

TUMWATER PUBLIC WORKS COMMITTEE

MINUTES OF VIRTUAL MEETING

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CONVENE: 8:00 a.m.

PRESENT: Chair Eileen Swarthout and Councilmembers Michael Althausen and Charlie Schneider.

Staff: City Attorney Karen Kirkpatrick, Water Resources and Sustainability Director Dan Smith, Transportation and Engineering Director Brandon Hicks, Transportation Manager Mary Heather Ames, and Administrative Assistant Cathy Nielsen.

APPROVAL OF MINUTES: PUBLIC WORKS COMMITTEE, FEBRUARY 17, 2022:

MOTION: Councilmember Schneider moved, seconded by Chair Swarthout, to approve the minutes of February 17, 2022 as published. A voice vote approved the motion.

2022 PEDESTRIAN IMPROVEMENTS: Manager Ames briefed the committee on the 2022 Pedestrian Improvements project. The committee received a briefing on the process for selection of project locations in October 2021. That selection process has been completed. The project is comprised of single and neighborhood sites. The budget is \$300,000.

Manager Ames reviewed the individual project sites:

- 1) Installation of a pedestrian crossing for the south approach of the Custer Way and Capitol Boulevard intersection
- 2) A Rectangular Rapid Flashing Beacon (RRFB) crossing on Capitol Boulevard north of Trosper Road
- 3) Repair of various sidewalk deficiencies on residential streets that were identified through data collection as part of the recent Americans with Disabilities Act (ADA) Transition Plan Update

The project budget reflects an estimated amount for each project site based on the volatility of the construction market. Tools available to the City as part of the bidding process enable staff to evaluate bid prices. Bidding portions of the project as an addition or an alternate will enable the City to take advantage of good prices and could expand the scope of the project. Following receipt of the bids, the project scope may shift or change based on the capability of adding more locations or removing locations to remain within the budget.

Staff requests the Public Works Committee authorize staff to solicit bids for construction of the 2022 Pedestrian Improvements project, and recommend

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the City Council make a motion to award and authorize the Mayor to sign a public works contract with the lowest responsible bidder.

Councilmember Althaus asked whether the intent is to contract with one contractor to complete three different types of projects. Manager Ames affirmed that the elements of the project are similar as all sites will include concrete and the two crosswalks might require electrical changes within the electrical components. A contractor with a concrete subcontractor would be able to complete the entire scope of all projects.

Councilmember Schneider inquired as to the process for selection of the sidewalk segments. Manager Ames said the selection process relied on data collected as part of the ADA Transition Plan. A staff member inspected all sidewalks in the City and recorded locations with any deficiencies (lifted sidewalk, slope exceeding ADA allowances, and cracks, etc.). The information was inputted to the GIS program to produce a map identifying areas with different levels of deficiencies. Staff reviewed areas of the worst deficiencies and identified the scope of repair and whether it fell within the scope of the budget, as well as considering the area of the City and the frequency of use.

Councilmember Schneider requested confirmation as to whether the annual allocation of \$300,000 for sidewalk repair would only result in \$125,000 dedicated for sidewalk repair for this particular project as the other two projects are crosswalk crossings. Director Hicks responded that the funding source is from the Pedestrian Improvements and Traffic Calming line item within the budget, which includes the sidewalk program, random pedestrian improvements, and traffic calming. The project is utilizing the entire budget, as well as a grant awarded by Thurston Regional Planning Council to complete the RRFB project that includes pedestrian improvements at Capitol Boulevard and Custer Way and curb ramps.

Councilmember Schneider said his main concerns are safety and the condition of sidewalks along Capitol Boulevard that have been identified for repair. He concern is that the condition of the sidewalks is a bad reflection on the City. He would prefer to see those areas of repairs expedited. Director Hicks acknowledged the concerns while conceding the City is facing many repairs totaling approximately \$20 million. Some of those deficiencies are being addressed by larger capital projects funded by grants awarded to the City. Staff acknowledges a structural funding deficit exists while continuing to pursue more opportunities to receive grant awards. Manager Ames will be presenting a proposal for a new program that might result in more funding dedicated to the sidewalk program under the umbrella of the complete streets ordinance, which will enable to City compete for other sources of grant funds.

Councilmember Schneider asked how the focus on street trees as part of the

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goal to increase tree canopy in the City might be in conflict with the number of sidewalk deficiencies as most are caused by tree roots. He asked whether the intent is to plant trees along sidewalks with the possibility of tree roots damaging sidewalks in the future. Director Hicks said staff plans to update the street tree guidelines primarily to address the tree root issue and damaged sidewalks. During construction inspections, staff also ensures root barriers have been installed. The ultimate goal is planting the right tree in the right place. Staff is also reviewing general construction standards to determine other ways to address the issue of damaged sidewalks caused by trees.

Chair Swarthout asked whether a plan exists to concentrate future improvements in other areas of the City. Manager Ames said the intent is to repair deficiencies and undertake a similar process of evaluating and prioritizing other areas of the City within the designated budget each year with the goal of repairing areas that are most affected.

Councilmember Althausen spoke to one of the target neighborhoods that includes both Tumwater and Olympia residences and asked whether staff has contacted City of Olympia staff to coordinate improvements in the neighborhood to avoid a patchwork of repairs to only sections in the City of Tumwater. Manager Ames responded that she is meeting with Olympia staff later in the day and would review the possibility of partnering on the project.

Chair Swarthout asked about the limitation of using Transportation Benefit District (TBD) funds only on roadway improvements and the possibility of exploring ways to increase funds in the TBD for sidewalk improvement projects. Manager Ames explained it is possible to utilize TBD funds as long as the project is tied to paving improvements. In many instances involving a paving project, the City is able to add sidewalks to the scope of the project.

Councilmember Althausen asked whether the limitation is tied to how the Council structured the use of TBD funds when it was presented to the voters and whether the City would have the opportunity to restructure how the funds are used when the City seeks renewal of the TBD by voters. Manager Ames offered to follow up to determine if state law precludes the Council from designating the use of TBD funds for specific projects.

MOTION:

Councilmember Althausen moved, seconded by Councilmember Schneider, to authorize staff to solicit bids for construction of the 2022 Pedestrian Improvements project, and recommend the City Council make a motion to award and authorize the Mayor to sign a public works contract with the lowest responsible bidder. A unanimous voice vote approved the motion.

BARNES LAKE MANAGEMENT

Director Smith reviewed treatment applications from the previous year and the proposed work plan and budget for 2022 management of Barnes Lake by

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DISTRICT (LMD) ANNUAL WORK PLAN, OPERATING BUDGET, AND 2022- 2035 ASSESSMENT INCREASE:

the Barnes Lake Management District (LMD).

The LMD was formed to manage vegetation in Barnes Lake. In 2020, fluridone herbicide treatments were applied to the lake. Initially, in previous years, lake treatment concentrated on eradicating fragrant water lily pads. Following treatment, the contractor completes a lake electronic survey to assess any beneficial impacts from the treatment.

Director Smith displayed a photograph of a comparison between 2020 and 2021. Fluridone treatment is applied every four to five years dependent upon longevity in the system. The first application was in 2016. He described the various degrees of vegetation density in the lake. Some of the limitations are access to several areas of the lake because of shallow conditions and the amount of vegetation. Last year, the lake experienced an increase in filamentous algae growth (nitella). Because of the limited LMD budget, some residents applied treatments, which are authorized under the City's permit. Property owners apply for the treatment with the City and contract with the consultant for application of the treatment along private shorelines. The LMD also monitors lake water levels. Levels are documented through the installation of a water gauge installed near the shoreline to enable staff to record the information. During the summer, when water levels have receded beyond the gauge, staff estimates water levels.

Another tool used by the LMD is a drone used by the contractor for aerial video surveys of the lake. The drones take video of the lake in early spring (pre-vegetation) and later in the year. The videos provide an overview of the entire lake and help to evaluate whether additional areas should be treated. Director Smith shared a video of an aerial video of the lake in October 2021 and described conditions in different areas of the lake.

Each year, the contractor provides a report to the LMD outlining successes and challenges of the previous year results. The last report reflects the 2020 fluridone treatment continues to remain effective, which is important as the treatments are very expensive. It is likely the next treatment would not be necessary until 2024. The primary target of the treatment is bladderwort followed by fragrant water lily and algae. Treatments by property owners have been effective for vegetation management in the lake, as well as for customer appreciation around the lake based on the results of the treatments.

Director Smith reviewed the proposed 2022 LMD Work Program. Recommendations include continuing with electronic, aerial, and bottom surveys, continuing with shoreline weed control and private treatments, and focus on some problem areas. Only one site on the lake can be used to access the lake by boat. The committee previously reviewed and recommended approval of the agreement with Ms. Day to enable access to the lake. The LMD work plan includes some improvements to the launch area on Ms. Day's property. Staff works with residents surrounding the lake

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and some residents are volunteers of the water quality monitoring crew for the lake. The volunteer effort to monitor water quality reduces costs to the LMD. Outreach is included in the work program to address the proposed assessment increase proposed by the LMD Steering Committee. The proposed budget is \$13,000 for contract services limited to spot treatments and shoreline applications. Approximately \$2,000 is allocated to the City of Tumwater for the administration of the annual assessment, tracking, and to offset costs incurred by the Finance Department for billings. Some funds are allocated for public outreach and water quality monitoring. Other expenses include the annual permit fee and miscellaneous items. Total expenses are projected to be \$18,170, which is equal to the amount received from assessments that are recommended to increase for each property owner. Staff is confirming the amount of the fund balance to carryover with the Finance Department. The projected budget reflects operating budget revenues of \$53,305. The proposed budget was approved by the LMD Steering Committee on February 16, 2022.

The volunteer monitoring program will begin in April. The aquatic weed survey and the annual lake walk by LMD Steering Committee members are also scheduled. The request to the committee is to recommend the City Council make a motion to approve the 2022 LMD Work Plan and Operating Budget.

Councilmember Schneider inquired about the size of the lake and the purpose of controlling vegetation in the lake. Director Smith advised that the lake is approximately 30 acres in size. The LMD was formed in 2004 upon a petition request by property owners because of aesthetic issues around the lake and access limitations for fishing because of the volume of vegetation within the lake. All property owners receiving benefits from the lake participate in the management and maintenance of the lake.

Councilmember Althaus asked about the long-term solution for controlling vegetation. He questioned whether future dredging would be necessary to remove all the material. Director Smith replied that dredging was addressed previously with recognition that the process would be extremely expensive and too challenging for a smaller lake with a limited number of properties. At this time, vegetation management is the designated process. During outreach, staff will discuss yard care techniques to help limit the amount of nutrients entering the lake.

Director Smith addressed future costs as part of the update of the Integrated Aquatic Vegetation Management Plan. The last plan was completed in 2006. The plan addresses all aspects of lake management and next steps. The plan will be revisited to assess the effectiveness of the treatments, changing conditions that should be addressed, and the physical and financial costs of future recommendations.

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Director Smith reported the second request is scheduling a public hearing on April 21, 2022, to receive public comment on the proposed 2022 LMD Work Program and Operating Budget. The LMD Steering Committee held a listening session with LMD membership on March 2, 2022. The session was attended by several property owners. The attendees supported the proposed assessment increase recognizing the assessment has not increased since the LMD was formed in 2005.

Director Smith described the rate structure for the annual assessment. The largest assessment is for lakefront property owners, both residential and condominium owners. Three commercial properties pay the highest assessment fee. The LMD Steering Committee proposes a 5% increase to help offset future costs of the LMD with 70% for contract services, 10% for administrative costs for the City to manage the program for the next 13 years, and funding for public outreach, continued monitoring for water quality, mandatory permit fees, and other operating and planning costs.

Councilmember Althaus asked whether the City funds the LMD when the balance falls below zero. Director Smith affirmed that when expenses exceed revenues, the City covers the difference but assesses a surcharge. The transaction is similar to an interfund loan that is reimbursed with a percentage of rates to the City to cover those costs.

Director Smith reviewed the increased rates for property owners as a result of the assessment fee increase.

PUBLIC COMMENT: **Gary Bodeutsch, Chair, LMD Steering Committee**, said the committee is very appreciative to the City of Tumwater for working with the LMD Steering Committee understanding that the neighborhood is private. Working with the City has improved the process. Members enjoy the long-term relationship with the City and working with staff. He and Ms. Peterson have been a member of the committee for some time. They both live near the lake and have witnessed the deterioration and the progress. He invited questions from the committee.

Kathy Peterson reported she served as the initial Chair of the Steering Committee from 2005 to 2015. She worked on the lake to control vegetation by hand prior to the formation of the LMD. She continues to contribute sweat equity into the project. The LMD, City staff, and the contractor support those efforts.

Director Smith requested the committee set a public hearing on April 21, 2022, to receive testimony on the proposed 5% annual increase to LMD Roll of Rates and Charges and recommend approval to the City Council.

Chair Swarthout thanked Mr. Bodeutsch and Ms. Peterson for their willingness to volunteer and for their work to support the lake. She asked

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whether the proposed increase is subject to approval by lake members. Director Smith advised that no vote is necessary other than each property owner receives a letter outlining the proposed assessment increase and copy of the updated LMD Roll of Rates and Charges. Objections can only be provided in a written response. The listening session earlier in the month was an opportunity to receive feedback from members.

CONSENSUS: Councilmember Althausen moved, seconded by Councilmember Schneider, to recommend the City Council make a motion to approve the 2022 Barnes LMD Work Plan and Operating Budget; and agreed to schedule a public hearing on April 21, 2022, to receive testimony and make a recommendation to the City Council regarding a proposed 5% annual increase to LMD Roll of Rates and Charges. A voice vote unanimously approved the motion.

ADJOURNMENT: With there being no further business, Chair Swarthout adjourned the meeting at 9:07 a.m.

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