

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 1**

CONVENE: 7:00 p.m.

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

Excused: Councilmember Leatta Dahlhoff.

Staff: City Administrator Lisa Parks, City Attorney Karen Kirkpatrick, Finance Director Troy Niemeyer, Fire Chief Brian Hurley, Parks and Recreation Director Chuck Denney, Community Development Director Michael Matlock, Water Resources and Sustainability Director Dan Smith, Planning Manager Brad Medrud,, Sustainability Coordinator Alyssa Jones Wood and City Clerk Melody Valiant.

SPECIAL ITEMS:

**TUMHOPES:
REINTRODUCTION TO
COMMUNITY
PARTNERS:** Courtney Fuller, Coalition Coordinator said she serves as the Coalition Coordinator for two prevention coalitions in Thurston County. She joined Tumwater HOPES (Healthy Opportunities for Prevention, Empowerment, and Success) and Bucoda/Tenino Healthy Action Team in January 2024. The community-based coalitions use community-based strategies to determine root social and emotional factors that predict problem behaviors and believes a comprehensive, collaborative approach involving youth, parents, educators, and other caring adults is best for solving the problems facing youth today for prevention, misuse, and abuse of drugs, alcohol, and nicotine. She is employed with Education Service District (ESD) 113, which is funded by the Community Prevention Wellness Initiative (CPWI) under the Health Care Authority. In 2011, the Health Care Authority initiated efforts to form the CPWI because of the need and a readiness to address alcohol, tobacco, and drug (ATD) prevention. Some surveys were conducted in 2011, which identified some communities in the state were willing to receive some help in prevention. Subsequently, Cohort 1 was initiated in 2011 in Bucoda and Tenino.

CPWI began providing substance abuse prevention services and strategies through local coalitions in high need communities. Between 2001 and 2016, Cohort 1 outcomes reflected a substantial decrease in both family and community risk factors and in alcohol binge drinking, tobacco, and other drug use. Since 2011, funding has been provided to the coalitions.

Currently, coalitions are active in 100 communities in the state in nine service districts.

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 2**

Student assistance professionals are in schools working with youth who may need assistance for counseling or referral services. Other professionals working with 10- to 14-year old youths also work outside the schools.

The coalition is a data-driven organization sponsoring community surveys and the Healthy Youth Survey. The coalition analyzes data and identifies gaps in the community and available resources to help fill the gaps. The information supports planning efforts and implements actions. Data are analyzed for gaps, decreases in numbers, and areas requiring more assistance. The information is presented to the coalition and the community to receive feedback on desired actions to help youth.

Both coalitions are similar in their work. Under the ESD, a third coalition is located in Elma. Three coalitions are under the umbrella of ESD 13 with the intent to combine all coalition efforts to saturate the community with resources, identify policies, future laws, and necessary steps for moving forward to continue to improve outcomes.

The coalitions established seven goals and objectives focused on increasing community readiness, decreasing laws and norms favorable to alcohol, tobacco, and nicotine use, educating the public on alcohol, tobacco, drugs, and brain chemistry, decrease the initiation of use, decrease availability, decrease favorable attitudes towards alcohol, tobacco, and drugs, increase bonding skills, and increase family healthy beliefs and attitudes. The coalition works with 12 different sectors of the community and strives to build relationships with more community partners. All coalitions work closely with school districts. Current activities include launching several campaigns during the year focused on good behaviors, medicine take back, and participating in school resource fairs.

Councilmember Althausen inquired about the timing for releasing new data. Ms. Fuller advised that the coalition received Healthy Youth Survey data and is in the process of analyzing the data in addition to other sources of data. Data should be available by September to disseminate to the community. An initial review of data reflects a decrease in alcohol, nicotine, and drug use by youths across the state. Numbers began decreasing following the pandemic and it is likely some youths did not complete the survey; however, the trend continues to reflect a reduction.

**DAVIS MEEKER
GARRY OAK TREE
RFQ BRIEFING:**

City Administrator Parks updated the Council on the status of efforts surrounding the Davis-Meeker Garry oak tree since the Council's June 4, 2024 meeting.

TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 3

On June 4, 2024, Mayor Sullivan responded to both the Council's concerns and community concerns expressing support for the Davis-Meeker oak tree. Mayor Sullivan agreed to pursue a second level-3 tree risk assessment. Since then, staff researched the best approach and although the City is not required to issue a Request for Qualifications (RFQ) because the project does meet the cost threshold, research determined a RFQ process would be the best approach.

Research included outreach to two cities with urban forestry management programs. City Administrator Parks contacted the City of Olympia and the City of Seattle. She contacted Jason Johns, Urban Forestry Management Program Director for the City of Olympia and Darin Morgan, Seattle Department of Transportation Urban Forestry Management Program Lead with a request for examples of RFQs. As tree risk assessments do not exceed the dollar threshold for competitive bidding, no examples were available but each city responded to questions about the appropriate minimum qualifications for a consulting arborist to perform the work and the minimum components an assessment should include to produce a high level risk assessment. With that information, staff drafted a RFQ for the Council's review.

Professional requirements the City is seeking include an International Society of Arboriculture (ISA) Board Certified Master Arborist (highest level of certification offered by ISA), which requires applicants to pass an extensive scenario-based exam and obligates those who achieve the certification to abide by a code of ethics in ensuring the quality of their work. Applicants are required to be an ISA-certified arborist in good standing and must have measurable experience, formal education, and related credentials or some professional experience. The RFQ requires candidates to be tree-risk assessment qualified (a training course offered to demonstrate professional knowledge and tree risk assessment processes). The RFQ requires the candidate to be experienced in performing level 3 tree risk assessments using the standards outlined in a specific tree care standards document approved by the American National Standards Institute. The candidate should also be experienced in high value risk management assessments and experienced with modern tree assessment techniques (sonic tomography, aerial inspection, evaluation of high stems and branches, and various decay testing methodologies). Additionally, the American Society of Consulting Arborists sponsors a program for registered consulting arborists. The City's consultant is required to be a registered consulting arborist practicing within 250 miles of the City. The organization provided 55 names of registered consulting arborists. The City plans to send the RFQ to those individuals.

City Administrator Parks described the scope of work for the consulting arborist. The timeline for the RFQ includes issuance on July 3, 2024 to

TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 4

the list of 55 individuals via email for submittal of qualifications by July 18, 2024. On July 19, 2024 a list of candidates will be selected for interviews scheduled on July 23, 2024 with selection by July 24, 2024. The tree assessment is scheduled to commence on August 1, 2024.

City Administrator Parks invited feedback on the RFQ to incorporate any changes before releasing the RFQ.

Councilmember Von Holtz asked whether the City's contacts also included other cities that have updated policies to protect heritage trees. Additionally, she requested revising or deleting the last sentence in Section 1 of the RFQ because the language appears to reflect the City's original decision and may result in the consulting arborist leaning towards that option. As the City has experienced some loss of trust by the community, it is important to either revise or remove the sentence.

City Administrator Parks advised that she did not contact other jurisdictions. The City of Bellingham was referenced because of its tree code. Bellingham's legacy tree code is similar to the City's heritage tree program. The purpose of the contact to the arborists was to obtain information about tree risk assessments rather than information on code provisions.

Councilmember Althausen noted that some concerns addressed by the public last month were limitations of sonic tomography in terms of technology compared to other technologies for analyzing the tree. Other methods are available for measuring decay further up the trunk. The language in the RFQ speaks specifically to sonic tomography; however, it also enables other inspection methods. Although he supports the use of sonic tomography, he would like to ensure a comprehensive assessment that includes other methods as previously described.

City Administrator Parks affirmed all options would be considered. Sonic tomography is the attachment of electrodes to the exterior of the tree. The technology is advanced. During the initial assessment only one location was assessed by sonic tomography at the base of the tree. It is possible to assess the tree using sonic tomography along the main stem and branches. The RFQ focuses on arborists who can perform advanced methodologies with no recommendations or direction by the City. The request is for the arborist to recommend how to complete the most thorough level 3 assessment possible.

Councilmember Cathey asked whether the candidates are being asked to utilize any of the previous assessments or consider comments by local arborists. City Administrator Parks responded that the purpose for contacting other urban forestry program managers was to gain an

TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 5

understanding of the best approach to contract with a neutral third party consultant to perform the work, which speaks to why the City is contacting registered consulting arborists and added some requirements in the RFQ.

Councilmember Cathey commented that the City previously contacted the City of Olympia. At that time, the urban forester weighed in favor of the City's course of action. The issue is whether anyone else who offered an opinion or was involved in previous work or provided comments would be considered when choosing the consultant. City Administrator Parks explained that the outreach to the two urban foresters was because they serve as urban forestry program managers. The intent was to seek a recommendation on the types of qualifications that would be appropriate to complete a level 3 assessment. The contacts did not speak to a review of the report or how the assessment should be completed. Mr. Johns advised that blind peer review of work is not uncommon in arboriculture; however, the review must return to the earlier work and reconcile any contradictions with earlier findings. The City is hiring the individual based on qualifications and will defer to the professional to determine the process of identifying for the City how best to accomplish the level 3 assessment. It could entail the consultant reviewing Mr. McFarland's report, the email from Jason Johns, or the testimony of Mr. Brower and Ray Gleason. The consultant will decide how to complete the work in the manner in which they are credentialed to complete. The City is not establishing the conditions, rather the City will identify what the report needs to address and through the process of interviewing, the candidates will ask how they intend to accomplish the work.

Councilmember Cathey asked how the consultant will access all the information and reports completed previously to include information about the concerns of some Councilmembers and the public. City Administrator Parks advised that any request for information by the consultant would be provided. Typically, the process includes an initial meeting with the consultant to review the project, identify previous efforts, and responds to data requests from the consultant.

Councilmember Cathey mentioned that often, urban foresters are not involved in heritage trees or legacy forest trees. She expressed regret that staff did not contact the City of Bellingham or other jurisdictions. King County completed a process expending time and energy to produce a tree ordinance. As the process proceeds, she recommended consideration for contacting other cities that have completed guidelines because it speaks to the importance of the Council to consider the City's tree ordinances.

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 6**

City Administrator Parks noted that both the City of Olympia and the City of Seattle urban forest management programs address heritage trees within the context of their urban forestry management program.

Mayor Sullivan confirmed the requests to incorporate revisions in the RFQ prior to releasing the RFQ.

PUBLIC COMMENT:

Beowulf Brower, resident of Olympia, thanked those for the behind-the-scene efforts to afford a second opinion on the Meeker oak tree. He reviewed the RFQ and believes it is fundamentally sound especially as it pertains to qualifications. This is especially true since the City's arborist does not currently possess a tree risk assessment qualification. He suggested including the Tree Board and the Historic Preservation Commission in the decision-making process. The City is fortunate to have those boards and it would behoove the Council to utilize those bodies because of their many years of combined experience to decide on the selection of an arborist and to interpret the consultant's report. He supports comments by the Council because the City needs an update and strengthening of its tree protection ordinances. Doing so preemptively would have saved a great deal of work. However, it is never too late to start. He is also glad the Council listened to the public and several public agencies as it reflects some hope in government, especially given current events.

Sue Sikora, 20103 Harrison Avenue, Olympia, commented that the topic has been challenging and she is appreciative of preserving the Davis-Meeker Oak tree and including it on the meeting agenda. She thanked the Council for giving the tree a second chance to be preserved and for listening to public voices in favor of preservation. On behalf of the group, Save the Davis-Meeker Garry Oak Tree, she advised of a petition with over 1,700 signatures of support. More signatures of support continue to be received daily. The petition will be emailed to the Council. All petitioners support preserving the historical tree in a way that is safe for everyone. She thanked the Council for continuing the discussion and offered the assistance of the group to support of the process because there are many dedicated volunteers with many talents who are willing to help figure out a way to preserve the precious historical landmark tree. It is also important that the assessment include a statement indicative of whether the tree is capable of saving and preserving to ensure the assessment is clear.

Shannon Duncan, resident of Tumwater, said she is a volunteer with the Save the Davis-Meeker Garry Oak (SDMGO) group. She thanked the Council for working so hard and listening to the group. Many volunteers have joined quickly to save the tree that means different things to different people. As a resident for many years in the beautiful City of Tumwater, she has noticed changes in the City over the last three

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 7**

years with many friends and family noticing similar changes. Many public land use signs are posted throughout the City. Although understanding progress in cities is necessary, the City has progressed too much in the last three years and has eliminated much protected land. A small bear recently went through her neighborhood looking for food because its habitat is being destroyed. She thanked everyone who is participating in the group and is appreciative of the Council for listening to the concerns.

Riley Glore said he is a resident of Olympia and a tenant at the airport and drives by the tree each day. He thanked the Council and the Mayor for their reconsideration of the situation as it speaks to an important decision. One issue not addressed is those who are soliciting money to help the tree. Originally, the intent was to raise funds to hire lawyers. However, hiring lawyers is a crazy step as funds could be used to preserve the tree if the determination is to retain the tree. Private funding might be available to assist the City to preserve and maintain the tree.

Pamela Hansen, PO Box 14521, Tumwater, spoke to several issues. She complimented Ms. Fuller for the excellent presentation on Tumwater HOPES. Many years ago she considered forming *Innocent Command* to help young people develop the skill sets they would need if they were raised within a drug environment. She is impressed by the efforts of Tumwater HOPES. She echoed many of the comments regarding the Davis-Meeker oak tree and referred to the Service Provider Agreement with Barker Rinker Seacat Architecture for the community center design for consideration by the Council. After reading an initial report about the community center by *The Jolt*, she realizes there was similar plan previously completed. Unless something has changed significantly, she sees no reason to spend almost a quarter million dollars on a contract to study the proposal again especially because the City has no designated land and no plan. The proposal appears to be a repetitive effort. She suggested the proposal could fall under the False Claims Act. Whether or not it would fall within the parameter of the False Claims Act, she is hopeful the Council reconsiders moving forward with the proposal.

Dave Nicandri, resident of Tumwater, commented that it is the week of the 4th of July and he would like to celebrate several achievements. The first is issuance of an RFQ to study the oak tree, as he did not anticipate the proposal would be under consideration by the Council. Secondly, the City, the Council, and City staff should be congratulated for completing the successful Trosper Road roundabout project. The project took time with much tribulation, but the roundabout is not only efficient, it is fun to drive. Ditto to the new road constructed to the golf course and valley. The new road is also fun to drive and more efficient

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 8**

saving him 8/10^{ths} of a mile each day. The City is lucky to work with that specific set of developers as the area represents a stunning development and reverses a nearly century-old grievous wound to the City caused by the creation of the freeway. The City is creating a new City center care and it is fabulous to witness the development. He acknowledged and thanked the City for installing the historic Old Highway 99 signs at the City entrances both north and south and on both sides of the historic bridge. The signs were installed in time to call attention to the corridor's most pronounced landmark, the Davis-Meeker oak tree by the airport. Finally, he is wearing his initiative 2066 pin in support of stopping the ban on natural gas. The issue will be decided by a vote of the people and eliminates the need for him to complain to the Council each meeting about building codes. The issue will be decided by the voters, much like voters did a few years ago for fireworks. During the week of the July 4th holiday, the City is celebrating with a parade and fireworks. He wished everyone a good holiday.

Jacob Hoffer complained that an Olympia Police Officer stole his *Original Sin* protest sign and pointed at him while accusing him of being in cahoots with high mind cultists. His back was against a wall as the officer aggressed with his nose touching his finger. The Bill of Rights is very clear as no one is entitled to people's minds. He is always guilty until proven innocent. More recently his efforts have focused on his handler for social media at telepathyconspiracy on YouTube showcasing his source code where his thoughts are more fully explained. He questioned what he could do if police are targeting him, as they are never honest.

Ronda Larson Kramer, 1814 Eastside Street, Olympia, explained that she learned that the test the City's arborist performed on the oak tree was a mallet test comprised of pounding on the base of the tree and listening at the base within an area of noisy traffic. That method is not sonic tomography. Sonic tomography was completed by Tree Solutions at the base of the tree only. The group, Save the Davis-Meeker Garry Oak, is requesting the use of sonic tomography throughout the entire canopy of the tree. The test is advanced technology versus a mallet. After testing, it is possible to identify areas of potential cavities and decay by using resistograph, a more invasive testing tool using a small drill to identify the internal structure. The group's website is at www.davis-meeker-oak.org. The group is participating in the City's 4th of July parade. She encouraged the community to participate.

Michelle Peterson, resident of Tumwater, cited the intent of the petition for saving the Davis-Meeker oak tree: "Please preserve the Davis Meeker Oak Tree for future generations, as well as making it safe to stay where it is without threat to public safety. This famous and

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 9**

beloved tree is an irreplaceable piece of our heritage cherished by the citizens of Tumwater, visitors, native tribes, and people of surrounding areas using this main transportation route.” She is pleased to discuss future steps rather than commemoration of the tree.

Skip McConkle, resident of Tumwater, said his family had cut trees down for firewood for their home on Trospen Road. He donated the property with trees larger than the oak tree that had to be removed. He does not believe the tree should be removed but rather it should be groomed. He cited a natural magazine that promotes grooming and maintenance of trees in various articles. Oak trees are typically hollow and more so as they age. The tree and the ground belong to the people of Tumwater. According to the articles, the tree should be irrigated and fertilized. He was able to stop the addition of fluoride to drinking water through a petition drive in Olympia and advocated for pursuing a petition drive to save the tree.

- CONSENT CALENDAR:**
- a. Approval of Minutes: Council Work Session June 11, 202
 - b. Payment of Vouchers
 - c. Intergovernmental EMS Contract Funding Amendment No. 2 – SWAT Medic
 - d. Golf Course Stormwater Retrofit Grant Agreement with Department of Ecology Amendment 1
 - e. Reappointment of David Bills, Brian Reynolds and Satpal Sohal to the Lodging Tax Advisory Committee

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

Mayor Sullivan reviewed the items approved on the consent calendar.

**COUNCIL
CONSIDERATIONS:**

**PIONEER PARK EV
CHARGER CAPITAL
AGREEMENT WITH
DEPARTMENT OF
COMMERCE:**

Coordinator Jones Wood reported the City received a grant from the Department of Commerce to deploy and purchase an ADA-accessible off-grid solar-powered, battery backed-up EV charger with two, Level-2 ports. The project is a pilot to test the effectiveness of the charger and solar unit. The option is helpful in locations where existing electrical service is unavailable or the city prefers not to trench through the ground in places like athletic fields.

The scope of work includes a pre-deployment community meeting at Pioneer Park to review the proposed location and unit. Staff will initiate an order for the EV charger and then deploy and commission the unit. The unit will feature a weatherproof box for brochures and a sticker

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 10**

next to the 120-volt outlet for charging eWheelchairs and eBikes. Staff will produce a frequently asked questions informational sheet, train staff, and conduct a post-deployment community meeting to offer information on how to operate the charger. The City will communicate the availability of the charger through the City's website and through PlugShare. Staff will monitor and maintain the station. The grant includes funding to prepay six years of operations, maintenance, warranty, and the EV charging network component. This particular type of unit will be the first installed in the state. The unit is used extensively in California and New York. Pierce County has expressed interest in following the pilot program to include attending pre- and post-deployment meetings.

Coordinator Jones Wood invited questions and requested approval for the Mayor to sign the agreement with the Department of Commerce.

In response to questions from Councilmembers, Coordinator Jones Wood advised that since the unit is solar with a battery backup and not connected to the grid, the unit is limited to approximately 300 miles of charge each day. The EV station will be free to the public. Following the end of the six-year grant, the City has the option of assessing a fee. The City submitted a competitive out-of-the box proposal and the Department of Commerce decided to offer the grant for an innovative pilot to ascertain if the unit would benefit other jurisdictions.

MOTION:

Councilmember Jefferson moved, seconded by Councilmember Cathey, to approve and authorize the Mayor to sign the capital grant agreement with the Washington State Department of Commerce for the purchase and installation of an EV charging pilot at Pioneer Park in the amount of \$87,052. A voice vote approved the motion unanimously.

**SERVICE PROVIDER
AGREEMENT WITH
BARKER RINKER
SEACAT
ARCHITECTURE FOR
COMMUNITY CENTER
DESIGN:**

Director Denney reported the request is for approval and authorization for the Mayor to sign a service provider agreement with Barker Rinker Seacat Architecture in Denver, Colorado to design a community center for the City. The General Government Committee reviewed the contract and recommended approval to the Council.

As previously mentioned, a similar process was completed in 2004 as part of the Public Facilities District funding competition between the cities of Lacey, Olympia, and Tumwater. At that time, the facility was different from the current proposal. The City was not successful in obtaining funding for the proposal. The proposed community center will include some of the same elements; however since 2004, the population has increased from 16,000 residents to 28,000 residents with different needs that will be assessed as the new facility plan is developed.

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 11**

Three groups are assigned to the project. The first is an internal staff group (staff steering committee) working with the consultant team on internal administrative tasks. The second is a steering committee assigned to complete much of the work with staff and the consultant. Members of the committee would include a Councilmember and representation from the Parks and Recreation Commission, Tumwater School District, Senior Center, youth sports, Tumwater Area Chamber of Commerce, a representative from the YMCA, and several community members at-large. The third group is the public as the entire process is driven by public input to enable the steering committee's decisions on the direction to pursue. A community survey will be released and two community workshops will be hosted to review survey results.

Director Denney addressed questions with respect to the timeline. The community center was funded as part of the formation of the Tumwater Metropolitan Park District approved by the voters. The facility is funded and the timeline is based on completion of the design. Staff is exploring four different sites. An evaluation matrix has been developed to evaluate each site to determine the best location. The community center is intended to serve all Tumwater citizens and should be easily accessible. The matrix will cover proximity to bus routes, services, schools, local business, local restaurants, and street infrastructure. Four sites under consideration are the former Washington Department of Transportation (WSDOT) site off Capitol Boulevard, the brewery property behind the golf course (warehouse), Port of Olympia property, and a proposed YMCA site off 93rd Avenue. The minimum parcel size required is 10 acres. The design process includes restraints both in the size of the facility and the budget.

Councilmember Althausen asked whether the proposal approved by the voters for land for a future aquatics facility would be a factor the consultant considers in the analysis of various sites. Director Denney confirmed it would be and reviewed language included in the voter's pamphlet for the Metropolitan Park District. The promise to voters was to build a community center with meeting and event space, a senior center, indoor sports courts, and land for a future public swimming pool.

MOTION:

Councilmember Althausen moved, seconded by Councilmember Jefferson, to Authorize the Mayor to sign the service provider agreement with Barker Rinker Seacat Architecture for Community Center Design. A voice vote approved the motion unanimously.

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 12**

**CONTRACT
APPROVAL FOR AN 8-
YEAR MULTIFAMILY
TAX EXEMPTION FOR
THE ROOKERY
APARTMENTS
(TUM24-0714):**

Manager Medrud reported the proposal is contract approval for an 8-year multifamily tax exemption for the Rookery Apartments project located off Capitol Boulevard to enable the project to move forward.

In 2014 with the adoption of the Capitol Boulevard Corridor Plan, the plan recommended establishing a multifamily tax exemption program to improve the financial viability of redevelopment of the corridor and to achieve the vision for the corridor. In 2017, the Council adopted a multifamily tax exemption program to stimulate desired multifamily development within key areas of the City. At that time, those areas included the Brewery District and the Capitol Boulevard Corridor area. The program includes an 8-year tax exemption providing market rate housing. The 8-year tax exemption does not include an affordable housing component because the primary intent is to stimulate overall multifamily housing development and support more development along the corridor.

An approved multifamily tax exemption is a shift in revenue from property tax for the course of the exemption. The City's property levy provides the funds for the City's operations. When a property is exempt from property tax, those costs are redistributed to other property owners in the City. Through April 2024, the City has approved 300 conditional uses of which 263 units are market rate housing and 37 are affordable housing units. Final approvals total 141 total units with 112 market rate units and 29 affordable units. In terms of location in the City, 119 units are located in the Brewery District that have been approved conditionally under the 8-year tax exemption program and 322 units located within the Littlerock Road subarea include two projects under the 12-year exemption program. For the 12-year exemption, one project has received final approval, and one has received conditional approval.

The proposed project is located at 6501 Capitol Boulevard north of the intersection of Capitol Boulevard and Dennis Street. The project is a mixed-use development of six units of multifamily housing. The proponent is applying for the 8-year tax exemption to assist in funding the project.

The approval process for a conditional approval is outlined in the Tumwater Municipal Code. The applicant filed a complete conditional certificate application with the City and City staff completed the review and determined the application is complete and meets the requirements of the code. The Community Development Department approved the conditional certificate. Part of the process requires the applicant to contract with the City. The conditional certificate and contract are valid for three years from the date of approval. Following completion of the project and issuance of a certificate of occupancy, the applicant files an

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 13**

application or the final certificate. The City files the final tax exemption with the Thurston County Assessor's Office.

Staff recommends the Council authorize the Mayor to sign the contract for the 8-year tax exemption as recommended by the General Government Committee on June 12, 2024.

Councilmember Swarthout said the tax exemption for the project is essential for the business owned by three women to complete financially. She referred to many comments from community members as to the amount of tax burden residents have to assume because of the tax exemption program. She suggested including some financial facts about the program on the website as many people are indicating the costs to a taxpayer can be thousands of dollars.

Manager Medrud replied that the City is required to report to the state annually on all approved projects, particularly for the affordability component to demonstrate that each unit is affordable under the program. The information is submitted to the state to satisfy the requirement, which could be included on the City's website. In terms of the costs of the program distributed across the community, costs were researched in February 2023 in response to a question from the Council. The Finance Director assisted in identifying some costs in 2023 dollars for property tax, which varies property by property. Generally, based on an assumption that an apartment complex is valued at \$5 million, the City's property tax portion would be approximately 1.77% per each \$1,000 in value equating to approximately \$8,850. The examination included how the City portion would be allocated across the community in total to 10,000 single-family dwellings with the cost identified for each property owner of less than \$5 per unit annually.

Councilmember Swarthout cited the Comprehensive Plan update and the projected need of housing units by income level. The language refers to the need for public support for all housing markets. She questioned the definition of "public support."

Manager Medrud said public funds would likely be required for construction of low income housing projects. In cases where supportive housing is needed, those services are a public cost. The City can offer incentives to the higher end of the market up to 80% of area median income, but essentially public funds would be needed for most housing units at most lower income levels.

Councilmember Cathey said she voted in opposition to the tax exemption program for many of the same reasons addressed by Councilmember Swarthout. Hundreds of units have been built with a 12-year tax exemption by large local builders who do not have to pay

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 14**

property taxes for 12 years as long as 20% of the units are affordable housing. At the end of 12 years, the units can convert to market-rate housing.

Manager Medrud advised that in 2021, the Legislature amended the multifamily tax exemption to allow an option to extend the 12-year program with some conditions. The first is that the actual AMI of tenants of affordable units would be low-income rather than the current range of 80% to 150% of AMI as stipulated in state law. There are options to consider at the end of the 12 years that would require amendments to the current program.

Councilmember Cathey reiterated her opposition of the tax exemption program because the City collects the same amount of property tax and must increase other property owner taxes, which she opposes. The larger complexes built by wealthy builders in the area are taking advantage of the 12-year tax exemption program and only providing 20% affordable units. She plans to support the proposal as the project proponents are three women who are providing housing for moderate and low-income households.

Councilmember Althaus commented on the housing need projection in the City over the next 15 years of approximately 5,000 units representing a dramatic departure from the current situation. Tools available to the City to incentivize density along corridors are important tools in the tool chest. The impact to taxpayers should also consider more sprawl when less density is achieved in the urban core, which adds to the cost of services for outlying communities. To the degree that more units can be built in high-density corridors, it results in reduction of other taxpayer expenses for wider roads and other services provided by the City. This particular project is only for six units developed by women who live in the community. He acknowledged the request by Councilmember Cathey to revisit the program, which he supports next year because the state has also adopted legislation that would allow for a 20-year exemption that would provide affordable units for a period of 75 years.

Councilmember Agabi asked whether the development proposal conforms to the federal income guidelines. Manager Medrud said the proposed development is market-rate housing with no affordable percentage required to follow income guidelines. The project is supporting the construction of new housing and is not providing housing for lower incomes. Income ranges the City follows are from the Department of Housing and Urban Development (HUD) income levels modified for Thurston County to establish the region's AMI.

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 15**

Councilmember Council noted that with many of the new larger apartment complexes built in the City recently, a substantial number of mature trees have been lost that should be another consideration.

MOTION:

Councilmember Althausser moved, seconded by Councilmember Jefferson, to authorize the Mayor to sign contract for an 8-Year Multifamily Tax Exemption for the Rookery Apartments (TUM-24-0714). A voice vote approved the motion unanimously.

**COMMITTEE
REPORTS:**

**PUBLIC HEALTH &
SAFETY:
*Peter Agabi***

The next meeting on July 9, 2024 includes a Thurston County Prosecutor's update and consideration of a Homeland Security Region 3 Omnibus Mutual Aid Agreement and an Interagency Reimbursement Agreement IAA25301 Between Washington State Administrative Office of the Courts and City of Tumwater.

**GENERAL
GOVERNMENT:
*Michael Althausser***

At the June 12, 2024 meeting, members continued the review of the 2025 Comprehensive Plan Periodic Update focusing on Land Use and Conservation Elements. The committee also reviewed and forwarded recommendations on the Contract Approval for an 8-Year Multifamily Tax Exemption for the Rookery Apartments and the Service Provider Agreement for the Community Center Design.

**PUBLIC WORKS:
*Eileen Swarthout***

The next meeting is scheduled on Thursday, July 18, 2024 and includes the Three Legs Crossing Oversizing Agreement, an Agreement for Transfer of Interest in Brewery Assets, and the LOTT Deschutes Valley properties purchase update.

**BUDGET AND
FINANCE:
*Debbie Sullivan***

The next meeting has not been scheduled at this time.

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

City Administrator Parks advised that at the July 16, 2024 meeting, the Council will consider and review several project-related proposals requiring attention prior to the Council's summer recess.

The City is hosting many events on Thursday, July 4, 2024 with a parade that begins at 11 a.m. The Family Fun Festival and the Nisqually Red Casino Fireworks Show will be held at the golf course with gates opening at 6 p.m. at a cost of \$10 per vehicle with the parking proceeds supporting the Thurston County Special Olympics. The fireworks show begins at 10:15 p.m.

The Council's July 9, 2024 work session is a hybrid joint meeting with the Planning Commission.

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 16**

The ribbon cutting ceremony for the Capitol Boulevard/Trosper Road project is scheduled on Wednesday, July 24, 2024 from 1 p.m. to 2 p.m. on the southwest corner of the intersection near the former Thai restaurant. Participants include Mayor Sullivan, Councilmembers, management team, project staff, John Doan, Pete Kmet, Jay Eaton, and the funding agencies.

Recently, the Supreme Court ruled on the Grants Pass case affecting the enforcement of camping regulations on city-owned and public properties. The ruling indicated that it is not cruel and unusual punishment as prohibited by the Eighth Amendment to enforce camping regulations. Legal staff continues to evaluate the decision to identify any ramifications for a future discussion with the Council on potential options. The City's code prohibits camping and staff will continue to assist those who are experiencing homelessness and sleeping on public property.

The state audit is scheduled later in the month.

Mayor Sullivan reported on her attendance to the Association of Washington Cities conference (AWC).

Mayor Sullivan shared that former Councilmember Neil McClanahan's memorial service is at noon on July 3, 2024 at St. Michael's Parish. She plans to attend his service. It is a sorrowful time when the community loses someone who contributed so much for so many years and served as the Thurston County Undersheriff for 34 years.

**COUNCILMEMBER
REPORTS:**

Peter Agabi:

At the last meeting of the Thurston Economic Development Council Board meeting in June, members received a presentation from the CEO of *Experience Olympia and Beyond* on its 10-year Thurston County Master Destination Plan. The plan includes several key areas involving the EDC. Representatives from the Office of Minority and Women's Business Enterprises provided an update on efforts supporting equity and inclusion and an entrepreneurial business system. The Korea Startup Center in Seattle owned by the Korean government is partnering with the EDC to support Korean startups and entrepreneurs to launch and scale their South Korean businesses.

Kelly Von Holtz:

At the last bi-monthly meeting of the Thurston County Law Enforcement Assisted Diversion (LEAD) meeting, members reviewed some successes and challenges of participants, diversion expansion efforts, and some future celebrations.

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 17**

Councilmember Von Holtz attended the AWC conference in Vancouver, Washington.

Joan Cathey:

Councilmember Cathey attended the Regional Housing Council meeting. Other intergovernmental meetings have been cancelled during the summer.

Councilmember Cathey reminded everyone that during upcoming high temperatures, it is important to check on elderly neighbors or those who may be physically challenged. The forecast is for high temperatures in the 90s for many days. Dogs and other animals should be cared for during extreme heat.

Eileen Swarthout:

Councilmember Swarthout attended the June 7, 2024 Thurston Regional Planning Council meeting. Members reviewed the Federal Transit Assessment and Transit Safety Performance Measures, reviewed a resolution for 2024/2025, and received a presentation on rural transit funding and service update. Rural transit serves Chehalis Reservation, Tumwater, Bucoda, Grand Mound, Rainier, Rochester, and Tenino.

At an executive meeting of the Thurston County Climate Mitigation Committee, members received reports from LOTT and Puget Sound Energy and discussed the selection of the 2025 Thurston Climate Mitigation regional initiative. Members selected a white paper on a gap analysis for regional and jurisdictional plans and policies that aim to reduce greenhouse gas emissions in the transportation sector by reducing vehicle miles traveled. Members received a presentation on the 2022 greenhouse gas emissions inventory.

Michael Althausen:

At the last meeting of the Funding and Governance Work Group for the Deschutes Estuary project, members continue to review and develop the interlocal agreement (ILA) with other partners. Work continues with the consultants and the work group and following some agreement as to draft language, a work session will be scheduled to review the draft ILA.

Councilmember Althausen attended the Regional Housing Council meeting on Wednesday, June 26, 2024. The Council approved the request for information for the funding pipeline for housing projects. The pipeline is a list of potential future housing projects on the county's funding list over the next several years. The Council released a Request for Information (RFI) for the next three years of pipeline projects. Next year will cover only one year of projects with the normal three-year cycle scheduled next year to get back on track because of the pandemic. The Council approved \$16 million in funding for projects to place on the pipeline for the next three years. Members discussed the potential

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
JULY 2, 2024 Page 18**

of hosting a retreat or a strategic planning session in the fall to discuss the Council's role in policy development and rendering policy recommendations that cities or other entities could consider in the future, as well as the overall role of the Council.

Angela Jefferson:

Councilmember Jefferson attended two meetings of Tumwater HOPES. She is encouraged about the future of the organization and the competent leader who is ready to complete the work necessary for an effective coalition.

On June 18, 2024, she attended the all-day Board Retreat for Experience Olympia and Beyond (Visitor & Convention Bureau). Members discussed unveiling the Thurston County Master Destination Plan. Activities required prior to executing the plan include extensive community engagement, connectivity website and street signage, tribal relationships and tourism, and workforce development. The plan is available on the website.

At the last meeting of the Thurston County Emergency Medical Services Council meeting, 24 graduates were introduced. Members received a presentation on the location of the eighth medic unit in Tumwater. The proposal has been presented to all parties. A MCI (Multiple Casualty Incident) drill is scheduled on July 12, 2024 at 3 p.m. at Tumwater Middle School. Invitations have sent to all agencies.

ADJOURNMENT:

With there being no further business, Mayor Sullivan adjourned the meeting at 9:08 p.m.

Prepared by Valerie L. Gow, Recording Secretary/President
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