

**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 Althausen, Joan Cathey, Leatta Dahlhoff, Angela Jefferson, Eileen Swarthout, and Kelly Von Holtz.

Staff: City Administrator Lisa Parks, City Attorney Karen Kirkpatrick, Finance Director Troy Niemeyer, Fire Chief Brian Hurley, Community Development Department Director Michael Matlock, Transportation & Engineering Department Director Brandon Hicks, Water Resources & Sustainability Department Director Dan Smith, Transportation and Engineering Department Assistant Director Mary Heather Ames, Communications Manager Jason Wettstein, Engineering Services Manager Bill Lindauer, Transportation Engineer Joesph Norman, City Clerk Melody Valiant, and Deputy City Clerk Tracie Core.

PUBLIC COMMENT: **Christie Kautsky, 908 Delta Lane, Tumwater**, thanked the Council for its work. She reminded the Council of the people who would like to save the Davis-Meeker Garry oak tree. She thanked the Council for considering an additional tree assessment and would like the Council's commitment to save the tree through an ordinance stipulating that the tree should not be removed without a waiver from the Historic Preservation Commission, a permit from the Washington State Department of Archeology and Historic Preservation, and consensus of three arborists that nothing could be done to save the tree. She asked that arborists responding to the City's Request for Qualifications (RFQ) be fairly evaluated with experience in oak trees because the arborist assessing the health of the tree should have the necessary expertise. She urged the Council to listen to the City's advisory boards as the Tree Board indicated they did not want to remove the tree as well as the Historic Preservation Commission, which indicated many times that it did not want to delist the tree. She encouraged the Council to work with citizens on a creative solution to save the tree as well as other trees. It would have been possible to form a working group of arborists, statisticians, librarians, gardeners, and others. People who live in the community work for the government and know how government works. The Council is dealing with many citizens with expertise. Citizens are experienced, prepared, and want to help the Council save the tree for their children and for their children. As an urban planner, she has a strong propensity for redevelopment rather than green development. The Council should direct the community center consultants to consider some out-of-the-box solutions for siting the community center. One example is the Costco building. Costco plans to move to another location off 93rd Avenue leaving a large building that would be perfect for a community center. The location is within walking distance from

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the high school, middle school, and Black Hills High School is on the bus route.

Angelo Fazio, 3217 Capitol Boulevard, Tumwater, commented about traffic concerns involving the intersection of Capitol Boulevard and Cleveland Avenue. The traffic speed on Capitol Boulevard has been a concern, as the speed limit from Olympia is 25 MPH and increases to 35 MPH at the city limits of Tumwater. He asked for consideration to lower the speed at least along Capitol Boulevard to Custer Way. The new street revision from Cleveland Avenue from the Safeway store has created a situation where cars have missed the turn that could result in a pedestrian accident at the corner. He suggested emphasizing the area by adding yellow painted curbs or a flashing sign at the stop sign.

Pamela Hansen, PO Box 14521, Tumwater, said she is currently under the Davis-Meeker oak tree and can hear the three baby kestrels in the nest. The tree is gorgeous in the light and there is new growth from the area of the nest. She appreciates everyone's comments and echoes their concerns about saving the tree. She attended the last Tree Board meeting via Zoom. A document was shared during the meeting depicting a new development with one younger tree retained and counted as two trees while older trees would be removed. She asked how the younger tree could be counted as two trees saved. Additionally, the conversation included information on the pocket gopher and protected areas. A parcel located new Black Hills High School is under review for mitigation of other pocket gopher lands. She asked whether the land is on the market for sale and whether the City evaluating the property for potential sale. She suggested the Council should develop some maps to document the current situation concerning pocket gophers.

- CONSENT CALENDAR:**
- a. Approval of Minutes: City Council Work Session, May 28, 2024
 - b. Approval of Minutes: City Council & Joint Planning Commission Work Session, June 25, 2024
 - c. Approval of Minutes: City Council, July 2, 2024
 - d. Payment of Vouchers
 - e. Interagency Reimbursement Agreement IAA25301 Between Washington State Administrative Office of the Courts and City of Tumwater
 - f. Homeland Security Region 3 Omnibus Mutual Aid Agreement
 - g. Intergovernmental Agreement Between the City of Tumwater and the Confederated Tribes of the Chehalis Reservation
 - h. Israel Road and Linderson Way Pedestrian and Bicycle Improvement Project – Authority to Solicit Bids and Recommend Award
 - i. Linwood Avenue Sidewalk Susitna Lane to 2nd Avenue –

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Authority to Solicit Bids and Recommend Award

MOTION: **Councilmember Von Holtz moved, seconded by Councilmember Agabi, 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:**

**2024 CITYWIDE
STRIPING PROJECT –
CONSTRUCTION
CONTRACT AWARD
WITH SPECIALIZED
PAVEMENT
MARKING:**

Assistant Director Ames reported the request is for authorization for the Mayor to sign a contract for the construction of the 2024 Citywide Striping project. The project encompasses all roads within Tumwater with painted white and yellow lines. Approximately 105 miles, or 554,000 linear feet, of four-inch wide paint line will be repainted in locations throughout the City. Approximately 33 miles, or 175,000 linear feet, of 8-inch wide paint lines will be repainted as well.

The estimated construction cost ranges from \$130,000 to \$150,000. Funding is provided by the streets operating budget for the maintenance project. Staff utilized the Small Works Roster process to solicit quotes. The City received quotes on July 3, 2024. Specialized Paving Markings, LLC was the successful quote for an amount of \$136,933.50. Construction is planned to begin in early August covering eight working days.

Assistant Director Ames added that the painting process for the City changed in 2020. Previously, the City accomplished striping contracts through interlocal agreements with Lewis and Thurston Counties. With the advent of material delivery problems during the pandemic, the City moved to a small works contract for the next several years. Last year, the City was able to add striping to the Citywide Pavement Maintenance project. This year, the project is a stand-alone project.

Staff requests the Council authorize the Mayor to sign a public works contract with Specialized Pavement Marking, LLC of Pacific, Washington, for \$136,933.50 for the 2024 Citywide Striping project.

Assistant Director Ames addressed questions about the scope of the project, which encompasses long line painting of lines only. Curbs and crosswalk markings are separate projects.

MOTION: **Councilmember Agabi moved, seconded by Councilmember Von Holtz, to authorize the Mayor to sign a Public Works contract with Specialized Pavement Marking, LLC of Pacific, Washington, for \$136,933.50 for the 2024 Citywide Striping Project. A voice**

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vote approved the motion unanimously.

**DESCHUTES VALLEY
TRAIL CONNECTION
FUNDING
PROSPECTUS AND
AWARD:**

Assistant Director Ames reported the project is a segment of the Deschutes Valley Trail, a two-mile multiuse trail through Tumwater connecting Historical Park to Pioneer Park along the western edge of the golf course. The City is completing the trail in segments. The northern segment has been completed. The City received \$1 million from the Legislature through *Connecting Washington*, a pedestrian and bicycle program within the 2023-2025 biennium with another \$4.8 million in the 2025-2027 biennium. The funds require authorization to expend the funds. Fund authorization through the Washington State Department of Transportation (WSDOT) requires submittal of paperwork documenting the project scope and anticipated costs. Staff prepared the funding packet for submission to WSDOT.

Moving forward with the \$4.8 million in funds, the City is contributing a local match to complete the northern remaining segment and the southwestern segment. Staff is also applying for federal funds through Thurston Regional Planning Council's (TRPC) grant funding process to fund the segment from the Valley Athletic Club to the southern segment.

Staff requests the Council authorize the Mayor to sign the project prospectus accepting \$5.8 million in state funds for the Deschutes Valley Trail Connection project.

MOTION:

Councilmember Swarthout moved, seconded by Councilmember Althausser, to approve and authorize the Mayor to sign the Project Prospectus, accepting \$5,800,000 in state funds for the Deschutes Valley Trail Connection project. A voice vote approved the motion unanimously.

**SERVICE PROVIDER
AGREEMENT FOR
THE 2ND AVENUE
BICYCLE AND
PEDESTRIAN
IMPROVEMENTS
PROJECT WITH SCJ
ALLIANCE:**

Manager Lindauer reported the request is for authority to sign a service provider agreement with the consultant for design services. The project includes two components with the first component of improvements along 2nd Avenue starting at B Street to Linwood Avenue of approximately 3,000 linear feet of roadway. The improvements will span the full width of the road. The second component is improvements to the Linwood and 2nd Avenue intersection. The intersection experiences much traffic congestion with the intersection site located at an odd angle and difficult to improve. During the conceptual stage of the design, the consultant team was able to design a non-circular roundabout to increase pedestrian and bicycle safety and improve traffic flow at the intersection.

The project is included on the Transportation Improvement Plan and

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the Capital Facilities Plan. For improvements on 2nd Avenue, the main scope of the project repairs distressed pavement on 2nd Avenue, removes old concrete panels under the pavement to help reduce future cracking and other issues, and adds an overlay of pavement on the road. Sidewalks will be replaced with new ADA-compliant sidewalks with consistent width throughout the project site to the extent possible. All ramps will be upgraded to be ADA-compliant throughout the project site.

Councilmember Althaus commented that he often receives complaints about the lack of sidewalk width under the overpass near the Brewery Distilling Center. He asked whether there were any plans to widen the sidewalks under the overpass. Manager Lindauer explained that the project site begins at B Street.

Assistant Director Ames added that the project is funded by the State Routes to School program with emphasis on connecting residential areas in the north to Michael T. Simmons Elementary School. The project scope does not include the I-5 underpass. However, she plans to consider the information as she seeks future funding sources for future projects.

Manager Lindauer said the project scope includes stormwater upgrades to improve water infiltration, water quality, and quantity control. A new roundabout at the intersection of Linwood and 2nd Avenue replaces an existing four-way stop. The roundabout will increase vehicle capacity and reduce delays and congestion. The roundabout will enhance multimodal safety at the intersection for both pedestrians and bicyclists as they navigate through the intersection.

Manager Lindauer reviewed details of the design scope and identified the consultants involved on the project. The design schedule identifies 10 months to complete the project design. The service provider agreement for design fees totals \$637,516.43. The total estimated project cost is \$4.2 million funded by WSDOT Safe Routes to Schools (\$2.1 million), Transportation Benefit District (\$800,000), Impact Fees (\$800,000), and the Transportation CFP ending fund balance (\$550,000).

Councilmember Dahlhoff asked whether the City has received feedback or has a list of community members who use mobility devices to identify whether the ramp locations are accessible to the community. Assistant Director Ames explained that staff has contact with many members within the community; however, accessibility for everyone will be in locations with a crossing.

Council and staff discussed the benefits of a roundabout versus a four-

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way stop and the ability for larger vehicles to maneuver through the roundabout.

MOTION:

Councilmember Dahlhoff moved, seconded by Councilmember Von Holtz, to authorize the Mayor to sign the agreement with SCJ Alliance for design services. A voice vote approved the motion unanimously.

**SERVICE PROVIDER
AGREEMENT FOR
THE TUMWATER
BOULEVARD, NORTH
BOUND I-5 ON/OFF
RAMP INTERSECTION
PROJECT WITH HDR
ENGINEERING:**

Engineer Norman reported the project site is at the Interstate 5/Tumwater Boulevard SW interchange with an existing traffic signal at the southbound on/off ramp and a stop-controlled condition at the northbound on/off ramp. The existing configuration does not meet level of service standards for some traffic movements and is approaching level of service failures in other movements. Additionally, the interchange lacks pedestrian and bicycle facilities. With increased development in the vicinity, demands on the interchange will increase requiring a full reconstruction of the interchange. The proposed project is the first phase of the overall interchange improvements with construction of a roundabout at the northbound on/off ramp to increase the capacity of the interchange and enhance multi-modal safety needed to support future growth. Future project phases include a roundabout for the southbound on/off ramp and widening the overpass to accommodate pedestrian and bicycle traffic.

The negotiated fee for design services for the first phase of the project with the selected consultant, HDR Engineering, Inc. as the prime consultant and two subconsultants is \$816,453.00. The total project cost is estimated at \$5.92 million with \$2.25 million from the Transportation Improvement Board (TIB) and the remaining \$3.67 million from a 65/35 split between private development and the Transportation CFP ending fund balance.

Councilmember Swarthout asked about the starting and completion date of the project. Engineer Norman replied that the signed service provider agreement initiates the consultant's reconnaissance work. The total contract period is 14 months.

MOTION:

Councilmember Von Holtz moved, seconded by Councilmember Dahlhoff, to authorize the Mayor to sign the agreement with SCJ Alliance for design services. A voice vote approved the motion unanimously.

**COMMUNITY HUMAN
SERVICES PROGRAM
– HOME REPAIRS:**

Director Niemeyer reported the proposal was initiated as a budget request by the Council for senior home repairs. The proposal is a \$25,000 pilot program for Tumwater residents. The Council approved the funding during the last budget amendment. Based on the direction

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by the Council during a work session on May 28, 2024, staff drafted a contract amendment to an existing contract with Rebuilding Together to include the funding. The only change is a request from Rebuilding Together for 10% de minimis overhead, which is similar to other federal grant programs. That amount is included in the amendment.

Staff requests the Council authorize the Mayor to sign the contract amendment with Rebuilding Together.

Councilmember Dahlhoff asked about the possibility of Rebuilding Together documenting inquires for home repairs from individuals who do not qualify to track the need within the community. Director Niemeyer responded that staff could communicate the request to Rebuilding Together or possibly ask Rebuilding Together to follow-up with the Council to share information on the needs of the community through its contacts with community members.

MOTION:

Councilmember Dahlhoff moved, seconded by Councilmember Agabi, to authorize the Mayor to sign the contract amendment with Rebuilding Together. A voice vote approved the motion unanimously.

**COMMITTEE
REPORTS:**

**PUBLIC HEALTH &
SAFETY:
*Peter Agabi***

The July 9, 2024 meeting included an update by the Thurston County Prosecutor on current caseload and a case under consideration by the Supreme Court to impose caseload standards. Passage of the case would create impacts to caseloads because it would increase the number of hours spent by attorneys on a case-by-case basis. Members also considered a Homeland Security Region 3 Omnibus Mutual Aid Agreement and an Interagency Reimbursement Agreement IAA25301 Between Washington State Administrative Office of the Courts and City of Tumwater.

**GENERAL
GOVERNMENT:
*Michael Althausen***

The July 17, 2024 meeting agenda includes continued briefings on the 2025 Comprehensive Plan Periodic Update on the Climate, Lands for Public Purposes, and Utilities Elements.

**PUBLIC WORKS:
*Eileen Swarthout***

The Thursday, July 18, 2024 meeting agenda includes an update on LOTT Deschutes Valley Properties Purchase, consideration of the Three Lakes Crossing Oversizing Agreement, Agreement for the Transfer of Interests in Brewery Assets with City of Lacey, a Small Works Contract for the Palermo Security Fence Replacement Project with West Coast Fence Pros, LLC, an Urban and Community Forest Grant Acceptance Agreement with River Network, and a Small Works Contract with Construction, Inc. for Crosby House Foundation Repair.

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

The next meeting is scheduled on July 23, 2024 at 10 a.m.

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

City Administrator Parks introduced Communications Manager Jason Wettstein. Manager Wettstein received a Bachelor's degree from St. Cloud University in English Communications and International Relations, a master's degree from Georgetown University in Foreign Service, and a master's degree from The Evergreen State College in Public Administration. Manager Wettstein previously served as the Communications Director for the Washington Department of Children, Youth, and Families, Communications Manager for the Department of Fish and Wildlife, Community Relations Manager for The Evergreen State College, Marketing and Public Relations Manager for the Alaska Sea Life Center, a non-profit organization, and Communications Officer for the Future Harvest Program, a World Bank program.

Manager Wettstein said he is excited to join the City especially as he has had the opportunity to discuss livelihoods, conservation, homelessness, and belonging since he joined the City. He was seeking to join a community where people engage with one another and with City government.

City Administrator Parks advised that the next work session would not be a joint session with the Planning Commission. The meeting will be held virtually with presentations from Experience Olympia & Beyond on the Destination Master Plan and a presentation by Dr. Linda Paralez on a summary of the City's work progress with Demarche Consulting Group for implementing efforts on diversity, equity, inclusion, and belonging. The agenda includes one action item for approval of an Interlocal Agreement and Memorandum of Understanding Between the City of Tumwater and Thurston County regarding the Community Development Block Grant (CDBG) Entitlement Program. The request was prompted by the City of Lacey's recent decision to withdraw from the CDBG partnership with Thurston County and City of Tumwater and participate in the program as its own entitlement community. The timeline is established by the CDBG program. The interlocal agreement must be updated to reflect the new two-party agreement. Thurston County is required to provide an executed new agreement and associated documents to the federal government by August 15, 2024.

City Administrator Parks reported the City received two proposals in response the Davis-Meeker Oak Tree RFQ. Both submittals appear to meet the minimum qualifications in the RFQ. Two days remain for

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submittal of additional proposals. On Friday, July 19, 2024, firms will be selected for interviews scheduled on July 23, 2024 with a selection of the consultant to perform the second Level 3 tree risk assessment on July 24, 2024. The goal is to complete the contracting process by the end of July.

Councilmember Cathey inquired as to the individuals involved in selecting the arborist to perform the assessment. She asked whether any members of the Tree Board or the Historic Preservation Commission would be involved in the selection process. City Administrator Parks responded that at this time, she, City Attorney Kirkpatrick, and Mayor Sullivan will review the proposals and select the applicant based on the interview process.

Councilmember Cathey recommended pursuing additional discussion on the selection process especially in light of the community conversations surrounding the tree.

Mayor Sullivan noted that the selection process is for the arborist to complete the assessment rather than any decision surrounding the outcome of the tree. The proposals are from credentialed tree professionals with a high-level caliber of accredited and arborist requirements. Councilmember Cathey acknowledged the RFQ process while citing the public perception of the issue surrounding the tree as tremendously important. She offered the suggestion of considering the inclusion of members from the advisory bodies.

Councilmember Von Holtz supported the suggestion because adding a member from the Tree Board or the Historic Preservation Commission would serve as a positive signal to those community members who have been critical of the City's process.

Mayor Sullivan reported on her planned attendance to the Intercity Transit Authority Board meeting on Wednesday, July 17, 2024.

Mayor Sullivan thanked staff for their efforts and work on all 4th of July events.

Mayor Sullivan attended the Deschutes Estuary Finance and Governance Work Group meeting with City Administrator Parks and Councilmember Althausen. The group is working on finalizing the draft of an interlocal agreement between the partners responsible for maintaining the estuary. More information will be shared with the Council as the agreement is drafted.

The ribbon cutting for the Capitol Boulevard and Trosper Road roundabout is scheduled on July 24, 2024.

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Tumwater Brew Fest is scheduled on Saturday, August 17, 2024.

**COUNCILMEMBER
REPORTS:**

- Kelly Von Holtz:*** Councilmember Von Holtz attended the Public Health and Safety Committee.
- Peter Agabi:*** Councilmember Agabi said he has been in Maryland for the last four days. At the last meeting of the Transportation Policy Board (TPB), members received information on the I-5 Thorne Lane to Mounts Road project that includes adding an HOV lane in both directions and numerous interchange improvements. Compared to what he noticed of the transportation system in the state of Maryland, he questioned how the Pacific Northwest has been so neglected in terms of transportation improvements. In Maryland, several freeways take motorists in all directions. On any Sunday afternoon from the interchange at I-5 and U.S. Highway 101 to exit 111, the northbound lane on I-5 is a solid backup of vehicles. He questioned how the state is able to promote commerce with so much congestion on the freeway. Members also reviewed a proposed amendment to the 2024-2027 Regional Transportation Improvement Program for the Thurston County - SR 507 and Vail Rd SE Roundabout project and received a staff report on the Congestion Management process: Congestion Problems and Needs.
- Leatta Dahlhoff:*** Councilmember Dahlhoff shared that she just returned from a three-week trip to Australia and Bali.
- Michael Althausen:*** The next meeting of the Regional Housing Council is scheduled on July 24, 2024.
- At the last meeting of the Funding and Governance Work Group for the Deschutes Estuary project, members continue to review and develop the interlocal agreement (ILA) with other partners. Part of the process includes lowering Capitol Lake from July 22 to July 25, 2024 to enable a study of lake sediment. Photography of the lake will be from drones during the drawdown of the lake.
- Angela Jefferson:*** There were no meetings and no reports.
- Eileen Swarthout:*** Councilmember Swarthout attended the July 12, 2024 TRPC meeting. Members discussed the appointment process for the 2025 State Legislative subcommittee. Councilmember Swarthout volunteered to serve on the subcommittee. Members received a presentation on the TRPC Comprehensive Plan Review Guidance & Certification Process,

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the redistributed projects process, and discussed the Congestion Management process.

Joan Cathey:

The Solid Waste Advisory Committee did not meet. The Olympic Region Clean Air Agency met and discussed the burn ban in effect from July 13, 2024 through September 30, 2024. Councilmember Cathey reminded the community that the City of Tumwater bans any outdoor burning throughout the year. The agency is urging the community to obtain organic bins for yard waste and other organic materials.

ADJOURNMENT:

With there being no further business, Mayor Sullivan adjourned the meeting at 8:16 p.m.

Prepared by Valerie L. Gow, Recording Secretary/President
Puget Sound Meeting Services, psmsoly@earthlink.net