

**TUMWATER JOINT CITY COUNCIL AND PLANNING COMMISSION WORK SESSION & COUNCIL WORK SESSION  
MINUTES OF HYBRID MEETING  
DECEMBER 10, 2024 PAGE 1**

**CONVENE:** 6:00 p.m.

**PRESENT:** Mayor Debbie Sullivan and Councilmembers Peter Agabi, Michael Althaus, Joan Cathey, Leatta Dahlhoff, Angela Jefferson, Eileen Swarthout, and Kelly Von Holtz.

Planning Commission: Chair Elizabeth Robbins and Commissioners Gina Kotek, Terry Kirkpatrick, and Brandon Staff.

Excused: Commissioners Grace Edwards and Anthony Varela.

Staff: City Administrator Lisa Parks, City Attorney Karen Kirkpatrick, Finance Director Troy Niemeyer, Police Chief Jon Weiks, Community Development Department Director Michael Matlock, Water Resources and Sustainability Department Director Dan Smith, Planning Manager Brad Medrud, Police Commander Jay Mason, IT Manager Lance Inman, and Deputy City Clerk Tracie Core.

**2025  
COMPREHENSIVE  
PLAN PERIODIC  
UPDATE ON LAND USE  
AND HOUSING  
ELEMENTS AND  
DEVELOPMENT CODE  
UPDATE STATUS:**

Manager Medrud provided an update on accomplishments in 2024 and a review of the 2025 Work Program.

Manager Medrud introduced Associate Planner Dana Bowers who recently joined the department. Planner Bowers shared information about her professional background and efforts on community engagement.

Manager Medrud said that Land Use and Housing Planner Erica Smith-Erickson completed the update of the Hazard Mitigation Plan, the required update of floodplain regulations, and is continuing work on the Housing Element, as well as serving as staff to the Regional Housing Council (RHC). He acknowledged the Council's adoption of Development Code Administration amendments and plans by staff to review those changes in more detail during the 2025 update process.

**2025 LONG RANGE  
PLANNING WORK  
PROGRAM:**

Manager Medrud reviewed the draft 2025 Long Range Planning Work Program. Continuing work items include:

- Comprehensive Plan Periodic Update scheduled for approval by December 2025
- Bush Prairie Habitat Conservation Plan
- Regional Housing Council
- Tumwater Equity Tool Box
- Food System Plan

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The General Government Committee and the Planning Commission are scheduled to receive updates in February 2025 on the Food System Plan.

The City Council, Planning Commission, community members, and City staff may propose projects for the annual work program. The draft 2025 work program consists of projects budgeted for 3.30 department FTEs with more than half of the staff time dedicated to the completion of the updates to the Comprehensive Plan and Development Code. Ongoing work on the Bush Prairie Habitat Conservation Plan and with the RHC on homelessness and affordable housing will require 20% of staff resources in 2025.

The joint work session provides an opportunity for the Council and Planning Commission to discuss the draft 2025 work program as well as general topics related to their respective roles covering a range of community development issues.

The structure of the work program lists major projects for 2025. Items listed below the line are potential items of interest while acknowledging that the items listed above the line are to be completed first before dedicating time and resources to items listed below the line:

- Comprehensive Plan Amendment Docket – requires 40% of all budgeted staff time focusing on the following activities:
  - 2025 Comprehensive Plan Periodic Update (continued from 2024)
  - Thurston County Joint Plan Update and County Urban Growth Area Swap Amendment (at 93<sup>rd</sup> Avenue and Old Highway 99). Staff is currently working on an interlocal agreement with Thurston County to identify responsibilities with staff, anticipating most of the work will require City staff time and resources. (update continued from 2024 with County Urban Growth Area Swap Amendment new in 2025)
  - Parks, Recreation, and Open Space Plan Update – support to Parks, Recreation, and the Facilities Department (new in 2025). The Parks, Recreation, and Open Space Plan has not been updated since 2008 except for a minor update in 2016.
  - Economic Development Plan Update – Support for Executive Department (continued from 2024)
- Development Regulation Amendment Docket – requires approximately 15% of all budgeted staff time with approximately 10% budgeted staff time spent on the 2025 Development Code Periodic Update

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- 2025 Development Code Periodic Update (continued from 2024)
- Other Amendments:
  - General Commercial Mixed Use Residential Amendments (continued from 2024)
  - Multifamily Tax Exemption Update (new in 2025). The timing is important as the program is scheduled to expire in 2026 providing an opportunity to assess how the program is performing and state law changes that could improve the program.
  - Thurston County Code Title 22 – Tumwater Urban Growth Area Zoning (continued from 2024)
- Other Planning Projects – requires approximately 25% of all budgeted staff time with the HCP requiring approximately 11% of all budgeted staff time:
  - Annexation (initiated by an expected private application). The Council will review the proposal and determine whether to proceed with the annexation.
  - Brewery Redevelopment/Planned Action EIS and Ordinance (new in 2025)
  - Bush Prairie Conservation Plan (continued from 2024)
  - Equity Toolbox (continued from 2024)
  - Energy Performance Rating Program (new in 2025)
  - Food System Plan (continued from 2024)
  - Homeless Shelter/Emergency/Transitional Housing Assessment and Feasibility Study (new in 2025)
  - Rental Housing and Registration Program (ongoing)
- General Management and Coordination (ongoing)
- Below the Line Projects:
  - Urban Forestry Management Plan Amendments – Landscaping, Street Tree Standards, and Tree and Vegetation Preservation (continued from 2022-23).

Manager Medrud explained that because of other projects and the Comprehensive Plan Periodic Update process, staff is recommending the postponement of work on the Landscaping, Street Tree Standards, and Tree and Preservation amendments until 2026. Staff reviewed the proposal with the Tree Board at its recent meeting and reviewed the reasons for the delay and the status of current codes with some work required on the ordinance to ensure a simpler process than currently in place, as well as on efforts to reengage with the community. That work item would be delayed until 2026.

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Manager Medrud reviewed recommended discussion topics for the Council and the Commission to consider:

- How has coordination between the City Council and Planning Commission been in 2024 and what could be improved in 2025?
- What went well with the 2024 work program and what could be improved?
- What are the Council's main priorities for long range planning in 2025?
- Are there more opportunities for collaboration between the Council and the Commission to consider?
- Are there any additional projects to consider in 2025 and what projects could be delayed to accommodate any new additions?
- If adjustments are required to the 2025 work program, what projects have less priority?

Mayor Sullivan invited questions and comments.

Manager Medrud was asked about the location of the proposed annexation. He explained that the proposed annexation is located off 93<sup>rd</sup> Avenue. Staff is currently working on the proposal with applicant.

Councilmember Dahlhoff said she appreciates the information and the toggling of priorities. She asked whether there is another list or other method the department uses to track the applicable board or commission that could contribute assistance.

Manager Medrud replied that most work program items are reviewed by the Planning Commission and that they essentially serve as the Commission's work program. In those areas of overlap, such as the Tree Board with urban forestry related work items, an annual summary is provided to the Tree Board to review various action items identified in the Urban Forestry Management Plan. At the Board's recent meeting, members reviewed actions in the Urban Forestry Management Plan and staff implementations of some actions. Staff anticipates working with the Parks and Recreation Commission as part of the Parks, Recreation, and Open Space Plan update. Staff relies on the Council providing direction on involvement by other boards or commissions.

Councilmember Cathey questioned why the urban forestry reviews fell below the line as the current delay was attributed to the state's requirements. She asked about the discussion with the Tree Board as the action once again delays action on a topic that has been delayed for years. One of the most important aspects of addressing climate change is through trees, which requires addressing the City's tree preservation requirements.

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Manager Medrud said that essentially, there were too many work items of higher priority to complete in 2025. It was a difficult process because both above and below the line items are important projects. It came down to staff making a choice based on staff capacity, timing of work items, and state mandated updates to meet the requirements of state RCWs. The decision was difficult and included discussions by staff and with the Executive Department as to how to approach the 2025 work program. Staff engaged in conversations with the Tree Board and the Planning Commission about the work program items.

Councilmember Cathey requested feedback from the Commission about their respective discussion on deferring the urban forestry work items, as she does not recall any discussion with the Council.

Director Matlock commented that part of the issue with respect to the work program during 2025 was the enormous amount of resources required to complete the 10-year Comprehensive Plan update. The projection of staff capacity exceeded staff resources by 500 hours. Based on the proposed work program, staff determined that no other items would release sufficient staff capacity to address urban forestry. However, the Council has the prerogative to adjust the work program.

Councilmember Cathey noted that the work program reflects 240 hours of staff time to review the Multifamily Tax Exemption Program. Although the Council has discussed the program and acknowledged its importance, it could be moved below the line. She is disappointed with the decision to delay the review of urban forestry amendments.

Manager Medrud advised that the Council is requested to provide guidance on the proposed work program to move forward to the consent calendar or to schedule another discussion by the Council's second regular meeting in January.

Councilmember Dahlhoff agreed more discussion is required and suggested dedicating some of the hours from the Multifamily Tax Exemption Program to the trees and urban forestry reviews. She agreed that more time is desirable to review options.

Councilmember Agabi requested clarification as to the intent of the tree and urban forestry review. Manager Medrud responded that previously, the Council placed a priority to address amendments to the urban forestry code covering landscaping, street trees, and tree and vegetation. Staff initiated the process in 2022 and continued the review until 2023 when progress was paused because of state issues with the Wildland-Urban Interface Code and department staffing capacity. Today, the

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question is how and when to restart the review process and how to incorporate the work within the framework of other work priorities.

Councilmember Cathey pointed out that restarting the urban forestry work was promised to continue in 2025. She also believes the City contracted with a consultant to assist the City with the review.

Councilmember Althausser asked whether the hours assigned to the HCP are dependent upon any federal response and continuing challenges with the U.S. Fish and Wildlife Service (USFWS) in terms of its response to the HCP.

Manager Medrud replied that recent conversations with representatives from USFWS and congressional representatives reflect willingness by USFWS to work with the City to reinitiate the process. Staff anticipates producing a final public draft of the HCP for release to the public based on those recent joint conversations.

Councilmember Althausser asked about the status of the budgeted hours if the plan does not require the extent of hours projected in the budget.

Manager Medrud advised that staff would schedule an update on any project that might be affected by unforeseen circumstances to receive guidance on other projects to consider that are listed below the line. However, he does not anticipate a stall in the HCP based on recent discussions with USFWS.

Councilmember Swarhout asked about the circumstances that are indicative that USFWS would not request more requirements. Manager Medrud said staff is cautiously optimistic based on recent discussions with congressional staff and staff from USFWS.

Director Matlock said the conversation reflected that USFWS representatives were much more open for the City to pursue different approaches to enable completion of the HCP.

Manager Medrud responded to questions about the time allocated for public inquiries and general City Council and interdepartmental support. He explained that the allocation of staff hours also includes the probability of a large, unexpected project that creates turmoil and requires staff capacity to focus on the issue. Those hours are included as a contingency.

Mayor Sullivan acknowledged the request to schedule more discussion on the work program.

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Councilmember Dahlhoff recommended scheduling a work session to enable more time for the discussion.

Mayor Sullivan affirmed scheduling the discussion during the January 14, 2025 work session.

Manager Medrud invited feedback and suggestions from the Council to assist staff in preparing for the work program discussion.

Chair Robbins advised that the Commission discussed supporting the work that supports the Council's decision-making within available resources. She encouraged conversations about those instances that stall or pause a work item, such as the Wildland-Urban Interface Code because it disrupted both interest in, as well as the momentum of the review process. When those interruptions occur to regularly scheduled programs, it would be helpful to receive guidance from the Council as to ways the Commission could assist to accommodate unforeseen delays. Numerous legislative requirements in the last year have impacted cities. She is hopeful the City is working with the Association of Washington Cities to encourage the Legislature to pace new requirements to assist jurisdictions.

Commissioner Kirkpatrick said the Parks, Recreation, and Open Space Plan was a last minute addition as the Commission was not aware that the update was a requirement. He assumed the update would be spearheaded by a consultant, as the Metropolitan Park District is a stand-alone entity.

Manager Medrud advised that the department's role in the update is in support to the Parks and Recreation Department and its consultant. However, as it involves the code and policy changes, the department must ensure it aligns with other City policies and codes.

City Administrator Parks added that the Parks, Recreation, and Open Space Plan is outdated with many needs in the parks program that requires an updated plan to qualify for state grants through the Recreation Conservation Office for park projects. The Planning Commission and planning staff have supporting roles. Because the element is a component of the Comprehensive Plan it also adheres to the public review process as required by the Growth Management Act.

Discussion ensued on the role of the Parks and Recreation Commission to lead the update of the Parks, Recreation, and Open Space Plan and the importance of the Commission considering how the various plans shape the future of the community and help to establish the City's success. It is important to consider how actions implemented within

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the various plans are trending and assessing whether the City is proceeding in the right direction in attracting new and supporting existing residents and businesses, and the importance of sharing the City's history with the Commission and improving communications between both entities.

Councilmember Swarthout said she reviews the minutes of the General Government Committee and the Planning Commission meetings to help her prepare to address various issues.

City Administrator Parks noted that the City is moving to produce action formatted minutes with videos of each meeting and agenda topics bookmarked for easier access as forecasted in the 2023-2024 City budget.

Councilmember Von Holtz asked about accessibility of videos to those who have no internet access or to those with a hearing disability. City Administrator Parks said the City provides information on the website directing individuals who have accessibility issues. Access to meeting videos is available through YouTube or the City's website.

Chair Robbins affirmed the lag time of receiving minutes after the meeting but is concerned about converting to action oriented minutes and videos because of not only accessibility issues but content as well. Not all meeting discussions involve an action item but there are points of discussion that might be relevant to capture. She asked about the possibility of producing summary notes to document the conversations and points addressed that would be useful for the record, the Council, and for the advisory bodies.

Discussion continued on the format of the minutes, timeliness of receiving minutes, and the status of contracting for the production of minutes. City Administrator Parks noted that the action minutes would be produced by staff and as conversion of the minutes proceeds, the contract will be extended into mid-2025 to enable time for staff to transition the process. The level of detail will be subjective, and any additional level of detail will entail more discussion and adjustments.

Councilmember Althauser shared information on the ability for YouTube to provide a transcript of a meeting.

The Council and the Commission shared their respective insights on the helpfulness of meeting jointly and sharing information. Manager Medrud noted that more opportunities will be available to schedule more joint work sessions in 2025. A reception for Commissioner



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Varela is scheduled following the meeting. Commissioner Varela is leaving the Commission.

Mayor Sullivan affirmed the first Council work session in January 2025 would include a discussion on the 2025 Work Program with the Council forwarding questions and comments to staff prior to the meeting.

*The meeting was recessed from 7:00 p.m. to 7:03 p.m. for a break.*

**CITY COUNCIL WORK  
SESSION:**

**COMMON INTEREST  
AND  
CONFIDENTIALITY  
AGREEMENT  
BETWEEN THE CITY  
OF TUMWATER, PORT  
OF OLYMPIA,  
THURSTON COUNTY,  
AND THE THURSTON  
CONSERVATION  
DISTRICT FOR  
CONSERVATION  
PROPERTY  
PURCHASES RELATED  
TO THE BUSH  
PRAIRIE HABITAT  
CONSERVATION PLAN  
(HCP):**

Director Matlock advised that an important element of work on the HCP is the availability of property to serve as mitigation after the City receives an incidental take permit from USFWS to allow for limited “take” of the listed species. One of the requirements for an incidental take permit to be issued is approval of the HCP by USFWS. The proposed agreement enables the City to pursue discussions with partners (Port of Olympia, Thurston County, and the Thurston Conservation District) about funding that fall within the realm of attorney-client privilege. The agreement authorizes those discussions. Lacking an agreement, the parties are unable to discuss property appraisals under the umbrella of attorney-client privilege.

City Administrator Parks said the City currently has the same type of agreement with the Port of Olympia for the overall development of the HCP. The proposed agreement speaks specifically to property purchases and includes the other two partners.

**MOTION:**

**Councilmember Althausser moved, seconded by Councilmember Swarthout, to authorize the Mayor to sign the Common Interest and Confidentiality Agreement between the City of Tumwater, Port of Olympia, Thurston County, and the Thurston Conservation District for Conservation Property Purchases Related to the Bush Prairie Habitat Conservation Plan (HCP). A voice vote approved the motion unanimously.**

**INTERLOCAL  
AGREEMENT WITH  
THE WASHINGTON  
STATE PATROL (WSP)  
FOR FACILITIES USE:**

Police Commander Mason reported the police department utilizes Washington State Patrol (WSP) facilities for different training needs, such as emergency vehicle operations. The police department participated in training in the fall and following WSP forwarding an invoice for the use of the facilities, it was discovered the City lacked a current contract with WSP. The proposed contract is to rectify the

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situation to ensure WSP is compensated and the police department is able to access to training facilities over the contract period.

**MOTION:** **Councilmember Agabi moved, seconded by Councilmember Von Holtz, to approve and authorize the Mayor to sign the interlocal agreement with WSP to use WSP facilities for training. A voice vote approved the motion unanimously.**

**MAYOR/CITY ADMINISTRATOR'S REPORT:** City Administrator Parks thanked the Council for comments on the 2025 Long Range Work Plan.

The Christmas Tree Lighting event was successful. The fire department continues to visit City neighborhoods with Santa.

A video has been released on the Transportation Benefit District.

City Administrator Parks conveyed messages of thanks from staff to the Council for approving the budget, as well as from non-represented employees for the market rate increase.

City Administrator Parks wished the Council a wonderful holiday season and is looking forward to 2025.

Mayor Sullivan wished the Council and staff members a happy holiday. The next Council meeting is scheduled on January 7, 2025 affording a break for both the Council and staff during the holiday season.

**ADJOURNMENT:** **With there being no further business, Mayor Sullivan adjourned the meeting at 7:14 p.m.**