TO: City Council

FROM: Kelly Adams, Assistant City Administrator

DATE: November 2, 2026

SUBJECT: Service Provider Agreement for Brewery District Planned Action Environmental Impact Statement

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1) Recommended Action:

Approve and authorize the Mayor to sign the Service Provider Agreement for BERK Consulting for the Brewery District Planned Action Environmental Impact Statement.

The agreement was recommended for approval on the consent calendar at the October 21, 2026, General Government Committee meeting.

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2) Background:

In 2025, the City began preparing a Planned Action Environmental Impact Statement (EIS) for the Brewery District. A planned action EIS, authorized under the State Environmental Policy Act (RCW 43.21C.440), evaluates the environmental impacts of anticipated development within a defined area at the planning stage. Once the City adopts a planned action ordinance, future development proposals consistent with the EIS can proceed without additional project-level SEPA review. This gives property owners and developers more predictability and streamlines permitting.

The City originally contracted with Haley and Aldrich to prepare the EIS. As the project progressed, the City determined that a different consultant structure would better support the City's goals for the project.

BERK Consulting worked on the project as a subconsultant to Haley & Aldrich and was responsible for early planning work. Their work was consistently high quality, timely, and responsive to City staff. BERK Consulting is already familiar with the project area, the analysis completed to date, and the City's goals, so contracting with them directly allows the City to complete the EIS efficiently and without restarting work.

Staff recommend that the City Council authorize the Mayor to sign a professional services agreement with BERK Consulting in the amount of $290,000 to complete the Planned Action EIS.

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3) Policy Support:

City of Tumwater Strategic Plan 2026-2032
Focus Area: Growth and Development
Goal Statement: Pursue and support targeted community and economic development.
Action Item: Leverage brownfield revitalization opportunities
Identify and pursue funding to begin implementation of the next phase of the Planned Action Environmental Impact Statement process for the brewery area redevelopment (Executive)

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4) Alternatives:

- ❑ Make changes to the agreement.
- ❑ Seek a different vendor.

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5) Fiscal Notes:

The cost of the project is $290,000. There is $42,900 in remaining funding from the original approved allocation of $100,000, and there is a new appropriation from the Legislature of $250,260. (allocation minus Department of Commerce's fee for grant administration). The City was awarded $258k from the 2026 Supplemental State Capital Budget for the project.

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6) Attachments:

A. Draft Service Provider Agreement for BERK Consulting