



**CITY OF
TUMWATER
CITY COUNCIL
MEETING AGENDA**

**Online via Zoom and In Person at
Tumwater City Hall, Council Chambers,
555 Israel Rd. SW, Tumwater, WA 98501**

**Monday, July 31, 2023
7:00 PM**

- 1. Call to Order**
- 2. Roll Call**
- 3. Flag Salute**
- 4. Special Items:**
 - [a.](#) Proclamation: Overdose Awareness Day - August 31, 2023
 - [b.](#) Tumwater Timberland Library Update by Lily Grant, Library Manager
- 5. Public Comment:** (for discussion of items not having a public hearing on tonight's agenda)
- 6. Consent Calendar:**
 - [a.](#) Approval of Amended Minutes: City Council, June 6, 2023
 - [b.](#) Approval of Minutes: City Council Worksession, July 11, 2023
 - [c.](#) Approval of Minutes: City Council, July 18, 2023
 - [d.](#) Payment of Vouchers (Shelly Carter)
 - [e.](#) Service Provider Agreement with Stantec for the Pioneer Park Riparian Restoration Project Amendment 2 (Dan Smith)
 - [f.](#) Heritage Tree Nomination - Japanese Bigleaf Magnolia (Alyssa Jones Wood)
- 7. Committee Reports**
 - a. Public Health and Safety Committee (Leatta Dahlhoff)
 - b. General Government Committee (Michael Althausen)
 - c. Public Works Committee (Eileen Swarthout)
 - d. Budget and Finance Committee (Debbie Sullivan)
- 8. Mayor/City Administrator's Report**
- 9. Councilmember Reports**
- 10. Any Other Business**
- 11. Adjourn**

Hybrid Meeting Information

The public are welcome to attend in person, by telephone or online via Zoom.

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Public and Written Comment

Attend in person to give public comment or register by 6:45 p.m. the day of the meeting to provide public comment using the web-based meeting platform:

https://us02web.zoom.us/webinar/register/WN_IHbwVDAXSaSLJeR8cxDZLA

After registering, you will receive a confirmation email with a login to join the online meeting.

As an alternative, prior to the meeting, the public may submit comments by sending an email to council@ci.tumwater.wa.us, no later than 5:00 p.m. on the day of the meeting. Comments are submitted directly to the Mayor and City Councilmembers and will not be read individually into the record of the meeting.

Post Meeting

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Accommodations

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Proclamation

WHEREAS, International Overdose Awareness Day shares the message that overdose deaths occur in all communities among people from every walk of life; and

WHEREAS, Tumwater stands beside those who have lost loved ones to an overdose and who have a substance use disorder and are diligently working toward recovery; and

WHEREAS, overdose deaths are preventable and can be caused by alcohol, over-the-counter medicine, stimulants, opioids, and other substances; and

WHEREAS, like many places across Washington State, we need to continue to treat drug-related harm as a public health issue and invest in best practices that save lives and build communities; and

WHEREAS, anyone can visit the statewide resource www.stopoverdose.org to obtain naloxone, an opioid overdose reversal medication, and Recovery Help Line at 1-866-789-1511 for 24-hour information and help.

NOW THEREFORE, I, Debbie Sullivan, Mayor of the City of Tumwater, do hereby proclaim

August 31, 2023
Overdose Awareness Day

and I call upon the people of the City of Tumwater to join with me in raising awareness around drug overdose by reducing stigma through initiatives related to education, prevention, treatment and recovery support for substance use disorder.

Signed in the City of Tumwater, Washington, and recognized on this 31st day of July in the year, two thousand twenty-three.



Debbie Sullivan

Mayor

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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, Charlie Schneider, and Eileen Swarthout.

Staff: City Administrator John Doan, City Attorney Karen Kirkpatrick, Community Development Director Michael Matlock, Parks and Recreation Director Chuck Denney, Transportation & Engineering Director Brandon Hicks, Water Resources and Sustainability Director Dan Smith, Assistant Transportation and Engineering Director Mary Heather Ames, Engineering Services Manager Bill Lindauer, Golf Operations Supervisor Russ Olsen, and City Clerk Melody Valiant.

SPECIAL ITEMS:

**PROCLAMATION:
JUNETEENTH -
JUNE 19, 2023:** Councilmember Jefferson read a proclamation declaring *Juneteenth on June 19, 2023*. The proclamation calls on the people of Tumwater to join together on Juneteenth, to reflect on the past, to commit together to continue to eradicate systemic racism, to look to the future, and to work each day to lift each other up for collective prosperity and liberty.

Mayor Sullivan presented the proclamation to Lester Dixon and Melvin Butler representing Fred U. Harris Lodge #70. They invited all community members to attend a community event on Saturday, June 17, 2023 from 11:30 a.m. to 4:00 p.m., at the Regional Athletic Complex (RAC) in Lacey to celebrate this African American cultural tradition with music, BBQ, and activities in a community-wide celebration of Juneteenth. Participants are encouraged to bring a non-perishable food item for donation to the Thurston County Food Bank.

**PROCLAMATION
LGBTQIA2S+
COMMUNITY
PRIDE MONTH
JUNE 2023:** Councilmember Dahlhoff read a proclamation recognizing *June 2023 as LGBTQIA2S+ Community Pride Month*. The proclamation urges all people of the City of Tumwater to join in celebrating diversity, promoting inclusion and equal protection under the law, and to join in the elimination of discriminatory policies and practices toward any culture, race, or group.

Mayor Sullivan presented the proclamation to a representative from Capital City Pride, who invited everyone to attend and participate in the July 1, 2023 Gay Pride Parade beginning at 10:30 a.m. from the grounds of Capitol Campus to the Port of Olympia Plaza.

**PUBLIC
COMMENT:** **Dave Nicandri, 505 4th Avenue SW, Tumwater,** referred to his recent inquiry about the City's policies and posture pertaining to the recent Berkley decision issued by the Ninth Circuit Court of Appeals and information from the City pertaining to the potential banning of future

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natural gas connections or other transitional elements in the Thurston County Climate Action Plan. He cited the responsiveness of Communications Manager Ann Cook for providing the City's information to him, as well as the responsiveness of Sustainability Coordinator Alyssa Jones Wood. Manager Cook advised him of the State Building Code Council's action to create an advisory group to consider stakeholder proposals modifying sections within the commercial and residential energy codes because of the legal uncertainty stemming from the recent decision of the California Restaurant Association and the City of Berkley in the Ninth Circuit Court of Appeals. He clarified that he is not a climate change denier or a global warming denier. He authored a book on climate change titled *Voyaging to the Icy Latitudes*. However, he is a skeptic of some supposed climate change solutions, which he believes are ill advised. His particular question is whether there is an opportunity for the City to designate a citizen to participate as a stakeholder to consider proposals or whether the State Building Code Council staff can compile the proposals for consideration at a later date. He requested notification of any briefings of any subcommittees or the Council. He finds it interesting that the Boise Decision from the Ninth Circuit Court of Appeals was considered dispositive and guides all municipal regulations for occupation of public spaces. However, the Berkley Decision by the same court is legally uncertain, which he finds an interesting double standard and would like clarification as to why one ruling from the Ninth Circuit Court of Appeals was deemed as guiding policy for implementation and another is under study and review. That situation is an interesting anomaly. He conveyed appreciation for the Council's time and attention and plans to discuss the issue further at future meetings and with the City's legal department.

**CONSENT
CALENDAR:**

- a. Approval of Minutes: City Council Worksession, May 9, 2023
- b. Approval of Minutes: City Council, May 16, 2023
- c. Approval of Minutes: City Council Worksession, May 23, 2023
- d. Payment of Vouchers
- e. Grant Agreement with the Department of Natural Resources for Community Forestry Assistance
- f. Reappointment of Rado Shane Harrington to the Board of Parks and Recreation Commissioners
- g. Thunder in the Valley 4th of July Fireworks Display Permit

MOTION:

Councilmember Dahlhoff moved, seconded by Councilmember Swarthout, to approve the consent calendar as published. Motion carried unanimously.

Mayor Sullivan reviewed the items approved on the consent calendar.

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PUBLIC
HEARINGS:

RESOLUTION NO.
R2023-008 SIX-
YEAR
TRANSPORTATION
IMPROVEMENT
PROGRAM:

Assistant Director Ames reported the City's Six-Year Transportation Improvement Program (TIP) for 2024 – 2029 serves as the foundation for transportation funding within the state. Each city prepares a TIP for submittal to its local planning organization. For Thurston County, Thurston Regional Planning Council (TRPC) serves as the region's local planning organization. TRPC submits local TIPs to the state to form the State Transportation Improvement Program (STIP). The City's TIP is an intentional comprehensive list of transportation projects to ensure the City's is positioned to apply for different grants. Changes to the TIP are in three main categories of removals, modifications, and additions. The Tumwater Town Center Connector Road project has been removed, as the location has changed. Projects in progress have had funding amounts adjusted accordingly. A new project, Trosper Road, Littlerock Road to I-5 has been added. The project is a new project for planning and preliminary engineering components to address capacity and safety issues in the area. Another project, the E Street Connection project was included. Funding has not been secured for the project; however, including the project on the TIP affords an opportunity for staff to seek grants.

The City is continuing the Pavement Maintenance Program, which is funded primarily by the Transportation Benefit District. The substantial project improves quality of life for users of the City's transportation network.

The Percival Creek Fish Passage Barrier Removal project was added to the current 2023-2028 TIP during an amendment process earlier in the year and has been carried forward into the next year's TIP because construction is scheduled in 2024.

This year the TIP totals \$35 million in grant funding with over \$50 million in local funds for a total of approximately \$90 million. The TIP is not financially constrained and projects are included to enable the City to apply for funding.

Assistant Director Ames requested the Council, following the public hearing, approve Resolution No. R2023-008 adopting the City's Six-Year Transportation Improvement Program for 2024 – 2029.

Councilmember Jefferson thanked and acknowledged the Transportation and Engineering team for their efforts to secure grant funding for City projects.

Councilmember Cathey requested an update on the progress for

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improving routes to schools. Assistant Director Ames replied that the City anticipates receiving a grant award in the next several weeks for a Safe Routes to School grant for a project at Second Avenue and Linwood Avenue to improve the route for students who walk or bike to school.

Mayor Sullivan opened the public hearing at 7:28 p.m. There was no public testimony. Mayor Sullivan closed the public hearing at 7:29 p.m.

MOTION: **Councilmember Swarthout moved, seconded by Councilmember Althaus, to approve Resolution No. R2023-008 adopting the City's Six-Year Transportation Improvement Program for 2024 – 2029. A voice vote approved the motion unanimously.**

**THIRD
 AMENDMENT TO
 DEVELOPMENT
 AGREEMENT
 BETWEEN THE
 CITY OF
 TUMWATER AND
 THE CRAFT
 DISTRICT:**

Director Hicks reported the proposal is the third amendment to the Craft District Development Agreement.

The Craft District Development Agreement is for a 5.58-acre site located off Capitol Boulevard near E Street and Tumwater Valley Drive. The anchor for the site is the South Puget Sound Community College (SPSCC) Craft Brewing and Distilling Program. The identity of the Craft District is centered on craft brewing, distilling, cider making, restaurants, retail, office space, event space, and a 1,000-person amphitheater.

Progress to date includes completion of the SPSCC facility housing Heritage Distillery and Percival Creek Brewing (SPSCC's private brand) and improvements to the roadway with a new median and intersection improvements. The signalized component of the intersection has not been completed and is scheduled for completion prior to the opening of the Market Building. The Market Building will open in phases with the first three tenants moving to the building in late August followed by other tenants in late September. Tenants include Finnriver Cidery, SPSCC's Percival Creek Brewing, Sweetlee's Ice Cream, Olympia Seafood, Left Bank Pastry, Don Juan's Mexican Kitchen, Pattaya Thai, and Julie Klueh Art. Food trucks will also be on site when the Market Building opens. The first event at the amphitheater is tentatively scheduled in September. The residential project on a parcel located south of the commercial portion of the Craft District is on hold pending market conditions.

The City's participation in the Development Agreement promotes social and economic benefits for the City, such as jobs, tax revenue, and the creation of energy for redevelopment of the historical brewery properties. The site serves as a destination for many visitors outside the region, as well as benefitting local residents and businesses. The agreement is based on a cost-share arrangement for infrastructure improvements required for the development and for improvements that

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have been included in prior City plans. Infrastructure under construction through the Development Agreement was planned by the City previously. Collaborating with the developer affords the opportunity for the City to receive some infrastructure improvements sooner. Some City plans guiding future improvements in the area are the Brewery District Plan, E Street Corridor Study, and the Comprehensive Water System Plan.

Director Hicks reviewed prior amendments to the Development Agreement. The first amendment was an extension of the term due to market conditions influenced largely by the COVID-19 pandemic. The second amendment was a wholesale scope change adding a new parcel for residential uses, specifying when infrastructure is to be completed, underground conversion requirements, and construction of the trail. The third proposed amendment is an extension of the term to December 31, 2025.

Additionally, staff is working on two additional agreements separate from the Development Agreement for a shared parking agreement and an amphitheater agreement.

Staff recommends that, pursuant to testimony at the public hearing, the City Council approve Resolution No. R2023-010 and authorize the Mayor to sign the Third Amendment to the Development Agreement with the Craft District LLC.

Director Hicks clarified that the information included in the agenda packet was inaccurate and should reflect a contract extension to December 31, 2025.

Councilmember Jefferson requested information on the timeline for completion of the project. Director Hicks said the timeline has become a moving target because of market conditions and timing associated with lenders willing to loan for commercial and retail projects.

Councilmember Althaus asked whether road improvements would be delayed until development of Lot 4 is completed. Director Hicks explained that the issue is complicated as the Development Agreement is structured to prohibit other construction on the commercial or residential property until road improvements are completed. The residential property (Lot 4) was the best funding mechanism available for the developer to obtain a loan. However, the developer cannot develop any remaining property until road improvements are completed.

Mayor Sullivan opened the public hearing at 7:43 p.m.

PUBLIC

Dave Nicandri, 505 4th Avenue SW, Tumwater, commented that the

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TESTIMONY: project is generating much community interest. He drives by the site each day. He complimented all staff who are involved in the project as the site will go a long way towards knitting the community together and creating a commercial district in that area of Tumwater.

Mayor Sullivan closed the public hearing at 7:44 p.m.

MOTION: **Councilmember Dahlhoff moved, seconded by Councilmember Swarthout, to approve Resolution No. R2023-010 and authorize the Mayor to sign the First Amendment to the Development Agreement with the Craft District LLC (District). Motion carried unanimously.**

**COUNCIL
CONSIDERATIONS:**

RESOLUTION NO. R2023-009, GOLF CART LEASE: Director Denney reported the request is to adopt Resolution No. R2023-009, authorizing the Mayor to sign a new lease for golf carts at the Tumwater Valley Golf Course. Director Denney introduced Golf Operations Supervisor Russ Olson to provide an update on the status of operations, expenses, and revenue for the golf course.

Supervisor Olsen highlighted some of the activities sponsored at the Tumwater Valley Golf Course. Each year, the golf season kicks off with the annual OBee Junior Open Tournament. The tournament includes divisions for each level of skill beginning from ages 5 to 7 years to championship divisions. The event attracted 94 youths. The golf course recently hosted the WIAA High School District/State Championship. The golf course hosts the Tumwater Chamber Golf Tournament and the City's July 4th Festival and Fireworks Show, as well as the City's Screen on the Green and the annual Brewfest.

Partnerships are critical to the operation of a community-based golf course. The First Tee Program is hosted at the golf course. Supervisor Olsen said he taught the first class with four youths during a rainy day in November eight years ago. Last year, the golf course hosted over 438 youths in the First Tee Program. No youths are turned away as scholarships are available to help offset fees.

The golf course has a unique relationship with Titleist with the course continuing to be the number one public daily fee revenue producer for Titleist north of San Francisco. The relationship offers a financial benefit for the golf course. Not only does the course collect revenue sales during the bundling of golf balls with greens fee, the course also receives a rebate of over \$35,000 from Titleist to enable the course to purchase range balls at no cost. Titleist affords the golf course priority buying and purchasing by securing products at a lower cost than

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discount golf stores.

A new program initiated at the golf course is the addition of PGA supported Operations 36. The program affords the course the ability to transition juniors and those new to golfing from the driving range to the golf course through modified tee distances ranging from 25 to 150 yards. Nine students registered for the class last semester.

Tumwater Valley Golf Course is hosting the South Puget Sound Clippers Men's and Women's Golf Team. South Puget Sound has never had a golf team in its history.

Director Denney displayed a chart reflecting revenues and expenses since 1996 when the City purchased the golf course from Pabst Brewery. The course changed its management style approximately 10 years ago to a different structure. The golf course had been following the PGA structure for 15 years. In 2009, the golf course lost revenue as the economy struggled. Following some personnel changes and adding some golf professionals, the new management style is geared for a community golf course. The golf course strives to meet expenses with revenue, which had been difficult; however, the outcome has improved to the extent that the cost of operating the golf course is at the same cost typical to operate a City park. The course continues to provide the ability to offer low rates to golfers. The course is always full with the major issue the lack of parking, which is detrimental to the course and to the restaurant. The City is working on a new parking alignment and improved stormwater treatment generated from the parking lot.

In 2022, the golf course generated \$1,364,000 with expenses approximately \$2,072,000. Expenses in 2022 increased because of the increase in the cost of supplies, equipment, fertilizer, and repairs totaling over \$200,000 more than anticipated. In 2022, rates increased by 5%. However, costs continued to exceed revenue. In 2023, rates were increased by an average of 15% to cover the cost of expenses.

Director Denney reviewed revenues generated from 2021 through 2023. The course continues to exceed historical revenue in major areas encompassing green fees, cart fees, memberships, and driving range fees. The golf course is improving the driving range with some of the costs covered from the annual Brewfest profits. Golf revenue overall increased \$105,000 from 2022 in addition to other categories through the efforts and good work by golf course staff.

The City typically leases golf carts every five years of a fleet of 50 to 60 electric golf carts. The City leases the carts from PNC Bank, National Association. During the pandemic, it was difficult to lease carts because of supply issues. The contract process was initiated last year for carts,

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but was deferred when the City was informed carts would not be available. Recent information indicates a supply of carts will become available within the next several months. At this time, maintenance of the carts has exceeded the cost of a new fleet. The proposed lease is for five years totaling \$712,000 or \$142,000 a year. Last year, cart rental produced nearly \$200,000 in revenue. The carts are equipped with a GPS screen identifying the entire golf course and all other carts available in the pro shop. The new equipment enables the Pro Shop to shut carts down, message people directly about specific actions, and program carts not to drive to the parking lot.

Staff requests the Council's adoption of Resolution No. R2023-009 and authorize the Mayor to sign the lease.

Councilmember Cathey conveyed gratitude to the Council for supporting the golf course during some difficult years. She is heartened by the good news, as well as the benefits provided to youths through the First Tee Program. The golf course has done a wonderful job of supporting youth in the community. She acknowledged the value of golf carts because they attract golfers to the course.

MOTION:

Councilmember Cathey moved, seconded by Councilmember Dahlhoff, to adopt Resolution No. R2023-009 authorizing the Mayor to sign a new lease for golf carts at the Tumwater Valley Golf Course. Motion carried unanimously.

**OFFSITE LEASE
WITH SOUTH
PUGET SOUND
COMMUNITY
COLLEGE:**

Director Smith reported the proposed offsite lease agreement with South Puget Sound Community College is to site new offices for the Water Resources Department for planning and programs. The move is prompted by the lack of capacity at City Hall. The Water Resources and Sustainability Department is adding a new position and Transportation and Engineering is adding two to three positions. Currently, telework is at capacity affording the ability to share workspaces to accommodate both telework employees and office staff.

The Council budgeted some limited funding for Transportation and Engineering to evaluate offsite options. As those discussions ensued, staff evaluated whether it was logical for Transportation and Engineering to separate teams to an offsite location. Staff determined Water Resources and Sustainability teams were much more flexible as the teams are smaller with minimal customer contact. Most contact is through virtual means.

Staff was able to identify an option located at Tumwater Town Center East meeting needs although a larger space that could accommodate growth in the team over the next 10 years. During a conversation between City Administrator Doan and representatives from SPSCC, he

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learned the college had some available space with more students participating virtually. Staff initiated conversations with SPSCC to consider Building 32, a former horticultural building comprised of two classrooms of approximately 2,400 square feet on the campus of SPSCC.

Director Smith described how the Utility Department has been housed at City Hall but has not been charged for the space. The proposed lease helps to correct the situation enabling office space for general fund department offices. Transportation and Engineering would gain staff-ready furnished workspaces as current staff occupies five cubicles and one office, which would be vacated and available immediately for Transportation and Engineering staff.

The move provides Transportation and Engineering and Water Resources with the capacity to expand over the next several years. The move increases parking and fleet parking capacity at City Hall. The proposal requires a budget amendment for costs for moving and new furniture of approximately \$150,000. Over the biennium, the cost total \$200,000 evenly divided by each utility for the lease agreement with a return of \$62,000 to the general fund.

Staff shared information with SPSCC about public career promotion at the college through workforce development and green jobs training. The City is working with the LOTT Clean Water Alliance and other jurisdictions to consider ways to promote green job training and opportunities. With Water Resources moving to the college campus, it would result in a connection to the mission of the college as well. The move would provide an opportunity for the City to expand on internships and mentorships for environmental science positions.

Director Smith described other benefits for the City, such as full-time security, dedicated fleet parking, electric vehicle charging partnership with SPSCC by pursuing financial opportunities to install EV chargers on the campus benefitting both the City and the campus, and continued expansion of the public agency partnership with SPSCC. The proposal is an all-inclusive lease rate structure with services benefitting the department. Tenant improvements are not included in the lease and would be the financial responsibility of the City.

The proposed lease is for a five-year renewable term. Staff anticipates a 10-year lease based on timing for the construction of the new Operations and Maintenance Facility. Over the five-year lease, the lease totals \$281,420.000 with an additional \$150,000 required for moving, tenant improvements, and furniture.

Director Smith described efforts to ensure connectivity with City Hall

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employees through ongoing coordination and collaboration, as well as exploring other opportunities.

Next steps based on approval of the lease include SPSCC representatives presenting the lease to its Board next week, and if approved, a July 1, 2023 lease execution date is planned to enable remodeling to occur. Staff has initiated conversations with an architectural company for remodeling the workspace.

Staff requests the Council approve and authorize the Mayor to sign a lease agreement with South Puget Sound Community College for new office space supporting Water Resources & Sustainability staff for a five (5) year term.

Councilmember Althaus commented on the review of the proposal by the General Government Committee. The list of pros and cons assisted the committee in evaluating both options. It became clear that the SPSCC represented the better option. He supports and endorses the proposal.

MOTION:

Councilmember Althaus moved, seconded by Councilmember Swarthout, to approve and authorize the Mayor to sign a lease agreement with South Puget Sound Community College for new office space supporting Water Resources & Sustainability staff for a five (5) year term.

Several Councilmembers offered comments in support of the proposal.

MOTION:

Motion carried unanimously.

**SERVICE
PROVIDER
AGREEMENT
WITH TCF
ARCHITECTURE,
PLLC, FOR THE
CITY OPERATIONS
AND
MAINTENANCE
FACILITY DESIGN:**

Manager Lindauer reported the proposal is a Service Provider Agreement with TCF Architecture, PLLC, for the City Operations and Maintenance Facility Design. The proposed agreement was reviewed by the Public Works Committee on April 20, 2023.

Currently, Operations and Maintenance staff are located in a separate building behind City Hall. Operations and Maintenance staff provide street and utility maintenance. The plan is to move staff to the new Operations and Maintenance Facility on the City's Trails End property located at the northwest corner of 79th Avenue and Trails End Drive. An adjacent parcel is designated for a neighborhood park. Another component of the project is the installation of a roundabout at the intersection of 79th Avenue and Old Highway 99 to improve safety and accommodate traffic volumes moving through the intersection after staff moves to the new facility.

In 2011, the City began its search for a new site for Public Works and

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the Parks and Recreation Department. In 2014, the City purchased the Trails End Arena comprised of two parcels located on the east and west side of Trails End Drive. In 2016, the City contracted with TCF Architecture to complete master planning and predesign based on proposed programming. Following those efforts, the building and site predesign was initiated to determine the number and size of buildings, necessary site improvements, and offsite improvements. A community engagement component offered different venues to solicit feedback from the community. A cost estimate was developed for anticipated construction costs of the project. At that time, the cost estimate was too high, which required the City to downsize the project and limit the relocation to only Operations and Maintenance staff. Subsequent community engagement resulted in the relocation of the facility to the west of Trails End Drive and the park to the east of Trails End Drive.

Manager Lindauer shared an illustration of the facility totaling seven buildings with consideration of traffic circulation and reduction in the number of vehicles backing and maneuvering within the site to reduce noise to adjacent neighborhoods surrounding the site. The design includes a staff parking lot. Main access to the facility is from 79th Avenue with secondary access from Trails End Drive. The seven buildings range in various sizes and will house all programming components.

The feasibility and predesign was completed by TCF Architecture. Staff would like to continue the relationship because of the previous work completed and the company's knowledge and experience with the project. Staff and TCF Architecture developed the service provider agreement and scope of work. Because the project includes so much architectural work to design buildings and site placement, staff prepared an estimate of the design fees for the project using the Office of Financial Management (OFM) Guidelines. The Guidelines are used by the State of Washington to evaluate design fees for architectural projects. Design fees are in two categories of basic design fees and additional design fees for specialty items. Basic design fees are based on a percentage of the overall construction cost or the Maximum Allowable Construction Cost (MACC). The complexity of the project increases design efforts. The OFM Guidelines include tables and other information to identify the appropriate percentage. The project includes multiple buildings with different complexities, which was used to balance the different percentages to identify a basic design fee. Additional services are for specialty items for the project. The subconsultants provided their respective scopes and fees. The scope of work for the project is to provide a 100% plan and construction plans, specifications, and estimate for the project resulting in a construction-ready document. Some of the larger components include geotech, permitting, building design, civil design, structural engineering, water

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and sewer systems, and specialty items of acoustical, mechanical, electrical, plumbing, landscaping, and irrigation.

The consultant fee is \$2,450,000. Of that amount, the basic service fee totals \$1,628,834 with additional services totaling \$635,783. A management reserve of \$191,383 as a contingency is included for any design or construction complications during the project. Funding for the project is allocated from Capital Facilities Plans (CFP) with 33% allocated from the General Government CFP, 33% from the Water Utility CFP, 17% from the Sewer Utility CFP, and 17% from Storm Drain CFP. The actual amounts will be adjusted based on actual construction bids.

Based on Council approval, staff anticipates providing notice to proceed in June with the consultant for completion of the construction documents for completion by May 2024.

Councilmember Cathey asked whether the City plans to improve Trails End Drive. Director Hicks advised that the segment included within the scope of the project site will be widened to a 36-foot wide road instead of 32 feet to accommodate parking on both sides of the street and to accommodate larger City operation vehicles. To the north where the street is currently constrained, the City will not improve that area, which is a 32-foot wide road. One reason is to slow down vehicles on local roads. City maintenance vehicles will not be allowed to drive north through the neighborhood unless performing service in the neighborhood.

Councilmember Cathey inquired about the potential use along the backside adjacent to the residential neighborhood. Manager Lindauer explained that the western area includes a stormwater facility and a landscape buffer along the north side of the property. Vehicles parked along the landscape buffer will not be operated on a daily basis. The northwest area includes storage for materials.

Councilmember Cathey asked whether the park site would include a parking lot. Director Hicks advised that the parking lot designated along the park side is not a parking lot for the park but serves as parking for the Operations and Maintenance Facility. Some parking capacity has been moved near the Administration Building that will provide parking for most employees; however, the site is also designated for future building expansion. Staff decreased building sizes to reduce costs. In the future, some buildings will be expanded toward the Administration Building in the area of the parking lot with all staff parking moved to the park side of the street at that time. Councilmember Cathey said the neighborhood has expressed concerns about the parking lot being used by park visitors. Director Hicks said

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the parking is only for City employees and would likely include gate access. The parking lot is not intended for park patrons.

Councilmember Cathey asked whether the proposed action on moving forward on design triggers an opportunity for the community to provide input. Director Hicks said the design concepts have incorporated all community feedback from prior community conversations. When design commences, the architects will begin with the basic concepts with some opportunities to engage with the Council and the public to provide updates. The park design is a separate design completed by landscape architect.

MOTION: Councilmember Swarthout moved, seconded by Councilmember Jefferson, to approve and authorize the Mayor to sign the Service Provider Agreement with TCF Architecture, PLLC, for the City Operations and Maintenance Facility Design. Motion carried unanimously.

**COMMITTEE
REPORTS:**

PUBLIC HEALTH & SAFETY: The next meeting is scheduled on June 13, 2023 at 8 a.m. The agenda includes a briefing on Station T1 kitchen remodel and 2022 police data use of force.
Leatta Dahlhoff

GENERAL GOVERNMENT: The next meeting is scheduled on June 14, 2023 at 8 a.m. The agenda includes a briefing and discussion on progress on the Palermo Trail, Multifamily Housing Tax Exemption Program, Manufactured Home Park Tenant Protections, and Grant Amendment 3 to the Bush Prairie Habitat Conservation Plan for Phase 2.
Michael Althaus

PUBLIC WORKS: The next meeting is scheduled on June 8, 2023 at 8 a.m. The committee will consider and discuss the Israel Road and Linderson Way Water Main Project, Schedule 74 Project Plan and Schedule 74 Underground Conversion Construction Agreement and the Israel Road and Linderson Way Water Main Project, Authority to Solicit Bids and Recommend Award.
Eileen Swarthout

BUDGET AND FINANCE: There was no meeting and no report.
Debbie Sullivan

MAYOR/CITY ADMINISTRATOR'S REPORT: City Administrator Doan congratulated the Council for moving forward on several large City projects.

Mayor Sullivan attended the May 17, 2023 WSDOT Marvin Road to Mounts Road Executive Advisory Group meeting. The meeting is the

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final meeting of the group. The study has been released.

Mayor Sullivan attended the May 17, 2023 Thurston County Chamber of Commerce meeting and the Intercity Transit Authority meeting. On May 20, 2023 she attended the Tumwater Youth Football Party in the Park event to celebrate and wrap-up youth baseball leagues for the season. On May 23, 2023, she attended the Monarch Breakfast followed by an Association of Washington Cities (AWC) Diversity, Equity, Inclusion, and Belonging Cabinet meeting on May 24, 2023. She also attended a meeting of the Community Action Council of Mason, Thurston County.

On May 25, 2023, Mayor Sullivan visited the Squaxin Island Tribe and participated in the signing of a Memorandum of Understanding with the tribe for a Council-Council agreement.

On May 29, 2023, Mayor Sullivan attended Memorial Day ceremonies at Capitol Campus to include the Vietnam Veterans event following the Memorial Day ceremonies. On May 20, 2023, she participated in the Joint Base Lewis McChord (JBLM) 17th Field Artillery Brigade Changing of Command. The brigade serves as the City's liaison company to the JBLM community. On May 31, 2023, Mayor Sullivan attended the Thurston Thrives Elected Officials Council breakfast.

Mayor Sullivan officially opened the Tumwater's Farmers Market on June 4, 2023.

Mayor Sullivan attended the Executive Seminar for Elected Officials with Councilmember Dahlhoff. Members reviewed personal preparedness, hazard response, and the Regional Hazard Mitigation Plan.

On June 10, 2023, *Dogs Days*, a new City event will be held at Pioneer Park.

**COUNCILMEMBER
REPORTS:**

Angela Jefferson:

At the May 17, 2023 Emergency Medical Services Council meeting, members discussed the Medic One Levy and the budget. There has been no significant change since the last report. However, management and all parties are discussing ways to resolve the levy accounting issue. Members discussed the hospital entryway delay fix comprised of two paramedics stationed at the entranceway of the hospital for the purpose of releasing Medic One paramedics and ambulances to the field faster. The program was successful. A contract is under development to create the program permanently. Members also reviewed the crisis level of

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healthcare delivery in Thurston County, which will require legislative action. The fentanyl crisis and increase in population has negatively affected healthcare delivery. Today, it is much more challenging to hire and retain healthcare professionals. The Thurston County Coroner is experiencing difficulty in hiring medical examiners to staff the office and clear the backlog of drug overdoses, which have exploded in Thurston County. As of August 30, 2023, no neurosurgeons will be available at St. Peter's Hospital because of contract negotiations. Stroke patients and head injury patients will need to be diverted to other hospitals in Tacoma and it will directly impact the amount of EMTs and ambulances working in the field, as well as increase patient response time.

On May 18, Councilmember Jefferson attended the Law and Justice Council meeting. Members finalized and approved a mission statement and values and received a briefing on the new pretrial PSA Public Service Assessment Program. The program is unique as it predicts pretrial outcomes. Full implementation of the program is scheduled in late summer of 2023. Members discussed the Opioid Task Force update and legislation to address the Blake decision.

Joan Cathey: Councilmember Cathey attended the last meeting of the Regional Housing Council with Councilmember Althausen. She plans to attend the June 7, 2023 Solid Waste Advisory Committee meeting.

Charlie Schneider: There was no report.

Peter Agabi: There was no report.

Leatta Dahlhoff: Councilmember Dahlhoff reported she attended six intergovernmental meetings. During the Thurston Thrives meeting and references to Opioid Task Force and other organizations, members discussed establishing a youth council component. The City of Lacey has established a youth council and the City of Olympia is discussing the establishment of a youth council. The Tumwater City Council adopted a goal during the last budget cycle to discuss the option of establishing a youth council in Tumwater.

Michael Althausen: Members of the Regional Housing Council (RHC) focused on revisiting some of the recommendations for funding rendered at the prior meeting. One suggestion offered to the advisory board was to reconsider several of the funding recommendations the board referred to the Council. Members eventually finalized the recommendations and forwarded the recommendations to the County Commission for approval. Members discussed its annual work plan.

Eileen Swarthout: Councilmember Swarthout represented the City on May 29, 2023 during

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the Memorial Day Ceremony at the Odd Fellows Cemetery.

On June 2, 2023, Councilmember Swarthout attended the Thurston Regional Planning Council meeting. Members engaged in a first review of the carbon reduction program to reduce transmissions from highways and local streets, reviewed the Transit Study Performance Measure Targets, considered allocations of federal funds for the Rural Mobility program, and received an update on the Martin Way Corridor Study.

At the June 5, 2023 the Urban Growth Management Subcommittee meeting, members reviewed incorporating tribal coordination policies into Countywide Planning Policies. The measure will be returned to each jurisdiction's Community Development Director for input. The subcommittee postponed discussion on four requests from Thurston County properties for an urban growth boundary change pending additional information to be provided by Thurston County to assist the subcommittee. The City of Lacey also submitted a request to amend the urban growth boundary to accommodate plans for a project. The subcommittee approved the request.

Councilmember Swarthout is scheduled to speak at the opening of the June 17, 2023 Olympic Air Show on behalf of the City.

OTHER BUSINESS: Mayor Sullivan reported on the cancellation of the June 20, 2023 regular Council meeting because of the attendance of several Councilmembers to the annual AWC Conference. The July 4, 2023 regular Council meeting has also been canceled because of the July 4th festivities.

ADJOURNMENT: **With there being no further business, Mayor Sullivan adjourned the meeting at 9:11 p.m.**

Prepared by Valerie L. Gow, Recording Secretary/President
 Puget Sound Meeting Services, psmsoly@earthlink.net

TUMWATER CITY COUNCIL WORKSESSION
MINUTES OF VIRTUAL MEETING
July 11, 2023 Page 1

CONVENE: 6:00 p.m.

PRESENT: Mayor Debbie Sullivan and Councilmembers Peter Agabi, Joan Cathey, Leatta Dahlhoff, Angela Jefferson, Charlie Schneider, and Eileen Swarthout.

Excused: Councilmember Michael Althausen.

Staff: City Administrator Lisa Parks, City Attorney Karen Kirkpatrick, Community Development Director Michael Matlock, Finance Director Troy Niemeyer, Fire Chief Brian Hurley, Water Resources and Sustainability Director Dan Smith, Communications Manager Ann Cook, IT Manager Lance Inman, and Executive Assistant/Deputy City Clerk Hanna Miles.

**ILA FOR CASCADE
 PACIFIC ACTION
 ALLIANCE
 REGIONAL OPIOID
 ABATEMENT
 COUNCIL AND ILA
 FOR THURSTON
 COUNTY OPIOID
 ABATEMENT
 COUNCIL
 INDEPENDENT
 SUBCOMMITTEE:**

Mayor Sullivan noted the agenda includes one action item because of recent agenda changes due to the cancellation of some recent meetings.

City Administrator Parks briefed members on the proposed request and action.

Nationally, several settlements were litigated with manufacturers of opioids. The One WA Agreement requires participating jurisdictions to establish regional Opioid Abatement Councils (OAC). Tumwater is part of the Cascade Pacific Action Alliance Region comprised of seven counties. The jurisdictions agreed to create secondary Opioid Abatement Council for each county. The proposed action involves two interlocal agreements delegating the two Opioid Abatement Councils as per the One Washington Agreement requirements.

Councilmember Swarthout asked how the county's Opioid Abatement Council differs from the existing Thurston County Opioid Task Force. City Attorney Kirkpatrick replied that the OACs serve one purpose to ensure the funds are utilized appropriately and field complaints if someone registers a complaint about the inappropriate use of the funds. The intent is for the OAC to meet once annually to review the use of the funds. Establishment of the Thurston County OAC is required by the One Washington Agreement no later than June 30, 2023.

Councilmember Swarthout questioned whether each city is required to appoint a representative to serve on the Thurston County OAC. City Attorney Kirkpatrick affirmed the requirement with four officials representing each city and Thurston County.

Councilmember Swarthout asked about the funding amount the City received. City Attorney Kirkpatrick explained that the first distribution was approximately \$22,000. The second distribution is anticipated to be approximately a similar amount. Distributions will continue over the next 15 years ranging between \$21,000 and \$30,000. The years of distribution will be

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MINUTES OF VIRTUAL MEETING
July 11, 2023 Page 2

different because of the way the settlements were structured. The intent is for the cities and the county to work together to utilize the funds; however, there is no requirement for a joint regional effort. The agreement requires the City to use the funds for opioid education, response, treatment, housing, or law enforcement.

Councilmember Dahlhoff asked about the timing for assignment of the City's representative. City Attorney Kirkpatrick said the timeline has not been identified; however, the organization must be established immediately to include appointment of the City's representative.

MOTION:

Councilmember Dahlhoff moved, seconded by Councilmember Swarthout, to approve and authorize the Mayor to sign the Regional Agreement of the Cascade Pacific Action Alliance Region Participating Local Governments and the Interlocal Agreement for Opioid Abatement Council Independent Subcommittee in substantially similar form as approved by the City Attorney. A voice vote unanimously approved the motion.

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

City Administrator Parks commended City staff for the successful 4th of July celebration. It was her first attendance to the parade, festival, and the fireworks show. The event was well planned, organized, and executed. She received many positive communications from food vendors commending Parks and Recreation staff for the smooth operation. She commented on her observation of the great teamwork across all departments within the City to plan and execute the events.

City Administrator Parks reported the Council had previously approved a grant agreement with the Department of Commerce for a Connecting Housing to Infrastructure Program grant. The federal grant was awarded jointly to the City and Habitat for Humanity for a housing project in Tumwater. Habitat for Humanity recently completed infrastructure work for water, sewer, and stormwater service. The City reimbursed Habitat for Humanity for \$726,984.00 (grant amount) for completing the infrastructure project.

ADJOURNMENT:

With there being no further business, Mayor Sullivan adjourned the meeting at 6:14 p.m.

Prepared by Valerie L. Gow, Recording Secretary/President
 Puget Sound Meeting Services, psmsoly@earthlink.net

**TUMWATER CITY COUNCIL 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, and Eileen Swarthout.

Excused: Councilmember Charlie Schneider,

Staff: City Administrator Lisa Parks, City Attorney Karen Kirkpatrick, Finance Director Troy Niemeyer, Fire Chief Brian Hurley, Transportation & Engineering Director Brandon Hicks, Water Resources and Sustainability Director Dan Smith, Communications Manager Ann Cook, Planning Manager Brad Medrud, and City Clerk Melody Valiant.

SPECIAL ITEMS:

**MONARCH
CHILDREN'S
JUSTICE AND
ADVOCACY
CENTER UPDATE:**

Sue Villa, Victim Services Program Manager, and Jody Hawthorne, Forensic Interviewer with Monarch Children's Justice and Advocacy Center, provided information on the services provided by the facility in Lacey, Washington. Forensic interviews are conducted of children who are victims of crime and neglect, as well as therapy services for child victims of abuse and neglect. The facility is co-located with Providence St. Peter's Abuse Intervention Services. Last year, the facility completed over 200 forensic interviews of children between the ages of 4 and 17. Additionally, staff testifies in court on behalf of the children. Ms. Villa introduced one of the three courtroom dogs that provide companionship to vulnerable children in legal settings.

Councilmember Althausen asked about trends in intake services since the pandemic. Ms. Hawthorne reported during the pandemic, children were less monitored by teachers, community members, and neighbors and had less ability to disclose abuse. It is likely more abuse was occurring, but the abuse was not reported. Following the downturn in the pandemic, Monarch experienced an increase in cases. The latest trend is centered on depictions, sexual abuse material, and online connections with youth not typically experienced five years ago.

Ms. Villa added that when the pandemic was declared, Monarch closed its facility except for emergent cases or referrals of abuse that occurred within 48 hours. During the first three months of the pandemic, Monarch completed several interviews because the vast majority of the cases were not considered "emergent" cases.

Councilmember Jefferson inquired as to the most need for the organization. Ms. Villa replied that funding is the most need in addition to more volunteer therapists in the community to meet current needs.

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Councilmember Cathey commented on the importance of the services to the community. She commended the organization for its efforts over the years.

Mayor Sullivan said it has been a privilege to serve as a member of the Community Action Council of Lewis, Mason & Thurston Counties for the last 10 years. On Thursday, July 20, 2023, Monarch is hosting its expansion groundbreaking ceremony at 3020 Willamette Drive NE, Lacey at 2:30 p.m.

**PROCLAMATION
SENIOR SERVICES
FOR SOUTH
SOUND, JULY 2023:**

Councilmember Althaus read a proclamation recognizing *Senior Services for South Sound 50th Anniversary in 2023* during July 2023. The proclamation encourages people to acknowledge the contributions Senior Services for South Sound provides to the community and honor the vital contributions that seniors provide to society through volunteer work, mentorship, and civic engagement.

Brian Windrope, Executive Director, Senior Services for South Sound, thanked the Council for the proclamation. He accepted the proclamation on behalf of the organization.

Mr. Windrope responded to questions concerning ongoing needs of the organization. The organization is staff-lead and volunteer-driven with 49 employees and over 200 active volunteers. Monetizing the value of service volunteers provide to the community would likely double the organization's budget. The organization is a 501(c) 3 non-profit organization. The organization needs volunteers for all types of services. The organization serves Thurston and Mason Counties.

Councilmember Jefferson inquired about the status of the organization's Home Share Program. Mr. Windrope said the program matches people (seniors) in existing housing with people searching for housing. The program matches a senior (the provider) with a person seeking housing. The process includes multiple interviews and background checks to match applicants. The organization facilitates meetings between the senior(s) and applicants. The average rental cost in the Home Share Program is approximately \$400 to \$500 a month. The program places approximately two people each month. The program is experiencing more providers than seekers of housing.

**PUBLIC
COMMENT:**

Dave Nicandri, 505 4th Avenue SW, Tumwater, said his comments are a follow-up to a prior request for information regarding the status of the City's legal interpretation of the Berkley Decision on the future prohibition of new natural gas connections. Although he does not anticipate the information to be provided by the City Attorney, he would like to receive an update on the City's position. As he pointed out in

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May, a comparable Ninth Circuit Court of Appeals ruling officiated municipal laws on vagrancy was immediately adopted by all jurisdictions versus the status of the recent ruling by the same court. He is not a denier of climate change but has extreme reservations about one aspect of a purported climate solution of rushing to electrify all utilities. He spoke to the risks in terms of the lack of redundancy. The rush to electrify all utilities incurs a set of risks and downsides. Net-zero carbon does not equate to no net-zero affect on the environment because of the rush to electrification. Electric vehicles makers refer to themselves as “nickel pickle” because electrical vehicles require six times the mineral input standard combustion engines require. The rain forests in Indonesia are being clearcut to obtain access for mining of nickel for electric vehicles. Carbon sequestration targets in plans advocate for enhancement of carbon sequestration methods. Clearcutting rain forests does not achieve that objective. Toyota Motor Company estimates that 300 new lithium, cobalt, nickel, and graphite mines will need to be created by 2035 to meet battery demand. He looks forward to receiving an update on the City’s interpretation of the Ninth District Court ruling on the elimination of natural gas connections.

Jim Weber, 6708 Goldcreek Drive, Tumwater, spoke to the need to keep growth and infrastructure closely coordinated. He is speaking on behalf of the Goldcreek Property Owners Association. Essentially, the association recognizes growth will happen; however, the goal is to ensure growth that does occur is commensurate with the capacity of infrastructure. In January, members became aware of a proposal to build the Yorkshire Apartments of approximately 1,100 units along Israel Road between Littlerock Road and Interstate 5. At that time, members addressed concerns about the potential for traffic noting the traffic analysis did not account for any intersections north of Israel Road. Residents of the apartments will need to travel to meet daily needs. The traffic analysis and how the City considers development and required mitigation needs to account for an increase in traffic. Unfortunately, the traffic analysis for the project, as well as another project adjacent to the apartment complex of 600 more units did not consider the needs of new residents. No analysis was completed for intersections north of the project sites. Although Tyee Drive was completed to help alleviate some of the impacts of development in the southwest area of the City, the City is currently experiencing traffic congestion along Tyee Drive. Driving past Tumwater Middle School during the morning and afternoon, motorists will also encounter congestion. The analysis does not consider those types of issues and limits the analysis only to rush hours at limited locations. Members respectively request the City require the analysis and mitigation to ensure growth the City’s permits is commensurate with the capacity of existing infrastructure.

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**CONSENT
 CALENDAR:**

- a. Approval of Minutes: City Council, June 6, 2023
- b. Approval of Minutes: City Council Worksession, June 13, 2023
- c. Approval of Minutes: City Council Worksession, June 27, 2023
- d. Payment of Vouchers
- e. Grant Amendment #3 for Bush Prairie Habitat Conservation Plan Phase 2
- f. Local Agency Agreement Supplement and Prospectus with WSDOT for the Israel Road and Linderson Way Pedestrian and Bicycle Improvements
- g. Local Agency Agreement and Prospectus with WSDOT for the Percival Creek Fish Passage Barrier Removal Project
- h. Local Agency Agreement and Prospectus with WSDOT for the Traffic Signal Controller and Detection Upgrade
- i. Service Provider Agreement Amendment Two for Tree and Vegetation Preservation Code Update
- j. Interagency Reimbursement Agreement IAA24138 Between Washington State Administrative Office of the Courts and City of Tumwater
- k. Deed of Easement for Slope Easement with Robert J. Scheller

MOTION:

Councilmember Althaus moved, seconded by Councilmember Jefferson, to approve the consent calendar as published. A voice vote approved the motion unanimously.

Mayor Sullivan reviewed the items approved on the consent calendar.

**COUNCIL
 CONSIDERATIONS:**

**INTERLOCAL
 AGREEMENT
 WITH HOUSING
 AUTHORITY OF
 THURSTON
 COUNTY FOR
 AFFORDABLE
 SENIOR HOUSING:**

Manager Medrud presented the proposed Interlocal Agreement with Housing Authority of Thurston County for Affordable Senior Housing. The agreement is for the Tumwater Inn project. The request is authorization of the signature of the interlocal agreement in substantially the same form as approved by the City Attorney in support of affordable senior housing in Tumwater.

The project was reviewed by the Council in late 2022. At that time, the Council assigned a portion of its American Rescue Plan Act (ARPA) funds to replace general fund dollars of \$275,000 to use as part of a match for a grant from the Department of Commerce. The grant was approved for the Housing Authority of Thurston County. The funds contributed by the City will be used to mitigate asbestos, lead, and mold in the existing structure, as well as provide relocation costs as required under state law.

Manager Medrud introduced Craig Chance and Tom Rawson from

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Housing Authority of Thurston County to provide an update on the project.

Mr. Chance reported he serves as the Executive Director of the Housing Authority of Thurston County and Tom Rawson serves as the Director of Development. The Housing Authority become the official owner of the Tumwater Inn earlier in the day.

Seniors are the fastest growing demographic of people experiencing homelessness today. Often, for the first time in their lives and with their increasing age and vulnerability, it is a topic that is addressed each day within the community as more seniors find they cannot afford rent. An example is a senior resident in the City who endured two years in a tent and who was finally able to receive housing with the assistance of the Housing Authority. Because of the short timeline to complete the grant application, the Department of Commerce waived some requirements to apply for the \$7.9 million grant. The Tumwater Council and City staff assisted the agency by providing some of the information required for the application. He acknowledged the City for ensuring the application was successful. The project will provide 24 housing units serving people with incomes from social security of approximately \$1,600 a month with some incomes much less. Six of the units will be reserved for seniors leaving some state of homelessness. Tumwater has collaborated with the Housing Authority for a number of years to provide 202 housing units spanning seven different properties in addition to the Tumwater Inn project recently named Sterling Pines.

Mr. Rawson reported as the new owner of Tumwater Inn, the Housing Authority will begin inspecting vacant units and initiate remediation of asbestos and other contaminants. Some units will be boarded for protection. The site is managed 24 hours by an existing manager, who also resides on the property and who is eligible for relocation assistance. The Housing Authority will assign a site manager to oversee the property. Over the next several months, the agency will work with a consultant for relocation of the individuals currently living on the property. Concurrently, bid packages will be created to release bids for renovation work. Leasing of the units is anticipated to begin in 12 months.

Councilmember Cathey asked about the naming process for the property. Mr. Rawson advised that based on research, Sterling was derived from the population the project will serve as in sterling silver, and Pines is for the road in the rear of the property named Pinehurst.

Mr. Chance added that based on feedback from the Council on seniors navigating stairs, the proposal includes some external stair lifts.

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Councilmember Althausen thanked Mr. Chance and Mr. Rawson for their efforts and quick turnaround. For the first time in the City's history, the Council's retreat in 2018 focused on housing, which eventually transitioned as a goal to accomplish. The City began working on plans and cooperating regionally. The project represents one of the first brick and mortar projects that has been able to come online as a result of regional collaboration and cooperation. He thanked staff for their time and efforts working on housing issues.

Councilmember Dahlhoff suggested consideration of future conversations about the track of developing housing as well as keeping seniors in existing houses to include manufactured home parks. She asked about any opportunities to collaborate with the Housing Authority on potential ownership of manufactured home parks. The Council and the Mayor have received feedback from many in the community about increases in rent in manufactured home parks. Others inquiries have been received about the project and the challenges many are facing with increasing rents. Some seniors are unable to sell their homes to apply for housing at the new site. She suggested engaging in conversations to assist seniors in remaining in their homes.

Mr. Chance cited some financing opportunities some seniors have been able to acquire to preserve manufactured home parks. He agreed the topic is important and worthy of mutual discussions.

MOTION:

Councilmember Althausen moved, seconded by Councilmember Jefferson, to authorize signature of the Interlocal Agreement with Housing Authority of Thurston County, in substantially similar form as approved by the City Attorney, in support of affordable senior housing in Tumwater. A voice vote approved the motion unanimously.

**COMMITTEE
REPORTS:**

**PUBLIC HEALTH &
SAFETY:
*Leatta Dahlhoff***

The July 11, 2023 meeting included a briefing from Fire Chief Hurley and Paramedic Lieutenant Rian Winter on the Tumwater Fire Department Peer Support Program. An article in *The Olympian* newspaper highlighted an interview with Fire Chief Hurley and Communications Manager Ann Cook addressing mental health support of fire and EMS personnel. The Thurston County Peer Support Consortium was introduced at the beginning of the year by Lacey's Fire District Assistant Chief of Health and Safety. Some Tumwater firefighters have utilized the service. Fire Chief Hurley spoke to reconnecting or solidifying connections with retired firefighters as well. The program is for current and retired fire and EMS personnel and their families.

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**GENERAL
GOVERNMENT:**
Michael Althausen

At the last meeting on July 11, 2023, the committee was briefed on the second amendment to the Service Provider Agreement for the Tree and Preservation Code Update. The ordinances are anticipated to take more time than anticipated because the State Building Code Council issued some new rules that will implicate boundaries and some new requirements. The amendment extends the work with the contractor to interpret the new rules and work with the Association of Washington Cities (AWC) and the Municipal Research and Services Center (MRSC) to identify impacts of the new requirements prior to adopting any changes to the code. Members also received a briefing on the community engagement plan for the 2025 Comprehensive Plan Update.

PUBLIC WORKS:
Eileen Swarthout

At its July 6, 2023 meeting, the committee received a briefing on the Capital Facilities Plan for 2024-2029. The review focused on the Transportation and General Governmental Elements of the CFP. The July 20, 2023 meeting includes briefings on the Capital Facilities Plan (CFP) 2024-2029 for Water, Sanitary Sewer, and Storm Drain, a Service Provider Agreement with Stantec for the Pioneer Park Riparian Restoration Project Amendment 2, and the Somerset Hill Fish Passage Barrier Removal Project.

**BUDGET AND
FINANCE:**
Debbie Sullivan

There was no meeting and no report.

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

City Administrator Parks reported on an impending I-5 northbound freeway ramp closure as part of the Capitol Boulevard Troster Road Improvement Project beginning at 9 p.m. Friday, July 21, 2023 through 5 a.m. on Monday, July 31, 2023. The closure will facilitate demolition of the existing ramp, grading, embankment construction, drainage improvements, and paving. The detours are Tumwater Boulevard and Deschutes Way freeway interchanges. The interchanges will be signed

Other City projects underway include maintenance pavement projects across the City, Citywide road striping projects, and the water main project along Israel Road scheduled to begin within the next several weeks. All road closure and project information is published on the Transportation and Engineering Department webpage on the City's website.

The first meeting in August, normally on Tuesday, August 1, 2023, has been changed to July 31, 2023 because of the election. The next worksession is scheduled on Tuesday, August 8, 2023. The Council will be on summer recess during the last two weeks in August until September 5, 2023.

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Mayor Sullivan reported the Intercity Transit Authority received an update on the Martin Way Park and Ride Lot. The project includes improvements to the entrance and exit to the freeway. Intercity Transit is sponsoring its first Transit Appreciation Day on August 4, 2023 since the pandemic. The Authority is working on its 2024 budget process. The agency is also seeking a new General Manager. The public can provide feedback on recruitment efforts on the agency's website. The next Intercity Transit Authority meeting is on Wednesday, July 19, 2023.

Mayor Sullivan thanked and recognized Parks and Recreation Department staff and other staff members who worked on the 4th of July parade, festival, and fireworks show.

National Night Out is scheduled on August 1, 2023 with many events for neighborhoods planned throughout the City.

Tumwater's Brewfest is scheduled on Saturday, August 19, 2023.

**COUNCILMEMBER
REPORTS:**

Angela Jefferson:

At several June Tumwater HOPES meetings, members discussed the intent of the organization within the community. The goal is to reduce youth substance abuse, vaping, and risky behaviors. At the end of the meeting, members discussed ways to increase parental and youth participation in healthy safe events and activities in the community. Director Denney mentioned the many activities scheduled in the City. The City sponsors an active and successful youth program. Throughout the year, healthy activities are sponsored by local schools. The challenge is identifying ways to share information on those events with parents and the community. Following the annual meeting, Councilmember Jefferson contacted the City Administrator, Tumwater School District Superintendent, and Mayor Sullivan to discuss ways to re-launch and reintroduce Tumwater HOPES to the community.

Councilmember Jefferson addressed hunger in the community or food insecurity. Many people are experiencing hunger in the community and her mission is to reduce the shame and stigma of visiting local food banks and food pantries. Last year, a drive through food event was held for Joint Base Lewis McChord in Lakewood. Over 700 military households signed up for food. Within four hours, all food was distributed. Since then the situation has worsened with Washington State experiencing the highest gas prices in the nation and many families spending their income on rent and housing. In 2009, she rented her 4-bedroom house at \$1,800. Today, the same house could have a

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rent as high as \$3,500 a month. Adding other bills for items could total over \$5,000 a month. She recently collaborated with the Thurston County Food Bank and the Little Food Pantry on ways to encourage the importance of community members to reach out if they need food assistance.

Peter Agabi:

At the Joint Animal Services Commission meeting on July 10, 2023, members reviewed shelter statistics. Compared to 2022, the shelter has experienced an increase in intake of animals. Additionally, there has been an increase in the number of adoptions with euthanasia increasing by 7%. Councilmember Agabi asked the Council to consider visiting and touring the shelter facility. The next meeting is scheduled on August 7, 2023.

At the July 12, 2023 Transportation Policy Board meeting, members recognized Karen Parkhurst, Director of Planning and Policy, who recently retired. Marc Daily, Executive Director of Thurston Regional Planning Council, announced the release of the new population estimate for Thurston County from the Office of Financial Management (OFM) reflecting a population increase of 1% since 2022. Members reviewed and discussed the timing of the Rural Community Support Program (RCSP) Call for Projects. Members were briefed on the release of the 7th Edition Bike Map and its various forms, contents, points of distribution, and how it benefits the community. Members received a briefing from Ashley Carle with the Washington State Department of Transportation on the I-5 Tumwater to Mounts Road Study. The purpose of the study is to enhance mobility and connectivity on I-5. A final study report will be published in July 2023.

Michael Althausen:

The first in-person meeting of the Regional Housing Council (RHC) was held on June 28, 2023 since the pandemic. On the same day, some individuals moved into Maple Court, a permanent supportive housing conversion project in Lacey along Martin Way. The property was a hotel converted to permanent supportive housing units. Councilmember Althausen attended the ribbon cutting ceremony for the facility in addition to Mayor Sullivan. Maple Court is one of the most significant projects the RHC has worked on as a regional effort. The Franz Anderson project in Olympia should be operational in August 2023 as phase 1 of the project. The project consists of 62 units of tiny homes. Together the projects will provide 170 new low-income housing units. Members approved a letter to the Department of Commerce in support of the South Port Affordable Housing project. The project represents a regional investment of \$1,325,000 that could leverage funds to provide up to 160 new housing units. The project was not selected in the first round of grants due to the competitive process. However, a second round is scheduled and the letter demonstrates the region's support of the project. Members reviewed its draft work plan. The next meeting

TUMWATER CITY COUNCIL MEETING
MINUTES OF HYBRID MEETING
July 18, 2023 Page 10

has been cancelled.

Councilmember Dahlhoff disconnected from the meeting.

Eileen Swarthout:

Councilmember Swarthout reported on her attendance to a Climate Retreat on June 26, 2023. Karen Meyer facilitated the retreat. All jurisdictions have initiated climate programs. One task assigned during the retreat was developing a list of initiatives. The goal of the regional plan is setting tangible objectives that can be completed within a year. Members discussed researching and exploring regional energy audits and a home energy efficiency campaign as housing and buildings are responsible for the highest emitters of carbon. The next meeting of the Thurston Climate Mitigation Plan Steering Committee is scheduled on July 24, 2023 to review a new interlocal agreement and scope of work with TRPC.

Councilmember Swarthout attended the July 7, 2023 TRPC meeting. Meeting highlights included an update on the I-5 Tumwater to Mounts Road Study surrounding planning and environmental linkages. The final report will be released in July. The report includes recommendations to address I-5 Tumwater to Mounts Road congestion issues. Members reviewed and discussed TRPC's allocation of Federal Carbon Reduction Program Funds (CRP) and accepted the recommendation from the Transportation Policy Board to award over \$1 million in CRP funding to five projects that must be obligated by June 30, 2024.

Joan Cathey:

There was no report.

ADJOURNMENT:

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

Prepared by Valerie L. Gow, Recording Secretary/President
 Puget Sound Meeting Services, psmsoly@earthlink.net

TO: City Council
 FROM: Shelly Carter, Assistant Finance Director
 DATE: July 31, 2023
 SUBJECT: Payment of Vouchers

1) Recommended Action:

Staff is seeking City Council ratification of:

- July 14, 2023 payment of Eden vouchers 173497 to 173545 in the amount of \$298,445.86 and electronic payments 902784 to 902796 in the amount of \$166,991.53 and wire payments of \$239,656.25; and Munis vouchers 180794 to 180864 in the amount of \$354,873.73 and electronic payments 903337 to 903358 in the amount of \$140,362.13
-

2) Background:

The City pays vendors monthly for purchases approved by all departments. The Finance Director has reviewed and released the payments as certified on the attached Exhibit(s). The full voucher listings are available by request to the Assistant Finance Director. The most significant payments* were:

Vendor		
Heritage Restoration, Inc	177,468.47	Brewmasters arson service
Bobbie & Amanda's Cleaning Svc	21,520.40	Janitorial Services at City parks and facilities - June

* Includes vouchers in excess of \$20,000, excluding routine utility payments.

3) Policy Support:

- Strategic Goals and Priorities: Fiscally responsible and develop sustainable financial strategies.
 - Vision Mission Beliefs-Excellence: Efficient stewards of public resources, building public trust through transparency.
-

4) Alternatives:

- ☐ Ratify the vouchers as proposed.
 - ☐ Develop an alternative voucher review and approval process.
-

5) Fiscal Notes:

The vouchers are for appropriated expenditures in the respective funds and departments.

6) Attachments:

A. Exhibit A – Payment of Vouchers – Review and Approval

EXHIBIT "A"

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Tumwater, and that I am authorized to authenticate and certify to said claim.

Munis

Voucher/Check Nos 180794 through 180864 in the amount of \$354,873.73

Electronic payment No 903337 through 903358 in the amount of \$140,362.13

Eden

Voucher/Check Nos 173497 through 173545 in the amount of \$298,445.86

Electronic payment No 902784 through 902796 in the amount of \$166,991.53

Wire payments of \$239,656.25

A handwritten signature in cursive script, reading "Shelly Carter", is written over a horizontal line.

Asst. Finance Director, on behalf of the Finance Director

Checks dated 07/14/2023

TO: City Council
FROM: Dan Smith, Water Resources & Sustainability Director
DATE: July 31, 2023
SUBJECT: Service Provider Agreement with Stantec for the Pioneer Park Riparian Restoration Project Amendment 2

1) Recommended Action:

Staff recommends City Council approve and authorize the Mayor to sign the Service Provider Agreement with Stantec for the Pioneer Park Riparian Restoration Project Amendment 2. This Amendment 2 was recommended for approval by the Public Works Committee at their June 20, 2023, meeting.

2) Background:

Part of Pioneer Park's shoreline is rapidly eroding away, sending approximately 2,380 cubic yards of fine sediment every year into the Deschutes River, listed as impaired for fine sediment per the Clean Water Act, Section 303(d) and home to a critical stock of coho salmon. The City received grant funding from the Department of Ecology (ECY) to design, permit, and construct a riparian restoration project to stabilize the slope and improve habitat conditions at Pioneer Park. Stantec was chosen to design a bank stabilization solution to the erosion problem.

After significant stakeholder outreach and ECY support, the project is adding elements to improve in-stream complexity and habitat elements. This amendment covers the additional work necessary for the project enhancements. As such, the current grant agreement with ECY will be revised to be design only and the City will apply for construction funding in the fall per ECY's recommendation.

3) Policy Support:

Strategic Priority B – Be a Leader in Environmental Sustainability

4) Alternatives:

☐ Reject provisions of the amendment, and complete project as originally scoped.

5) Fiscal Notes:

Amendment No. 2 adds \$49,955 to the project to complete a final design package. Design and permitting work is expected to cost \$203,699 with 75% covered by the ECY grant, with the remaining 25% paid by Storm Drain Utility funds.

6) Attachments:

A. Service Provider Agreement with Stantec for the Pioneer Park Riparian Restoration Project Amendment 2

**SECOND AMENDMENT
TO
SERVICE PROVIDER AGREEMENT
FOR
Pioneer Park Riparian Restoration**

This Second Amendment ("Amendment") is dated effective this _____ day of _____, 20____, and is entered into by and between the CITY OF TUMWATER, a Washington municipal corporation ("CITY"), and STANTEC CONSULTING SERVICES INC., a New York corporation ("SERVICE PROVIDER").

A. The CITY and the SERVICE PROVIDER entered into a Service Provider Agreement dated effective June 29, 2022 , and amended by First Amendment dated July 19, 2022, (collectively, the "Agreement") whereby the SERVICE PROVIDER agreed to provide services for the Pioneer Park Riparian Restoration ("Agreement").

B. Section 14 of the Agreement provided that the Agreement may only be amended by written agreement signed by the parties.

C. The CITY and the SERVICE PROVIDER desire to amend the Agreement to add additional services, extend the term of the Agreement, and increase the compensation paid to the SERVICE PROVIDER for providing the additional services during the extended term.

NOW, THEREFORE, the parties agree to the following terms and conditions:

1. SCOPE OF SERVICES.

Section 1 of the Agreement is amended to provide for additional services as more particularly described and detailed in Exhibit "A-1," attached hereto and incorporated herein.

2. TERM.

Section 2 of the Agreement shall be amended to extend the term of the Agreement until December 31, 2027.

3. COMPENSATION.

In consideration of the SERVICE PROVIDER continuing to provide the services described in Section 1 of the Agreement and providing the additional services described in Exhibit "A-1" during the extended term of the Agreement, Section 4.C. shall be amended to increase the compensation paid to the SERVICE PROVIDER by an additional amount not to exceed Forty Nine Thousand Nine Hundred Fifty Five and 00/100 Dollars (\$49,955.00). The total amount payable to the SERVICE PROVIDER pursuant to the original Agreement, the First Amendment, and this Second Amendment shall be an amount not to exceed Two Hundred Three Thousand Six Hundred Ninety Nine and 00/100 Dollars (\$203,699.00).

****Signatures on the following page****

4. FULL FORCE AND EFFECT.

All other terms and conditions of the Agreement not modified by this Amendment shall remain in full force and effect.

DATED the effective date set forth above.

CITY:

CITY OF TUMWATER
555 Israel Road SW
Tumwater, WA 98501

SERVICE PROVIDER:

Stantec Consulting Services, Inc.
601 SW 2nd Avenue STE 1400
Portland, OR 972304-3128
Tax ID #: 602-529-295
Phone No. 503-830-9669

Debbie Sullivan
Mayor

Signature (Notarized – see below)
Printed Name: Joe Richards
Title: Principal Engineer

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

State of _____

County of _____

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the _____ to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

(Signature)
Notary Public in and for the State of _____
My appointment expires _____

Exhibit A-1



Stantec Consulting Services Inc.
601 SW Second Avenue, Suite 1400
Portland OR 97204-3128

June 5, 2023

Project/File: City of Tumwater Pioneer Park Project / 185706094

Dan Smith
City of Tumwater
555 Israel Road SW
Tumwater, WA 98501

Dear Dan Smith,

Reference: Pioneer Park Riparian Restoration Amendment #2

Introduction

This scope and budget revision has been prepared at the request of the City of Tumwater to address stakeholder concerns with the direction the project. The previous direction intended to avoid USACE permitting by moving the project impact out of the Ordinary High Water (OHW) of the Deschutes River by focusing on bank revetments to stabilize the meander bend in an expedited manner since USACE permitting for removal/fill below OHW was estimated to be 2-year process. This scope will return to a more holistic project that focuses on in-water treatments to promote stability of the meander bend through flood plain inundation and inclusion of aquatic habitat elements including large woody material (LWM) structures below OHW. The basis of this scope and fee is the original scope for the effort modified to fit our understanding of current needs. We assume monies remaining in the current project budget will be reallocated to the effort moving forward.

Project Understanding

Cardno, now Stantec, worked previously with the South Puget Sound Salmon Enhancement Group (SPSSEG) in 2012 and 2015 to review existing conditions and develop multiple alternatives for the Pioneer Park Project to reduce channel migration. Our conceptual designs balanced multiple stakeholder interests, including infrastructure, bank stability, sediment loading, and floater safety. Although the designs are no longer feasible due to excessive bank migration since 2015, the concept alternatives should still be viable to assist in addressing the project objectives.

The SPSSEG funded Pioneer Park Project objectives included: 1) limiting channel migration, 2) rehabilitating aquatic habitat within the project reach, 3) reducing fine grained sediment loading into the river (TMDL/Water Quality), 4) constructing features that are safe for river users, and 5) maintaining park aesthetics.

This 2022/2023 Pioneer Park Restoration Project (Project) has many similarities to the SPSSEG funded endeavor with a shift in funding and emphasis. The site is in the same location and as stated previously the bank migration has continued and the fundamental objectives remain the same, but the funding source is now the Department of Ecology, shifting project emphasis towards reducing fine grained sediment loading in accordance with the TMDL. An initial project development step is to confirm objectives in collaboration

Design with community in mind

Reference: Pioneer Park Riparian Restoration Amendment #2

with the City of Tumwater (City) to ensure that our team is in alignment with the project proponents. The project is divided into six tasks as described in the following sections.

1. Task 1: Project Management and Meetings

This task includes project management duties and meetings. Communication with the City's project manager will occur at to-be-determined intervals throughout the project and allow the Project Team (Stantec) to report on project status and coordinate project-related items. In addition, a kick-off meeting will be conducted.

1.1. Project Management

Kate Klavon will serve as the Project Manager and Joe Richards will serve as Principal in Charge. They will be responsible for overseeing and directing all aspects of project management. Delegation of PM responsibility may be undertaken at times to facilitate efficient delivery of the effort.

1.2. Project Meetings

Five (5) project meetings have already been held up to this point. It is anticipated an additional five (5) meetings will be held throughout the remaining course of this project at key milestones to be coordinated between Stantec and the City. Meetings will be virtual or coordinated for times where Stantec staff is on-site for scheduled work.

Task Assumptions

- > The duration of the project will continue through the construction of the project, which we assumed shall occur during the in-water work window of 2025. Assuming June 15st NTP and a two-year permitting process (7/15/2027 Construction Complete).
- > For budgeting purposes meeting duration is assumed to be no more than one (1) hours in duration with (1) hour of Prep and (1) hour of follow-up for (3) Stantec Staff Members.
- > Support for key stakeholder meetings including Technical Advisory Committee (TAC) Meetings, Alternative Selection Meetings, and Public Involvement Meetings may take place if they are within the 5 scoped meetings as detailed above.

Task Deliverables

- > Stantec will provide monthly project management work summary and invoices over the term of this work assignment. Invoicing will be completed at the top task level only. Stantec will maintain frequent communication with the City, including phone calls and emails.
- > Meeting Minutes for all meetings between Stantec and the City as listed above.

Reference: Pioneer Park Riparian Restoration Amendment #2

2. Task 2: Data Collection and Analysis

Stantec completed Task 2 data collection field work including survey and geomorphic analysis activities during the summer of 2022. Stantec also completed cultural resources and wetlands delineation tasks and reporting. No additional effort is anticipated for cultural resources or wetlands delineation.

2.1. Survey, Hydrologic, Hydraulic, and Geomorphic Analysis

- We anticipate a 1-day site visit to confirm modeling results and design direction for (3) Stantec Staff. Data will be collected within the focus area using global positioning system (GPS) survey methods in real-time kinematic (RTK) mode.
- The Existing Conditions hydraulic model has already been completed and calibrated for the project site under the Deschutes Flood Reduction Study. This model will be utilized as the existing conditions model for Pioneer Park.
- The Proposed Conditions hydraulic model will be run for the Conceptual Preferred Alternative, 60%, 90%, and Final design phases. This will be done to meet the requirements of the no-rise condition (assuming that is the direction the City intends to follow), as well as show the localized effects of proposed design including depth, velocity, and shear stress to inform the design of the project.

2.2. Cultural Resources and Wetlands

The deliverables for the cultural resources and wetlands have been completed and submitted to the City as follows:

- Cultural Resources Monitoring Plan, October 21, 2022
- Cultural Resources Monitoring Memorandum, November 30, 2022
- Wetland Delineation Report, April 7, 2023

Task Assumptions

- > One (1) iteration of the hydraulic model will be run for the 30% Preferred Alternative, 60%, 90%, and Final design phases.
- > A zero-rise approach is scoped for this effort and the design will be limited to project elements that achieve the zero-rise condition. CLOMR and LOMR documentation through FEMA are outside the scope of this effort.
- > Data collected from the site assessment will be incorporated into the 30% design report (see Task 3).
- > Hydrology for this site is already developed and existing flowrates will be utilized.
- > Results of the Hydrology and Hydraulics and Geomorphic Analysis will be included in the Design Reports of the listed design phases.

Task Deliverables

- > No Deliverables on this Task.

Reference: Pioneer Park Riparian Restoration Amendment #2

3. Task 3: Preliminary Plans and Design Report

Additional tasks necessary to support the Pioneer Park Riparian Restoration project and to provide the City with a final design package signed by a licensed professional engineer in the State of Washington include the following:

3.1. Concept Alternatives Development and Analysis

- Conceptual Alternatives and Evaluation Matrix – Stantec will create a maximum of 3 conceptual level design alternatives based on the previously submitted Cardno submittals in collaboration with the Stakeholders. A Conceptual Alternatives Evaluation Matrix will be completed for the City to utilize in stakeholder discussions. Matrix will include issues relevant to the decisions making process such as potential cost, timeline, impact to recreation and park usage, bank stability, habitat or stream restoration enhancements, etc. in coordination with the City.
- Conceptual Alternative Memorandum – Stantec will develop a Conceptual Alternative Memorandum, which will include documenting project background, goals, summary of data collected, specific design criteria used for each element of the design, and design process leading up to the concept alternatives phase, and summary of the evaluation matrix and preferred alternative.

3.2. 60% Design Plans and Design Report

- 60% design development stage will be focused on advancing the chosen preferred Conceptual Alternative to a level that can be used for project permitting. 60% level plan set (Permit Set) limited to required information for permitting.
- 60% Engineers Cost Estimate and Specifications Outline – Stantec will develop an Engineers Cost Estimate based on 60% level quantities. A specification outline will also be developed in collaboration with cost estimate.
- 60% Design Report – A Design Report will be developed based on the Conceptual Alternatives Memorandum. This report will include documenting project background, goals, summary of data collected, specific design criteria used for each element of the design, a summary of the Concept Alternatives Memorandum and chosen alternative. The report will also document the hydrology and hydraulic model approach and results.

Reference: Pioneer Park Riparian Restoration Amendment #2

Task Assumptions

- > Meetings associated with Task 3, will be covered under Task 1: Project Management and Meetings
- > Up to three (3) alternatives will be developed and prioritized. Additional alternatives may be added to the Scope of Work at approved hourly rates.
- > Milestone deliverables at Conceptual Level will be submitted to the City for a single round of review. Review period will be 14 days and the City will produce a consolidated redline set with comment log. Stantec will address comments and record actions on the comment log and proceed to the next round of project development (we assume that no second review will be undertaken for budgeting purposes).
- > In accordance with grant funding the design report will be reviewed by DOE over a 45-day period. We assume that design progress will commence following the 14-day City review period and that any Ecology comments will be incorporated at the next design deliverable round. We further assume that the City will facilitate communications with Ecology in advance of Design Submittals so that the project approach is understood and agreed to prior to formal submittal and review periods.
- > Milestone deliverables at 60% will be submitted to the City for a single round of review. Review period will be 14 days and the City will produce a consolidated redline set with comment log. Stantec will address comments and record actions on the comment log and proceed to the next round of project development (we assume that no second review will be undertaken for budgeting purposes).

Task Deliverables

- > Conceptual Design Plans for up to three (3) Alternatives
- > Alternative Evaluation Matrix
- > Conceptual Alternatives Memorandum
- > Preliminary Planning Level Cost Estimate for up to three (3) Alternatives
- > 60% Design Plans
- > 60% Design Report
- > 60% Quantities and Engineer's Estimate
- > Specifications Outline

4. Task 4: Permitting and Environmental Compliance

Stantec will engage with the Corps and Ecology with support from the City at the conceptual design phase to obtain buy-in to facilitate the permitting process. Stantec will complete required permitting, submitted after 60% designs are complete. Required permits will include:

- 4.1. Archeological and Cultural Resources Report (GEO 21-02) (Completed 2022)
- 4.2. Hydraulic Project Approval (HPA)
- 4.3. State Environmental Policy Act (SEPA)
- 4.4. Water Quality Certification (Section 401)
- 4.5. JARPA (Section 404)

Reference: Pioneer Park Riparian Restoration Amendment #2

4.6. Critical Areas Ordinance Certificate of Compliance

4.7. No-Rise Certification Statement

Typically, a No-Rise Certification is not completed until final design, ensuring to the regulators that the final project meets the necessary requirements. The necessary information indicating that the proposed conditions in the permit set intends to meet the no-rise requirements shall be included in the 60% design report. A stamped and signed No-Rise Certification will be included in as part of the final design report.

4.8. 319 Load Reduction Reporting – STEPL

Task Assumptions

- > All meetings and communication associated with Task 4, are covered under this task.
- > This project will be covered under existing programmatic Biological Assessments for restoration projects and a Biological Assessment will not be required.
- > Water Quality Certification (Section 401) will be included in the JARPA permitting process.
- > SEPA permitting will be limited to a short checklist. Full SEPA review and assessment will not be required.
- > As a restoration project, the work will not require a Critical Areas Ordinance Certificate of Compliance. The intent of the Project is to achieve a no-rise scenario. An initial no-rise certification designation will be drafted for the 60% design plans. If the Project intends to create a rise in water surface elevation and a no-rise is not feasible, any work associated with a CLOMR/LOMR is not included in this contract.
- > 319 Load Reduction Reporting will be limited to the means and methods of bank stabilization in the design. Modeling of pre and post project conditions related to erosion and TMDL are outside the scope of this effort.
- > The City is responsible for all permit fees.
- > Permits will be submitted, and comments will be addressed during a single round of submittal, review and resubmit to agencies.
- > Permits not listed above shall not be covered by this scope of work but may be added through a change order.
- >

Task Deliverables

- > Stantec will work with the City on all required permit documents associated with the 60% design and will submit permit packages for the above listed permits.

Reference: Pioneer Park Riparian Restoration Amendment #2

5. Task 5: 90% Plans and Design Report

The 90% design iteration will advance 60% plans, incorporating City review comments, to produce the 90% plan set and associated documents. Stantec will conduct an Internal Technical Review and will utilize feedback to finalize the 90% design. Stantec will prepare a 90% Plan submittal that will incorporate all changes made during the 90% design phase.

5.1. The 90% plan set will include:

- Cover sheet
- Notes, Legend, and Summary of Quantities
- TESC, staging, dewatering, and stream diversion plan
- Structure plan, profile, and details
- Large woody debris and/or other habitat elements details
- Planting plan and details

5.2. 90% Engineers Cost Estimate and Technical Specifications

5.3. 90% Design Report

Task Assumptions

- > Meetings associated with Task 6, will be covered under Task 1: Project Management and Meetings
- > Dewatering and diversion plans completed under this task will be a suggestion only with contractor submittal requirements through special provision.
- > The 90% plan set will include permit conditions where feasible.
- > 90% Milestone deliverable will be submitted to the City for a single round of review. Review period will be 14 days and the City will produce a consolidated redline set with comment log. Stantec will address comments and record actions on the comment log and proceed to the next round of project development (no second review will be undertaken).
- > Plan set estimated to be 16 sheets total.
- > In accordance with funding agency requirements the 90% Package will be reviewed by Ecology for a 45-day review period. Formal written approval is required before bidding the project. We assume that the City will facilitate communications with Ecology in advance of the 90% Design Submittal so that the project approach is understood and agreed to prior to formal submittal and review by the agency. Design will progress following receipt of City comments at the end of the 14-day City review period.
- > CORPs permitting process assumed to be 2 years from date of submittal before work will begin on the 90% Plans and Design Report.

Task Deliverables

- > 90% Design Plans
- > 90% Engineer's Cost Estimate
- > 90% Draft Technical Specifications
- > 90% Design Report

Reference: Pioneer Park Riparian Restoration Amendment #2

6. Task 6: Final Plans and Design Report

The final design iteration will be based on the 90% Plans and associated documents, incorporating City review comments and comments through permitting process, to advance the set to the Final Design Stage.

The Final Design Set will include:

- 6.1. Final Construction Plans (signed and stamped by a licensed Washington engineer)
- 6.2. Final Engineer's Cost Estimate and Technical Specifications
- 6.3. Final Design Report

Task Assumptions

- > Meetings associated with Task 6, will be covered under Task 1: Project Management and Meetings
- > Final Design Report shall be a compilation of all plans, processes, modeling results, permits, and project communications leading up to the Final Design.
- > Final Milestone deliverable will be submitted to the City for a single round of review. Review period will be 14 days and the City will produce a consolidated redline set with comment log. Stantec will address comments and record actions on the comment log and provide the Final Package to the City with the comment log completed to indicate comment resolution. Additional rounds of review and resolution are outside the scope of this effort.

Task Deliverables

- > Final Construction Plans (signed and stamped by a licensed Washington engineer)
- > Final Engineer's Cost Estimate
- > Final Technical Specifications (signed and stamped by a licensed Washington engineer)
- > Final Design Report
- > Final No-Rise Certification Documentation

Reference: Pioneer Park Riparian Restoration Amendment #2

7. Proposed Schedule

Task/Deliverable	Completion Date
Notice to Proceed	5/17/2022 - completed
Kickoff meeting	5/19/2022 - completed
Draft Cultural Resources Report and Inadvertent Discovery Plan	6/15/2022 - completed
Site Investigation and Site Survey Data Collection	7/20/2022 - completed
Scope of Work Amendment Approved	6/15/2023
Concept Alternatives Development	10/02/2023
60% Plans and Design Report	3/01/2024
Permitting and Environmental Compliance	3/15/2024
90% Plans and Design Report	6/15/2026
Final Plans and Design Report	9/01/2026
Bid Solicitation Support – not included in scope	3/15/2027
Construction Support – not included in scope	7/15/2027

8. Proposed Budget

The total fee for the work described above is \$123,848. Stantec will utilize the remaining budget from the original SPA fee and is requesting an additional \$49,955 to complete this work.

Top Task/Deliverable	Original SPA Fee	Amendment #2 Fee	Total Fee
Task 1: Project Management and Meetings	\$26,828	\$13,081	\$39,909
Task 2: Data Collection and Analysis	\$43,484	\$17,583	\$61,067
Task 3: Preliminary Plans and Design Report	\$34,361	\$15,055	\$49,416
Task 4: Permitting and Environmental Compliance	\$20,430	\$1,746	\$22,176
Task 5: 90% Plans and Design Report	\$19,174	\$1,519	\$20,693
Task 6: Final Plans and Design Report	\$9,467	\$971	\$10,438
Total Project Cost	\$153,744	\$49,955	\$203,699

Respectfully,

STANTEC CONSULTING SERVICES INC.



Joe Richards PE, CWRE
Stantec
Principal Engineer
Mobile: 503-830-9669
joe.richards@stantec.com

Design with community in mind

TO: City Council
 FROM: Alyssa Jones Wood, Sustainability Coordinator
 DATE: July 31, 2023
 SUBJECT: Heritage Tree Nomination

1) Recommended Action:

Staff recommends Council formally designate the Japanese Bigleaf Magnolia nominated by Tree Board Jim Sedore as a Heritage Tree. The Tree Board approved this designation at their July 11, 2023 meeting.

2) Background:

TMC 16.08.075 *Heritage trees* establishes the process by which trees can be nominated for designation by citizens, the Tumwater Tree Board, or city staff.

On May 30, 2023, Tumwater resident and Tree Board member Jim Sedore nominated a Japanese Bigleaf Magnolia at 330 Schmidt Place. The nominated tree was assessed by the City's Tree Professional on June 29, 2023. At their July 11, 2023 meeting the Tree Board recommended that City Council approve the attached Heritage Tree Nomination.

3) Policy Support:

Be a leader in Environmental Sustainability.

- Implement Urban Forestry Plan.
-

4) Alternatives:

- ☐ Reject the nomination.
-

5) Fiscal Notes:

Once a Heritage Tree is designated it is eligible for a commemorative plaque and annual evaluation by the City's contracted Urban Forester. Additionally, staff time will be utilized to update the City's Heritage Tree map.

6) Attachments:

- A. Heritage Tree Memorandum
- B. Memorandum from Sound Urban Forestry

MEMORANDUM

Date: July 31, 2023

To: City Council

From: Alyssa Jones Wood, Sustainability Coordinator



Heritage Tree Nomination at 330 Schmidt Place.

Contents

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Background

The Tumwater City Council adopted the Urban Forestry Management Plan on March 2, 2021 by Ordinance No. 2020-004. Among the Urban Forestry Management Plan actions to be implemented, two addressed heritage trees:

Action 2.1.J. Designate, register, and promote heritage trees.

Priority	Leads [Primary (P) & Secondary (S)]	Timing	Monitoring Action
#2	Community Development (P) Tree Board (S)	Start in Spring 2023 based on Peninsula Environmental Group work and update every five years thereafter	Track number of trees considered heritage trees on an ongoing basis

Action 8.1.B. Identify tree specimens, including heritage trees, on City property that illustrate proper tree care and discuss in articles on the City website and social media.

Priority	Leads [Primary (P) & Secondary (S)]	Timing	Monitoring Action
#2	Community Development (P) Parks and Recreation (S) Public Works (S) Tree Board (S)	Start in Spring 2023 and evaluate every five years thereafter	Evaluate program as compared to the Goals, Objectives, and Actions of the Plan

Definition and Resources

From the City's Heritage Trees website, heritage trees are:

"Trees that have historical significance, by virtue of age, association to a historical structure, district, person or event, rare or unique species, or significant stand (grove) of trees can be designated as Heritage Trees, and therefore provided with special protections."

You can find out more about heritage trees on our website here:

[Heritage Trees | City of Tumwater, WA](#)

And in TMC 16.08.075 Heritage trees are designated here:

<https://www.codepublishing.com/WA/Tumwater/#!/Tumwater16/Tumwater1608.html#16.08.075>

Appendix 1 contains the definitions section of TMC 16.08 *Protection of Trees and Vegetation* as well as TMC 16.08.075 Heritage trees designated.

"Heritage trees" and "historic trees" are defined in TMC 16.08.030 as follows:

M. "Heritage tree(s)" means tree(s) designated by the city and their owners as historical, specimen, rare, or a significant grove of trees.

N. "Historic tree" means any tree designated as an historic object in accordance with the provisions of TMC Chapter 2.62.

Proposed Heritage Tree Nomination

Board Member Jim Sedore filed a nomination for a Japanese Bigleaf Magnolia tree at 330 Schmidt Place. Board Member Sedore asserted in his nomination that this tree is considered rare and very large for its species. The City's contracted Urban Forester visited the tree on June 29, 2023 and estimates the tree is 83 years old. On July 11, 2023 the Tree Board unanimously voted to recommend City Council approve this Heritage Tree nomination.

Maps and Photo of Nominated Tree









Next Steps

Staff recommends Council formally designate the Japanese Bigleaf Magnolia at the Schmidt House (330 Schmidt Place) as a Heritage Tree.

Staff Contact

Alyssa Jones Wood, LEED Green Associate, Sustainability Coordinator
City of Tumwater Water Resources & Sustainability Department
360-754-4140
ajoneswood@ci.tumwater.wa.us

Appendix 1 – TMC 16.08 Protection of Trees and Vegetation

[...]

16.08.030 Definitions.

- A. “Buildable area” is that portion of a parcel of land wherein a building, parking and other improvements may be located and where construction activity may take place. Buildable area shall not include streams, flood hazard areas, geological hazard areas or wetlands and their buffers as defined in TMC Chapter 18.04. For the purpose of calculating required tree protection open space area, existing and newly dedicated city rights-of-way shall not be included.
- B. “City” means the city of Tumwater, Washington.
- C. “Code administrator” means the director of the community development department or the director’s designated representative.
- D. “Conversion option harvest plan (COHP)” means a voluntary plan developed by the landowner and approved by the Washington State Department of Natural Resources and the city of Tumwater, indicating the limits and types of harvest areas, road locations, and open space. This approved plan, when submitted to the Department of Natural Resources as part of the forest practice application and followed by the landowner, maintains the landowner’s option to convert to a use other than commercial forest product production (releases the landowner from the six-year moratorium on future development).

- E. Critical Root Zone or CRZ. Unless determined otherwise by the tree protection professional, the root protection zone for trees means an area contained inside an area on the ground having a radius of one foot for every inch of tree diameter, measured from four and one-half feet above ground level, but in no event shall the root protection zone be less than a six-foot radius.
- F. “Drip line” of a tree means an imaginary line on the ground created by the vertical projections of the foliage at its circumference.
- G. “Environmentally sensitive area” means any lands with the following characteristics:
1. “Geologically hazardous areas” as defined in TMC Chapter 16.20;
 2. Lakes, ponds, stream corridors, and creeks as defined in TMC Chapter 16.32;
 3. Identified habitats with which endangered, threatened, or sensitive species have a primary association as defined in TMC Chapter 16.32;
 4. Wetlands as defined in TMC Chapter 16.28.
- H. “Grading” means excavation, filling, or any combination thereof. Excavation and grading is governed by the International Building Code (IBC).
- I. “Greenbelt” means certain designated areas of a project or development that are intended to remain in a natural condition, and/or private permanent open space, or serve as a buffer between properties or developments.
- J. “Greenbelt zone” means any area so designated on the official zoning map of the city and subject to the provisions of TMC Chapter 18.30.
- K. “Ground cover” means vegetation that is naturally terrestrial excluding noxious or poisonous plants and shall include trees that are less than six inches in diameter measured at four and one-half feet above ground level.
- L. “Hazardous tree” means any tree that, due to its health or structural defect, presents a risk to people or property.
- M. “Heritage tree(s)” means tree(s) designated by the city and their owners as historical, specimen, rare, or a significant grove of trees.
- N. “Historic tree” means any tree designated as an historic object in accordance with the provisions of TMC Chapter 2.62.

O. “Land clearing” or “clearing” means any activity which removes or substantially alters by topping or other methods the vegetative ground cover and/or trees.

P. “Open space” means unoccupied land that is open to the sky and which may or may not contain vegetation and landscaping features, subject to the provisions in TMC 17.04.325 and 17.12.210.

Q. “Parcel” means a tract or plot of land of any size which may or may not be subdivided or improved.

R. “Qualified professional forester” is a professional with academic and field experience that makes them an expert in urban forestry. This may include arborists certified by the International Society of Arboriculture, foresters with a degree in forestry from a Society of American Foresters accredited forestry school, foresters certified by SAF, or urban foresters with a degree in urban forestry. A qualified professional forester must possess the ability to evaluate the health and hazard potential of existing trees, and the ability to prescribe appropriate measures necessary for the preservation of trees during land development. Additionally, the qualified professional forester shall have the necessary training and experience to use and apply the International Society of Arboriculture’s Guide for Plant Appraisal and to successfully provide the necessary expertise relating to management of trees specified in this chapter.

S. “Topping” is the removal of the upper crown of the tree with no consideration of proper cuts as per the current ANSI A300 Standard. Cuts created by topping create unsightly stubs that promote decay within the parent branch and can cause premature mortality of a tree. Topping a tree is considered to be a removal, and may require a tree removal permit.

T. “Tree” means any healthy living woody plant characterized by one or more main stems or trunks and many branches, and having a diameter of six inches or more measured four and one-half feet above ground level. Healthy in the context of this definition shall mean a tree that is rated by a professional with expertise in the field of forestry or arbor culture as fair or better using recognized forestry or arbor cultural practices. If a tree exhibits multiple stems and the split(s) or separation(s) between stems is above grade, then that is considered a single tree. If a tree exhibits multiple stems emerging from grade and there is visible soil separating the stems, then each soil-separated stem is considered an individual tree. Appropriate tree species under six inches may be considered with approval of the city tree protection professional.

U. “Tree plan” is a plan that contains specific information pertaining to the protection, preservation, and planting of trees pursuant to this chapter.

V. “Tree protection open space” is a separate dedicated area of land, specifically set aside for the protection and planting of trees.

W. “Tree protection professional” is a certified professional with academic and field experience that makes him or her a recognized expert in urban tree preservation and management. The tree protection professional shall be either a member of the International Society of Arboriculture or the Society of American Foresters or the Association of Consulting Foresters, and shall have specific experience with urban tree management in the Pacific Northwest. Additionally, the tree protection professional shall have the necessary training and experience to use and apply the International Society of Arboriculture’s Guide for Plant Appraisal and to successfully provide the necessary expertise relating to management of trees specified in this chapter.

(Ord. O2013-017, Amended, 08/19/2014; Ord. O2013-025, Amended, 01/07/2014; Ord. O2011-002, Amended, 03/01/2011; Ord. O2006-014, Amended, 04/17/2007; Ord. O2002-012, Amended, 07/16/2002; Ord. O97-029, Amended, 03/17/1998; Ord. O94-029, Amended, 09/20/1994; Ord. 1311, Amended, 04/07/1992; Ord. 1190, Added, 05/16/1989)

[...]

16.08.075 Heritage trees designated.

A. Trees can be nominated for designation by citizens, the Tumwater tree board, or city staff.

1. Application for heritage tree designation must be submitted to the community development department. The application must include a short description of the trees, including address or location, and landowner’s name and phone number. The application must be signed by both the landowner and nominator.

2. The tree board reviews the application and makes a recommendation to the city council.

3. All heritage trees will be added to city tree inventory and public works maps.

B. Trees that are designated as heritage trees shall be classified as follows:

1. Historical – A tree which by virtue of its age, its association with or contribution to a historical structure or district, or its association with a noted citizen or historical event.

2. Specimen – Age, size, health, and quality factors combine to qualify the tree as unique among the species in Tumwater and Washington State.

3. Rare – One or very few of a kind, or is unusual in some form of growth or species.

4. Significant Grove – Outstanding rows or groups of trees that impact the city’s landscape.

C. The city will provide an evaluation and recommendation for tree health and care and will provide up to one inspection annually upon request of the landowner. The city may, at its discretion, provide a plaque listing the owner’s name and/or tree species/location.

D. Heritage Tree Removal.

1. A tree removal permit is required for removal of any heritage tree(s).
2. The city tree protection professional shall evaluate any heritage trees prior to a decision on the removal permit. Recommendations for care, other than removal, will be considered.
3. Dead or hazardous trees are exempt from a tree removal permit after verification by the city tree protection professional.

E. Heritage Tree Declassification. Any heritage tree may, at any time, be removed from heritage tree status at the request of the landowner after providing two weeks' written notice to the community development department. Unless an agreement can be reached to preserve the tree, the tree will be removed from the heritage tree inventory list and the plaque, if any, will be removed.

(Amended during 2011 reformat; O2006-014, Amended, 04/17/2007; Ord. O2002-012, Amended, 07/16/2002; Ord. O2000-012, Added, 07/18/2000)

SUF

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Appraisals ~ Site Planning ~ Urban Landscape Design and Management
Environmental Education ~ Risk Assessments

7/18/2023

City of Tumwater
Water Resources and Sustainability Department
Alyssa Jones Wood, Sustainability Coordinator
555 Israel Rd SW
Tumwater, WA 98501

RE: Proposed Heritage Tree – Schmidt House Magnolia

Ms. Wood:

Upon the request of the City of Tumwater, I have conducted an assessment of a tree located within the grounds of the Schmidt House property at 330 Schmidt Place SW. This tree has been nominated by Karen Johnson with the Olympia Tumwater Foundation. I visited the site on June 29, 2023.

Findings

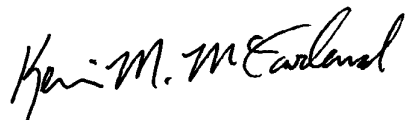
The identified tree is a Japanese bigleaf magnolia (*Magnolia obovata*). Diameter at breast height measures 35” with an approximate height of 50’. Overall health and condition are good. There are a few dead branches within the canopy and the tree appears to have been topped in the past at 26’. Regrowth is healthy with no apparent weak attachments or associated decay. Trunk soundings did not indicate internal stem decay.

I concur with the nominator’s information that the age of this tree is likely around 83 years.

Comments

Overall, this tree is an ideal specimen. I would recommend that it receive selective pruning by a certified arborist to clean the crown of dead or damaged branches measuring 2" or greater in diameter.

Professionally Submitted,

A handwritten signature in black ink, reading "Kevin M. McFarland". The signature is written in a cursive, flowing style.

Kevin M. McFarland, Principal
Consulting Forester, Contracted City of Tumwater Tree Protection Professional
ISA Certified Arborist PN-0373 & Tree Risk Assessment Qualified

Sound Urban Forestry, LLC
P.O. Box 489
Tahuya, WA 98588
360-870-2511

Location of Nominated Tree



View of Entire Tree



Close-Up of the Namesake Leaves

