

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
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CONVENE: 7:00 p.m.

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

Staff: City Administrator Lisa Parks, City Attorney Karen Kirkpatrick, Finance Director Troy Niemeyer, Police Chief Jon Weiks, Community Development Director Michael Matlock, Parks and Recreation Director Chuck Denney, Assistant Fire Chief Shawn Crimmins, Transportation and Engineering Assistant Director Mary Heather Ames, Building Official Al Christensen, Planning Manager Brad Medrud, Land Use and Housing Planner Erika Smith-Erickson, and City Clerk Melody Valiant.

SPECIAL ITEMS:

**PROCLAMATION:
BIKE MONTH, MAY
2024:** Councilmember Von Holtz read a proclamation declaring the month of May 2024 as *Bike Month*. The proclamation encourages all residents to put forth their best effort to reduce single-occupant motor vehicle trips to reduce air pollution, energy consumption, and traffic congestion.

Mayor Sullivan presented the proclamation to Duncan Green representing Intercity Transit and the Thurston County Bicycle Community Challenge. The month-long community challenge is the region's celebration in recognition of the month of May as *National Bike Month*. On Thursday, May 16, 2024, the challenge will feature six bike refresher stations in and around the Olympia area featuring free coffee, treats, bicycle information, and giveaways from 7 a.m. to 9 a.m. All events are free of charge and all community members are encouraged to participate.

**PROCLAMATION:
EMERGENCY
MEDICAL SERVICES
WEEK, MAY 19-25,
2024:** Councilmember Dahlhoff read a proclamation declaring *Emergency Medical Services Week, May 19-25, 2024*. The proclamation encourages all people to join in the observance to recognize those who give so much of themselves and consistently rise to the challenge for the safety and health of others.

Assistant Fire Chief Shawn Crimmins recognized local healthcare providers of dispatchers with T-COMM, Tumwater EMTs and Paramedics, Thurston County Medic One, private ambulance companies, Providence St. Peter's Hospital, and Capital Medical Center. During 2023, Tumwater Fire Department responded to 6,183 emergency calls with 85% of the calls emergency medical services. May is also the 10th anniversary of Tumwater Fire Department providing compression-only CPR classes to local middle and high

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schools in the Tumwater School District.

**PROCLAMATION:
HISTORIC WOMEN'S
OLYMPIC
MARATHON TRIALS
CELEBRATION WEEK,
MAY 12-19, 2024:**

Mayor Sullivan read a proclamation declaring *Historic Women's Olympic Marathon Trials Celebration Week, May 12-19, 2024*. The proclamation encourages all people to participate in celebration of the history making achievements that inspired generations of women of all ages to pursue excellence in athletics.

Mayor Sullivan presented the proclamation to Councilmember Swarthout, a member of the Trials Legacy Committee. A reunion and celebration of the historic 1984 inaugural U.S. Women's Olympic Marathon Trials, held in Olympia, Washington forty-years ago, will be held May 16 through May 19, 2024. Over 60 runners from the 1984 Trials will travel to Olympia reuniting to commemorate that historic race. The 40th Anniversary Celebration Banquet will be held at Indian Summer Country Club on Friday, May 17, 2024. The Capitol City Marathon Expo and Meet & Greet with the 1984 athletes will be held at Sylvester Park in Olympia on Saturday, May 18, 2024 from 2 p.m. to 5 p.m.

**TRANSPORTATION
BENEFIT DISTRICT
2023 ANNUAL
REPORT:**

Assistant Director Ames presented the 2023 Transportation Benefit District (TBD) Annual Report. The TBD was established by voter approval to preserves and maintain City street infrastructure.

Some accomplishments in 2023 include planning for future projects, completion of some pavement condition ratings, design work for several projects (Israel Road & Linderson Way Pedestrian and Bicycle Improvements and Linwood Avenue Sidewalk/Signal Lane project), and completion of the 2023 Pavement Maintenance project.

In 2024, two pedestrian and bicycle projects and paving of the 2nd Avenue Pedestrian and Bicycle Improvements project are scheduled.

The TBD Annual Report will be posted on the City's website following approval by the City Council.

MOTION:

Councilmember Swarthout moved, seconded by Councilmember Agabi, to approve the 2023 Transportation Benefit Annual Report as presented. A voice vote approved the motion unanimously.

PUBLIC COMMENT:

Pamela Hansen, P.O. Box 14521, Tumwater, spoke to the Integrated Planning Grant of \$200,000 for the Washington State Department of Transportation (WSDOT) Capitol Boulevard property. As she has previously stated, she believes the property should be the site of the Tumwater Police Department and the Tumwater Fire Department because of easy access for emergency response and because of pollution from fuel tanks previously located on the site. The service

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provider agreement for the environmental investigation should include information to reinforce an audit of the source related to the pollution caused by the fuel tanks.

- CONSENT CALENDAR:**
- a. Approval of Minutes: City Council, April 16, 2024
 - b. Approval of Minutes: City Council Work Session, April 23, 2024
 - c. Payment of Vouchers
 - d. Resolution No. R2024-010, Surplus Property
 - e. Service Provider Agreement with Haley and Aldrich for the Integrated Planning Grant for the DOT Capitol Boulevard property
 - f. Brewmaster’s House Renovation Contract Change Order #2

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

Mayor Sullivan reviewed the items approved on the consent calendar.

PUBLIC HEARINGS:

ORDINANCE O2024-002 Mayor Sullivan opened the public hearing on Ordinance O2024-002
BUDGET Budget Amendment No. 2 at 7:32 p.m.

AMENDMENT NO. 2:

Director Niemeyer recalled the review of the proposed budget amendment by the Council during a recent work session. The review included the City’s ERP system with new budget controls highlighting some areas that were not appropriately budgeted. One change pertains to fees collected on behalf of the LOTT Clean Water Alliance for wastewater services requiring an increase in the budget. Other changes are additional vehicle upgrades for utilities, new office space at South Puget Sound Community College for Water Resources and Sustainability staff, addition of several intern positions, and wage compression adjustments. The amendment affords funds to complete the fire kitchen remodel and replace the City Hall sign. The amendment reflects the removal of the Flock camera system to provide more time to review the system. The amendment includes funds for programs in the Parks and Recreation Department with the expenditures reimbursed by grants. The budget lacked a solar powered electric vehicle charging station at Pioneer Park. Budget authority is required to utilize the grant to install the charging station with most of the cost reimbursed by the grant.

Director Niemeyer reviewed the total in both revenues and expenditures resulting in a net budget increase of \$138,000.

Director Niemeyer addressed questions involving expenses funded by

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grants.

Councilmember Agabi asked about the reasons for withdrawing the Flock camera system. Director Niemeyer explained that some concerns were voiced about privacy and other associated issues in addition to pending negotiations on a proposed contract. The delay affords time to address equipment concerns and to complete negotiations on the contract. Given the concerns by the Council and the lack of a negotiated contract, staff recommends withdrawing the camera system from the amendment.

Councilmember Agabi noted that the camera system was the subject of a briefing to the Public Health and Safety Committee in December 2023. If and when the proposal is reconsidered, the committee should be briefed before negotiations begin on the contract.

PUBLIC TESTIMONY:

Brian Reynolds, 9020 Longberg Street SW, said he is representing the Tumwater Chamber of Commerce as the Acting President. The Chamber in conjunction with the Tumwater Education Foundation and Tumwater Rotary are awarding scholarships for high school students at Tumwater High School and Black Hills High School. The attendance of many students to the Council meeting is a great testament to the City of Tumwater.

Pamela Hansen, P.O. Box 14521, Tumwater, expressed appreciation for delaying implementation of the Flock camera system to afford time for the Council to address concerns. She views a need within the community for the camera system as stolen vehicle license plates is an ongoing concern. She supports scheduling a public hearing on the proposal to learn about opposition and the potential for a future lawsuit.

Mayor Sullivan closed the public hearing at 7:45 p.m.

Councilmember Althaus commented that the budget amendment is primarily an accounting adjustment rather than reflective of any policy decisions. He supports not including the Flock camera system because there are indications for a need to engage in more discussions. He supports moving forward with the proposed budget amendment.

MOTION:

Councilmember Althaus moved, seconded by Councilmember Jefferson, to Adopt Ordinance No. O2024-002, Budget Amendment No. 2.

Councilmember Dahlhoff said she also supports withdrawing the camera system for more discussion. She is hopeful the time expended on briefings and researching body-worn cameras and potential

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- South Puget sound habitat for Humanity – Critical Home Repairs
- South Puget Sound Habitat for Humanity – Tâlicn Townhomes Buy Down

Public Service Projects:

- Boys and Girls Clubs of Thurston County – Tumwater Boys & Girls Club Scholarships for Youth
- Catholic Community Services – The Community Kitchen
- Family Education and Support Services – Peer Recovery Specialist
- Senior Services for South Sound – Home Share Program
- Thurston County Food Bank – Home Delivery and Other Bank
- TOGETHER! – Tumwater Community Schools

The committee considered three criteria in evaluating the applications:

- Conceptual soundness of the project
- Financial feasibility of the project
- Applicant’s demonstrated ability to implement the project and comply with program requirements

Because of the uncertainty of the final grant amount, the committee established contingency amounts to account for either more or less grant funds.

The committee recommends the following grant awards:

- Homes First – requested \$375,000, proposed funding award: \$245,000
- Rebuilding Together Thurston County – requested \$75,000, proposed funding award: \$75,000
- South Puget Sound Habitat for Humanity – requested \$45,000, proposed funding award: \$45,000
- South Puget Sound Habitat for Humanity – requested \$560,000, proposed funding award: \$434,057.35

The committee established the following capital projects funding contingencies:

1. The final HUD CDBG allocation for capital projects was more than \$780,000, so the allocation for the South Puget Sound Habitat for Humanity Tâlicn Townhomes Buy Down program was increased to bring the capital projects budget in line with the final HUD CDBG allocation.
2. If funds for the Homes First Major Rehabilitation – Low Income Clean and Sober Housing project, Rebuilding Together

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Thurston County (RTTC) Critical Home Rehabilitation Program, and South Puget Sound Habitat for Humanity Critical Home Repairs program are not used in the time allocated, the remainder will be allocated to the South Puget Sound Habitat for Humanity Tallich Townhomes Buy Down program.

The committee recommends the following grant awards for Public Services applicants:

- Boys and Girls Clubs of Thurston County – requested \$55,069.00, proposed funding award: \$40,000.00
- Catholic Community Services – requested \$3,169.40, proposed funding award: \$3,200.00
- Family Education and Support Services – requested \$58,000.00, proposed funding award: \$31,800.00
- Senior Services for South Sound – requested \$23,000.00, proposed funding award: \$15,000.00
- Thurston County Food Bank – requested \$100,000.00, proposed funding award: \$30,000.00
- TOGETHER! – requested \$100,000.00, proposed funding award: \$64,397.85

The committee established the following service projects funding contingency:

1. The final HUD CDBG allocation for service projects was more than \$180,000, so the allocation for the TOGETHER! Tumwater Community Schools program was increased to bring the service projects budget in line with the final HUD CDBG allocation.

Councilmember Cathey commented on the pressing need for cleaning and hygiene products in the community that fall under the umbrella of Thurston County Food Bank – Other Bank Program. She recommended increasing the amount by specifying the allocation of the grant award to ensure the Other Bank Program receives funding.

Manager Medrud reported the recommendation to the Council is to approve the City's 2024 CDBG award recommendations and forward to the Board of County Commissioners for consideration and approval. Next steps include the Thurston County Public Health & Social Services staff preparing and scheduling a public hearing, presenting the draft plan to the Board of County Commissioners for approval, and submitting the plan to HUD. The City's selection of projects is a recommendation to the Board of County Commissioners as the Thurston County is the legal entity for receiving the funds from

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HUD.

The annual action plan will be posted for public review and comment on May 17, 2024. A public hearing has been scheduled with the Board of County Commissioners on June 18, 2024 with an expectation that Thurston County will forward conditional award letters to agencies by the end of June. By September/October, the City will begin receiving contracts (issued by Thurston County) following notification from HUD.

Councilmember Jefferson spoke to the realm of needs within the community requiring a substantial amount of additional funds. She asked about the possibility of funding the Home Share program at the level funded in 2021.

Mayor Sullivan agreed the needs are great; however, there is a limited amount of funds. The committee considered a fair process for allocating funds. When shortfalls occur, other funding sources could be considered to fill gaps. The City only receives CDBG funds once every three years.

Councilmember Cathey echoed similar comments and asked about the opportunity for the Council to discuss the funding recommendations for possibly shifting some funds to the Other Bank Program.

Councilmember Althauser described the committee's process for considering each funding award and the challenges of having to reduce awards because of the lack of funds. The committee's decisions were based on specific criteria to include whether the recipients receiving the benefit reside in Tumwater. He suggested an option of approving the funding recommendations as presented with a caveat that Thurston County Food Bank dedicates 50% of its award evenly to both of its programs.

City Administrator Parks noted that the application from Thurston County Food Bank was for the Home Delivery Program to include Other Bank Program items that would be included in the packages within the delivery program because the Food Bank lacks a facility in Tumwater to store Other Bank items. The packages delivered to homes would include both Food Bank items and Other Bank items.

Councilmember Cathey asked for verification as to whether the value of the award was less because the application was new and not exclusive to Tumwater residents. Manager Medrud affirmed the reasons and added that this year another challenge included six applications submitted for funding compared to four applications received during the 2021 funding process.

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Councilmember Swarthout commented on the difficulty of allocating limited funds to all six applications especially when two applications were new without harming programs previously supported by the City.

MOTION:

Councilmember Althauser moved, seconded by Councilmember Jefferson, to approve the City's 2024 Community Development Block Grant (CDBG) award recommendation to the Thurston County Board of Commissioners based on the Budget and Finance Committee's funding recommendation at its April 23, 2024 meeting. A voice vote approved the motion.

**SERVICE PROVIDER
AGREEMENT WITH
HALEY AND ALDRICH
FOR THE
BROWNFIELD
ASSESSMENT EPA
GRANT:**

Director Matlock reported the request is to authorize the Mayor to sign the Service Provider Agreement with Haley and Aldrich for the Environmental Protection Agency (EPA) Brownfield Assessment Grant. The grant enables the City to inventory and assess environmental contaminants for future work to clean the site and redevelop the properties. The focus is on the Brewery District including priority sites of the knoll and brewery properties located in Tumwater Valley (warehouses), and the vacant WSDOT site off Capitol Boulevard. The work includes a public involvement plan to inform property owners, stakeholders, and residents. The work will be completed in phases with Phase 1 and Phase 2 on environmental analyses to identify the extent of contaminants and to assist in the development of site-specific clean-up plans for the properties. The \$500,000 grant is a nationally competitive grant with no match required. The successful outcome of the project will set the stage for remediation and future planning for redevelopment of the sites.

Staff published a Request for Qualifications (RFQ) for the project. The City received six applications. Staff reviewed the applications and selected Haley and Aldrich.

Julie Wilson-Wukelic, Environmental Sciences and Engineering Manager, Senior Principal Engineer with Haley and Aldrich, thanked the Council for selecting the firm to complete the important project. The company has served clients in the Pacific Northwest for 50 years. The company has 45 offices located across the country. The firm has assembled a team of experts to implement the grants. Next steps include preplanning and scheduling some workshops with members of the community and real estate professionals to confirm priorities and next steps. Onsite work will include additional soil and groundwater sampling and analysis to fill data gaps and site inventories within the Brewery District.

Jim Maul, Gemini Environmental Strategies, reported he began his

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career in environmental consulting more than 40 years ago. He specializes in investigations, collecting data, and remediation activities. He described his work on remediation of a landfill in Grants Pass enabling the continued operation of the landfill with proceeds from site operations funding the environmental cleanup of the site while also upgrading the landfill to meet modern technical specifications. The project team is striving to leverage both grants to the maximum extent, limit the City's risk, and maximize the City's return on investment by developing an approach to achieve the City's definition of success for the brewery properties and the WSDOT property and revitalization of the entire corridor.

Councilmember Dahlhoff referred to contamination by PFAS, chemicals primarily used in industrial and oil processing activities and the difference in definition by Department of Ecology and the EPA. She asked about the threshold the team would consider as contaminants are identified in terms of either the state or federal definitions. Mr. Maul responded that the regulation of PFAS and other emerging contaminants are still in flux; however, it is likely the team would default to the most conservative definition. The company's process includes examining the potential threats the chemicals pose based on potential exposure routes, risk assessment techniques, and the relevance of the chemicals relative to the environment media.

MOTION: Councilmember Jefferson moved, seconded by Councilmember Von Holtz, to Authorize the Mayor to sign the Service Provider Agreement with Haley and Aldrich. A voice vote approved the motion unanimously.

**COMMITTEE
REPORTS:**

**PUBLIC HEALTH &
SAFETY:**
Peter Agabi

The next meeting is scheduled for May 14, 2024.

**GENERAL
GOVERNMENT:**
Michael Althaus

The next meeting is scheduled on May 8, 2024. The agenda includes consideration of: Memorandum of Understanding with the Cities of Lacey, Olympia, and Yelm for a Housing Displacement and Racially Disparate Impacts Analysis for the Housing Element of the 2025 Comprehensive Plan Periodic Update, Interlocal Data Share Agreement with the State Auditor's Office, Law Enforcement Records Management System Interlocal Data Share Agreement with the State Auditor's Office, Enterprise Resource Planning System Contract Amendment No. 2, and Ordinance No. O2024-003 Establishing a new "Public Safety Sales Tax" fund.

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PUBLIC WORKS:
Eileen Swarthout

The next meeting is scheduled on Thursday, May 9, 2024. The agenda includes: Resolution No. R2024-004 Six-Year Transportation Improvement Program. Resolution No. R2024-003 Percival Creek Fish Passage Barrier Removal #22-1161, Palermo Superfund Project Update, and Floodplains by Design Application Update

**BUDGET AND
FINANCE:**
Debbie Sullivan

The next meeting has not been scheduled at this time.

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

City Administrator Parks reported the Water Resources and Sustainability Program received \$447,540 from the Department of Commerce Home Electrification and Appliance Rebate Program. Staff is negotiating a scope of work with the Department of Commerce for submittal to the Council for consideration. The grant will provide approximately 35 full cost rebates to low- to moderate-income households to electrify their homes. Some eligible projects include installation of heat pumps, induction stoves, heat pump water heaters, heat pump clothes dryers, and electric panel and wiring upgrades. The program is a 2024 Regional Initiative identified in the Thurston Climate Action Plan.

Former City Administrator John Doan has collaborated with the Sumner community to schedule a tour by the Council of the Gordon Family YMCA, a partnership between the City of Sumner and YMCA to provide a new YMCA facility and community center. The tour is scheduled on May 20, 2024 at 6 p.m. She asked the Council to confirm their respective attendance. Invitations were extended to members of the Parks and Recreation Commission as well. Mr. Doan also extended an invitation to some recreation staff members from the City of Olympia.

The May 14, 2024 Council work session includes another financial educational conversation on expenditures, discussion on a new Medic One unit proposal, a brief discussion and update on the proposed parks ordinance amendments and the Davis-Meeker Oak Tree.

Mayor Sullivan reported on her attendance to two Intercity Transit Authority meetings. The Board was introduced to new employees. The Authority has scheduled a retreat on Friday, May 10, 2024. Intercity Transit's recent participation in the Bus Rodeo resulted in winning the best International Driver award with the Intercity Transit team winning first place in maintenance competition. Intercity Transit placed first as the International Rodeo Champion.

Mayor Sullivan acknowledged the good work by staff on the Earth

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Day/Arbor Day celebrations.

Mayor Sullivan reported on her attendance to former Councilmember Judith Hoefling's memorial service earlier in the day.

**COUNCILMEMBER
REPORTS:**

Joan Cathey:

Councilmember Cathey reported on her planned attendance to several upcoming meetings.

Leatta Dahlhoff:

Councilmember Dahlhoff reported on her attendance to the Washington State Office of Public Defense Budget Development listening session. The session highlighted some of the challenges facing the office.

Councilmember Dahlhoff participated in the retreat for the LOTT Clean Water Alliance Board. Retreat discussions focused on the future of the agency, septic conversions, and affordable housing units.

At the last meeting of the Thurston County Communications 9-1-1 Administration Board meeting, members continued discussions on permitting for two towers. In 2018, voters approved an increase in sales tax to replace radio systems in the region. The Board continues working on developing two towers to support the new radio system.

The Opioid Response Task Force Prevention Work Group met and reviewed safe storage of medicine at local drop-off locations and the possibility of first responders supplying safe storage locks for medicine when responding to a call. Thurston County plans to follow up with local public safety agencies to explore opportunities to collect data on what public safety responders are encountering in terms of unsafe storage of medicine.

Eileen Swarthout:

At the April 22, 2024 Climate Executive Committee meeting, members approved an update of the charter and received an update from the Community Advisory Work Group on outcomes from the grants received by local jurisdictions for retrofitting homes.

Councilmember Swarthout attended the Budget and Finance Committee meeting on April 23, 2024.

At the Thurston Regional Planning Council (TRPC) meeting on May 3, 2024, members met in executive session to review the executive director's evaluation. Members received a presentation on the 2024 Call for Projects for \$19 million in funding from the federal government. Staff outlined the review process to include a public

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review process. The Transportation Policy Board will review project proposals and forward a recommendation to TRPC for consideration. Members were updated on congestion management on local roads.

Michael Althaus:

The next meeting of the Regional Housing Council is on Wednesday, May 8, 2024. The meeting will include funding recommendations for housing and homelessness services, affordable housing services, and hazardous weather services. A new Tumwater member is scheduled for appointment to one of the advisory committees.

The Funding and Governance Work Group for the Deschutes Estuary project is scheduled to meet on May 20, 2024 to review language of a draft interlocal agreement.

Peter Agabi:

At the last Thurston Economic Development Council (EDC) Board meeting at the New Market Skills Center, the Skills Center Director briefed members on the purpose of the New Market Skills Center and its relationship with the City of Tumwater. Members discussed the status of the budget and received information on the formation of the Pacific-Salish Economic Development District, which will comprise the counties of Thurston, Mason, Grays Harbor, and Pacific. Work is underway on the district's by-laws and operational policies. The district is scheduled for activation by August 2024. Members also discussed Tumwater's redevelopment sites and Phase 2 of Lacey's Regional Athletic Center.

Joint Animal Services Commission has encountered an issue with Thurston County and the Sheriff's Office for procedures for issuing citations when animal control officers respond to incidents. The issue has escalated to the point where Thurston County will either eliminate animal services or direct the Sheriff's Office to provide the necessary information to the animal shelter.

Councilmember Agabi reported on the submittal of a grant for \$9,500 from the USDA Rural Economic Development Office. Members also discussed food bank and food delivery services and the possibility of using the grant to provide those services.

Upcoming meetings include the Transportation Policy Board, Joint Animal Services Commission, and the Tumwater Public Health and Safety Committee.

Angela Jefferson:

At the last meeting of the Emergency Medical Services Council, members reviewed updated changes to the bylaws and approved forwarding the bylaws to the Board of County Commissioners for approval. Members adjusted the budget to account for the levy lid lift error from last year. Thurston County is involved in the discussions.

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Members received a briefing on Thurston County Medic One's new medic unit. Following an extensive countywide study, the new unit will be assigned to Tumwater at Fire Station T-2.

Kelly Von Holtz:

Councilmember Von Holtz reported she plans to attend the May 8, 2024 Thurston County Chamber of Commerce annual meeting celebrating its 150th anniversary.

ADJOURNMENT:

With there being no further business, Mayor Sullivan adjourned the meeting at 8:55 p.m.

Prepared by Valerie L. Gow, Recording Secretary/President, *Amended May 7, 2024*
Puget Sound Meeting Services, psmsoly@earthlink.net