

TUMWATER GENERAL GOVERNMENT COMMITTEE
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CONVENE: 8:00 a.m.

PRESENT: Chair Michael Althaus and Councilmembers Joan Cathey and Leatta Dahlhoff.

Staff: City Administrator Lisa Parks, Community Development Director Michael Matlock, Finance Director Troy Niemeyer, Parks and Recreation Director Chuck Denney, Water Resources and Sustainability Director Dan Smith, Planning Manager Brad Medrud, Communications Manager Ann Cook, Economic Development Manager Austin Ramirez, and Housing and Land Use Planner Erika Smith-Erickson.

INTERLOCAL AGREEMENT BETWEEN THE CITY OF TUMWATER AND THE PORT OF OLYMPIA FOR THE BUSH PRAIRIE HABITAT CONSERVATION PLAN (HCP) AMENDMENT NO. 3: Manager Medrud reported the request is a recommendation to the City Council to add the Interlocal Agreement between the City of Tumwater and the Port of Olympia for the Bush Prairie Habitat Conservation Plan (HCP) Amendment No. 3 to the Council's consent calendar. Amendment No. 3 extends the expiration date of the agreement from December 31, 2023 to December 31, 2025 to accommodate the necessary work to complete the plan. No other changes are included in the interlocal agreement.

Councilmember Cathey asked whether the request affects previous conversations regarding a meeting of the attorneys. Manager Medrud advised that the interlocal agreement is a fundamental agreement between the parties for joint efforts on the HCP. The interlocal agreement outlines the responsibilities for working together on the HCP. The Council signed the interlocal agreement in 2016 to serve as the basis to complete the HCP.

MOTION: Councilmember Dahlhoff moved, seconded by Councilmember Cathey, to recommend the City Council add the Interlocal Agreement between the City of Tumwater and the Port of Olympia for the Bush Prairie Habitat Conservation Plan to the consent agenda for consideration at its November 21, 2023 meeting. A voice vote approved the motion unanimously.

ORDINANCE NO. O2023-014, AMENDING TUMWATER MUNICIPAL CODE SECTION 12.32, PUBLIC PARKS: Director Denney briefed the committee on the request for a recommendation for approval of Ordinance No. O2023-014, amending the Tumwater Municipal Code 12.32; Public Parks. The proposal is based on a review of parks rules to ensure the rules are current and meet current conditions in the use of parks. The Parks and Recreation Department manages all City property and maintains the grounds for all buildings and parks, as well as monitoring public use. The proposal adds all City-owned properties to the ordinance. Some rules and regulations for parks cover banning of fires, horseback riding, loitering at night,

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vandalism, overnight camping, open park hours, overnight parking, use of drones or other aerial devices, endangering wildlife, advertising in parks or using parks for private business, noise ordinance, leased dog requirements, use of alcohol, planning or administration of public events, being banned from using property, appeal rights, and an enforcement suspension clause if a person is houseless or indigent and cannot find shelter. The provision enables the City to allow the activity to continue if legal.

Councilmember Cathey asked whether the proposed ordinance affects any rules or regulations pertinent to the Tumwater Metropolitan Park District (TMD). She asked for additional clarification of the provision addressing houseless individuals. Director Denney responded that the proposal does not affect the TMD. He explained that the City cannot legally remove a houseless individual(s) from any City property without first securing another shelter or livable space to relocate the individual(s).

Chair Althausen noted that the golf course is City property and there are specific activities allowed at the golf course. He asked whether the proposal would affect those activities at the golf course. Director Denney said the golf course operates under the parks ordinance, which was updated to include the golf course specific to golf-related activity. Alcohol and smoking are allowed on the golf course as the golf course property is handled differently. The proposal does not affect the golf course. Chair Althausen noted the provision in the second section of the ordinance speaks to no person shall practice or play golf, archery, or other games with no exemption cited for the golf course. Within another section of the ordinance, an exception is cited for the golf course regarding smoking. He suggested revising the ordinance to ensure clarity in the language that the provision does not apply to the golf course. Director Denney acknowledged the request to include an exemption within the second section of the ordinance.

Councilmember Dahlhoff cited recent efforts in the City on the Equity Toolbox for equality and equity. She asked whether those efforts were considered during the review of the proposed ordinance. The Council has often discussed smoking in the parks through labeling and messaging for no smoking in parks. The proposal exempts the golf course with respect to smoking cigarettes, cigars, vaping, and marijuana. Director Denney said it is possible to extend the prohibition of smoking and vaping to the golf course with the understanding that the City lacks the ability to enforce any smoking prohibition. It is possible to state the City's values for uses of substances while on City property. He added that

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the ban would be the first in state for any golf course. Additionally the use of tobacco products has decreased substantially. Vaping is difficult to enforce because of the ability to hide the device. Councilmember Dahlhoff suggested pursuing a future discussion in conjunction with efforts on the Equity Toolbox rather than banning smoking at this time.

MOTION:

Councilmember Cathey moved, seconded by Councilmember Dahlhoff, to recommend approval of Ordinance No. O2023-014, Amending Tumwater Municipal Code 12.32, Parks to the City Council for consideration at its November 21, 2023 meeting. A voice vote approved the motion unanimously.

THURSTON EDC RENEWAL DISCUSSION:

Manager Ramirez said the briefing covers some proposed future projects in collaboration with Thurston Economic Development Council (EDC) and to receive input on the scope of work for renewal of the two-year agreement with the EDC.

The City has contracted with the EDC for economic development services for many years providing services such as business retention, recruitment, marketing activities; business support programs for entrepreneurs, new and established businesses; economic analysis and market research, and support on redevelopment efforts within the Brewery District. The current contract with EDC is due for renewal. In addition to those ongoing services, staff proposes adding the following services to the scope of work within the contract:

- Convening and co-hosting business roundtables to provide input on the upcoming Economic Development Plan update
- Convening leaders from the business and development sectors to provide input on redevelopment opportunities in the Brewery District and Capitol Boulevard Corridor. *Two grants received by the City for brewery redevelopment include the EPA federal grant and the Department of Ecology grant, which require a significant amount of outreach to the private sector. The grants are intended to support redevelopment.*
- Coordination of the Thurston Innovation Cluster Accelerator Program (ICAP), an effort to support creative/maker entrepreneurs anchored by the Tumwater Craft District, Olympia Armory, Lacey MakerSpace, and Tenino Agricultural Park
- An annual \$5,000 investment in the Lacey MakerSpace, a valuable and regional asset for Tumwater businesses
- An Economic Impact Analysis and Report of the Tumwater Artesian Brewfest, measuring the economic benefits

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provided by the annual event to the City and region

Manager Ramirez invited comments and questions on the proposed additions to the scope of work.

Councilmember Dahlhoff asked about any measurable or follow through for those businesses unable to remain in the City because of the lack of space for expansion or to meet needs. Manager Ramirez explained that his position has the responsibility as well as in partnership with the EDC. At this time, the City of Tumwater is an expensive place to start a business despite the City growing very rapidly, which is creating higher market rates for business space. Many existing businesses are typically paying below market rates for space. Cost is one factor for business retention. The City has many residential and distribution uses but fewer smaller manufacturing and retail uses. He works closely with EDC to ensure Tumwater is promoted for all business options. The EDC provides support on different types of projects but does not serve in a role dictating what the market will support or the type of projects developers pursue.

Councilmember Cathey asked whether any City codes or provisions factor in a business decision to leave or prevent the business from expanding. Manager Ramirez said none of those scenarios have occurred since he joined the City. However, many of those decisions can be impacted by the City's development process. Most businesses accept costs associated with the development process but not unpredictability or unknown timelines because it can result in costs that are not predictable which leads to instability and often forces some businesses to relocate to another location. Over the last several years, the City has improved the development process substantially; however, some businesses will relocate elsewhere regardless of the reason.

Councilmember Cathey asked for clarification as to the purpose of the third addition of Coordination of the Thurston Innovation Cluster Accelerator Program (ICAP). Manager Ramirez explained that the ICAP is a regional effort to support and accelerate the creative and maker sector. Councilmember Cathey questioned whether ICAP resembles the prior Innovation Partnership Zone (IPZ) program. Manager Ramirez said the IPZ program was a location specific designation whereby the ICAP is a countywide designation. The City's Craft District is identified as one of the pillars of the ICAP.

The committee supported referring the proposal as a Council Consideration item for review by the Council with a presentation of

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the proposal and how it ties to regional efforts.

**2025 COMPREHENSIVE
PLAN PERIODIC UPDATE –
GROWTH MANAGEMENT
ACT HOUSING NEEDS
ALLOCATION PROCESS:**

Manager Medrud introduced the housing needs allocation process as part of the larger discussion by the Council at its November 28, 2023 worksession. The briefing is intended to prompt some questions for staff to address prior to that meeting.

In 2021, the Legislature passed House Bill 1220 requiring cities, towns, and counties to plan for and accommodate future housing affordable to a range of incomes and to document protected housing needs for each jurisdiction that plans under the Comprehensive Plan Periodic Update process. The State Department of Commerce was directed to identify countywide housing needs for all counties planning under the Growth Management Act (GMA) by income range. The Department of Commerce is providing guidance on how cities and counties can work together to allocate countywide numbers to each jurisdiction within a county. As part of the City's process, staff worked with Thurston County and the cities of Lacey, Olympia, and Yelm to contract with Thurston Regional Planning Council (TRPC) to convene a workgroup of local planning directors and staff with staff invited from the cities of Rainer, Tenino, and the Town of Bucoda.

The workgroup identified values to consider as members worked through the technical exercise of allocating countywide numbers. The workgroup identified three values of importance:

- The process must be fair-in terms of the distribution of new low-income units across all jurisdictions while recognizing differences among jurisdictions and existing housing distribution with recognition that the City of Olympia has assumed the bulk of permanently low-income and emergency housing in the region
- The process is clear by ensuring communication is easy to the public and officials and that it is tailored to the jurisdictions and includes all urban growth areas, while establishing methods that would limit the risk for potential legal challenges and liability
- The process is cooperative by building on existing structures and processes including the Regional Housing Council, Countywide Planning Policies, and mutual cooperation amongst jurisdictions in other areas. It was also important that the outcome of the process was a result of consensus among the members of the workgroup.

The Department of Commerce had established two methods for the process and the workgroup selected a hybrid between the two

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because neither method captured the goals and values of the region.

During the Council's worksession on November 28, 2023, TRPC staff is scheduled to present the work of the workgroup, the process for adoption, and how the allocation will be incorporated within the City's Comprehensive Plan Periodic Update process for housing and how it affects other elements in the Comprehensive Plan.

**2025 COMPREHENSIVE
PLAN PERIODIC UPDATE –
CLIMATE:**

Planner Smith-Erickson updated members on the new Climate Element as part of the 2025 Comprehensive Plan Periodic Update process.

In 2023, the Governor signed House Bill 1181 adding a new climate change and resiliency goal to the Growth Management Act (GMA) to ensure comprehensive plans, development regulations, policies, and plans adapt and mitigate the effects of climate change, reduce greenhouse gas emissions, reduce per capita vehicle miles traveled, prepare for natural climate impacts and hazards, and advance environmental justice. The bill requires the City to develop a new Climate Element by June 25, 2025 to meet the state deadline.

Not only does the climate change and resiliency goal need to be addressed in the Climate Element, it also needs to be addressed in the Conservation Element, Land Use Element, and the Transportation Plan.

The legislation includes the following requirements:

- A climate mitigation sub-element to address actions to reduce overall greenhouse gas emissions and vehicle miles traveled
- A climate resilience sub-element, which could be adoption by reference of the updated Thurston Hazard Mitigation Plan
- Consideration of environmental justice to avoid worsening environmental health disparities

Climate mitigation addresses greenhouse gas emission reductions involving actions to reduce or eliminate emissions of greenhouse gases to reduce the rate and extent of climate change damage. Greenhouse gases include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and any other gas or gases designated by the state. Increasing emissions of carbon dioxide and other greenhouse gases are changing the City's climate in ways that will impact both human and natural systems. To ensure that the City significantly reduces local contributions to climate change, the City adopted the following greenhouse gas

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emissions reduction targets in 2021 as part of the Thurston Climate Mitigation Plan: 45% reduction below 2015 levels by 2030; and 85% below 2015 levels by 2050.

Planner Smith-Erickson presented a graph depicting 2021 Greenhouse Gas Emissions (GHG) Inventory for Thurston County with a breakdown of emissions by each sector.

The City adopted the Thurston Climate Mitigation Plan in 2021 with 72 actions projected to reduce emissions. Staff is examining ways to incorporate the actions in the climate mitigation sub-element.

Four pathways were identified to meet the new state requirement for a climate mitigation sub-element. Staff is exploring which pathways or parts of individual pathways taken together would be the best approach for the City to meet the state requirements. The four pathways require the following:

- **Pathway 1:** Select GHG reduction measures by developing GHG reduction goals and policies based directly on a menu of measures.
- **Pathway 2:** GHG Emissions estimates by developing GHG reduction goals and policies using Department of Ecology framework and sample measures in Section 5 (Climate Element Planning Guidance from the Department of Commerce).
- **Pathway 3:** Vehicle miles traveled (VMT) study/evaluation by developing specific, VMT/GHG reduction goals and policies. Only transportation emission sources would be evaluated.
- **Pathway 4:** Emission inventories by developing GHG reduction goals and policies based on emission inventory modeling results.

The pathways enable jurisdictions to establish a baseline to develop greenhouse gas emission reduction targets and select goals and policies to reduce or eliminate emissions.

Councilmember Dahlhoff inquired as to whether the pathways and ongoing work speak to a life cycle analysis of emissions resulting from the production of goods and services. Manager Medrud responded that the topic is an ongoing discussion with the Thurston Regional Climate Workgroup as any study of emissions from the production of goods and services would be detailed. The City's Sustainability Coordinator has been working with other jurisdictions to identify reasonable estimates for the region. The

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work would likely not be included within the current update because of timing.

Councilmember Dahlhoff commented on the numerous sources of GHG other than from vehicles. The biggest generator of GHG is from households. She stressed the importance of considering the other elements that create GHG. Manager Medrud noted that 90% of GHG in the county is from buildings, construction, and transportation. The intent is accounting for the larger sectors that have the most impact.

Councilmember Cathey asked whether emissions speak to only air. Manager Medrud explained that the reference to GHG is defined by state law under a range of elements that are part of GHG within the RCWs.

Councilmember Cathey spoke to her frustration of constant references to GHG as part of climate mitigation, as well as references to environmental justice. Her concern is making some progress on mitigating climate impacts by accounting for other sources of emitters that impact the environment. Manager Medrud responded that the City has established much of the ground work through the Thurston Climate Mitigation Action Plan and actual actions that can make a difference. The proposal is in response to a new state requirement that will be memorialized within the Comprehensive Plan. He acknowledged the frustration of reviewing similar information. The City is required by the state to complete a number of tasks as part of the 2025 Comprehensive Plan Periodic Update to include developing the new Climate Element. Staff is utilizing much data from existing work.

Planner Smith-Erickson reviewed the climate resiliency sub-element of the Climate Element to develop comprehensive goals and policies that support countywide climate resilience, environmental justice, and equity. The resilience guidance helps jurisdictions identify and address natural hazards by climate change including landslides, droughts, floods, wildfires, and other impacts caused by changes in temperature and weather patterns.

Five steps to integrate the goals and policies will help develop Comprehensive Plan goals and policies that support countywide climate resilience, environmental justice, and equity. Staff has completed steps 1 through 3 by working on the Tumwater Hazard Mitigation Plan. The Hazard Mitigation Plan will be in substantial conformance with state guidance. The City plans to adopt the plan by reference to satisfy the state climate resilience sub-element requirements. The Draft Hazard Mitigation Plan has been released

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for public comment until November 17, 2023.

New state legislation requires the Climate Element to prioritize greenhouse gas reductions in overburdened communities and prioritize climate resilience in communities that disproportionately suffer from compounding environmental impacts.

In response to comments and concerns surrounding the importance of reducing all environmental impacts in addition to emissions, Manager Medrud described the intricacies of planning goals and policies to ensure the population has access to goods and services while planning for the effects of developing those sources of goods and services and their associated impacts in proximity to residents. He added that addressing environmental justice to either correct existing issues or preventing new issues is a policy decision as well as existing regulations that address various environmental impacts, such as light pollution regulations and noise.

Planner Smith-Erickson added that the Hazard Mitigation Plan also addresses issues associated with over-burdened communities and vulnerable populations.

Planner Smith-Erickson reported House Bill 1181 requires the Land Use Element update avoid worsening environmental health disparities and that the Transportation Plan ensures multimodal levels of environmental justice goals. Other transportation and land use changes require the state to maintain a summary of the per capita vehicle miles traveled to support the required updates to the Transportation Plan and the new Climate Element.

Next steps include a Planning Commission worksession with the City Council in February. In June, the committee will receive an update followed by another joint worksession on June 24, 2024. In December 2023, a joint worksession with the Council and the Planning Commission is scheduled to discuss the Long Range Planning Work Program for 2024. The committee is scheduled to receive a briefing on the Economic Development Plan and Lands for Public Purposes and Utilities Element on December 13, 2023. The committee will receive a briefing on the Transportation Plan at its January 10, 2024 meeting.

**2025 COMPREHENSIVE
PLAN PERIODIC UPDATE –
CONSERVATION:**

Manager Medrud briefed members on the update of the Conservation Element of the Comprehensive Plan.

The Conservation Element addresses protecting natural resource industries. The City has forest land registered with the state and mineral lands. No registered agricultural lands are located in the

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City other than policies and regulations that support small-scale agricultural uses.

The Conservation Element also includes protections for the environment. The City must also account for how it plans to enhance the environment.

Councilmember Cathey spoke to the importance of focusing attention on groundwater and aquifers to ensure future water availability. Aquifers are also impacted by climate change. Many studies have been published about the importance of protecting sources of water. Manager Medrud agreed on the importance of water resources as the City is required to ensure sufficient water is available to accommodate future growth, as well as protecting water resources.

Manager Medrud reported the element also addresses critical areas such as wetlands, aquifer recharge areas, floodplains, any geologically hazardous areas such as landslides and areas where liquefaction has occurred, and wildlife habitat conservation areas. Specific state guidelines require incorporating best available science. A number of maps in the element require updating. A discussion on the Habitat Conservation Plan (HCP) used for managing listed federal and state species will be incorporated within the plan, as well as a number of private HCPs approved by the federal government. Policies will be updated for protecting critical areas, which overlaps with the Climate Element to update greenhouse gas emission targets, which may be moved entirely to the Climate Element. References must also be included to the Shoreline Management Plan, Climate Mitigation Plan, and Urban Forestry Management Plan. Environmental justice will also be addressed.

Manager Medrud reviewed the structure of the element, which is similar to other elements of the Comprehensive Plan. Chapter 10 of the element includes goals, policies, and actions. Manager Medrud encouraged members to review Chapter 10.

The Department of Commerce has provided some guidance materials for the update of the element. One is a checklist for critical areas the City is required to address and a Riparian Management Zone Checklist published by the Department of Ecology that will be applicable primarily in the Deschutes Valley and Percival Creek areas. A Critical Areas Handbook is available to provide guidance. The Priority Habitat and Species List is provided by the Washington State Department of Fish and Wildlife to acknowledge and account for any new and listed species.

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Wetland guidance has also been updated.

Next steps include a joint City Council and Planning Commission worksession in February to review the draft followed by a briefing to the committee on the changes to the element at its March 2024 meeting.

Manager Medrud reported on the release of the community survey for the Comprehensive Plan update. To date, the City has received 57 responses. The community survey will provide an initial snapshot of the community's interest in the update and particular topics of interest and areas of concern.

Councilmember Cathey commented on the importance of highlighting wetlands. Many more community members are interested in protecting wetlands and understand the relationship between wetlands and climate change.

ADJOURNMENT:

With there being no further business, Chair Althausen adjourned the meeting at 9:22 a.m.

Prepared by Valerie L. Gow, Recording Secretary/President
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