *Ready and Resilient*. What that means for community members is the availability of clean water, roads and transportation networks, and emergency response during storms and other natural disasters. Because of the unexpected incidents that often occur in the community, public works employees are prepared to address environmental challenges, such as wind, snow, ice, floods, and earthquakes, as well as a pandemic as those occurrences have great impacts on daily lives. Other non-environmental needs can arise as well, such as leaking pipes, plugged sanitary or storm sewers, or traffic impacts involving signs, signals, roads, and sidewalks. City staff prepares to meet those challenges daily by responding to situations that might arise. Preparation includes ensuring staff receives training and that equipment is available and ready for service when the need arises day or night and in all weather conditions. In addition to responding to incidents and challenges, employees in the Transportation and Engineering and Water Resources and Sustainability Departments are working hard planning for growth, improving City infrastructure, and developing new and improved maintenance programs to be ready for the future. Public works employees work cooperatively with other City departments, local and state agencies, and the community to ensure the City is prepared to respond to incidents. Resiliency is best demonstrated through the commitment to identify solutions and problem solving. Teamwork, partnerships, planning, and training are how employees prepare

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for any situation. It is one reason why the community of Tumwater is so great and is ready and resilient.

Manager Ames thanked the Council for its continued support and recognition on behalf of the two departments and colleagues who work together to provide daily year-round public works services to the City of Tumwater and its residents and businesses.

**PROCLAMATION:  
BICYCLE MONTH,  
MAY 2022:**

Councilmember Dahlhoff read a proclamation declaring the month of May as *Bicycle Month*. The proclamation recognizes National Bike Month and Clean Air Month and encourages all residents to put forth their best effort to reduce single-occupant motor vehicle trips to reduce air pollution, energy consumption, and traffic congestion.

Duncan Green, Intercity Transit, reported the 35th Annual Bicycle Community Challenge will be held during the month of May 2022. The challenge is the longest running bike challenge in the region. For three and half decades the challenge has been encouraging people in the community to use a bicycle for some of their transportation needs instead of driving. Many things have changed since that time with local bicycling infrastructure improved and the number of people riding bikes for all reasons increasing. The pandemic brought public health into focus and bicycling can contribute to personal health. It is hoped that recreational riding will open the door to bicycling for transportation. This year's theme for the Bicycle Community Challenge is *Take Your Vitamin Bike* to bring health to the forefront along with the other benefits of bicycling. Community support for the challenge is strong with over 100 people participating in the Earth Day Market Ride in April and over 560 bicyclists logging nearly 29,000 miles in this year's challenge. The grand prize this year is a dream bike vacation with Adventure Cycling Association. Mr. Green encouraged the community to participate in the annual Bicycle Community Challenge to celebrate the 35<sup>th</sup> year of promoting bicycling in Thurston County. Community members can register at [www.bbc.intercitytransit.com](http://www.bbc.intercitytransit.com).

Councilmember Swarthout asked whether there has been a noticeable increase in the use of electric bikes in the region. Mr. Green said electric bikes and electric assist bicycles are definitely increasing. The community is encouraged to use electric bikes for commuting to work or running errands.

**PUBLIC COMMENT:** There were no public comments.

**CONSENT  
CALENDAR:**

- a. Approval of Minutes: City Council, May 3, 2022
- b. Payment of Vouchers
- c. First Amendment to Nisqually Jail Service Agreement
- d. Resolution No. R2022-009 – Surplus City Equipment
- e. Appointment of Brian Schumacher to the Planning Commission

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**MOTION:** **Councilmember Dahlhoff moved, seconded by Councilmember Schneider, to approve the consent calendar as published. A voice vote approved the motion unanimously.**

Mayor Sullivan reviewed the items approved on the consent calendar.

**COUNCIL  
CONSIDERATIONS:**

**ORDINANCE NO.  
O2022-001, ELEVEN  
COUNTY ISLAND  
ANNEXATIONS:**

Manager Medrud introduced Lynne Watanabe with the Thurston County Auditor's Office. The proposal is consideration of Ordinance No. O2022-001 for annexation of 11 islands. If adopted, the ordinance annexes 11 of the 12 unincorporated county islands surrounded by the City of Tumwater. The largest county island is located between Littlerock Road and Trosper Road. The islands include 160 parcels totaling 161 acres. Seven of the islands are two lots or less in size and the Trosper Lake island represents the largest with 111 parcels totaling 132 acres. The ordinance applies only to the 11 county islands and not the Trosper Lake county island.

Manager Medrud identified and reviewed the 11 parcels:

1. 984 Liberty Street Annexation
2. Dennis Street Annexation
3. Linwood Avenue Annexation
4. Pioneer Street North Annexation
5. Pioneer Street South Annexation
6. Quince Street North Annexation
7. Quince Street South Annexation
8. Rural Road South Annexation
9. Sapp Road Annexation
10. Liberty Street Annexation
11. Rural Road North Annexation

The Council's Strategic Priority: "Provide and Sustain Quality Public Safety Services" includes a goal to annex unincorporated islands to enhance public safety. Prior to recent legislative changes, jurisdictions encountered difficulty in annexing islands. The City is taking advantage of the opportunity to follow a process of an interlocal agreement amendment process. Annexation of the county islands enables the provision of efficient fire and police services and paying for services they currently use.

Recognizing how county islands create inefficiencies in the delivery of public services, the Legislature passed a new law in 2020 enabling cities and counties to annex islands through a jointly approved Interlocal Agreement (ILA). As part of that process, notification is required of any other governmental jurisdiction that could be affected by the annexation. Staff contacted the McLane Black Lake Fire Department as the department serves

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eight of the eleven islands. Initially, the Fire Department expressed interest in participating in the annexation process but later excluded itself from the process enabling the City and Thurston County to move forward with the process.

On December 1, 2021, Tumwater and Thurston County held a joint virtual open house on the proposed annexations. In November and December 2021 and in January 2022, the City issued public notices to inform residents and others of the open house, how to obtain a copy of the draft Interlocal Agreement, and how to participate in the public hearing on the Interlocal Agreement.

On January 18, 2022, the City Council and the Board of County Commissioners conducted a joint public hearing on the Interlocal Agreement with the City Council approving the Interlocal Agreement following the public hearing and the Board of County Commissioners approving the Interlocal Agreement on January 25, 2022.

On February 16, 2022, Notices of Intent to Annex were sent to the Thurston County Boundary Review Board for a state mandated review for each annexation area. On March 7, 2022, the Boundary Review Board returned nine of the annexations to the City for final action after completing its 21-day comment period. On April 4, 2022, the Boundary Review Board returned the remaining three annexations to the City for final action after completing its 45-day comment period.

On April 13, 2022, staff briefed the General Government Committee on the annexations. On April 26, 2022, during a worksession, the City Council reviewed and discussed the annexations and schedules for considering the two annexation ordinances.

Final action on the annexation occurs when the City Council adopts the proposed annexation ordinance. Next steps include the Council's consideration of Ordinance No. O2022-001 to annex the first 11 islands effective five days following the Council's adoption. On June 7, 2022, the City Council is scheduled to consider and approve Ordinance No. O2022-002 to annex the Trosper Lake Island.

Manager Medrud reported that with the exception of one public request asking for information on the applicable date of the annexation, the City did not receive any other public communication on the ordinance. Throughout the process, staff provided resources on annexation through the City's webpage, frequently asked questions, and pre- and post-cost comparisons, legal descriptions, maps of each annexation area, and all public meeting dates.

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Lynne Watanabe, Lead Elections Technician, Thurston County Auditor's Office, said she manages precincts and annexations. Auditor Hall supports the City's annexation of county islands as they create many challenges for the Auditor's Office precinct boundaries, as the boundaries must be wholly contained within a city or county. The islands require the Auditor's Office to create a unique precinct for each island, which is expensive and hampers the protection of each voter's secrecy. The Auditor's Office is required to produce a unique ballot style for each island precinct. Most islands have few voters and if they all vote similarly, it is difficult to protect the secrecy of the vote without manually combining precinct results with another precinct. Additionally, an election in Tumwater could result in county island voters receiving voter pamphlets because of USPS carrier routes, creating confusion for county voters. Currently, five island precincts are located in Tumwater. On behalf of Thurston County, Ms. Watanabe thanked the Council for annexing the islands.

#### **MOTION:**

**Councilmember Swarthout moved, seconded by Councilmember Althaus, to approve Ordinance No. O2022-001, Eleven County Island Annexations. A voice vote approved the motion unanimously.**

#### **COMMITTEE REPORTS:**

##### **PUBLIC HEALTH & SAFETY:**

*Leatta Dahlhoff*

The meeting on May 10, 2022 included a briefing on Veteran Post-Traumatic Stress Disorder, a District Court update on Tumwater activities and the Mental Health and Veterans Courts, and an update on Narcan distribution through Medic One reflecting a 29% increase in cardiac arrests in Thurston County from 2020 to 2021 attributed to the 40% increase in overdoses with cardiac arrests.

##### **GENERAL GOVERNMENT:**

*Michael Althaus*

At its May 11, 2022 meeting, the committee was briefed on the update for binding site plans to increase utilization of the development tool. Members recommended passage of the proposed amendment for review by the Council during a worksession. The next meeting is scheduled on June 8, 2022 to review planned unit development options and the 2022 preliminary docket for General Development Code Housekeeping Amendments.

##### **PUBLIC WORKS:**

*Eileen Swarthout*

During the May 5, 2022 meeting, the committee conducted a public hearing on the 2022 - 2035 Barnes Lake Management District (BLMD) Assessment Increase and received an update on the status of the City's Operations and Maintenance Facility. The next meeting is scheduled on Thursday, May 19, 2022 at 8 a.m. to review an interlocal agreement between City of Tumwater and the Washington Department of Transportation for maintenance of the Palermo Treatment Lagoon, a review of the Six-Year Transportation Improvement Plan, and a briefing on the Percival Creek Fish Passage Barrier Replacement project.

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**BUDGET AND  
FINANCE:**  
*Debbie Sullivan*

There was no meeting and no report.

**MAYOR/CITY  
ADMINISTRATOR'S  
REPORT:**

City Administrator Doan cited the important work completed by employees assigned to the City's Transportation and Engineering Department and the Water Resources and Sustainability Department. Both departments do an outstanding job, particularly during the last two difficult years.

Mayor Sullivan reported the next Intercity Transit Authority meeting is scheduled on Wednesday, May 18, 2022.

Mayor Sullivan plans to attend the Tumwater Baseball League final games and party at Pioneer Park on Saturday, May 21, 2022, as well as the public works celebration later in the week.

**COUNCILMEMBER  
REPORTS:**

*Leatta Dahlhoff:*

Members of the Regional Fire Authority (RFA) Planning Commission continue to meet biweekly and are focusing conversations on the governance options, consideration of labor costs, and financing the RFA. Councilmember Dahlhoff asked the Council to review the meeting agendas and offer questions to enable the committee time to address questions prior to presenting a potential recommendation. It is also important for the Council to share feedback they may be receiving from the community.

At the last LOTT Clean Water Alliance Board meeting, members received information on the Reclaimed Infiltration Study. The 10-year study is tracking 134 chemicals. Approximately 20,000 FDA-approved prescription drugs and personal care products are used and discarded nationally. The study is tracking and analyzing chemicals in Lacey, Olympia, and Tumwater, and Thurston County. It is important for everyone to know the value the region places on its water and protecting and preserving water. The intent is to continue monitoring and provide future opportunities for staff and Council input regarding sampling efforts to pinpoint sources and targeted pretreatment and source control outreach.

*Peter Agabi:*

At the last Transportation Policy Board meeting, members discussed a consolidated grant process versus jurisdictions applying for grants separately. Previously, staff discussed hiring a consultant to assist in coordinating grant applications; however, the options have since been revised to either assign a staff member to coordinate applications for Lacey, Olympia, and Tumwater, or hire a contractor to avoid bias and competition within the process. Members did not vote on either of the options or the scope of duties; however, at the next meeting, members would likely select an option and define the scope of duties.

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***Angela Jefferson:*** There was no report.

***Michael Althausen:*** Members of the Regional Housing Council (RHC) offered several recommendations for funding awards to the Board of County Commissioners. At the prior meeting, membership approved the renewal of some biennial contracts for the second year of the contract. Members also approved recommendations for new investments at the most recent meeting for new service contracts. The Request for Proposal for those contracts was released in February 2022 with applications received by April 1, 2022. Councilmember Althausen thanked Councilmember Cathey for her work in evaluating and vetting the applications. The work is extensive in analyzing how much funding the RHC can afford to invest in services. The RHC received numerous applications totaling several millions of dollars requiring some tough funding decisions. The Habitat for Humanity Tumwater project requested \$540,000 in capital funds. RHC approved the entire funding amount for the project. Another project sponsored by the Low Income Housing Institute received \$460,000 of its \$1.6 million request. For cold and hazardous weather services, the RHC approved funding \$400,000 (non-capital funds). Approximately \$306,000 was available from the Consolidated Homelessness Grant for direct services for people experiencing homelessness. The next step is for the County Commission to approve the funding recommendations.

The RHC held its first retreat with the goal of devising ways to work with the Housing Action Team to create more efficiency between the bodies and to leverage some economies of scale and experiences. The Council also discussed shifting the philosophy on where investments should be directed and whether all the funds should be directed to homeless response or whether the Council should consider investing in prevention. Members also discussed the scope of the RHC and whether it should be larger with dedicated staff to provide support similar to other intergovernmental committees as opposed to a less formal setting that relies on staff from each jurisdiction. Members made some progress on the three issues and agreed ongoing conversations would be necessary.

The Capitol Lake Advisory Committee has not held a meeting but is scheduled to meet prior to the next Council meeting.

***Charlie Schneider:*** Councilmember Schneider attended the last Public Works Committee meeting as well as the Tumwater HOPES Appreciation and Welcome event to promote membership by the community.

Councilmember Schneider, representing the City of Tumwater and serving with Dr. Heynderickx on the Thurston Economic Development Council, attended his retirement celebration from St. Martin's University and the launch of the Comprehensive Campaign to raise funds for the university.

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Councilmember Schneider attended the Black Hills High School Hall of Fame and Live Auction program hosted by the Black Hills High School Booster Club. The event raised over \$90,000.

Councilmember Schneider observed the annual opening day of boat celebration held yearly by the Olympia Yacht Club.

#### ***Eileen Swarthout:***

At the last meeting of the Thurston Regional Planning Council, members received a report and an update on Transit Safety Performance Measure Targets for 2022 and discussed the Outreach Compensation Policy and Procedures. TRPC is considering a stipend for volunteers for some of TRPC's committees because of the time commitment required to serve on a committee. Staff provided an update on the Call for Projects for Set Asides, Funding Caps, and Public Process, as well as an update from Amy Hatch-Winecka on the WRIA 13 Salmon Habitat Recovery Lead Entity program.

Councilmember Swarthout attended the RFA Planning Committee meeting, Tumwater HOPES meeting, and on May 12, 2022, she attended the South Sound Military and Communities Partnership meeting, which meets twice a year. The meeting included remarks from Congresswoman Strickland and Pierce County, Thurston County, Joint Base Lewis-McChord, and legislative updates. One critical issue continues to be the lack of housing in and around the base. The partnership is launching another study on the economic benefits the base contributes to surrounding communities. Another issue discussed was professional licensing for spouses relocating to the base. An update was provided on Interstate 5 and federal funding, as well as climate change and endangered species living on the base. Of special note was information shared by base personnel on a childcare fee assistance program. Many families are turned away for childcare services because of the lack of daycare space for children. The program is Military Childcare in Your Neighborhood. Childcare facilities can receive certification to enable reimbursement by federal funds for military members to use for childcare.

Councilmember Swarthout reported she attended a Habitat for Humanity fundraiser event and received a wood stud. She offered to follow up with the Council for ideas on decorating and signing the board, which will be used in the construction of a Habitat for Humanity Tumwater townhouse.

The Tumwater Education Foundation Principal's Emergency Fund is hosting an event. Invitations will be mailed to the City.

#### ***Joan Cathey:***

Councilmember Cathey reported she attended three meetings on May 11, 2022. During the Solid Waste Advisory Committee meeting, members discussed the impactful and dangerous release of methane gas from the landfill. Methane gas is worse than carbon dioxide in terms of affecting climate change. Other topics discussed included changes in infrastructure as



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climate becomes more important and the projection of population increase in Thurston County and the management of organic material. Approximately 30% of the landfill is comprised of food waste. Some emphasis will be placed on infrastructure but also some work on requirements or rulemaking for cities over 25,000 in population to compost on a mandatory basis.

At the last Olympic Region Clean Air Agency (ORCA) meeting, members shared facts about clean air and measures to keep air clean. ORCA received some positive responses from the public. Members conducted a three-month review of the new executive director, Jeff Johnson, who received an excellent review. Members also worked on the preliminary budget. The 2023 budget is projected to be the highest budget in the organization's history because of the increase in salaries to meet the needs of employees of the agency. Additionally, members discussed some rulemaking suggestions for campfires. One rule for consideration pertained to homeless or houseless individuals to allow them to have campfires only for the purpose of warmth or food. The issue is how to control or monitor the activity. Members discussed many different issues surrounding the issue. Councilmember Cathey said she did not realize ORCA is responsible for establishing the requirements, regulations, and rules within the three cities in Thurston County for open fires. Members discussed the inevitable question as to how to address community questions as to why the homeless could have open fires but residents cannot have open fires. The issue generated a lengthy discussion between members representing a five-county area. It is likely the rule will need to be revised moving forward. Members discussed the process of communicating with the public on any changes in rules and the reasons for the change but did not recommend any changes at this time. Councilmember Cathey requested input from Councilmembers on the potential for a rule change.

#### **OTHER BUSINESS:**

Councilmember Cathey inquired as to the status of registrations by the community to the City's Operations and Maintenance Facility public meeting on Wednesday, May 18, 2022. Manager Cook advised that 10 slots are available for the 5:30 p.m. session. All other sessions are full. To date the City has received 18 comments. Councilmember Cathey referred to a community comment received by the City earlier in the day regarding expectations for elected officials to attend and receive neighborhood feedback on the proposal firsthand. She emphasized her concern that the Council was not invited to attend and believes the lack of any member of the Council attending is a mistake. She believes the justification offered by staff for non-participation of the Council is weak.

Manager Cook thanked Councilmember Cathey for the input and stressed how the Council will have an opportunity hear feedback at a future meeting.

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**ADJOURNMENT:**        **Councilmember Dahlhoff moved, seconded by Councilmember Agabi, to adjourn the meeting at 8:20 p.m. A voice vote approved the motion unanimously.**

Prepared by Valerie L. Gow, Recording Secretary/President  
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