

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
APRIL 16, 2024 Page 1**

CONVENE: 7:00 p.m.

PRESENT: Mayor Debbie Sullivan and Councilmembers Peter Agabi, Michael Althausser, 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, Transportation and Engineering Director Brandon Hicks, Fire Chief Brian Hurley, Community Development Director Michael Matlock, Water Resources and Sustainability Director Dan Smith, Parks and Recreation Director Chuck Denney, Planning Manager Brad Medrud, Sustainability Coordinator Alyssa Jones Wood, and City Clerk Melody Valiant.

SPECIAL ITEMS:

**PROCLAMATION:
CHILD ABUSE
PREVENTION
MONTH, APRIL
2024:** Councilmember Althausser read a proclamation declaring the month of April as *Child Abuse Prevention Month*. The proclamation urged all Tumwater citizens, communities, state agencies, faith groups, medical facilities, elected leaders, medical providers, educators, and businesses to increase their participation in efforts to support families, thereby preventing child abuse and strengthening the community.

Mayor Sullivan presented the proclamation to Chris Desmond, President, Board of Family Education Support Services, located on Capitol Boulevard, one of the largest non-profits located in Tumwater serving over 20,000 parents during the last year. Mr. Desmond thanked the Council for its support of the organization over the years.

**PROCLAMATION:
ARBOR DAY, APRIL
20, 2024:** Councilmember Agabi read a proclamation declaring *April 20, 2024 as Arbor Day* in the City of Tumwater. The proclamation encourages all people in the City of Tumwater to participate in the City's Arbor Day and Earth Day celebrations and support efforts to protect the community's trees and woodlands.

Coordinator Jones Wood accepted the proclamation on behalf of the community and the Tumwater Tree Board. She invited the community to celebrate Earth Day and Arbor Day. Tree and plants will be provided to the community free of charge and Tree Board members will be available to answer and tree-related questions during the Arbor Day event.

PUBLIC COMMENT: **Beowulf Brower** spoke in support of the Davis-Meeker Garry Oak Tree. Over the past several weeks, he reviewed the report written by the City's Arborist concerning the condition of the tree, as well as the history of work performed on the tree. He implored the Council to

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
APRIL 16, 2024 Page 2**

read the analysis he compiled and submitted as well as the comments from arborists who have much more experience. The report as currently written cannot be used to justify the removal of the tree based on the sheer number of errors it contains. The report presents an objectively wrong assessment of the risks posed by the tree. As a Tree City, the City has an ethical responsibility to seek accurate reporting of heritage trees. Last week, he filed and received a public records disclosure including a report from the Washington Cities Insurance Authority. The Washington Cities Insurance Authority categorically did not make any recommendations for the removal of the tree despite a member of the City Attorney's office describing the tree as being very dead. He forwarded the full disclosure report to the Council on his analysis. Three minutes is not nearly enough time to fully explain the analysis. He reiterated the importance of listening to all arborists who have taken the time to voice their opinions. All have offered time pro bono for the benefit of the tree and the community. He is confident that there is a solution for the preservation but first there must be a usable report completed by a neutral third party.

Ryan Reynolds, President, Tumwater Area Chamber of Commerce, thanked the Council and the City for its participation over the last several years with the Chamber. Over the next several years, the intent is to strengthen the bond and become more involved with hope of more involvement by the City with the Chamber.

Pamela Hansen, P.O. Box 14521 Tumwater, commented on issues that were broadcast by KOMO News Radio. She is hopeful that everyone can speak to the issues calmly. The recent news on the radio concerned a marijuana break-in of a local marijuana store. A security officer was taken hostage during the break-in. She congratulated everyone involved in the incident as it appears everyone is safe; however, the issue of stolen cars and people from King and Pierce Counties entering Tumwater and causing this type of disruption is unacceptable. She supports the Tumwater Police Department and the Tumwater Fire Department in their response to issues. Weed day or 4/20 is approaching and that phrase was part of graffiti found on one of her patrol sites in Alaska when marijuana was not recreationally approved for sale. It started in Alaska as graffiti and since then marijuana has been legalized and is being advertised on radio for a casino promoting 4/20. She is hopeful nothing happens on that day but partying will likely occur. Safety and health are important for the Fire Department and Police Department. She suggested reading an article about Port Orchard and the super cartels and surveillance information shared on how to protect people from harm.

Dave Nicandri, 5050 4th Avenue SW, Tumwater, said he is a member of the Tumwater Historic Preservation Commission and was

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
APRIL 16, 2024 Page 3**

a member of the Tumwater City Council from 1977 to 1987. Mr. Nicandri displayed an Old Highway 99 Historic Sign to be installed along Old Highway 99. The signs are readily visible and are economic historicity, much more than the City's historic house that is expensive to maintain and has no practical utility. Everyone traveling along the highway viewing the signs can immediately glean the readily accessible and economic display of historicity. He commented on wearing his historic Route 66 T-shirt as many communities are recognizing their historic highways. He looks forward when the City will begin installing Historic Highway 1 signs on 2nd Avenue as it was the predecessor highway to Highway 99 as well as the Pacific Coast Highway or Highway 1 that ran through Tumwater along the same alignment as Highway 99 before the freeway was constructed. Historic Highway 1 is the next assignment. Additionally, he clarified some misunderstanding about the Historic Preservation Commission and another tangible and readily visible and economic element of historicity involving the oak tree near the airport. Contrary to common perception, the Commission rendered a recommendation surrounding the tree by converting a triangular parcel owned by the City within its right-of-way to a botanical park. The Commission is scheduled to discuss the listing of the heritage tree at its next meeting.

**CONSENT
CALENDAR:**

- a. Approval of Minutes: City Council Work Session, February 27, 2024
- b. Approval of Minutes: City Council Work Session, March 11, 2024
- c. Approval of Minutes: City Council, March 19, 2024
- d. Approval of Minutes: City Council Work Session, March 26, 2024
- e. Approval of Minutes: City Council Retreat, March 29, 2024 - ***Pulled***
- f. Approval of Minutes : City Council Joint Planning Commission Special Meeting & Tour, April 9, 2024
- g. Payment of Vouchers
- h. Interlocal Agreement with Thurston County for Indigent Defense Legal Services Amendment No. 4
- i. Service Provider Agreement with EXP for the Climate Element of the 2025 Comprehensive Plan Periodic Update
- j. Service Provider Agreement with Fehr & Peers for the Transportation Plan of the 2025 Comprehensive Plan Periodic Update
- k. Memorandum of Understanding Between the City of Tumwater and LOTT Clean Water Alliance Regarding a Purchase and Sale Agreement for Properties in the Deschutes Valley Amendment 1
- l. Reappointment of Tanya Nozawa and Jim Sedore to the Tree Board

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
APRIL 16, 2024 Page 4**

Mayor Sullivan noted the request by Councilmember Dahlhoff to pull item e and move it to Council Considerations for additional discussion.

MOTION: Councilmember Dahlhoff moved, seconded by Councilmember Swarthout, to approve the consent calendar as amended. The motion carried unanimously.

Mayor Sullivan reviewed the items approved on the consent calendar.

**COUNCIL
CONSIDERATIONS:**

RESOLUTION NO. R2024-009, COMPREHENSIVE EMERGENCY MANAGEMENT PLAN UPDATE: Fire Chief Hurley presented the proposal to approve Resolution No. R2024-009 adopting the Comprehensive Emergency Management Plan Update.

Emergencies are both natural and human caused related to weather, fire, cyber attacks, and pandemics, etc. Emergency management creates the framework to reduce vulnerabilities and cope with disasters. Other resources are available from the state and federal government to provide support. The goal of the Comprehensive Emergency Management Plan is to ensure a safe, secure, and resilient community.

The Plan includes five mission areas of:

- Prevention
- Protection
- Mitigation
- Response
- Recovery

Thirty-two core capabilities are imbedded in the Plan.

The Plan serves as the guide for emergency management in the City. The City's Emergency Management Committee is comprised of directors and some senior managers. The committee coordinates City and department emergency management activities, training for City staff, plans and executes exercises, and if needed, staffs and supports the Emergency Operations Center (EOC). The last full activation of the Tumwater EOC was during the Nisqually Earthquake.

The Plan guides the City's emergency response before, during, and after a disaster. The City is required to have an updated Plan to receive FEMA grant funding. The updated Plan was submitted and approved by the State Emergency Management Division at the end of

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
APRIL 16, 2024 Page 5**

2023. The Plan meets all legal requirements. The review recommended some revisions as the Plan is updated over the next five years.

A comprehensive review of the Plan was completed with assistance from the City of Olympia as Olympia has the expertise the City utilized. The Plan update aligns with Olympia's Plan. Some changes include elimination of unnecessary language and reorganization by departments rather than by emergency support functions. New content expands the City's language proficiency to communicate with the entire community, identification of ways to ensure all members of the community can safely evacuate, specify within the five mission areas and the core capabilities the correlation between emergency support functions by each department, and continuing focus on recovery planning.

The Council's role focuses on communications, policy decisions, supporting response efforts, and supporting recovery efforts. In the case of a disaster, the most important action is for each member to take care of themselves and their family first. The Council continues its support of the Plan through establishing and maintaining an organization for emergency management as required in the RCW and the Tumwater Municipal Code. During an emergency, Councilmembers should maintain contact with the City Administrator designee (Fire Chief) and receive instructions for response during the emergency. In coordination with the City Administrator and the EOC Manager, the Council may interface with representatives of other jurisdictions or asked to participate in joint media efforts to share common messages throughout the community. In conjunction with other City elected leaders, the Council renders policy decisions as requested by the City Administrator and the EOC Manager.

Following a presentation to the Tumwater Public Health and Safety Committee, the committee forwarded a recommendation to the Council to adopt Resolution No. R2024-009, Comprehensive Emergency Management Plan Update.

Councilmember Swarthout inquired as to the status of the county's cell phone emergency notification. Fire Chief Hurley affirmed Thurston County Alert is active. Community members can register through the Thurston County website to receive emergency alerts. It is possible to register to receive area-specific alerts. The City of Tumwater participates with the county in the system and often sends out alerts specific to Tumwater.

MOTION:

Councilmember Dahlhoff moved, seconded by Councilmember Jefferson, to approve Resolution No. R2024-009, Comprehensive

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
APRIL 16, 2024 Page 6**

Emergency Management Plan Update as recommended by the Public and Health Safety Committee at its April 9, 2024 meeting. A voice vote approved the motion unanimously.

SERVICE PROVIDER AGREEMENT EXTENSION WITH THE THURSTON EDC FOR THURSTON STRONG PHASE II:

Director Matlock reported in October 2021, the Council appropriated \$350,000 in American Recovery Plan Act (ARPA) funds for Thurston Strong to support childcare services in Tumwater as well as entrepreneurs. Of that amount \$205,000 was allocated to support childcare facilities and \$80,000 was awarded for scholarships for training for eligible businesses and entrepreneurs for brewery and distilling programs and BIPOC entrepreneurs. Since the start-up Thurston Strong distributed \$10 million to the community. However, due to a delay in implementation of the program, funds were recently distributed throughout the community necessitating the extension of the term of the agreement previously approved by the Council. The extension is effective through 2025. Staff requests the Council authorize the Mayor to sign Service Provider Agreement Extension with the Thurston EDC for Thurston Strong Phase II. Director Matlock invited questions and comments.

Councilmember Swarthout inquired about the process for distributing grants to childcare facilities. Director Matlock said the EDC in conjunction with Thurston County administers the grants to local childcare facilities to help expand capacity. During the pandemic, many childcare facilities closed or reduced services. The focus is supporting and reestablishing childcare facilities.

MOTION:

Councilmember Swarthout moved, seconded by Councilmember Althausser, to approve and authorize the Mayor to sign a Service Provider Agreement extension with Thurston EDC for Thurston Strong Phase II. A voice vote approved the motion unanimously.

APPROVAL OF MINUTES: CITY COUNCIL RETREAT, MARCH 29, 2024:

Councilmember Dahlhoff commented that prior Council retreats produced tangible results, such as the ground rules and the Council's Strategic Goals and Priorities. The meeting minutes of the March retreat do not reflect the robust conversation by the Council surrounding concerns and ways to move forward. The minutes lack information on the topics of concern and the Council's conversations.

MOTION:

Councilmember Agabi moved, seconded by Councilmember Althausser, to approve the minutes of the City Council Retreat, March 29, 2024 as published.

Councilmember Cathey asked about the possibility of including additional information within the minutes to serve as a guide of the Council's conversations and outcomes.

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
APRIL 16, 2024 Page 8**

PUBLIC WORKS: The next meeting is scheduled on Thursday, April 18, 2024. The agenda includes consideration of the Brewmaster’s House Renovation Contract Change Order #2 for installation of ceiling wallpaper.
Eileen Swarhout

BUDGET AND FINANCE: The next meeting is scheduled on April 23, 2024 at 10 a.m.
Debbie Sullivan

MAYOR/CITY ADMINISTRATOR’S REPORT: City Administrator Parks advised of the City’s signatory action of an Opioid Settlement Agreement between the State of Washington and Johnson & Johnson. On January 24, 2024, the state entered into a \$149.5 million settlement with Johnson & Johnson. If all eligible cities and counties join in the agreement, cities and counties will receive approximately \$6.7 million this summer as a lump-sum payment. As with prior settlements, the funds will be apportioned based on the One Washington Memorandum of Understanding. The overall settlement total for the state to date is more than \$1.3 billion to help the state’s Opioid abatement and recovery programs.

This year, the Earth Day celebration is scheduled on April 20, 2024 at Tumwater Historical Park from 10 a.m. to noon. Earth Day provides an opportunity for people to join together and take action for a healthier planet. In 2012, the PARC Foundation joined with four local park departments to promote student-lead service projects as well as to celebrate Earth Day. Today, that tradition continues with the focus on environmental education, awareness, and community involvement. The Tumwater Parks and Recreation Department is working with local middle and high school students to reduce invasive plants in the environment. The Tumwater Lions Club is supporting Earth Day efforts by funding a monetary prize awarded to the top two Tumwater schools hosting the most student volunteers to help with the Earth Day project. City Administrator Parks thanked all students and adult volunteers registering for the event and to Parks and Recreation Department staff for supporting the Earth Day project.

Mayor Sullivan reported on her attendance at the Intercity Transit Authority Board meeting on March 20, 2024. Members recognized National Transit Employee Appreciation Day and viewed a video of events in Tumwater and throughout the region. Members recognized the Bus Buddy Program 10th year anniversary. The program sponsors volunteers who assist people to learn how to ride and navigate the transit system. Transportation Choice Coalition officials visited Intercity Transit on March 18, 2024 at the Pattison Street facility. At the April 3, 2024 Intercity Transit Authority Board meeting, members were introduced to several new employees and received an update on the Walk n Roll Program. The program focuses on schools and also was extended to include a bicycle component for youth and adult

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
APRIL 16, 2024 Page 9**

bicycles. The program hosts a shop at the new Pattison Street facility for recycling and repairing donated bicycles and offering training on bicycling. Members received information from the recent trip to Washington, D.C. on the Legislative Conference. Mayor Sullivan attended and met with staff, Senators, and Washington State Representatives during the trip.

Mayor Sullivan attended the Thurston Regional Council meeting on behalf of Councilmember Swarthout. Topics included Thurston County Industrial Land Study, the Unified Work Planning Program, and a Regional Transportation Climate Change update.

Mayor Sullivan attended the Black Hills High School Class 2024 senior presentations, the City's Easter Egg Dash, and the Housing Authority of Thurston County Board meeting to review the Sequoia North and Sterling Pines housing projects. The Sterling Pines project is a former hotel located off Capitol Boulevard to be converted to senior housing. Housing options were shared for the Sequoia North project to include the possibility of cottage housing.

**COUNCILMEMBER
REPORTS:**

Joan Cathey:

This year, the Earth Day celebration is the 54th year celebrating Earth Day. Councilmember Cathey reported she attended the first Earth Day event. It has been amazing as to how the celebrations have endured and expanded throughout the years to help nurture and protect the environment.

Last month, during the Regional Housing Council meeting, Councilmember Althaus was elected as the Chair.

Eileen Swarthout:

Councilmember Swarthout conveyed appreciation to staff for their efforts in coordinating the recent tour of the Council and the Planning Commission.

At the first Thurston Climate Mitigation Collaborative Retreat held at Olympia City Hall, members received presentations on 2024 Jurisdiction Highlights and the Regional Initiative Update, as well as Greenhouse Gas Emission Trends and Targets and progress on the Thurston County Mitigation Plan and next steps. Councilmember Swarthout acknowledged community members who volunteered to serve on the Climate Action Work Team. The team will review and offer suggestions to the Council. Members also received an update on the 2025 Regional Initiative with discussion on whether the focus should be on buildings and energy or transportation and land use. No consensus was attained with staff to follow-up on some questions to

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
APRIL 16, 2024 Page 10**

enable members to make an informed decision moving forward.

Michael Althaus:

During the March 27, 2024 Regional Housing Council (RHC) meeting, Councilmember Althaus reported he was honored to be selected as the Chair. He thanked Councilmember Cathey for her mentorship over the years as they are both founding members of the RHC when it was known as the Ad Hoc Committee to Work on Housing Issues. The meeting agenda included action on a new pilot program in partnership with LOTT Clean Water Alliance on the LOTT Capacity Development Charge Pilot Program. The program awards credits to jurisdictions to provide lower connection fees for affordable housing projects. The City of Tumwater received 75 credits (ERUs). Since some of the cities have not obligated the credits, RHC members recommended utilizing the credits for the Landsdale Pointe project in Olympia scheduled to provide 160 units of affordable housing.

At the last meeting of the Funding and Governance Work Group for the Deschutes Estuary project members continued its discussion and vetting of a potential draft interlocal agreement with action scheduled in November. A number of additional meetings are scheduled prior to presenting the interlocal agreement to the Council for consideration.

Leatta Dahlhoff:

At the last meeting of the LOTT Clean Water Alliance Board, members approved City of Olympia's application to use shared pool funds for connection fee rebates at the Landsdale Pointe project under LOTT's Affordable Housing Support Program.

At the meeting of Thurston County 911 Communications, members received an update on monthly call volumes. In February, 911 calls totaled 11,228 with non-emergency calls of 12,911 and outgoing calls of 3,357 for a total call volume in February of 27,496 calls for fire, police, and EMS basic and advanced life support.

The Thurston County Opioid Response Task Force – Prevention Subgroup received data results from the 2023 Healthy Youth Survey of 10th grade students on the use of substances, vaping, smoking, and suicide.

Councilmember Dahlhoff reported on a recent meeting with Sheriff Sanders and the Olympic Health and Recovery Services on the results of a program.

Councilmember Dahlhoff visited with Eagles Landing residents to receive feedback about concerns surrounding walking safety, speeding traffic, and the historic oak tree. The meeting lasted for over two hours and was insightful as it enabled residents to share their

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
APRIL 16, 2024 Page 11**

concerns.

Peter Agabi:

At the Joint Animal Services Commission meeting, members discussed a study for identifying a new site for the animal shelter. Action will be necessary by participating partners to determine the criteria for determining a new site. Members reviewed a budget amendment for current expenses to operate the animal shelter. Members discussed a potential contract with the Nisqually Indian Tribe of \$75,000.

At the April 10, 2024 Transportation Policy Board meeting, members reviewed an application submitted by the City of Tumwater for an amendment to the Somerset Fish Passage Barrier Removal project, which was approved by the Board. Members received a briefing on the State Fiscal Year 2025 Unified Planning Work Program (UPWP) and discussed preparing for the 2024 Call for Projects process. Councilmember Agabi shared details on the criteria required for project submittals.

Angela Jefferson:

Councilmember Jefferson commented on the results of the Healthy Youth Survey reflecting an increase in drug use, vaping, and suicide ideations.

She met with Tumwater HOPES new Coalition Leader on April 11, 2024 and shared her frustrations about the unorganized and unfocused meetings. They discussed the group's mission, vision, and partners and the need to begin working collaboratively with schools and other community organizations to move forward. She asked for a presentation to reintroduce the new Coalition Leader to the Council, Tumwater School District, and other community organizations to assist in jump starting a new focus for the coalition.

At an earlier meeting with Experience Olympia and Beyond, members discussed a destination master plan following the results of research and conversations with community stakeholders. Members have drafted a series of recommendations with leadership positions identified. The study was completed by a consultant. Next steps include working with partners and identifying different leads and assignment of responsibilities to ensure Thurston County becomes a dynamic place to visit in the future. The Thurston Economic Development Council will play a large role in those efforts.

Councilmember Jefferson provided an update on the Little Food Pantry. With the increase in food insecurity in Tumwater, a gap continues to exist as many community members continue to refuse to use the food bank. In deference to that ongoing issue, Councilmember Jefferson said she is working with the Little Food Pantry in

**TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
APRIL 16, 2024 Page 12**

cooperation with Thurston County Food Bank. She visited a Safeway store to seek assistance in supplying food to the Little Food Pantry. The store agreed to provide assistance.

Kelly Von Holtz:

Councilmember Von Holtz reported on her attendance to the Tumwater Easter Egg Dash with her daughter and granddaughter.

At the last meeting of the Law Enforcement Assisted Diversion Program, members received an overview of the program. Members acknowledged the need for more staff support and plan to seek additional funding for a FTE to provide program support. The program is experiencing more referrals for people with behavioral health needs that are greater than program resources can provide.

**RECESS TO
EXECUTIVE
SESSION:**

Mayor Sullivan recessed the meeting at 8:25 p.m. to an executive session for approximately 20 minutes to discuss potential litigation pursuant to RCW 42.30.110(1)(i) and real estate acquisition pursuant to RCW 42.30.110(1)(b). The Council is not expected to take further action following the executive session.

Mayor Sullivan extended the executive session at 8:45 p.m. for another 15 minutes.

Mayor Sullivan extended the executive session at 8:58 p.m. to 9:10 p.m.

**RECONVENE &
ADJOURNMENT:**

Mayor Sullivan reconvened and adjourned the meeting at 9:11 p.m.