

**TUMWATER PUBLIC WORKS COMMITTEE  
MINUTES OF VIRTUAL MEETING  
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**CONVENE:** 8:00 a.m.

**PRESENT:** Chair Eileen Swarthout and Councilmembers Michael Althaus and Charlie Schneider.

Staff: City Attorney Karen Kirkpatrick, Water Resources and Sustainability Director Dan Smith, Capital Projects Manager Don Carney, Engineering Services Manager Bill Lindauer, Transportation Manager Mary Heather Ames, Water Resources Specialist Dave Kangiser, and Administrative Assistant Bonnie Hale.

Others: Meridith Greer, Greer Environmental Consulting.

**APPROVAL OF  
MINUTES: PUBLIC  
WORKS  
COMMITTEE,  
MARCH 9, 2023:**

**MOTION:** Councilmember Schneider moved, seconded by Chair Swarthout, to approve the minutes of March 9, 2023 as published. A voice vote approved the motion. Councilmember Althaus abstained.

**RESOLUTION NO.  
R2023-007  
DELEGATION OF  
SIGNATURE  
AUTHORITY FOR  
GRANT DOCUMENTS  
RELATED TO  
SOMERSET HILL  
FISH PASSAGE  
BARRIER REMOVAL  
DESIGN:**

Consultant Meridith Greer with Greer Environmental Consulting, briefed the committee on the proposed resolution to delegate signature authority for grant documents for design of the Somerset Hill Fish Passage Barrier Removal Project.

Percival Creek originates from Trosper Lake and travels through the City to Capitol Lake. Some of the limiting factors of the creek are fish passage barriers, stream temperature, and the lack of large wood debris and habitat. The City is pursuing many projects along Percival Creek. The creek has 10 potential barriers or areas where roads cross the creek. One full barrier is located at Sapp Road. The City has been working on the design for that project with the City receiving construction funding for construction in summer 2024. Two potential barriers are located at Somerset Hill and north of I-5 are owned by the Department of Fish and Wildlife.

The Somerset Hill project area includes a 5-foot culvert of approximately 103 feet in length serving as a partial barrier because of velocity. The area was assessed in 2015 and reassessed in 2022 confirming the culvert serves as a partial barrier. Ideally, a correctly sized culvert enables fish and water to move naturally throughout the creek. Following measurements of all footprints in the area of the culvert, the minimum crossing size is 22 feet, which will require a larger culvert than the 19-foot culvert for the Sapp Road project.

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The City is seeking funding from the Washington State Recreation and Conservation Office's Salmon Recovery Funding Board to fund the design work for the project. The grant is for \$280,000, and the funding source requires no match from the City. One of the requirements of the grantee is for the City to adopt a resolution authorizing the City to submit an application for the grant.

Staff continues to work with Skillings to complete a type size and location study for the culvert. Staff is considering three different culvert designs of a three-sided box culvert, installation of a prefabricated bridge, or installation of a steel plate arch culvert. All options have different pros and cons from a cost perspective. Skillings is completing the report, which will provide more information on moving forward to complete the design grant application.

The project can potentially impact Chum, Coho, Chinook, steelhead, and residential trout based on fish sampling in 2019 documenting salmon in the system. Fish are unable to travel above Sapp Road, which speaks to the importance of continuing work along the creek to ensure access to the system by fish.

Ms. Greer requested the committee recommend the City Council approve and authorize the Mayor to sign Resolution No. R2023-007 Somerset Hill Fish Passage Barrier Removal Design. She invited questions from the committee.

Councilmember Schneider inquired about the difficulty of removing the culvert without collapsing the road. Ms. Greer said one option is replacing the culvert with a similar type of culvert followed by replacing top fill. The option of a prefabricated bridge, which creates more open space, involves installing the bridge and stabilizing the bank in the area to avoid a cave-in. Skillings is considering those options as it evaluates alternatives in addition to costs to construct and the feasibility of options that will ensure the project is stable and strong to hold existing fill and the roadway.

Director Smith added that the resolution authorizes the Director of Water Resources and Sustainability to sign and administer all grant paperwork.

Chair Swarthout asked whether the project area is also near an area that the City had experienced some sewer backup. Ms. Greer replied that one of the goals of the project is to protect existing infrastructure to include sewer infrastructure serving the neighborhood. In the past, the neighborhood has experienced sewer overflow issues. The City installed a remote metering device to alert the City to potential overflow activity. The existing configuration of the culvert increases water velocity directly to the bank creating concerns of bank erosion and potentially destroying trees that might impact sewer lines from uprooted tree root systems.

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Chair Swarthout reviewed the proposed request for consideration.

**MOTION:**

**Councilmember Schneider moved, seconded by Councilmember Althausser, to recommend the City Council approve and authorize the Mayor to sign Resolution No. R2023-007 Somerset Hill Fish Passage Barrier Removal Design. A voice vote approved the motion unanimously.**

**SERVICE PROVIDER AGREEMENT WITH HDR ENGINEERING, INC. FOR THE OLD HIGHWAY 99 AND 79TH AVENUE ROUNDABOUT PROJECT:**

Manager Carney reported the proposal is a service provider agreement with HDR Engineering for the Old Highway 99 and 79<sup>th</sup> Avenue Roundabout project located at the intersection of Old Highway 99 and 79<sup>th</sup> Avenue. Additionally, the project includes sidewalk improvements on 79<sup>th</sup> Avenue near a proposed trail and park. Frontages along the City's new Maintenance and Operations facility and the park will be improved as part of the project with other improvements of small sections between the site and the new roundabout to ensure no gaps exist in the sidewalk.

In the 2016, the Transportation Master Plan identified the intersection for improvement. The current level of service at the intersection is significantly low. The roundabout will increase level of service to A. Additionally, the Old Highway 99 Corridor Study identified the need for a roundabout at that intersection.

Manager Carney displayed a concept design of the roundabout that was prepared as part of the Old Highway 99 Corridor Study. The design is similar to the design for the roundabout at Trospen Road and I-5 for consistency within the City's transportation system. The next step is completing 100% design and estimates necessary to initiate construction.

The consultant fees total \$735,000 and the source of funding is from transportation impact fees. Additional funds are from the General Government, Water, Sewer, and Stormwater Utility Capital Facilities Plans (CFPs).

Councilmember Schneider asked about the timing of the roundabout in terms of construction of the park. Manager Carney explained that it is dependent upon the timing of design for both projects. The intent is completing designs quickly and initiating construction as soon as possible. However, at this time, it is difficult to forecast the timing of each component.

Councilmember Althausser asked about the timing for deliverables from the consultants. Manager Carney said 30% design for the roundabout is scheduled for completion by late summer 2023 with 60% design completed in late spring 2024. Completion of design and construction drawings is scheduled for late 2024.

Councilmember Althausser asked whether the analysis reflected any

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acknowledgement of the safety aspect associated with roundabouts by slowing traffic. Manager Carney advised that although he was not a party to the Old Highway 99 Corridor Study, roundabouts are associated with improving traffic safety as roundabouts slow traffic and decrease the impacts of vehicle accidents.

Chair Swarthout reviewed the proposed request for consideration.

**MOTION:**

**Councilmember Althauser moved, seconded by Councilmember Schneider, to recommend the City Council approve and authorize the Mayor to sign the Service Provider Agreement with HDR Engineering, Inc. for the Old Hwy 99 and 79th Ave Roundabout. A voice vote approved the motion unanimously.**

**AUTHORITY TO SOLICIT BIDS AND AWARD CONTRACT FOR THE 2023 PAVEMENT MAINTENANCE PROJECT:**

Manager Lindauer reported the request is for authorization to solicit construction bids and increase change order authority for the project.

During the planning phase of paving projects, staff utilizes the pavement condition index, a system of evaluation of roadways in the City for prioritization of road projects. The information is verified during field visits with engineers to ensure repairs are timely based on the extent of damage to the roadway. Another project goal is maximizing Transportation Benefit District (TBD) funds to ensure expenditure of funds is appropriate for the project to increase the life of roadways.

The proposed project is larger than most pavement projects the City has completed. Two components of the project include paving and maintenance. The paving component entails asphalt overlays and inlays. The project includes sidewalk ramp repairs, replacement of manhole covers, and minor stormwater drainage repairs. The roadway maintenance component includes the Citywide pavement-marking project combined this year with the pavement project. The project involves restriping the roadways throughout the City. A plastic pavement marking replacement component is also included for specific roadways to replace existing plastic pavement markings and damaged or missing raised pavement markings throughout the City. An important part of the maintenance component is the crack sealing and roadway repair to crack seal pavement to prevent water from infiltrating into the roadway.

Manager Lindauer displayed an aerial illustration of the project area comprised of roadways throughout the City. He shared a copy of the pavement maintenance map designating the different areas of the project.

Manager Lindauer reported the engineer's estimate for the project is \$4 million with an expectation that the range would be \$3.6 million to \$4.4 million dependent upon bids received as asphalt pricing is in constant flux. Funding is from the TBD. The project timeline is 50 working days or

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approximately 2-1/2 months. The schedule includes bid opening in mid-May and contracting by mid-June with construction from July through August and early September.

Currently, Tumwater Municipal Code designates change order authority of 10% of the project cost. In previous projects, the authority was increased to 20%. The request is to increase the authority to 20% because pavement projects are different from other design-bid-build projects as the work is fast-paced and contractors mobilize for a large volume of work in a short span of time. The proposal enables staff some flexibility during the project to ensure the best outcomes for the project when conditions change in the field.

Councilmember Schneider commented that during his participation in the Adopt-a-Road Program, he continually picks up plastic road markings. He is also concerned about the markings that could possibly enter the City's storm drains. He asked whether the plastic markings are installed based on a state or federal requirement. Manager Lindauer advised that installation of plastic markers is a local decision; however, due to the Pacific Northwest climate, striping is a "hit or miss" option, which is why raised pavement markings are used to help delineate roadways during inclement weather. The devices have a lifespan and will eventually become dislodged.

Manager Lindauer addressed questions on the change order authority request. Manager Lindauer said the increase authorizes a change in the contract price up to 20%. The change in authority has been implemented for previous pavement projects. The issue does not pertain to funding as the TBD has sufficient funds to absorb an increase in cost. The main purpose is to accommodate quick changes based on the type of project. Once a contractor begins moving asphalt, the process is extremely expensive to stop.

City Attorney Kirkpatrick added that additionally, the City has been able to expand the scope of work because pricing was favorable, which was possible because of the increase in change order authority.

Chair Swarthout asked about the status of the partnership with Thurston County for various components completed on previous projects. Transportation Manager Ames explained that discussions have occurred with Thurston County staff. City staff has worked with Thurston County on the roadway striping component for previous projects; however, at this time, a nexus is lacking for jointly working with Thurston County. Joint conversations are continuing to identify projects where it is possible to participate.

Chair Swarthout reviewed the proposed request for consideration.

**MOTION:**

**Councilmember Althausser moved, seconded by Councilmember Schneider, to authorize staff to solicit bids for the 2023 Pavement**

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**Maintenance Project and recommend City Council award and authorize the Mayor to sign a public works contract with the lowest responsible bidder. Staff also requests that the Public Works Committee recommend the City Council increase the change order authority provided to the Transportation and Engineering Director under Tumwater Municipal Code 2.14.060 to 20 percent for this project. A voice vote approved the motion unanimously.**

**AGREEMENT WITH  
CLEARCREEK  
CONTRACTORS FOR  
THE 2023 PALERMO  
LAGOON DREDGING  
& MAINTENANCE  
PROJECT:**

Director Smith reported on statewide recognition the City is receiving for its best management practices deployed for managing beaver activities during an upcoming presentation by Water Resources Specialist Dave Kangiser and City stormwater staff.

Director Smith presented the proposal, which was presented to the committee last June during a review of the interlocal agreement with the Washington State Department of Transportation (WSDOT), which serves as the primary responsible party for the Palermo Superfund Project. WSDOT has been investigating the contaminant plume, PCE, and TEC contaminants moving through the Palermo neighborhood. The aeration lagoon serves as a catch basin for surface water draining around the edge of the neighborhood perimeter.

Following adoption of the interlocal agreement in 2022, staff solicited bids and received one bid, which was higher than scoped with WSDOT. In January 2023, staff sought an amendment to increase the amount of the contract with WSDOT. The City is managing the project and is responsible for soliciting bids and developing the contracts with the contractor, and WSDOT is responsible for paying the contractor. The amendment increased the funds to cover any additional costs. Another bid was released to solicit other contractors. The City received only one bid from the original bidding contractor at a cost of \$126,650. The contractor is qualified.

Director Smith shared a cross section diagram of the work and described components of the project. The contractor is responsible for removal of sediment. Permitting is currently in process by the City, which serves as the lead permitting agency. Staff submitted a hydraulic project application to the Department of Fish and Wildlife. Following execution of the contract, staff anticipates the contractor will develop a health and safety plan and work plan. The work should take no longer than one month. The project is scheduled for completion by July 31, 2023.

Staff requests the Public Works Committee recommend the City Council approve and authorize the Mayor to sign the Agreement with Clearcreek Contractors for the Palermo Lagoon Dredging & Maintenance Project in the amount of \$126,650.

Chair Swarthout inquired about the source of the sediment composition.

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Director Smith explained that the sediment is from the stormwater system as it drains towards the golf course. Sediment is generated as surface waters flow through the system. Geoengineers completed a hazardous profile of the site in 2019-2020 during the development of the project scope. At that time, the sediment was not determined to be hazardous; however, sediment will be tested prior to removal to determine if contamination exists.

**MOTION:**

**Councilmember Schneider moved, seconded by Chair Swarthout, Staff requests the Public Works Committee recommend the City Council approve and authorize the Mayor to sign the Agreement with Clearcreek Contractors for the Palermo Lagoon Dredging & Maintenance Project in the amount of \$126,650. A voice vote approved the motion.**

**STORMWATER  
CAPACITY GRANT  
AGREEMENT WITH  
DEPARTMENT OF  
ECOLOGY  
AMENDMENT NO. 1:**

Specialist Kangiser reported the capacity grant is a standard grant received by the City from the Department of Ecology to assist the City in meeting its permit compliance obligations under the stormwater National Pollutant Discharge Elimination System (NPDES) permit requirements. The grant is used for printing of educational and informational materials, staff training, and in support of the Equity Index Mapping project. Recently, the Legislature provided an additional \$25,000. The additional amount extends the grant period from March 31, 2023 to June 30, 2023. The additional funds will be used for a water quality monitoring program and other educational opportunities with the school district on several projects, as well as expansion of the petway station project.

The request to the committee is to recommend the City Council approve and authorize the Mayor to sign Amendment No. 1 to the 2021-23 Capacity Grant supporting the City's stormwater program.

**MOTION:**

**Councilmember Althauser moved, seconded by Councilmember Schneider, to recommend the City Council approve and authorize the Mayor to sign Amendment No. 1 to the 2021-23 Capacity Grant supporting the City's stormwater program. A voice vote approved the motion unanimously.**

**ADJOURNMENT:**

**With there being no further business, Chair Swarthout adjourned the meeting at 8:49 a.m.**