

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
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CONVENE: 7:00 p.m.

PRESENT: Mayor Debbie Sullivan and Councilmembers Peter Agabi, Michael Althaus, Joan Cathey, Leatta Dahlhoff, Angela Jefferson, Eileen Swarthout, and Kelly Von Holtz.

Staff: City Administrator Lisa Parks, City Attorney Karen Kirkpatrick, Finance Department Director Troy Niemeyer, Police Chief Jon Weiks, Fire Chief Brian Hurley, Community Development Department Director Michael Matlock, Transportation & Engineering Department Director Brandon Hicks, Water Resources & Sustainability Department Director Dan Smith, IT Department Director Lance Inman, Deputy Community Development Department Director Brad Medrud, Police Administrative Manager Laura Wohl, Community Engagement Specialist Margo Bergendahl, and Deputy City Clerk Tracie Core.

SPECIAL ITEMS:

**PROCLAMATION:
MARTIN LUTHER
KING JR. DAY,
JANUARY 20, 2025:** Councilmember Swarthout read a proclamation declaring January 20, 2025 as *Martin Luther King Jr. Day*. The proclamation urged people to take this opportunity to reflect upon Dr. King’s vision and rededicate themselves to continuing to advance the principles of justice and equality for all.

PUBLIC COMMENT: **Pamela Hansen, PO Box 14521, Tumwater,** cited humor satire performed by Carol Burnett and Tim Conway and commented on issues surrounding illegal drugs, drug trafficking organizations, and signal jammers used to disable calls for help. She urged funding for the Police Department to help combat the use of and the confiscation of signal jammers.

**CONSENT
CALENDAR:**

- a. Approval of Minutes: City Council Work Session, November 26, 2024
- b. Approval of Minutes: City Council Joint Planning Commission Work Session & Council Work Session, December 10, 2024
- c. Approval of Minutes: City Council January 7, 2025
- d. Payment of Vouchers
- e. Service Provider Agreement with SCJ Engineering for On-Call Engineering Services Amendment No. 2
- f. Service Provider Agreement with the Dispute Resolution Center for the Tenant and Landlord Mediation Project and Conflict Resolution Resource Line
- g. Interlocal Agreement with the City of Olympia for Fire Vehicle Maintenance
- h. Interlocal Agreement for Thurston County Emergency Management Council
- i. Interlocal Agreement (ILA) with the Cities of Olympia and Lacey, and Thurston County Implementing a Regional Environmental Education Program (REEP)

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- j. Right of Entry Agreement with Dana Day for the Barnes Lake Management District
- k. Memorandum of Understanding (MOU) Between the City of Tumwater (CITY) and LOTT Clean Water Alliance (LOTT) Regarding a Purchase and Sale Agreement for Properties in the Deschutes Valley Amendment 2
- l. Software License and Service Agreement with 365Labs on behalf of the Thurston County Law Enforcement Records Management System Consortium (“LERMS”)
- m. 2025 Long Range Planning Work Program
- n. 2025 City Council Meeting Schedule and Summer Recess
- o. Waiver of TMC 15.01.080(B)

MOTION:

Councilmember Dahlhoff moved, seconded by Councilmember Von Holtz, to approve the consent calendar as published. A voice vote approved the motion unanimously.

Mayor Sullivan reviewed the items approved on the Consent Calendar.

PUBLIC HEARINGS:

**RESOLUTION NO.
R2025-001
TRANSPORTATION
BENEFIT DISTRICT
RESOLUTION:**

Director Hicks reported the proposed resolution is for the renewal of the Transportation Benefit District (TBD) and its funding source of 0.2% sales tax. For a taxable purchase of \$100, a consumer would pay an additional 20 cents in sales tax.

The TBD supports the City’s Pavement Management Program. Management of street pavement is important to avoid the high cost of improvements by maintaining streets in good condition using chip seals, overlays, and other repair methods. Over the last ten years, the TBD has generated over \$19.2 million with a forecast of over \$20 million at the expiration of the TBD. Funding has been used to leverage more than \$6 million in grants. In total, the TBD has provided approximately \$26 million for street preservation. Monthly revenue exceeded the City’s annual pavement maintenance budget prior to the formation of the TBD.

Director Hicks displayed a graphic depicting how pavement deteriorates over time and the importance of pavement preservation treatments to impede deterioration, extend service life, and improve functionality in a cost-effective manner while also enhancing safety and contributing to customer satisfaction. With the availability of TBD revenue, the City was able to increase the size of projects with road conditions beginning to improve. In 2018, the City was able to leverage substantial grants helping to preserve TBD revenue for future years, as well as improving street conditions.

The City’s mantra, “promises made promises kept,” was the message to voters when asked to approve the TBD. As part of the information presented to voters in 2014, a map was developed of needed improvements.

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Director Hicks reviewed street segments repaired or preserved to date. Most of the remaining segments from the original map provided to voters are currently in design, funded, and scheduled for construction within the next two years. Seven street segments will not be repaired or preserved because they will be reconstructed by development projects, are awaiting completion of utility projects, or were determined to not need maintenance at this time.

Director Hicks reviewed accomplishments achieved by the TBD over the last ten years:

- Street maintenance completed on more than 100 lane miles (approximately 40% of the City's street system)
- Used over 50,000 tons of asphalt
- Replaced more than 100 curb ramps to improve accessibility for all users

Director Hicks requested consideration of Resolution R2025-001 providing for a ballot measure to be submitted to voters in April 2025. The intent is to renew the current 0.2% sales tax for TBD for an additional ten years. Renewal requires an affirmative vote by taxpayers. A public hearing would not have been necessary to place the measure on the ballot if scope were unchanged, however the proposal includes expansion of eligibility of projects for the TBD with a focus on projects included in the City's Sidewalk Program. The goal of the program is to ensure all pedestrian facilities are accessible with a focus on using TBD funds to leverage grants targeted for sidewalk and pedestrian projects.

Director Hicks reviewed a list of proposed TBD project types if the TBD is renewed:

- All pavement preservation/maintenance and sidewalk projects included in the Transportation Improvement Program or Transportation Capital Facilities Plan
- Typical project types:
 - Annual pavement maintenance projects
 - Repaving portion of large non-pavement maintenance transportation projects
 - Stand-alone sidewalk projects
- Priority areas
 - Paving and Sealing
 - Residential streets that are not generally eligible for grants
 - Roadway repairs and sealing to prepare for overlays
 - Very poor condition streets (Antsen Street, 83rd Avenue, Irving Street, etc.)
 - Mill and inlay or chip seal for arterials and collectors with surfacing 20 years or older

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- Pedestrian Improvements
 - o Priority improvements in the ADA Transition Plan
 - o Sidewalk Program enhancement
 - o Accessibility barriers in the vicinity of, but outside the limits of other projects

The proposal to fund the TBD of 0.2% sales tax ensures all people who shop in Tumwater are paying a fair share of the transportation system. The proposal is not a sales tax increase but a renewal of the current 0.2% portion of sales tax with no change in the current sales tax rate in the City.

The TBD provides a method of funding sidewalks and roadway maintenance and distributes the cost to almost all users of the system, maintains the current rate of 0.2% of sales tax, and leverages the ability for the City to secure other grant funds. Staff forecasts the TBD would generate over \$30 million in the next ten years if voters approve renewing the TBD. TBD monies will be leveraged to seek multimodal and capacity grants and improve and maintain roadway conditions.

Staff requests consideration of the proposed resolution following the public hearing. Between January and February based on approval of the resolution, the process of soliciting supporting and opposing committees will commence. Communications staff will develop an informational mailer. In February, the Council will be presented with a collective statement for consideration. If the Council elects to establish pro and con committees, a separate resolution will be presented for consideration for each committee. February 21, 2025 is the deadline for submittal of the resolution to Thurston County followed by the election on April 22, 2025.

The Council unanimously supported pursuing both committees rather than deferring the action to Thurston County.

Councilmember Althauser inquired as to the source of the language for the ballot measure. City Attorney Kirkpatrick affirmed the language for the ballot measure was drafted by the City Attorney,

Mayor Sullivan opened the public hearing at 7:36 p.m.

With there being no public testimony, Mayor Sullivan closed the public hearing at 7:37 p.m.

MOTION:

Councilmember Swarthout moved, seconded by Councilmember Jefferson, to adopt Resolution No. R2025-001, providing for a ballot proposition to be submitted to the qualified electors on April 22, 2025. A voice vote approved the motion unanimously.

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**COUNCIL
CONSIDERATIONS:**

**ORDINANCE NO.
O2024-008,
GENERAL
COMMERCIAL
RESIDENTIAL
MIXED-USE
AMENDMENTS:**

Deputy Director Medrud presented Ordinance No. O2024-008 for consideration. The Planning Commission received a briefing on the ordinance and conducted a public hearing last year followed by a briefing to the General Government Committee earlier in the month.

The ordinance amends Tumwater Municipal Code (TMC) Chapter 18.22 to enable high intensity mixed use residential uses in the General Commercial (GC) zone district. Most of the City’s GC zones are concentrated along the west side of Interstate 5 between the freeway and Littlerock Road.

The City currently allows for high-rise (five stories or more) multifamily residential uses within the General Commercial zone district with an approved conditional use permit. Staff proposes to eliminate the conditional use permit requirement and permit the use outright of multifamily residential structures with a minimum density of 40 dwelling units per acre as part of a mixed use development in the same structure or site. The intent is to allow multifamily uses in the GC zone of an appropriate intensity while also preserving space for commercial uses.

In addition to changes to the Use Table within the chapter, changes were made to the development standards adding language on mixed use development requirements. Non-residential uses in a mixed use development in the same structure must occupy twenty-five percent or more of the total square footage of the structure. Non-residential uses in a mixed use development in the same project site must occupy forty percent or more of the total square footage of the project site.

Deputy Director Medrud explained that the commercial use can be placed within any area of the mixed use structure as long as the commercial use is a minimum of 25% of the total square footage of the structure.

The General Government Committee recommended the Council adopt Ordinance No. O2024-008.

Councilmember Jefferson asked whether the proposal is a mandate from the state. Deputy Director Medrud advised that the proposal is not required by the state.

MOTION:

Councilmember Von Holtz moved, seconded by Councilmember Dahlhoff, to adopt Ordinance No. O2024-008 Amending Chapter 18.22 of the Tumwater Municipal Code as recommended by the General Government Committee. A voice vote approved the motion unanimously.

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**COMMITTEE
REPORTS:**

**PUBLIC HEALTH &
SAFETY:**
Peter Agabi

At the January 14, 2025 meeting, members were briefed on a Software License and Service Agreement with 365Labs on behalf of the Thurston County Law Enforcement Records Management System Consortium (“LERMS”), an Interlocal Agreement with the City of Olympia for Fire Vehicle Maintenance, and an Interlocal Agreement for Thurston County Emergency Management Council. Councilmember Dahlhoff also requested a comprehensive briefing on the implementation process for body worn cameras by police officers.

**GENERAL
GOVERNMENT:**
Michael Althaus

The committee met on January 8, 2025. Briefings continued on the 2025 Comprehensive Plan Periodic Update specific to the new Climate Element. Members received a presentation on Ordinance No. O2024-008. Members agreed to change several meeting dates to accommodate a member’s schedule.

PUBLIC WORKS:
Eileen Swarthout

At the last meeting on Thursday, January 9, 2025, members received briefings and recommended approval of several of the items on the consent calendar approved by the Council earlier in the meeting. The agenda for the Thursday, January 23, 2025 meeting includes briefings and consideration of a Grant Agreement with the Department of Ecology for the Beehive Industrial Area Stormwater Retrofit Design Project and Resolution No. R2025-002, 2025 Fee Resolution.

**BUDGET AND
FINANCE:**
Debbie Sullivan

The committee is scheduled to meet on Friday, January 24, 2025 at noon.

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

City Administrator Parks reported that with the opening of the legislative session, the City is receiving information from the Association of Washington Cities (AWC). Several events have been scheduled. A presentation will be featured on a resident-owned community model for mobile home parks on February 5, 2025 during a virtual meeting. Mayor Sullivan is presenting information on Tumwater’s manufactured home park zoning district. Mobile home parks can offer a solution for affordable housing needs. City Action Day is scheduled on February 19-20, 2025 in Lacey sponsored by AWC. The Council is encouraged to attend both events.

Last year, the City’s arts program worked collaboratively with the Tumwater School District to bring a Tumwater Youth Showcase to the Washington Center for the Performing Arts. This year, two shows will be featured to enable attendance by parents. The dates include February 12, 2025 from 6:30 to 8:00 p.m. Jazz Night will feature jazz bands from Tumwater Middle School, Black Hills High School, and Tumwater High School. Orchestra Night is scheduled on February 25, 2025 featuring Tumwater Middle School and Black Hills High School from 6:30 to 8:00 p.m.

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Councilmember Dahlhoff asked whether the City has a list of public service provider contacts. She cited a recent email to the Council regarding complaints about a service provider. Previously, the City possessed a list of liaisons from local service providers to assist constituents who are experiencing problems or have questions. City Administrator Parks said she is unaware of any list but would follow-up. Some of the challenges conveyed in the email were not unique to that particular person, as well as to the City. She added that the City has no control over the business practices of individual service providers. Although the City has franchise agreements with utility providers for the use of right-of-way, the agreement only authorizes the conditions the City requires of the utility to utilize right-of-way. The City has no control or influence over business practices or charges for services.

Councilmember Dahlhoff encouraged the City to pursue discussions with providers to learn about potential programs the business may be offering but are unknown by constituents.

Mayor Sullivan thanked Councilmembers for attending the Martin Luther King Jr. event at South Puget Sound Community College. She was able to attend the Martin Luther King Jr. event at New Life Baptist Church in Lacey.

Mayor Sullivan is attending the Thurston Economic Development Board meeting as a new member.

Mayor Sullivan is welcoming participants to the AWC Mayor's Exchange scheduled on Friday, January 24, 2025 in Olympia, as well as the Olympia Area Chinese New Year on Saturday, February 1, 2025.

**COUNCILMEMBER
REPORTS:**

Joan Cathey:

Councilmember Cathey attended the General Government Committee meeting and the Olympic Region Clean Air Agency meeting. Members discussed smoke from wood stoves and complaints received by the agency from some neighborhoods.

Kelly Von Holtz:

At the January 15, 2025 Intercity Transit Authority meeting, members received a briefing on new fixed route changes effective September 2025 providing improved service with bus service every 15 minutes on some routes.

Councilmember Von Holtz attended the Martin Luther King Jr. event at South Puget Sound Community College in conjunction with Councilmembers Jefferson and Swarthout. On Saturday, she attended the NACCP of Thurston County meeting. She also attended the Martin Luther King Jr. event in Lacey on Monday, January 20, 2025.

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Angela Jefferson:

At the last meeting of the Olympia and Beyond, members discussed the search process for the organization's new CEO. The position was announced on several job sites last month. Three candidates have applied. Members agreed to utilize a recruitment company to assist in broadening the search.

On January 8, 2025, Councilmember Jefferson attended the State of the Community Forum hosted by the Thurston County Chamber of Commerce. She provided the State of the City report on behalf of Mayor Sullivan.

The last meeting of Tumwater HOPES was hosted by Family Education and Support Services (FESS). The partnership with FESS will focus on parenting programs to educate families on the mission of both organizations.

Councilmember Jefferson volunteered at a new years eve themed event at Bush Middle School for grades 2 through 5. The event offered something for every child.

Councilmember Jefferson attended several community events. One event was a scholarship dinner for under privileged children hosted by South Puget Sound Community College and the Thurston Group of Washington, which has awarded more than \$6 million in scholarships. She received an award on behalf of the Mayor recognizing the City of Tumwater City of Lacey and the City of Olympia for the work the cities are undertaking to ensure equality for all people. She read the inscription on the plaque awarded to the City by the Thurston Group of Washington.

Peter Agabi:

At the January 8, 2025 Transportation Policy Board meeting, members reappointed former Mayor Pete Kmet as Emeritus Representative. Members agreed to change the meeting time to 8:30 a.m. Members received presentations on Regional Transportation Plan (RTP) Equity and the Emergency Detour Routes Current Conditions Report.

Leatta Dahlhoff:

The Thurston County Opioid Response Task Force Plan was adopted by the Thurston County Board of Health. The plan includes strategies for all subgroups. The adoption enables the subgroups to begin working on planning for the year.

Calls to 911 are reducing, which prompted a discussion by members of TCOMM 9-1-1 on the reason for the reduction in calls. November calls in 2023 totaled 29,000 while November 2024 calls totaled 28,000. Staff advised that although the number of calls decreased, the time spent on calls and the complexity has increased.

Michael Althaus:

The next meeting of the Regional Housing Council is scheduled on Wednesday, January 22, 2025.

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Eileen Swarthout:

Members of the Thurston Regional Planning Council adopted the agency's operating budget and received a briefing on the Emergency Detour Routes Current Conditions Report. Members received the 2024 Profile.

The next meeting of the Thurston Climate Mitigation Collaboration is Monday, January 27, 2025 from 4 p.m. to 6 p.m.

ADJOURNMENT:

With there being no further business, Mayor Sullivan adjourned the meeting at 8:12 p.m.

Prepared by Valerie L. Gow, Recording Secretary/President
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