

TUMWATER PUBLIC WORKS COMMITTEE
MINUTES OF VIRTUAL MEETING
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CONVENE: 8:00 a.m.

PRESENT: Chair Eileen Swarthout and Councilmember Charlie Schneider.

Excused: Councilmember Michael Althausen.

Staff: Transportation and Engineering Director Brandon Hicks, Water Resources Specialist David Kangiser, and Administrative Assistant Cathy Nielsen.

**CONSULTANT
AGREEMENT WITH
TIERRA RIGHT OF
WAY SERVICES,
LTD, FOR RIGHT-OF-
WAY SERVICES ON
THE X STREET
ROUNABOUT
PROJECT**

Director Hicks reported the proposed agreement is a standard boilerplate agreement. Since the project received federal funds, the City is required to use the Washington State Department of Transportation agreement provided to the City. The committee last received an update on the project in fall 2022.

The project site is located at the intersection of Capitol Boulevard and X Street. The roundabout project was included in the Capitol Boulevard Corridor Plan, as well as verified during the feasibility study following completion of the plan. The project limits include north of W Street to several hundred feet south of X Street, as well as both sides of X Street as an approach. Project design of the project is approximately 90% complete. Work on right-of-way activities began in 2022. The next step is negotiating with property owners following approval of the agreement. Staff anticipates the acquisition of right-of-way will require several years to complete. The goal is to construct the project in 2025.

Director Hicks displayed a copy of the right-of-way plan. The City plans to acquire property rights from eight separate parcels. Two of the parcels would entail a full acquisition of the parcel with six partial acquisitions and six temporary construction easements. All acquisitions are under the provisions of eminent domain or condemnation. When offers are extended to owners, the letters include information on eminent domain acquisitions to include information on the invocation of property owner protections under the Uniform Relocation Act. The proposal is not a request for approval of eminent domain or the condemnation process.

The two properties for full acquisition are situated in the area where the future roundabout would intersect with the building. The two parcels are under one ownership housing one business located at the northwest corner of the intersection. The property would also house stormwater facilities as part of the improvement project. The City pays for fair market value for the properties and buildings as well as providing funds to help the business relocate and reestablish the business.

Director Hicks said staff reviewed proposals and selected Tierra Right of Way Services as the preferred right-of-way consultant for the project. The

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City previously worked with the consultant on the Deschutes Valley Trail segment from Tumwater Historical Park to the Brewery Park at Tumwater Falls. The agreement is for \$150,000 based on a best estimate as it could entail more or less time dependent upon whether property owners are willing to work with the City.

Tierra Right of Way Services oversees the elements of right-of-way acquisition with the exception of management and oversight of all work. Some of the services include appraisals, review of plans in terms of compensation to property owners, negotiations with property owners, relocation services, and project certification.

The City was successful in securing \$5.6 million in grants from five different grant sources. The project cost is \$7.1 million project. Most of the grants were obtained through the efforts of Transportation Manager Mary Heather Ames. All local funds for the project are from the Transportation Capital Facilities Plan and the respective utility Capital Facilities Plans for replacement of storm, sewer, and water utilities.

Staff requests the Public Works Committee recommend the City Council approve and authorize the Mayor to sign the Local Agency Professional Services Negotiated Hourly Rate Consultant Agreement, in substantially similar form as approved by the City Attorney, with Tierra Right of Way Services, LTD, in the amount of \$150,000, for right-of-way services on the X Street Roundabout Project.

Councilmember Schneider spoke to the number of roundabouts involved in the Trosper Road-Capitol Boulevard Improvement project and questioned why X Street was selected for a roundabout rather than other intersections located closer to the project area. Director Hicks explained that the first roundabout as part of the project is located at Trosper Road and Capitol Boulevard followed by a roundabout at T Street, which the City is not pursuing at this time because a large portion of the property required for the roundabout was owned by the Washington State Department of Transportation (WSDOT) Olympic Region. WSDOT used the property as a public works facility and the area has some ground contamination. The status of the property is unknown at this time, which is why the City is not pursuing the T Street roundabout at this time. The fourth roundabout is the Dennis Street/Capitol Boulevard roundabout. The City is pursuing Safe Routes to School funding for the Dennis Street roundabout.

Director Hicks explained the timing of the acquisition process. The City will pursue mutually agreeable terms; however, should the City encounter an impasse within the next six months to a year, the City would need to initiate condemnation actions that essentially establishes a clock on the timing for securing property rights.

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Chair Swarthout asked about the possibility of receiving additional federal funds to fund the project fully. Director Hicks said staff continues to monitor grant programs. It is unlikely staff would locate additional federal funding as the project has maximized the federal funds on the project. Federal funding requires a minimum match of 13.5% from other sources of funds to include local funds. Other grant agencies are a possibility but the City has received funds from other agencies for other City projects.

CONSENSUS:

The Public Works Committee recommends the City Council approve and authorize the Mayor to sign the Local Agency Professional Services Negotiated Hourly Rate Consultant Agreement, in substantially similar form as approved by the City Attorney, with Tierra Right of Way Services, LTD, in the amount of \$150,000, for right-of-way services on the X Street Roundabout Project.

**BARNES LAKE 2023
BUDGET & WORK
PLAN**

Specialist Kangiser presented the Barnes Lake 2023 Budget and Work Plan. The request is to recommend the City Council approve the 2023 draft Barnes Lake Management District Work Plan and Operating Budget.

In 2022, the lake received treatments targeting lily pads, bladderwort, and pond weed. The 2022 scope of work included monitoring previous lake treatments. In 2020, the lake received a fluridone treatment as a part of a four-year treatment cycle. Those treatments were hindered by low water in the lake. Some of the targeted species for fluridone were trapped in dry wetland areas surrounding the lake. The treatment was not as successful as envisioned. The diquat herbicide treatment in 2022 was successful for treating bladderwort not treated in 2020. The budget includes continued treatment applications in 2023 and 2024 of diquat herbicide and other recommended applications by the contractor. The cost of treatments and labor has increased in the last several years resulting in increased costs of the consultant in 2023 and 2024. The budget has some reserve funds to cover the increase in costs. The draft work plan incorporates a typical budget year in addition to funds for production of a newsletter for members.

CONSENSUS:

The Public Works Committee recommended the City Council approve the draft 2023 Barnes Lake Management District Work Plan and Operating Budget.

ADJOURNMENT:

With there being no further business, Chair Swarthout adjourned the meeting at 8:24 a.m.