

TUMWATER CITY COUNCIL 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, Police Chief Jon Weiks, Communications Manager Ann Cook, K9 Office Chase Grimmatt, and City Clerk Melody Valiant.

SPECIAL ITEMS:

MEET & GREET WITH K9 THOR: Police Chief Weiks introduced K9 Officer Chase Grimmatt. K9 Officer Grimmatt is the K9 Program's new K9 Officer.

K9 Officer Grimmatt reported he been part of the K9 Program for the last three and half years in support of K9 Officer Mize and K9 James. As K9 Officer Mize is nearing retirement and K9 James is ending his career, the department moved forward and secured a new K9 dog. He introduced K9 Thor, who is a two-year old Belgian Malinois. They both completed 400 hours of training. Training included tracking, evidence search, radios, weapons, lost possessions and wallets, article search, and apprehension. Obedience is an important control element of a working K9. K9 Thor has demonstrated his ability for obedience. The initial relationship building was the most difficult part of the training as K9 Thor was previously a pet in a household in another state. The owner was no longer able to care for Thor and surrounded the dog to an organization that contacted a local agency, West Coast Police Canine, a civilian dog breeding and training company with decades of experience working with dogs. Of all the dogs tested by the department, Thor performed to department standards.

In moving forward, the program wants to continue maintaining a narcotics dog. The Tumwater Police Department has the only drug K9 in the county. Recently, K9 Officer Mize and K9 James discovered a substantial amount of drugs and pills. Drugs continue to be a presence in local communities and the rules as to how police officers interact with drug suspects have changed. Many other law enforcement agencies rely on the department's K9 Program to provide assistance. Another important role of the K9 is participating in community events.

Police Chief Weiks commented that the assignment is a 24/7 commitment. K9 officers live with their dog. K9 Officer Mize plans to continue working with the new team throughout the year and transition the department's new K9 team following his retirement.

K9 Officer Grimmatt addressed questions on the capability of K9s to detect drugs, protocol for breaks from a K9, and how property crimes and crimes

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against society occur during night hours requiring the team to work evening hours. Currently, six K9 teams are available within Thurston County.

PROCLAMATION
WOMEN'S HISTORY
MONTH, MARCH
2023:

Mayor Sullivan read a proclamation declaring the month of March as *Women's History Month*. The proclamation urges people to take actions against gender bias and inequity and join her in recognizing women's contributions to culture, history, and society.

Mayor Sullivan presented the proclamation to Pam Dittloff with the Zonta Club of Olympia. Ms. Dittloff reported Zonta International was founded in 1919 as a global organization working to advance the status of women worldwide through service and advocacy. With more than 30,000 members of more than 1,200 Zonta Clubs in 63 countries and geographic areas, Zontians all over the world volunteer their time, talent, and support to local and international service projects and scholarship programs to fulfill Zonta's mission and objectives. The Zonta Club of Olympia was organized on October 10, 1928. The first service project formed a recreation council and promotion of a swimming hole on the Deschutes River. The program provided transportation to girls and boys for swimming and picnics. To earn money to fund the project, the club held a summer festival and style show in the gardens at the estate of Peter G. Schmidt. This year, the annual fundraiser is on September 16, 2023 at the Olympian Hotel featuring a play about the construction of the hotel. Each service project and education programs aim to provide life-changing opportunities for women and girls to achieve gender equality worldwide. Members of the community are invited to join Zonta in building a better world for women and girls by attending a get together at Uptown Grill on Thursday, March 9, 2023 to learn more about Zonta.

PUBLIC COMMENT: **Michael Cade, Executive Director, Thurston Economic Development Council (EDC), 4220 6th Avenue SE, Lacey,** thanked the Council for the resources provided to the EDC to create the BEST training program. The first session is scheduled on Friday, March 10, 2023. He invited community members to consider registering for the training through the website at thurstonedc.com. The training program, Business Entrepreneurial Start-up Training (BEST) is a five-week course for young and emerging entrepreneurs based on the basics of business development for business plan writing, structure and licensing, businesses for start-ups, branding and marketing, weekly access to a virtual Q&A, and accounting and finance. Participants have access to all the resources of the entrepreneurial network. The EDC has approximately 50 different points of entry for different businesses. The course will also ensure participants have established a relationship with other technical providers in the state, in Thurston County, Tumwater Chamber of Commerce, rotary clubs, and other marketing and networking opportunities.

CONSENT
CALENDAR:

- a. Approval of Minutes: City Council Worksession, February 14, 2023
- b. Approval of Minutes: City Council, February 21, 2023

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- c. Payment of Vouchers
- d. Interlocal Agreement with the City of Olympia for Fire Vehicle Repair and Maintenance Services
- e. National Opioid Settlement Allocation Agreement II
- f. I-5/Troster Road/Capitol Boulevard Reconfiguration Project, Construction Road Closures

Mayor Sullivan noted a date correction to item D reflecting an expiration of December 1, 2022 and not December 1, 2020.

MOTION:

Councilmember Althaus moved, seconded by Councilmember Swarthout, to approve the consent calendar as amended, reflecting an expiration date of December 1, 2022 for item D: Interlocal Agreement with the City of Olympia for Fire Vehicle Repair and Maintenance Services. Motion carried unanimously.

Mayor Sullivan reviewed the items approved on the consent calendar.

PUBLIC HEARINGS:

**RESOLUTION NO.
R2023-004,
AMENDING THE
SIX-YEAR
TRANSPORTATION
IMPROVEMENT
PROGRAM FOR
2023-2028**

Transportation Manager Ames introduced Meridith Greer with Greer Consulting. The proposal for consideration following the public hearing is a resolution to amend the current Six-Year Transportation Improvement Program (TIP) to add the Percival Creek Fish Passage Barrier Removal Project.

Manager Ames reviewed the annual TIP review and amendment process. The proposed amendment requires a public hearing. The proposal is to amend the current TIP for 2023-2028 to add the project. The current 2023-2028 TIP was approved by the City Council in June 2022.

The Percival Creek Fish Passage Barrier Removal Project received new funding from a state program, *Promoting Resilient Operations for Transformative Efficient and Cost Saving Transportation*. The City of Tumwater is the only municipality in the state to receive funding from the program. One of the requirements is to include the project within the City's TIP for addition to the State Transportation Improvement Program (STIP).

Ms. Greer said she is providing project and grant management for the project. The project has been identified on Tumwater's TIP for over 20 years. The project is focused in the area where Percival Creek runs under Sapp Road. Today, the roadway is narrow with no options for sidewalks or bike lanes. The area is used by pedestrians and bicyclists because it is located between two large housing developments. The site includes the only culvert on Percival Creek. The culvert was deemed a full fish passage barrier. The culvert blocks approximately one-third of Percival Creek for fish passage. The project replaces an undersized culvert with a 19-foot four-

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sided box culvert and includes realignment of the stream and installation of five large woody structures. North of the site is the Sapp Road Park, a 12-acre park owned and managed by the City of Tumwater. The area will be enhanced by the project. The project has completed 90% design. The project increases the size of each travel lane to meet current standards and adds six-foot wide bike lanes on both sides of the road as well as five-foot wide sidewalks on both sides of the road. The City previously received grant funds from the Salmon Recovery Funding Board to complete design of the project. In December, the City learned that the Washington State Department of Transportation received a new federal funding source under PROTECT. The City was able to secure \$2.1 million in funding to cover all construction costs of the project.

To receive PROTECT funding, the project must be shovel ready by June 2023, obtain a National Environmental Policy Act permit, certify right-of-way, and include the project on the STIP.

Manager Ames reported the proposed action adds the full project to the 2023-2028 TIP and allows for acceptance of grant funding of \$2,179,600 with local funds of \$240,400.00 for a total project cost of \$2.42 million.

Staff requests approval and authorization for the Mayor to sign Resolution No. R2023-004 following the public hearing.

Councilmember Cathey inquired about the type of the woody structures to be installed. Ms. Greer advised that the structure will be a large tree added and anchored within the stream. The installation mimics the natural system within a riparian area with trees on each side of the stream. As the stream moves, some trees naturally fall into the stream creating habitat and providing places for fish to hide. Those areas are important for the overall health of the system.

Councilmember Cathey asked about any enhancements to the park. Ms. Greer replied that the project is focused on replacing the culvert and enhancing the stream. The project does not include other elements related to the park other than staff with the Water Resources and Sustainability Department is working on efforts for habitat restoration within the park.

Councilmember Schneider asked about the volume of salmon that reside in the area. Ms. Greer explained that one of prerequisites to apply for funding for fish passage was identifying whether fish use the system. City staff worked with the local group from Wild Fish Conservancy and sampled water for eDNA, a technology used to detect the presence of fish species by analyzing stream water for traces of DNA. The testing confirmed the presence of fish but not the quantity of fish. Throughout the Deschutes watershed regional efforts are underway to restore salmon habitat. The project along with other efforts within the watershed will help restore

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historic salmon runs.

Ms. Greer described the life history of salmon that starts with salmon born in freshwater followed by a process of transitioning to live in the ocean to seek food and grow. Salmon return to the stream of origin to complete the life cycle by laying eggs in the stream. The best habitat for eggs is located in the upper watersheds with the right mix of gravel and sediment. Within Percival Creek, salmon lay eggs in less than ideal conditions because fish are unable to reach the headwaters. Current efforts include opening the stream for passage to create opportunities to increase the number of salmon that survive and reach adulthood to return and continue the lifecycle.

Mayor Sullivan opened the public hearing at 7:50 p.m.

With there being no public testimony, Mayor Sullivan closed the public hearing at 7:50 p.m.

MOTION: **Councilmember Swarthout moved, seconded by Councilmember Jefferson, to approve Resolution No. R2023-004, amending the City's Six-Year Transportation Improvement Program for 2023-2028.**

**COMMITTEE
REPORTS:**

**PUBLIC HEALTH &
SAFETY:**

Leatta Dahlhoff

The next meeting on March 14, 2023 includes briefings on South Sound Behavioral Hospital and Tumwater HOPES.

**GENERAL
GOVERNMENT:**
Michael Althausen

The committee's next meeting on March 8, 2023 at 8 a.m. includes review and consideration of a Capital Agreement with the Washington State Department of Commerce for the Puget Sound Habitat Humanity Tâlicn Townhomes – Connecting Housing to Infrastructure Program (CHIP) and Assignment of Agreement with South Puget Sound Habitat for the Humanity Tâlicn Townhomes – Connecting Housing to Infrastructure Program (CHIP). The committee will receive updates on the Street Tree Plan and TMC 12.24 Street Trees, Landscape Code and a Contract Award for Phase 3 Grant with WDFW for Bush Prairie Habitat Conservation Plan.

PUBLIC WORKS:
Eileen Swarthout

The next meeting on Thursday, March 9, 2023 includes consideration of a Consultant Agreement with Tierra Right of Way Services, Ltd, for Right-of-Way Services on the X Street Roundabout Project and the Barnes Lake 2023 Budget & Work Plan.

**BUDGET AND
FINANCE:**
Debbie Sullivan

There was no meeting and no report.

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

At the March 1, 2023 Intercity Transit Authority meeting, members agreed to initiate a search to replace retiring General Manager Ann Freeman-Manzanares. Intercity Transit continues to work on the signal priority system with updates to the Olympia system. The Youth Education Rock n Roll grand opening was held earlier in the day from 3:30 p.m. to 6 p.m. at its new location off Pattison Street.

Mayor Sullivan is scheduled to provide a state of the City report to the Tumwater Rotary Club on Wednesday, March 8, 2023.

**COUNCILMEMBER
REPORTS:**

Leatta Dahlhoff:

Tumwater's Equity Toolbox effort held its kick-off meeting with Demarche Consulting. Councilmember Dahlhoff and Jefferson are representing the Council during the meetings. The effort will develop an equity and diversity toolbox for the Council, City staff, and the community.

Elections were conducted at the last meeting of the TCOMM 9-1-1 Administration Board. Lenny Greenstein was re-elected as Chair and Councilmember Dahlhoff was re-elected as Vice Chair.

The Olympia Sea Level Rise Response Collaborative held its annual officer elections and elected Dani Madrone from Olympia as Chair and Bob Iyall with the Port of Olympia as Vice Chair. Members received an update on the December 2022 high tide event that caused flooding in downtown Olympia. The event was the worst flooding the City of Olympia has experienced since 1987. The tide at Budd Inlet rose to 18.4 feet or 1.77 feet over the predicted tide. The record tide in 1987 was 17.99 feet. Members received an update from the City of Olympia and the LOTT Clean Water Alliance on catch basin covers in response to the high tide event, as well as an update on the Sea Level Rise Collaborative Work Plan.

Joan Cathey:

At the last meeting of the Thurston Solid Waste Advisory Committee, members received updates on the status of several legislative bills related to the environment and solid waste. The bills are on recycling, composting, packaging, plastic pollution, solid waste management outcomes, appliance disposal, lighting material disposal, and battery disposal. The Dart Container plant has closed in Tumwater eliminating an option for local communities to recycle styrofoam material. There currently is no recycling site in Thurston County for styrofoam material. The committee continues its work on siting a transfer station for solid waste in the south county area. The committee has reinitiated education and outreach efforts.

Councilmember Cathey requested time later in the meeting to discuss several subjects. Mayor Sullivan recommended including the discussion under other business at the end of the meeting.

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Charlie Schneider: Councilmember Schneider reported on his attendance to the Climate Action Steering Committee as the alternate for Councilmember Swarthout. He plans to attend the March 9, 2023 Public Works Committee meeting.

Councilmember Schneider said he continues to work on many volunteer projects throughout the City and plans to attend several non-profit fundraising events.

Angela Jefferson: Councilmember Jefferson said she had no intergovernmental committee meetings during the last several weeks other than a meeting on the Equity Toolbox with Councilmember Dahlhoff.

Peter Agabi: Councilmember Agabi attended the Joint Animal Services Commission meeting. The short meeting included a discussion on February statistics on the animal shelter and the five-year Strategic Plan in terms of achievements of goals. The shelter is experiencing plumbing issues and will be closed next week to make necessary repairs.

Future meetings include a meeting of the Thurston EDC and Transportation Policy Board. Councilmember Agabi is scheduled to be a guest speaker at a Washington Education Services meeting to discuss his service on the City Council.

Michael Althausen: The next meeting of the Regional Housing Council (RHC) is scheduled on March 8, 2023. The agenda includes a discussion on the charters for new advisory boards for affordable housing and homelessness, a briefing and presentation on fair housing laws and policies, and a discussion on topics and plans for future RHC meetings.

Eileen Swarthout: At the last meeting of the Climate Action Steering Committee on February 27, 2023, members reviewed the results of the retreat held earlier in January. One follow-up is a new interlocal agreement with local jurisdictions. Members received a presentation on a white paper on carbon sequestration prepared by the Thurston Regional Planning Council (TRPC). Councilmember Swarthout recommended scheduling the presentation during a Council worksession.

On March 3, 2023, Councilmember Swarthout attended the TRPC meeting. Members received an update from the National League of Cities on federal transportation funding, a presentation on the Regional Transportation Plan for the 2022 amendment cycle, and an update on the activities of the Climate Action Steering Committee.

OTHER BUSINESS: Councilmember Cathey referred to previous conversations about the number of items included on the consent calendar and her concerns surrounding the length of the calendar. Specifically, two of the items on the February 21,

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2023 consent calendar concerned her because she was unable to attend the meeting and would have pulled the items for additional discussion. She suggested reconsideration of moving issues through Council committees. Her first concern pertains to a 12-year property tax exemption proposal, which was the first 12-year proposal considered by the Council. The proposal merited additional conversation by the Council. The proposal was never reviewed by the General Government Committee and should have been reviewed by the Council. She was also disturbed to learn about the program as many in the community are struggling to remain in their homes despite paying their property taxes. The action affords a tax exemption to individuals who are able to pay their taxes. According to the staff report, the program does not result in the City losing any property tax because the difference is paid by other taxpayers in the City. The Council should consider that impacts in terms of current struggles people are experiencing to remain in housing and the increase in the cost of living. The Council should revisit the program in terms of whether it is a proper tool to attract development in the City. She also received some calls from several constituents about the Council's approval of the proposal.

Another issue that should not have been included on the consent calendar was the City's new logo. The first time the Council discussed the new logo was in October 2022 during a General Government Committee meeting. The committee offered comments on the proposed design, which was presented to the City Council on November 7, 2022 during a worksession. The Council provided feedback on some changes. Following that review, the Council did not receive any other update for the next three months until it was placed on the consent calendar. Her concern for placing the proposal on the consent calendar is the inability for Councilmembers to offer opinions and have adequate time to review by both the Council and the community.

Councilmember Cathey said the Council should reconsider placement of items on the consent calendar especially in light of the community response of the two agenda items adopted by the Council in February.

Councilmember Cathey requested information as to how SafePlace could become one of the City's designated charities. SafePlace is in need of donations of towels, blankets, sheets, gift cards for groceries or gas, and feminine hygiene products.

Councilmember Cathey reported approximately 50 years ago, she marched in support of Roe vs. Wade. Today, she no longer has autonomy over her own body, women's healthcare is suffering, and women are being targeted repeatedly in a "democratic" society. She is very concerned about current actions and how it affects women. Women are losing their rights as individuals to make decisions about personal healthcare and their bodies. She urged everyone to remain alert and make their voices heard.

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Mayor Sullivan advised that the Council was briefed on the new logo design during the Council's February 14, 2023 worksession. A majority of the Council approved the main elements of the logo design.

Councilmember Althausen noted that following the Council's approval of the consent calendar on February 21, 2023, he recommended referral of the City's 8-year and 12-year tax exemption programs to the General Government Committee to review the effectiveness of both programs since the Council approved the programs in 2017.

Councilmember Jefferson proposed the Council should pursue a discussion with the new City Administrator to establish a standard for the inclusion of items on the consent calendar.

Councilmember Dahlhoff emphasized the Council committee process for vetting items that are subsequently placed on the consent calendar. The Council has the opportunity to pull any items for further review and discussion. With current and pending staff changes, the conversation is valid and speaks to personal preferences of Councilmembers on specific topics.

Councilmember Cathey preferred pursuing conversations with respect to the consent calendar sooner rather than later.

Councilmember Althausen noted that the two tax exemption contracts were not reviewed by the General Government Committee because the contracts fell under the function of existing policies adopted by the Council. However, moving forward in recognition for the importance of transparency it would be appropriate for future requests to be reviewed by the General Government Committee.

Councilmember Agabi commented that the Council approved both the 8-year and 12-year property tax exemption programs prior to his election to the Council. He recently received an inquiry as to the source of a donation to his campaign from the Association of Washington Realtors. It appears that the individual questioned the source of the donation because of his affirmative vote on the proposed contracts. He was unaware that the General Government Committee did not review the proposals.

Mayor Sullivan recommended revisiting the issue and sharing information on the Council's actions in 2017 to encourage more affordable housing development in the City.

In response to a question as to why the two tax exemption contracts were included on the consent calendar, Councilmember Althausen explained that although state law enables municipalities to create tax exemption programs, state law also requires Council approval of any tax exemption contract.

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ADJOURNMENT: **With there being no further business, Mayor Sullivan adjourned the meeting at 8:35 p.m.**

Prepared by Valerie L. Gow, Recording Secretary/President
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