

**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 Althaus, 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 Weeks, Fire Chief Brian Hurley, Community Development Department Director Michael Matlock, Parks and Recreation Department Director Chuck Denney, Water Resources & Sustainability Department Director Dan Smith, Communications Manager Jason Wettstein, WRS Program Manager Patrick Soderberg, Sustainability Coordinator Alyssa Jones Wood, and Deputy City Clerk Traci Core.

SPECIAL ITEMS:

**PROCLAMATION:
CONSTITUTION
WEEK, SEPTEMBER
15-23, 2024:**

Councilmember Jefferson read a proclamation declaring *Constitution Week, September 15-23, 2024*. The proclamation calls upon the people of the City of Tumwater to recognize and celebrate the importance of the Constitution of the United States, the guarantees in the Bill of Rights, and the freedoms derived from those important documents by visiting the Tumwater Library during the month of September to learn more about the documents and the history of the United States of America.

Members of the Sacajawea Chapter of the American Daughters of the American Revolution accepted the proclamation from Mayor Sullivan.

**PROCLAMATION:
NATIONAL VOTER
REGISTRATION DAY,
SEPTEMBER 17, 2024:**

Councilmember Jefferson read a proclamation declaring, *September 17, 2024 as National Voter Registration Day*. The proclamation encouraged all eligible City of Tumwater residents to register to vote, to vote when they receive their ballot, and to encourage their neighbors to vote.

Thurston County Auditor Mary Hall accepted the proclamation from Mayor Sullivan. Ms. Hall thanked the Council for recognizing National Voter Registration Day as voting is the cornerstone of the nation's democracy. Thurston County has registered more than 200,000 voters from a population of over 300,000. Registering to vote is easy and can be accomplished when renewing or obtaining a driver's license. Same day voter registration up to 8 p.m. on election night is also available. Ms. Hall encouraged all citizens to register and vote. A new voting center was recently opened in the City of Tumwater in the Mottman Industrial Park off 29th Avenue SW. Ms. Hall encouraged citizens to sign up through the website to participate in a tour of the facility to learn how a voter ballot is processed. She noted that the Auditor's Office recently participated in a statewide

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hand recount for the second and third position for Commissioner of Public Lands. Thurston County achieved a zero variance.

PUBLIC COMMENT:

Talauna Reed, 1220 Garrison Street NE, Olympia, said she works with individuals and families who live in Tumwater. She also shops and volunteers her time in Tumwater and through her employment has supported several tenants to secure safe housing in Tumwater. She partners with many providers and organizations in Tumwater and cares about the health and safety of residents in Tumwater. She thanked the Council for its works to increase tenant protections for renters. The rental registry program is a good way to increase accountability and build a bridge between tenants and landlords. She conveyed the importance of climate action. Tumwater residences and businesses need more money spent on climate resiliency, adaptation, and mitigation. One City employee works on climate related issues, which is insufficient. An emergency management plan is necessary for Thurston County addressing smoke, wildfire, heat events, and flooding. Residents, especially those who are senior, low-income, or unhoused need more from the City. Although she believes the Council wants residents to be healthy and thrive in the City, it requires a greater commitment from leadership. Climate change is happening. She asked the Council to fully invest in the health and safety of all residents and take more steps to ensure unhoused community members have resources during extreme heat waves, that seniors and low-income have cooling units in their homes, and that black and brown residents have equitable access to resources. Investing in climate action work requires prioritizing staffing and emergency management planning during the budget process. Increasing staffing and providing resources to those tenants who are underserved and underrepresented would be a start to reflect the Council's commitment and would serve as an extension of the work completed by the Council for protecting tenants. She asked what the City will do to ensure resources meet the demands of the climate crisis and whether the City plans to expand climate staffing between now and 2025.

Pamela Hansen, P.O. Box 14521, Tumwater, congratulated Washington State for requiring photo ID to register for vote. She previously assisted some individuals who wanted the State of Michigan to require photo ID to vote. The opposing side passed a constitutional amendment not requiring photo ID for voting. She spoke to Flock cameras and the potential for litigation. She recently learned Federal Express is using Flock cameras in its vehicles expanding the use of Flock cameras to the commercial market. She cited a sheriff's department in Florida that uses seizure funds to help fund the department and encouraged the City to explore the option of using seizure laws to help fund the police department.

Dave Nicandri, Tumwater, said his comments regard climate change and the emphasis to convert to electrification. He acknowledged the

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reality of climate change but his concerns and hesitations surround supposedly climate change solutions. The push for all-electrification is straining the electrical grid and pocketbooks. If everything is okay with the electrical system, he finds it curious that he receives push notifications from Puget Sound Energy to perform a household function at another time during the day to prevent a strain on the electrical power grid. Alternatively, the reliability of the grid is being questioned as reported by the *Los Angeles Times* about the Port of Los Angeles experiencing brownouts because of electrical surges, which is occurring across the nation by adding more devices to one energy system rather than a multi-layered diversified energy system. The issue is why the grid is experiencing surges because solar and wind unlike hydroelectric, natural gas, or nuclear power do not generate electricity at a steady frequency of 60 cycles per second. The mainframe systems inform the current standard of living. Utility companies across the country are building industrial-scale battery reservoirs to enable regulation of the cycling of the power. The reservoirs cost ten times the amount of money required to build a natural gas power plant and are also prone to catching fire.

Ryan Reynolds, 9020 Longberg Street SW, Tumwater, said he serves as the current President of the Tumwater Area Chamber of Commerce. He thanked the Mayor and several Councilmembers for attending a recent chamber event, which represents a huge opportunity for the City, Tumwater School District, and businesses. The new Tumwater Visitor and Tourist Center is located in the Fred Meyer complex and provides opportunities to students and a new vision for the chamber. The center provides information to students and encourages them to become involved in tourism at the center. The center also provides opportunities for businesses to advertise and promote their businesses. Another opportunity to learn about the center is an event at Farrelli's Pizza in Tumwater at noon on September 18, 2024. He encouraged the Council to remain involved in the great collaboration.

- CONSENT CALENDAR:**
- a. Approval of Minutes: City Council Work Session, July 23, 2024
 - b. Approval of Minutes: City Council Work Session, August 27, 2024
 - c. Approval of Minutes: City Council, September 3, 2024
 - d. Payment of Vouchers
 - e. Grant Agreement with the Department of Ecology for the Pioneer Park Restoration Project Amendment
 - f. Advisory Board Appointment of Carissa Parvin to the Barnes Lake Management District Steering Committee
 - g. Reappointment of Kathy Peterson, Cecil Weaver, and Judith Loft to the Barnes Lake Management District Steering Committee

MOTION: **Councilmember Jefferson moved, seconded by Councilmember Swarthout, to approve the consent calendar as published. A voice**

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vote approved the motion unanimously.

Mayor Sullivan reviewed the items approved on the consent calendar.

Mayor Sullivan welcomed Carissa Parvin as a new member of the Barnes Lake Management District Steering Committee. Ms. Parvin shared that she purchased property at Barnes Lake in 2017. As a resident she wanted to invest more and assist in improving the lake.

**COUNCIL
CONSIDERATIONS:**

**AGREEMENT FOR
THE TRANSFER OF
INTERESTS IN
BREWERY ASSETS
WITH CITY OF
LACEY:**

Director Smith reported the proposal is approval of an agreement for the transfer of interest in brewery assets with the City of Lacey. The request represents a major milestone, which began in 2006 when the City acted, with the Cities of Olympia and Lacey, to ensure the water rights owned by All American Water Bottling would not be relinquished due to non-use. The City entered into an interlocal agreement with the cities of Olympia and Lacey to share water rights, infrastructure, and property to serve all three communities.

The cities engaged in planning meetings to determine the path forward to utilize water rights for the communities. In 2011, the City hired RH2 Engineering to complete initial planning and analysis on water quality and conveyance systems. The results produced a three-phased project.

The first phase was the aquifer and infrastructure assessment to evaluate the assets acquired through the condemnation proceedings. During the second phase, a memorandum of understanding (MOU) between the partners was drafted considering wellfield ownership, management, operation, and treatment. Prior to the last phase and execution of the MOU, the City of Lacey determined it had a different approach for using and developing water within Lacey. As a result, partnership efforts began to evaluate the potential of one partner withdrawing from the partnership and considerations for transferring the water rights and assets to one or both remaining partners.

In 2023, the City of Lacey notified the partnership of its intent to withdraw from the partnership and allocate its water rights, assets, and liabilities to the partnership. The City of Olympia deferred to the City of Tumwater for the transfer of Lacey's assets and liabilities.

Over the last year, staff worked with the City of Lacey staff to determine the value of the water rights and physical assets using the same consultants initially used during the condemnation proceedings. Water rights acquired by the City of Tumwater under the new agreement could serve up to 3,200 residential units increasing the City of Tumwater's share of former Brewery Water Rights.

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The proposed agreement transfers both assets and liabilities from the City of Lacey to the City of Tumwater. With execution of the agreement, the City of Tumwater is responsible for two-thirds of the partnership with the City of Olympia. Over the last year, staff worked with City of Lacey staff to finalize the water right and property valuations and provide an offer to the City of Lacey of \$2,461,000.00.

Conditions outlined in the asset transfer agreement assume that the valuations provided through the process would be accepted by both parties and that the transferring city would issue to the purchasing city a *right to use in perpetuity certificate*, recognizing that the transferring city would retain ownership until the rights are put to full beneficial use, an administrative process required by the Department of Ecology to ensure water provided through a permit can be certificated after the full water right has been utilized. Once all of the former Brewery water rights have been put to full beneficial use, the City of Lacey would issue a quick claim deed providing full ownership of its portion of the water rights to Tumwater. Staff anticipates all conditions of the agreement can be met by 2028.

Following execution of the agreement with the City of Lacey, completion of a MOU with the City of Olympia outlining ownership and operation considerations of the Brewery Wellfield under the new two-party partnership. Wells will be drilled to produce two increments of water for the City of Tumwater. The City of Olympia does not need its increment of water today. The MOU will address the timing of water to the City of Olympia. The design of the facilities will account for the upcoming need for withdrawal of water by the City of Olympia.

RH2 Engineering will assist the City in designing and constructing up to three new wells dependent upon the volume of water withdrawn. Other existing brewery wells would be decommissioned. The new brewery wellfield is anticipated to need some additional water treatment. A proposal would be submitted to the Department of Health next year to enable final design and initiation of construction in late 2025/2026.

Director Smith recommended the City Council authorize the Mayor to sign the Brewery Asset Transfer Agreement with the City of Lacey to acquire the City of Lacey's brewery wellfield assets including all its water rights, infrastructure, and associated liabilities of the brewery wellfield.

Councilmember Althaus commented that full use of all water rights must be completed by 2041. He asked whether the City of Lacey retains the water rights if full use is not achieved by 2041. Director Smith advised that the City retain the rights after water is put to full beneficial use. The Department of Ecology issued an extension for

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using the water rights until 2041, which provides sufficient time for the City to utilize its water rights. However, in the event, another extension is necessary the extension would apply to the agreement with the City of Lacey to issue a right to use in perpetuity certificate.

Councilmember Althausen noted that the cost of \$2.4 million is reflective of some of the challenges associated with the property, railroad, egress and ingress, and the topography of the site. Director Smith affirmed that the property evaluation, existing assets, and all liabilities are included in the agreement.

MOTION:

Councilmember Swarthout moved, seconded by Councilmember Jefferson, to approve and authorize the Mayor to sign the Brewery Asset Transfer Agreement with the City of Lacey to permanently acquire Lacey's Brewery Wellfield assets, including water rights, infrastructure, and associated liabilities of the Brewery Wellfield.

Councilmember Althausen commented that the action is an important strategic step for the City's future in lieu of climate change and that securing water rights will be an important asset. He thanked the City of Lacey for working with the City over the last several years.

MOTION:

A voice vote approved the motion unanimously.

**INTERAGENCY
AGREEMENT WITH
WASHINGTON
DEPARTMENT OF
COMMERCE FOR
STATE HOME
ELECTRIFICATION
AND APPLIANCE
REBATES PROGRAM:**

Coordinator Jones Wood reported the proposal helps achieve Strategy B-6 within the Thurston Climate Mitigation Plan for conversion to cleaner fuel sources. Buildings and energy comprise 54.2% of Thurston County greenhouse gas emissions. Residential buildings are a large portion of those emissions.

Coordinator Jones Wood displayed a table from the 2022 community-wide greenhouse gas emission inventory establishing 2015 as the baseline year. The table reflects a 31% increase in emissions related to natural gas in the residential sector since 2015.

One of the three regional initiatives the Thurston Climate Mitigation Collaborative is focusing on this year is the EEE Campaign (Residential Energy Efficiency and Electrification Campaign) rebranded as Energize Thurston. The campaign has several components to include a web-based information hub at www.wa.switchson.org to learn how to electrify a home, local financial incentives available to help families electrify appliances and homes, outreach and marketing campaigns, and an advisory support service. The grant is funded by the Washington Climate Commitment Act for \$477,540 with no match requirements. The grant expires on June 30, 2025. Funding will cover home appliance electrification upgrades including heat pump, water heater, induction kitchen appliances, clothes dryer, electrical service and panel upgrades for the

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installation of new appliances, wiring, education and outreach, and program administration.

Individuals benefitting from the grant are low- and moderate-income residents in Tumwater. Other Thurston County jurisdictions receiving funding include Thurston County, City of Lacey, and the City of Tenino.

The first priority is to complete turnkey installations for home electrification for low- and moderate-income residents with a household income up to 120% of area median income. Tumwater Lifeline customers will be outreached first because they are income qualified. The program is available to anyone who meets the income qualifications. The City anticipates completing 20 to 40 full home electrifications.

The second priority is to provide group discounted pricing opportunities for all Tumwater residents at any income level.

Coordinator Jones Wood reviewed the requirements for Tumwater residents to participate in the program.

Councilmember Jefferson inquired as to outreach efforts to the low-income senior population who often do not use the internet. Coordinator Jones Wood said the campaign will target customers of the City's Lifeline Program, seniors, and people with disabilities through direct mail, phone calls, or by visiting them at their home.

Councilmember Dahlhoff commented that many seniors experiencing mobility challenges could encounter problems attending the workshops. She asked about alternatives for seniors to participate through other senior service providers. Coordinator Jones Wood advised that part of the outreach has included partner agency interviews and focus groups for different regional initiatives including contact with Seniors for South Sound. She often has a table at the Food Bank regularly and is able to speak to many seniors and disabled seniors. The City will pursue multiple avenues and schedule workshops in different ways and locations.

Coordinator Jones Wood requested the Council authorize the Mayor to sign the Interagency Agreement with Washington Department of Commerce for State Home Electrification and Appliance Rebates Program.

Councilmember Althaus asked whether passage of Initiative 2217 repealing the Climate Commitment Act would affect program funding. Coordinator Jones Wood said the City's funding is available through June 30, 2025. Any future funding for the program could be threatened with the passage of the initiative.

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Councilmember Cathey asked whether the program can be utilized by rental households. Coordinator Jones Wood said tenants would need to obtain authorization from the landlord. Similar to Energize Olympia and other programs across the country, renters are able to participate. The income qualification would likely apply to the property owner, as the program would provide improvements to the property. The program is designated to launch in January 2025 giving time for staff to work out more details of the program.

MOTION:

Councilmember Dahlhoff moved, seconded by Councilmember Von Holtz, to approve and authorize the Mayor to sign the Interagency Agreement with Washington Department of Commerce for State Home Electrification and Appliance Rebates Program. A voice vote approved the motion unanimously.

**COMMITTEE
REPORTS:**

**PUBLIC HEALTH &
SAFETY:
*Peter Agabi***

The last meeting on September 10, 2024 included a review of survey results by the Tumwater Police Department and a briefing on Fire Department staffing. The committee also discussed recent racial incidents in particular areas in the City. Subsequently, the committee agreed to propose a resolution condemning any racial abuse of community members and requested the committee's review and recommendation of the resolution to the Council for consideration.

**GENERAL
GOVERNMENT:
*Michael Althaus***

The committee meeting on September 11, 2024 included continuation of the 2025 Comprehensive Plan Periodic Update to review the Transportation Element and a discussion on formatting options for the Comprehensive Plan. The committee agreed on the importance of ensuring readability and accessibility of the plan to the public.

**PUBLIC WORKS:
*Eileen Swarthout***

The next meeting has been cancelled. The committee considered and forwarded recommendations for two of the consent calendar items at the September 4, 2024 meeting.

**BUDGET AND
FINANCE:
*Debbie Sullivan***

There has been no meeting.

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

City Administrator Parks reported on the upcoming Falls Fest on Saturday, September 28, 2024 at Brewery Park at Tumwater Falls from 10 a.m. to 4 p.m. She asked about any interest for designating space for the Council to afford the ability to interact with the public. She invited Councilmembers to contact her for follow-up with staff. This year's event will include shuttle service by Intercity Transit because parking is limited for the event.

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The Israel Road project is progressing with evening paving. The project will be completed shortly with striping completed before the end of the year. The Linwood project is also progressing well with some work completed next spring.

Mayor Sullivan reported on her attendance to many Association of Washington Cities (AWC) committee meetings. She also attended the Funding and Governance Work Group meeting of the Deschutes Estuary Restoration Project at the Squaxin Island Hotel with Councilmembers Althausen and Dahlhoff.

During the Mayor's Forum, members discussed the location of the World Cup Soccer games in 2026. The organization is seeking other areas to host the games. It may be possible that Lacey, Olympia, and Tumwater could be selected to host some auxiliary events associated with the games.

Mayor Sullivan attended a meeting with the Artisan Group, an architectural firm located off Capitol Boulevard in Tumwater. The firm is expanding its existing building and increasing the building to three stories to include six apartments.

**COUNCILMEMBER
REPORTS:**

Kelly Von Holtz:

Councilmember Von Holtz attended the September 4, 2024 Intercity Transit Authority meeting. Intercity Transit is restoring late business service to The Evergreen State College for students. Intercity Transit is conducting a pilot project for the sight-impaired by providing guides to transit services at transit centers and bus stops.

Councilmember Von Holtz reported she attended the Nisqually Land Trust event honoring former Senator Karen Fraser.

Angela Jefferson

The medicine take back event is scheduled on October 5, 2024 from 9 a.m. to noon sponsored by Tumwater HOPES during the Tumwater Clean Up Drop Off event. The event features medication disposal, shredding, and recycling services. The Food Bank will feature a site to accept food donations. Medicine lockboxes will be provided as well as information on resources.

At the September 12, 2004 Tumwater HOPES meeting, members discussed a summary of last year's accomplishments, which were minimal as the organization lacked a manager. Members approved purchasing the movie *Screenagers* for viewings throughout the year. Members discussed a drug prevention summit at the Westin Hotel in Seattle, October 30-31, 2024. Several members plan to attend. Members discussed ways to engage teens to help the organization grow. Councilmember Jefferson reported on her meeting with the

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Director for Career and Technical Education at the Tumwater School District to discuss ways to collaborate with Tumwater HOPES. The new director develops work place learning programs. She wants to explore ways for the City to partner to encourage teens to become involved at City Hall, such as formation of a youth committee to receive school curriculum credits or involving youths with the City's Racial Equity Committee. An event is scheduled at Black Hills High School on Saturday, September 21, 2024 to engage with the Director and the Tumwater School District to pursue a program for high school students. She questioned whether it is possible for the City's Volunteer Coordinator to attend the meeting. City Administrator Parks affirmed the request.

At the last meeting of Olympia and Beyond Visitor and Convention Bureau, members reviewed details of the upcoming annual meeting scheduled on September 19, 2024 in the City of Tenino at 5 p.m. Members voted to appoint two new board members.

Leatta Dahlhoff:

Councilmember Dahlhoff reported on her attendance to the September 4, 2024 Emergency Coordination Center Workshop. Multiple workshops are scheduled throughout the year. The workshops feature scenarios on information management, inoperable communications, resource management, strategic planning, multi-agency coordination, and policy direction. The training covers how those issues work in coordination and how the City would respond during an emergency.

At the Thurston County 9-1-1 Communications Administrative Board meeting, statistics were shared with members. During the month of July, 33,667 calls were received by the 911 call center in Thurston County. In comparison to July 2023, calls reduced by 15%.

The Thurston County Opioid Task Force is sponsoring a pilot program to collaborate with EMS and Fire to leave locking medication bags after responding to an incident. The task force plans to track the number of bags distributed.

The LOTT Clean Water Alliance Board met and discussed its participation in the Deschutes Estuary project. Department of Enterprise Services staff and the project consultant provided an update on the status of the project and LOTT's involvement. The Board is working on the LOTT budget and received information on future changes to LOTT's pretreatment ordinances.

Michael Althausen:

Councilmember Althausen attended the meeting of the Funding and Governance Work Group for the Deschutes Estuary Restoration Project at the Squaxin Island Hotel.

The next meeting of the Regional Housing Council is scheduled on September 25, 2024.

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Eileen Swarthout:

At the last meeting of the Thurston Regional Planning Council meeting, members discussed the Regional Transportation Improvement Program annual update for funding for transportation projects in the region. Members discussed the potential of TRPC increasing its assessment to members to help fund technology infrastructure, which would represent a proposed 4.2% increase in membership fees.

Peter Agabi:

During the September 9, 2024 Joint Animal Services Commission meeting, members received information on the volunteer program at the shelter. To date, each volunteer has provided 40 hours of service. Members received information on incidents involving animal cruelty. Specifically, the example was a cock-fighting ring in Thurston County. Apparently, animal cruelty laws do not address small animals, such as birds and chickens. The individual charged is a repeat offender with convictions in other areas of the state. Members discussed options to pursue legislative changes to cover all animals in the statute. Members reviewed estimates of each jurisdiction's assessment for animal services. Tumwater's assessment rate would be approximately \$90,000 for 2025.

At the September 11, 2024 Transportation Policy Board meeting, members reviewed the Call for Transportation Projects. The City of Tumwater is submitting two major projects for consideration. The projects include a Pioneer Park trail segment and a transportation study for a roundabout on Capitol Boulevard. Members discussed the congestion management process and legislative priorities.

Joan Cathey:

Councilmember Cathey attended the Solid Waste Advisory Committee meeting, the Tumwater General Government Committee meeting, and the Olympic Region Clean Air Agency meeting. At the meeting of the Solid Waste Advisory Committee meeting, staff reviewed increased outreach efforts for solid waste in schools and other venues with an emphasis on solid waste, recycling, and gardening as part of the Washington State Extension Program supporting community gardens. She recommended inviting staff from the committee to share details of the program with the Council.

ADJOURNMENT:

With there being no further business, Mayor Sullivan adjourned the meeting at 8:26 p.m.