

**TUMWATER CITY COUNCIL MEETING**  
**MINUTES OF HYBRID MEETING**  
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**CONVENE:** 7:01 p.m.

**PRESENT:** Mayor Debbie Sullivan and Councilmembers Michael Althausen, Joan Cathey, Leatta Dahlhoff, Angela Jefferson, and Charlie Schneider.

Excused: Councilmembers Peter Agabi and Eileen Swarthout.

Staff: City Administrator John Doan, Communications Manager Ann Cook, Transportation Manager Mary Heather Ames, and City Clerk Melody Valiant.

**SPECIAL ITEMS:**

**2021  
TRANSPORTATION  
BENEFIT DISTRICT  
ANNUAL REPORT:**

Manager Ames presented the Transportation Benefit District Annual Report for 2021.

Tumwater's Transportation Benefit District (TBD) generates revenue for transportation projects through sales tax as established by voter approval in September 2014. The TBD originally had a separate governing board. The Council became that governing board in November 2015 because of changes in the legal structure of a TBD in the state. The TBD exists to preserve and maintain City street infrastructure.

An RCW overseeing the TBD requires the preparation and issuance of an annual report covering the financial and construction details of the previous year. A draft report has been prepared for the Council's consideration for approval and release.

During 2021, the TBD completed a large pavement project affecting many areas of the City. The project applied 10,855 tons of asphalt on seven lane miles of road, completed 12 lanes miles of crack seal, completed 3,100 square yards of pavement and roadway repair, applied over 4,200 raised pavement markers, completed striping, completed 10 new ADA-compliant curb ramps, and repaired sidewalks.

In 2022, the TBD is scheduled to support the 2022 Pedestrian Improvement Project and the annual striping contract. Those smaller projects are part of a strategic move to enable project staff to focus on the large I-5/Trospen Road project and staging for the next two years of large paving projects.

Manager Ames requested approval to release the TBD Annual Report for posting on the City's website for ease of access and for the release the report to local media in accordance with state law.

Councilmember Schneider inquired about the source of transportation funding prior to the establishment of Tumwater's TBD. Manager Ames explained that prior to the establishment of the TBD, the City relied on state

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and federal sources of grants as well as local funding. With the approval of establishing the TBD, the funding source enables the City to maintain and preserve the quality of streets within Tumwater.

**MOTION:** **Councilmember Althaus moved, seconded by Councilmember Schneider, to approve the 2021 Transportation Benefit District Annual Report as presented. A voice vote approved the motion unanimously.**

**PUBLIC COMMENT:** **Pamela Hansen, P.O. Box 14521, Tumwater**, cited amounts of property assessed value exempt from property tax in the City totaling approximately \$95 million. The 2022 average levy rate countywide is \$11.35 per \$1,000 of assessed valuation. She referred to the people and businesses in the City who pay taxes. The Tumwater City Council approved on November 1, 2021 without additional conditions, a 12-year tax exemption for apartments that requires a wage of approximately \$21.63 per hour to qualify for a studio apartment. At this time, the properties are not completed, appraised, or granted the tax exemption until the County Assessor receives and completes the paperwork. She asked whether the Council is aware of the China housing crisis and frozen bank accounts of the Chinese people. In China, the housing market is crashing and there are economic protests and unrest because of the housing market. Although the Council followed the RCW in granting the property tax exemption, the Council did not require additional income eligibility conditions. What happens next in the City is now occurring in the City of Olympia. Some people are manipulating an approximate \$95 million assessed value tax shift.

**CONSENT CALENDAR:**

- a. Approval of Minutes: Special Joint City Council & Nisqually Tribal Council Meeting, June 16, 2022
- b. Approval of Minutes: City Council, June 21, 2022
- c. Ordinance No. O2022-016, Repealing TMC Code Section 2.40 - Police Reserves
- d. Intergovernmental EMS Contract – Basic Life Support Funding Amendment No. 2
- e. WSDOT Rights of Way Initiative – Process Memorandum of Understanding
- f. Resolution No. R2022-005 – Surplus Property
- g. Interlocal Agreement to Solicit RFPs for a Designated Service Provider(s) for PEG Access Channels
- h. First Amendment to Service Provider Agreement for Regional Fire Authority Planning
- i. Interagency Agreement No. K7666, Department of Enterprise Services Energy Program

**MOTION:** **Councilmember Dahlhoff moved, seconded by Councilmember Schneider, to approve the consent calendar as published. A voice vote approved the motion unanimously.**

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Mayor Sullivan reviewed the items approved on the consent calendar.

**COUNCIL  
CONSIDERATIONS:**

**2022 PEDESTRIAN  
IMPROVEMENTS –  
AWARD AND  
AUTHORITY TO  
SIGN CONTRACT:**

Manager Ames reported the 2022 Pedestrian Improvements project was reviewed by the Public Works Committee. The committee approved the request for staff to solicit bids for the project in June 2022. The bids received were higher than anticipated. The project includes installation of enhanced pedestrian mid-block crossings with rectangular rapid flashing beacons, reestablishment of a crossing at a signalized intersection, and repair of sidewalk deficiencies identified through the ADA Transition Plan Update process.

The project includes installation of a pedestrian crossing for the south approach to the Custer Way and Capitol Boulevard intersection, a Rectangular Rapid Flashing Beacon (RRFB) crossing on Capitol Boulevard north of Trosper Road (roughly at 5110 Capitol Boulevard S), an RRFB crossing on Barnes Boulevard at Ridgeview Loop in partnership with Tumwater School District, and various sidewalk deficiencies on residential streets that were identified through data collection as part of the recent Americans with Disabilities Act (ADA) Transition Plan Update.

The Tumwater School District contacted the City for completion of the school crossing. The Council executed an interlocal agreement with the Tumwater School District to complete the mid-block crossing and included it as part of the overall project with most of the project funded by the school district. The first project at Capitol Boulevard and Custer Way was not included in the scope of another project completed in summer 2020. Based on community feedback of the elimination of the pedestrian crossing at that time, staff explored options for reinstating the crossing.

Project funding includes funds from the Tumwater School District, TBD funds, and the Transportation Capital Facilities Plan (CFP). The engineer's estimate for the project was \$425,000. Four bids were received by the City ranging from \$493,337 to \$655,655. Since the difference is greater than 10% of the engineer's estimate, the Council is required to approve the request. Staff reviewed the bids in detail and identified the substantial differences as asphalt, concrete, and traffic control (labor) costs. Staff believes the differences are due to the current volatile market and do not anticipate any significant reduction in costs over the next year with the likelihood of prices continuing to increase.

Staff recommends the City Council award and authorize the Mayor to sign a Public Works contract with Sound Pacific Construction, LLC of Gig Harbor, Washington, in the amount of \$493,337 for the 2022 Pedestrian Improvements project.

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Councilmember Schneider asked whether the bid is a firm cost that would not increase following execution of the contract. Manager Ames affirmed that the cost is final except in the instance of an approved change order process approved by the City, such as changes in project circumstances.

Councilmember Jefferson inquired about any prior experience by staff with the company. Manager Ames said she has not worked with the company; however, staff conducts reference checks to ensure the company is in good standing with the Department of Labor and Industries and that the company is bonded and licensed.

#### **MOTION:**

**Councilmember Althaus moved, seconded by Councilmember Jefferson, to award and authorize the Mayor to sign a Public Works contract with Sound Pacific Construction, LLC of Gig Harbor, Washington, in the amount of \$493,337 for the 2022 Pedestrian Improvements project. A voice vote approved the motion unanimously.**

#### **COMMITTEE REPORTS:**

##### **PUBLIC HEALTH & SAFETY:**

*Leatta Dahlhoff*

At its last meeting on July 12, 2022, the committee received a presentation on incidents involving active violence resulting in death and/or serious injuries that are plaguing communities across the nation. Based on a prior request by the committee, members of the police department led a discussion focused on active violence incidents in schools and reviewed preventative measures, response protocols, and different training provided for officers and school staff. The next meeting is scheduled on August 9, 2022.

##### **GENERAL GOVERNMENT:** *Michael Althaus*

At its last meeting on Wednesday, July 13, 2022, the committee received a presentation on proposed amendments to the City's code for planned unit development, which provide developers flexibility in addressing existing regulations in exchange for requiring new developments to provide quantifiable public benefits. Members reviewed and discussed a memorandum of understanding on rights-of-way and people experiencing homelessness in Thurston County. The next meeting is scheduled on August 10, 2022.

##### **PUBLIC WORKS:** *Eileen Swarthout*

During the July 7, 2022 meeting, the committee received presentations on Ordinance No. O2022-006, Planned Unit Development amendments with a focus on private streets; the 2022 Annual Striping Project and authority to solicit bid and award contract; and an Interagency Agreement with the Department of Enterprise Services for its Energy Program. The next meeting is scheduled on July 21, 2022. The agenda includes a review and discussion on the Interstate 5/Trospen Road/Capitol Boulevard Reconfiguration project involving acceptance of work for building

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demolition and a construction agreement with the Department of Transportation for the project.

#### **BUDGET AND FINANCE:**

*Debbie Sullivan*

A review of the City's budget is scheduled at the Council's August 9, 2022 worksession.

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

City Administrator Doan recapped the results of the City's 4<sup>th</sup> of July activities. The City previously banned the use of private fireworks. On July 2, 2022, the City's fireworks enforcement team experienced three contacts with community members followed by one contact on July 3, 2022 for the illegal use of fireworks. On July 4, 2022, the teams responded to 12 fireworks incidents and issued four warnings. The Tumwater Fire Department did not respond to any fireworks-related fire incidents during the July 4<sup>th</sup> holiday. The City's focus is directing the community to professional fireworks shows. The Parks and Recreation Department reported attendance was approximately 10,000 people at the Artesian Family Fun Fest and Thunder Valley Fireworks Show. City Administrator Doan acknowledged the work and efforts by City staff for coordinating all 4<sup>th</sup> of July events.

Mayor Sullivan reported the Community Action Council for Lewis Mason and Thurston Counties elected not to renew two contracts with Thurston County. More information on the action is available through a press release posted on its website.

Mayor Sullivan thanked everyone for participating in the 4<sup>th</sup> of July Parade.

On July 6, 2022 during the Intercity Transit Authority meeting, members reviewed the timeline for the interview panel for the 2022 Community Advisory Committee interviews for selection of three members. Members reviewed the agency's Mission, Vision, and existing Goals, and Policies.

Mayor Sullivan thanked members of the Council for attending the successful joint meeting with the Nisqually Indian Tribal Council.

Mayor Sullivan attended the July 13, 2022 Community Stakeholder Reception at St. Martin's University with the City's new Economic Development Manager, Austin Ramirez.

The next City Council meeting has moved from Tuesday, August 2, 2022 to Monday, August 1, 2022.

Councilmember Dahlhoff inquired about the reasons for the Community Action Council's recent action not to renew the contract for Coordinated Entry for single individuals through the Family Support Center. Nonrenewal of the contract has placed a substantial burden on the Family

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Support Center. She asked about the potential of follow-up discussions on how to address harm experienced by community members and staff at Family Support Center. Mayor Sullivan replied that the Community Action Council plans to work with nonprofits offering those services. She is unsure of the status of whether those efforts have been assigned within the agency. Councilmember Dahlhoff asked for a follow-up with the Council regarding the action and how future services would be handled. Mayor Sullivan affirmed she would follow-up with the leadership of Community Action Council.

Councilmember Cathey questioned the reason for not renewing the contract, as it is confusing to the community because it speaks to an unwillingness to work with Thurston County. Mayor Sullivan shared information on Thurston County's action in February when the county pulled a contract and released a press release. Those affected individuals have still not been served and the ongoing process with Thurston County has involved dispute resolution discussions with no recent success in coming to terms. Additionally, the Community Action Council has always received a high rating in all of its audits. Thurston County insisted on classifying the Community Action Council as high risk, which could jeopardize future funding sources for the agency. The Community Action Council also supports Mason and Lewis Counties and considered the overall health of the Council. The Board subsequently unanimously approved the action not to continue contracting with Thurston County.

Mayor Sullivan addressed questions about Intercity Transit's process or schedule to consider adding bus service in Tumwater. Several Councilmembers conveyed concerns about the lack of bus service to the new Habitat for Humanity development off Henderson Boulevard, Boulevard Avenue, Trails End area, and the Preserve subdivision. Mayor Sullivan noted that Intercity Transit, similar to many other transit agencies, experienced a significant reduction in bus service during the pandemic. Intercity Transit has also experienced a high transmission of COVID among Intercity Transit employees and is experiencing staffing issues. Providing basic service has been difficult and the goal is stabilizing bus service to pre-COVID levels. She recommended inviting the General Manager of Intercity Transit to a future Council meeting or worksession to review the process for adding or extending routes serving the City of Tumwater.

### COUNCILMEMBER REPORTS:

***Michael Althausen:***

The Regional Housing Council (RHC) meeting included action on expenditure and authorization of funds. Previously, the Council received information on the spending plan for the Consolidated Homelessness Grant. However, since then, an extra \$350,000 of unexpected funding was received to enable the RHC to reconsider the previous RFP and award some extra

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funding to other entities that either did not receive full funding or did not receive funding during the first funding round. The RHC awarded \$58,000 to Family Support Center for targeted homelessness prevention work, \$40,000 to the Drexel House shelter for improved services, \$35,000 to Quixote Village, and \$207,000 to Olympia Mutual Aid Partners (OlyMAP) to continue outreach work. The entity is coordinating all the scattered site work underway for the last year. OlyMAP is a direct outreach service to encampments and is experiencing some positive results by connecting individuals to housing. Another round of funding is anticipated from some of the state's right-of-way funds to address the needs of individuals living on state rights-of-way. Approximately \$200,000 was awarded to SafePlace for outreach for victims of domestic violence who are experiencing homelessness, and another \$300,000 was awarded to OlyMAP for outreach and coordination with other housing services. Members discussed the Community Action Council issue and the other contract specific to housing and essential needs for over 300 community members in Thurston County to ensure there is an action plan to avoid any disruption in service. Thurston County plans to issue checks for vouchers directly until a service provider can be identified.

Councilmember Althausen attended the Capitol Lake Estuary Funding and Governance Work Group meeting. The Council is scheduled to receive a briefing on the work group's efforts at the Council's next meeting.

***Angela Jefferson:***

Councilmember Jefferson thanked all City staff for their efforts in coordinating the July 4<sup>th</sup> of July Parade.

At the July 14, 2022 meeting of the LEOFF Disability Board meeting, members discussed the definition of "necessary treatment" based on questions from Councilmembers Agabi and Jefferson at the March meeting. The committee plans to discuss the issue at its next meeting.

***Charlie Schneider:***

Councilmember Schneider attended the joint meeting with the Nisqually Indian Tribe Tribal Council and appreciated the opportunity to become better acquainted with the tribe and learn about their ideas and concerns. He also attended the Public Works Committee meeting. During the meeting staff described how to differentiate a public versus private street. Green street signs designate a street as public and blue street signs designate privately owned streets.

The Tumwater Youth Program booth at the 4<sup>th</sup> of July festival sold nearly 600 hot dogs and meals for its fundraising event.

Councilmember Schneider attended the annual Thurston Economic Development Council's Hootenanny event, an outdoor casual BBQ in Lacey.

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The youth summer program at Tumwater FRESH Farm is active with 22 youths participating in planting, harvesting, and distributing food from the farm.

Councilmember Schneider commented on the affects of climate change on the world and the importance of the preservation of trees. He cited several new developments in the City that are removing numerous trees. He questioned the City's interest in ensuring the preservation of trees and requested the Council consider exploring the issue in the future.

#### ***Joan Cathey:***

Councilmember Cathey supported the request for the Council to explore the preservation of trees in the City. She thanked Mayor Sullivan for addressing her questions about Intercity Transit bus service as there has been some community frustration about the lack of bus service in the City.

At the last meeting of the Solid Waste Advisory Committee, members discussed a significant investment to develop a transfer station in the south county area.

Councilmember Cathey attended the last meeting of the RHC with Councilmember Althausen.

Councilmember Cathey attended the last meeting of the General Government Committee.

#### ***Leatta Dahlhoff:***

The Regional Fire Authority Steering Committee continues to meet biweekly. The committee needs the assistance of the Council in terms of sharing any community comments, questions, and concerns with members of the committee as it moves toward the phase of developing and identifying the factors to create a Fire Benefit Charge for different types of housing square footage, commercial, and industrial uses. The committee is also reviewing organizational charts and required staffing for the Regional Fire Authority, asset transfers from each fire department, and next steps for framing messaging to the two communities.

Councilmember Dahlhoff reported on her attendance to the Thurston County Opioid Response Task Force and the Law Enforcement Assisted Diversion meetings. The meeting minutes are posted on each entity's respective website. The City's webpage also lists each Councilmember's committee assignments.

Councilmember Dahlhoff conveyed appreciation to Councilmembers Schneider and Cathey for sharing their concerns and comments with respect to impacts to the community from climate change. She cited the balance of inclusion and growth while meeting the needs of the community. She referred to the City's strategic priorities and goals and continued efforts to achieve those priorities and goals. It is important the Council can



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participate in discussions as it positively points to how the community will be served better.

Councilmember Cathey added that it is important not to trade economic development for the degradation of the planet, which will require some tough decisions by the Council. It is important to consider the right balance between money and economic development and destroying the environment, water, air, and wildlife.

**ADJOURNMENT:**      **Councilmember Dahlhoff moved, seconded by Councilmember Cathey, to adjourn the meeting at 8:03 p.m. A voice vote approved the motion unanimously.**

Prepared by Valerie L. Gow, Recording Secretary/President  
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