

**TUMWATER GENERAL GOVERNMENT COMMITTEE  
MINUTES OF VIRTUAL MEETING  
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**CONVENE:**

8:00 a.m.

**PRESENT:**

Chair Michael Althaus and Councilmembers Joan Cathey and Leatta Dahlhoff.

Staff: Finance Director Troy Niemeyer, Planning Manager Brad Medrud, and Associate Planner Erika Smith-Erickson.

**APPROVAL OF MINUTES:  
GENERAL GOVERNMENT  
COMMITTEE, FEBRUARY 8,  
2023:**

**MOTION:**

**Councilmember Cathey moved, seconded by Councilmember Dahlhoff, to approve the minutes of February 8, 2023 as published. A voice vote approved the motion unanimously.**

**CAPITAL AGREEMENT  
WITH THE WASHINGTON  
STATE DEPARTMENT OF  
COMMERCE FOR THE  
PUGET SOUND HABITAT FOR  
HUMANITY TÂLÍCN  
TOWNHOMES – CONNECTING  
HOUSING TO  
INFRASTRUCTURE  
PROGRAM (CHIP)**

**&**

**ASSIGNMENT OF  
AGREEMENT WITH SOUTH  
PUGET SOUND HABITAT FOR  
THE HUMANITY TÂLÍCN  
TOWNHOMES – CONNECTING  
HOUSING TO  
INFRASTRUCTURE  
PROGRAM (CHIP)**

Manager Medrud reported the two proposals are related with the first proposal a Capital Agreement with the Washington Department of Commerce for the Puget Sound Habitat for Humanity Tâlicn Townhomes project. The agreement is a contract with the Department of Commerce for the Connecting Housing with Infrastructure Program (CHIP). The City was able to collaborate with South Sound Habitat for Humanity to receive a grant to offset the cost of utility improvements required for the project. The grant award is \$726,000. The second proposal is an assignment transferring the grant from the City of Tumwater to South Puget Sound Habitat for Humanity to pay for those infrastructure improvements. The City is responsible for managing the grant and satisfying reporting requirements.

The committee is requested to schedule both agreements for the March 21, 2023 City Council consent calendar with a recommendation of approval.

Director Niemeyer reported the funds were awarded from ARPA funding the state received. The City and Habitat for Humanity were required to apply jointly as the City serves as the pass through entity for Habitat for Humanity. The City is responsible for managing the grant, documenting information, and auditing the process. Habitat for Humanity applied for the grant with the Department of Commerce preparing the application. The City worked with Habitat for Humanity to prepare information for the grant application.

**MOTION:**

**Councilmember Dahlhoff moved, seconded by Chair Althaus, to schedule the Capital Agreement with the**

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**Washington State Department Of Commerce for the Puget Sound Habitat For Humanity Tâlicn Townhomes – Connecting Housing to Infrastructure Program (Chip) for the March 21, 2023 City Council consent calendar with a recommendation of approval. A voice vote approved the motion unanimously.**

**MOTION:**

**Councilmember Cathey moved, seconded by Chair Althausser, to schedule Assignment of Agreement With South Puget Sound Habitat For The Humanity Tâlicn Townhomes – Connecting Housing To Infrastructure Program (Chip) for the March 21, 2023 City Council consent calendar with a re3commendatin of approval. A voice vote approved the motion unanimously.**

**STREET TREE PLAN AND  
TMC 12.24 STREET TREES  
UPDATE:**

Manager Medrud reported the update on the Street Tree Plan will include a review of some topics generated from discussions with the Tree Board, Planning Commission, and the public.

The update of the Street Tree Plan was identified as an action in the Urban Forestry Management Plan in addition to other updates to codes to support the plan.

The consultant completed a gap analysis of City codes and documentation and recommended some updates. The consultant also assisted in developing the Public Participation Plan for the three updates.

The 2002 Street Tree Plan was intended to address in detail street trees within the City. Additional documents in the new plan will assist property owners in how to maintain street trees, as well as more details for larger organizations, such as Puget Sound Energy for line maintenance. The plan covers tree care and preservation, includes a list of acceptable street tree species, and includes details on proper planting and initial care.

Discussions were initiated with the Tree Board and the Planning Commission beginning in January. One priority topic is the definition of a street tree as street tree locations vary throughout the City creating different sets of circumstances. The update evaluates how to address different issues for maintenance of all street trees. Another topic is maintenance responsibility of street trees. Under the current code, adjacent property owners are responsible for the upkeep and maintenance of street trees in the right-of-way in front of a house or business. In some cases, maintenance can be a burden for property owners as some may lack the resources to ensure trees are adequately maintained. As

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part of the Council discussion, potential programs to provide support to those who may need additional assistance and the threshold for providing assistance will be reviewed.

During the 2018 street tree inventory, over half of all street trees in the public right-of-way are affected by infrastructure, such as raised sidewalks or damaged curbs.

Councilmember Cathey asked whether existing trees in public right-of-ways abutting private property would be removed and replanted with appropriate trees species. Manager Medrud explained that the intent of the plan is to guide the planting of new street trees in new development and address issues of existing trees and ongoing pruning and maintenance of existing trees. The plan does speak to removal of existing problem trees. Street trees that have caused infrastructure damage would be handled on a case-by-case basis. The Tree Board and the Planning Commission visited several sites throughout the City. In some areas, it is likely the trees would need to be removed because the location is not conducive to either the tree or infrastructure. In some areas, it might not be necessary to remove the tree but resolve the issue through other options. Following the removal of trees, the disposition of a tree or trees would be evaluated to determine whether the trees could be replanted in another area.

Street trees are defined as a tree planted along the edge of a right-of-way or easement or just inside a lot or a parcel from the right-of-way easement of a variety approved by such placement. Another consideration is trees located in unimproved right-of-ways. Trees located outside right-of-ways are not addressed in the plan but are addressed in other City codes.

Councilmember Dahlhoff asked whether specific species of trees are creating infrastructure damage. She questioned the practice of planting trees in areas that might result in damage in the future. Manager Medrud advised that in some circumstances, small spaces allocated for a tree are not sufficient to support the tree over the long term. The issue may also pertain to the selection of the tree species. Smaller trees in the right-of-way are often more appropriate than larger species of trees. Staff is exploring the definition of a tree well along a boulevard. In some older developments, grass encroaches trees potentially damaging trees by mowing too close. During the tour, many locations were planted with the appropriate species of tree but the planting method was not appropriate. Additionally, another issue of discussion is the need to provide some level of irrigation to

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establish trees in some locations. Staff is identifying species that can thrive without the need for irrigation to the extent possible.

Other proposed updates include jurisdiction and authority established by the ordinance, prohibited tree species, nuisance trees, removal of stumps and roots, and enforcement. Issues of particular discussion by the Council include responsibilities and assistance to property owners and enforcement of the code.

Councilmember Cathey commented on the importance of multiple tree plantings as trees communicate and share resources through underground root networks.

Manager Medrud reported the update also includes potential changes for permits for tree removal, ongoing management standards, consistency with other codes, and code violation updates.

The first of three community conversations was held last week with the second scheduled on March 20, 2023 at 7 p.m. at the Tumwater Fire Station Training Room both virtually and in-person. The last meeting is scheduled on April 17, 2023 at 7:00 p.m. at the same location. Additionally, several stakeholder meetings were convened internally with maintenance staff to review the update. A second meeting is scheduled later in the day. The intent is completing the draft plan and ordinance for review by the Planning Commission in June to meet the requirements of the grant awarded to the City by the Department of Natural Resources.

**LANDSCAPE CODE UPDATE:**

Manager Medrud briefed members on the status of the update to the landscape code. The landscape code addresses new or redevelopment of property for industrial, commercial, multifamily projects, or large public projects. The code does not apply to single-family dwellings except for common areas within a new housing development.

The gap analysis reflects some changes in practices and other factors that would benefit the landscape code. It is also important to ensure the code is practical and feasible for both staff and the development community.

The update draws from a number of sources such as the Urban Forestry Management Plan, City policies, Tumwater Comprehensive Plan, and Subarea Plans. Each has a varying degree of requirements and expectations. Landscaping plays a

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number of roles from aesthetics, buffering different land uses, stormwater retention, and the planting of new trees.

Councilmember Cathey offered the suggestion of adding preservation to the code. Manager Medrud explained that the three-code update process includes tree preservation and the retention of existing trees within new development projects as well as incorporating existing trees within landscaping requirements. The City also requires open space requirements for all projects with a specific percentage of a site set-aside for active and passive open space. The landscaping code oversees landscaping within open space areas.

Manager Medrud added that in addition to the updates, staff is exploring ways to improve the interaction with the City's stormwater code with the landscaping code. Areas required for landscaping should function to support the stormwater system while stormwater facilities are landscaped to produce useable space or planted to improve the aesthetics of the facility or provide other benefits. Other aspects of the code update are landscaping and other site design elements and how they work together.

In addition to code updates, staff is reviewing the Development Guide and potential updates of the guide to support changes in codes. For example, staff is exploring ways to encourage and support the City's Tree City designation, habitat efforts, possible changes to illumination in landscaped areas, interaction with street trees, requirements for irrigation to support water conservation efforts, alternative landscaping methods, prioritization of native and Northwest adapted plants requiring reduced irrigation, composting, plants that attract bees and pollinators in appropriate areas, and balancing ecological needs with environmental design. Other programs are under review from the Department of Fish and Wildlife and the Department of Natural Resources for consideration within the update process.

Key issues from the gap analysis include exploring multipurpose landscape opportunities (stormwater, buffering, tree preservation), innovative and flexibility in standards while achieving goals, sustainable reuse (topsoil, water, etc.), design flexibility involving native plants, water conservation, habitat preservation, and crime prevention through environmental design.

Community conversations for the landscape code update are scheduled with a focus on water conservation, minimizing impervious surfaces, ways to reduce turf and grass to the extent

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possible, and landscaping development regulations for single-family housing.

Councilmember Cathey recommended including consideration of rain gardens. Manager Medrud said staff is promoting more discussion with engineers designing stormwater facilities to include more features, as well as with landscape designers who select the plants. It is also important to ensure rain gardens are maintained to serve both the stormwater function and remain aesthetically pleasing.

Dates for the community conversations include March 13, 2023 at 7 p.m. at the Fire Station Training Room with a virtual attendance option. The second meeting is scheduled for April 3, 2023 at 7 p.m. at the same location. Staff plans to present a draft of the landscaping code in July/August. The Tumwater Tree City website at [www.tumwatertreecity.com](http://www.tumwatertreecity.com) includes information on the three updates for tree preservation, street trees, and landscaping.

Councilmember Dahlhoff recommended scheduling a joint meeting with the City Council, Tree Board, and the Planning Commission. Manager Medrud affirmed joint meetings would be scheduled for the updates on the tree preservation and street tree codes but not the landscaping code at this time.

Councilmember Cathey mentioned community comments and questions about the City's efforts on water conservation and encouraging the community to conserve water despite the City's approval of a development proposal that will use a substantial amount of water and is known to cause pollution. Manager Medrud affirmed that staff is aware of community comments related to the project as well as other comments not related to the project.

**CONTRACT AWARD FOR  
PHASE 3 GRANT WITH WDFW  
FOR BUSH PRAIRIE HCP AND  
HCP UPDATE:**

Manager Medrud reported the contract with the Department of Fish and Wildlife (WDFW) for Phase 3 of the Habitat Conservation Plan (HCP) has been drafted. Phase 2 of the project is winding down. The grant for Phase 2 was awarded in 2018. Staff is considering a possible extension as funding is available within the grant to cover environmental review of the HCP.

The Phase 3 grant is intended to fund the completion of the plan and many activities necessary over the next year to prepare for implementation actions in the HCP. The scope of the contract identifies those actions. The grant is for \$225,000 from U.S. Fish and Wildlife Service and is managed by WDFW. A match is

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required by the City and the Port to be split evenly consisting of cash and staff support. A portion of the grant will fund technical assistance provided by WDFW. WDFW will provide a match for those funds.

Staff recommends the committee forward the proposal to the City Council consent calendar at the March 21, 2023 meeting.

Manager Medrud added that a working draft of the HCP received comments from WDFW and U.S. Fish and Wildlife Service. Staff responded to those comments. A stakeholder process is restarting with the first meeting scheduled in March followed by another meeting in April. Stakeholder members represent approximately 35 organizations in the community and all members received a copy of the draft HCP. Staff anticipates scheduling a community meeting to afford an opportunity for the greater community to receive and discuss the draft HCP.

**MOTION:**

**Councilmember Dahlhoff moved, seconded by Councilmember Cathey, to recommend approval and schedule Contract Award For Phase 3 Grant with WDFW For Bush Prairie HCP and HCP Update on the consent calendar at the March 21, 2023 Council meeting for Council consideration. A voice vote approved the motion unanimously.**

**ADJOURNMENT:**

**With there being no further business, Chair Althausen adjourned the meeting at 9:02 a.m.**