

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

PRESENT: Chair Eileen Swarthout and Councilmembers Michael Althausen and Angela Jefferson.

Staff: City Administrator Lisa Parks, City Attorney Karen Kirkpatrick, Finance Director Troy Niemeyer, Parks and Recreation Director Chuck Denney, Transportation & Engineering Director Brandon Hicks, Water Resources & Sustainability Director Dan Smith, Transportation & Engineering Assistant Director Mary Heather Ames, Engineering Services Manager Bill Lindauer, WRS Operations Manager Steve Craig, Engineer II Jared Crews, Transportation Engineer I Bernie Gertje, Community Engagement Specialist Marnie McGrath, Sustainability Coordinator Alyssa Jones Wood, and Administrative Assistants Bonnie Hale and Kelly Quiroz.

**APPROVAL OF
MINUTES: PUBLIC
WORKS
COMMITTEE,
JUNE 6, 2024:**

MOTION: Councilmember Althausen moved, seconded by Councilmember Jefferson, to approve the minutes of June 6, 2024, as published. A voice vote approved the motion unanimously.

**LOTT DESCHUTES
VALLEY
PROPERTIES
PURCHASE
UPDATE:**

Director Smith updated the committee on the status of the Deschutes River Valley Feasibility Report. Late last year, the City executed a Memorandum of Understanding (MOU) with LOTT Clean Water Alliance (LOTT) for properties located in the Deschutes River valley north of the golf course. The properties were acquired by LOTT in 2011 for reclaimed water production. Since that purchase, LOTT completed some improvements at other facilities negating the need for an additional reclaimed water plant in Tumwater.

Earlier in the year, LOTT declared the properties as surplus with the City pursuing negotiations with LOTT to purchase the properties. The City contracted with SCJ Alliance to evaluate the properties based on several City goals. Some of the goals were identified in the Brewery District Plan in addition to other goals for transportation (E Street Connector project), habitat enhancement along the Deschutes River, and trails and parking for events.

The three parcels total approximately 44.81 acres with some structures on the east parcel with a total appraised value of \$3.9 million. SCJ Alliance considered land use, physical and environmental characteristics, improvements required for future development, constructability issues,

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market demand, financial viability, and any other regulatory considerations or constraints.

One major goal of consideration was whether the properties would aid in furthering the E Street Connector project and alignment with the Brewery District Plan. The Plan identified that the E Street Connector project and the acquisition of the properties would support four of the primary project goals and 22 supporting objectives in the Plan. The properties serve to support the goals of the Brewery District Plan.

The original design alternatives assumed a LOTT plant in Tumwater, which could provide additional flexibility as the City moves forward with the connector project. In 2024 dollars, the cost of the connector project is estimated at \$52 million.

SCJ Alliance also explored future improvements to ensure pedestrians could move across the connection and through the Brewery District as intended in the Brewery District Plan. The cost to create stairs would be approximately \$190,000 for a pathway over the connector.

The Feasibility Study also explored access to the valley after completion of the E Street Connector project.

Councilmember Althaus commented on the challenges associated with the railroad tracks because of the impossibility of securing access across the tracks. He asked whether the valuation of \$3.9 million factors accessibility challenges associated with the railroad. Director Smith affirmed the valuation accounts for the railroad as well as land use characteristics, environmental and physical constraints, and the challenges of regulatory requirements.

Director Smith said another primary goal for the City was to ensure the availability of parking to support major City events at the golf course. The analysis examined both sides of the parcels with two of the parcels capable of supporting parking. The westside parcel is under consideration for habitat restoration along the Deschutes River to satisfy environmental and regulatory concerns. Parking need was identified for 1,500 parking stalls. A number of options are available by using both the west and the east properties or only the east property. Today, access to the parcels is challenging requiring an easement with Tumwater Development LLC and improvements for access to the west and east parcels as Union Pacific Railroad runs through the middle of the parcel and does not allow vehicular access across the tracks. Another significant challenge for the City is to ensure some public access across the area with the E Street Connector project identified as the primary way to provide public access across that area. The feasibility study confirms the ability to provide sufficient parking as required by the City through acquisition of the two

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parcels as well as through right-of-way for the E Street Connector project satisfying three of the major considerations.

Habitat restoration would satisfy a number of regulatory considerations for total maximum daily load, the City's stormwater permit, and reduction to wetland impacts. Salmon species have been identified in the Deschutes River system as confirmed through some of the City's outfall stormwater projects.

Director Smith described other mitigation benefits for floodplain storage, City stormwater outfalls, soil mitigation, parking, and other development needs of the City. Mitigation banking for the properties is a long process and requires agency approval by both the state and federal government; however, it would provide the City with time to consider how the E Street connector and parking projects could move forward.

LOTT completed two Phase 1 assessments in 2011 during the purchase of the properties with the assessments updated in 2013. Some work has been completed to address areas of concern surrounding existing buildings. However, LOTT has not moved to Phase 2 or pursued any subgrade efforts. Updating Phase 1 work completed by LOTT would inform the work required for Phase 2 if the City elected prior to or as part of the acquisition of the properties. Those issues are the unknowns. Access is also an unknown in terms of whether Union Pacific Railroad allows for public access across the railroad tracks. The City's brewery wellfield also includes some crossing needs, as the wellfield is located across the tracks. The resale of the properties negates LOTT's negotiated ability to cross the railroad tracks requiring the City to pursue negotiations with the railroad.

Development options are consistent with zoning and the Brewery District Plan. However, the area is located within the 100-year floodplain limiting the type of development and imposition of mitigation requirements. Based on the array of issues surrounding the properties, public acquisition of the properties is deemed as the highest and most beneficial use of the properties. The properties are well secured and have not been exposed to vandalism. Security is currently managed and funded by Tumwater Development LLC.

Another consideration is maintenance of the structures. The main maintenance impact is caring for site vegetation and removal of any debris.

Should the City acquire the properties, the City's different funds could help support partial acquisition with consideration of other funding formulas. Another question is pursuing hazard challenges through an update of Phase 1 and moving to Phase 2, which might affect the purchase amount. All the issues associated with the properties would require

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completion prior to extending a purchase option. The MOU between the City and LOTT has been extended to the end of the year to afford continuation of the work and efforts involving Phase 1, Phase 2, and discussions with Union Pacific Railroad.

The committee will receive an update prior to the expiration of the MOU on the status of findings or to seek an extension of the MOU.

Councilmember Althaus commented on the railroad crossing and the number of public crossings along railroad tracks throughout the state. He questioned the difference the railroad is assigning to that particular crossing as opposed to other public crossings, such as the one located on Henderson Boulevard. Director Smith advised that since the tracks are located on private property, the railroad has not invested in crossing infrastructure and was not interested in providing public crossings. However, it could be discussion topic between the City and the railroad in terms of discussing and negotiating City crossing needs.

Engineer Crews shared that based on his communications with the railroad, railroad companies rarely issue easements but rather agreements for crossing at specific locations because the agreements are more easily revocable if the railroad has scheduled maintenance or wants to increase the capacity of the system. The railroad prefers not to increase existing crossings as it impacts the railroad, which might be one of the reasons why that specific crossing is so limited.

THREE LAKES CROSSING OVERSIZING AGREEMENT:

Engineer Crews presented the watermain oversizing agreement as part of the Three Lakes Crossing residential development. Three Lakes Crossing is a single-family home development located off Henderson Boulevard north of Tumwater Boulevard. The developer constructed a 16-inch diameter watermain along Henderson Boulevard frontage based on the requirements of the Tumwater Water System Plan. Typically, developments of a similar nature install 8-inch diameter watermain as the minimum requirement. However, the Water System Plan requires a larger diameter watermain and the developer may apply for an oversizing agreement, which reimburses the developer the difference between the smaller diameter watermain and the larger diameter watermain. The oversizing agreement is subject to the availability of funding. The City does not necessarily execute agreements in all cases. However, in this instance, the location of the larger watermain serves as the backbone system providing better flow and water quality and fire protection throughout the City system.

Engineer Crews identified the project site using an illustration of the project. The development will create 45 new single-family homes and includes storm drainage, sewer main, sidewalks connecting Henderson Boulevard to Coyote Court, and the watermain connecting to an existing

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16-inch watermain installed several years ago by other projects. The new installation is approximately 244 linear feet of new 16-inch watermain.

The City's cost reimbursement is based on the difference between the reported cost for installing the 16-inch watermain versus a cost estimate for installation of an 8-inch watermain. The recorded cost for the 16-inch watermain is \$81,920 verified through a series of signed receipts and work orders from the contractor for the project. The professional engineer for the project submitted a cost estimate for the 8-inch watermain. The cost is verified by City staff. The difference is \$34,288. The reimbursement cost to the developer would be \$47,672.

Councilmember Althaus asked whether the cost difference of the larger main is only for the pipe as other costs would likely be incurred as well, such as a larger hole and heavier pipe that might require additional resources to install. Engineer Crews advised that the cost includes labor. The depth of the watermain and excavation between the two sizes would not necessarily change; however, the material cost is the contributing factor as well as the possibility of increased time to install the larger pipe.

Chair Swarthout questioned the timing of the reimbursement. Engineer Crews advised that if the committee approves the request, the proposal would be forwarded to the City Council for approval. The agreement would be signed by the necessary City authorities with reimbursement to follow from the Water Fund.

Engineer Crews added that staff coordinated with the developer early in the project as staff identified the site for an oversizing agreement during the development review process as important infrastructure for the City's water system.

Staff requests the Public Works Committee recommend the City Council approve and authorize the Water Resources & Sustainability Director to sign the Oversizing Agreement with Copper Ridge, LLC, which will reimburse the developer for installing a 16-inch watermain.

MOTION:

Councilmember Jefferson moved, seconded by Councilmember Althaus, to place the request on the consent calendar and recommend the City Council approve and authorize the Water Resources & Sustainability Director to sign the Oversizing Agreement with Copper Ridge, LLC, which will reimburse the developer for installing a 16-inch watermain. A voice vote approved the motion unanimously.

**SMALL WORKS
CONTRACT FOR
THE PALERMO**

Manager Craig presented a small works contract for consideration to replace security fencing at the Palermo drinking water and treatment facility. The 2023-2024 budget included funding to improve security

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SECURITY FENCE REPLACEMENT PROJECT WITH WEST COAST FENCE PROS, LLC:

measures at drinking water facilities. The proposed improvements include video surveillance monitoring, notification systems, and enhancing key local systems at those facilities to match current City standards. The proposal pertains only to security fencing improvements. The Palermo Wellfield is one of the City's primary water production and treatment facilities. The purpose of the projects is to improve the protection of those facilities to ensure high quality drinking water supply to customers.

Bids were solicited from five local fence contractors from the MRSC Small Works Roster. Two bids were received. The lowest bid was not responsive to the request for quotes and was rejected. West Coast Fence Pros was responsive and was selected for a total cost of \$162,631.32 to replace existing fencing around the Palermo Wellfield to meet City standards.

Staff recommends the committee approve and place the Small Works Contract for the Palermo Security Fence Replacement Project with West Coast Fence Pros, LLC on the August 20, 2024, City Council consent calendar with a recommendation to approve and authorize the Mayor to sign.

Chair Swarthout questioned the degree of improvements between new and existing fencing. Manager Craig reported older standards called for a standard 6-foot chain link fence with three-strand barbed wire. The recommendations received by the City's security assessment was to replace fencing with an 8-foot chain link fence with three strand-barbed wire for a total height of 9 feet as well as a top tension wire instead of a rigid support beam and a concrete footer around the base to prevent tunneling.

Councilmember Jefferson asked whether the City has installed motion sensors on and video monitoring. Manager Craig explained that the funding approved during the current biennium enhanced all systems. The proposal is one component of the improvements involving fencing. Video surveillance was installed for motion detection and alert notifications 24/7.

MOTION:

Councilmember Althaus moved, seconded by Councilmember Jefferson, to place the Small Works Contract for the Palermo Security Fence Replacement Project with West Coast Fence Pros, LLC on the August 20, 2024, City Council consent calendar with a recommendation to approve and authorize the Mayor to sign. A voice vote approved the motion unanimously.

URBAN & COMMUNITY

Coordinator Jones Wood reported the grant opportunity limits the City in applying grant funding to specific areas of the City as depicted on a map

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**FOREST GRANT
ACCEPTANCE
AGREEMENT
WITH RIVER
NETWORK:**

provided to the committee. Those areas are designated by EPA Inflation Reduction Act Disadvantaged Communities (DACs) Map developed by the federal government. The dataset provided to the City delineates areas where grant funding can be applied.

The project has five milestones for the grant award:

- **Milestone 1:** Install Air Temperature Data Loggers in Heat Islands (Goal to complete installation by December 31, 2024). Use available data to identify the low-canopy and most extreme heat-impacted areas in DACs within the City and install at least six Air Temperature Data Loggers in those locations. The data collected using the data loggers will be used to prioritize planting efforts and examine disparities.
- **Milestone 2:** Hire a full-time Urban Forester (Goal for hiring is March 30, 2025). Recruit and hire a full-time Urban Forester staff person who will spend at least 50% of their time working towards an equitable distribution of urban and community forest resources and benefits to the DACs in Tumwater.
- **Milestone 3:** Plan and Launch Canopy Equity Program (Goal to launch by March 30, 2026). Develop and launch a free tree establishment program to expand the community and urban forest in DACs in Tumwater on both City-owned and private property.
- **Milestone 4:** Plan and Launch Tree Assessment Assistance (Goal to Launch by March 30, 2026). Develop and launch a program in which residents of DACs in Tumwater can request the City Urban Forester provide a Tree Health Assessment on their property free of charge.
- **Milestone 5:** Launch Street Tree Trimming Grants (Goal to launch by January 31, 2027). Develop and launch a targeted small grant program in which residents of DACs in Tumwater can apply for in-kind or contracted services to trim street trees adjacent to their property. While this in-kind service will only occur in DACs, priority will be given to DAC residents of low- or moderate-income residents, street trees in DACs that are causing conflicts, and/or trees in DACs that have been assessed by the City Urban Forester and found to need this maintenance.

Councilmember Jefferson asked about the methods staff plans to utilize to advertise the availability of the programs to the community. Coordinator Jones Wood advised that the grant includes funding for postcard mailings, door hangers, and door knocking in those areas identified on the map to let community members know about the availability of the programs. The

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Urban Forester will also work with the communications team on additional communications to the community.

Coordinator Jones Wood advised that the Urban Forester position is 50% funded by the grant with all incentives fully funded because they are focused on the disadvantaged community map areas. The 2025-2026 budget, as well as for 2027 includes a funding request of \$61,503 for each year for the remaining 50% of salary and benefits for the Urban Forester position.

Staff recommends the committee place the Subaward Agreement with River Network for the City of Tumwater Urban Forestry Capacity and Equity Project on the August 20, 2024, City Council consent calendar with a recommendation to approve and authorize the Mayor to sign.

The committee commented on the importance of the program to residents and recommended placing the proposal under Council Considerations at the August 20, 2024 Council meeting. Coordinator Jones Wood supported the suggestion and verified that she would provide a similar presentation to the City Council.

MOTION:

Councilmember Jefferson moved, seconded by Councilmember Althausser, to place the Subaward Agreement with River Network for the City of Tumwater Urban Forestry Capacity and Equity Project on the August 20, 2024, City Council under Council Considerations with a recommendation to approve and authorize the Mayor to sign. A voice vote approved the motion unanimously.

SMALL WORKS CONTRACT WITH CONSTRUCTION, INC. FOR CROSBY HOUSE FOUNDATION REPAIR:

Director Denney reported the Crosby House is the oldest existing house in Tumwater built in 1865. The house has survived earthquakes and the construction of the freeway. The house continues to settle as it was built on unstable soils and the vibration from traffic on I-5 does not benefit the structure. Some work was completed on the foundation approximately 10 years ago by installing new perimeter foundation and removing logs and other materials that had been used during the construction of the house. The exterior of the structure is fairly stable except under the house where posts and joists in the floor system have rotted. The proposed project with Construction, Inc. would clear the crawl space and remove some soil under the house along with removal of rotted posts and replacement with new posts, piers, and floor joists to keep the house stable. The intent for the repairs is not to change the placement of the house but to stabilize its current location with a slight slope from front to back.

The cost of repairs to the house is \$106,000. The Daughters of the Pioneers who maintain the home and offer public tours have been part of the process and support the proposal.

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Staff is seeking a recommendation of the contract with Construction, Inc. for Crosby House Foundation Repair for \$106,000 and placement on the August 20, 2024, consent calendar with a recommendation to approve and authorize the Mayor to sign.

MOTION: Councilmember Althaus moved, seconded by Councilmember Jefferson, to recommend the contract with Construction, Inc. for Crosby House Foundation Repair in the amount of \$106,000 and place on the August 20, 2024, consent calendar with a recommendation to approve and authorize the Mayor to sign. A voice vote approved the motion unanimously.

ADDITIONAL ITEMS: There were no additional items.

ADJOURNMENT: With there being no further business, Chair Swarthout adjourned the meeting at 9:11 a.m.

Prepared by Valerie L. Gow, Recording Secretary/President
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