



# City of Olympia

City Hall  
601 4th Avenue E  
Olympia, WA 98501

Information: 360-753-8447

## Meeting Agenda City Council

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**Tuesday, November 19, 2013**

**7:00 PM**

**Council Chambers**

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**1. ROLL CALL**

**1.A ANNOUNCEMENTS**

**1.B APPROVAL OF AGENDA**

**2. SPECIAL RECOGNITION - None**

**3. PUBLIC COMMUNICATION**

*(Estimated Time: 0-30 Minutes) (Sign Up Sheets are Provided in the Foyer)  
During this portion of the meeting, citizens may address the Council regarding only items related to City business, including items on the Agenda, except on agenda items for which the City Council either held a Public Hearing in the last 45 days, or will hold a Public Hearing within 45 days. Individual testimony is limited to three minutes or less. In order to hear as many people as possible during the 30-minutes set aside for Public Communication, the Council will refrain from commenting on individual testimony until all public comment has been taken. The City Council will allow for additional testimony to be taken at the end of the meeting for those who signed up at the beginning of the meeting and did not get an opportunity to speak during the allotted 30-minutes.*

**COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)**

**4. CONSENT CALENDAR**

*(Items of a Routine Nature)*

- 4.A**    [13-0959](#)    Approval of November 12, 2013 Minutes for the Special Meeting for the Groundbreaking Ceremony for Family Shelter and Affordable Housing Project

**Attachments:**    [Minutes](#)

- 4.B**    [13-0972](#)    Approval of November 12, 2013 City Council Meeting Minutes

**Attachments:**    [Minutes](#)

- 4.C**    [13-0914](#)    Special Tax Valuation for 2020 Water Street SW

**Attachments:**    [Tax Valuation Agreement](#)

[Exhibit A](#)

[Exhibit B](#)

[2020 Water Street](#)

- 4.D [13-0938](#) Approval of Interlocal Agreement with Intercity Transit for Safe Routes to School Grant  
**Attachments:** [Interlocal Agreement](#)
- 4.E [13-0947](#) Approval of Woodbury Crossing Phase I Re-Plat  
**Attachments:** [Final RePlat Amendment Map](#)  
[Woodbury Crossing Neighborhood Village Map](#)  
[Examiner's Decision](#)
- 4.F [13-0949](#) Approval of Interlocal Agreement with Thurston County Superior Court for Jury Trial Services  
**Attachments:** [Agreement](#)

### SECOND READINGS

- 4.G [13-0629](#) Adoption of Ordinance Annexing the Division Street Area (County Island)  
**Attachments:** [Final Ordinance](#)  
[Public Comment](#)  
[Division Street Map](#)  
[Annexation Area Description](#)  
[Petition Sufficiency](#)
- 4.H [13-0894](#) Approval of Appropriation Ordinance in the Amount of \$1,076,000 for the 22nd Avenue Sidewalk Project.  
**Attachments:** [Ordinance](#)  
[Map](#)

### FIRST READINGS

- 4.I [13-0941](#) Approval of Ad Valorem Tax Ordinance  
**Attachments:** [Ordinance for Ad Valorem Tax](#)  
[Estimated 2014 General Fund Revenue by Type](#)

### 5. PUBLIC HEARING - None

### 6. OTHER BUSINESS

- 6.A [13-0964](#) Continued Discussion on the 2014 City of Olympia Operating Budget

### 7. CONTINUED PUBLIC COMMUNICATION

*(If needed for those who signed up earlier and did not get an opportunity to speak during the allotted 30 minutes)*

**8. REPORTS AND REFERRALS****8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS****8.B CITY MANAGER'S REPORT AND REFERRALS****9. ADJOURNMENT**

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# City of Olympia

City Hall  
601 4th Avenue E  
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## Meeting Minutes - Draft City Council

Information: 360-753-8447

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**Tuesday, November 12, 2013**

**10:00 AM**

**Smith Building - 837 7th Ave SE**

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### **Special Meeting - Groundbreaking Ceremony for Family Shelter and Affordable Housing Project**

#### **1. ROLL CALL**

**Present:** 4 - Mayor Stephen H. Buxbaum, Mayor Pro Tem Nathaniel Jones, Councilmember Jim Cooper and Councilmember Julie Hankins

#### **2. EVENT**

**13-0944** Groundbreaking Ceremony for the Family Shelter and Affordable Housing Project

Family Support Center Director Schelli Slaughter welcomed everyone, thanked all who contributed who made this project possible, and gave an overview of the project. She said for \$5,000 individuals or groups can design and furnish a unit and their nameplate will be installed for five years. Also, for \$100, individuals can purchase a brick with their name on it to help with the cost of the renovation. She said the project should be completed within six months.

Mayor Buxbaum thanked everyone for coming and provided background on the City's contribution to this project. Councilmember Hankins also thanked everyone for their support.

Tumwater Mayor Pro Tem Neil McClanahan and architect Glenn Wells were also present and spoke briefly.

#### **3. ADJOURNMENT**

The event ended at 10:30 p.m.



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## Meeting Minutes - Draft City Council

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**Tuesday, November 12, 2013**

**7:00 PM**

**Council Chambers**

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### 1. ROLL CALL

**Present:** 7 - Mayor Stephen H. Buxbaum, Mayor Pro Tem Nathaniel Jones, Councilmember Jim Cooper, Councilmember Julie Hankins, Councilmember Steve Langer, Councilmember Jeannine Roe and Councilmember Karen Rogers

### 1.A ANNOUNCEMENTS - None

### 1.B APPROVAL OF AGENDA

**Councilmember Langer moved, seconded by Mayor Pro Tem Jones, to approve the agenda. The motion carried by the following vote:**

### 2. SPECIAL RECOGNITION

#### 2.A 13-0922 Parks Stewardship Program

Parks Ranger Sylvana Niehuser reviewed the Ranger program including ranger patrols, outdoor education, and volunteer programs. She said the Junior Ranger program is open to students and detailed information on how students can earn their stewardship badge. She also shared how people can become involved in the volunteer program. Mayor Buxbaum noted the U.S. Capital Christmas Tree was here last week enroute to Washington D.C. He said the City received some stickers and toys and he presented these to Sylvana.

### 3. PUBLIC COMMUNICATION

Timberland Regional Library Manager Donna Feddern said daily traffic counts have gone up and she shared upcoming events.

Timberland Regional Librarian Sara Pete' shared upcoming programs for adults at the library.

Mr. Jim Reeves spoke of the fall of the United States because of the great debt.

Mr. Jeff Jaksich, 812 San Francisco Ave. NE, spoke on problems with the Comprehensive Plan and the work of the Olympia Planning Commission.

**COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)**

Councilmember Langer and Mayor Buxbaum acknowledged the library as a valuable resource.

**4. CONSENT CALENDAR**

- 4.A 13-0945** Approval of November 4, 2013 City Council Meeting Minutes

**The minutes were adopted.**

- 4.B 13-0900** Approval of Community Development Block Grant (CDBG) Annual Action Report (CAPER) for Program Year 2012

**The decision was adopted.**

**SECOND READINGS - None****FIRST READINGS**

- 4.C 13-0894** Approval of Appropriation Ordinance in the Amount of \$1,076,000 for the 22nd Avenue Sidewalk Project.

**The ordinance was approved on first reading and moved to second reading to the City Council due back on 11/19/2013.**

**Approval of the Consent Agenda**

**Councilmember Langer moved, seconded by Councilmember Hankins, to adopt the Consent Calendar. The motion carried by the following vote:**

**Aye:** 7 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Hankins, Councilmember Langer, Councilmember Roe and Councilmember Rogers

**5. PUBLIC HEARING**

- 5.A 13-0936** Public Hearing on the 2014 City of Olympia Operating Budget and 2014-2019 Capital Facilities Plan (CFP)

Administrative Services Director Jane Kirkemo provided a brief overview of the 2014 operating budget including utilities and the Capital Facilities Plan. She summarized with the following points:

- the economy is rebounding
- we have enhanced public safety
- there are no layoffs or cuts in services
- we have raised property taxes, impact fees, GFCs, and utility rates

- there is still a major unfunded liability in maintenance
- future operating budgets are in jeopardy

Mayor Buxbaum opened the public hearing.

Visitor and Convention Bureau Executive Director George Sharp, 3022 Langridge Loop NW, thanked the Council for its support of tourism.

Mr. Jeffrey Jaksich, 812 San Francisco Ave. NE, said the City's operating budget is not sustainable, particularly in the area of maintenance. Also, he said there are problems with the capital budget.

Mr. Bob Jacobs, 720 Governor Stevens Ave. SE, presented eight points: He thanked the Council for its progress on the isthmus park, asked the Council to stop deferring maintenance on facilities, noted utility rates keep going up, impact fees should be set at the maximum amount allowable, salaries should be inline with the community, collective bargaining laws should be changed, we need a budget advisory committee, and comparable data is not included in budget.

The public hearing was closed.

**The public hearing was held and closed. Written comment will be accepted until 5:00 p.m. November 19.**

**5.B 13-0941 Approval of Ad Valorem Tax Ordinance**

Finance Manager Dean Walz stated the levy calculation with 1% increase is nearly \$13 million. He said the refund levy amounts to \$46,730, and the Ordinance will include \$25,000 as a contingency. He also reviewed the assessed valuation and how the levy calculations are determined.

The public hearing was opened.

Mr. Bob Jacobs said 1% per year is not going to keep up with inflation and therefore operations can't keep up.

Mr. Jeff Jaksich reiterated Mr. Jacobs' point and said other revenue options should be looked at.

The public hearing was closed.

Mayor Buxbaum noted both the written and oral comment is closed.

**The public hearing was held and the ordinance is forwarded to the City Council for first reading on November 19, 2013.**

**6. OTHER BUSINESS - None**

**7. CONTINUED PUBLIC COMMUNICATION****8. REPORTS AND REFERRALS****8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS**

Councilmember Roe reported on highlights of the Joint Animal Services Committee meeting and the AWC Regional meeting.

Mayor Pro Tem Jones said the fourth forum of the Comprehensive Plan was well attended. He also noted the groundbreaking event for the Family Support Center was well attended this morning.

Councilmember Hankins said she attended the TCCOM911 meeting and the tree planting event yesterday on Legion Way.

Councilmember Cooper said he also attended the Family Support Center's groundbreaking event, and the Thurston County Veterans Council event in the State Rotunda. He reported that Keith Stahley will attend the ORCAA meeting tomorrow morning.

Mayor Buxbaum reported he attended the AWC regional meeting.

**8.B CITY MANAGER'S REPORT AND REFERRALS**

City Manager Steve Hall said that although there are 12 vacancies in the Police Department, the police made several arrests over the weekend in the downtown area.

Mr. Hall also noted the City and Thurston County applied for a federal grant to help deal with mentally ill offenders, but unfortunately we did not get the grant.

**9. ADJOURNMENT**

Meeting adjourned at 9:00 p.m.



# City of Olympia

## City Council

City Hall  
601 4th Avenue E.  
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### Special Tax Valuation for 2020 Water Street SW

Agenda Date: 11/19/2013

Agenda Number: 4.C

File Number: 13-0914

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File Type: contract

Version: 2

Status: Consent Calendar

..Title

Special Tax Valuation for 2020 Water Street SW

..Recommended Action

**City Manager Recommendation:**

Move to approve the Special Valuation Tax for 2020 Water Street SW and authorize the City Manager to sign the Historic Preservation Special Valuation Agreement.

..Body

**Issue:**

The City Council must give final approval to Special Valuation Tax applications. The Olympia Heritage Commission has reviewed this application and recommends approval.

**Staff Contact:**

Todd Stamm, Principal Planner, 360.753.8314

**Presenter(s):**

None. Consent Calendar item.

**Background and Analysis:**

In 1985, Washington State authorized owners of historic property on a local or national historic register to seek a 10-year exemption from property taxes associated with the cost of rehabilitating such properties. [See RCW Chapter 84.26.] To qualify, the actual cost of rehabilitation must be at least 25% of the assessed valuation of the historic property -- exclusive of land value -- prior to the rehabilitation. All improvements must be consistent with the "Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties."

Applications for such exemptions are submitted to the County Assessor's Office, reviewed by the local jurisdiction (City of Olympia), and subject to approval or denial by the "local review board." The Olympia City Council has designated itself as that board. See OMC Chapter 3.60. Approval is required if all requirements of the law are met. Direct review of the structure has been delegated to the City's Heritage Commission. The Council's decision is appealable to superior court.

If approved, the cost of the rehabilitation is subtracted from the assessed value of the property for a 10-year period. This Local Tax Incentive Program is designed to encourage the preservation of historic resources. It provides for *"a revision of the*

**Agenda Date: 11/19/2013**

**Agenda Number: 4.C**

**File Number: 13-0914**

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*assessed value of a historic property which subtracts, for up to 10 years, such rehabilitation costs as are approved by a local review board." (RCW 84.26)* The primary benefit of the law is that during the 10-year special valuation period, property taxes will not reflect substantial improvements made to the property. Special Tax Valuation is one of the incentives available for historic rehabilitation. The program also provides for protection because later disqualification includes tax penalties and the owner must agree to continued maintenance and use consistent with retaining the historic integrity of the structure.

***Christiansen House - 2020 Water Street SW***

On September 30, 2013, Green Cove Creek Limited Liability Corporation represented by Dr. Sarah Reade applied for such a tax exemption for the "Christiansen House" at 2020 Water Street SW for improvements done during 2013. This house is within the South Capitol National Historic District and on the local historic register (#H-65 & OHR-88-10). The applicant provided copies of paid invoices detailing improving with costs totaling \$157,498.44. The pre-rehabilitation assessed value was \$376,400.

Staff verified the individual receipts for documented work. This work included improved functionality of the home, historically accurate windows, a porch consistent with historic photographs, and repair to the flooring. (See attached list of improvements.) In September, members of the Olympia Heritage Commission toured the house to confirm that the rehabilitation had been done and that it was consistent with the applicable standards. At their October meeting, the Commission reviewed the application. The Commission concluded that the applicant met all requirements for approval in their rehabilitation and protection of the historic home and, accordingly, unanimously recommended City Council approval.

**Neighborhood/Community Interests (if known):**

The house is within the South Capitol Historic District, the integrity of which will benefit by having this house restored to its historic design.

**Options:**

1. Move to approve the Special Valuation Tax for 2020 Water Street SW and authorize the City Manager to sign the Historic Preservation Special Valuation Agreement.
2. Do not approve the Special Valuation Tax.
3. Postpone a decision pending more information. (Note, by law a decision must be made before December 31, 2013.)

**Financial Impact:**

Small reduction in future tax revenue associated with this property.

**Agenda Date: 11/19/2013**  
**Agenda Number: 4.C**  
**File Number: 13-0914**

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## HISTORIC PRESERVATION SPECIAL VALUATION AGREEMENT

THIS HISTORIC PRESERVATION AGREEMENT is entered into on this 1<sup>st</sup> day of January, 2014, by and between Green Cove, LLC, hereinafter referred to as APPLICANT and the Olympia City Council, hereinafter referred to as LOCAL REVIEW BOARD.

WHEREAS, APPLICANT is the owner of record of one-half of the historic property commonly known as the Christensen House, located at 2020 Water Street SW, Olympia, State of Washington, as more fully described in Exhibit A, attached hereto and incorporated herein by this reference, hereinafter referred to as PROPERTY; and

WHEREAS, APPLICANT has requested special valuation of the PROPERTY pursuant to Chapter 84.26 RCW; and

WHEREAS, the LOCAL REVIEW BOARD has determined that the PROPERTY has been substantially rehabilitated within the two-year period preceding the date of application and actual cost of said rehabilitation equals or exceeds twenty-five percent (25%) of the assessed valuation of the PROPERTY prior to the improvements; approved costs are \$157,498.44; and

WHEREAS, the LOCAL REVIEW BOARD has verified that the PROPERTY is historic property which falls within a class of properties determined eligible for special valuation by local ordinance or administrative rule; and

WHEREAS, the LOCAL REVIEW BOARD finds that the rehabilitation work has not altered the PROPERTY in any way which adversely affects those elements which qualify it as historically significant;

NOW, THEREFORE, in consideration for the mutual covenants contained herein, the APPLICANT and the LOCAL REVIEW BOARD agree as follows:

1. The LOCAL REVIEW BOARD hereby determines that the property described on the attached Exhibit A qualifies for special valuation under RCW 84.26.
2. Applicant agrees to comply with the Washington State Advisory Council's Standards for the Maintenance and Rehabilitation of Historic Properties as set forth in Exhibit B, which is attached hereto and by this reference incorporated herein.
3. APPLICANT agrees the PROPERTY shall not be altered without the prior written consent of the LOCAL REVIEW BOARD signed by a duly authorized representative thereof. No construction, alteration or remodeling or any other action shall be undertaken or permitted to be undertaken which would affect the historic character of the PROPERTY which classifies it as eligible for special valuation, or which would adversely affect the structural soundness of the property; provided, however, that the reconstruction, repair, repainting or refinishing of presently existing parts or elements of the PROPERTY subject to this Agreement, damage to which has resulted from casualty loss, deterioration or wear and tear, shall be permitted without

the prior approval of the LOCAL REVIEW BOARD, provided that such reconstruction, repair, repainting, or refinishing is performed in a manner which will not alter the appearance of those elements of the PROPERTY subject to this Agreement as they are as of this date. Exterior changes which shall require the consent of the LOCAL REVIEW BOARD shall include, but not be limited to, any substantial structural change or any change in design, color or materials.

4. APPLICANT agrees the PROPERTY shall not be demolished without the prior written consent of the LOCAL REVIEW BOARD.
5. APPLICANT agrees to make historic aspects of the PROPERTY accessible to the public one day each year if the PROPERTY is not visible from a public right-of-way.
6. APPLICANT agrees to monitor the PROPERTY for its continued qualification for special valuation and notify the appropriate County Assessor within thirty (30) days if the PROPERTY becomes disqualified because of:
  - A. A loss of historic integrity,
  - B. Sale or transfer to new ownership exempt from taxation, or
  - C. Sale or transfer to new ownership which does not intend to agree to the terms of this Agreement nor file a notice of compliance form with the County Assessor.
7. The APPLICANT and LOCAL REVIEW BOARD both agree that there shall be no changes in standards of maintenance, public access, alteration, or report requirements, or any other provisions of this Agreement, during the period of the classification without the approval of all parties to this Agreement.

Term of the Agreement. This Agreement shall take effect immediately upon signature and remain in effect until the property is no longer eligible for special valuation either through disqualification under RCW 84.26.080 or upon expiration of the ten-year period of special valuation commencing January 1, 2014 and ending December 31, 2024.

Hold Harmless. The APPLICANT or its successors or assigns shall hold the State and LOCAL REVIEW BOARD harmless from any and all liability and claims which may be asserted against the State and the LOCAL REVIEW BOARD as a result of this Historic Preservation Special Valuation Agreement or the participation by the APPLICANT in the Special Valuation Program.



EXHIBIT "A"

PROPERTY DESCRIPTION

The Christensen House is located at 2020 Water Street SW, Olympia, Washington.

## EXHIBIT "B"

### WASHINGTON STATE ADVISORY COUNCIL'S STANDARDS FOR THE REHABILITATION AND MAINTENANCE OF HISTORIC PROPERTIES

The following rehabilitation and maintenance standards shall be used by local review boards as minimum requirements for determining whether or not an historic property is eligible for special valuation and whether or not the property continues to be eligible for special valuation once it has been so classified:

#### A. Maintenance.

1. Buildings and structures shall not be allowed to deteriorate beyond the point where routine maintenance and repair will return them to good condition.
2. Buildings shall be kept in a safe and habitable condition at all times. Structural defects and hazards shall be corrected. Any conditions that constitute a fire hazard shall be eliminated.
3. Buildings shall be protected against ongoing water damage due to defective roofing, flashing, glazing, caulking, or other causes. Moisture condensation resulting from inadequate heat or ventilation shall be eliminated if present at levels sufficient to promote rot or decay or building materials.
4. Deteriorated exterior architectural features and any broken or missing doors and windows shall be repaired or replaced.
5. Painted exterior surfaces shall be maintained and repainted as necessary to prevent a deteriorated appearance or damage to the substrate. Exterior masonry surfaces shall be tuck-pointed where required to maintain the mortar in sound condition. Finished tuck-pointing shall match the original mortar joint in hardness and appearance.

#### B. Rehabilitation.

1. Every reasonable effort shall be made to provide a compatible use for an historic property that requires minimal alteration of the building, structure, or site and its environment, or to use an historic property for this originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to recreate an earlier appearance shall be discouraged.



4. Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.
9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.
10. Whenever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

## EXHIBIT "A"

### PROPERTY DESCRIPTION

Property description for the Christensen House located at 2020 Water St SW, Olympia, WA, taken from the period of designation in the Register nomination.

The house was built in 1920-1921. It is a one and half-story wood framed structure built in the Craftsman Bungalow style. The hipped roof has composition shingles, and an unusual rolled roofline. Walls are clad with clapboards. Fenestration include a plate glass window, double hung sash and smaller leaded glass windows.

Tax Parcel no. 39600300500

Plat/Block/Lot

Chambers L5 Block 3

## **WASHINGTON STATE ADVISORY COUNCIL'S STANDARDS FOR THE REHABILITATION AND MAINTENANCE OF HISTORIC PROPERTIES**

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### **A. Maintenance.**

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3. Buildings shall be protected against ongoing water damage due to defective roofing, flashing, glazing, caulking, or other causes. Moisture condensation resulting from inadequate heat or ventilation shall be eliminated if present at levels sufficient to promote rot or decay of building materials.
4. Deteriorated exterior architectural features and any broken or missing doors and windows shall be repaired or replaced.
5. Painted exterior surfaces shall be maintained and repainted as necessary to prevent a deteriorated appearance or damage to the substrate. Exterior masonry surfaces shall be tuck pointed where required to maintain the mortar in sound condition. Finished tuck-pointing shall match the original mortar joint in hardness and appearance.

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3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to recreate an earlier appearance shall be discouraged.
4. Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity.

6. Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.
9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.
10. Whenever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

2020 Water Street SW

**Exterior:**

Total repaint of the siding, doors and window trim.

New windows were provided and installed on the ground and second floor levels.

The living room windows were returned to their original size and shape.

The front porch entry roof was rebuilt and returned to approximate the historic picture. Deteriorated support columns were removed and structural supports were installed, concealed in the walls and running into the crawl space below where they were anchored in new concrete footings per structural engineer design. The brick pilasters adjacent to the front door were repaired and cleaned.

The back porch and rail were rebuilt completely due to extensive rot. The porch and on the south side of the home was rebuilt completely due to rot.

The front porch rail was replaced with a new painted rail to match the historic picture.

The eyebrow soffits above the windows on the front of the home were replaced and rebuilt to match the historic picture.

Replace bevel cedar siding as needed.

A new, ½ lite style back door was installed.

All new gutters and downspouts were installed.

The roof was cleaned thoroughly.

The deteriorated rake trim and soffits were replaced.

**Interior:**

All interior walls, ceiling and trim were prepped and repainted.

The damaged living room hardwood flooring was replaced with the same species flooring. Extensive animal damage warranted its replacement.

The balance of the hardwood floors and base trim throughout the home were prepped and refinished.

The hardwood stairs treads running from the main floor to the second floor were replaced. Original risers were retained and refinished. Animal damage warranted the tread replacement.

Uneven areas of the kitchen floor were removed and a new subfloor & tile floor was installed throughout.

Kitchen and main floor bathroom plumbing and drain lines were repaired and replaced. New toilets were provided and installed.

The stairs and handrail from the first floor to the basement were returned to the original straight line configuration. They had been modified to stop short on a landing in the basement and continued with two steps down on the side.

Interior window trim was replaced and painted.

Repaired wall & reinstalled wall base furnace vent grille.

# City of Olympia

## City Council

City Hall  
601 4th Avenue E.  
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### Approval of Interlocal Agreement with Intercity Transit for Safe Routes to School Grant

Agenda Date: 11/19/2013

Agenda Number: 4.D

File Number: 13-0938

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File Type: contract

Version: 1

Status: Consent Calendar

#### ..Title

Approval of Interlocal Agreement with Intercity Transit for Safe Routes to School Grant

#### ..Recommended Action

##### Committee Recommendation:

Not referred to a committee.

##### City Manager Recommendation:

Move to approve the Interlocal Agreement for Safe Routes to School Grant

#### ..Report

##### Issue:

Whether to approve the Interlocal Agreement between the City of Olympia and Intercity Transit (IT) to provide education and encouragement activities as part of the 22nd Avenue Sidewalk Safe Routes to School Grant.

##### Staff Contact:

Michelle Swanson, Senior Program Specialist, Public Works Transportation,  
360.753.8575

##### Presenter(s):

None. This is a Consent Calendar item.

#### Background and Analysis:

The City of Olympia received a Safe Routes to School grant from the Washington State

Department of Transportation (WSDOT) to build the 22nd Avenue Sidewalk and provide walking and biking education and encouragement activities and events at Washington Middle School and NOVA School. Council appropriated the funds for this grant on October 22, 2013.

The City of Olympia is a co-applicant with IT for these grant funds. The City is administering the grant and wants to enter into an Interlocal Agreement with IT to perform the educational component of the project. The agreement outlines specific work tasks, a reimbursement schedule, and that the total grant amount for reimbursement from WSDOT to IT is \$63,600. The funds will be dispersed by the City, and IT will bill on a quarterly basis until the agreement expires on October 31, 2015.

IT will coordinate with Washington Middle School to conduct a "Walk and Roll"

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**File Number: 13-0938**

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education and encouragement campaign, a sample of which includes the following:

- Lunchtime or after school walking and biking club;
- After school Bike PARTners Build-a-Bike classes;
- Events and promotions that students design and implement;
- Operating an “Undriver” Licensing Station during school events;
- Parent outreach to pledge to drive 20 mph in school zones;
- “Safety without Fear” parent workshops;
- A week-long “Science of Transportation” class taught by IT youth education staff during Winter Electives Week;
- Celebrating Bike to School week in May 2014 and 2015;
- Celebrating Walk to School week in October of 2014 and 2015; and
- An assembly featuring adventure cyclist Willie Weir.

There will also be ongoing walking school buses and bike trains.

At NOVA School, IT will continue teaching a one-week class on bike repair and safe riding techniques in the spring. They will also work with school administration to share information, and route maps and safety tips in the school newsletter. Students for NOVA School are not concentrated in the immediate neighborhood as students for Washington Middle School are, so the education efforts differ accordingly.

City staff works closely with IT and will review, approve, and evaluate the work.

**Neighborhood/Community Interests (if known):**

This will provide an important addition to the sidewalk network that links the Cain Road area neighborhood and Indian Creek neighborhood to Washington Middle School and NOVA School, improving pedestrian connectivity for both neighborhoods.

**Options:**

1. Move to approve the Interlocal Agreement with IT for the 22nd Avenue Sidewalk Safe Routes to School Grant. This allows IT to start developing the program so it can be implemented on schedule.
2. Do not approve the Interlocal Agreement with IT for the 22nd Avenue Sidewalk Safe Routes to Schools Grant. A memorandum of understanding or other less formal agreement can be used to outline work tasks, payment reimbursement, and maximum amount allowed for reimbursement.

**Financial Impact:**

The Safe Routes to School Grant funds will be allocated as follows:

**Safe Routes to Local**



**Agenda Date: 11/19/2013**  
**Agenda Number: 4.D**  
**File Number: 13-0938**

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<u>School Grant</u>	<u>Match</u>	<u>Total</u>	<u>Comments</u>
City of Olympia	\$1,012,400	\$782,100	Local Match is Utility Tax Funds
Intercity Transit	<u>\$ 63,600</u>	<u>\$ 41,200</u>	Local match from IT is in-kind services
<b>Total Funds</b>	<b>\$1,076,000</b>	<b>\$823,300</b>	<b>\$1,899,300</b>

When recorded return to:  
City of Olympia  
PO Box 1967  
Olympia, WA 98507-1967

**INTERLOCAL AGREEMENT  
BETWEEN  
THE CITY OF OLYMPIA AND INTERCITY TRANSIT  
FOR  
SAFE ROUTES TO SCHOOL GRANT, 22<sup>nd</sup> SIDEWALK PROJECT**

**Whereas**, the City of Olympia and Intercity Transit are interested in reducing car trips to schools and increasing the percentage of kids walking and biking to school; and

**Whereas**, the City of Olympia and Intercity Transit secured *Safe Routes to School* grant funds from Washington State Department of Transportation to develop programs at Washington Middle School and NOVA Middle School to encourage students to walk and bike to school; and

**Whereas**, RCW 39.34.010 permits local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

**Whereas**, pursuant to RCW 39.34.080, each party is authorized to contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which each public agency entering into the contract is authorized by law to perform: provided, that such contract shall be authorized by the governing body of each party to the contract and shall set forth its purposes, powers, rights, objectives and responsibilities of the contracting parties;

NOW, THEREFORE, in consideration of the mutual promises contained herein, the City of Olympia (OLYMPIA) and Intercity Transit (IT) agree as follows:

**I. Purpose/Objective**

OLYMPIA and IT agree to partner and complete requirements for the Washington State Department of Transportation (WSDOT) 2012 Safe Routes to School, 22<sup>nd</sup> Avenue Sidewalk Project.

**II. Lead agency status**

OLYMPIA is the lead agency and will collaborate with IT. As Lead Agency, OLYMPIA will administer the grant.

### **III. City of Olympia Responsibilities**

OLYMPIA's responsibilities shall be as more specifically outlined in the attached WSDOT 2012 Safe Routes to School Grant Application Form attached as *Exhibit A* and shall generally include the following:

- A. Provide financial administration of the grant, including submitting pay requests and receiving and distributing payments.
- B. Prepare and submit quarterly progress reports to WSDOT.

### **IV. IT Responsibilities**

IT's responsibilities shall be as more specifically outlined in the attached WSDOT 2012 Safe Routes to School Grant Application Form attached as *Exhibit A and B* and shall generally include the following:

- A. Fulfill all education and encouragement requirements of the recipient in the 2012 Safe Routes to School, Safe Walking Routes grant application for the 22<sup>nd</sup> Avenue Sidewalk Project.
- B. Submit invoice vouchers and supportive documentation for payment to OLYMPIA.

### **V. Method of Payment**

- A. IT will invoice OLYMPIA quarterly.
- B. Upon completion of the work set forth in the invoice, payment will be made by OLYMPIA within thirty (30) days of receipt of an invoice from IT.

### **VI. Maximum Amount**

- A. The maximum amount for the 22<sup>nd</sup> Avenue Sidewalk Project, Safe Walking Routes grant is not to exceed \$63,600.
- B. See *Exhibit B* for an estimate of the breakdown of amounts eligible for reimbursement to IT, according to its responsibilities. The Contract Administrators have the authority to agree on an adjustment of these amounts between agencies, so long as the total amount does not exceed the amount allowed under the grant and any such adjustment complies with the grant in all other respects.

## **VII. Indemnification & Insurance**

IT and OLYMPIA each agree to defend, indemnify and hold each of the other party, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including reasonable attorney fees, arising out of or in connection with that entity's respective performance of its responsibilities under the Agreement, except to the extent such injuries and damages are caused by the negligence of the other party.

## **VIII. Joint Board**

This Agreement creates no Joint Board and no separate legal entity.

## **IX. Duration of Agreement**

This Agreement shall be effective until October 31, 2015 unless otherwise terminated in the manner described under the termination section of this Agreement.

## **X. Termination of Agreement**

This Agreement may be terminated upon sixty (60) days notice to the other party using the method of notice provided for in this Agreement.

## **XI. Entire Agreement**

This Agreement sets forth all terms and conditions agreed upon by OLYMPIA and IT and supersedes any and all prior agreements oral or otherwise with respect to the subject matter addressed herein.

## **XII. Recording**

Prior to its entry into force, this Agreement shall be filed with the Thurston County Auditor's Office or posted upon the websites or other electronically retrievable public source as required by RCW 39.34.040.

## **XIII. Contract Administrators/Notice**

The contract administrator for each agency is listed below. Any notice required under this Agreement shall be to the contract administrator at the address listed below and shall become effective three days following the date of deposit in the United States Postal Service.

CITY OF OLYMPIA  
Attn: Michelle Swanson, Senior Program Specialist  
PO Box 1967  
Olympia, WA 98507-1967

INTERCITY TRANSIT  
Attn: Erin Scheel, Youth Education Specialist  
PO Box 659  
Olympia, WA 98507-0659

**XIV. Interpretation and Venue**

This Agreement shall be governed by the laws of the State of Washington as to interpretation and performance. The parties hereby agree that venue for enforcement of this agreement shall be the Superior Court of Thurston County.

**XV. Effective Date**

This Agreement shall take effect on the date of the last authorizing signature affixed hereto.

**CITY OF OLYMPIA**

**INTERCITY TRANSIT**

\_\_\_\_\_  
Stephen H. Buxbaum  
Mayor


\_\_\_\_\_  
Ann Freeman-Manzanares  
General Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form:

Approved as to Form:

  
\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
W. Dale Kamerrer  
Legal Counsel

EXHIBIT A

**2012 Safe Routes to School  
Grant Application Form**



**Washington State  
Department of Transportation**

**Project Title and Location:** 22<sup>nd</sup> Avenue Sidewalk Project  
Cain Road to Boulevard Road

**School(s) Name and Address:** Washington Middle School      Nova School (Private Middle School)  
3100 Cain Road SE      2020 22<sup>nd</sup> Avenue SE  
Olympia WA 98501      Olympia WA 98501

**School District:** Olympia School District

**Number of children that live with-in two miles of the school:** 754 (Washington Middle School)

**Number of children that get to the target school(s) by:**  
Walking: 81   Biking: 51   School Bus: 193   Family Vehicle: 254   Carpool: 45   Transit:   0     Other:   0    
(Use the Student Travel Tally to collect this information. **Submit the tally sheets with the application.**)

According to the Olympia School District, of the 772 students at Washington Middle School, 229 ride the school bus. Approximately 100 students attend NOVA Middle School.

**Is this project in your local TIP? Yes**

**Lead Agency and Project Manager**

**Lead Agency Name:** City of Olympia  
**Project Manager:** Randy Wesselman  
**Title:** Transportation Engineering and Planning Manager  
**Address:**  
City of Olympia Public Works Department  
601 4<sup>th</sup> Avenue E  
PO Box 1967, Olympia WA, 98507-1967  
  
**Phone:** (360) 753-8477  
**Fax:** (360) 709-2797  
**E-mail:** rwesselm@ci.olympia.wa.us

**Grant Request and Total Project Cost:**

Engineering/Infrastructure	\$1,012,400
Education/Encouragement	\$63,600
Enforcement	\$0
<b>Total Request</b>	<b>\$1,076,000</b>
Match/In-kind	\$823,300
<b>Total Project Cost</b>	<b>\$1,899,300</b>

**State Legislative District #:** 22<sup>nd</sup>

**Project Description (Use one sentence to list activities for each element of the project.)**

**Engineering:** This project will add a 6- to 8-foot sidewalk to the south side of 22<sup>nd</sup> Avenue from Cain Road to Boulevard Road, and a 6- to 8-foot sidewalk on the north side of 22<sup>nd</sup> Avenue, between Wilson Street and Swanee Place. These sidewalk segments will complete pedestrian connections to two schools in this neighborhood, as well as several parks.

**Education/Encouragement:** Intercity Transit's Smart Moves youth transportation program will promote walking and biking and provide safety education to students, provide workshops for parents, and promote the Build-a-Bike Program. Contingent upon Safe Routes to School Program funding of the Bicycle Alliance of Washington's (BAW) Bicycle and Pedestrian Road Safety Education Program proposal, Intercity Transit will coordinate teacher training and use of the BAW's Program in PE classes at Washington Middle School. If BAW's proposal does not receive funding, this element of education and encouragement will not proceed.

**Enforcement:** The Olympia Police Department will continue enforcement of vehicle compliance with pedestrian crossing laws and the speed limit, and residents will be encouraged to participate in the volunteer speed watch program, which utilizes a mobile radar speed trailer to post drivers' actual speeds.

**Recent Progress** (Describe any efforts or portions of the project that have been completed or are underway. Summarize project delivery status, include methods used to determine cost estimates and information about steps that have been taken to obtain right of way and/or public support for the project.)

Sidewalk on 22<sup>nd</sup> Avenue/Eastside Street from Boulevard to Interstate 5 is the current priority in the City's sidewalk construction schedule. Because of its size and cost, this project has been separated in to two segments and may be constructed in two phases.

This segment of 22<sup>nd</sup> Avenue from Boulevard Road to Cain Road most directly affects students' ability to safely walk to two middle schools. Nova School, a private middle school, is immediately adjacent to this project on 22<sup>nd</sup> Avenue. This project will connect to Cain Road, which has sidewalks, and leads to Washington Middle School.

Many public requests for this project have been received, both from parents of students, as well as from residents in the area. 22<sup>nd</sup> Avenue is a major transit route for the neighborhood, and a primary connector to the Downtown.

This sidewalk will also connect to a recently completed sidewalk on Boulevard Road. The project will connect into a planned roundabout at 22<sup>nd</sup> Avenue and Boulevard Road, scheduled for construction in 2014.

The City promotes recreational walking for personal health benefits, as well as to influence people to walk for transportation. Recent parks and trails enhancements in this area provide increased connectivity for recreational walking. This sidewalk is immediately adjacent to McGrath Woods Park on Cain Road and in close proximity to Watershed Park, Harry Fain Park, and an Olympia Woodland Trail trailhead on Eastside Street.

**PROJECT SCHEDULE AND COST SUMMARY SECTION**

Project Element	Scheduled		Amount
Education/Encouragement	September 2013 to June 2015		\$104,800
Enforcement	N/A		\$0
Project Definition (agreement signed)*	August 2013		\$5,000
Begin PE*	August 2013		\$228,900
Environmental Docs Approved*	December 2013		\$10,000
ROW Complete (certification)*	N/A		\$0
Contract Advertised*	May 2014		\$10,000
Open to Public (operationally complete)*	December 2014		\$1,540,600
<b>Project Cost Summary</b> (grant request only) Note applicable costs	<b>Dollars in thousands</b>	<b>Percent of total</b>	<b>2013-15 Cash Flow (expenditures billed to WSDOT):</b>
<b>Engineering:</b>			<u>Date</u> <u>Planned</u>
Preliminary Engineering	\$138,150	12.8%	09/13 \$ 0
Right-of-Way	\$0	0%	12/13 \$ 56,420
Construction	\$874,250	81.3%	03/14 \$ 56,420
Operations/Services	\$0	0%	06/14 \$ 56,420
			09/14 \$ 234,250
<b>Education/Encouragement Program</b>	<b>\$63,600</b>	<b>5.9%</b>	12/14 \$ 649,460
			03/15 \$ 11,580
<b>Enforcement Program</b>	<b>\$0</b>	<b>0%</b>	06/15 \$ 11,450
			<b>Total 09/15 \$ 1,076,000</b>
<b>Total Grant Request:</b>	<b>\$1,076,000</b>	<b>100%</b>	<i>Est. Re-appropriation</i> \$ 0
			<i>Future Biennium</i> \$ 0
			<b>TOTAL \$1,076,000</b>

\* Follow general federal eligibility guidance for projects including construction.

<b>Target Location Details Section</b>	
<u>Type of School (Check schools that apply):</u>	
Kindergarten	
Primary School	
Middle School	X
High School	
Grades targeted	6 – 8

<p><b>Current Conditions. Describe the current conditions (e.g., existing roadway conditions, speed, risk factors).</b></p> <p>22<sup>nd</sup> Avenue is a major collector connecting the Downtown area to the Boulevard Road Corridor and southeast Olympia neighborhoods. There are two motor vehicle travel lanes and bike lanes in both directions. Average daily traffic on 22<sup>nd</sup> Avenue is 5,187 vehicles.</p> <p>This sidewalk will provide a safer route for students to walk to Nova School and Washington Middle school, as well as to a number of parks and trails. The street is a transit route with bus stops accessible currently only by walking in the bike lane.</p> <p>22<sup>nd</sup> Avenue is the most direct of the three major streets that connect southeast Olympia neighborhoods to the Downtown. This sidewalk will provide a better walking route for adults traveling to the Downtown to work or for shopping and events. More use of the sidewalk by residents of the neighborhood increases the safety of the sidewalk for schoolchildren; the more eyes on the street, the safer it is for students walking there.</p> <p>While the posted speed limit is 25 mph, vehicle-operating speeds tend to be higher. Without a sidewalk on either side of the street, the area is not an inviting place to walk.</p>	
<p>Distance from project site to target school. (Please check):</p> <p>Less than ¼ mile X</p> <p>¼ to 1 mile X</p> <p>1 to 2 miles</p> <p>Comments:</p>	<p>Operating speed (85<sup>th</sup> percentile): 34 MPH</p> <p>Posted Travel Speed at project site location. (Please check):</p> <p>45 mph and above</p> <p>30-35 mph</p> <p>25 mph X</p> <p>20 mph</p>
<p>Distance from project site to vehicle/bike or vehicle/pedestrian crash location - 2009 to present. (Please indicate number of crashes):</p> <p>Less than ¼ mile</p> <p>¼ to 1 mile</p> <p>1 to 2 miles</p> <p>Comments: No collisions reported between 2009 to 2011.</p>	<p>Current crossing accommodations between project site and school. (Please indicate number for all that apply):</p> <p>None:</p> <p>Marked crosswalks: 2</p> <p>Marked crosswalk plus traffic calming:</p> <p>Crossing guard or student safety patrol:</p> <p>Stop sign or traffic signal:</p> <p>Comments: Marked crosswalks exist at Brown Street and Wilson Street. NOVA School is located at 22<sup>nd</sup> and Wilson.</p>
<p>Number of travel lanes at project site location (Please check):</p> <p>4 or more lanes (w/ two way left turn lane</p> <p>4 lanes</p> <p>2 or 3 lanes X</p> <p>Comments: One eastbound and one westbound vehicle travel lane. Bike lanes in both directions.</p>	<p>Existing traffic volumes at project site location. (Please check):</p> <p>Greater than 15,000 ADT</p> <p>10,000 to 15,000 ADT</p> <p>5,000 to 10,000 ADT X</p> <p>Less than 5,000 ADT</p> <p>Comments:</p>



Horizontal and/or vertical stopping sight distance from project site: (AASHTO green book or Design Manual)

	Required	Actual
Doesn't meet minimum stopping distance requirements	_____	_____
Meets desirable to minimum stopping distance requirements	_____	_____

Not applicable, no crossing improvement included in project:   X  

Comments: Existing marked crosswalks and signs at Brown Street and Wilson Street will be maintained.

**Project Detail:** Describe the proposed engineering/infrastructure improvement, include the design detail (for example, proposed sidewalk projects should provide the width and length of the sidewalk, the material used for the sidewalk, if it will be on both sides of the roadway, how it will be separated from the roadway and the configuration of the roadway):

This project will construct approximately 1,825 lineal feet of 6- to 8-foot concrete sidewalk on the south side of 22<sup>nd</sup> Avenue from Cain Road to Boulevard Road, and approximately 380 linear feet of 6- to 8-foot sidewalk on the north side of the road from Wilson Street to Swanee Place. The majority of the sidewalk will be separated from the edge of pavement by a planter strip. Six-foot wide sidewalk is used when the sidewalk is separated from the street and an 8-foot sidewalk is used in areas where it is not feasible to separate the sidewalk from the edge of pavement. See attached detail.

Describe the Construction Traffic Control:

With a lack of sidewalk on 22<sup>nd</sup> Avenue, the bike lane is used by both bicyclists and pedestrians. Because the future sidewalk will be separated from the street edge for the majority of the project, there will be limited obstruction of the bike lane during construction. If construction activity does affect the bike lane, pedestrians and bicycles will be accommodated by:

- Providing flaggers during construction to direct pedestrians, bicycles and vehicles around this work.
- Coning off the bicycle lane may be necessary for short periods to provide a safe walking area for pedestrians during certain construction activities.
- Utilizing "share the lane" signs when bike lanes are obstructed and bicyclists must ride in the vehicle travel lane.
- Directing pedestrians to the other side of the street and providing safe crossings for pedestrians to access this walking area.

All construction traffic control will be compliant with the MUTCD.

Describe the proposed education improvement (include details of the management plan for this element):

Over a 2-year period, Intercity Transit's Smart Moves Program will work with youth at Washington and NOVA Middle Schools. This program will provide:

- Bicycle education and bike rodeos
- After school *Science of Transportation* Classes and guest speaker Willie Weir
- *Bike PARTners* Build-a-Bike Program
- Monthly *Walk n' Roll* Newsletter
- *Safety without Fear* Parent Workshop
- Walking and Wheeling Wednesdays, International Walk/Bike to School Day and Walking School Bus events
- *Undrivers' License* pledges and cards
- Classroom Surveys and Golden Sneaker Awards
- BAW's Bicycle and Pedestrian Road Safety Education Program (contingent on program funding)

Elements will be applied as appropriate, based on student interests and neighborhood needs. Education and encouragement activities will involve partnering with the neighborhood association to promote walking.

The City will provide the neighborhood with information about construction plans and progress, as well as copies of the Olympia Walking Map.

Describe the proposed enforcement improvement (include details of the management plan for this element):

The Olympia Police Department will continue enforcement of vehicle compliance with pedestrian crossing laws and the speed limit. City staff will encourage residents to participate in the volunteer speed watch program that utilizes a mobile radar speed trailer to post drivers' actual speeds.

Implementation and Partnerships: Discuss steps that have been done to prepare for project implementation:

The project has been scoped and designed to approximately 10% completion. No right-of-way will be purchased for the sidewalk construction. No stormwater improvements or mitigation is needed as part of the sidewalk project. The City constructs approximately \$1,000,000 in sidewalks annually and is prepared to expedite sidewalk construction.

Intercity Transit's Smart Moves Program has three years of successful experience implementing education and encouragement programs in Olympia schools.

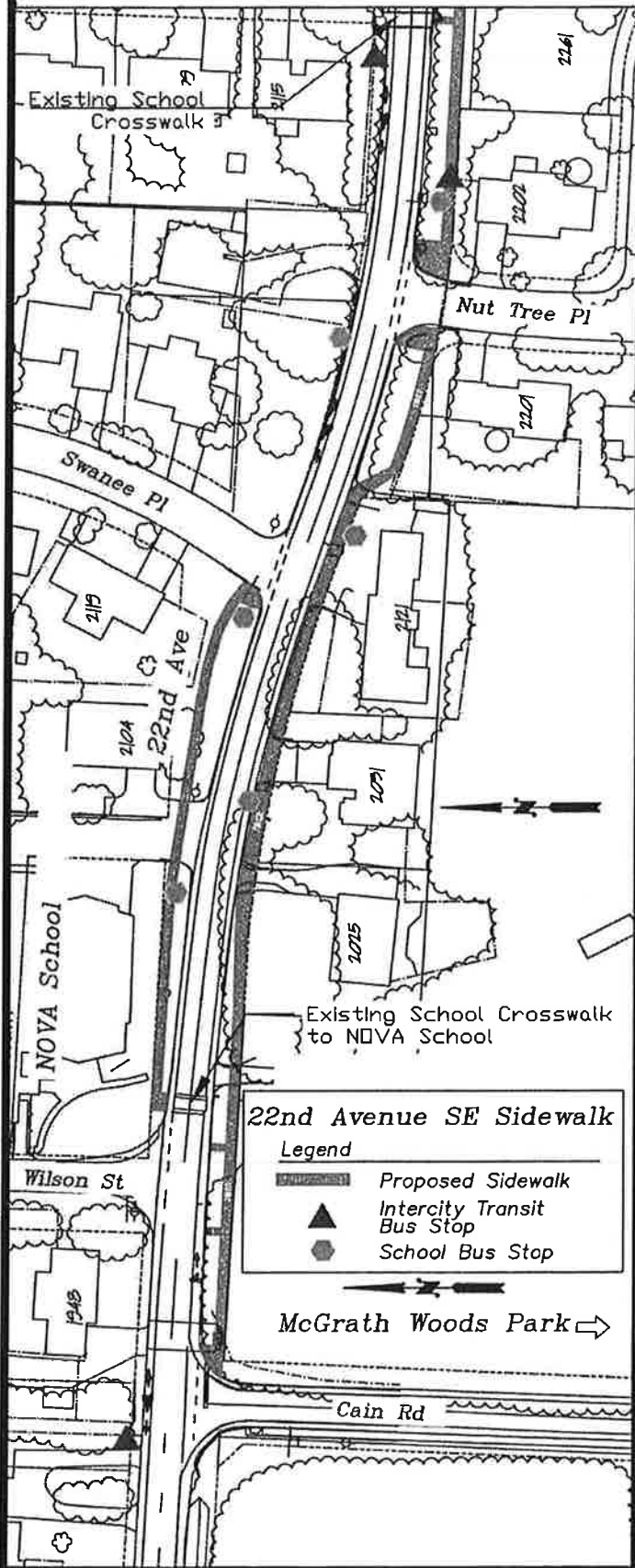
How will the project partners coordinate their efforts on the different components of the project?

Intercity Transit's Smart Moves youth education program has developed a scope, budget and timeline for several education and encouragement elements that will be implemented at the two middle schools. Contingent upon Safe Routes to School Program funding of the BAW Bicycle and Pedestrian Road Safety Education Program proposal, Intercity Transit will coordinate teacher training and use of the BAW program in PE classes at Washington Middle School.

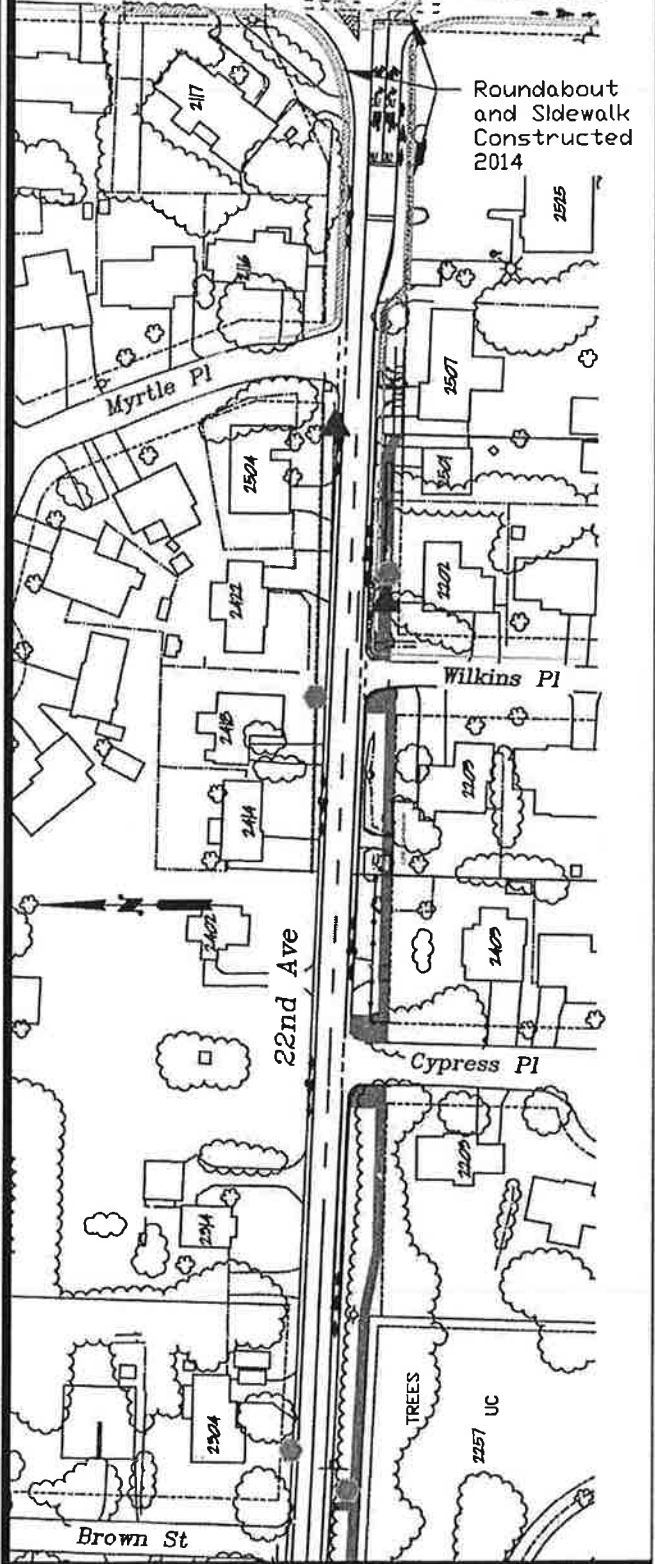
The Olympia School District supports this project and the City will work with the school to implement education and encouragement messages.

The Cain Road Area Neighborhood Association has advocated for several walking improvements and will be invited to participate in the education and encouragement activities of this proposal.

Break Line



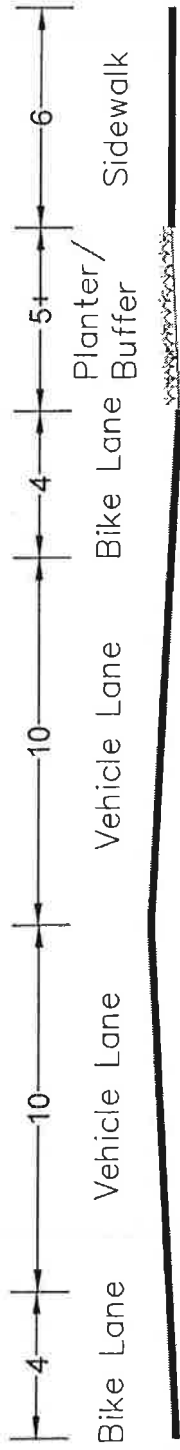
Boulevard Rd



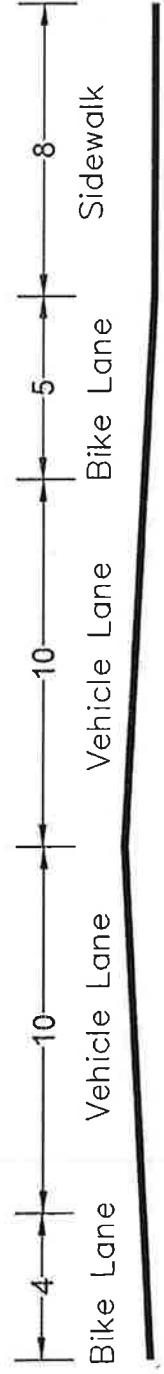
Break Line

# 22nd Avenue Sidewalk Project Between Cain Road and Boulevard Road

*Sidewalk Separated from Edge of Pavement*



*Sidewalk at Edge of Pavement*



## EXHIBIT B

### Timeline

#### Fall/Winter

- Walk n Roll Outreach Begins
- A kick-off assembly featuring Adventure Cyclist Willie Weir begins program
- Once-a-week after school or lunch time club begins working on biking and walking issues using Arthur Orsini's UrbanThinkers curriculum and a peer-education model, facilitated by Intercity Transit youth education staff
- Baseline mode and attitude survey is designed and implemented by after school bike/walk club
- Students help run the Undriver Licensing Station at school dance
- Student artwork relevant to themes of biking and walking is displayed at Olympia Transit Center for one month in the fall.

#### Spring

- Bike to school month in May
- Parent educator Candyce Lund Bollinger holds "Safety without Fear" parent workshop at PTA event
- Two-day a week after School Bike PARTners Build-a-Bike Class begins
- Students in after school bike/walk club hold events/promotions that they choose and design
- Students in after school bike/walk club design and implement follow up survey on mode choice and attitude

#### Fall/Winter

- Back to school orientation will include Pace Car pledges, bike, walk and transit information, and the Undriver Licensing Station run by students from after school club
- A kick-off assembly featuring speaker or skit chosen by after school bike/walk club begins program
- Once-a-week after school bike/walk student club recruits new members and begins work using Arthur Orsini's UrbanThinkers curriculum and a peer-education model facilitated by Intercity Transit youth education staff
- Week-long Science of Transportation Class taught by Intercity Transit youth education staff during Winter electives week

#### Spring

- Bike to school month and week in May
- BikePARTners Build-a-Bike class offered two days a week after school
- Student bike/walk club chooses and implements outreach for bike to school month
- Student artwork relevant to themes of waling and biking is displayed at the Olympia Transit Center for community arts festival, ArtsWalk.

### Cost Breakdown by Task

#### Budget for September 2013 to June 2015

Primary Project Expenditure	Estimated Cost
Staff Cost	50% of FTE at \$30.96/hr = \$27,244.80 a year, = <b>\$54,489.60</b> total for Sept 2013-June 2015. (20 hrs a week for 88 weeks)
Willie Weir Guest Speaker	\$1000 total for two visits
After school class materials	\$1000 total
Bike PARTners Build-a-Bike materials cost (\$2,000/year new bike parts to repair refurbished bikes, \$500/year helmets, lights, locks for 100 students)	\$5,000 total
Education and Encouragement Materials (lights, helmets, stickers, reflector bands, shoe laces, foot shaped charms, etc.	\$2000 total (\$1000 per year)
Total Yearly:	\$31,744.80
<b>Total Over Two Years:</b>	<b>\$63,489.60</b>

#### Matching Funds from Intercity Transit

Staff Time	15% of FTE at \$35.85/hr = <b>\$17,208 total</b> for Sept 2012-June 2015. (6 hrs a week for 80 weeks)
Field Trips	\$100/hr marginal costs to run a bus, plus \$41.24/hr in staff time to lead tours = 282.48 per field trip = \$1129.92 per year = <b>\$2259.84 total</b> sept 2013-june 2015
Undriving Program	\$2,500/year in ongoing partnership and operating costs, materials = <b>\$5,000 total</b> Sept 2013-June 2015
Bike PARTners Build-a-Bike Program	<b>\$4,800</b> in storage costs for donated, refurbished bicycles (\$200 per month for two years)
	\$6,000 per year in indoor workspace for bicycle shop in Maintenance Building at Intercity Transit. Rental of similar space would be \$500/mo. <b>Total = \$12,000</b> Sept 2013-June 2015
Total Yearly:	\$20,633.50
<b>Total Over Two Years:</b>	<b>\$41,267.84</b>

## Education

- Peer-Education and Student Empowerment Model
  - Once a week, a self-selected group of students will meet with an adult facilitator from Intercity Transit's youth education staff. The group will use the Arthur Orsini UrbanThinkers curriculum and a peer-education model. The program recruits, trains, and supports youth leaders to implement walking and cycling strategies that will be effective with their peers.
- Bike PARTners Build-a-Bike Program
  - Two-day after school build-a-bike class where volunteer mechanics teach students one-on-one how to maintain a bike, and League of American Bicyclists Certified Instructors teach traffic safety. Students earn their own bike, helmet, lock and lights. Classes run either September-November or April-June at multiple school sites every year. This program is coordinated by Intercity Transit staff as part of the Smart Moves youth education program. Donated bicycles are refurbished on-site at Intercity Transit by volunteers (retired and high school aged volunteers). Over 100 students a year receive bicycles and educational programming.
- Science of Transportation Classes
  - The Science of Transportation is a 6-8<sup>th</sup> grade elective class held daily during the middle school Elective Week. Intercity Transit youth program staff coordinate and teach the class. The class can be held multiple times a year at each school site. This curriculum was developed by Intercity Transit to achieve STEM (Science, Technology, Engineering and Math) goals. The class exposes students to the impacts that transportation choices and technological innovations in the energy industry have on their own lives. The aim of this afterschool program is to encourage students to problem solve about larger energy and transportation issues that will directly shape their future.
  - The five-day curriculum takes 15-20 students from lessons on energy and matter through the construction of rubber band bikes to atmospheric science at a transit agency mechanic's shop, sourcing raw materials and following the life cycle of cars with a field trip to the auto wrecking yard, and a lesson where students redesign their neighborhood based on their own needs.
- Safety Without Fear Parent Workshop
  - Parent educator Candyce Lund Bollinger will be a guest speaker at a PTA event. Bollinger guides parents in finding proactive ways to keep children safe while encouraging them to bike and walk, rather than forbidding outside play.
- Student artwork relevant to themes of biking and walking is displayed at Olympia Transit Center for one month in Fall and at Spring ArtsWalk.

- Pace Car bumper stickers are distributed to neighborhood residents and parent drivers encouraging safe driving, no idling, and observing the school limit speed zone.

## **Encouragement**

- International Walk to School Day and Bike to School Day
  - These events in September in May are similar to the monthly bike and walk events, but highlight benefits with school assemblies, and increase visibility of the program at the beginning and end of the year.
- Special Guest Speaker Willie Weir
  - Adventure cyclist Willie Weir will speak about the bike ride to school that began his life-long journey around the world by bicycle. He speaks at schools around the world.
- Undriver's License
  - With Undriving, we engage people to get around by biking, walking, and using transit. We issue Undriver's Licenses in return for pledges to reduce car use the following month. Once you pledge, your picture is taken and you receive a laminated "License" to un-drive on the spot. This booth is brought to school dances and community events.
- Student Surveys
  - Teachers and students work to track student trips and mode choice



# City of Olympia

## City Council

City Hall  
601 4th Avenue E.  
Olympia, WA 98501  
360-753-8447

### Approval of Woodbury Crossing Phase I Re-Plat

**Agenda Date: 11/19/2013**

**Agenda Number: 4.E**

**File Number: 13-0947**

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**File Type:** decision

**Version:** 3

**Status:** Consent Calendar

**..Title**

Approval of Woodbury Crossing Phase I Re-Plat

**..Recommended Action**

**Committee Recommendation:**

Not referred to a committee.

**City Manager Recommendation:**

Move to approve the Woodbury Crossing Phase I Re-plat map, and authorize the Mayor to sign the Woodbury Crossing Plat Amendment Map.

**..Report**

**Issue:**

The Hearing Examiner approved Lennar's request to re-plat Phase 1 to accommodate an error in the location of three two-unit townhouses that were constructed one lot over from their intended location. This error results in Lots 67 & 74 being incapable of being developed as intended townhouse lots. As approved by the Examiner, these two end lots will become "zero lot detached single-family units" so that they can be put to use. In return, to meet the density and unit mix requirements of the approved Master Plan, two zero lot detached single-family lots located in Phase II (Lots 122 & 123) will become a two-unit townhouse.

**Staff Contact:**

Steve Friddle, Principal Planner, Community Planning & Development, 360.753.8591

**Presenter(s):**

None. Consent Calendar.

**Background and Analysis:**

The Woodbury Crossing Neighborhood Village Master Plan, approved under Ordinance 6655, totals 385 residential units, on 58.3 acres to be built out in three phases and is located in west Olympia, south of Mud Bay Road and west of Kaiser Road (See Land Use Map). Woodbury Crossing has a long and somewhat complicated history that extends from Master Plan approval by the Thurston County Commissioners in 2006, to Olympia Annexation in 2007 and Phase I development approval in 2009 that is summarized in the attached Hearing Examiner's October 22, 2013 written decision.

Lennar Northwest, Inc., is the owner/developer of Woodbury Crossing and the

**Agenda Date: 11/19/2013**

**Agenda Number: 4.E**

**File Number: 13-0947**

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requested re-plat arises from a mistake by the developer's field survey and construction team. The Examiner approval converts the two end lots (67 and 74) in Phase 1 into "zero lot attached single-family units" so that they can be put to use. In return, to meet the density and mix of types of units requirements of the approved Master Plan, Lennar will convert two approved existing zero lot detached single-family lots located in Phase II (Lots 122 & 123) for a two-unit townhouse.

The specific replat amendments as depicted on the map include:

- Adjusting three shared townhouse wall lines (dashed) on lots 68 - 73 west one lot;
- To meet minimum lot size and width standards and be consistent with other similar types of lots in the Woodbury Crossing Phase I
  - Increase Lot 74 lot width to 40 feet and lot size to 4,155 Sq. Ft; and
  - Decrease lot 73 width to 31.09 feet and lot size 3,249 Sq Ft.

*Note:* Per OMC 18.05.080 Table 5.05 - A zero lot detached single family requires at least a 40-foot width and total 3,000 Sq. Ft; and a townhouse lot must be at least 16-foot width and total at least 1,600 Sq. Ft. minimum and average not less than 2,400 Sq. Ft.

- Amend associated plat notes accordingly.
- Update Title Notes from sheet 3 of 13.
- No revisions to frontage improvements or utilities is required.
- Monuments have been set and minimum required building setbacks are maintained.

**Neighborhood/Community Interests (if known):**

Ten residents from the neighboring Woodbury Estates subdivision attended the Examiner's October 14, 2013 Public Hearing. Pages three through six of the Examiner's Decision includes a summary of the six neighbors who provided testimony and the Examiner's response.

**Options:**

1. Move to approve the Woodbury Crossing Phase 1 Re-plat map, and authorize to the Mayor to sign the Woodbury Crossing Plat Amendment Map.
2. Remove this item from the Consent Calendar and move this item to a future Council agenda for further discussion.

**Financial Impact:**

Future property tax payments on two homes would be preserved.

**Agenda Date: 11/19/2013**  
**Agenda Number: 4.E**  
**File Number: 13-0947**

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# WOODBURY CROSSING PLAT AMENDMENT

A PORTION OF THE NW 1/4, NE 1/4, SE 1/4 AND SW 1/4 OF THE SW 1/4 OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN CITY OF OLYMPIA, THURSTON COUNTY, WASHINGTON

### PURPOSE OF AMENDMENT:

THE PURPOSE OF THIS PLAT AMENDMENT IS TO (A) CONVERT PHASE I LOTS 67 AND 74 TO ZERO LOT DETACHED SINGLE-FAMILY LOTS (FROM THEIR EXISTING STATUS AS TWO-UNIT TOWNHOUSE LOTS), (B) INCREASE THE WIDTH OF LOT 74 FROM 35.55 FEET TO 40 FEET, AND DECREASE LOT 73 BY THE SAME AMOUNT TO A WIDTH OF 31.09 FEET, (C) RELOCATE THE SHARED WALL LINES ON LOTS 67-74 TO REFLECT THE TRUE LOCATIONS OF THE CONSTRUCTED TOWNHOUSE UNITS ON LOTS 69-73.

### LEGAL DESCRIPTION OF PROPERTY SUBJECT TO PLAT AMENDMENT:

LOTS 67 THROUGH 74, INCLUSIVE, WOODBURY CROSSING AS RECORDED SEPTEMBER 25, 2009 UNDER AUDITOR'S FILE NO. 4112869, IN THURSTON COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF THURSTON, STATE OF WASHINGTON.

### DECLARATION

KNOW ALL MEN BY THESE PRESENTS THAT LENNAR NORTHWEST, INC., THE UNDERSIGNED OWNER, IN FEE SIMPLE OF THE LAND SUBJECT TO PLAT AMENDMENT, HEREBY DECLARE THIS PLAT AMENDMENT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNERS.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS AND SEALS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
LENNAR NORTHWEST, INC.  
A DELAWARE CORPORATION  
BY:  
ITS:

### ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ }  
COUNTY OF WASHINGTON } S.S.

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT \_\_\_\_\_ IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (S)HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT (S)HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE \_\_\_\_\_ OF LENNAR NORTHWEST, INC. TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON  
RESIDING AT \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_  
PRINTED NAME \_\_\_\_\_

### REVISED "NOTES AND RESTRICTIONS" FROM SHEET 4 OF 13:

11. LOTS 1 THROUGH 56, LOT 67, AND LOTS 74 THROUGH 104 ARE "ZERO LOT LINE" SINGLE FAMILY LOTS. THE MINIMUM SIDE YARD SETBACK ON SAID LOTS IS THREE FEET.

### APPROVALS

CERTIFICATE - CITY ENGINEER

EXAMINED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

\_\_\_\_\_  
OLYMPIA CITY ENGINEER

CERTIFICATE - HEALTH OFFICER

EXAMINED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

\_\_\_\_\_  
HEALTH OFFICER

CERTIFICATE - ASSESSOR

EXAMINED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

\_\_\_\_\_  
THURSTON COUNTY ASSESSOR

CERTIFICATE - PLANNING DIRECTOR

EXAMINED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

\_\_\_\_\_  
PLANNING DIRECTOR

CERTIFICATE - CITY COUNCIL

EXAMINED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

\_\_\_\_\_  
OLYMPIA CITY COUNCIL

ATTEST

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

CERTIFICATE - THURSTON COUNTY TREASURER

I HEREBY CERTIFY THAT ALL TAXES ON THE LAND DESCRIBED HEREON HAVE BEEN FULLY PAID TO AND INCLUDING THE YEAR \_\_\_\_.

\_\_\_\_\_  
THURSTON COUNTY TREASURER

CERTIFICATE - CITY CLERK-TREASURER

I HEREBY CERTIFY THAT ALL LOCAL IMPROVEMENT DISTRICT ASSESSMENTS ON THE LAND DESCRIBED HEREON HAVE BEEN FULLY PAID TO AND INCLUDING THE YEAR \_\_\_\_.

\_\_\_\_\_  
CLERK-TREASURER, CITY OF OLYMPIA

CERTIFICATE - THURSTON COUNTY AUDITOR

FILED FOR RECORD AT THE REQUEST OF DENNIS J. SALTYS, PLS, OF BARGHAUSEN CONSULTING ENGINEERS, INC. THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_ O'CLOCK \_\_\_\_M., AND RECORDED UNDER AUDITOR'S FILE NUMBER \_\_\_\_\_, RECORDS OF THURSTON COUNTY, WASHINGTON.

\_\_\_\_\_  
THURSTON COUNTY AUDITOR

\_\_\_\_\_  
DEPUTY AUDITOR

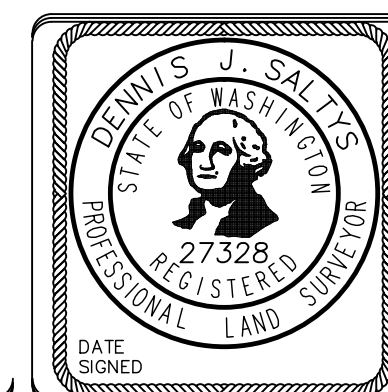
LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT WOODBURY CROSSING PLAT AMENDMENT IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF A PORTION OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 2 WEST, W.M.; THAT THE DISTANCES AND COURSES SHOWN THEREON ARE CORRECT; THAT THE MONUMENTS HAVE BEEN SET AND THE LOT CORNERS HAVE BEEN STAKED ON THE GROUND.

\_\_\_\_\_  
DENNIS J. SALTYS, PLS 27328

\_\_\_\_\_  
DATE

JOB NO. 16205



INDEX DATA  
**ALL OF SW1/4, SEC. 17-T18N-R2W, W.M.**  
**Barghausen Consulting Engineers, Inc.**  
Civil Engineering, Land Planning, Surveying, Environmental Services  
18215 72nd Avenue South - Kent, WA. 98032 (425) 251-6222  
**SHEET 1 OF 2**

VOLUME/PAGE

File:P:\16000s\16205\survey\plats\16205p01amendment.DWG Date/Time: 8/10/09 09:00 Scale:1" = 1' KANDERSON Xref: -----

# WOODBURY CROSSING PLAT AMENDMENT

A PORTION OF THE NW 1/4, NE 1/4, SE 1/4 AND SW 1/4 OF THE SW 1/4 OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN CITY OF OLYMPIA, THURSTON COUNTY, WASHINGTON

UPDATED TITLE NOTES FROM SHEET 3 OF 13:

A PLAT CERTIFICATE PROVIDED BY NEXTITLE, THEIR ORDER NO. NXWA-0121415 WAS RELIED UPON FOR RECORD INFORMATION AFFECTING THIS SITE. ACCORDING TO THE DOCUMENT, THIS PROPERTY IS SUBJECT TO THE FOLLOWING EXCEPTIONS:

1-9. NOT APPLICABLE TO BE SHOWN ON SURVEY.

10. SEWER LATECOMERS AGREEMENT (CD #04-2745) AND THE TERMS AND CONDITIONS THEREOF IMPOSED BY INSTRUMENT RECORDED OCTOBER 13, 2009, UNDER RECORDING NO. 4115596.

11. GRANTS AND EXCEPTIONS CONTAINED IN DEED WHEREBY THE FIRST PARTY GRANTS TO THE GRANTEE, ITS SUCCESSORS AND ASSIGNS FOREVER, GEOTHERMAL STEAM AND HEAT, ALL ORES AND MINERALS OF ANY NATURE WHATSOEVER, IN OR UPON THE SAID LAND, INCLUDING COAL, LIGNITE, OIL AND GAS, PEAT, INCLUDING COAL, STEAM AND GAS, TOGETHER WITH THE RIGHT TO ENTER UPON SAID LANDS FOR THE PURPOSE OF EXPLORING THE SAME FOR SUCH GEOTHERMAL RESOURCES, ORES AND MINERALS AND FOR THE PURPOSE OF DRILLING, OPENING, DEVELOPING AND WORKING MINES AND WELLS THEREON AND TAKING OUT AND REMOVING THEREFROM, INCLUDING BY SURFACE MINING METHODS, ALL SUCH GEOTHERMAL RESOURCES, ORE AND MINERALS AND TO OCCUPY AND MAKE USE OF SO MUCH OF THE SURFACE OF SAID LAND AS MAY BE REASONABLY NECESSARY FOR SAID PURPOSE; GRANTEE: DRH ENERGY, INC., RECORDED OCTOBER 9, 2006, UNDER RECORDING NO.: 3871396.

12. EASEMENT AND THE TERMS AND CONDITIONS THEREOF: GRANTEE: PACIFIC TELEPHONE AND TELEGRAPH COMPANY, PURPOSE: LINES OF TELEPHONE AND TELEGRAPH AND OTHER COMMUNICATION CIRCUITS, AREA AFFECTED: PORTION OF SAID PREMISES, RECORDED: AUGUST 18, 1936, UNDER RECORDING NO.: 282770.

13. EASEMENT AND THE TERMS AND CONDITIONS THEREOF: GRANTEE: PACIFIC TELEPHONE AND TELEGRAPH COMPANY, PURPOSE: LINES OF TELEPHONE AND TELEGRAPH AND OTHER COMMUNICATION CIRCUITS, AREA AFFECTED: PORTION OF SAID PREMISES, RECORDED: AUGUST 18, 1936, UNDER RECORDING NO.: 282768.

14. EASEMENT AND THE TERMS AND CONDITIONS THEREOF: GRANTEE: LENNAR NORTHWEST, INC., A DELAWARE CORPORATION, PURPOSE: ACCESS, LANDSCAPING, RECREATION, INSTALLATION OF A FENCE AND OTHER MATTERS, AREA AFFECTED: PORTION OF SAID PREMISES, RECORDED: JULY 27, 2012, UNDER RECORDING NO.: 4279328. SAID EASEMENT HAS BEEN AMENDED BY THAT CERTAIN INSTRUMENT RECORDED UNDER RECORDING NO. 4306526. THIS EASEMENT AFFECTS LOTS 48-52.

15. AGREEMENT TO ANNEX AND THE TERMS AND CONDITIONS THEREOF IMPOSED BY INSTRUMENT RECORDED: MARCH 24, 2006, UNDER RECORDING NO. 3817839.

16. VOLUNTARY AGREEMENT AND THE TERMS AND CONDITIONS THEREOF IMPOSED BY INSTRUMENT RECORDED: MARCH 22, 2007, UNDER RECORDING NO. 3912251.

17. DEVELOPMENT EXPENSE SHARING AGREEMENT AND GRANT OF EASEMENTS AND THE TERMS AND CONDITIONS THEREOF IMPOSED BY INSTRUMENT RECORDED: SEPTEMBER 25, 2008, UNDER RECORDING NO. 4037163 AND 4037164.

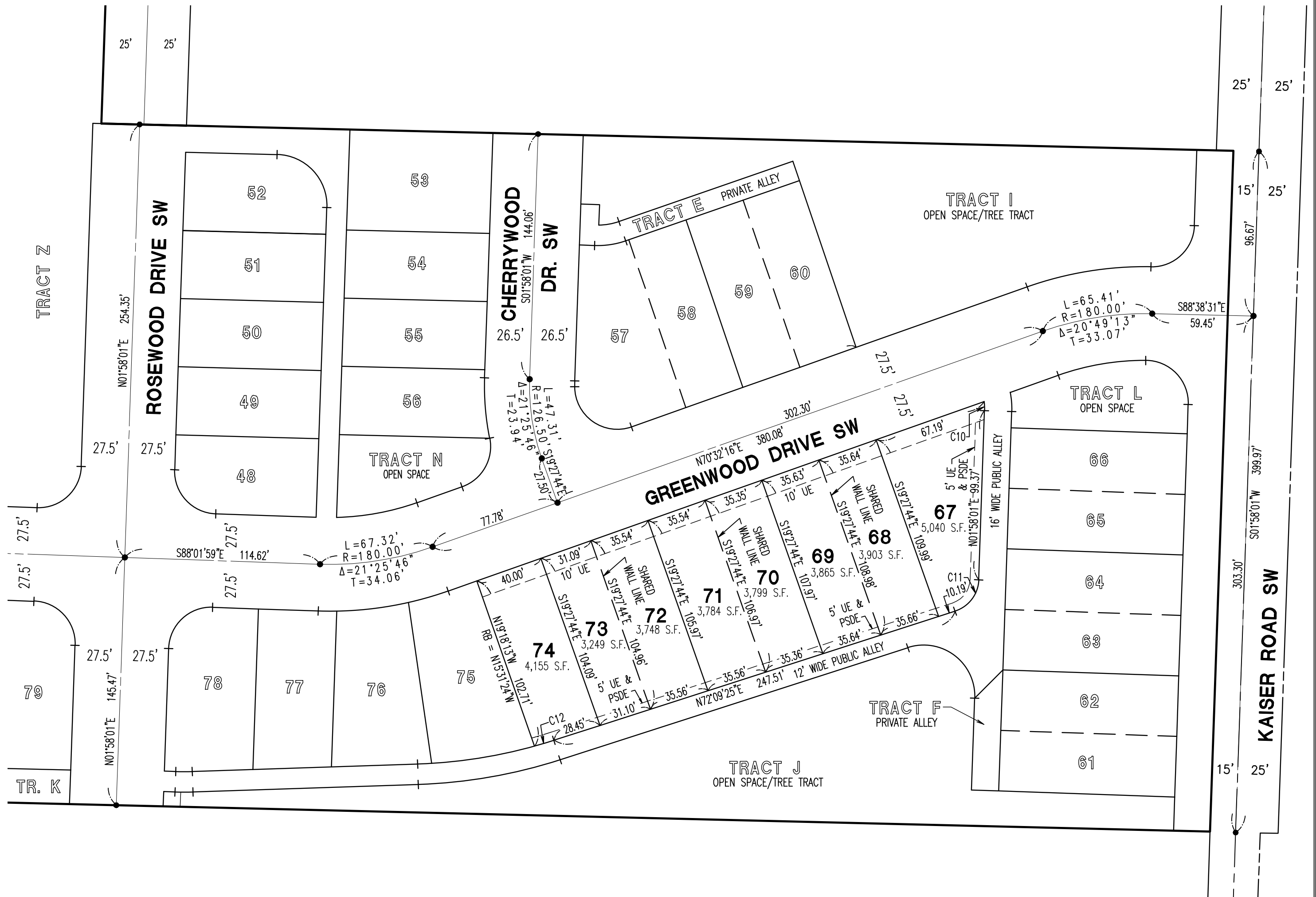
18. STORMWATER MAINTENANCE AGREEMENT AND THE TERMS AND CONDITIONS THEREOF IMPOSED BY INSTRUMENT RECORDED: SEPTEMBER 9, 2009, UNDER RECORDING NO. 4109400.

19. COVENANTS, CONDITIONS AND RESTRICTIONS IMPOSED BY INSTRUMENT RECORDED: JUNE 27, 2012, UNDER RECORDING NO.: 4273582.

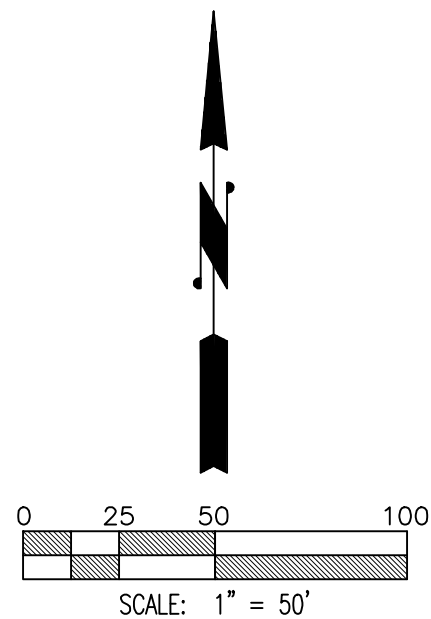
20. ALL COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS OR OTHER SERVITUDES, IF ANY, DISCLOSED BY THE RECORDED PLAT OF WOODBURY CROSSING.

21. COVENANTS, CONDITIONS AND RESTRICTIONS IMPOSED BY INSTRUMENT RECORDED SEPTEMBER 25, 2009, UNDER RECORDING NO. 4112868, INCLUDING, BUT NOT LIMITED TO, LIABILITY FOR ASSESSMENTS LEVIED BY THE COMMUNITY ASSOCIATION. SAID INSTRUMENT HAS BEEN AMENDED BY THOSE CERTAIN INSTRUMENTS RECORDED UNDER RECORDING NOS. 4133874, 4160854, 4243295 AND 4296670.

22-23. NOT APPLICABLE TO BE SHOWN ON SURVEY.



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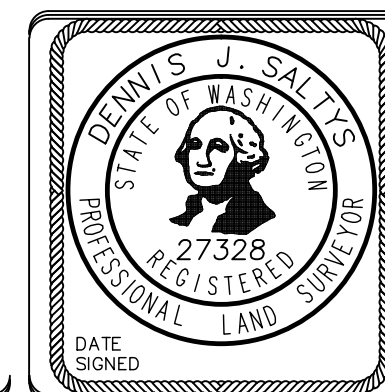
**LEGEND**

- CITY OF OLYMPIA STANDARD ROAD MONUMENT SET FOR PLAT OF WOODBURY CROSSING
- UE UTILITIES EASEMENT (PER PLAT)
- PSDE PRIVATE STORM DRAINAGE EASEMENT (PER PLAT)

NOTE: LOTS 48 THROUGH 56, LOT 67, AND LOTS 74 THROUGH 78 ARE ZERO LOT LINE SINGLE FAMILY LOTS (SEE NOTES 11 AND 12 ON SHEET 4, NOTES AND RESTRICTIONS). LOTS 57 THROUGH 66 AND LOTS 68 THROUGH 73 ARE TWO-UNIT TOWNHOUSE LOTS.

CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	TANGENT
C10	32.00'	5.32'	9°31'21"	2.67'
C11	20.00'	24.50'	70°11'24"	14.05'
C12	293.00'	11.86'	2°19'11"	5.93'

**PURPOSE OF AMENDMENT:**  
 THE PURPOSE OF THIS PLAT AMENDMENT IS TO (A) CONVERT PHASE I LOTS 67 AND 74 TO ZERO LOT DETACHED SINGLE-FAMILY LOTS (FROM THEIR EXISTING STATUS AS TWO-UNIT TOWNHOUSE LOTS), (B) INCREASE THE WIDTH OF LOT 74 FROM 35.55 FEET TO 40 FEET, AND DECREASE LOT 73 BY THE SAME AMOUNT TO A WIDTH OF 31.09 FEET, (C) RELOCATE THE SHARED WALL LINES ON LOTS 67-74 TO REFLECT THE TRUE LOCATIONS OF THE CONSTRUCTED TOWNHOUSE UNITS ON LOTS 69-73.



JOB NO. 16205

INDEX DATA  
**ALL OF SW1/4, SEC. 17-T18N-R2W, W.M.**  
**Barghausen Consulting Engineers, Inc.**  
 Civil Engineering, Land Planning, Surveying, Environmental Services  
 18215 72nd Avenue South - Kent, WA. 98032 (425) 251-6222

**SHEET 2 OF 2**

VOLUME/PAGE



1 BEFORE THE CITY OF OLYMPIA HEARINGS EXAMINER

2 IN RE: ) HEARING NO. 13-0094  
3 WOODBURY CROSSING REPLAT. ) FINDINGS OF FACT,  
4 ) CONCLUSIONS OF LAW,  
5 ) DECISION AND RECOMMENDATION  
6 ) TO CITY COUNCIL

7 **APPLICANT:** Lennar Northwest, Inc. ("Lennar")  
8 12815 Canyon Road East, Suite F  
9 Puyallup, Washington 98372

10 **REPRESENTATIVES:**

11 Chris Ferko  
12 Barghausen Consulting Engineers, Inc.  
13 18215 72nd Avenue South  
14 Kent, Washington 98032

15 Eric Molina  
16 Lennar Northwest, Inc.  
17 12816 Canyon Road East, Suite F  
18 Puyallup, Washington 98372

19 **SUMMARY OF REQUEST:**

- 20 1. Replatting of Woodbury Crossing Phase I to convert Lots 67 and 74 to zero lot detached  
21 single-family units (instead of two-unit townhouses).  
22 2. Increase the width of Lot 74 from 35.55 feet to 40 feet and decrease the width of Lot 73  
23 by 4.445 feet to 30.99 feet.  
24 3. Relocate all shared wall lines on Lots 67 through 74 to reflect the correct location of  
25 constructed townhouses.  
26 4. Convert future Phase II Lots 122 and 123 from single-family detached units to an  
27 attached single-family unit (i.e., a two-unit townhouse.)

28 **PROJECT LOCATION:**

29 The "Woodbury Crossing" Development is located south of the 4500 Block of Mud Bay Road  
30 and west of Kaiser Road. Lots 67 through 74 are located along the south side of Greenwood  
31 Drive S.W. where it intersects with Cherrywood Drive S.W.; Lots 122 and 123 are located at the  
32 northwest intersection of Rosewood Drive S.W. and 4th Way S.W.

33 **SUMMARY OF DECISION:**

34 The proposed replat is **approved** subject to the conditions recommended by City Staff. The  
35 Hearing Examiner further recommends to the City Council that it also approve the requested  
36 replat subject to the same conditions.

37 *Findings of Fact, Conclusions of Law, Decision and  
38 Recommendation to City Council - 1*

39 **CITY OF OLYMPIA HEARING EXAMINER**  
40 299 N.W. CENTER ST. / P.O. BOX 939  
41 CHEHALIS, WASHINGTON 98532  
42 Phone: 360-748-3386/Fax: 748-9533

1 **BACKGROUND**

2 Lennar Northwest, Inc. ("Lennar"), the current owner of the Woodbury Crossing  
3 Development, requests the replatting of Phase I to accommodate an error in the location of three  
4 recently constructed two-unit townhouses. These three townhouses were constructed one lot  
5 over from their intended location. This results in two "orphan" lots, Lots 67 and 74, that are now  
6 incapable of being developed as townhouse sites. Lennar asks to convert these two end lots into  
7 "zero lot attached single-family units" so that they can be put to use. As part of this proposal Lot  
8 74 must be widened by 4.45 feet to achieve the minimum lot width of 40 feet - the minimum  
9 width required for a detached single-family residence. Lot 73 would be reduced in width by a  
10 like amount.

11 In return for being allowed to convert Lots 67 and 74 into zero lot detached single-family  
12 units, the Applicant would convert two existing zero lot detached single-family units located in  
13 Phase II (Lots 122 and 123) into a two-unit townhouse. To state all of this slightly differently,  
14 Lots 67 and 74 would be converted from townhouse lots to single home lots and in return Lots  
15 122 and 123 in Phase II would be converted from single home lots to a townhouse lot, with the  
16 net result being the same number of single home lots and townhouse lots as required under the  
17 current Master Plan.

18 Separately, Phase I needs to be replatted to reflect the true locations of the shared wall  
19 lines between the three constructed two-unit townhouses on Lots 68-73.

20 Woodbury Crossing has a long and somewhat complicated history. The concept for the  
21 development was first introduced in 2004 when the site was within Thurston County jurisdiction.  
22 As the application progressed City Staff began to assume responsibility for its review. County  
23 approval for the development was given in 2006. In 2007 the site was annexed into the City. In  
24 2009 the City Council approved the Woodbury Crossing Master Plan, and Phase I was approved  
25



1 at the same time. In 2012 the Master Plan was amended to allow for three phases instead of the  
2 original two. Along the way ownership of the development has changed hands several times.

3 The current request arises from an embarrassing mistake by the developer's field survey  
4 team. Phase I requires the construction of four two-unit townhouses on Lots 67 through 74 along  
5 the south side of Greenwood Drive S.W. near its intersection with Kaiser Road S.W. The field  
6 surveyors mislocated the first of these townhouses by one lot. Three townhouses have been  
7 constructed on Lots 68 through 73, leaving vacant the end lots, 67 and 74. As individual lots  
8 they are incapable of being used for two-unit townhouses, and they are not allowed to be used as  
9 single home lots unless the Phase I plat is amended. And, Lot 74 remains unusable as a single  
10 home lot unless it is widened by 4.45 feet to meet the minimum width requirement of 40 feet.  
11 The developer understands that if it is to be allowed two additional single home lots in Phase I it  
12 must convert two single home lots into a townhouse unit somewhere else in the development.  
13 The developer therefore proposes to convert Lots 122 and 123, both single home lots in Phase II  
14 and located at the northwest corner of Rosewood Drive and 4th Way S.W., into a two-unit  
15 townhouse (Phase II has not yet received preliminary plat approval nor has it been recorded).

### 16 PUBLIC HEARING

17 The public hearing on this request commenced at 6:30 p.m. on October 14, 2013, in the  
18 Planning Hearing Room in the City Hall. The City appeared through Steve Friddle, Senior  
19 Planner. Lennar appeared through its Planner, Chris Ferko, of Barghausen Consulting  
20 Engineers, Inc. Testimony was received from the City through Mr. Friddle. Testimony from the  
21 Applicant was received from Mr. Ferko. A verbatim recording was made of the public hearing  
22 and all testimony was taken under oath. No new exhibits were introduced during the hearing.

23 Mr. Friddle provided a brief history of the project as a whole and of the specific current  
24 request. Mr. Friddle noted that the requested amendments arise from a fielding error and are not  
25 intended to gain a special benefit or otherwise alter the requirements of the approved Master

1 Plan. Mr. Friddle also noted that, if approved, the amendments will allow for the same number  
2 of single home lots and townhouse units as originally required in the Master Plan, but in  
3 somewhat different locations. Mr. Friddle added that if Lot 74 is to be converted to a single  
4 home lot it must be widened 4.45 feet to meet minimum lot widths for single home lots. The  
5 required footage will be carved out of the adjoining Lot 73. This will not impair the setback or  
6 lot width requirements of Lot 73. Mr. Friddle concluded his presentation by confirming that the  
7 City Staff recommends approval of the recommended changes to Phase I subject to the  
8 conditions set forth in the Staff Report.

9 Chris Ferko, the Applicant's Planner, then spoke on behalf of Lennar. Mr. Ferko  
10 explained that the requested modification arises out of an error in the field surveying leading to  
11 the improper location of the constructed townhouses. Mr. Ferko stated that the request was not  
12 motivated by any desire to switch the location of single homes and townhouses and, in fact, this  
13 error will result in greater expenses and smaller revenues than if the townhouses had been  
14 correctly located. Mr. Ferko confirmed that the Applicant has no objection to the conditions  
15 recommended by City Staff for approval.

16 Following Mr. Ferko's presentation the hearing was opened for public comment. There  
17 were approximately ten members of the public present, all of whom were opposed to the request.  
18 Those giving testimony were Jane and Ira Feuer, 548 Cherrywood Drive S.W.; Ronald Bernard,  
19 531 Beachwood Court S.W.; Karla Heinitz, 528 Cherrywood Drive S.W.; and Sarah and Jeff  
20 Pearson, 532 Cherrywood Drive S.W. Although each of these individuals offered a slightly  
21 different perspective their testimony followed a consistent theme. Each of these individuals  
22 resides in "Woodbury Estates" (sometimes referred to "Kaiser Estates"). Woodbury Estates is  
23 adjacent to Woodbury Crossing and is just a few lots north of the townhouse Lots 67-74 that are  
24 the subject of this application. Each of the witnesses considers the Woodbury Estates

25 Development to be one and the same as Woodbury Crossing. In fact, the two developments not

1 only share a similar name but also share a common homeowner's association and are both  
2 currently owned by Lennar. All of these witnesses were very surprised to learn that their  
3 development is not actually part of the Woodbury Crossing Master Plan as, again, their  
4 neighborhood is indistinguishable from the surrounding Woodbury Crossing Development and  
5 shares common management.

6 Woodbury Estates was designed and approved as a County project, not a City project. It  
7 is laid out on larger lots and with higher quality residences. The witnesses who reside there are  
8 proud of their neighborhood and wish to protect it from lesser quality construction and from  
9 adjoining residences with potentially lessened pride of ownership.

10 The witnesses express frustration over the many changes in ownership of these  
11 developments, and of the unkept promises of the developers. They explained that at the time  
12 they purchased their residences a high standard of quality was promised to be maintained  
13 throughout the neighborhood and that multi-family dwellings would generally be kept to the  
14 west side of the development. They feel that the residences recently constructed by Lennar do  
15 not live up to the promises of earlier developers and that the value of their homes is at risk.

16 These witnesses also note that the field surveying errors were realized early during  
17 construction and could have easily been resolved. They fear that if the plat amendments are  
18 approved the resulting two new single homes will be out of character with the adjoining  
19 townhouses; will be unattractive; and will be difficult to site on such narrow lots.

20 All of the witnesses concurred that, given that the problem is a self-inflicted one, the  
21 developer should instead be required to convert Lots 67 and 74 into additional open space. They  
22 note that Lot 67 could be used to expand the existing greenbelt located immediately across the  
23 street on the north side of Greenwood Drive S.W.

24 It is easy to understand why these residents of Woodbury Estates regard their  
25 development to be the same as Woodbury Crossing, and why any changes to Woodbury

1 Crossing would be considered a threat to their neighborhood and their property values. After  
2 careful consideration of all of their concerns, however, I am not persuaded by their suggestion  
3 that Lots 67 and 74 should be converted into additional open space. Although I agree that the  
4 surveying error is a self-inflicted problem, I do not believe that it should result in the lost use of  
5 these two lots especially when their conversion to single home lots can be easily balanced by the  
6 like conversion of single home Lots 122 and 123 into a townhouse. I also do not agree with the  
7 neighbors' belief that construction of single homes on Lots 67 and 74 will be out of character  
8 with nearby properties or injurious to property values. Single homes and townhouses frequently  
9 adjoin each other in this development without any disruption to the development's scheme.

10 To summarize, although the surveying error causing this request was a surprising one, it  
11 was also an innocent error and was not intended to benefit the developer. The error has a simple  
12 and straightforward remedy: the conversion of the two end lots into single home lots and the  
13 offsetting conversion of single Lots 122 and 123 into a townhouse unit. In this manner the  
14 requirements - and goals - of the Woodbury Master Plan remain fulfilled.

15 Accordingly, I make the following:

16 **FINDINGS OF FACT**

17 1. Any Findings of Fact contained in the foregoing Background section are  
18 incorporated herein by reference and adopted by the Hearing Examiner as his Findings of Fact.

19 2. The Applicant, Lennar Northwest, Inc., requests a replat of Woodbury Crossing  
20 Phase I recorded Plat Map to: (a) convert Phase I Lots 67 and 74 to zero lot detached single-  
21 family lots (from their existing status as two-unit townhouse lots), (2) increase the width of Lot  
22 74 from 35.55 feet to 40 feet, and decrease Lot 73 by the same amount to a width of 30.99 feet,  
23 (c) relocate the shared wall lines on Lots 67-74 to reflect the true locations of the constructed  
24 townhouse units on Lots 69-73, and (d) convert future Phase II Lots 122 and 123 from single-  
25 family detached lots to attached single-family lots (a two-unit townhouse).

1           3. Pursuant to the State Environmental Policy Act, a Mitigated Determination of  
2 Non-Significance (MDNS) was issued on November 25, 2005, as a component of original  
3 project review for Woodbury Crossing. Further environmental review is not required for this  
4 proposed amendment.

5           4. Notification of public hearing was mailed to the parties of record, property  
6 owners within 300 feet, and recognized neighborhood associations, posted on the site and  
7 published in The Olympian in conformance with Olympia Municipal Code 18.78.020.

8           5. The Staff Report, Pages 2 and 3, provide a history of the Woodbury Crossing  
9 Master Plan Development and of the circumstances that led to the requested modifications. The  
10 Hearing Examiner has reviewed those Findings and adopts them by reference.

11           6. The lots affected by the proposed modifications are currently held in one  
12 ownership, however, if one or more affected lots are sold the final plat map must include  
13 signatures of all property owners within the plat whose lot boundaries are altered or affected by  
14 the replat. A title report or plat certificate, showing the names of all persons with a real of  
15 possessory interest in the plat whose lot boundaries would be affected by the replat and any  
16 restrictions encumbering the land, shall be submitted with the final plat map.

17           7. The proposed replat does not involve or require the relocation, removal or  
18 reconstruction of existing plat improvements or open space.

19           8. If the replat is approved the Applicant will need to meet the conditions imposed  
20 by the Hearing Examiner prior to submittal of final approval to the City Council, and then  
21 recording with the Thurston County Auditor's Office.

22           9. The proposed amendments do not alter any streets or parts of streets.

23           10. The requested amendments will ensure compliance with the unit mix contained in  
24 the approved Master Plan and will meet all setback requirements of OMC 18.05.080, Table 5.05,  
25 Residential Development Standards.

1           11.     The Woodbury Crossing Master Plan requires a specific mix of housing types  
2 (triples, duplex, attached townhomes and zero lot line and standard lots) as set forth in the Tables  
3 included in Attachments 4 and 5 of the Master Plan. There are to be 221 zero lot line detached  
4 single-family units and 18 attached single-family townhome units. The proposed amendments  
5 will not alter the total number of zero lot line units or attached single-family townhome units,  
6 that is, if the amendments are approved there will continue to be 221 zero lot line detached  
7 single-family units and 18 attached single-family townhome units.

8           12.     Attached townhomes as originally proposed for Lots 67 and 74 can no longer be  
9 constructed due to a surveying error. The Applicant's proposal to convert these two end lots to  
10 zero lot line detached single-family units, and to convert to similar units in Phase II (Lots 122  
11 and 123) into an attached single-family townhome unit, is consistent with the Master Plan  
12 residential unit count.

13           13.     The requested replat proposal will require several revisions to notations in the  
14 Woodbury Crossing Master Plan, including attached sheets as set forth more fully at Page 5 of  
15 the Staff Report.

16           14.     The proposed modifications are consistent with the development standards for  
17 Neighborhood Villages Zoning, OMC 18.05, and will meet all minimum lot sizes as required.

18           15.     The proposed modifications are consistent with the standards for Master Plan  
19 Development, MPD Chapter 18.57, and with Ordinance 6299 (OMC 18.05.140).

20           16.     City Staff recommends approval of the proposed amendments subject to the  
21 following conditions:

22                   A.     If one or more lots are sold, the final plat map shall include signatures of  
23 all property owners with the plat whose lot boundaries would be altered or affected by the replat.  
24 A title report of plat certificate, showing the names of all persons with a real or possessory  
25

1 interest in the plat whose lot boundaries would be affected by the replat and any restrictions  
2 encumbering the land, shall be submitted with the Final plat map.

3 B. The Applicant shall submit an amended final plat map Sheet 11 of 13 for  
4 city Council action that:

5 ● Converts Phase I Lots 67 and 74 to zero lot detached single-family (from  
6 existing two-unit townhouse); by increasing Lot 74 width from 35.55 feet to 40 feet and  
7 decreasing Lot 73 width by 4.45 feet to ~~30.99~~ feet;

31.09

8 ● Relocates shared wall lines on Lots 67-74 to reflect their correct locations;  
9 and

10 ● Revises the "Note" narration at the bottom of the sheet accordingly.

11 C. The Applicant shall submit an amended final plat map Sheet 4 of 11 for  
12 City Council action that amends the notes and Restriction #11 to accurately reflect the  
13 amendments on Sheet 11 of 13.

14 D. Future Phase II Lots 122 and 123 shall be designated, platted and  
15 constructed consistent with this Decision as Single-Family Townhouse attached.

16 17. The Applicant does not object to the City's proposed conditions of approval.

17 Based upon the foregoing Findings of Fact, the Hearing Examiner makes the following:

18 **CONCLUSIONS OF LAW**

19 1. The Hearing Examiner has jurisdiction over the parties and the subject matter.

20 2. The requirements of SEPA have been met.

21 3. Any Conclusions of Law contained in the foregoing Background Section or  
22 foregoing Findings of Fact are hereby incorporated by reference and adopted by the Hearing  
23 Examiner as Conclusions of Law.

24 4. The proposed replat must comply with OMC 17.16; OMC 17.28; OMC 18.05;  
25 OMC 18.05.140 (Ordinance No. 6655); OMC 18.57; and OMC 18.82.





1                   **SUBJECT TO the following conditions:**

2                   A.       If one or more lots are sold, the final plat map shall includes signatures of  
3 all property owners with the plat whose lot boundaries would be altered or affected by the replat.  
4 A title report of plat certificate, showing the names of all persons with a real or possessory  
5 interest in the plat whose lot boundaries would be affected by the replat and any restrictions  
6 encumbering the land, shall be submitted with the Final plat map.

7                   B.       The Applicant shall submit an amended final plat map Sheet 11 of 13 for  
8 city Council action that:

9                   •       Converts Phase I Lots 67 and 74 to zero lot detached single-family (from  
10 existing two-unit townhouse); by increasing Lot 74 width from 35.55 feet to 40 feet and  
11 decreasing Lot 73 width by 4.45 feet to ~~30.99~~ feet;

12                   •       Relocates shared wall lines on Lots 67-74 to reflect their correct locations;  
13 and

14                   •       Revises the "Note" narration at the bottom of the sheet accordingly.

15                   C.       The Applicant shall submit an amended final plat map Sheet 4 of 11 for  
16 City Council action that amends the notes and Restriction #11 to accurately reflect the  
17 amendments on Sheet 11 of 13.

18                   D.       Future Phase II Lots 122 and 123 shall be designated, platted and  
19 constructed consistent with this Decision as Single-Family Townhouse attached.

20                   **RECOMMENDATION TO CITY COUNCIL**

21                   The Hearing Examiner further recommends to the City Council that, upon the Applicant's  
22 compliance with all conditions of approval, that the City Council approve final replat  
23 modification.

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DATED this 22 day of OCTOBER, 2013.

\_\_\_\_\_  
Mark C. Scheibmeir  
City of Olympia Hearing Examiner

# City of Olympia

City Hall  
601 4th Avenue E.  
Olympia, WA 98501  
360-753-8447

## City Council

### Approval of Interlocal Agreement with Thurston County Superior Court for Jury Trial Services

**Agenda Date:** 11/19/2013

**Agenda Number:** 4.F

**File Number:** 13-0949

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**File Type:** contract

**Version:** 1

**Status:** Consent Calendar

**..Title**

Approval of Interlocal Agreement with Thurston County Superior Court for Jury Trial Services

**..Recommended Action**

**Committee Recommendation:**

Not referred to a committee

**City Manager Recommendation:**

Move to approve the Interlocal Agreement and authorize the Mayor to sign it.

**..Report**

**Issue:**

Consider entering into an agreement with Thurston County Superior Court to conduct jury trials for the City.

**Staff Contact:**

Maryam Olson, Court Administrator, 360.709.2783

**Presenter(s):**

None. Consent Calendar Item

**Background and Analysis:**

Individuals charged with any criminal offense have a constitutional right to a jury trial. Historically, the City of Olympia Municipal Court contracted with Thurston County District Court to provide these jury trial services for our City. After the County terminated that agreement, the City entered into a different agreement with the County (Superior Court) to provide court space and jurors for our jury trials. Our Municipal Judge presides over these trials.

Olympia Municipal Court receives approximately 2,500 criminal filings and approximately 2,500 infraction filings per year. This caseload requires full-time use of our courtroom for all preliminary and post-sentencing hearings and does not allow us the flexibility to schedule jury trials here. Approximately 100 jury trials are requested per year in Olympia Municipal Court, but only about 10 jury trials are actually held. Because it is necessary to find alternative space to hear our trials, we have traditionally contracted jury services from Thurston County.

**Agenda Date: 11/19/2013**

**Agenda Number: 4.F**

**File Number: 13-0949**

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**Neighborhood/Community Interests (if known):**

N/A

**Options:**

1. Enter into an agreement with Thurston County Superior Court for jury trial services . Thurston County Superior Court has accommodated our need for jury trial services since January 2000 by providing a courtroom, jurors, jury deliberation room and a bailiff. This agreement provides the level of services requested, allows our judge to preside over Olympia Municipal matters, has worked well since its inception and has been mutually beneficial to both parties. The court must adhere to the provisions of the interlocal agreement, however, the County cannot guarantee the availability of jury services when the City's trial conflicts with a County trial.

2. Do not enter into an agreement with Thurston County Superior Court for jury trial services. The court would have to search for alternative facilities to hold our trials. There are no alternative sites identified at this time.

**Financial Impact:**

Funding for this agreement is included in the 2014 court budget.

**INTERLOCAL AGREEMENT ESTABLISHING SUPERIOR COURT FEES FOR JURY TRIALS FOR THE CITY OF OLYMPIA**

**THIS AGREEMENT**, made and entered into by and between the COUNTY OF THURSTON, hereinafter referred to as the "COUNTY," and the CITY OF OLYMPIA, hereinafter referred to as the "CITY";

**WHEREAS**, fees for jury trials are to be determined pursuant to an agreement between the CITY and the COUNTY as provided for in Chapter 39.34 RCW, the Interlocal Cooperation Act; and

**WHEREAS**, the COUNTY and the CITY wish to establish fees for jury trials at a mutually acceptable rate.

**NOW, THEREFORE**, in consideration of the terms, conditions, covenants, and performance contained herein, the parties hereto agree as follows:

**1. GENERAL**

**1.1 Purpose.** The purpose of this Agreement is to establish fees for jury trials to be paid by the CITY for jury trials conducted by the CITY in Thurston County Superior Court (Superior Court).

**1.2 Administration.** The Judicial Administrative Officer of the COUNTY shall be responsible for administering this Agreement on behalf of the COUNTY. The Court Administrator of the CITY shall be responsible for administering this Agreement on behalf of the CITY.

**1.3 Property.** This Agreement does not provide for the acquisition, holding or disposal of real or personal property.

**1.4 Financing.** There shall be no financing or any joint or cooperative undertaking pursuant to this Agreement. There shall be no budget maintained for any joint or cooperative undertaking pursuant to this Agreement.

**2. FEES FOR JURY TRIALS**

**2.1 Jury Trial Fees.** The CITY agrees to pay the COUNTY \$272.00 for each case scheduled to be heard in Superior Court courtrooms for jury trials regardless of whether the trial commences. The CITY also agrees to pay the COUNTY an additional fee of \$426.00 per day or partial day of trial for each case, which applies after the actual commencement of a jury trial regardless of whether the trial is terminated or otherwise concludes on the first day. For purposes of this Agreement, a jury trial is deemed commenced when the jury panel reports to the courthouse.

The CITY understands that the services of a Superior Court Bailiff are included in the daily fee for jury trials and that these services are a requirement for the use of the COUNTY'S trial services.

Interlocal Agreement Establishing  
Superior Court Fees for Jury Trials  
For the City of Olympia

The COUNTY agrees to make a good faith effort to provide, in a timely manner, a courtroom and a jury for adjudication of CITY cases. However, the COUNTY cannot guarantee the availability of such services in the event of a conflict with a COUNTY trial.

**2.2 Other costs.** The fees set forth in Section 2.1 of this Agreement shall include all COUNTY services for the use of Superior Court for the CITY'S proceedings except for the following additional costs to be paid by the CITY:

- a. Attorney cost for indigent representation, which costs shall be paid directly by the CITY through a separate contract for such services; and
- b. Witness costs, juror costs, including meals required, together with the applicable mileage allowance, mental health evaluation costs and the costs of interpreter service which costs and allowance(s) shall be paid directly by the CITY; and
- c. Prosecution costs, including prosecution costs associated with any appeal in CITY cases.

2.3 Fee Changes. On or before October 1 of each year, the COUNTY shall provide written notice to the CITY specifying any change in the rate of fees for jury trials or costs proposed to be applicable for the following calendar year. After the delivery of such notice, each party's administrator (as set forth in section 1.2) shall negotiate such fees in good faith.

**3. DURATION AND TERMINATION**

**3.1 Duration and Termination.** This Agreement shall be in effect until terminated by either party on or before November 30 of any year, which termination shall take effect January 1 of the following year.

**4. AMENDMENT**

**4.1 Amendments.** The Judicial Officer of the COUNTY and the Court Administrator of the CITY have authority to amend the fees and costs contained in this Agreement once each year, to be applicable to the following calendar year. Each party is responsible for making such amendment in writing and properly recording it as required by law. All other provisions within this Agreement may be amended with the mutual consent of each party's respective governing body. No additions to, or alteration of the terms of this Agreement shall be valid unless made in writing, formally approved and executed by duly authorized agents of both parties.

Interlocal Agreement Establishing  
Superior Court Fees for Jury Trials  
For the City of Olympia

**5. RECORDING**

**5.1 Recording.** Prior to its entry into force, this Agreement shall be filed with the Thurston County Auditor's Office or posted upon the website of one or both parties or other electronically retrievable public source as required by RCW 39.34.040.

**6. NOTICE**

**6.1 Notice.** Any notice required under this Agreement shall be to the party at the address listed below and shall become effective three days following the date of deposit in the United States Postal Service.

**CITY OF OLYMPIA**

Attn: Maryam Olson, Court Administrator  
PO Box 1967  
Olympia, WA 98507-1967

**THURSTON COUNTY SUPERIOR COURT**

Attn: Judicial Administrative Officer  
2000 Lakeridge Dr. SW  
Olympia WA 98502

**7. RATIFICATION**

**7.1 Ratification.** Any act in 2013 consistent with the terms of this Agreement but prior to full execution of the Agreement is hereby ratified and confirmed.

**8. EFFECTIVE DATE**

**8.1 Effective Date.** This Agreement shall take effect as of the date of filing or posting as required by RCW 39.34.040.

**9. AUTHORITY**

**9.1 Authority.** The undersigned acknowledge that they are authorized to execute this Agreement and bind their respective agencies to the obligations set forth herein.

\*\*\*\*\*SIGNATURES APPEAR ON THE FOLLOWING PAGE\*\*\*\*\*

Interlocal Agreement Establishing  
Superior Court Fees for Jury Trials  
For the City of Olympia

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date of the last authorizing signature affixed hereto.

CITY OF OLYMPIA

BOARD OF COUNTY COMMISSIONERS  
Thurston County, Washington

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Commissioner

APPROVED AS TO FORM:

\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Superior Court Administrative Officer

ATTEST:

\_\_\_\_\_  
Clerk of the Board



# City of Olympia

## City Council

City Hall  
601 4th Avenue E.  
Olympia, WA 98501  
360-753-8447

### Adoption of Ordinance Annexing the Division Street Area (County Island)

**Agenda Date: 11/19/2013**

**Agenda Number: 4.G**

**File Number: 13-0629**

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**File Type:** ordinance

**Version:** 3

**Status:** Second Reading

**Agenda Item:**

Adoption of Ordinance Annexing the Division Street Area (County Island)

**Issue:**

The attached Ordinance was passed on first reading on August 20, 2013, and is now presented for adoption on second reading.

**City Manager's Recommendation:**

Move to adopt the attached Ordinance on second reading.

**Staff Contact:**

Todd Stamm, Principal Planner, 360.753.8597

**Presenter(s):**

None, Consent Calendar item.

**Background and Analysis:**

The annexation of County islands occurring entirely within the City's boundaries generally creates more logical boundary and more reasonable service areas for City services. Our Comprehensive Plan and Countywide Planning Policies include policy statements regarding growth management and annexation. Generally, the goals support annexations which create logical boundaries and reasonable service areas within the Urban Growth Areas (UGA). The proposed Division Street Annexation is a UGA "island," in that it is surrounded on all sides by the City of Olympia. Law enforcement is technically served by the Thurston County Sheriff's office that also serves the rural area. Thus in non-emergency circumstances, law enforcement response times may not be what the City's urban residents expect. However, emergency services are likely to be provided by the City of Olympia even though the properties are not contributing taxes to the City for those urban services. Staff recommends acceptance of the annexed area to increase efficiency of service delivery such as fire, police and waste removal services. Annexing the area will also support consistency among existing City codes such as the ban on fireworks.

No change in zoning (R 4-8) is required since the existing zoning is the same as surrounding City areas. Further, the area is "pre-zoned" R 4-8 pursuant to the Olympia Zoning Map.

On April 9, 2013 the City Council directed staff to pursue annexation of the Division Street island through the Direct Petition Method, and on May 8, 2013 staff held a public meeting on the proposal. On August 20, 2013, Council held a public hearing on the proposed annexation

**Agenda Date: 11/19/2013**

**Agenda Number: 4.G**

**File Number: 13-0629**

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and passed it on first reading. The Boundary Review Board was notified of the proposed annexation. The 45-day opportunity for interested parties to request review by the Board has expired. Therefore the annexation ordinance is now presented to Council for adoption on second reading. Upon approval the annexation would be effective five days after publication of the ordinance and staff would notify all interested parties accordingly.

**Neighborhood/Community Interests (if known):**

Property owners and residents of the area have expressed an interest in the implications of annexation. One resident of the proposed annexation area attended the May 8th public meeting and one resident submitted a comment. No one spoke at the Public Hearing.

**Options:**

1. Approve the attached annexation ordinance on second reading.
2. Deny the proposed annexation and ordinance.
3. Postpone deliberation of the ordinance until a later date.

**Financial Impact:**

The City already provides many services to this area. Due to the small area, few to no financial impacts are expected.

Ordinance No. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, ANNEXING TO THE CITY OF OLYMPIA APPROXIMATELY 8.5 ACRES AND ADJACENT STREET RIGHTS-OF-WAY TO THE AREA BOARDED BY DIVISION ST, DICKINSON ST, BOWMAN AVE, AND BOWMAN PARK, THURSTON COUNTY, WASHINGTON, LYING CONTIGUOUS TO OLYMPIA CITY LIMITS AND WITHIN THE OLYMPIA URBAN GROWTH AREA.**

**WHEREAS**, the Thurston County Assessor's Office made a Determination of Sufficiency Petition per the requirements of RCW 35A.14.130 and RCW 35A.01.040 to annex said property to the City of Olympia, and said city has previously agreed to accept said proposed annexation and likewise determined that the City of Olympia would require the assumption of said annexed areas of its fair share of any existing indebtedness of the City of Olympia; and

**WHEREAS**, a written petition representing over sixty percent (60%) in value according to the assessed valuation of said property was filed requesting annexation of said property to the City of Olympia; and

**WHEREAS**, a date for a public hearing on said petition was fixed by the City Council of the City of Olympia and notice of said hearing was published in a newspaper of general circulation in the City of Olympia and was likewise posted in the area proposed to be annexed in the manner required by law and affidavits of publications and posting of said notice have been filed with the City Clerk; and

**WHEREAS**, the notice so published and posted provided said hearing be held on August 20, 2013, at or after 7:00 p.m. at the Council Chambers of Olympia City Hall; and

**WHEREAS**, said hearing was held in accordance with the provisions of RCW 35A.14.130; the City Council found that said petition was signed by the party representing more than 60% in value according to the assessed valuation of the property described therein; said area proposed to be annexed is contiguous to the City of Olympia; and the petition and hearing thereon were in all things regular and notice thereof was given as provided by law.

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1.** That the property described in Exhibit 1 and Exhibit 2 contiguous to the City of Olympia be, and the same is hereby annexed to and made a part of the City of Olympia and is subject to the laws and ordinances now and hereafter in effect; provided, however, that the property within the limits of said annexed area shall be taxed or assessed to pay its share of any bonded indebtedness of the City of Olympia contracted prior to or released from any taxes or assessments levied against it or from any liability for the payment of any outstanding bonds or warrants issued prior to such annexation; provided further, that said property hereby annexed shall be subject to readdressing of existing street names and/or numbers if they are not consistent with either the established City of Olympia "100 Block" Grid Designation or the street naming conventions in Olympia Municipal Code Title 12, Section 48; and

provided further, that said property hereby annexed shall be and hereby is given the zoning designation of Single-Family Residential (R4-8).

**Section 2.** Pursuant to RCW 35A.14.900, the City of Olympia plans to assume solid waste collection in the area here annexed in seven (7) years. The transition period therefore begins to run on the effective date of this Ordinance.

**Section 3. Effective Date.** This Ordinance shall be in effect five days after its passage and publication. Thereafter, the area described herein shall become a part of the City of Olympia.

**Section 4. Severability.** The provisions of this Ordinance are declared separate and severable. If any provision of this ordinance or its application to any person or circumstances is held invalid, the remainder of this ordinance or application of the provision to other persons or circumstances, shall be unaffected.

**Section 5. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

\_\_\_\_\_  
MAYOR

**ATTEST:**

\_\_\_\_\_  
CITY CLERK

**APPROVED AS TO FORM:**

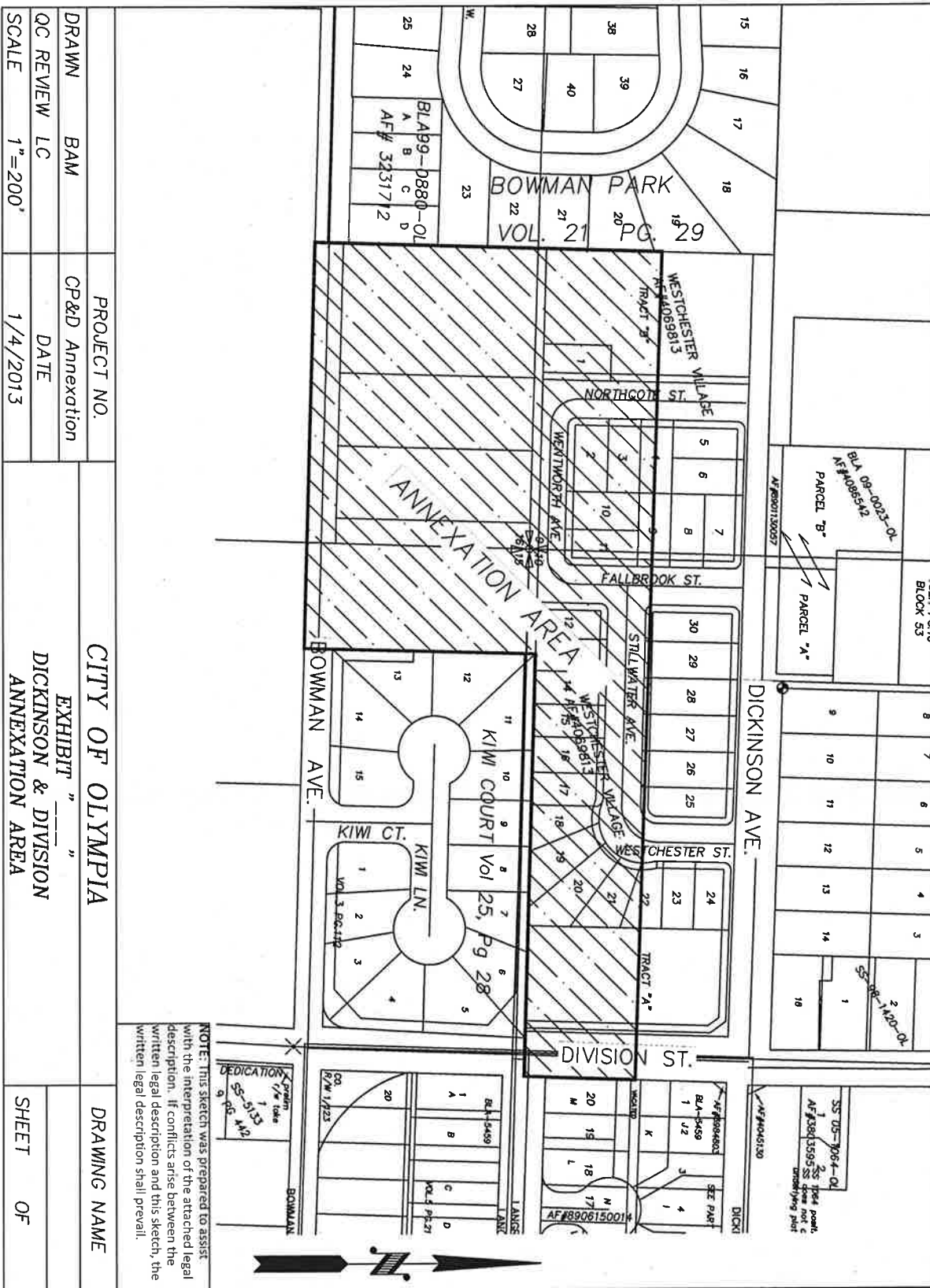
*Darren Nienke*  
\_\_\_\_\_  
DEPUTY CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**

EXHIBIT "1"



DRAWN		BAM	PROJECT NO.	CITY OF OLYMPIA	
QC REVIEW		LC	DATE	EXHIBIT "1"	
SCALE		1"=200'	1/4/2013	DICKINSON & DIVISION ANNEXATION AREA	
			DRAWING NAME	SHEET OF	

NOTE: This sketch was prepared to assist with the interpretation of the attached legal description. If conflicts arise between the written legal description and this sketch, the written legal description shall prevail.

DEDICATION  
 1/1/2013  
 9/20/13

BLA-15459  
 1/1/2013  
 9/20/13

AF# 3231712  
 1/1/2013  
 9/20/13

SS 05-1064-01  
 1/1/2013  
 9/20/13

AF# 3231712  
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AF# 3231712  
 1/1/2013  
 9/20/13

AF# 3231712  
 1/1/2013  
 9/20/13

AF# 3231712  
 1/1/2013  
 9/20/13

Date: June 19, 2013  
Project: Division Annexation

**EXHIBIT "2"**  
**CITY OF OLYMPIA DIVISION ANNEXATION AREA**

Division Annexation Area, situated in the Southeast Quarter of the Southeast Quarter of Section 9, the Southwest Quarter of the Southwest Quarter of Section 10, the Northwest Quarter of the Northwest Quarter of Section 15, the Northeast Quarter of the Northeast Quarter of Section 16, all of Township 18 North, Range 2 West, Willamette Meridian, Thurston County, Washington, said Annexation Area is contained and bounded within the following described:

**Northerly Boundary:** City limits per City of Olympia Ordinance No. 3430, passed December 05, 1967, described as the extension of the alley centerline in Block 2, Second Railroad Addition as recorded in Volume 3, page 112, Records of Thurston County;

**Easterly Boundary:** East right-of-way line of Division Street and the West line of Kiwi Court Subdivision, Volume 25, Page 28, Thurston County records;

**Southerly Boundary:** North line of Kiwi Court Subdivision, Volume 25, Page 28, AFN 9108260149, Thurston County records and the South Right-of-Way line of Bowman Avenue;

**Westerly Boundary:** East line of Bowman Park Division #1, Volume 21, Page 29, AFN 1097917, and the East line of Parcel "D" per Boundary Line Adjustment Survey, AFN 3231712, Thurston County records.

Said Annexation Area shown on Exhibit "1" and contains 8.5 acres more or less.



---

**From:** Jennifer Kenny  
**Sent:** Wednesday, May 08, 2013 4:27 PM  
**To:** Jennifer Kenny  
**Subject:** FW: Division annexation

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**From:** Jay Wells [<mailto:Jaymoeski2@comcast.net>]

**Sent:** Wednesday, May 08, 2013 2:45 PM

**To:** Jennifer Kenny

**Subject:** Division annexation

Hi Jennifer,

My name is Jay Wells and I own 2224 Bowman Ave. We are part of the parcels being suggested in the annexation. I am unable to attend your meeting this evening. I wanted to send my issues and concerns in advance of your meeting.

We the Bowman Street owners made it very clear during the Westchester development. That we had no interest in annexation.

We also are baffled how the developer was allowed to build non legal width roads and walk away from their obligation to provide barrier fencing for all of the opposing Bowman properties. One example of no credibility for the City. Developer wins.

My point simply stated is we do not trust or believe anything the City has to offer or say. Your FAQ is inaccurate. We will be losing private garbage service, paying considerably higher waste fees and utility subsidized fees in our electric bills and likely losing acreage.

We are also concerned with emanate domain. We are not interested in giving up 15 feet of frontage and 15 feet off the back off our parcels for sidewalks and landscaping.

So please enlighten me. I bought my property for its County location, rights of use and options. I did not buy it so I could be strapped with high cost utilities and a bunch of political wrangling.

In closing. We are not in favor of an annexation! We would be fine with Westchester being moved! We would prefer to stay the way we are. Please notify me if there is going to be a vote on this. I would like to be able to explore legal options!

Regards,  
Jay Wells





Date: June 19, 2013  
Project: Division Annexation

**EXHIBIT "2"**  
**CITY OF OLYMPIA DIVISION ANNEXATION AREA**

Division Annexation Area, situated in the Southeast Quarter of the Southeast Quarter of Section 9, the Southwest Quarter of the Southwest Quarter of Section 10, the Northwest Quarter of the Northwest Quarter of Section 15, the Northeast Quarter of the Northeast Quarter of Section 16, all of Township 18 North, Range 2 West, Willamette Meridian, Thurston County, Washington, said Annexation Area is contained and bounded within the following described:

**Northerly Boundary:** City limits per City of Olympia Ordinance No. 3430, passed December 05, 1967, described as the extension of the alley centerline in Block 2, Second Railroad Addition as recorded in Volume 3, page 112, Records of Thurston County;

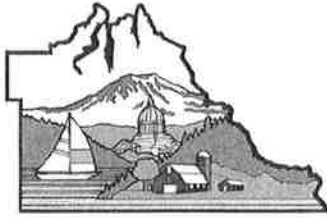
**Easterly Boundary:** East right-of-way line of Division Street and the West line of Kiwi Court Subdivision, Volume 25, Page 28, Thurston County records;

**Southerly Boundary:** North line of Kiwi Court Subdivision, Volume 25, Page 28, AFN 9108260149, Thurston County records and the South Right-of-Way line of Bowman Avenue;

**Westerly Boundary:** East line of Bowman Park Division #1, Volume 21, Page 29, AFN 1097917, and the East line of Parcel "D" per Boundary Line Adjustment Survey, AFN 3231712, Thurston County records.

Said Annexation Area shown on Exhibit "1" and contains 8.5 acres more or less.





THURSTON COUNTY  
WASHINGTON  
SINCE 1852

STEVEN J. DREW  
Assessor

OFFICE OF THE ASSESSOR

## DECLARATION OF PETITION SUFFICIENCY

I, Susan Drake, do hereby certify, pursuant to RCW 35A.01.040,

That petition, "Division St. Annexation", for annexation to the City of Olympia, submitted to this office by Jennifer Kenny on June 6, 2013, 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 of not less than **sixty percent** of the assessed value of the total proposed annexation area.

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 June 25, 2013 in Olympia, Washington.

Susan Drake,  
Sr. Property Control Analyst  
Property Administration Team  
Thurston County Assessor's Office



# City of Olympia

City Hall  
601 4th Avenue E.  
Olympia, WA 98501  
360-753-8447

## City Council

### Approval of Appropriation Ordinance in the Amount of \$1,076,000 for the 22nd Avenue Sidewalk Project.

Agenda Date: 11/19/2013

Agenda Number: 4.H

File Number: 13-0894

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File Type: ordinance

Version: 2

Status: Second Reading

#### ..Title

Approval of Appropriation Ordinance in the Amount of \$1,076,000 for the 22nd Avenue Sidewalk Project.

#### ..Recommended Action

##### Committee Recommendation:

Not referred to a committee.

##### City Manager Recommendation:

Move to approve on second reading the appropriation ordinance in the amount of \$1,076,000 for the 22nd Avenue Sidewalk Project.

#### ..Report

Issue:

Whether to approve an ordinance to appropriate funds from a *Safe Routes to School* grant. The funds will be used to design and construct the 22nd Avenue Sidewalk Project.

Staff Contact:

Randy Wesselman, Public Works Transportation, 360.753.8477

Presenter(s):

None - Consent Calendar Item

#### Background and Analysis:

##### [Same Background and Analysis as First Reading]

On April 10, 2012, City Council authorized staff to submit the 22nd Avenue Sidewalk Project, between Cain Road and Boulevard Road, for the *Safe Routes to School* grant program. The City applied for and received grant funds for this project, which was identified in the 2003 Sidewalk Program. The project will construct a 6-foot sidewalk on the south side of 22nd Avenue from Cain Road to Boulevard Road and on the north side from Wilson Street to Swanee Place.

In order to proceed with the project, the grant funds need to be appropriated. Attached is the appropriation ordinance.

Intercity Transit is participating in this grant. They will provide education and outreach to Washington Middle School and NOVA Middle School to encourage walking and biking along this route.

**Agenda Date: 11/19/2013**  
**Agenda Number: 4.H**  
**File Number: 13-0894**

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**Neighborhood/Community Interests (if known):**

The City has received multiple requests from the public to construct a sidewalk on 22nd Avenue. The community is generally supportive of this project, with concern expressed by some individuals about impacts to trees and their property. We will work with residents throughout the project to identify and address concerns where possible. The sidewalk will enhance pedestrian safety on a busy road and provide better walking access to nearby schools, parks, and transit.

**Options:**

1. Approve on second reading the appropriation ordinance in the amount of \$1,076,000 for the 22nd Avenue Sidewalk Project. This allows the project to proceed to design and construction. If approved, the project will be completed in 2014/2015.
2. Do not adopt the appropriation ordinance. The project will not proceed, unless another funding source is identified and the grant funds will need to be returned.

**Financial Impact:**

Safe Routes to School Grant Funds:	\$1,076,000
Local Match (Previously Appropriated) - Utility Tax Funds:	\$ 782,100
Local Match - Intercity Transit (in-kind services):	<u>\$ 41,200</u>
<b>Total Project Cost:</b>	<b>\$1,899,300</b>

**Ordinance No.**

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING TO THE 2013 BUDGET, AND APPROPRIATING \$1,076,000 TO THE 22<sup>nd</sup> AVENUE SIDEWALK PROJECT, FUNDED BY A GRANT FROM THE SAFE ROUTES TO SCHOOL GRANT PROGRAM

WHEREAS, the City of Olympia has been awarded \$1,076,000 from the Safe Routes to School Grant Program;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1.** That the following appropriations are hereby made:

**CAPITAL IMPROVEMENT FUND (317)**

<b>Resources:</b>	Federal Grants, Indirect Safe Routes to School Program Grant	\$1,076,000
	<b>TOTAL RESOURCES</b>	<b>\$1,076,000</b>
<b>Appropriations:</b>	22 <sup>nd</sup> Avenue Sidewalk Project	\$1,076,000
	<b>TOTAL APPROPRIATIONS</b>	<b>\$1,076,000</b>

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

*Darre Nienobe DA*

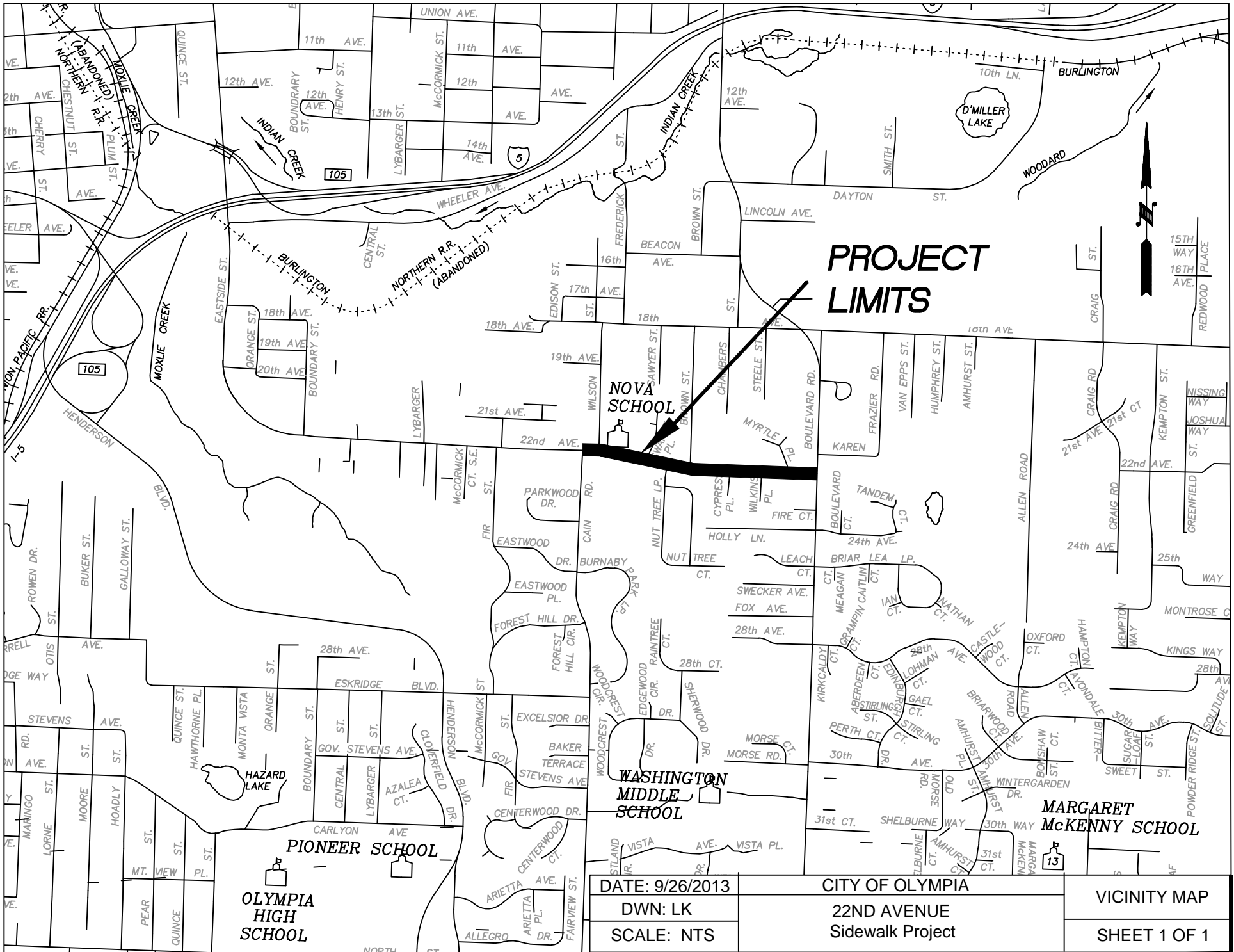
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DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



**PROJECT  
LIMITS**

**NOVA  
SCHOOL**

**WASHINGTON  
MIDDLE  
SCHOOL**

**MARGARET  
McKENNY SCHOOL**

**PIONEER SCHOOL**

**OLYMPIA  
HIGH  
SCHOOL**

DATE: 9/26/2013  
DWN: LK  
SCALE: NTS

CITY OF OLYMPIA  
22ND AVENUE  
Sidewalk Project

VICINITY MAP  
SHEET 1 OF 1

# City of Olympia

City Hall  
601 4th Avenue E.  
Olympia, WA 98501  
360-753-8447

## City Council

### Approval of Ad Valorem Tax Ordinance

**Agenda Date: 11/19/2013**

**Agenda Number: 4.I**

**File Number: 13-0941**

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**File Type:** ordinance

**Version:** 2

**Status:** First Reading

**..Title**

Approval of Ad Valorem Tax Ordinance

**..Recommended Action**

**Committee Recommendation:**

Not referred to a committee.

**City Manager Recommendation:**

Move to approve ordinance on first reading and forward to second reading.

**..Report**

**Issue:**

Approval of ordinance to set the Ad Valorem Tax for 2013 collections.

**Staff Contact:**

Dean Walz, Fiscal Services Director, Administrative Services Department,  
360.753.8465

**Presenter(s):**

N/A

**Background and Analysis:**

***[Same Background and Analysis as November 12, 2013 meeting]***

The City is required to adopt a property tax levy ordinance and file a levy certification with the County by November 30, 2013. If no certification is filed, the County will levy the lesser of the amount levied for 2013 or any other legal limit which may be applied to the levy.

A public hearing on General Fund revenues sources, including property tax, is required prior to the adoption of the property tax levy (RCW 84.55.120). Schedule of proposed 2014 General Fund revenues is attached. Notice of the hearing was published on October 29th and November 5, 2013. A public hearing was held on November 12, 2013.

The 2014 general levy is based on a 1% increase over the 2013 levy excluding the 2013 refund levy, plus estimated amounts for new construction, a contingency, and a refund levy to be collected in 2014. To increase the levy beyond these limits requires voter approval (levy lid lift).

**Agenda Date: 11/19/2013**

**Agenda Number: 4.I**

**File Number: 13-0941**

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A contingency is included because the final values and changes in State assessed properties (utilities) are not known at this time. The maximum the City can collect in property taxes is limited to the lessor of the legal limit or the amount specified in the authorizing ordinance.

Once a levy is set there may be adjustments made which lower the amount of taxes to be collected, e.g. lower assessed valuations. The amount not collected due to adjustments can be added to the next year's levy as a refund levy .

The estimated regular levy for 2014 collections is \$13,223,328 including a refund levy and contingency. The estimated rate per \$1,000 of assessed valuation is \$2.4853. The current rate is \$2.5567. The decrease in rate is due to an assessed value increase of 5.14% and an increase of 1.98% in taxes including new construction, refund levy and the contingency. Assessed value for 2014 tax collections is estimated at \$5.32 billion an increase of \$260 million. Preliminary estimated increase in assessed valuation from new construction (included in above) is \$72.28 million.

The maximum regular levy rate is \$3.325, assuming the Timberland Library District levied its full levy capacity of \$0.50 per \$1,000 of assessed value. The current levy rate of the District is \$0.415.

Additionally, the city will collect property tax to pay debt service on bonds issued with voter approval (2008) to fund fire facilities and equipment. This levy for 2014 will be \$1,214,903, estimated levy rate is \$0.2283. The 2013 levy for the fire bonds is \$0.2420. The tax levy to pay the debt service on the fire bonds is not part of the public hearing.

The ordinance approving the levy must include the amount and percentage of change compared to the prior year (2013). The comparison is based on the 2013 levy less the refund levy when calculating the 1% increase, but includes the refund levy when calculating the dollar and percent of change.

\$12,938,026.26	2013 levy
<u>Less (99,609.17)</u>	refund portion of the levy
\$12,838,417.09	amount to which the 1% is applied
\$ 12,966,801.26	101% of above
<u>Less 12,938,026.26</u>	2013 levy including refund levy
\$ 28,775.00	increase over 2013 levy 0.2224%

**Neighborhood/Community Interests (if known):**

N/A

**Options:**

- 1) Move to approve the ordinance on first reading and forward to second reading.



**Agenda Date: 11/19/2013**

**Agenda Number: 4.I**

**File Number: 13-0941**

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- This ordinance would allow for the maximum property tax collections.
- 2) Move the ordinance to second reading with changes as identified by the Council.
  - 3) Do not pass the ordinance. The County would levy property taxes at the same level as 2013.

**Financial Impact:**

Financial impact below is based on information in the preliminary budget plus, refund levy and contingency. The ordinance is based on the most recent information from the County Assessor's Office and is \$235 less than the information below.

Levy Calculations:

\$12,966,801	1% increase over 2013 levy, excluding the 2013 refund levy.
\$ 184,804	New construction
\$ 46,723	Refund levy
<u>\$ 25,000</u>	Contingency pending final values from the County.
\$13,223,328	

Proposed allocation of the regular levy:

\$ 9,811,770	General Fund, Preliminary Budget
\$ 1,686,055	Debt Service, City Hall Bonds
\$ 565,921	Debt Service, Public Works Trust Fund, 4th/5th Avenue Corridor Loans
\$ 1,134,582	Firemen's Pension Fund
<u>\$ 25,000</u>	General Fund, contingency
\$ 13,223,328	

AN ORDINANCE setting the ad valorem tax amount and amount of increase for the budget year 2014.

WHEREAS, the Olympia City Council held a public hearing on November 12, 2013, to consider the City of Olympia ad valorem tax levy for 2014 collections; and

WHEREAS, the City Council, after the hearing and after duly considering all relevant evidence and testimony presented, has determined that the City of Olympia requires an increase in property tax revenue from the previous year, in addition to the increase resulting from additions of new construction and improvements to property, areas added by annexation, and any increase in the value of state-assessed property, in order to discharge the expected expenses and obligations of the City in its best interest; and

WHEREAS, the City must identify in the ad valorem tax ordinance the amount and percentage increase compared to the previous year; and

WHEREAS, the City issued bonds to pay for a Fire Station, Fire Training Facility, and Equipment, such bonds approved by voters in 2008; and

WHEREAS, the City of Olympia has been advised by the Thurston County Treasurer that the City of Olympia is eligible for a refund levy of \$46,722.55; and

WHEREAS, final assessed values are not yet available, a contingency of \$25,000 is included in the General Levy; and

WHEREAS, the City is required to certify the amount to be raised by taxation on assessed valuation with the clerk of the county legislative authority by November 30.

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL, ORDAINS AS FOLLOWS:**

**Section 1.** A \$28,775 increase in the regular property tax levy is hereby authorized for the 2014 levy, which is an increase of 0.2224 percent from the previous year.

This is exclusive of additional revenue resulting from new construction, improvements to property, any increase in the value of state assessed property, and any annexations that have occurred and refunds made.

**Section 2.** There is hereby fixed as the amount of property tax collections necessary to raise an amount equal to the estimated expenditures less the total estimated revenue from all sources other than ad valorem taxation, the following sum:

OLYMPIA	AMOUNT
General Levy (Regular Property Tax Levy)	\$13,176,369.97
Excess Levy (Fire Station Bonds)	1,214,903.00
Administrative Refund Levy	46,722.55
	\$14,437,995.52

**Section 3.** On or before the 30<sup>th</sup> day of November, 2013, the City Clerk shall file with the Clerk of the Thurston County Board of Commissioners a certified estimate of the total amount to be raised by the ad valorem tax levied herein on property within the City of Olympia.

ADOPTED THIS \_\_\_\_\_ day of November, 2013.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MAYOR PRO-TEM

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER


\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER

**ATTEST:**

\_\_\_\_\_  
CITY CLERK

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
ASSISTANT CITY ATTORNEY

Passed:

Approved:

Published:

## SCHEDULE OF PRELIMINARY ESTIMATED 2014 GENERAL FUND REVENUE BY TYPE

Property Tax	\$9,811,770	15.7%
Sales Taxes	17,989,980	28.7%
Business Taxes	4,666,000	7.5%
Utility Tax, Private	5,054,750	8.1%
Utility Tax, Municipal	4,061,900	6.5%
Licenses & Permits	2,964,087	4.7%
Intergovernmental	4,482,405	7.2%
Charges for Service	10,294,094	16.4%
Fines & Forfeits	907,900	1.4%
Other Revenue	<u>2,385,178</u>	3.8%
Total Revenue	\$62,618,064	

A contingency of \$25,000 is proposed to be included in the actual levy ordinance to be presented to the Council. The contingency will allow the city to collect the full amount available if there are increases in new construction values or valuation of utilities which is provide by the State but is not currently available.

# City of Olympia

## City Council

City Hall  
601 4th Avenue E.  
Olympia, WA 98501  
360-753-8447

### Continued Discussion on the 2014 City of Olympia Operating Budget

**Agenda Date: 11/19/2013**

**Agenda Number: 6.A**

**File Number: 13-0964**

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**File Type:** discussion

**Version:** 1

**Status:** Other Business

**..Title**

Continued Discussion on the 2014 City of Olympia Operating Budget

**..Recommended Action**

**Committee Recommendation:**

Not recommended to a committee.

**City Manager Recommendation:**

Move to review the Operating Budget. If Council needs additional information then staff will continue budget deliberations on November 26th.

**..Report**

**Issue:**

An opportunity for the Council to comment and ask questions on the 2014 Operating Budget

**Staff Contact:**

Steve Hall, City Manager, 360.753.8370

Jane Kirkemo, Administrative Services Director, 360.753.8499

**Presenter(s):**

Ronnie Roberts, Police Chief

Jane Kirkemo, Administrative Services Director

**Background and Analysis:**

The 2014 Preliminary Operating Budget was presented on October 22, 2013 followed by a neighborhood forum on October 29th. There have been several questions on the 1/10% public safety funding. 2014 will be the first full year of funding and staff is projecting to receive \$1.4 million. Chief Roberts will outline how the department is anticipating spending the funds and discuss the department's technology needs .

In addition, staff will review the major revenue sources for 2014.

**Neighborhood/Community Interests (if known):**

The Neighborhood associations have expressed interest in continuing the school resource officer program (this is included in the 2014 budget). The Olympia Downtown Association (ODA) has expressed interest in restoring the downtown walking patrol. There is funding in the budget for 2 walking patrol officers. The County Prosecutor and the Sheriff have encouraged the City to again participate in the County Drug task

**Agenda Date: 11/19/2013**

**Agenda Number: 6.A**

**File Number: 13-0964**

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force (included in the Operating Budget).

**Options:**

Continue review and analysis of the 2014 budget. The budget schedule is:

- November 26 -Budget Balancing
- December 10- First Reading of the Budget
- December 17- Budget Adoption
- January 1, 2014 - The budget becomes effective.

**Financial Impact:**

The 2014 Operating Expenditure Budget is \$119 million and the 2014 - 2019 Capital Facilities Plan is \$122 million. Both the Preliminary Operating Budget (including LTAC recommendations and utility rate increases) as well as the preliminary Capital Facilities Plan are available on the City's website for public review.