

**TUMWATER PUBLIC WORKS COMMITTEE
MINUTES OF VIRTUAL MEETING
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CONVENE: 8:00 a.m.

PRESENT: Chair Eileen Swarthout and Councilmembers Michael Althausser and Charlie Schneider.

Staff: Community Development Director Michael Matlock, Finance Director Troy Niemeyer, Water Resources & Sustainability Director Dan Smith, Transportation Manager Mary Heather Ames, Sustainability Coordinator Alyssa Jones Wood, and Department Assistant II Bonnie Hale.

**APPROVAL OF
MINUTES:
PUBLIC WORKS
COMMITTEE,
SEPTEMBER 22, 2022
& OCTOBER 20,
2022:**

MOTION: **Councilmember Schneider moved, seconded by Councilmember Althausser, to approve the minutes of September 22, 2022 and October 20, 2022 as published. A voice vote approved the motion unanimously.**

**RESOLUTION NO.
R2022-012, 2023 FEE
RESOLUTION:**

Director Niemeyer reported the update of the fee schedule and utility rates is an annual process. The City's fee increases are typically small and incremental to keep pace with the cost of doing business rather than implementing large increases once every five years. Some of the fees are generated by other entities, such as Olympia and Tumwater School District impact fees. The school districts determine future funding fees, which drives the cost of impact fees. One large change is the fire code fee to reflect the value of the building permit.

The fee resolution includes utility fee increases to keep pace with labor and materials, sewer and water connection charges, sewer capacity charge as determined by the LOTT Clean Water Alliance, wastewater sewer charge as determined by the LOTT Clean Water Alliance, and utility rates. Most of the increases are tied to inflation and some are longer term and have been determined as part of a planning process, such as the Capitol Lake Deschutes Estuary fee to support maintenance dredging in future years.

Director Niemeyer cited a comparison chart of similar fees charged by the cities of Olympia and Lacey reflecting Tumwater's lower fees for utilities. The City of Tumwater collects 6% in utility tax compared to 12% and 12.5% for the other two jurisdictions.

Chair Swarthout questioned whether the building and fire fee is assessed only on new construction. Director Niemeyer confirmed the fee is applied only to new construction.

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Director Matlock advised that part of the discussion surrounding the regional fire authority (RFA) included the City adjusting its fees for fire reviews and fire inspections based on the fees charged by the Olympia Fire Department. However, the Olympia Fire Department intends to raise its fee effective January 1, 2023 by 5%. The committee has the option of increasing the proposed fee by another 5% or retaining the current rate assessed by the City of Olympia.

Councilmember Althauser questioned the need for Olympia to increase the fees by 5%. Director Matlock explained that it speaks to the goal of a seamless transition to the RFA because the fees are intended to cover labor costs for reviews. When and if the departments join, the intent is to ensure the fees are identical prior to the merge.

Councilmember Althauser agreed consistency would be important and that fees should be in alignment, however, the overriding policy rational dictates an increase when the need is warranted. Although not necessarily supportive of aligning the fee he asked for more information on justifying the increase rather than increasing the fee to maintain consistency with Olympia.

Director Matlock acknowledged the request explaining that the establishment of the fees without the benefit of completing a fee study creates difficulty in providing additional information. The proposal is a best estimate based on experience. Additionally, state law does not allow the City to collect more in fees than the cost of permit reviews.

Director Niemeyer added that the City's inspector assesses fire inspection fees following the issuance of building permits. The City of Olympia's process is different as staff in the fire department inspect and collect the fees. If the RFA is formed, the RFA would have an assigned inspector to complete all inspections in Olympia and Tumwater and assess fees.

Councilmember Althauser inquired as to the possibility of adding a contingency to the proposed increase in the event the RFA is not approved by voters. Director Matlock noted that the timing of the RFA performing the reviews and inspections would be delayed affording an opportunity to delay the 5% increase until next year. He noted that the City of Tumwater has not adjusted building review fees since 2014 based partly on affordable housing concerns and the tremendous amount of work necessary by staff to develop the fee structure as the fees include numerous categories that need to be assessed. Most of the increase is an attempt to increase building fees to reflect actual costs.

Councilmember Schneider concurred with the concerns especially if a delay would be encountered if the RFA is successful. He requested more clarity on the proposed increase and would prefer to delay any increase until the outcome of the RFA is determined.

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Director Niemeyer confirmed the committee's request to defer the increase at this time. The proposed increase is not included within the proposed fee schedule as presented to the committee.

MOTION:

Councilmember Schneider moved, seconded by Councilmember Althaus, to recommend to the City Council approve the Fee Resolution at the December 6, 2022 City Council meeting excluding the proposed fee increase as discussed. A voice vote approved the motion unanimously.

OLD HIGHWAY 99 CORRIDOR STUDY UPDATE:

Manager Ames presented the final Old Highway 99 Corridor Study. Adoption of the study is scheduled as part of the Comprehensive Plan Amendment update process next year.

The study is the next step in the Capitol Boulevard/Old Highway 99 planning process. From 2011 through 2014, the City worked with consultants and community members to develop a plan for the Capitol Boulevard corridor focusing on the areas between Israel Road and M Street. In 2019, the City received approximately \$400,000 to perform a study of Old Highway 99 from 73rd Avenue to 93rd Avenue.

The study covered safety, mobility, land use, environmental factors, and transportation considerations. The study process included public workshops, data gathering, stakeholder outreach, and completion of a preliminary design for identifying final deliverables. A stakeholder group was formed to collaborate on a value matrix with weighted criteria to identify the preferred cross section of the highway. Based in input and data, a draft corridor plan was prepared.

Traffic counts conducted in February 2020 were unaffected by the pandemic variations in traffic. Assumptions included widening the road to five lanes between 73rd Avenue and 88th Avenue, adding roundabouts at the intersections of Henderson Boulevard, 88th Avenue and 79th Avenue, and installation of single roundabout at the intersection of Old Highway 99 and 93rd Avenue. The study includes alternatives analysis by ranking evaluation criteria from highest to lowest priority. Environmental impacts ranked equally with emergency access followed by bicycle and pedestrian functions. Aesthetics was ranked as the lowest priority.

Manager Ames reviewed an illustration of the preferred cross section reflecting a 10-foot wide shared use sidewalk on the east side of Old Highway 99 for both bicyclists and pedestrians, a bike lane for southbound traffic, future improvements by the Port of Olympia along airport frontage, and roundabouts at 79th Avenue, 88th Avenue, Henderson Boulevard, and 93rd Avenue. Thirteen elements were considered for the environment with each element evaluated at a preliminary level to inform potential considerations that might affect designs or impact potential mitigation. Some specific aspects of the project would be

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further evaluated to include air quality, the presence of pocket gophers, historic sites, hazardous waste material, noise impacts, and environmental justice relating to right-of-way acquisition and potential relocations if needed.

The study includes a phasing plan and cost estimates based on operational benefit, funding opportunities, and practical project size over a five-phased project.

Manager Ames invited questions from the committee.

Councilmember Schneider asked about the siting of a bus stop along Old Highway 99. Manager Ames affirmed the process included participation by Intercity Transit representatives as a stakeholder. Discussions included potential placement of bus stops along the corridor. The details of those sites would be identified during the design process.

Councilmember Schneider requested clarification as to the location of the lanes narrowing down to two lanes. Manager Ames explained the four lanes would narrow to two lanes at 88th Avenue with the potential to include a three-section lane for inclusion of a left turn lane.

Chair Swarthout thanked Manager Ames for providing the update.

**ORDINANCE NO.
O2022-019,
COMPOST
PROCUREMENT:**

Coordinator Jones Wood presented an ordinance for compost procurement based on a recent legislative bill passed during the 2022 legislative session. House Bill 1799 directs reduction of methane emissions associated with the waste sector to achieve a reduction in emissions by 75% in statewide disposal of organic material and waste. The bill includes food rescue goals, establishment of the Washington Center for Sustainable Food Management, a requirement for organic materials management and facility siting, and product labeling of compostable materials.

The bill contains many actions required by the City to implement. The first step directs all jurisdictions with populations of over 25,000 people to adopt a Compost Procurement Ordinance effective January 1, 2024. Based on the volume of solid waste produced by City operations, collection and disposal of organic materials will begin July 1, 2024. Additionally, the City's Comprehensive Plan would need to include the siting of composting facilities. The City would also have the authority to investigate complaints regarding product labeling. By December 31, 2024, the City is required to report on compost procurement to the Department of Ecology. Reporting is due each even-numbered year. The Department of Ecology is scheduled to develop a model ordinance by 2025 addressing solid waste collection and disposal along with an optional ordinance for cities to decentivize the generation of organic materials for landfill disposal. Cities are also required to update comprehensive plans for consistency with new state requirements.

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Coordinator Jones Wood reviewed some requirements of several sections within the proposed ordinance.

Coordinator Jones Wood invited questions from members.

Councilmember Schneider requested clarification of the City's volume of waste produced annually. Coordinator Jones Wood said the bill defines the measurement; however, the City produces a substantial amount of waste each year. The bill specifies volume on a weekly basis. The City's Green Team has established a reduction goal of 10% by 2030, which can be amended. The waste volume includes waste the City generates in buildings and waste collected in parks. Waste collected in parks is more difficult to control and reduce because it is dependent upon people composting properly. City efforts to reduce waste will focus on City operations with educational campaigns to assist in diverting waste in parks.

Councilmember Althausler asked whether other cities offer similar incentive programs the City currently offers, such as rain barrels and irrigation systems. He inquired about the possibility of offering incentives to the community to compost organic materials from yards or gardens. Coordinator Jones Wood said she is aware of similar programs for backyard composting or composting for dense neighborhoods lacking backyards, as well as some cities incentivizing compost pickup. She encouraged consideration of an incentive program for different housing situations to enable full participation across the City.

Chair Swarthout asked whether landscaping waste generated from City parks is included in the ordinance. Coordinator Jones Wood explained that the bill refers to all organic materials to include food and yard waste. Staff has expressed interest in the City assuming responsibility for composting materials with the likelihood the City will rely on commercial service for a year to establish a baseline of waste generated by City operations.

Chair Swarthout reviewed the requested action.

MOTION: Councilmember Althausler moved, seconded by Councilmember Schneider, to recommend the City Council adopt and authorize the Mayor to sign Ordinance No. O2022-019. A voice vote approved the motion unanimously.

ADJOURNMENT: With there being no further business, Chair Swarthout adjourned the meeting at 8:54 a.m.