

**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, Transportation and Engineering Department Director Brandon Hicks, Water Resources and Sustainability Department Director Dan Smith, WRS Program Manager Patrick Soderberg, Senior Engineer Joseph Norman, Water Resources Specialist Dave Kangiser, and Administrative Assistant Kelly Quiroz.

**APPROVAL OF  
MINUTES: PUBLIC  
WORKS  
COMMITTEE,  
JANUARY 23, 2025:**

**MOTION:** **Councilmember Jefferson moved, seconded by Councilmember Althausen, to approve the minutes of January 23, 2025 as presented. A voice vote approved the motion unanimously.**

**ORDINANCE O2025-  
005 AMENDING  
TUMWATER  
MUNICIPAL CODE  
(TMC) 12.28, PUBLIC  
EVENTS:**

City Attorney Kirkpatrick briefed members on the proposed ordinance. The purpose of the ordinance is in response to a 2023 audit by Washington Cities Insurance Authority (WCIA) citing the City's event permitting process lacking notification to an applicant of the City's requirement for liability insurance, indemnification defense and hold harmless language within the application, and information on whether the event involves political or religious activity. The City received several examples of other model ordinances from other jurisdictions in the state. The proposed ordinance was drafted to meet the needs of the City.

The definition of "special event" includes any event that would be conducted on public property or public right-of-way, any private event on private property that would substantially impact public property or public right-of-way, and any event with over 100 participants deemed to impact City right-of-way. The ordinance requires a permit submitted through a City application along information provided to the applicant on potential reasons for denial of a permit and potential conditions associated with the permit that includes insurance and other permit requirements such as food service permits. Language is included for hold harmless indemnification provisions, and an appeal process if the permit is conditioned or denied. The ordinance includes a provision for a penalty for non-compliance.

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Councilmember Althauser questioned the purpose of requesting information as to whether the event is for political or religious activities. City Attorney Kirkpatrick explained that many times, events involving politics or religion can occur quickly and often cannot be processed within the City's timeframe for issuance of a permit in addition to the potential application of fee waivers for those types of events. Essentially, the information is requested to meet the operational needs of the City.

Councilmember Jefferson inquired as to the timeline for an applicant to receive a permit. City Attorney Kirkpatrick said the City requires 60 days for an appropriate review by affected departments, as well as to communicate insurance requirements and other permit requirements the applicant may be required to obtain. The City requests a 60-day review recognizing that occasionally, spontaneous events can occur, such as controversial issues that are addressed directly to the Council. Additionally, the City is also required to secure a permit for events it hosts, such as the 4<sup>th</sup> of July events. She added that the City has already established a permit application process and the permit process is often shorter than 60 days. The proposed ordinance codifies the City's requirements for each application.

Staff recommends placing Ordinance No. O2025-005 amending Tumwater Municipal Code (TMC) 12.28, Public Events, on the March 4, 2025, City Council Consent Calendar with a recommendation to approve and authorize the Mayor to sign.

**MOTION:**

**Councilmember Jefferson moved, seconded by Councilmember Althauser, to place Ordinance No. O2025-005 amending Tumwater Municipal Code (TMC) 12.28, Public Events, on the March 4, 2025, City Council Consent Calendar with a recommendation to approve and authorize the Mayor to sign. A voice vote approved the motion unanimously.**

**SERVICE PROVIDER  
AGREEMENT WITH  
FULLER DESIGNS  
FOR THE BEEHIVE  
INDUSTRIAL AREA  
STORMWATER  
RETROFIT DESIGN  
PROJECT:**

Specialist Kangiser reported the agreement is a continuation of a previous request for a grant agreement through the Department of Ecology. The proposal is a service provider agreement with Fuller Designs to complete the work for the Beehive Industrial Area Stormwater Retrofit Design Project.

The Beehive Industrial Area is located on the north side of Trospen Road and is comprised of light industrial uses. The project was prioritized through the City's stormwater action planning process to satisfy the City's permit requirement through the NPDES permit. The area experiences localized flooding impacting stormwater management and capacity. The area lacks water quality treatment of stormwater discharging directly to Percival Creek. The solution designed for the area is a series of linear facilities along Joppa and Lambskin with a tire-lined ditch and stormwater easement running between the

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two streets. The conceptual design would help reduce flooding, treat stormwater, and increase curb appeal along the project site. The project is funded by grants through the Water Quality Combined Funding Program requiring a 15% match from the City for 90% design and permitting with funding from the grant available through 2027.

Staff selected Fuller Designs following a competitive bid process to complete data collection, engineering, permits, and completion of 90% design anticipated to be completed by the end of 2025.

Staff recommends placing the Service Provider Agreement with Fuller Designs who will be assisting with the Beehive Industrial Area Stormwater Retrofit Design Project on the March 4, 2025 Council Consent Calendar with a recommendation to approve and authorize the Mayor to sign.

Councilmember Jefferson asked about the timeline for complete construction of the project. Specialist Kangiser reported that the next funding cycle is from 2026 through 2028, which affords construction funds to complete the project. Completion of the project is dependent upon the workload and capacity of staff during that period. The project is scheduled for completion within the next three years.

**MOTION:**

**Councilmember Jefferson moved, seconded by Councilmember Althaus, to place the Service Provider Agreement with Fuller Designs who will be assisting with the Beehive Industrial Area Stormwater Retrofit Design Project on the March 4, 2025 Council Consent Calendar with a recommendation to approve and authorize the Mayor to sign. A voice vote approved the motion unanimously.**

**2025 PAVEMENT  
MAINTENANCE  
PROJECT,  
AUTHORITY TO  
SOLICIT BIDS:**

Engineer Norman reviewed the proposed 2025 Pavement Maintenance Project and a request to authorize the solicitation of bids for the project.

Every other year, a consultant rates the City's road system to ascertain pavement condition of City roads. The information informs the project needs of roads that require repair or other improvements. The goal is to repair roads at the right time to avoid degradation of the road base, as well as to maximize the funds available through the Transportation Benefit District. The project also includes some residential roads in addition to main arterials. The scope of the project includes pavement improvements (grinds, inlays/overlays of asphalt, utility patching adjustments, storm drain repairs, road maintenance of pavement markings/stripping/raised pavement markings), and sidewalk/driveway improvements for accessibility. The project scope includes 16 areas of focus with the largest segment comprised of Littlerock Road roundabouts.

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Engineer Norman reported the request also includes authority to increase change order authority from 10% to 20%. The project is anticipated to take 50 working days to complete beginning with bids in April and construction scheduled from June through October.

Councilmember Jefferson questioned the purpose of requesting a 10% in change order authority. Engineer Norman advised that because of the nature of paving projects staff obtains as much information on roads to the extent prior to developing the project scope. Sometimes, despite the research, staff discovers different conditions such as a difference in the depth of asphalt creating a weak roadway base that requires a deeper layer of asphalt to increase the depth of the base to an appropriate level. Because of the type of repairs and the fast pace of the work, it is difficult to track costs as the project proceeds.

**MOTION:**

**Chair Swarthout moved, seconded by Councilmember Jefferson, to authorize staff to (1) solicit bids for the 2025 Pavement Maintenance project; (2) recommend City Council award and authorize the Mayor to sign a Public Works Contract with the lowest responsible bidder; (3) recommend City Council authorize road closures and detours as required for the duration of the project; (4) recommend City Council authorize night work adjacent to residentially zoned properties when necessary to reduce impacts to the public and avoid impact to critical public services; and (5) staff requests that the Public Works Committee recommend the City Council increase the change order authority provided to the Transportation and Engineering Director under Tumwater Municipal Code 2.14.060 to 20 percent for this project.**

**TRAFFIC SIGNAL  
CONTROLLER &  
DETECTION  
UPGRADE,  
EQUIPMENT  
PURCHASE:**

Engineer Norman presented the request seeking authority to purchase equipment for the Traffic Signal Controller & Detection Upgrade Equipment Project.

The City received federal Congestion Mitigation & Air Quality Improvement Program (CMAQ) grants funds through the Thurston Regional Planning Council (TRPC). The purpose of the federal grant is to improve air quality by increasing the efficiency of the nation's road system. Intersection improvements included in the scope of work are located in the PM<sub>10</sub> Air Quality Maintenance Area, an area identified by the size of particulate matter (dust and smoke) of 10 micrometres in diameter. The grant totals \$268,150.00. The scope of the project includes installation of nine signal controllers, 14 traffic signal detection systems, and construction management and installation by City staff.

The Engineer's Estimate for the project is \$353,435.00 of which \$268,150.00 would be funded by the CMAQ grant with the remaining from the

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Transportation Capital Facilities Plan.

Chair Swarthout reviewed the request to the committee.

**MOTION:**

**Councilmember Althauser moved, seconded by Councilmember Jefferson, to place the purchase orders for the traffic signal controller and detection equipment, for the Traffic Signal Controller and Detection Upgrade project, on the March 4, 2025, City Council Consent Calendar with a recommendation to approve and authorize the Mayor to sign. A voice vote approved the motion unanimously.**

**ADJOURNMENT:**

**With there being no further business, Chair Swarthout adjourned the meeting at 8:30 a.m.**

Prepared by Valerie L. Gow, Recording Secretary/President  
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