Thurston County Boundary Review Board  
2424 Heritage Court SW, Suite A  
Olympia, WA 98502

RE: Sapp Road Island Annexation

June 19, 2018

To whom it may concern:

On June 5, 2018, the Tumwater City Council approved a resolution of intent to annex approximately 41 acres of land located in the 2400-2500 block area of Sapp Road SW. The area proposed for annexation is the entirety of an island (an area completely surrounded by the City of Tumwater). The total assessed value of the annexation area is $3,445,670.

Enclosed are the six copies of the completed application plus one original and the required attachments.

Respectfully,

David Ginther  
Senior Planner  
Community Development Department  
City of Tumwater  

www.ci.tumwater.wa.us
NOTICE OF INTENTION
THURSTON COUNTY BOUNDARY REVIEW BOARD

APPLICATION FOR ANNEXATION/MERGER

<table>
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<th>SUBMITTAL REQUIREMENTS</th>
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<tr>
<td>Annexation: Original + 6 copies</td>
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<tr>
<td>CD containing all documents as separated .pdf format files</td>
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<tr>
<td>Waiver: Original + 8 copies</td>
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</tbody>
</table>

1. Jurisdiction Requesting Annexation/Merger: Tumwater
   Responsible Official: David Ginther
   Phone: (360) 754-4180
   FAX: (360) 754-4138
   E-mail: dginther@ci.tumwater.wa.us

2. If number of parcels is less than three, please list the owners:
   Nine parcels are involved. Please see attached information.

3. Method used to initiate the proposed action: Direct Petition [RCW 35A.14.120]
4. Location (address, if assigned): 2400-2500 block of Sapp Road SW.

5. Legal Description. A copy of the legal description of the perimeter boundaries of the area involved in the proposed action certified by a registered engineer or land surveyor (attach as a separate exhibit):

6. Size in Acres: 41


8. Please state the nature of this action and the relevant statutory citation (i.e., annexation for municipal purposes pursuant to RCW 35.13.180):

Direct Petition method pursuant to RCW 35A.14.120.

9. Current Joint Plan Designation:

Residential/Sensitive Resource (2-4 dwellings per acre)

10. Is the site currently served by sewer or water?

___ Sewer  X  Water  ___ Neither

If no, specify services desired: ____________________________________________________________

If sewer or water desired, include map showing location of nearest lines.

11. When is extension of water and sewer service planned to the area:

Water is available along Sapp Road SW in the annexation area. Sewer is located on Sapp Road at the edges of the annexation area.

12. Does this proposal affect any other interjurisdictional agreements?

___ Yes  X  No
If yes, please list these agreements:

13. Does this proposal conform to adopted county-wide planning policies on annexation?
Yes. III 3.3 Cooperate on annexations in order to accomplish an orderly transfer of contiguous lands within growth areas into the adjoining cities and towns. Cooperate on developing a streamlined and efficient process for annexation, while maintaining appropriate environmental review.

The proposal conforms with this policy because removal of an unincorporated island is consistent with an orderly transfer of contiguous lands within growth areas from County to City jurisdiction.

14. Other specific Reason(s) for Annexation:
To eliminate an irregular boundary caused by the existence of an unincorporated island. The existing boundary was drawn along a section line about half a century ago and splits six properties and the roadway by varying amounts between the County and the City.

15. Explain how this proposal furthers the objectives of the Boundary Review Board (as applicable) (RCW 36.93.180) [attach additional pages if necessary] (Some of these items may not apply because of Growth Management Agreements):

   a. Preservation of natural neighborhoods and communities:

      The proposal removes an unincorporated island. The existence of an unincorporated island can be disruptive for a neighborhood as it creates artificial divisions within the neighborhood in regards to voting, taxation, and municipal services to name a few.

   b. Use of physical boundaries, including but not limited to bodies of water, highways, and land contours:

      NA
c. Creation and preservation of logical service areas: The annexation is completely within the Tumwater Urban Growth Area (service area). The annexation eliminates an unincorporated island. Unincorporated islands represent illogical service areas.

d. Prevention of abnormally irregular boundaries: The annexation removes the abnormally irregular boundary created by the existence of an unincorporated island.

e. Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas

NA

f. Dissolution of inactive special purpose districts: NA

g. Adjustment of impractical boundaries: The annexation removes the impractical boundary created by the existence of an unincorporated island.

h. Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character

NA

i. Protection of agricultural lands:

NA

For your information, the Boundary Review Board can consider the following factors (RCW 36.93.170) in deciding whether a particular decision furthers the objectives stated above:

1. Population and territory
2. Population density
3. Land area and land use
4. Comprehensive use plans and zoning
5. Per capita assessed valuation

6. Topography, natural boundaries and drainage basins, proximity to other populated areas

7. The existence of prime agricultural soils and agricultural uses

8. The likelihood of significant growth in the area and in adjacent incorporation and unincorporated areas during the next ten years

9. Location and most desirable future location of community facilities

10. Municipal services

11. Need for municipal services

12. Effect of ordinances, governmental codes, regulations and resolutions on existing uses

13. Present cost and adequacy of governmental services and controls in area

14. Prospects of governmental services from other sources

15. Probable future needs for such services and controls

16. Probable effect of proposal or alternative on cost and adequacy of services and controls in area and adjacent area

17. The effect of the finances, debt structure, and contractual obligations and rights of all affected governmental units

18. The effect of the proposal or alternative on adjacent areas, on mutual economic and social interests, and on the local governmental structure of the county

REQUIRED ATTACHMENTS:

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THURSTON COUNTY BOUNDARY REVIEW BOARD:

I. Notice of Intention (the Boundary Review Board’s Notice).

II. Maps  (NOTE: Must have legends/Colored maps no larger than 11 x 17 inches are encouraged in .pdf format and attachments.)

The following maps must be submitted with all notices of intention:

A. Map of Entire City/Area. No larger than 11 x 17 inches:

1. The general vicinity of the proposal.
2. The area proposed for annexation, highlighted in some manner.
3. The boundaries of other cities near the annexation area (highlighted if not readily discernable).
4. Major streets/roads identified.

B. Assessor's Map showing specific parcel(s) and immediate vicinity, (reduced copy is preferable). Valuable, but not required:

1. Map showing parcel numbers for the proposal and immediate vicinity
2. Map showing owner names for the proposal and immediate vicinity

C. Physical Features. One or more maps showing the following (when available):

1. Dominant physical features such as lakes, creeks, and ravines
2. Flood plain boundaries (100-year)
3. Railroad lines
4. All public roads near the annexation/merger
5. Commercial agriculture lands (when this information is available)

D. Service Area and Other Boundaries. Map showing the proposed annexation and its relationship to the Urban Growth Boundary.
E. Other Maps

1. Existing joint plan zoning.
2. Location of water and sewer mains within proposed annexation, if any, and those nearby (any jurisdiction).

III. $50.00 check made out to “Thurston Regional Planning Council”. *(Note: fee will not be processed until application is determined complete)*

IV. Election Method: Complete copy of minutes of the meeting during which the City Resolution calling for annexation election is adopted or the city accepted the petition for election (certified if appropriate); OR

V. Direct Petition Method:
1. Affidavit of publication of the initial public meeting notice.
2. Copy of minutes of the public meeting required in which the city accepts the proposed annexation.
3. A signed copy of the decision by the city accepting the proposed annexation. The Notice on Intent to annex needs to be filed with the Boundary Review Board within 180 days of the date when the city accepts the proposed annexation.
4. Affidavit of publication of the public hearing as required under RCW35A.14.130.

VI. Copies of the signed petitions for annexation with parcel numbers of the properties, which are represented by the signatures – this does not apply to cities.

VII. Copy of the Declaration of Petition Sufficiency from the Office of the Thurston County Assessor (see RCW 35.21.005(4) for non-code cities, or 35A.01.040(4) for code cities).

VIII. SEPA Determination (except cities or towns per RCW 43.21C.222)
THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN;
TOGETHER WITH THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF NORTHEAST QUARTER;
RUNNING THENCE SOUTH ALONG THE WEST LINE OF SAID SUBDIVISION 290.4 FEET; THENCE EAST 150 FEET AND NORTH 290.4 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID SUBDIVISION; THENCE WESTERLY ALONG SAID NORTH LINE 150 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;
TOGETHER WITH ANY PORTION OF SAPP ROAD SW ADJACENT TO SAID DESCRIPTION NOT YET ANNEXED TO THE CITY OF TUMWATER.

IN THURSTON COUNTY, WASHINGTON.

PREPARED BY: Blair Prigge, PLS
MTN2COAST, LLC
04/23/2018
Calculations for Sapp Road Island Annexation Petition

Table 1: Land Area and Values within Sapp Road County Island

<table>
<thead>
<tr>
<th>Parcel Number</th>
<th>Owner Name</th>
<th>Site Address</th>
<th>Split by City/ County Boundary</th>
<th>Annex - ation Agreement</th>
<th>Total Land Area (sqft)</th>
<th>Land Area Inside County Island (sqft)</th>
<th>% of site in County Island</th>
<th>Total Land value ($)</th>
<th>Land value in County Island ($)</th>
<th>Building Value in County Island ($)</th>
<th>Total Value in County Island ($)</th>
<th>Petitioner Value in County Island ($)</th>
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<tr>
<td>12833120400</td>
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<tr>
<td>12828430200</td>
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<tr>
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<td>12828430100</td>
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</tbody>
</table>

*Lot created by testamentary division of 2535 Sapp Road. Annexation agreement is binding to property regardless of divisions and now covers both 2537 and 2535 Sapp Road SW. See Auditors file #4265147.

Calculations:

Petitioner Value in County Island ($) / Total Value in County Island ($) = (2580985 / 3445670 ) X 100 = 74.9%
This map was created by the City of Tumwater Community Development Department using ArcGIS 10.3.1.

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1 inch = 400 feet

Legend

- Tumwater City Limits
- Sapp Rd Island Annexation Boundary
- Sewer Mains
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CONVENE: 7:00 p.m.

PRESENT: Mayor Pete Kmet and Councilmembers Joan Cathey, Michael Althauser, Leatta Dahlhoff, Debbie Sullivan, Tom Oliva, and Neil McClanahan.

Excused: Councilmember Eileen Swarthout.

Staff: City Administrator John Doan, City Attorney Karen Kirkpatrick, Assistant City Administrator Heidi Behrends Cerniwey, Police Chief Jon Weiks, Community Development Director Michael Matlock, Public Works Director Jay Eaton, Water Resources Specialist Chris Hartman, Communications Manager Ann Cook, Senior Planner David Ginther, Police Officer James Moran, and Recording Secretary Valerie Gow.

ADDITIONS TO THE AGENDA: The consent calendar was adjusted to reflect the removal of the City of Tumwater & Port of Olympia Interlocal Agreement for SEPA Lead Agency for Port Project Proposals.

SPECIAL ITEMS:

SWEARING-IN OF POLICE OFFICER JAMES MORAN: Police Chief Weiks introduced James Moran, who was hired as a Police Officer on March 6. Mr. Moran was a Police Officer with the City of Seattle for the last 13 years. During that time, he and his family continued to reside in Tumwater.

Police Chief Weiks administered the oath to James Moran.

Police Officer Moran thanked the Council and the Police Chief for affording him an opportunity to serve the Tumwater community.

GREEN BUSINESS AWARD: Specialist Hartman shared information on the City’s recent receipt of the Green Business Award from Thurston Green Business Government/Municipality, a partnership between the Cities of Olympia, Lacey, and Tumwater, Port of Olympia, and Thurston Chamber of Commerce with support from Puget Sound Energy (PSE), Intercity Transit, Lemay, and the Thurston Climate Action Team. The award recognizes private and public entities that promote environmental sustainability through various practices. The City of Tumwater was voted as Thurston Green Business Municipality of the Year. Specialist Hartman shared information on recent sustainability efforts by the City.

LOTT’S ANNUAL REPORT BY MIKE STRUB, LOTT: Mike Strub, Executive Director, LOTT Clean Water Alliance, provided an annual update on activities by LOTT Clean Water Alliance. His report included an overview of LOTT, current members
EXECUTIVE DIRECTOR: Lisa Dennis-Perez, Environmental Planning & Communications Director, shared information on LOTT’s strategic planning covering 2019 through 2024, the Budd Inlet and Capitol Lake Total Maximum Daily Load (TMDL) Study, sea level rise planning, and the Reclaimed Water Infiltration Study.

Ms. Dennis-Perez and Mr. Strub answered a number of questions from the Council.

Ms. Dennis-Perez reported the reclaimed water study examined groundwater and surface waters in the Hawks Prairie area of Lacey where reclaimed water is infiltrated as well as the area near the agency’s property off Henderson Boulevard. The largest quantity of residual chemicals identified in the study was artificial sweeteners. A summary of the water quality characterization is published LOTT’s website at www.lottcleanwater.org.

Mr. Strub advised that LOTT’s employees have varied levels of background and education. Technical school programs offer training for entry level positions. The agency has a strong apprenticeship program for all divisions within the agency. LOTT is strengthening the program because it has been difficult to find employees with the skill set and background in wastewater operations.

PUBLIC COMMENT: Mark Bowns 1849 Odegard Road, Tumwater, asked about the status for installing a six-foot high fence along his property line to protect his property from public access. Many items have recently disappeared from his property. Thirty-seven people in the neighborhood signed a petition soliciting the installation of a fence to protect properties from the recent development of the neighboring Toyota Dealership to protect the properties during evening and early morning hours. Mr. Bowns complained about a recent incident involving a backhoe operating very close to his property line. The backhoe was digging for the installation of an irrigation system. Additionally, 59 western red cedars were planted two feet from his property line. He questioned whether he has to sacrifice his land to the City because of the decision to construct a pathway along his property.
Director Eaton responded that the City has obtained an easement for the trail. However, prior to moving forward with installation of the fence, permission is necessary from the Toyota Dealership, which he anticipates occurring within the next week followed by moving forward with installation of the fence later in the summer. Because of existing Douglas fir trees, staff will need to work with each property owner as some of the larger trees located along the fence line would likely need to be removed.

Mayor Kmet noted that the western red cedars were required as part of the buffer to buffer the dealership operation from surrounding neighborhoods.

**Kelsey Hulse, Puget Sound Energy**, reported on a pending press release announcing last year’s tax cut and jobs act passed by Congress. PSE is achieving some savings from the legislation that will be passed on to customers. Customers should realize an average savings of $3.50 a month on their utility bill. Total savings each month will be approximately $7 a month to account for changes in rates recently approved by the Utility Transportation Commission (UTC) involving a federal wind power credit, revenue decoupling property tax changes, and PSE conservation program changes. PSE is committed to lowering its carbon footprint by 50% by 2040 or the 50 by 40 Initiative. Details on the plan can be obtained by visiting the website at [www.pse/environment](http://www.pse/environment). Three major areas of emphasis include the transition from coal, new product and resource development (wind farms and pilot projects), and cleaner transportation by changing fleet vehicles to alternative fuel or electric vehicles. PSE plans to support the widespread expansion of electrical infrastructure for electric vehicles. Ms. Hulse offered to provide additional information on the savings in response to several questions from the Council.

Councilmember Cathey asked whether the reduction of 50% on coal dependency is an average for other similar utility companies in the nation. Mr. Hulse responded that PSE is reducing overall carbon emissions by 50% with the plan to eliminate coal-generated power. The first phases include the closure of the Centralia Coal Plant with no power generated after 2025. Coal Strip Units #1 and #2 in Montana will close by 2027. Units #3 and #4 have no assigned closure date at this time other than PSE is changing the financial mechanism by which PSE recovers its investment by 2033. Compared to other utility companies, PSE is the third largest owner of wind power in the country. PSE has one of the largest energy efficiency programs in the country. PSE is conducting a SEPA scoping open house on the Skookumchuck Wind Farm in the next several weeks in Lewis County. Construction on the farm is planned to begin this summer.
Pamela Hanson, 841 Israel Road, Tumwater, commented on her filming the recent UTC hearing in Olympia. The UTC considered several complex issues with several state representatives in attendance. She recently organized some paperwork into action files and identified the simplest route to accomplish things on behalf of citizens in Tumwater and throughout the state. She previously authored legislation that mirrored a substitute house bill enacted into law on regulating vehicle repair shops. She reformatted the proposed legislation to regulate lawyers. She spoke of opposition to her proposal by lobbyists representing lawyers. Everyone is affected by lawsuits. She commented on ethics and illegal billings by attorneys. She asked the Council not to approve the proposals for equipment for the Craft Brewing & Distilling Center.

Meagan Darrow, Deputy Director, TOGETHER, 1520 Irving Street, thanked the City for the Community Development Block Grant (CDBG) allocation of funds for the Community Schools Initiative in the Tumwater School District. The allocation will ensure children and families receive services that remove barriers to their success in school.

CONSENT CALENDAR:

a. Approval of Minutes: Worksession, April 10, 2018
b. Payment of Vouchers
c. Planning Commission Appointment of Richard Manugian
d. “Item Removed”

MOTION: Councilmember McClanahan moved, seconded by Councilmember Oliva, to approve the consent calendar as presented. Motion carried unanimously.

Mayor Kmet reviewed the items approved on the consent calendar and introduced newly appointed Planning Commissioner Rick Manugian.

Mr. Manugian shared information on his current position in the Senate and previous work history at the Department of Revenue and Department of Ecology. He previously worked as a newspaper reporter and editor focusing on planning and zoning. He thanked the Council for the opportunity to serve on the Planning Commission. He shared information on the importance of community planning and how the City of Watertown’s lack of adequate planning negatively changed the character and landscape of the city.

COUNCIL CONSIDERATIONS:

SAPP ROAD ISLAND Planner Ginther reviewed details of the proposed annexation. The
ANNEXATION: NOTICE OF INTENTION TO COMMENCE ANNEXATION PROCEEDINGS:

department’s 2017/2018 work program concentrates on annexation of Thurston County unincorporated islands located within the boundaries of the City. Currently, there are approximately 15 islands formed several decades ago through a number of actions and smaller annexations. County islands can no longer be created by state law. The City is working to annex the islands to reduce service conflicts.

The proposal includes several properties and is approximately 40 acres in size. The City is using annexation agreements signed in 2004 for access to City water. The initial step is acceptance of the annexation, establishing the boundary, and whether to impose City bond indebtedness. The next step is preparation of a petition for submittal to the Thurston County Assessor for certification and later consideration by the Council. A public hearing will be scheduled for the annexation followed by a review of the annexation by the Thurston County Boundary Review Board for a 45-day review period. If not appealed, the annexation will be considered by the Council for final action.

Councilmember McClanahan commented on the importance of annexing county islands to simplify and avoid confusion with respect to public services.

MOTION:

Councilmember McClanahan moved, seconded by Councilmember Sullivan, to accept the annexation, set a boundary that includes the entire incorporated Sapp Road island, and require assumption of existing City indebtedness.

In response to questions about contacts from affected property owners, Planner Ginther advised that information was mailed to each property owner. Two owners requested additional information, which staff provided. The annexation impacts nine properties with three located within the county island and six properties located partially within the City and in the county. Notification will be published prior to the public hearing on the proposal.

MOTION:

Motion carried unanimously.

EQUIPMENT FOR THE CRAFT BREWING & DISTILLING CENTER – DEPARTMENT OF AGRICULTURE AGREEMENT:

City Administrator Doan reported the proposal relates to the long-term strategy of the City to promote brewing in the City. Part of that involved a partnership with South Puget Sound Community College (SPSCC) to create a two-year degree program for brewing and distilling. The course is a unique program as it is the only college course offered in the country providing a two-year degree in distilling and brewing to include food safety and science, other food-related components, and operational aspects of owning a business.
The City submitted a grant application to the state to fund the equipment. The Legislature approved the grant in the capital budget adopted earlier this year for $500,000.

The first agreement is between the City and the Department of Agriculture for reimbursement of the equipment purchased for the college. Reimbursement is limited to equipment included on a list contained within the agreement. The second agreement is between the City and SPSCC for subcontracting the equipment purchase and the ownership and possession of the equipment to SPSCC.

Staff recommends authorizing the Mayor to sign the interlocal agreement with the Washington State Department of Agriculture.

City Administrator Doan addressed questions and explained that the grant opportunity was only available to counties and cities. The degree program includes all requirements for obtaining an AA degree.

**MOTION:** Councilmember Cathey moved, seconded by Councilmember McClanahan, to authorize the Mayor to sign the Interlocal Agreement with the Washington State Department of Agriculture for funding and purchase of equipment in support of the Craft Brewing and Distilling education program in substantially similar form as approved by the City Attorney.

**EQUIPMENT FOR THE CRAFT BREWING & DISTILLING CENTER SOUTH PUGET SOUND COMMUNITY COLLEGE AGREEMENT:**

City Administrator Doan reported the agreement with the college is for funding and purchasing of the equipment.

**MOTION:** Councilmember Cathey moved, seconded by Councilmember McClanahan, to authorize the Mayor to sign the Interlocal Agreement with South Puget Sound Community College for funding and purchase of equipment in support of the Craft Brewing and Distilling education program in substantially similar form as approved by the City Attorney. Motion carried unanimously.

**2018 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING:**

City Administrator Doan presented the CDBG funding proposal and requested approval of the funding allocations. The City is receiving an additional $33,994.81 in funds beyond Plan B, which had been forecasted to increase by 10%.

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Tumwater, Lacey, and Thurston County to share federal CDBG funds. Instead of sharing the funds each year, the three jurisdictions agreed to receive the full amount every third year. This year, Tumwater received its allocation. The City previously released a Request for Proposals.

Mayor Kmet shared information on the projects proposed by each applicant. Several applicants were not funded because of questions surrounding their respective proposals.

City Administrator Doan clarified that the allocation to Homes First could be increased by another $30,000 if the Union Gospel Mission does not require the contingency.

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**Plan C:**

- Homes First - $457,629.81
- Union Gospel Mission - $207,244 + $30,000 (project contingency)
- Family Education and Support Services - $120,000
- Boys & Girls Club - $25,822
- Catholic Community Services - $25,694
- Interfaith Works - $32,236
- TOGETHER! - $92,699

Plan C is based on HUD allocations announced on 5/1/2018, which provide $33,994.81 additional in funds beyond Plan B. The Plan assigns all of those additional funds to the Homes First project and provides $30,000 in contingency to the Union Gospel Mission project.

City Administrator Doan addressed questions about the timing for disbursement of the funds.

**MOTION:** Motion carried unanimously.

City Administrator Doan described Thurston County’s role in administering the funds and contracts.

**RESOLUTION NO. R2018-013, SUPPORT FOR HERITAGE**

Manager Cook reported the City received a donation of the Old Brewhouse in April 2016. Over the years, weather has taken a toll on the structure. The structure has been a Council priority since 2002.
The City developed a phased funding and construction plan to save and restore the Old Brewhouse. Phase 1 was funded by a state Capital Projects Heritage Grant but not released until the capital budget was approved in January 2018. In the interim, the City completed emergency repairs to protect the structure utilizing private donations and volunteer services for placement of a temporary roof and window coverings. The heritage grant is for $1.5 million and must be expended by June 2019. Request for proposals were recently issued for architectural and engineering work with the bulk of the oversight work transitioned to the Public Works Department to enable efforts to continue on fundraising.

Phase 1 work includes installation of a permanent roof and repair and replacement of exterior bricks and exterior walls, as well as building ventilation to prevent mold.

The proposal is for a second grant application to the Heritage Capital Projects Fund for Phase 2 work, which entails full renovation at a cost of $4.5 million with half of the cost attributed to seismic retrofitting. Phase 2 will be completed in two components with the first component focusing on interior finishes, completion of the exterior brick, some repair and replacement of the stairs, and examination of the copper roof for potential repair rather than replacement because of its good condition. The proposed resolution authorizes staff to submit a grant application for Heritage Capital Projects funds of $750,000 for Phase 2 work estimated to cost $2.25 million for the first component of Phase 2.

Manager Cook addressed questions on the use of the first $500,000 grant, which required a match. The City is using donated labor and materials valued at nearly $100,000 to help meet the match requirement.

Councilmember Oliva commended the companies and the community for donating materials and labor for the emergency repairs.

Councilmember Oliva moved, seconded by Councilmember McClanahan, to approve Resolution No. 2018-013 supporting the City's application for the 2019-2021 Heritage Capital Project Grant to assist in the full rehabilitation of the Old Brewhouse.

Councilmember Cathey commented on some confusion within the community in terms of the structure’s description as a tower versus the Old Brewhouse. Mayor Kmet noted that the structure is only the tower (Old Brewhouse) located in front of the historic warehouse and office buildings, which are privately owned.
Manager Cook advised that the grant application is due on May 18, 2018.

MOTION: Motion carried unanimously.

COMMITTEE REPORTS:

PUBLIC SAFETY: Tom Oliva
At the April 10 meeting, the committee received a briefing on the Rave Alert System, an email and text messaging alert system for emergency notifications to the public. The committee approved a service agreement with Thurston County for Advanced Technology Information Management System and continued its review of the Police Department.

GENERAL GOVERNMENT: Joan Cathey
There was no meeting and no report.

PUBLIC WORKS: Neil McClanahan
At the last meeting, the committee recommended approval of several projects included within the consent calendar. The next meeting is scheduled on May 3 to consider water, sewer, and street improvement special assessments from the Tyee Drive / Israel Road Improvements Project.

BUDGET & FINANCE: Pete Kmet
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MAYOR/CITY ADMINISTRATOR’S REPORT:
Mayor Kmet reported that during the last LOTT Clean Water Alliance Board meeting, members authorized LOTT to proceed with funding to Capitol Land Trust to purchase some habitat along the upper Deschutes River basin as a component of LOTT’s agreement with the Squaxin Island Tribe to reduce nutrient loading on lower Budd Inlet. However, Thurston County’s representative voted against the action.

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young people to share information about the impacts on young people caused by poverty. The second half features a dinner with keynote speaker, Dr. Donna Beegle, followed by breakout sessions. The event is scheduled to end at 8:30 p.m. The event is free and open to the community.

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Mayor Kmet mentioned that with the failure of the fireworks initiative, the City plans to continue educational outreach by the Police and Fire Departments to the community emphasizing the prohibition of fireworks in the City.

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Michael Althauser:
The Joint Animal Services Commission has delayed the implementation of online licensing for approximately two weeks.

Joan Cathey:
Councilmember Cathey reported on her attendance to the Dragon Boat Festival representing the City. As part of the festivities, she had the opportunity to paint the eye of the dragon for the dragon boat races.

Assistant City Administrator Behrends Cerniwey reported the City’s boat finished as one of the semi-finalists.

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Neil McClanahan: Councilmember McClanahan reported all his committees are meeting in the next several weeks. Governor Inslee issued a notice on the importance of saving the orcas by ensuring a healthy population of Chinook salmon. The Alliance for a Healthy South Sound will be discussing efforts to increase more habitat for Chinook and King salmon.

ADJOURNMENT: With there being no further business, Mayor Kmet adjourned the meeting at 9:28 p.m.

Prepared by Puget Sound Meeting Services, psmoly@earthlink.net
CONVENE: 7:00 p.m.

PRESENT: Mayor Pete Kmet and Councilmembers Joan Cathey, Michael Althauser, Leatta Dahlhoff, Debbie Sullivan, Tom Oliva, and Neil McClanahan.

Excused: Councilmember Eileen Swarthout.

Staff: City Administrator John Doan, City Attorney Karen Kirkpatrick, Assistant City Administrator Heidi Behrends Cerniwey, Police Chief Jon Weiks, Community Development Director Michael Matlock, Public Works Director Jay Eaton, Water Resources Specialist Chris Hartman, Communications Manager Ann Cook, Senior Planner David Ginther, Police Officer James Moran, and Recording Secretary Valerie Gow.

ADDITIONS TO THE AGENDA: The consent calendar was adjusted to reflect the removal of the City of Tumwater & Port of Olympia Interlocal Agreement for SEPA Lead Agency for Port Project Proposals.

SPECIAL ITEMS:

SWEARING-IN OF POLICE OFFICER JAMES MORAN: Police Chief Weiks introduced James Moran, who was hired as a Police Officer on March 6. Mr. Moran was a Police Officer with the City of Seattle for the last 13 years. During that time, he and his family continued to reside in Tumwater.

Police Chief Weiks administered the oath to James Moran.

Police Officer Moran thanked the Council and the Police Chief for affording him an opportunity to serve the Tumwater community.

GREEN BUSINESS AWARD: Specialist Hartman shared information on the City’s recent receipt of the Green Business Award from Thurston Green Business Government/Municipality, a partnership between the Cities of Olympia, Lacey, and Tumwater, Port of Olympia, and Thurston County, with support from Puget Sound Energy (PSE), Intercity Transit, Lemay, and the Thurston Climate Action Team. The award recognizes private and public entities that promote environmental sustainability through various practices. The City of Tumwater was voted as Thurston Green Business Municipality of the Year. Specialist Hartman shared information on recent sustainability efforts by the City.

LOTT’S ANNUAL REPORT BY MIKE STRUB, LOTT Mike Strub, Executive Director, LOTT Clean Water Alliance, provided an annual update on activities by LOTT Clean Water Alliance. His report included an overview of LOTT, current members
EXECUTIVE DIRECTOR: of the Board of Directors, governmental structure of the non-profit corporation (501c3), services provided to the Thurston region, and LOTT’s 2017 performance in utility management, treatment and capacity, community engagement, Class A reclaimed water, regional water conservation program, and workforce environment. LOTT provides wastewater services to 116,000 customers in north Thurston County.

Lisa Dennis-Perez, Environmental Planning & Communications Director, shared information on LOTT’s strategic planning covering 2019 through 2024, the Budd Inlet and Capitol Lake Total Maximum Daily Load (TMDL) Study, sea level rise planning, and the Reclaimed Water Infiltration Study.

Ms. Dennis-Perez and Mr. Strub answered a number of questions from the Council.

Ms. Dennis-Perez reported the reclaimed water study examined groundwater and surface waters in the Hawks Prairie area of Lacey where reclaimed water is infiltrated as well as the area near the agency’s property off Henderson Boulevard. The largest quantity of residual chemicals identified in the study was artificial sweeteners. A summary of the water quality characterization is published LOTT’s website at www.lottcleanwater.org.

Mr. Strub advised that LOTT’s employees have varied levels of background and education. Technical school programs offer training for entry level positions. The agency has a strong apprenticeship program for all divisions within the agency. LOTT is strengthening the program because it has been difficult to find employees with the skill set and background in wastewater operations.

PUBLIC COMMENT: Mark Bowns 1849 Odegard Road, Tumwater, asked about the status for installing a six-foot high fence along his property line to protect his property from public access. Many items have recently disappeared from his property. Thirty-seven people in the neighborhood signed a petition soliciting the installation of a fence to protect properties from the recent development of the neighboring Toyota Dealership to protect the properties during evening and early morning hours. Mr. Bowns complained about a recent incident involving a backhoe operating very close to his property line. The backhoe was digging for the installation of an irrigation system. Additionally, 59 western red cedars were planted two feet from his property line. He questioned whether he has to sacrifice his land to the City because of the decision to construct a pathway along his property.
Director Eaton responded that the City has obtained an easement for the trail. However, prior to moving forward with installation of the fence, permission is necessary from the Toyota Dealership, which he anticipates occurring within the next week followed by moving forward with installation of the fence later in the summer. Because of existing Douglas fir trees, staff will need to work with each property owner as some of the larger trees located along the fence line would likely need to be removed.

Mayor Kmet noted that the western red cedars were required as part of the buffer to buffer the dealership operation from surrounding neighborhoods.

Kelsey Hulse, Puget Sound Energy, reported on a pending press release announcing last year’s tax cut and jobs act passed by Congress. PSE is achieving some savings from the legislation that will be passed on to customers. Customers should realize an average savings of $3.50 a month on their utility bill. Total savings each month will be approximately $7 a month to account for changes in rates recently approved by the Utility Transportation Commission (UTC) involving a federal wind power credit, revenue decoupling property tax changes, and PSE conservation program changes. PSE is committed to lowering its carbon footprint by 50% by 2040 or the 50 by 40 Initiative. Details on the plan can be obtained by visiting the website at www.pse/environment. Three major areas of emphasis include the transition from coal, new product and resource development (wind farms and pilot projects), and cleaner transportation by changing fleet vehicles to alternative fuel or electric vehicles. PSE plans to support the widespread expansion of electrical infrastructure for electric vehicles. Ms. Hulse offered to provide additional information on the savings in response to several questions from the Council.

Councilmember Cathey asked whether the reduction of 50% on coal dependency is an average for other similar utility companies in the nation. Mr. Hulse responded that PSE is reducing overall carbon emissions by 50% with the plan to eliminate coal-generated power. The first phases include the closure of the Centralia Coal Plant with no power generated after 2025. Coal Strip Units #1 and #2 in Montana will close by 2027. Units #3 and #4 have no assigned closure date at this time other than PSE is changing the financial mechanism by which PSE recovers its investment by 2033. Compared to other utility companies, PSE is the third largest owner of wind power in the country. PSE has one of the largest energy efficiency programs in the country. PSE is conducting a SEPA scoping open house on the Skookumchuck Wind Farm in the next several weeks in Lewis County. Construction on the farm is planned to begin this summer.
Pamela Hanson, 841 Israel Road, Tumwater, commented on her filming the recent UTC hearing in Olympia. The UTC considered several complex issues with several state representatives in attendance. She recently organized some paperwork into action files and identified the simplest route to accomplish things on behalf of citizens in Tumwater and throughout the state. She previously authored legislation that mirrored a substitute house bill enacted into law on regulating vehicle repair shops. She reformatted the proposed legislation to regulate lawyers. She spoke of opposition to her proposal by lobbyists representing lawyers. Everyone is affected by lawsuits. She commented on ethics and illegal billings by attorneys. She asked the Council not to approve the proposals for equipment for the Craft Brewing & Distilling Center.

Meagan Darrow, Deputy Director, TOGETHER, 1520 Irving Street, thanked the City for the Community Development Block Grant (CDBG) allocation of funds for the Community Schools Initiative in the Tumwater School District. The allocation will ensure children and families receive services that remove barriers to their success in school.

CONSENT CALENDAR:

a. Approval of Minutes: Worksession, April 10, 2018
b. Payment of Vouchers
c. Planning Commission Appointment of Richard Manugian
d. “Item Removed”

MOTION: Councilmember McClanahan moved, seconded by Councilmember Oliva, to approve the consent calendar as presented. Motion carried unanimously.

Mayor Kmet reviewed the items approved on the consent calendar and introduced newly appointed Planning Commissioner Rick Manugian.

Mr. Manugian shared information on his current position in the Senate and previous work history at the Department of Revenue and Department of Ecology. He previously worked as a newspaper reporter and editor focusing on planning and zoning. He thanked the Council for the opportunity to serve on the Planning Commission. He shared information on the importance of community planning and how the City of Watertown’s lack of adequate planning negatively changed the character and landscape of the city.

COUNCIL CONSIDERATIONS:

SAPP ROAD ISLAND Planner Ginther reviewed details of the proposed annexation. The
ANNEXATION: The department’s 2017/2018 work program concentrates on annexation of Thurston County unincorporated islands located within the boundaries of the City. Currently, there are approximately 15 islands formed several decades ago through a number of actions and smaller annexations. County islands can no longer be created by state law. The City is working to annex the islands to reduce service conflicts.

The proposal includes several properties and is approximately 40 acres in size. The City is using annexation agreements signed in 2004 for access to City water. The initial step is acceptance of the annexation, establishing the boundary, and whether to impose City bond indebtedness. The next step is preparation of a petition for submittal to the Thurston County Assessor for certification and later consideration by the Council. A public hearing will be scheduled for the annexation followed by a review of the annexation by the Thurston County Boundary Review Board for a 45-day review period. If not appealed, the annexation will be considered by the Council for final action.

Councilmember McClanahan commented on the importance of annexing county islands to simplify and avoid confusion with respect to public services.

MOTION: Councilmember McClanahan moved, seconded by Councilmember Sullivan, to accept the annexation, set a boundary that includes the entire incorporated Sapp Road island, and require assumption of existing City indebtedness.

In response to questions about contacts from affected property owners, Planner Ginther advised that information was mailed to each property owner. Two owners requested additional information, which staff provided. The annexation impacts nine properties with three located within the county island and six properties located partially within the City and in the county. Notification will be published prior to the public hearing on the proposal.

MOTION; Motion carried unanimously.

EQUIPMENT FOR THE CRAFT BREWING & DISTILLING CENTER – DEPARTMENT OF AGRICULTURE AGREEMENT: City Administrator Doan reported the proposal relates to the long-term strategy of the City to promote brewing in the City. Part of that involved a partnership with South Puget Sound Community College (SPSCC) to create a two-year degree program for brewing and distilling. The course is a unique program as it is the only college course offered in the country providing a two-year degree in distilling and brewing to include food safety and science, other food-related components, and operational aspects of owning a business.
The City submitted a grant application to the state to fund the equipment. The Legislature approved the grant in the capital budget adopted earlier this year for $500,000.

The first agreement is between the City and the Department of Agriculture for reimbursement of the equipment purchased for the college. Reimbursement is limited to equipment included on a list contained within the agreement. The second agreement is between the City and SPSCC for subcontracting the equipment purchase and the ownership and possession of the equipment to SPSCC.

Staff recommends authorizing the Mayor to sign the interlocal agreement with the Washington State Department of Agriculture.

City Administrator Doan addressed questions and explained that the grant opportunity was only available to counties and cities. The degree program includes all requirements for obtaining an AA degree.

MOTION: Councilmember Cathey moved, seconded by Councilmember McClanahan, to authorize the Mayor to sign the Interlocal Agreement with the Washington State Department of Agriculture for funding and purchase of equipment in support of the Craft Brewing and Distilling education program in substantially similar form as approved by the City Attorney. Motion carried unanimously.

EQUIPMENT FOR THE CRAFT BREWING & DISTILLING CENTER SOUTH PUGET SOUND COMMUNITY COLLEGE AGREEMENT:

City Administrator Doan reported the agreement with the college is for funding and purchasing of the equipment.

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PUBLIC WORKS:  
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**ADJOURNMENT:**
With there being no further business, Mayor Kmet adjourned the meeting at 9:28 p.m.

Prepared by Puget Sound Meeting Services, psmsoly@earthlink.net
RESOLUTION NO. R2018-012

A RESOLUTION of the City Council of the City of Tumwater, Washington, establishing intent to annex certain contiguous property located within the Tumwater Urban Growth Area along Sapp Road SW, in Thurston County, Washington, to the City of Tumwater.

WHEREAS, on May 1, 2018, at a regularly scheduled meeting, the Tumwater City Council accepted the annexation, approved the proposed annexation boundaries, and determined that properties within the newly annexed area will assume a proportionate share of indebtedness; and

WHEREAS, on May 4, 2018, the Thurston County Assessor certified that the petition to annex meets the sufficiency requirements of RCW 35A.01.040, including the requirement that it be signed by owners of more than sixty percent (60%) in value according to the assessed valuation for general taxation of said property; and

WHEREAS, the City Clerk of the City of Tumwater caused Notice of Public Hearing on the petition for annexation to be posted and published in the manner provided by law; and

WHEREAS, the annexation is consistent with the City of Tumwater adopted annexation policies, the County-wide Planning Policies, and the Joint Plan adopted by Thurston County and the City of Tumwater; and

WHEREAS, on June 5, 2018, a public hearing on said petition for annexation was held in the Council chambers at Tumwater City Hall; and the Tumwater City Council, having determined that the annexation of the hereinafter described property to the City of Tumwater would be in the public interest and for the public welfare and in the best interest of the City of Tumwater and the citizens thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUMWATER AS FOLLOWS:

Section 1. The Tumwater City Council hereby declares its intent to annex the property described in Exhibit A and depicted in Exhibit B attached hereto and by this reference incorporated herein as fully set forth,

Section 2. It is hereby further declared that upon annexation, the property described in Section 1 above shall be subject to existing indebtedness of the City of Tumwater. Zoning and land use designations of Residential/Sensitive Resource (2-4/acre) shall be applied which are consistent with the Tumwater Comprehensive
Resolution No. R2018-012 Page 1 of 2
Plan. The Aquifer Protection Overlay Zone shall also be applied to the property described in Section 1 above.

**Section 3.** Upon the Thurston County Boundary Review Board’s approval of this annexation, the city attorney is directed to prepare an ordinance for council consideration annexing said property to the City of Tumwater.

**Section 4. Ratification.** Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

**Section 5. Severability.** The provisions of this Resolution are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this Resolution or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the Resolution, or the validity of its application to other persons or circumstances.

**Section 6. Effective Date.** This Resolution shall become effective immediately upon adoption and signature as provided by law.

RESOLVED this 5th day of June, 2018.

CITY OF TUMWATER

Pete Kmet, Mayor

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney
Sapp Road SW
ISLAND ANNEXATION DESCRIPTION

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN;
TOGETHER WITH THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF NORTHEAST QUARTER; RUNNING THENCE SOUTH ALONG THE WEST LINE OF SAID SUBDIVISION 290.4 FEET; THENCE EAST 150 FEET AND NORTH 290.4 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID SUBDIVISION; THENCE WESTERLY ALONG SAID NORTH LINE 150 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;
TOGETHER WITH ANY PORTION OF SAPP ROAD SW ADJACENT TO SAID DESCRIPTION NOT YET ANNEXED TO THE CITY OF TUMWATER.

IN THURSTON COUNTY, WASHINGTON.

PREPARED BY: Blair Prigge, PLS
MTN2COAST, LLC
04/23/2018
LEGEND
- EXISTING CITY OF TUMWATER LIMITS
- BOUNDARY OF AREA BEING ANNEXED
- PARCEL LINES
- RIGHT-OF-WAY

0' 300' 600'
SCALE 1" = 300'

04/20/18

MTN2COAST LLC
PROFESSIONAL LAND SURVEYORS
2320 MOTTMANN ROAD SW, STE 106
TUMWATER, WA 98512
360-698-1949

CITY OF TUMWATER
ANNEXATION
SAPP ROAD
ISLAND

JOB NUMBER 18-703
DATE 04/20/2018
SCALE 1"=300'
## AFFIDAVIT OF PUBLICATION

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### Attention:

CITY OF TUMWATER  
555 ISRAEL RD SW  
OLYMPIA, WA 985016515

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**#3980 CITY OF TUMWATER NOTICE OF ANNEXATION**  
NOTICE IS HEREBY GIVEN that on Tuesday, June 3, 2019, the Tumwater City Council will hold a public hearing regarding the annexation of 4.1 acres of property located in the 2400-2500 blocks of Sleepy Jill SW to the City of Tumwater.  
If you have any questions, please contact Planning Manager David Ginter at (360) 754-3163. Copies of the petition for annexation are available for review in the Community Development Department at Tumwater City Hall during regular business hours.

TUMWATER CITY COUNCIL  
Neddy Valliant, City Clerk  
POSTED: May 28, 2019  
Published: May 29, 2019

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ELIZABETH BROWN, being duly sworn, deposes and says: That she is the Principal Clerk of The Olympian, a daily newspaper printed and published at Olympia, Thurston County, State of Washington, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Olympian in accordance with RCW 65.16.020 and RCW 63.16.040, as amended, for:

1 Insertions

Published On:  
May 25, 2018

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Elizabeth Brown
(Principal Clerk)

Subscribed and sworn on this 25th day of May in the year of 2018 before me, a Notary Public, personally appeared before me Elizabeth Brown known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

---

Penny Wilcox  
Notary Public  
State of Washington  
7-21-20  
Not for the state of Washington, residing at Olympia, Thurston County, Washington

Note: The above affidavit and fee is in compliance with RCW 63.16.030 and Sec. 5, Chapter 34, Laws of 1977
DECLARATION OF PETITION SUFFICIENCY

I, __________ Daniel Janiga ___________, do hereby certify, pursuant to RCW 35A.01.040,

That petition for annexation to the City of Tumwater, Sapps Rd Island Annexation submitted to this Office by __________ David Ginther ___________, City of __________ Tumwater __________ on __________ 5/4/2018 ______ bears the names and purported signatures of persons who are owners or part-owners of parcels of real property lying within the proposed annexation area, collectively having an assessed value of not less than sixty percent in value according to the assessed valuation for general taxation of the property for which annexation is petitioned.

The undersigned cannot certify the authenticity of the signatures of such named owners, because authenticated signatures of such owners are not required to be kept in the records of Thurston County for such real property.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this _7th_ day of _May_, in Olympia, Washington.

Steven Drew
Assessor

by

[Signature]

Daniel Janiga
Senior Property Control Analyst Lead