

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, Charlie Schneider, and Eileen Swarthout.

Staff: City Administrator John Doan, Transportation and Engineering Director Brandon Hicks, Planning Manager Brad Medrud, and City Clerk Melody Valiant.

SPECIAL ITEMS:

PROCLAMATION: Councilmember Dahlhoff read a proclamation declaring August 31, 2022 as
OVERDOSE *Overdoes Awareness Day*. The proclamation asked everyone in the City of
AWARENESS DAY; Tumwater to raise awareness of drug overdose by reducing stigma through
AUGUST 31 2022: initiatives related to education, prevention, treatment, and recovery support for substance use disorder.

Katie Strozyk, Opioid Response Coordinator, Thurston County Public Health and Social Services, emphasized the importance of *Overdose Awareness Day* and overdose response and education as one piece of the larger puzzle through the Thurston County Opioid Task Force, which works on all facets of opioid response and substance use response. A campaign is scheduled for safe medication disposal and safe medication storage. The focus is preventing fatal overdose deaths by administering Naloxone, an antidote to opioid overdose. The department offers naloxone training to businesses, individuals, or other entities. She invited everyone to attend the *August 31, 2022 International Overdose Awareness Day* event from 1 p.m. to 5 p.m. at Heritage Park in the City of Olympia.

Ms. Strozyk accepted the proclamation from Mayor Sullivan.

CONSENT
CALENDAR:

- a. Approval of Minutes: City Council Worksession, June 14, 2022
- b. Approval of Minutes: City Council Worksession, June 28, 2022
- c. Approval of Minutes: Special Joint City Council with Squaxin Island Tribal Council, July 7, 2022
- d. Approval of Minutes: City Council Worksession, July 12, 2022
- e. Approval of Minutes: City Council Meeting, July 19, 2022
- f. Payment of Vouchers
- g. Heritage Tree Nomination
- h. Barnes Lake Management District Steering Committee Reappointment of Gary Bodeutsch, Judith Loft, Kathy Peterson and Rusty Weaver
- i. 2022 Annual Striping Project, Award Contract
- j. Washington Opioid Distributor Settlement
- k. Interstate 5/Trosper Road/Capitol Boulevard Reconfiguration – Building Demolition; Acceptance of Work
- l. Interstate 5/Trosper Road/Capitol Boulevard Reconfiguration;

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Washington State Department of Transportation (WSDOT) Construction Agreement

m. FEMA 4650-DR-WA Grant

n. Darktrace Cyber Security Products and Services Contract

MOTION:

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

COUNCIL CONSIDERATIONS:

ORDINANCE NO. O2022-006, PLANNED UNIT DEVELOPMENT:

Manager Medrud presented Ordinance No. O2022-006, Planned Unit Development for consideration.

The City's planned unit development regulations were last substantially updated in 2000. The regulations provide a benefit to developers by affording flexibility when applying current regulations to a project proposal; however, existing regulations have not provided a quantifiable benefit to the public in exchange for the flexibility. The proposed amendments provide developers flexibility in addressing existing regulations in exchange for requiring quantifiable public benefits.

Current regulations do not clearly address the requirements for private streets as part of planned unit development. The amendments would provide more specificity when and how private streets are allowed. The proposal amends the definition of a private street in TMC Title 17.04.385 for consistency with the Tumwater Development Guide, stating, "Private street" means a privately owned and maintained vehicular access serving property, which is provided for by an access tract, easement, or other legal means."

As part of Chapter 18.36 in the Zoning Code, a proposed amendment allows PUDs as a permitted use in the Manufactured Home Park (MHP) zone district, adds "planned unit developments not including residential uses" as a permitted use in the Airport Related Industry (ARI) zone district, removes single-family detached dwellings as part of a planned unit development as a permitted use from the Multifamily Family Medium (MFM) zone district, removes single-family detached dwellings and duplexes as part of a planned unit development overlay as a permitted use in the Multifamily Family High (MFH) zone district, changes the name of the chapter to remove "overlay", and updates the intent section to establish a clear list of tangible benefits in exchange for flexibility in addressing zoning regulations.

For quantifiable public benefits, the size of the project affects the number of tangible benefits required. Projects providing 20 or more dwelling units or industrial, commercial, or institutional projects 20 acres or more in size

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shall provide at least 2.0 points from the list of tangible benefits. Projects providing less than 20 dwelling units or industrial, commercial, or institutional projects less than 20 acres in size shall provide at least 1.0 point from the list of tangible benefits.

The Planning Commission asked for local developer input on quantifiable public benefits and the proposed code modifications. Staff contacted five local developers on May 16, 2022 and received feedback from one developer. Staff incorporated a suggested change into the ordinance.

Manager Medrud reviewed the proposed list of tangible benefits and point values:

- 1.0 - Provide enhanced useable parks and open space.
- 1.0 to 2.0 - Provide significant public facilities or other public amenities that could not be required by the city for development of the subject property without a planned unit development.
- 1.0 - Go significantly beyond the minimum requirements for critical area protections to preserve, enhance, or rehabilitate critical areas and buffers.
- 1.0 - Dedicate a site containing a building, structure, site, object, or district on a register of historic places
- 2.0 - Incorporate energy systems that produce energy from nondepletable energy sources will result in at least fifty percent of the energy needs for the development being met
- 2.0 - Build passive residential dwelling units that meet the Passive Home Institute US (PHIUS) standard that will result in fifty percent or more of the total dwelling units qualifying as passive homes.
- 1.0 - Go significantly beyond the minimum required energy efficiency requirements for at least fifty percent or more of the energy needs of the development.
- 2.0 - Provide at least twenty percent of the total dwelling units as permanently affordable housing.
- 1.0 to 2.0 - Provide any other public facility, feature, item, project, or amenity proposed by the applicant that the City agrees meets the intent of this section.

Manager Medrud summarized the proposed amendments:

Updates TMC 18.36.020:

- a. Establish where such development would be allowed: Permitted in all zone districts except Greenbelt (GB), Open Space (OS), Residential/Sensitive Resource (RSR) due to the extreme sensitivity of the areas to environmental disturbance, and Historic Commercial (HC)
- b. Establish a minimum size for a planned unit development of one

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acre

Updates TMC 18.36.040 for items required in an application:

- a. A description of how the planned unit development meets the requirements of TMC 18.36.010
- b. A description of how the planned unit development relates to the surrounding area

Creates a new section to explain that an application cannot modify requirements in TMC Title 16 Environment.

Creates a new section to explain that if an application creates new lots, it shall follow the requirements in TMC Title 17 Land Division.

Manager Medrud reviewed code modifications that can or cannot be modified, a new section explaining that an application cannot modify requirements in TMC Title 16 Environment.

Manager Medrud summarized the proposed amendments:

Public streets are required in a planned unit development, except private streets are allowed:

- a. When serving 4 or fewer residential dwelling units, unless all of the dwelling units are low income, then private streets may serve up to 9 detached single family dwellings or up to 25 attached single family or multifamily dwelling units
- b. When serving up to 4 businesses on separate parcels, or up to 4 businesses situated on 1 parcel
- c. The private street must meet the minimum design standards and requirements for private streets in the Tumwater Development Guide

Phasing is allowed under the following conditions:

- a. For applications with more than 100 dwelling units or commercial or industrial planned unit developments covering more than 20 acres
- b. Phased approval is limited to 2 but not more than 4 phases
- c. Must show how transportation, access, traffic, stormwater, parks and open space, critical areas, and utilities will be addressed needs to be addressed for all phases of the development

Updates the hearing examiner approval process and criteria used to approve or deny an application.

Updates the appeal process and bonding sections.

Creates new sections:

- a. Final planned unit development approval

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- b. Minor modifications
- c. Major modifications
- d. How applications vest
- e. How long a preliminary approval is valid

Manager Medrud reported the Planning Commission recommends approval of the ordinance as presented.

MOTION:

Councilmember Althaus moved, seconded by Councilmember Dahlhoff, to approve Ordinance No. O2022-006, Planned Unit Development as presented. A voice vote approved the motion unanimously.

X STREET ROUNDAABOUT, LOCAL AGENCY AGREEMENT SUPPLEMENT AND LOCAL AGENCY FEDERAL AID PROSPECTUS:

Director Hicks provided an update on the project and reviewed the proposed agreements. The agreements are typical boilerplate language and are essentially the same type of agreement for every federally funded project.

The City completed the Capitol Boulevard Corridor Study to reduce congestion and provide safer travel for all modes along the corridor. Corridor improvements along Capitol Boulevard have been under consideration for the last 10 years. The City's vision and plans support the Capitol Boulevard Corridor Study and the Feasibility Study. In addition to reducing congestion and increasing safety for all modes of transportation, the plan adds bicycle lanes and improvements to pedestrian facilities, improves neighborhood interconnectivity, improves access to community businesses and services, and improves access to transit facilities.

The X Street Roundabout project is located at the intersection of Capitol Boulevard and X Street. Project limits are north of W Street to 500 feet south of X Street. The project limits also include approximately 150 feet of X Street approaches. The schedule calls for completion of the design by the end of the year with right-of-way acquisition initiated this year. Construction is estimated to begin either in 2024 or 2025, dependent upon the outcome of right-of-way acquisition. The project may also include additional work to close a gap on 7th Avenue to provide an alternative route to residents when work is underway on the roundabout.

The City successfully secured grant funds for the project. The design has been initiated as part of the overall corridor design project. Funding was received from the state of \$1,056,000 through the Washington State Department of Transportation's (WSDOT) Bicycle and Pedestrian Program. The City received three federal grants totaling \$2,432,000 for the right-of-way phase of the project from the federal Surface Transportation Program administered by Thurston Regional Planning Council (TRPC).

The construction cost of the X Street roundabout is estimated of \$3.5 million with funding for construction from the City's Transportation Capital

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Facilities Plan. Staff plans to continue pursuing other sources of grant funds to reduce local costs.

Currently, staff is reviewing 60% design plans with the goal of completing design by the end of the year. The right-of-way and relocation plans have been reviewed and approved by WSDOT and the Federal Highway Administration. The project requires partial property acquisition from six properties in addition to one full acquisition of a commercial property, requiring the City to relocate one commercial business. Director Hicks identified the properties of acquisition. Most of the acquisitions involve either a narrow strip or a section of a corner. The process for right-of-way acquisition is similar to the I-5/Trosper Road/Capitol Boulevard Reconfiguration project.

Director Hicks referred to the agreements, which are required for each project receiving federal funds. The purpose of the Local Agency Agreement is to ensure federal funds, as awarded, are expended in accordance with applicable state and federal laws and regulations. It also outlines the specifications and procedures for payment and reimbursement for the project. The purpose of the Local Agency Federal Aid Prospectus is to provide a description of the project detailing the work that is eligible for federal reimbursement. The prospectus also includes a project schedule.

Director Hicks requested the City Council approve and authorize the Mayor to sign, in substantially similar form as approved by the City Attorney, the X Street Roundabout Local Agency Federal Aid Prospectus, which allows the City to receive approximately \$1.3 million in additional federal grant funds.

Director Hicks addressed questions about the timing of the project as it relates to the major I-5 project. Staff anticipates construction to begin either in 2024 or 2025. It is possible for the first year of construction for the X Street Roundabout to be in conjunction with the second year of the I-5/Trosper Road/Capitol Boulevard Reconfiguration project. However, it is not practical to administer both projects concurrently in addition to other City projects. Timing of construction is dependent upon the completion of right-of-way acquisition.

MOTION:

Councilmember Swarthout moved, seconded by Councilmember Schneider, to approve and authorize the Mayor to sign, in substantially similar form as approved by the City Attorney, the X Street Roundabout Local Agency Federal Aid Prospectus, which allows the City to receive roughly \$1.30 million in additional federal grants. A voice vote approved the motion unanimously.

**COMMITTEE
REPORTS:**

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PUBLIC HEALTH & SAFETY:

Leatta Dahlhoff

The next meeting is scheduled on August 9, 2022 at 8 a.m. The agenda includes a briefing on prescribed burning.

GENERAL GOVERNMENT:

Michael Althausen

The next meeting is scheduled on August 10, 2022.

PUBLIC WORKS:

Eileen Swarthout

At the July 21, 2022 meeting, members received briefings on Interstate 5/Trosper Road/Capitol Boulevard Reconfiguration – Building Demolition and Acceptance of Work and the Interstate 5/Trosper Road/Capitol Boulevard Reconfiguration; Washington State Department of Transportation (WSDOT) Construction Agreement. The next meeting is on Thursday, August 4, 2022 at 8 a.m. The agenda includes briefings on the Preserve Park, the Deschutes River Flood Reduction Study Service Provider Agreement, the East Linwood Basin Stormwater Retrofit, and the Fiscal Year 2021-2023 Water Quality Stormwater Capacity Agreement.

BUDGET AND FINANCE:

Debbie Sullivan

The Council is scheduled to review the City's budget over the course of several worksessions.

MAYOR/CITY ADMINISTRATOR'S REPORT:

City Administrator Doan reported the Council's August 9, 2022 worksession includes a Regional Fire Authority (RFA) briefing focusing on governance of the RFA, RFA organization, and financing of the RFA. The Council will also initiate its first review of the City's budget to include a review of accomplishments, budget development process, revenues and expenditures in the general fund, the economic outlook, and revenue projections for the general fund.

Mayor Sullivan reported on her attendance to the Intercity Transit Authority meeting on July 20, 2022. A video of the meeting was forwarded to the Council. The Authority held a public hearing on the Vanpool Fare Resolution Amendment to align with the recently enacted Washington State Transit Support Grant for eligibility to receive new state grant funds. The Authority welcomed operator class 22-03. Staff from Avail Technologies, Inc. provided an overview of the new Computer Assisted Dispatch and Automatic Vehicle Location Systems (CAD/AVL). Karen Parkhurst, TRPC Planning & Policy Director, provided a presentation on the Coordinated Human Services Transportation Plan. Currently, Intercity Transit is only operating at 80% of its pre-pandemic service level. The agency continues to experience a lack of staffing capacity because of COVID. Another driver class is scheduled to start on August 1, 2022. Greyhound Bus was recently purchased by another organization, FlixBus. Greyhound had transferred its operations to the Olympia Transit Center. FlixBus plans to increase weekly

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trips from 28 to 50 trips. The Maintenance Department hosted Bates Technical College students to tour the facility and consider a career in transit. Intercity Transit hosted the first Great Olympia Bike Rodeo, on Saturday, July 30 at the Isthmus Park in downtown Olympia. Intercity Transit hosted a local Bus Rodeo Saturday, July 23 and Sunday, July 24. The rodeo was held to enable the agency to compete and represent the state in the national rodeo competition.

National Night Out is scheduled on Tuesday, August 2, 2022 with many activities planned throughout the community.

COUNCILMEMBER REPORTS:

Leatta Dahlhoff:

As of July 16, 2022 the region's Behavioral Crisis Line will become active by calling 988. Callers have the option of dialing the local Crisis Hotline at 988 or 911. Callers using 988 will be routed to the 988 Call Center based on the caller's area code. Callers in need of a 911 response or the local crisis line will be routed to the applicable call center based on the 988 call taker's ability to obtain a good location of the caller. Although the approach is not ideal, given the mobility of cell phones and different area codes not reflecting the current location, state and local leaders are working to leverage technology and processes.

The Regional Fire Authority (RFA) Planning Committee continues to meet twice a month. The Council's August 10, 2022 worksession includes a briefing on RFA governance.

Councilmember Dahlhoff reported on her pending attendance to a sea level rise meeting as a representative of the LOTT Clean Water Alliance Board.

Charlie Schneider:

Councilmember Schneider reported on a variety of events scheduled in the community. Two *Screen on the Green* movies are scheduled on Friday, August 5, 2022 featuring *Back to the Future*, and on Friday, August 12, 2022 featuring *Spider-Man: No Way Home*. The movies are broadcast outside at Tumwater Valley Golf Course and are free to the public in addition to free popcorn.

The Tumwater Artesian Brewfest at Tumwater Valley Golf Course is scheduled on Saturday, August 20, 2022 from 1 p.m. to 8 p.m. featuring more than 40 Northwest breweries offering over 100 beverage choices.

TOGETHER! is hosting a golf tournament at Tumwater Valley Golf Course on Thursday, August 25, 2022.

Rides & Rods is scheduled on Thursday, August 18, 2022 from 5 p.m. to 7 p.m. The event is sponsored by Flaming Pig BBQ located off Tumwater

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Boulevard. The event is a meet and greet featuring classic and restored cars, trucks, and motorcycles.

The River's Edge Restaurant is sponsoring its South Sound Trivia Night on Tuesday, August 2, 2022 at 7 p.m.

The Tumwater Farmers Market is open each Sunday through August 28, 2022 from 11 a.m. to 3 p.m. at Peter G. Schmidt Elementary School. Two of the participating vendors are headed to the Emmy's in Hollywood. One of the vendors is based in Tumwater.

Eileen Swarthout:

Councilmember Swarthout reported on her attendance to the July 25, 2022 Regional Fire Authority Planning Committee meeting.

Councilmember Swarthout asked whether the City's website includes a list of neighborhoods participating in *National Night Out*. Mayor Sullivan advised that staff will forward an email listing all participating neighborhoods.

Joan Cathey:

There was no report.

Michael Althausen:

Councilmember Althausen reported he also attended the July 25, 2022 RFA meeting.

The Capitol Lake Executive Work Group has not met since the last meeting.

The Regional Housing Council (RHC) held a meeting on July 27, 2022 and considered the state's emphasis on relocating individuals living along state right-of-ways. Regional efforts were prompted by the Governor's Executive Order to conduct clean-ups of individuals who reside on state property next to highways. As a component of the directive, affected individuals will be provided housing, which requires investment in local housing infrastructure and local resources. The region was advised to begin planning for \$19 million in funding to address the issue. The region's plan submitted to the Department of Commerce addresses a need for \$55 million to include the purchase of two hotels converted to housing units. The state has authorized \$35 million for spending in Thurston County to provide housing support and outreach supportive services, as well as some support to local non-profit providers to increase capacity for the right-of-way project. Within the \$35 million, funding is available for the purchase of a hotel to convert to housing units. Funding of \$19 million is available for the capital acquisition of the hotel. An estimated \$5 million required to modernize the units was not included in the \$35 million allocation, which likely will require some local funds. Additionally, funding was not available for the acquisition of the second hotel. However, to bridge the gap of need, a significant amount of funding is required of at least \$12 million to acquire and rehabilitate a second hotel, as well as \$1 million in

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annual operating costs. The RHC directed staff to pursue different sources of grant funds that could fund the second facility and explore options for the possibility of purchasing a second hotel.

RHC members received a briefing from Thurston County staff on the steps the county is pursuing to provide services to those individuals who received services through the Community Action Council. The Family Support Center is undertaking efforts to fill the gap for Coordinated Entry services and has temporarily paused intakes as the agency inherited the caseload from the Community Action Council and is working to connect those individuals to housing options. Following placement of existing individuals, the agency will begin serving new clients in need. The second program formally coordinated by Community Action Council is the Housing and Essential Needs Program. Thurston County is now issuing checks to clients of the program. However, Thurston County is working on a contract with LiveStories to deliver rent and utility assistance checks in Thurston County. Councilmember Althausen advised that as more information is released, he will continue to update the Council on status of the programs.

Angela Jefferson:

At the last meeting of the Thurston County Emergency Medical Services Council, members reviewed the process for selecting a citizen at-large member. Last month's hiring process was successful with the addition of six new personnel. During the next eight weeks, Medic One forecasts the staffing level to be 98%. Local ambulance companies are considering a pilot to improve and streamline the process under the umbrella of the *Deliberate Ambulance Dispatch Trial*. The pilot program over the course of 90 days will be reviewed each month. To reduce time at an emergency scene, Medic One units will not be dispatched for Basic Life Support (BLS) service calls except for motor vehicle accidents and stroke calls. Medic One units will assess those situations and call for an ambulance to avoid wait time for ambulances. Members discussed staffing and acknowledged the increase in call volume while staffing has not kept pace with call volume. The plan to increase staffing has been successful to date; however, by implementing internships it still requires an average of eight to ten weeks to place a paramedic on a Medic One unit. With an increase in wages and a scheduling change from 24-hour shifts to 12-hour shifts it has enabled time for paramedics to rest at home. The 90-day no diversion trial has been completed. Hospitals have indicated a desire to continue the trial as it improves care quality for citizens as the patient determines the facility for receiving treatment.

At the last meeting of the Thurston Regional Law and Justice Council, members received an update on the Resource Hub, which assists previously incarcerated individuals connect with community resources. The Hub is open part-time Monday through Thursday from 12 p.m. to 4 p.m. Some partners at the site include Northwest Resources, Clean & Sober Housing,

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Community Volunteer Legal Services, Family Education Support Services, connections to parenting classes, Providence Behavioral Health, and Pacific Mountain Development Council for job placement. The Thurston County Sheriff reviewed the county's designated crisis response team, SCOUT (Sheriff's Community Outreach Unification Team). The department has also installed cameras on all patrol vehicles and is in the process of reviewing body camera policies and procedures. The completion date for that effort is by the end of the year. The Sheriff's Department contracted with GTAC for body cameras. At the next meeting, the Council will discuss how to formally nominate a new chair and discuss the frequency of meetings.

Councilmember Jefferson attended the July 27, 2022 Tumwater HOPES meeting at Bush Middle School. The discussion focused on the results of the Healthy Youth Survey data. Following the group's discussion, Councilmember Jefferson said she feels much more positive about the future and believes the survey results are being considered seriously by the Tumwater School District.

Peter Agabi:

At the last meeting of the Joint Animal Services Commission (JASCOM), members discussed and reviewed municipal code changes to support a Community Cat Program. The review included a JASCOM letter to jurisdictions supporting a Community Cat Program and municipal code changes recommended for each jurisdiction.

ADJOURNMENT:

With there being no further business, Mayor Sullivan adjourned the meeting at 7:59 p.m.

Prepared by Valerie L. Gow, Recording Secretary/President
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