

**TUMWATER PUBLIC HEALTH AND SAFETY COMMITTEE
MINUTES OF VIRTUAL MEETING
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CONVENE: 8:00 a.m.

PRESENT: Chair Leatta Dahlhoff and Councilmembers Peter Agabi and Angela Jefferson.

Staff: City Administrator John Doan, Police Chief Jon Weiks, Fire Chief Brian Hurley, Police Commander Jay Mason, and Police Administrative Services Manager Laura Wohl.

CHANGES TO AGENDA: The two main agenda items were switched in order.

**APPROVAL OF
MINUTES: PUBLIC
HEALTH & SAFETY
COMMITTEE,
FEBRUARY 8, 2022:**

MOTION: Councilmember Jefferson moved, seconded by Councilmember Agabi, to approve the minutes of February 8, 2022 as published. Motion carried unanimously.

**EMERGENCY
MANAGEMENT
UPDATE:** City Administrator Doan and Fire Chief Hurley updated members on City emergency management related activities.

Fire Chief Hurley reported emergency management spans a variety of disasters and other emergencies requiring appropriate planning and response. Recent emergency events were flooding in parts of the City along with heightened concerns surrounding cyber attacks and disruption of services provided to the community.

Emergency management is the framework created to reduce vulnerabilities and respond to disasters. Emergency management plays an essential role in local, state, and federal governments. Emergency Management has also evolved over the years to reflect current values and emerging threats with the same goal of ensuring safe, secure, and resilient communities.

In the 1950s, the emphasis was on civil defense during the Cold War. In the 1960s and 1970s, emergency management emphasis began shifting to natural disasters, such as the earthquake in Alaska in 1964 and Hurricane Camille in Mississippi in 1969 stressing the need for a coordinated local, state, and federal government response. In the late 1970s, with the Three-Mile Island Nuclear accident, the incident revealed how response was fragmented. That accident subsequently contributed to the formation of the Federal Emergency Management Agency

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(FEMA) in 1979 under President Carter. Throughout the 1980s and 1990s, a number of disasters tested emergency management response. The contamination of Love Canal, the refugee crisis in the 1980s, and the earthquake in California in 1989 all heightened the need for a coordinated emergency response. Following the 9/11 attacks in 2001, the federal government reorganized and created the Department of Homeland Security with FEMA reporting to the new department to help coordinate an all hazards response. Hurricane Katrina tested the FEMA framework and the response model resulting in some changes to improve the system.

Several acts passed over the years for emergency management focused on a holistic approach with a national preparedness goal. The approach is participation by the entire community and preparing and involving individuals, businesses, communities, tribes, schools, and faith-based organizations to assist with response to disasters.

The City's focus on national preparedness goals is in the capabilities and mission areas. Many elected officials have completed basic emergency management training and are familiar with some of the preparedness goals of prevention, protection during incidents, mitigation to lessen the impacts, response, and recovery.

Over the years, the region has experienced a number of snowstorms creating many difficulties in the City involving housing, transportation, and City government response to clear streets, and provide emergency response.

Fire Chief Hurley cited several recent emergency and disaster events requiring emergency preparedness by the City.

The City developed a comprehensive Emergency Management Plan similar to other jurisdictions. The plan guides the City's response before, during, and after a disaster or other emergency event. The last update of the plan was completed in 2017.

Some planning efforts involve the Emergency Operations Center (EOC) or Emergency Coordination Center (ECC). The City's EOC is operated from the Tumwater Fire Station serving as the City's primary EOC. Inherent in the center is technology to provide communications and meet technology needs. The EOC is staffed by fire personnel, as well as other City department personnel who have been trained in emergency management operations. At the EOC/ECC, elected officials would also be

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present as well as the City Administrator dependent on the type and scope of an incident.

The EOC relies on equipment, such as a generator to support operations for a minimum of 14 days, supplies and three-day kits for City staff at workstations, as well as kits at the EOC to sustain staff during an emergency event. Staff training is important with a goal to increase training opportunities for department directors and leads. During a post-COVID world, public education and training will be of focus. Working with Thurston County, the City is able to receive and provide emergency training to the community. The City has established an Emergency Management Committee with department heads and leads in each department as members focusing on training and to direct the emergency management activities of the City.

The EOC/ECC is a physical location to support activities. Today, the emphasis is on coordinating activities with incident command typically located at the emergency scene. The EOC serves as a coordination center to collect data, share information, support resources needs and requests, planning, and coordination and policy direction by elected officials. Many of the City's emergency activities are coordinated with Thurston County. The Thurston County Emergency Coordination Center is located off Tilley Road. Staff works closely with the Thurston County Emergency Management Council. The City is a member of the Council and participates in monthly meetings with all cities and jurisdictions in the county with emergency management responsibilities to discuss activities and plan training. The county also hosts the Local Emergency Planning Committee responsible for hazardous materials response. The City is a member of the committee.

More recently, the City participated in the Disaster Recovery Council with Thurston Regional Planning Council coordinating those efforts. Over the next several months, a plan will be drafted for a coordinated post disaster response and recovery for the region.

Fire Chief Hurley cited some recommended training available online to the Council. The IS-100 class is an introduction to the Incident Command System. The 700 class is an introduction to the National Incident Management System.

City Administrator Doan outlined the basic roles and responsibilities of the Council during a disaster or emergency event. He acknowledged the completion of both classes by

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Councilmember Jefferson and encouraged other members to complete the classes sooner rather than later as emergencies are not scheduled.

The three main responsibilities for elected officials are communications, policy decisions, and supporting response efforts. Primary responsibilities include maintaining contact with the City Administrator or incident manager for multi-day events. The Mayor is responsible for issuing an emergency proclamation with the Council ratifying or endorsing the proclamation. The Council also interfaces with representatives of other jurisdictions to discuss sharing of resources or equipment. Multi-jurisdictional issues can include establishing a curfew if the situation created much damage requiring a curfew to protect assets. Other joint opportunities include public communications and media conferences. The Council is responsible for policy decisions with another role of providing the Mayor Pro Tem if necessary.

During an emergency, important leadership actions by the Council include being prepared at home (water, food, medication, pet food, ability to turn off natural gas, and ensuring family is safe). When an event happens, Councilmembers serve as emergency responders as the primary function by responding to the needs of the community. The Council checks in with the City Administrator or the Fire Chief for policy activation, ratifies proclamations, executes recovery actions, focuses on policymaking and leadership responsibilities, establishes coordinated messaging to the community, support petitions for state, county, and federal assistance, evacuation or use of an emergency reserve, and providing direction for requesting resources from an incident management team. Federal strike teams are trained to handle multi-dimensional events and are invited by local officials to oversee an incident.

Councilmember Jefferson asked about preparedness for cyber warfare as there are many criminal groups holding cities and agencies hostage. She asked about the City's preparedness in terms of backing up the City's system. City Administrator Doan advised that the City's computer system is backed up daily. The City is fortunate as the IT Director's specialty and expertise is computer security. There is no guarantee the City would never be attacked; however, he has a high level of confidence in the City's IT director and his professional capabilities to protect the City's system.

Fire Chief Hurley added that the State Emergency Management

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Department has also shared information with local governments about the protection of city computer systems.

PUBLIC DEFENSE UPDATE:

Patrick O'Connor, Director, Thurston County Public Defense (TCPD), briefed the committee on public defense services provided to indigent individuals charged with criminal offenses in the City of Tumwater.

During the pandemic, TCPD has dealt with challenges, as well as opportunities in the administration of criminal justice. Some benefits include the ability to conduct virtual hearings by affording those charged with an offense by the City of Tumwater to participate virtually rather than physically attending court.

The City of Tumwater contracts with TCPD for one full-time salaried public defender and one full-time salaried legal assistant to support the public defender. All cases are generated by the City of Tumwater. Last year, the TCPD represented 240 clients. Approximately 200 of the cases were gross misdemeanors and 40 were misdemeanors. The offenses ranged from DUIs to thefts. Sixty-one of the clients were in custody charged with domestic violence and multi-offense DUIs. All clients arrested and jailed are visited by the public defender on the same day. The Nisqually Jail has been accommodating for TCPD attorneys to have access to new clients.

The department continues to experience cases that involve conflict of interest. TCPD attorneys are unable to represent the client due to a legal conflict of interest. In those cases, the office has independent attorneys handling those cases. The office had 57 of those cases last year. Another 29 clients were assigned to an independent contract attorney to balance staff workload in the office each month.

Mr. O'Connor shared that he provided an update to Finance Director Niemeyer on the status of the budget. A new amendment will be presented to continue the partnership with TCPD and the City of Tumwater.

Councilmember Jefferson requested information on what constitutes a conflict of interest case. Mr. O'Connor advised that those cases often involve two individuals who were arrested and charged with the same crime with one serving as the principal suspect and the other as an accompish. In those cases, a conflict exists as the office can only represent one of the individuals. In other cases involving former clients, a new client could have been charged with assaulting the individual who is a

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current client in another capacity creating a conflict of interest.

Mr. O'Connor described the difficulties associated with the suspension of jury trials because of the pandemic. Thurston County District Court is scheduled to open jury trials effective March 14, 2022. He is optimistic that the court will not suspend jury trials this year. Because of the closure, TCPD has incurred a tremendous backlog of criminal cases. Thurston County District Court estimates the criminal case backlog to be 2,500 cases.

The attorney who works on City of Tumwater cases is an outstanding attorney who is client-centered and compassionate. Another position in the office is a social worker who was recently funded. The attorney frequently refers clients to the social worker for behavioral services.

Mr. O'Connor invited questions.

Councilmember Agabi disconnected from the meeting.

Chair Dahlhoff asked about the affect of the Law Enforcement Assisted Diversion (LEAD) program and the therapeutic courts in terms of the cases handled by TCPD. Mr. O'Connor commented on the success of the LEAD program especially in light of the recent changes in police laws. The LEAD program is targeted to individuals who commit low-level offenses; specifically, possession of drug-related offenses. The program provides those individuals suffering from substance abuse an opportunity to engage in behavioral health programs and services in lieu of an arrest and prosecution. With the Blake decision last year, possession of drugs is no longer a felony offense. Thurston County was building a program prior to the ruling. Following the ruling, a significant pivot was required in philosophy in terms of future contacts. Since August 2021, over 100 participants have engaged in the program. He conveyed appreciation for the City of Tumwater's involvement in the programs.

Police Commander Mason said he appreciates Mr. O'Connor's input on the LEAD program. The process has been collaborative and affords a unique perspective because in the past the Police Department did not interact with the TCPD, which was a disservice to the community and to the people the department serves. He is appreciative of Mr. O'Connor's efforts to move LEAD concepts forward. It is important to help people with substance use disorders who are impacted and who affect the

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community. It is also important that the discussion involve all parties as the future of the multi-disciplinary teams and collaborative opportunities will help move the region forward.

City Administrator Doan noted that Public Defense represents the third leg of the City's justice services. The City has experienced dramatic changes since it first contracted with Thurston County in 2013. Mr. O'Connor has been an important part of improving public defense services both in Tumwater and in Thurston County. At some future meeting, the court could be invited to a committee meeting to share information about its programs. Staff plans to present a recommendation to extend all Thurston County contracts.

Chair Dahlhoff commented on the importance of the City having a network of services through Thurston County. She supports continuing the contracts because of the benefits it provides to the City and the community.

Chair Dahlhoff thanked Mr. O'Connor for attending and updating the committee.

Chair Dahlhoff said that based on the input by members, staff should move forward to prepare contracts for renewal of Thurston County legal services.

ADDITIONAL ITEMS:

Chair Dahlhoff asked whether prior suggestions by the committee on future topics have been tracked by staff. The committee had mentioned a discussion on the The Leave Behind Narcan and the liabilities and challenges of a program. City Administrator Doan said staff continues to participate in discussions with Medic One regarding Narcan.

Chair Dahlhoff asked about a potential update on the accomplishments of the IDEA Team at the Fire Department and whether it is possible to adapt the program to other areas in the City and ways it would align within the larger scheme of City goals. City Administrator Doan advised that the issue likely overlaps with the worksession discussion scheduled later in the evening with respect to follow-up on the joint meeting with the school district. He offered to schedule an update to the committee on the recent information presented to the IDEA Team.

City Administrator Doan reviewed pending agenda topics:

- Crisis Response Pilot Project – not ready for presentation

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- Opioid Task Force Presentation – Narcan Leave Behind Program
- Regional Fire Authority Update
- Accessible Communities Advisory Council for Thurston County
- Police Reform Update – Impact of House Bill 1310 on Law Enforcement
- Presentation on Therapeutic Courts

ADJOURNMENT:

With there being no further business, Chair Dahlhoff adjourned the meeting at 9:00 a.m.

Prepared by Puget Sound Meeting Services, psmsoly@earthlink.net