



City of Olympia

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8447

Meeting Agenda City Council

Tuesday, April 15, 2014

7:00 PM

Council Chambers

1. ROLL CALL

1.A ANNOUNCEMENTS

1.B APPROVAL OF AGENDA

2. SPECIAL RECOGNITION

- 2.A** [14-0379](#) Proclamation Recognizing the Accomplishments of the Olympia Area Chinese Fellowship

Attachments: [Proclamation](#)

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** [14-0357](#) Approval of March 17, 2014 Special Meeting Re: Regional Strategies to Address Increased Drug Use Meeting Minutes

Attachments: [Minutes](#)

- 4.B** [14-0378](#) Approval of April 1, 2014 Special Study Session Minutes

Attachments: [Minutes](#)

- 4.C** [14-0345](#) Approval of April 1, 2014 City Council Meeting Minutes

Attachments: [Minutes](#)

- 4.D** [13-0662](#) Adoption of a Resolution Accepting Recommendations, Findings, and Conclusion of the Hearing Examiner and Granting Preliminary Approval of an Amendment to the Woodard Lane Co-Housing Planned Residential Development
- Attachments:** [Resolution](#)
 [Memo to City Manager April 4, 2014](#)
 [Hearing Examiner Recommendation](#)
 [Staff Report to HE](#)
 [Applicant Overview of PRD Proposal](#)
 [Binding Site Plan 1-5](#)
 [2008 Resolution #1709](#)
 [SEPA DNS 2007](#)
 [Memorandum - Transferable Development Rights \(TDR\)](#)
 [Study of TDRs](#)
 [Map of Thurston County TDR Areas](#)
 [Fence Photos](#)
- 4.E** [14-0236](#) Approval of Amendment to Interlocal Agreement for Sale of Water to Thurston PUD No. 1
- Attachments:** [Interlocal Agreement for Sale of Water](#)
 [Map PUD service area](#)
- 4.F** [14-0298](#) Approval of Stormwater Utility Easement for the City of Tumwater on the Brewery Wellfield Property Jointly Owned by the Cities of Lacey, Olympia and Tumwater
- Attachments:** [Stormwater Utility Easement](#)
- 4.G** [14-0331](#) Approval of Intergovernmental EMS Contract for Paramedic Services with Thurston County.
- Attachments:** [Medic One Interlocal](#)
- 4.H** [14-0332](#) Approval of Interlocal Agreement between the City of Olympia and Thurston County Fire Protection District 8.
- Attachments:** [Interlocal with TCFD#8 2014](#)
- 4.I** [14-0355](#) Approval to Apply for 2014 Grant Opportunities: 2014 Safe Routes to School Program and Pedestrian and Bicycle Program
- Attachments:** [Grant Opportunities](#)
- 4.J** [14-0361](#) Approval of Capital Area Regional Public Facilities District Regional Representative
- 4.K** [14-0364](#) Approval of Chehalis Western and Woodland Trails Transportation Alternative Program (TAP) Grant Submission
- Attachments:** [Hub Junction 2014 TAP Application](#)

4. SECOND READINGS

- 4.L** [13-0998](#) Approval of an Ordinance to Vacate a Portion of the North-South Alley Abutting the West Side of 1063 Capitol Way
Attachments: [Ordinance](#)
 [Resolution Setting Public Hearing Date](#)
 [ROW Vacation Petition](#)
 [Site Plan](#)
- 4.M** [14-0151](#) Approval of Ordinance Adopting a “Civic Center” Drug Free Zone
Attachments: [Ordinance](#)
 [Map of Proposed Zone](#)
 [Notice Sign](#)
- 4.N** [14-0229](#) Approval of 2013 Year End Financial Review and Adoption of Ordinance Appropriating Fund Balance for Various Purposes
Attachments: [Revised Second Reading Ordinance](#)
 [First Reading Ordinance](#)
 [2013 Year End Financial Review](#)
- 4.O** [14-0281](#) Approval of Ordinance Amending Olympia Municipal Code Regarding Landscaping and Screening of Solid Waste Receptacles (Containers)
Attachments: [Ordinance](#)
- 4.P** [14-0283](#) Approval of Amendment to Ordinance 6888 (Operating Budget)
Attachments: [Amendment to Ordinance 6888 \(Operating Budget\)](#)
- 4.Q** [14-0284](#) Approval of Amendment to Ordinance 6884 (Special Funds)
Attachments: [Amendment to Ordinance 6884 \(Special Funds\)](#)
- 4.R** [14-0285](#) Approval of Amendment to Ordinance 6887 (Capital Budget)
Attachments: [Amendment to Ordinance 6887 \(Capital Budget\)](#)

4. FIRST READINGS

- 4.S** [14-0313](#) Approval of Appropriation Ordinance in the Amount of \$50,000 for the Community Renewal Area Planning Process
Attachments: [Appropriation Ordinance](#)
 [CRA Revised Scope and Timeline](#)

5. PUBLIC HEARING

- 5.A** [14-0328](#) Public Hearing: Approval of an Ordinance to Extend for an Additional Six Months the Moratorium on Medical Marijuana Collective Gardens

(First and Final Reading)

Attachments: [Marijuana Moratorium Extension Ordinance](#)
[Matrix of Washington Cities I-502 Regulations](#)
[DOJ Marijuana Memo](#)

6. OTHER BUSINESS

6.A [14-0250](#) Approval of Bid Award for the 5th Avenue Paving Project

Attachments: [Bid Tabulation 5th Ave](#)
[Vicinity Map 1](#)
[Vicinity Map 2](#)

6.B [14-0296](#) Approval of Bid Award for the Boulevard Road and 22nd Avenue Roundabout Project

Attachments: [Bid Tabulation Summary](#)
[Vicinity Map](#)

6.C [14-0373](#) Direction on Language for Council's Public Hearing Draft of the Comprehensive Plan

Attachments: [Green House Gas Emissions and Climate Change](#)
[Sea Level Rise](#)
[Dark Skies](#)
[Rezoning Criteria](#)
[High Density Neighborhoods](#)
[Other Staff Recommendations](#)
[Hyperlink - Background / Prior Staff Reports](#)
[Hyperlink - Imagine Olympia webpage](#)

6.D [14-0314](#) Consider Changes to the Economy Chapter of the Comprehensive Plan to Implement the Investment Strategy and Feasibility Report

Attachments: [Economy Chapter](#)

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

The City of Olympia is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources. If you require accommodation for your attendance at the City Council meeting, please contact the Council's Secretary at 360.753-8244 at least 48 hours in advance of the meeting. For hearing impaired, please contact us by dialing the Washington State Relay Service at 7-1-1 or 1.800.833.6384.

City of Olympia

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

City Council

Proclamation Recognizing the Accomplishments of the Olympia Area Chinese Fellowship

Agenda Date: 4/15/2014

Agenda Number: 2.A

File Number: 14-0379

File Type: recognition

Version: 1

Status: Recognition

..Title

Proclamation Recognizing the Accomplishments of the Olympia Area Chinese
Fellowship

P R O C L A M A T I O N

WHEREAS, the Olympia Area Chinese Fellowship (OACF) was founded by Toy Kay in 1974 and has a membership of over 300 individuals, families, and businesses; and

WHEREAS, the OACF is a non-profit community organization that promotes cultural exchange and education between the United States and China; and

WHEREAS, the OACF is dedicated to promoting traditional Chinese arts, theater, dance, storytelling, and holidays, teaching the Chinese language, and serving the community; and

WHEREAS, the OACF is celebrating its 40th anniversary this year; and

WHEREAS, the following individuals are recognized for their contributions to the Olympia Chinese community:

- Toy Kay, founder*
- Huibi Yao, opened a Chinese school in 1981*
- Sheue-Lan Shyu, current principal and former teacher of the Olympia Chinese School*
- Jim Wei, served as principal of the Olympia Chinese School*
- Steve Xa, a pioneer of the Olympia Chinese School and served as president of OACF for five years*
- Myint and Juliet Lwin; both served as president of OACF and supported the Olympia Chinese School*

NOW THEREFORE, BE IT RESOLVED, that the Olympia City Council does hereby recognize the efforts and contributions the Olympia Area Chinese Fellowship has shared with the citizens of Olympia over the past 40 years.

SIGNED IN THE CITY OF OLYMPIA, WASHINGTON THIS 15th DAY OF APRIL, 2014.

OLYMPIA CITY COUNCIL

*Stephen H. Buxbaum
Mayor*



City of Olympia

City Hall
601 4th Avenue E
Olympia, WA 98501

Meeting Minutes - Draft City Council

Information: 360.753.8447

Monday, March 17, 2014

9:00 AM

**Tacoma Municipal Building North,
Room 16, 733 Market St., Tacoma,
WA**

Special Meeting Re: Regional Strategies to Address Increased Drug Use

1. ROLL CALL

Present: 5 - Mayor Stephen H. Buxbaum, Mayor Pro Tem Nathaniel Jones, Councilmember Jim Cooper, Councilmember Jeannine Roe and Councilmember Cheryl Selby

OTHERS PRESENT

Elected officials from the City of Tacoma, Thurston County, and Pierce County.

2. BUSINESS ITEM

14-0272 Regional Meeting to Discuss the Increased Use of IV Drugs in Cities

City of Tacoma Mayor Marilyn Strickland welcomed and thanked everyone for coming .

Discussion items included the following:

- Heroin's effects on urban development
- The quality and availability of opiates is on the rise, while the costs are down
- 250 new methadone treatment facilities
- Need more interaction with the Health Department
- Libraries are negatively impacted by drug users
- Support by neighborhoods is positive
- A study by the University of Washington show a large proportion of drug users die from overdose
- Prevention and intervention are key to curtailing drug use

The group then discussed a second meeting in the summer to potentially include the following items:

1. A joint presentation on Drug Units
2. Opportunity to create joint Thurston/Pierce County Health Department
3. Joint presentation from government relations staff regarding potential legislature
4. Opportunity/process to submit for Drug Free County Grant

3. ADJOURNMENT

The meeting adjourned at 11:00 a.m.



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Meeting Minutes - Draft City Council

Information: 360.753.8447

Tuesday, April 1, 2014

5:30 PM

Room 207

Special Study Session

1. ROLL CALL

Present: 6 - Mayor Stephen H. Buxbaum, Mayor Pro Tem Nathaniel Jones, Councilmember Jim Cooper, Councilmember Julie Hankins, Councilmember Jeannine Roe and Councilmember Cheryl Selby

Excused: 1 - Councilmember Steve Langer

2. BUSINESS ITEM

Mayor Buxbaum called the meeting to order at 5:30 p.m. He welcomed and introduced Major General Terry Ferrell and Colonel Tim Kehoe of Joint Base Lewis McChord (JBLM).

Major General Ferrell introduced other members of the JBLM staff.

2.A 14-0309 ORAL REPORT - Joint Base Lewis McChord Command Update on Connector Units, the 17th Field Artillery Brigade and the 7th Infantry Division

Major General Ferrell briefed the Council on an overview of JBLM including the following.

1. He is new to the base but is very impressed with the talent and dedication of the men and women at JBLM.
2. Olympia's Connector Unit - formerly the 17th Fire Brigade - is now the 17th Field Artillery Brigade.
3. The Army is shrinking and consolidating. Some minor reductions are planned at JBLM now but more will come.
4. JBLM is strategic in its location. Different units at the base deploy all over the world.
5. The Army wants to improve its connection with cities and citizens who are its neighbors. Currently, 70% of its soldiers live off base and are active citizens in surrounding communities.

Mr. Bob Jones, the City's liaison to the base, advised the Major General that Olympia is a proud member of the South Sound Military & Communities Partnership and the Association of the US Army (AUSA). Mr. Jones thanked the Council for appointing him to his liaison role.

The Major General and members of the City Council discussed a wide variety of topics including the Army's enhanced focus on sexual assault, economic and traffic impacts of the base, service projects involving JBLM such as downtown clean-up, Lakefair parade participation, and opportunities presented to employers from JBLM soldiers transitioning into civilian employment.

Councilmembers and Major General Ferrell thanked Bob Jones for his critical role of facilitating communication and interaction between the City and JBLM.

Major General Ferrell addressed the possibility of JBLM staff participating in building demolition on the isthmus properties. He indicated that decision making for this training activity had been placed within his authority and he intended to review very carefully if this is an appropriate activity.

Mayor Buxbaum thanked Major General Ferrell, Colonel Kehoe and others from JBLM for their service and thanked them for their attendance at tonight's meeting.

3. ADJOURNMENT

The meeting adjourned at 6:40 p.m.



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Meeting Minutes - Draft City Council

Information: 360.753.8447

Tuesday, April 1, 2014

7:00 PM

Council Chambers

1. ROLL CALL

Present: 6 - Mayor Stephen H. Buxbaum, Mayor Pro Tem Nathaniel Jones, Councilmember Jim Cooper, Councilmember Julie Hankins, Councilmember Jeannine Roe and Councilmember Cheryl Selby

Excused: 1 - Councilmember Steve Langer

1.A ANNOUNCEMENTS

Mayor Buxbaum noted the Council met in a Special Study Session earlier in the evening. He also extended sympathy to the community of Oso and citizens in Snohomish County for the mudslide tragedy last week.

1.B APPROVAL OF AGENDA

Mayor Buxbaum noted staff pulled Item 4E from the agenda. This item will come back for consideration at the April 15 Council meeting.

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

Aye: 6 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Hankins, Councilmember Roe and Councilmember Selby

Excused: 1 - Councilmember Langer

2. SPECIAL RECOGNITION

2.A 14-0290 Proclamation Declaring April as Sexual Assault Awareness Month

Councilmember Cooper read the proclamation. Ms. Sandy St. Dennis thanked the Council for the proclamation and accepted it on behalf of Safeplace.

The recognition was received.

2.B 14-0312 Proclamation Declaring April as Child Abuse Prevention and Awareness Month

Councilmember Selby read the proclamation. Ms. Ruth Harms thanked the Council for the proclamation and accepted it on behalf of Thurston Council for Children and

Youth.

The recognition was received.

2.C 14-0263 Presentation by Thurston County Solid Waste Regarding its Waste Less Food Campaign

Public Works Waste ReSources Senior Program Specialist Spencer Orman introduced the topic and briefly discussed the partnership between Thurston County and the City of Olympia to reduce waste.

Thurston County Solid Waste Education and Outreach Supervisor Terri Thomas gave a brief presentation on the Waste Less Food campaign underway to increase awareness on how to reduce food waste and the resources used to grow it.

The recognition was received.

3. PUBLIC COMMUNICATION

Mr. Ron Nesbitt spoke about the lack of support in Olympia for the Black community.

Mr. Jeff Marti, 2915 Briarwood Ct SE, spoke in support of the City purchasing the Bentrige parcel for the LBA Woods Park.

Ms. Christiana Figueroa-Kaminsky spoke in support of the City purchasing the Bentrige parcel for the LBA Woods Park.

Mr. Brian Faller spoke in support of the City purchasing the Bentrige parcel for the LBA Woods Park.

Ms. Debra Jaqua, 3104 59th Ct SE, spoke in support of the City purchasing the Bentrige parcel for the LBA Woods Park.

Mr. Jack Horton spoke in support of the City purchasing the Bentrige parcel for the LBA Woods Park.

Ms. Pam Kentner spoke in support of the Civic Center drug free zone. She asked why the entire City and all of Thurston County can't be included in the drug free zone.

Mr. Walt Jorgensen, 823 North St SE, discussed a perceived breach of public trust by the Planning Commission.

Hidden Creek Neighborhood Association President Phil Schulte, 1732 Medallion Loop NW, spoke in support of a Civic Center drug free zone. He suggested including additional areas in the zone.

Mr. Steven Welliever spoke in support of the Civic Center drug free zone. He encouraged the Council to strongly enforce the drug free status of City parks.

Puget Sound Energy Municipal Liaison Manager Amy Tousley highlighted partnering projects between the City of Olympia and Puget Sound Energy.

Olympia Downtown Association Executive Director Connie Lorenz spoke in support of the Civic Center drug free zone. She also discussed the upcoming Downtown Clean-up event.

Mr. Jeffrey Trinin spoke in support of the Civic Center drug free zone.

Mr. Richard Burgess, 1309 Fern St SW, discussed indoor air quality issues. He said he is looking for chemical sensitivity assistance.

COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)

City Manager Steve Hall clarified that drug use is illegal in all of Olympia and noted areas that are already special drug free areas where higher criminal penalties may result.

Councilmember Roe thanked all those who spoke tonight.

4. CONSENT CALENDAR

Mayor Buxbaum pulled Item 4L for discussion after the Consent Calendar.

Mayor Pro Tem Jones highlighted Items 4H and 4I and acknowledged the value and hard work of volunteer advisory board members.

Mayor Buxbaum asked for clarification on Item 4O regarding approving the ordinance even though the Section 108 Loan funds have not yet been approved. Staff noted it's common practice to pass an ordinance in advance of actually receiving the funds.

4.A 14-0305 Approval of March 4, 2014 Special Study Session Meeting Minutes

The minutes were adopted.

4.B 14-0271 Approval of March 11, 2014 Special Study Session Minutes

The minutes were adopted.

4.C 14-0310 Approval of March 18, 2014 City Council Meeting Minutes

The minutes were adopted.

4.D 14-0311 Certification of Bills and Payroll

Payroll check numbers 86750 through 86809 and Direct Deposit transmissions: Total: \$4,787,809.28; Claim check numbers 344153 through 345120: Total: \$9,057,016.68.

The decision was adopted.

- 4.E 13-0662** Adoption of a Resolution Accepting Recommendations, Findings, and Conclusion of the Hearing Examiner and Granting Preliminary Approval of an Amendment to the Woodard Lane Co-Housing Planned Residential Development

The resolution was pulled and forwarded to the City Council due back on 4/15/2014.

- 4.F 14-0302** Approval of Washington Center for the Performing Arts Fundraising Proposal

The decision was adopted.

- 4.G 14-0303** Approval of Labor Contract with Olympia Police Sergeants Association

The contract was adopted.

- 4.H 14-0315** Appointment of Advisory Committee and Commission Members

Councilmember Roe thanked General Government Committee Members Selby and Cooper for work on appointing advisory committee members. She thanked those who applied and who have served on the various Council advisory committees.

The decision was adopted.

- 4.I 14-0268** Approval of 2014 Advisory Committee and Commission Work Plans

The decision was adopted.

4. SECOND READINGS

- 4.J 14-0227** Ordinance Adopting Findings of Fact and Conclusions of Law on the Briggs Village Master Plan Amendment

The ordinance was adopted on second reading.

- 4.K 14-0245** Approval of Boulevard Road/I-5 Area Annexation Ordinance

The ordinance was adopted on second reading.

4. FIRST READINGS

- 4.M 14-0281** Approval of Ordinance Amending Olympia Municipal Code Regarding Landscaping and Screening of Solid Waste Receptacles (Containers)

The ordinance was approved on first reading and moved to second reading.

4.N 14-0283 Approval of Amendment to Ordinance 6888 (Operating Budget)

The ordinance was approved on first reading and moved to second reading.

4.O 14-0284 Approval of Amendment to Ordinance 6884 (Special Funds)

The ordinance was approved on first reading and moved to second reading.

4.P 14-0285 Approval of Amendment to Ordinance 6887 (Capital Budget)

The ordinance was approved on first reading and moved to second reading.

Approval of the Consent Agenda

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

Aye: 6 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Hankins, Councilmember Roe and Councilmember Selby

Excused: 1 - Councilmember Langer

PULLED FROM THE CONSENT CALENDAR

4.L 14-0229 Approval of 2013 Year End Financial Review and Adoption of Ordinance Appropriating Fund Balance for Various Purposes

Mayor Buxbaum thanked the Finance Committee for its recent review of this topic. He agreed with the proposed appropriations except the \$1,336,300 for facilities major repair & maintenance. He asked the Council to consider using that money to remove the City-owned buildings from the isthmus properties.

Council Discussion:

- Technology needs and the need for a funding plan rather than relying on year-end savings.
- The annual target amount for building repair and maintenance for the next six years should be \$1.7 million.
- There is a \$10.2 million deficit for major repair and maintenance in the out years to 2020.
- Consider not taking action tonight and ask staff to bring a revised ordinance for first reading April 15 and lay out the process for clearing the isthmus blight this year.
- There are no unintended consequences in delaying the ordinance for two weeks.
- Get serious about doing set asides for building repair and maintenance instead of regularly taking from this fund.
- General cost for the isthmus clean up may be \$500,000 for asbestos abatement plus

\$500,000 for demolition.

- Consider reducing the \$1,336,300 by \$500,000 and holding it in reserve for the isthmus abatement and demolition.
- The preference is to state the intent in the ordinance to set aside the \$1,336,300 for demolition and if not all of it is necessary, put the remainder into building repair.

Councilmember Cooper moved, seconded by Mayor Pro Tem Jones, to approve the ordinance on first reading and move to second reading with changes discussed tonight to be reflected in the ordinance for second reading. The motion carried by the following vote:

Aye: 6 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Hankins, Councilmember Roe and Councilmember Selby

Excused: 1 - Councilmember Langer

5. PUBLIC HEARING

5.A 13-0998 Approval of an Ordinance to Vacate a Portion of the North-South Alley Abutting the West Side of 1063 Capitol Way

Community Planning & Development Permit and Inspection Services Manager Tom Hill introduced the topic and provided a map of the proposed alley vacation.

Washington State Department of Enterprise Services Architect and Project Director Rick Browning gave a brief presentation on the 1063 Capitol Way project and highlighted proposed amenities for the public.

Mayor Pro Tem Jones indicated he will abstain from tonight's proceedings because he is an employee of Department of Enterprise Services.

Mayor Buxbaum opened the public hearing.

No one signed up to testify.

Mayor Buxbaum closed the public hearing.

Council Discussion:

- Recap of criteria for findings to release the alley from greater public use.
- Partnering discussion between the City and the State regarding project amenities.

Councilmember Roe moved, seconded by Councilmember Selby, to approve the ordinance vacating as public thoroughfare a portion of the north-south alley abutting the west side of 1063 Capitol Way. The motion carried by the following vote:

Aye: 5 - Mayor Buxbaum, Councilmember Cooper, Councilmember Hankins, Councilmember Roe and Councilmember Selby

Excused: 1 - Councilmember Langer

Abstained: 1 - Mayor Pro Tem Jones

6. OTHER BUSINESS

6.A 14-0151 Approval of Ordinance Adopting a "Civic Center" Drug Free Zone

Police Chief Ronnie Roberts introduced the topic and gave background on several ongoing efforts to improve the safety of downtown. He discussed the process of getting to a drug free zone, what is already covered in the State statute for increased penalties related to drug arrests, and the five proposed City buildings downtown for the civic center designation.

Thurston County Prosecuting Attorney Jon Tunheim thanked the Council for consideration of this proposed ordinance and discussed prosecution of drug charges within the drug free zone.

Council Discussion:

- Additional penalties are enforced now.
- Coerced treatment can be more effective than voluntary treatment programs.
- Interest in outcomes to measure successful individual cases and the long-term impact on downtown.
- Rationale for not including the Port Plaza and Farmers Market in the Civic Center drug free zone.
- Interest in background data for effectiveness of enhanced penalties in drug free zones.
- Penalty enhancements are not anticipated to significantly impact local jail populations due to other efforts for creating jail bed efficiencies.
- Education emphasis and signage regarding the Civic Center drug free zone.
- The 1,000-foot zone does not apply to other drug free zones. For a park, the drug free zone is the size of the park; for a bus stop it's only the bus stop shelter. Schools and school bus stops have the 1,000-foot zone.
- The term drug free zone is designated by the State statute.
- Signage can be more flexible than statute labels to get the Council's intent across to the public about acceptable behaviors.
- DOSA (Drug Offense Sentencing Alternative program).
- Request for additional information prior to making a decision e.g., a map of current drug free zones in Downtown Olympia, projected cost to the County of this new enforcement endeavor, research that shows this is an effective enforcement tool, data for offenses charged in the last year in Downtown Olympia where enhanced penalties would have made a difference,
- Suggest a future study session on the broader issue of law and justice in our community that would include the Olympia Police Department, Thurston County Prosecutors, County Judges and the Olympia Judge.
- Effectiveness of longer sentences in reducing recidivism.
- Give the community clear signs we are moving forward in defining and dealing with

unacceptable behaviors.

Mayor Pro Tem Jones moved, seconded by Councilmember Hankins, to approve on first reading and forward to second reading the attached ordinance creating a “Civic Center” Drug Free Zone, as recommended by the Land Use and Environment Committee.

Councilmember Cooper raised a point of order and moved to table this item until May 6 to allow time to received requested data before making a decision. The motion failed by the following vote:

Aye: 1 - Councilmember Cooper

Nay: 5 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Hankins, Councilmember Roe and Councilmember Selby

Excused: 1 - Councilmember Langer

Mayor Pro Tem Jones moved, seconded by Councilmember Hankins, to approve on first reading and forward to second reading the attached ordinance creating a “Civic Center” Drug Free Zone, as recommended by the Land Use and Environment Committee. The motion carried by the following vote:

Aye: 5 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Hankins, Councilmember Roe and Councilmember Selby

Nay: 1 - Councilmember Cooper

Excused: 1 - Councilmember Langer

Mayor Pro Tem Jones requested the additional information asked for by Councilmember Cooper.

Councilmember Cooper said he believes enforcement is unsuccessful and that more money should be spent on treatment and prevention.

7. CONTINUED PUBLIC COMMUNICATION - None

8. REPORTS AND REFERRALS

8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS

Councilmember Selby reported highlights from the Transportation Policy Board and Law and Justice Council meetings she attended.

Councilmember Hankins reported highlights from the Land Use & Environment Committee meeting she attended.

Councilmember Roe reported highlights from the Washington Center Board Retreat,

Heritage Commission, Land Use & Environment Committee, and PBIA Retreat meetings she attended.

Mayor Buxbaum reported highlights from the Economic Development Council meeting he attended.

8.B CITY MANAGER'S REPORT AND REFERRALS

Mr. Hall reported Chris Leicht's term as regional representative on the Capital Area Regional Public Facilities District (CARPFD) Board expired the end of March and he has expressed interest in continuing to serve on the Board. The Council asked staff to bring Mr. Leicht's reappointment forward on the April 15 Consent Calendar.

Councilmember Roe mentioned a request from one of the Public Communications speakers tonight asking for a Study Session for the LBA Woods Community Park. Following Council discussion, it was agreed to keep this request in the context of the Parks Plan update. Mayor Pro Tem Jones asked the Parks Department to engage with citizens regarding the whole proposal, including costs and environmental impacts.

9. ADJOURNMENT

The meeting adjourned at 10:50 p.m.

City of Olympia

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601 4th Avenue E.
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360-753-8447

City Council

Adoption of a Resolution Accepting Recommendations, Findings, and Conclusion of the Hearing Examiner and Granting Preliminary Approval of an Amendment to the Woodard Lane Co-Housing Planned Residential Development

Agenda Date: 4/15/2014

Agenda Number: 4.D

File Number: 13-0662

File Type: resolution

Version: 1

Status: Consent Calendar

..Title

Adoption of a Resolution Accepting Recommendations, Findings, and Conclusion of the Hearing Examiner and Granting Preliminary Approval of an Amendment to the Woodard Lane Co-Housing Planned Residential Development

..Recommended Action

Committee Recommendation:

Not referred to a committee. The Olympia Hearing Examiner recommends preliminary approval.

City Manager Recommendation:

Move to adopt a Resolution accepting the recommendations, findings and conclusion of the Hearing Examiner and granting preliminary approval of the Woodard Lane Co-Housing Planned Residential Development (PRD) amendment.

..Report

Issue:

Members of the Woodard Lane Co-Housing Planned Residential Development seek preliminary approval of an amendment to the existing Planned Residential Development (PRD). If approved the amendment would increase the total number of residential units from sixteen to eighteen, in the R 4-8 zoning district, through the use of Transfer of Development Rights (TDRs), OMC 18.04.080(A)(5).

Staff Contact:

Catherine McCoy, Associate Planner, Community Planning & Development,
360.753.8649

Presenter(s):

None. Consent Calendar Item.

Background and Analysis:

The Olympia City Council approved the Woodard Lane Co-Housing Planned Residential Development in 2008. At that time, members of the development requested 21 units as part of its PRD proposal. However, in the R 4-8 zoning district, the maximum density is capped at seven units per acre, which in the case of the Woodard Lane Co-housing site at 2.3 acres in size, limits the total number of units to sixteen. An exception to that cap is through the use of Transfer of Development Rights (TDRs) from a sending zone in Thurston County (OMC 18.04.080(A)(4) and (5)).

Agenda Date: 4/15/2014

Agenda Number: 4.D

File Number: 13-0662

Since the Council's 2008 decision on the PRD limiting the site to sixteen dwelling units, the Woodard Lane Co-Housing PRD has obtained two development credits from a Thurston County TDR sending site. Using one TDR unit for each bonus unit (over 7 per acre), the applicant proposes an amendment to increase the number of approved residential units from sixteen to eighteen.

The proposal makes no changes to the existing site infrastructure (e.g., utilities, parking, structures). The requirements of SEPA have been met (SEPA DNS 2007), and as conditioned, the proposal satisfies the requirements of the Planned Residential Development Ordinance, OMC Chapter 18.56, and the Transfer of Development Rights Ordinance, OMC Chapter 18.90. The one significant impact of an enlarged project is the handling of trash and recyclable materials, which the Hearing Examiner identified as a condition of preliminary approval (item 1 below).

Hearing Examiner Recommendations:

The Hearing Examiner, in August, 2013, recommended approval of the proposed amendment, subject to the following conditions:

- a. The Applicant shall construct a fence along the east property line to further protect the adjacent properties' privacy.

Staff Comment: After the Hearing Examiner's August 13 decision, a six foot tall solid wood fence has been installed along the east property line, between the development and the abutting homes (See Fence Photos attachment).

- b. The Applicant shall relocate waste and recycling receptacles to interior locations, away from adjacent residences.

Staff Comment: The applicant has located the solid waste facilities interior and at the furthest point away from surrounding residences (See Binding Site Plan 1-5 attachment).

- c. When and if a building is proposed for construction on Lot 4 (Unit F) the applicant will be required to submit design plans for a staff level detailed design review. The design shall demonstrate a strong effort at mitigating, to the extent possible, negative building and site design impacts on adjacent properties.

Staff Comment: This will be a condition of final PRD approval.

- d. The PRD shall be referenced on the official Zoning map by adoption of an Ordinance amending the map to include a reference to the binding site plan.

Staff Comment: This will be built into the final PRD ordinance.

Agenda Date: 4/15/2014

Agenda Number: 4.D

File Number: 13-0662

- e. The Applicant shall provide signed and recorded Transfer of Development Rights Certificates for each unit of density on the receiving parcels in the Residential 4-8 district.
- f. A signed and recorded Document of Attachment of the development rights to the subject parcels.

Staff Comment: The last two conditions should be made conditions of the Council's preliminary PRD approval. They are incorporated into the proposed resolution.

Neighborhood/Community Interest:

Adjacent property owners have participated in the review and approval process of this project proposal, as well as the original Woodard Lane Co-Housing Planned Residential Development proposal.

City Staff facilitated a neighborhood meeting associated with the development request on March 21, 2013, at the Garfield Elementary School. Four members of the public attended the meeting, all residents of the Co-housing development. No one opposed to the project proposal attended the meeting.

Neighbor concerns regarding this amendment proposal pertain to the location of the development's solid waste facilities, and privacy fencing along the east property line between the development and the single family residences to the east. A summary of neighbor concerns can be found in the Staff Report (See attachment "Staff Report to HE"). The Hearing Examiner addressed neighbor concerns by conditioning the proposal as indicated in items a and b above.

Options:

The Council may:

1. Adopt the attached resolution, accepting the recommendation, findings and conclusion of the Hearing Examiner as their own;
2. Remand the matter back to the Hearing Examiner for another hearing;
3. Modify the Hearing Examiner's decision based on applicable criteria, adopt their own findings and conclusions, and approve the preliminary PRD Amendment;
4. Continue to a future date to allow for additional staff analysis desired by the Council; or
5. Deny the preliminary PRD Amendment application.

Financial Impact:

None.

Agenda Date: 4/15/2014
Agenda Number: 4.D
File Number: 13-0662

City of Olympia, Washington
RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA,
WASHINGTON, ADOPTING THE FINDINGS OF FACT, CONCLUSIONS OF
LAW AND RECOMMENDATIONS OF THE CITY OF OLYMPIA HEARING
EXAMINER, AND GRANTING PRELIMINARY APPROVAL OF THE
AMENDMENT TO THE WOODARD LANE CO-HOUSING, PRELIMINARY
PLANNED RESIDENTIAL DEVELOPMENT, CP&D NO. 13-0024.**

WHEREAS, on July 15, 2008, the Olympia City Council considered the Woodard Lane Co-Housing Preliminary Planned Residential Development (PRD), as per OMC 18.56.060(D); and

WHEREAS, the City Council approved the co-housing project as recommended by the Hearing Examiner, adopted the findings and conclusions of the Hearing Examiner, and directed the City Attorney to prepare supplemental findings and conclusions that reflected the staff response; and

WHEREAS, on July 22, 2008, the City Council passed and approved Resolution No. 1709 adopting findings of fact and conclusions of law approving the Woodard Lane Co-Housing Preliminary Planned Residential Development, CP&D No. 05-0121; and

WHEREAS, the final binding site plan for the Woodard Lane Co-Housing PRD (BSP 4148171) was recorded with the Thurston County Auditor in April 2010; and

WHEREAS, on February 20, 2013, Woodard Lane Co-Housing Tenants in Common applied for an amendment to the previously approved PRD to increase the number of approved residential units from 16 to 18 pursuant to the acquisition of two Transferable Development Rights, OMC 18.04.080(A)(5); and

WHEREAS, on August 15, 2013, the Hearing Examiner entered his findings of fact and conclusions of law and recommended to the City Council that the proposed amendment receive preliminary approval subject to certain conditions.

NOW, THEREFORE, the Olympia City Council does hereby resolve as follows:

1. Adoption of Findings, Conclusions of Law and Recommendations. The Findings of Fact 1 through 15 and Conclusions of Law 1 through 7 of the City of Olympia Hearing Examiner dated August 15, 2013, attached hereto as Exhibit A and incorporated herein by reference, are hereby adopted.
2. Preliminary Approval of Binding Site Plan. The amended Woodard Lane Co-Housing Planned Residential Development Binding Site Plan, attached hereto as Exhibit B and incorporated herein by reference, is granted preliminary approval with a maximum of 18 housing units, as recommended by the Olympia Hearing Examiner on August 15, 2013.
3. Preliminary Approval of Amendment to PRD. The Woodard Lane Co-Housing Amendment to the Planned Residential Development increasing the authorized residential units from a maximum of 16 to a maximum of 18 is hereby granted preliminary approval, as recommended by the Olympia Hearing Examiner on August 15, 2013, subject to the following conditions:

- a. The Applicant shall provide signed and recorded Transfer of Development Rights Certificates for each unit of density on the receiving parcels in the Residential 4-8 district. (See OMC 18.90.020(A)(1)).
 - b. The applicant shall provide a signed and recorded Document of Attachment of the development rights to the subject parcels. (See OMC 18.90.020(A)(2)).
4. Ratification. Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

PASSED AND APPROVED this _____ day of March 2014.

STEPHEN H. BUXBAUM, MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



DEPUTY CITY ATTORNEY

EXHIBIT A

BEFORE THE CITY OF OLYMPIA HEARINGS EXAMINER

1			
2	IN RE:)	HEARING NO. 12-0024
3	WOODARD LANE CO-HOUSING)	FINDINGS OF FACT,
4	TENANTS IN COMMON,)	CONCLUSIONS OF LAW
5	Applicant.)	AND RECOMMENDATIONS

6 **APPLICANT:** Woodard Lane Co-Housing Tenants in Common
 7 1620 Woodard Avenue N.W.
 8 Olympia, Washington 98502

REPRESENTATIVES:

9 Liv Monroe
 10 Woodard Lane Co-Housing Tenants in Common
 11 1620 Woodard Avenue N.W.
 12 Olympia, Washington 98502

SUMMARY OF REQUEST:

13 Amendment to the previously approved Planned Residential Development to increase the
 14 number of approved residential units from sixteen to eighteen pursuant to the acquisition of two
 15 Transferable Development Rights (TDR's), OMC 18.04.080(A)(5).

LOCATION OF PROPOSAL:

16 1620 Woodard Avenue N.W., Olympia, Washington 98502

SUMMARY OF DECISION:

17 The Planned Residential Development should be amended to allow two additional residential
 18 units for the two TDR's, subject to conditions.
 19
 20

BACKGROUND

21 The Woodard Lane Co-Housing Planned Residential Development ("Woodard Lane")
 22 was approved by the Hearing Examiner and City Council in 2008. The approved Planned
 23 Residential Development allowed for the construction of up to sixteen residential units in this co-
 24 housing project. The Applicant has since arranged for the acquisition of two Transfer
 25

*Findings of Fact, Conclusions of Law
 and Recommendations - 1*

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 CHEHALIS, WASHINGTON 98532
 Phone: 360-748-3386/Fax: 748-9533

1 Development Rights, or TDR's, and seeks to increase the number of allowed units from sixteen
2 to eighteen pursuant to the TDR's. As explained more fully below, I recommend to the City
3 Council that the Planned Residential Development be amended to allow two additional
4 residential units in consideration for the two TDR's, subject to certain conditions.

5 **Initial Public Hearing**

6 The initial public hearing on this request commenced at 6:30 p.m. on July 8, 2013, in the
7 Planning Hearing Room in the City Hall. The City appeared through Catherine McCoy of
8 Planning Staff. Woodard Lane appeared through its representative, Liv Monroe. Testimony was
9 received from the City through Ms. McCoy. Testimony from the Applicant was received from
10 Liv Monroe. A verbatim recording was made of the public hearing and all testimony was taken
11 under oath. A total of twenty-three exhibits were introduced during the course of three hearings
12 as more fully identified on Attachment "A" to this decision.

13 Catherine McCoy of Planning Staff provided a history of the project. Following approval
14 of the Planned Residential Development in 2008 Woodard Lane undertook construction of a
15 majority of the approved development including three multi-family residential buildings,
16 designated as Units B, C and E on site maps, as well as all site improvements including parking,
17 walkways, driveways, and landscaping. Each of the three constructed residential buildings
18 provides for four residential units, but the lower floor of Unit E is currently used as the Common
19 House where meals and other communal activities take place. Thus, while twelve residential
20 units have been constructed only ten are in current use as residences. The approved Planned
21 Residential Development recognizes two additional residential buildings, Unit A and Unit D, but
22 neither of these units has been constructed. Thus, twelve of the sixteen approved units have been
23 constructed to date.

24 Ms. McCoy explained that the Applicant wants to now construct Unit D to take
25 advantage of the four remaining approved but un-built units. More importantly, the Applicant

1 also wants to construct Unit A, and to have it include two additional units. The first floor of Unit
2 A would become the new home of the Common House and the second floor would, if approved,
3 provide two additional residential units, increasing the total number of units to eighteen.

4 To construct these units the Applicant must first have the project amended to increase the
5 number of allowed units from sixteen to eighteen. To summarize, the amended project, if
6 approved, would provide for four four-unit buildings, Units B, C, D and E, and a fifth building,
7 Unit A, housing the Common House on its first floor and two additional units on its second floor,
8 for a total of eighteen residential units.

9 In order to be granted two additional residential units the Applicant has arranged for the
10 acquisition of two Transfer Development Rights, or TDR's, from a Thurston County property
11 owner. Ms. McCoy testified that City Staff had calculated that these two TDR's would allow the
12 Applicant an additional three residential units based upon the amount of acreage involved. If this
13 calculation is correct the Applicant would be eligible for an increase from sixteen to nineteen
14 units. Although the Applicant had only sought two additional units, it asked for approval of this
15 third (nineteenth) additional unit to be utilized if/when it later constructed a final residential
16 building (Unit F).

17 The project as constructed includes a twenty-nine stall parking area, bike storage shed
18 and a communal kitchen. Each of these improvements is noteworthy as their size is based upon
19 the approved sixteen-unit development. Ms. McCoy testified that an increase in allowed units
20 from sixteen to eighteen (or nineteen) would not require a modification of the parking lot, bike
21 storage shed or communal kitchen as all of these improvements are of sufficient size for the
22 requested increase.

23 Ms. McCoy also testified that the proposed new construction will not require additional
24 stormwater analysis; will not involve any construction within shorelines jurisdiction; and will not
25 impact any critical areas.

1 The one significant impact of an enlarged project is on the handling of trash and
2 recyclable materials. The project currently relies upon standard-sized wheeled containers for
3 both trash and recyclables, and these containers are stored at the north end of the parking lot,
4 well away from neighboring properties. The increased size of the project will necessitate
5 conversion to a trash dumpster. Ms. McCoy explained that she has conferred with other City
6 Staff and waste management officials and concludes that the only appropriate location for this
7 dumpster would be at the northeast corner of the project site in close proximity to an adjoining
8 residence owned by Debra Van Tuinen.

9 As noted in Ms. McCoy's Staff Report the City had received comments from several
10 neighboring homeowners in advance of the public hearing. Not surprisingly, the requested
11 amendment has served as something of a referendum on the development as a whole. Neighbors
12 express unhappiness with the scale and massing of the buildings, traffic and noise congestion,
13 on-street parking problems and the proposed location of the waste and recycling receptacles.

14 Ms. McCoy concluded her testimony by confirming that City Staff recommends approval
15 of the requested amendment subject to certain conditions set forth on Page 8 of the Staff Report.
16 The City's proposed conditions would allow for the addition of three residential units (two on the
17 second floor of Unit A and a third to be held for later construction of Unit F) on the conditions
18 that the Applicant submit proposals for a better buffering between its development and single-
19 family residences to the east; that it provide greater detail for the location of solid waste
20 receptacles along Muirhead Avenue including screening; and that if a Unit F is later constructed
21 on Lot 4 that the Applicant first be required to submit design plans for staff level detailed design
22 review.

23 At the conclusion of Ms. McCoy's presentation Liv Monroe spoke on behalf of Woodard
24 Lane. Ms. Monroe provided a brief history of the project since its approval in 2008. She then
25 explained that Woodard Lane wishes to proceed with construction of the previously approved

1 Unit D, bringing the number of constructed units to the allowed sixteen. The proposed
2 amendment would allow Woodard Lane to construct two additional units on the top of Unit A.
3 Unit A would then be constructed to house the Common House on its first floor and these two
4 additional units on its second floor, bringing the total number of residential units to eighteen. To
5 accomplish this Woodard Lane has arranged for acquisition of two TDR's from a rural
6 landowner in Thurston County.

7 Ms. Monroe admitted that she was surprised by the City's calculations that the two TDR's
8 would allow Woodard Lane an additional three units. Ms. Monroe had anticipated that the two
9 TDR's could be converted to two additional residential units, not three. If Woodard Lane was
10 allowed this third additional unit it would be held in reserve for the later construction of the final
11 building (Unit F) identified on the project's site map.

12 Ms. Monroe acknowledged that the project has had some issues with its neighbors in the
13 single-family neighborhood immediately east of the site. In order to alleviate some of these
14 concerns Woodard Lane offers to construct a six-foot high solid fence to improve the buffering
15 between the project and the residences to the east. Due to the existence of several large trees
16 along this boundary the fence would be constructed so as to not cause the removal of the trees.
17 In other words, the fence would be constructed from tree to tree rather than as a single
18 continuous fence.

19 Ms. Monroe also defended the proposed location of the trash dumpster at the northeast
20 corner of the project. She explained that the current size of the project allows for trash and
21 recyclables to be maintained in standard size carts but that Woodard Lane will be forced to go to
22 a dumpster with its increase in population. The current location of trash and waste receptacles is
23 within the footprint of the intended Unit A and therefore must be relocated. She agreed that the
24 most appropriate site for relocation is at the northeast corner of the project along Muirhead.

1 Following Ms. Monroe's testimony the hearing was opened for public comment. Debra
2 Van Tuinen, an adjoining neighbor, spoke in opposition. Ms. Van Tuinen's residence is located
3 at the southwest corner of the North Thomas/Muirhead Avenue intersection. The proposed site
4 of the trash dumpster is within a few feet of her boundary line and just a short distance from her
5 house. She is strongly opposed to the relocation of trash receptacles to this site and asked that
6 the City be required to re-examine this question and consider alternatives, including relocation to
7 Woodard Avenue as was originally proposed in 2008. Ms. Van Tuinen also testified as to
8 various problems resulting from the lack of buffering between the project and its single-family
9 neighbors as well as with individuals using Muirhead Avenue as a parking area.

10 At the conclusion of public testimony I advised Ms. McCoy that I was unclear on how
11 the City had calculated that two TDR's would convert to three additional residential units for
12 Woodard Lane. I also explained that I shared Ms. Van Tuinen's concerns with the proposed
13 location of the trash dumpster next to her property. In light of these two concerns I recessed the
14 public hearing until July 17, 2013 to receive additional information on (1) the City's calculations
15 on the number of additional units available to Woodard Lane as a result of two TDR's, and (2)
16 further investigation of the best site for the trash dumpster, provided, however, that its relocation
17 would not cause the reduction of available parking stalls.

18 Second Public Hearing

19 Prior to the hearing scheduled for July 17 I was notified by City Staff that the requested
20 information would not be available in time. The hearing was therefore further continued to July
21 24 at 5:30 p.m. In advance of the July 24 hearing I received a Memorandum from Todd Stamm,
22 Planning Manager for the City (Exhibit 17) confirming that, upon further consideration, the City
23 agrees that each TDR would equate to one additional residential unit for Woodard Lane. The
24 two TDR's to be acquired by Woodard Lane would therefore result in two additional available
25 units, not three as earlier calculated.

*Findings of Fact, Conclusions of Law
and Recommendations - 6*

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1 Also in advance of the July 24 hearing I received a letter from Jason Whalen (Exhibit
2 18), an attorney representing Debra Van Tuinen. On behalf of Ms. Van Tuinen Mr. Whalen
3 expressed continuing opposition to the proposed location of the dumpster next to her property;
4 asked that no additional parking be allowed along Muirhead Avenue; requested that any
5 amendment be conditioned upon improved landscaping and buffering; and agreed with the
6 Hearing Examiner's position that each TDR would equate to one additional residential unit and
7 hence the two available TDR's would equate to two additional units, not three.

8 The public hearing resumed on July 24 at 5:30 p.m. Ms. McCoy was present on behalf of
9 the City and Ms. Monroe and Ms. Van Tuinen were also present. Ms. McCoy reviewed the
10 Memorandum prepared by Todd Stamm and confirmed that the City's position had changed and
11 that it now believed that the Applicant's two available TDR's would justify two additional
12 residential units, not three as earlier proposed. Ms. Monroe responded and admitted that these
13 revised calculations were consistent with her initial expectations and that she would accept that
14 the two available TDR's would equate to two additional units, not three.

15 Ms. McCoy also testified that additional meetings had taken place regarding the location
16 of trash and recycling receptacles but unfortunately a written report was not yet ready. The
17 hearing was therefore again recessed until August 12 so that this report could be completed and
18 made available to all interested parties.

19 Third Public Hearing

20 In advance of the rescheduled hearing on August 12 I received a Memorandum from Ms.
21 McCoy (Exhibit 20) explaining that City Staff had been successful in establishing better
22 locations for the waste and recycling receptacles. The new proposed locations are identified on a
23 revised site map (Exhibit 21) and are to be located not far from their current location and well
24 away from adjoining residences. More specifically, the trash dumpster would be located at the
25 northwest corner of the parking area; the recycling carts would be located just south of proposed

1 Unit A and a solid waste cart would be located near the northeast corner of the parking lot
2 adjacent to an existing gardening area.

3 The public hearing reconvened on August 12 at 5:30 p.m. and once again Ms. McCoy,
4 Ms. Monroe and Ms. Van Tuinen were present. Ms. McCoy explained the proposed relocation
5 of these facilities and Ms. Monroe confirmed Woodard Lane's willingness to have the facilities
6 relocated to these sites. Ms. Van Tuinen expressed thanks to the City and Woodard Lane for the
7 relocation of these facilities as proposed. She then made the additional request that Woodard
8 Lane be required to also relocate some small composting receptacles, currently positioned near
9 her property, to the same general area as the yard waste cart and garden.

10 Although it has taken three public hearings to complete this process the extra time and
11 effort has proven worthwhile as it has resulted in agreements among the City, the Applicant and
12 the adjoining landowner on all key issues.

13 Ms. Van Tuinen also asked that an additional condition be imposed requiring Woodard
14 Lane to relocate the existing small composting receptacles to the same area as the yard waste cart
15 and garden. This is a sensible recommendation, and one that Woodard Lane may want to follow,
16 but I do not believe that it is significant enough to impose as a condition.

17 At the conclusion of the third hearing Woodard Lane asked about the possibility of being
18 allowed to develop the six available units (four previously approved units and the two new ones)
19 in a different configuration than previously proposed. Stated differently, Woodard Lane
20 wondered whether it was required to construct Unit D as a two-story, four-unit building and Unit
21 A as the new Common House with two upstairs units, or whether it could make Unit D a three-
22 story, six-unit building or otherwise construct the new units in a different manner than originally
23 proposed. I was not previously aware of any such desire and I do not believe that the
24 neighborhood has been given adequate notice of this alternative. I therefore recommend that
25 approval of the two additional units be on the condition that the new buildings be constructed as

1 proposed on Exhibit 21. Any modification to this plan should be by formal application with
2 notice to the public and an opportunity to respond.

3 Accordingly, I make the following:

4 **FINDINGS OF FACT**

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

6 1. Woodard Lane requests an amendment to the previously approved Planned
7 Residential Development to increase the number of approved residential units from sixteen to
8 eighteen through the use of two available Transferrable Development Rights (TDR's).

9 2. The proposed site is zoned Single-Family Residential (R4-8).

10 3. Pursuant to the State Environmental Policy Act, a Determination of Non-
11 Significance (DNS) was issued on December 28, 2007, as a component of project review for the
12 Woodard Lane Co-Housing Planned Residential Development proposal, 05-0121. Further
13 environmental review is not required for this proposed amendment.

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

17 5. Staff recommends that the City Council approve the proposed amendment subject
18 to several conditions.

19 6. The Staff Report, Page 2, contains Findings relating to the property. The Hearing
20 Examiner has reviewed those Findings and adopts them by reference.

21 7. The Staff Report, Pages 2 and 3, contains Findings relating to the history of the
22 original Planned Residential Development Application and its approval; the proposed
23 amendment and public comment regarding the amendment. The Hearing Examiner has reviewed
24 those Findings and adopts them by reference with the exception of any Finding that the

25 Applicant proposes to convert the two available TDR's into three additional dwelling units. The

*Findings of Fact, Conclusions of Law
and Recommendations - 9*

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1 Hearing Examiner instead finds that the Applicant proposes to convert the two TDR's into two
2 additional units; that City Staff initially concluded that the TDR's would allow for three
3 additional units; that subsequently City Staff reconsidered its calculations and now concludes
4 that the two TDR's would translate to two additional units; and that the Applicant concurs with
5 this result.

6 8. The Staff Report, Page 4, contains proposed Findings relating to the calculation of
7 the number of additional units available to the Applicant as a result of obtaining two TDR's. The
8 City has since reconsidered these calculations and no longer proposes adoption of the proposed
9 Findings found on Page 4 of the Staff Report. Instead, the City now concludes that the Applicant
10 must obtain one TDR for each additional residential unit requested, and that two available TDR's
11 would equate to two additional residential units, all as set forth more fully in Exhibit 17. The
12 Hearing Examiner has reviewed the proposed Findings found in Exhibit 17 and adopts them as
13 his own Findings of Fact.

14 9. The Staff Report, Pages 5-7, contains proposed Findings relating to compliance
15 with the Planned Residential Development Ordinance, OMC Chapter 18.56. The Hearing
16 Examiner has reviewed those Findings and adopts them as his own Findings of Fact with two
17 exceptions: (a) two available TDR's would allow for two additional residential units, not three,
18 as more fully explained in the previous Finding, and (b) the City no longer recommends
19 relocation of solid waste and recycling facilities off of Muirhead Avenue N.W. and now
20 recommends them to be relocated to an internal site as more fully identified on Exhibit 21.

21 10. The Staff Report, Pages 7 and 8, contains Findings relating to compliance with
22 the transfer of development rights, OMC Chapter 18.90. The Hearing Examiner has reviewed
23 those Findings and adopts them as his own Findings of Fact.

24 11. The Applicant has stipulated to the requirement of constructing a six-foot high
25 solid fence along its east boundary as a condition of amendment approval. The fence will be

1 constructed in a manner to avoid the removal of existing trees and will therefore be constructed
2 from tree to tree rather than on a single continuous line.

3 12. City Staff recommends approval of the proposed amendment but subject to
4 different conditions than originally proposed at Page 8 of the Staff Report. City Staff now
5 recommends approval of the proposed amendment on the following conditions:

6 a. The Applicant shall construct a fence along its east boundary as described more
7 fully in the previous Finding;

8 b. The Applicant shall relocate waste and recycling receptacles to interior locations
9 as identified on Exhibit 21;

10 c. When and if a building is proposed for construction on Lot 4 (Unit F) the
11 Applicant will be required to submit design plans for a staff level detailed design review. The
12 design will need to demonstrate a strong effort at mitigating, to the extent possible, negative
13 building and site design impacts on adjacent properties;

14 d. The PRD shall be referenced on the official zoning map by adoption of an
15 ordinance amending the map to include a reference to the binding site plan;

16 e. Prior to land use approval the Applicant shall provide signed and recorded
17 Transfer of Development Rights Certificate for each unit of density on the receiving parcel(s) in
18 the Residential 4-8 district;

19 f. A signed and recorded Document of Attachment of the development rights to the
20 subject parcel(s).

21 13. The Applicant does not object to the revised conditions of approval.

22 14. An adjoining landowner, Debra Van Tuinen, initially objected to the proposed
23 amendment for reasons described more fully in the Background Section. Ms. Van Tuinen now
24 concurs with approval of the proposed amendment subject to the conditions proposed by City
25 Staff.

1 15. Ms. Van Tuinen also recommends that small composting receptacles currently
2 located near her property be relocated to the site's garden area. While these suggestions are
3 sensible they are not significant enough to be imposed as conditions.

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

5 **CONCLUSIONS OF LAW**

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

7 2. The requirements of SEPA have been met.

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

11 4. Each available Transfer of Development Right (TDR) would equate to one
12 additional residential unit. Upon acquisition of two TDR's the Applicant would be entitled to
13 amendment of the Planned Residential Development to allow two additional units subject,
14 however, to such reasonable conditions as are imposed by City Council. To the extent that the
15 City's Memorandum, Exhibit 17, contains proposed Conclusions of Law relating to the
16 conversion of TDR's into additional available residential units, the Hearing Examiner adopts
17 these Conclusions as his own Conclusions of Law.

18 5. The proposed amendment, as conditioned, satisfies the requirements of the
19 Planned Residential Development Ordinance, OMC Chapter 18.56.

20 6. The proposed amendment, as conditioned, satisfies the requirements of the
21 Transfer of Development Rights Ordinance, OMC Chapter 18.90.

22 7. The proposed amendment, allowing for the addition of two additional residential
23 units (increasing the number of available units from sixteen to eighteen); the construction of
24 Units "D" and "A" as identified more fully on Exhibit 21, should be approved subject to the
25 following conditions:

*Findings of Fact, Conclusions of Law
and Recommendations - 12*

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1 a. The Applicant shall construct a fence along its east boundary as described more
2 fully in the previous Finding;

3 b. The Applicant shall relocate waste and recycling receptacles to interior locations
4 as identified on Exhibit 21;

5 c. When and if a building is proposed for construction on Lot 4 (Unit F) the
6 Applicant will be required to submit design plans for a staff level detailed design review. The
7 design will need to demonstrate a strong effort at mitigating, to the extent possible, negative
8 building and site design impacts on adjacent properties;

9 d. The PRD shall be referenced on the official zoning map by adoption of an
10 ordinance amending the map to include a reference to the binding site plan;

11 e. Prior to land use approval the Applicant shall provide signed and recorded
12 Transfer of Development Rights Certificate for each unit of density on the receiving parcel(s) in
13 the Residential 4-8 district;

14 f. A signed and recorded Document of Attachment of the development rights to the
15 subject parcel(s).

16 Having entered his Findings of Fact and Conclusions of Law, the Hearing Examiner
17 recommends to the City Council that the proposed amendment be **APPROVED**; that the number
18 of available residential units be increased from sixteen to eighteen; and that construction of Units
19 D and A as identified on Exhibit 21 be permitted subject to the following conditions:

20 a. The Applicant shall construct a fence along its east boundary as described more
21 fully in the previous Finding;

22 b. The Applicant shall relocate waste and recycling receptacles to interior locations
23 as identified on Exhibit 21;

24 c. When and if a building is proposed for construction on Lot 4 (Unit F) the
25 Applicant will be required to submit design plans for a staff level detailed design review. The

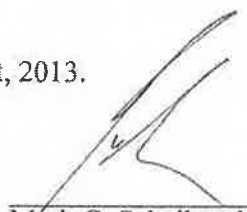
1 design will need to demonstrate a strong effort at mitigating, to the extent possible, negative
2 building and site design impacts on adjacent properties;

3 d. The PRD shall be referenced on the official zoning map by adoption of an
4 ordinance amending the map to include a reference to the binding site plan;

5 e. Prior to land use approval the Applicant shall provide signed and recorded
6 Transfer of Development Rights Certificate for each unit of density on the receiving parcel(s) in
7 the Residential 4-8 district;

8 f. A signed and recorded Document of Attachment of the development rights to the
9 subject parcel(s).

10 DATED this 15 day of August, 2013.

11
12 
13 _____
14 Mark C. Scheibmeir
15 City of Olympia Hearing Examiner
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CASE 13-0024

LIST OF EXHIBITS

1. Staff Report and Attachments
2. Overview of Woodard Co-Housing dated July 1, 2013
3. Site Plan, Sheet 6 of 12 05-0121 mark up
4. Transfer Development Rights Document Dated July 8, 2013
5. Photos of Area- Presented by Liv Monroe
6. Photos of Area- Proposed Dumpster Site, Presented by Liv Monroe
7. Photos of Area- Proposed Fence, Presented by Liv Monroe
8. Site Plan- Showing Relocation of the Garbage Container Site
9. Site Plan indicating Screening
10. Plan Sheets 1-12 from Vector Engineering Dated February 20, 2013
11. Photos (collectively) A6, A3, A5, A7 and A8 Presented by Debra VanTuinen
12. Photo A1 Presented by Debra VanTuinen
13. Photo A2 Presented by Debra VanTuinen
14. Photo A 4 Posting Notice Presented by Debra VanTuinen
15. Photos (collectively) A9, A10, A11, A12, A13 and A14 Presented By Debra VanTuinen
16. Written Testimony by Debra VanTuinen
17. Memorandum from Todd Stamm, Planning Manager dated July 18, 2013
18. Correspondence to Mark Scheibmeir, Hearing Examiner from Mr. Whalen, legal rep. for Debra VanTuinen dated July 24, 2013
19. Message from Alan Murley to Debra VanTuinen
20. Email from Catherine McCoy, Associate Planner to Mark Scheibmeir, Hearing Examiner dated July 25, 2013.
21. Site Plan dated July 28, 2013 Showing Locations of Refuse Container Placement
22. Photo of worm composting location Presented by Debra VanTuinen
23. Photo of Food Waste Bucket Location Presented by Debra VanTuinen

Owner's Declaration

Known to all men present that Christopher J. Russo and Robin Diane Shritz, each as their separate estate, as to an undivided 9.28794% interest; Liv V. Monroe, as her separate estate, as to an undivided 12.997799% interest; Jean Reynolds, as her separate estate, as to an undivided 9.28794% interest; Heather Saunders, as her separate estate, as to an undivided 9.28794% interest; Marjorie Schubert and John Teronovo, each as their separate estate, as to an undivided 13.0189% interest; John Teronovo and Veronika, as his separate estate, as to an undivided 16.228759% interest; Peter J. Lerner, as his separate estate, as to an undivided 13.0189% interest; Eivv Pammebecker and David Kadrieha Parker, husband and wife, as to an undivided 2.850572% interest; the undersigned owners of the real property described herein and Olympia Federal Savings and Loan Association, the mortgagees thereof, hereby certify that this Binding Site Plan and dedications to the use of the public for all streets, avenues, alleys, easements, and other public purposes, are not inconsistent with the use thereof for public purposes. Also the right to make all necessary slopes for cuts and fills upon the tract shown on this plan is the reasonable original grading of all the streets, avenues, places etc. shown hereon. Also the right to drain all streets over and across any portion of the tract where water might take a natural course over the street or streets are graded. Also, all claims for damage against any governmental authority are waived which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said roads.

In witness whereof we set our hands and official seals at the dates below written

Christopher J. Russo	date
Robin Diane Shritz	date
Liv V. Monroe Individually and as trustee of the Veronika/Monroe Trust	date
Jean Reynolds	date
Heather Saunders	date
Marjorie Schubert	date
John Teronovo	date
John Teronovo	date
John Teronovo	date
Peter J. Veronika Individually and as trustee of the Veronika/Monroe Trust	date
Eivv Pammebecker	date
David Lerner	date
Katharine Parker	date
Joshua Parker	date
Olympia Federal Savings and Loan Association	date
By: _____	
Its: _____	

A portion of The Dickerson Donation Land Claim in the Northeast Quarter of the Southwest Quarter of Section 10, Township 18 North, Range 2 West, W.M. in Thurston County, Washington.

(Page 1 of 5 Pages)

Certificate - City Engineer
Examined and approved this ___ day of _____, 2013.

Olympic City Engineer
Examined and approved this ___ day of _____, 2013.

Certificate - Community Planning and Development
Examined and approved this ___ day of _____, 2013.

Olympic Planning Director
Examined and approved this ___ day of _____, 2013.

Certificate - County Health Department
Examined and approved this ___ day of _____, 2013.

Thurston County Health Department
Examined and approved this ___ day of _____, 2013.

Certificate - Assessor
Examined and approved this ___ day of _____, 2013.

Thurston County Assessor
Examined and approved this ___ day of _____, 2013.

Certificate - Treasurer
I hereby certify that all taxes on the land described hereon have been fully paid to and including the year 2013.

Thurston County Treasurer
Examined and approved this ___ day of _____, 2013.

Certificate - Auditor
Filed for record at the request of Butler Surveying Inc, this ___ day of _____, 2013. At _____ minutes past _____ o'clock _____, M., and recorded under Auditor's File No. _____.

Thurston County Auditor Deputy

Land Surveyor's Certificate
I hereby certify that this Binding Site Plan is based upon an actual field survey in the Dickerson Donation Land Claim in the Northeast Quarter of the Southwest Quarter of Section 10, Township 18 North, Range 2 West, W.M. in Thurston County, Washington, that the courses and distances are correct and that the perimeter boundary has been staked on the ground with capped rebars or as shown hereon.

Total Project Legal Description(s):

Lots 62, 63 and 64 of Parker and Hoyt Plat as recorded in Volume 1 of Plats, Page 10; EIGHTHs therefrom the South 150 feet of the East 200 feet, in Thurston County, Washington.
TOGETHER with and subject to the following:

- 1) Easement and the terms and conditions thereof:
Genetee: City of Olympia
Purpose: Watermain
Recorded: June 23, 1989
Recording number: B04285
- 2) Easement affecting a portion of sold premises and for the purposes stated therein:
In Favor of: Piglet Sand Energy
Purpose: Easement and distribution
Line and appurtenances thereto
Recorded: March 5, 2009
Recording Number: 4064718
Affects: Portion of sold premises
- 3) Easement and the terms and conditions thereof:
Genetee: City of Olympia
Purpose: Water Lines
Area affected: Portion of sold premises
Recorded: February 12, 2010
Recording Number: 4136283
- 4) Easement and the terms and conditions thereof:
Genetee: City of Olympia
Purpose: Sewer Lines
Area affected: Portion of sold premises
Recorded: February 12, 2010
Recording Number: 4136284

Survey Notes

1. Full reliance has been placed in Chicago Title Insurance Company report under Order No. 2073550 dated April 16, 2010 at 8:00 AM and supplemental information for legal descriptions and relocations of easements; no further search of the record has been made.

2. The property depicted and described hereon encloses an area of 2.901 acres.

MODIFICATIONS/REVISIONS

It is expected that modifications and revisions to the Binding Site Plan and its approved design permits and documents may be necessary and normal during the course of its development. Any such Olympia Development Review Committee shall review and take such action as with respect to any proposed modifications or deviations from the approved Binding Site Plan and/or any documents attached thereto. The burden of proof to demonstrate why a modification or deviation is needed shall be placed on the applicant. At the discretion of the Development Review Committee the applicant may be required to record a revised and approved plan or document. There shall be no modification to the tract geometry of this Binding Site Plan except as provided by the City of Olympia.



City of Olympia Binding Site Plan No. 10-0022 OL (REVISED)	
Assessor's Current Parcel Number	67400006300
BUTLER SURVEYING INC. 476 NW CHERALS AVENUE P.O. BOX 148, CHERALS, WA 98632 360/746-8800	
Drawn: C. Butler	Date: 12-20-13
Checked: CS	Job No. 05-67
Scale: none	Sheet 1 of 5

ACKNOWLEDGMENT
STATE OF WASHINGTON)
COUNTY OF _____) SS

On this _____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Christopher J. Russo to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT
STATE OF WASHINGTON)
COUNTY OF _____) SS

On this _____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Diane Stritz to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT
STATE OF WASHINGTON)
COUNTY OF _____) SS

On this _____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Liv V. Monroe to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT
STATE OF WASHINGTON)
COUNTY OF _____) SS

On this _____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Jean State to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT
STATE OF WASHINGTON)
COUNTY OF _____) SS

On this _____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Heather Saunders to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT
STATE OF WASHINGTON)
COUNTY OF _____) SS

On this _____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Marjorie Schubert to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT
STATE OF WASHINGTON)
COUNTY OF _____) SS

On this _____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Jim Anest to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT
STATE OF WASHINGTON)
COUNTY OF _____) SS

On this _____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me John Terranova to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

A portion of The Dickerson Donation Land Claim in the Northeast Quarter of the Southwest Quarter of Section 10, Township 18 North, Range 2 West, WM, in Thurston County, Washington.
(Page 2 of 5 Pages)



City of Olympia Binding
Site Plan No. 10-0022 OL
(REVISED)

Assessor's Current Parcel Number
674400006300
BUTLER SURVEYING INC.
476 NW CHEHALIS AVENUE
P.O. BOX 140, CHEHALIS, WA 98522
360/746-8003

Drawn C. Butler	Date 12-20-13
Checked CB	Job No. 05-67
Scale none	Sheet 2 of 5

ACKNOWLEDGMENT
STATE OF WASHINGTON)
 SS
COUNTY OF _____)
On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Jason [Name of individual], [Address of individual], and [Address of individual], whose names are known to me and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.
SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT
STATE OF WASHINGTON)
 SS
COUNTY OF _____)
On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Peter J. Vennewitz to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.
SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT
STATE OF WASHINGTON)
 SS
COUNTY OF _____)
On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me David Lerner to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.
SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT
STATE OF WASHINGTON)
 SS
COUNTY OF _____)
On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Eve Penobscot to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.
SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT
STATE OF WASHINGTON)
 SS
COUNTY OF _____)
On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Katherine Parker to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.
SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT
STATE OF WASHINGTON)
 SS
COUNTY OF _____)
On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Joshua Parker to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.
SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT
STATE OF WASHINGTON)
 SS
COUNTY OF _____)
On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Peter J. Vennewitz and Liv V. Monroe to me known to be the Trustees of the Vennewitz/Monroe Trust, the entity described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as the free and voluntary act and deed of said trust for the uses and purposes therein mentioned.
SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT
STATE OF WASHINGTON)
 SS
COUNTY OF _____)
On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me _____ to me known to be the _____ (TITLE) of Olympia Federal Savings and Loan Association, a Washington State Chartered Commercial Bank, for the uses and purposes therein mentioned, and on said stated that _____ is authorized to execute the said instrument and that the seal affixed (if any) is the official seal of said Bank.
Witness my hand and official seal the day and year above written.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

A portion of The Dickerson Donation Land Claim in the Northeast Quarter of the Southwest Quarter of Section 10, Township 18 North, Range 2 West, W.M. in Thurston County, Washington.
(Page 3 of 5 Pages)

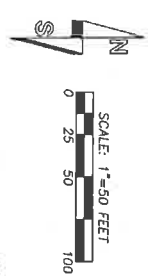
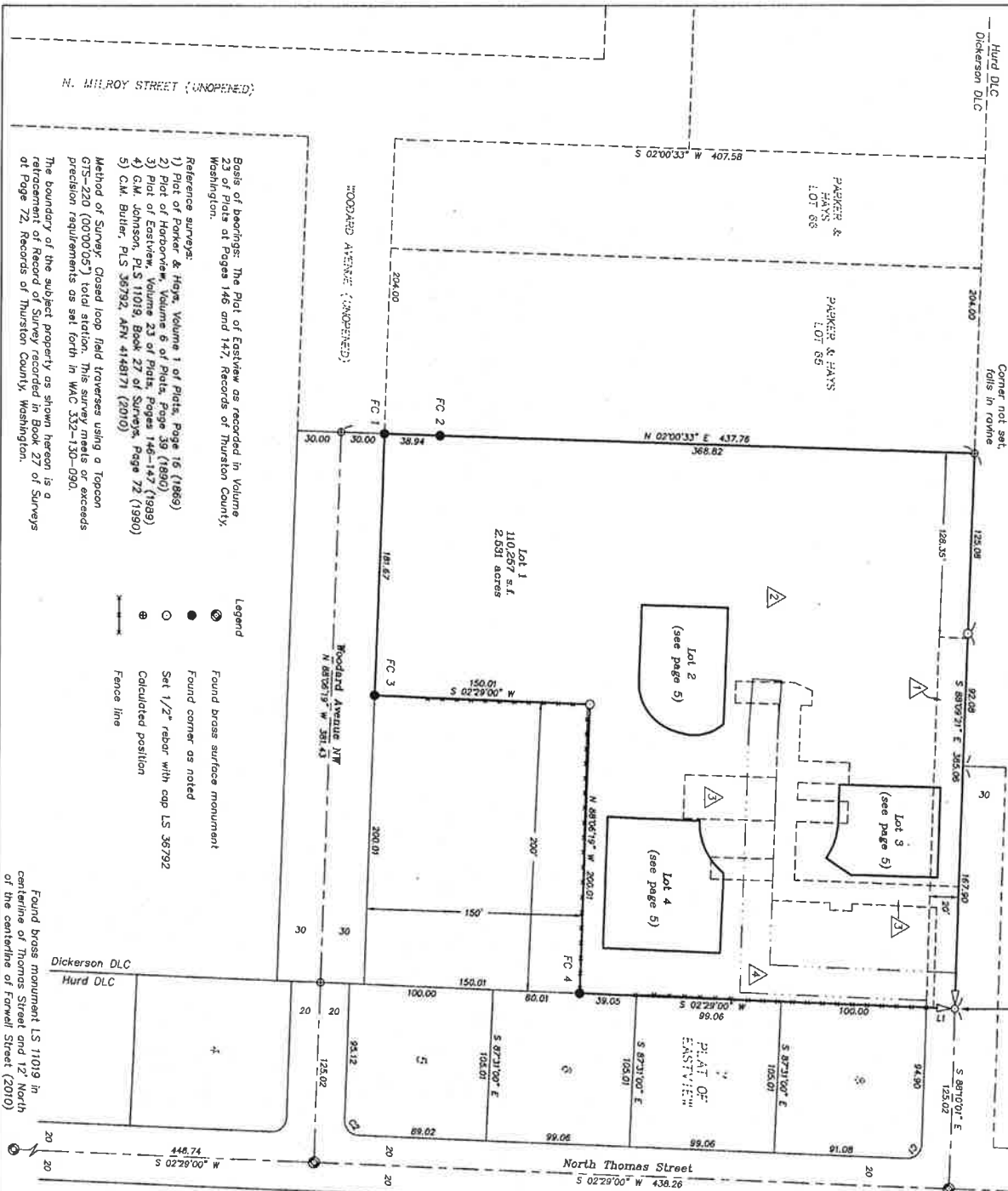


City of Olympia Binding
Site Plan No. 10-0022 OL
(REVISED)
Assessor's Current Parcel Number
67400006300

DRAWN BY: BUTLER SURVEYING, INC. 470 NW CATALINAS AVENUE SPOKANE, WA 99207 509/724-4800	
Drawn C. Butler	Date 12-20-13
Checked C/S	Job No. 05-67
Scale none	Sheet 3 of 5

A portion of The Dickerson Donation Land Claim in the Northeast Quarter of the Southwest Quarter of Section 10, Township 18 North, Range 2 West, W.M. in Thurston County, Washington.

(Page 4 of 5 Pages)



2" iron pipe of record has been destroyed by sewer construction. Set lock and LS 36792 washer in lead in concrete pad ground sewer manhole at position calculated as per reference surveys 2 and 3 (2010)

NE corner Dickerson DLC

LINE TABLE	BEARING	DISTANCE
L1	S 02°29'00" W	20.01

CURVE TABLE	RADIUS	LENGTH
M1	90°39'01"	10.00
C2	89°24'41"	15.61

- Found corners (FC)
- 1) Found 1/2" rebar with cap LS 7397 bearing S51°47'W 0.29' from calculated position (2010)
 - 2) Found 1/2" rebar with cap LS 5154 bearing S81°39'W 0.43' from calculated position. (2010)
 - 3) Found 1/2" rebar with cap LS 7397 bearing N61°48'E 0.13' from calculated position (2010)
 - 4) Found 1/2" rebar with cap LS 7397 at calculated position (2010)

- ▲ Water main easement as per AFN 804265
- ▲ Electric transmission and distribution easement as per AFN 4064718. Not surmountable.
- ▲ Water main easement as per AFN 4136263
- ▲ Sewer main easement as per AFN 4136264

Site Address
1620 Woodard Avenue NW
Olympia, WA 98502



City of Olympia Binding
Site Plan No. 10-0022 OL
(REVISED)

Assessor's Current Parcel Number
67400006300
BUTLER SURVEYING, INC.

700 N.W. CEDARLEAF AVENUE
SUITE 200
SEASIDE, WA 98832
360/746-4803

Drawn C. Butler Date 12-20-13
Checked CB Job No. 05-67C
Scale 1" = 50' Sheet 4 of 5

Legend

- Found brass surface monument
- Found corner as noted
- Set 1/2" rebar with cap LS 36792
- Calculated position
- Fence line

Method of Survey: Closed loop field traverses using a Topcon GTS-220 (000005) total station. This survey meets or exceeds precision requirements as set forth in WAC 352-150-090. The boundary of the subject property as shown herein is a retracement of Record of Survey recorded in Book 27 of Surveys at Page 72, Records of Thurston County, Washington.

Reference surveys:
1) Plot of Parker & Hays, Volume 1 of Plats, Page 16 (1869)
2) Plot of Harborview, Volume 6 of Plats, Page 39 (1890)
3) Plot of Eastview, Volume 23 of Plats, Pages 146-147 (1989)
4) G.M. Johnson, PLS 11019, Book 27 of Surveys, Page 72 (1990)
5) G.M. Butler, PLS 36792, AFN 4148171 (2010)

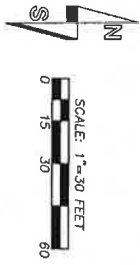
Basis of bearings: The Plat of Eastview as recorded in Volume 23 of Plats at Pages 146 and 147, Records of Thurston County, Washington.



- ▲ Water main easement as per AFN 804285
- ▲ Electric transmission and distribution easement as per AFN 4064718. Not surmountable.
- ▲ Water main easement as per AFN 4135663
- ▲ Sewer main easement as per AFN 4135284

A portion of The Dickerson Donation Land Claim in the Northeast Quarter of the Southwest Quarter of Section 10, Township 18 North, Range 2 West, W.M. in Thurston County, Washington.

(Page 5 of 5 Pages)



- Found corner as noted
- Set 1/2" rebar with cap LS 38792
- ⊕ Calculated position
- Fence line
- Sewer manhole
- Sewer cleanout
- Sewer line
- Water valve
- Water meter
- Hydrant
- Water line
- Storm manhole
- Storm cleanout
- Catch basin
- Storm line
- Walking path
- Gravel area

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BEG.	CHORD END.
C1	60°18'52"	30.00	31.59	30.14	S 11°47'02" E	4.70
C2	60°18'52"	30.00	31.59	30.14	S 11°47'02" E	4.70
C3	32°30'36"	47.50	27.05	26.70	S 47°54'15" E	23.29
C4	52°08'13"	45.00	40.95	39.55	S 65°42'02" W	32.00

LINE TABLE

NO.	BEARING	DISTANCE
L1	S 02°29'00" W	20.00
L2	N 02°29'00" E	150.01
L3	S 02°29'00" W	80.00
L4	S 88°13'51" E	23.29
L5	N 54°24'54" E	20.59
L6	N 87°31'00" W	32.00



BUTLER SURVEYING INC.
 475 NW CHEWALAS AVENUE
 P.O. BOX 146, CHEWALAS, WA 98032
 509/748-8800

Assessor's Current Parcel Number
 67400006300

City of Olympia Binding
 Site Plan No. 10-0022 OL
 (REVISED)

Drawn: C. Butler
 Checked: CS
 Scale: 1" = 30'

Date: 12-20-13
 Job No.: 05-67C
 Sheet: 5 of 5



M E M O

TO: Steve Hall, City Manager

FROM: Catherine McCoy, Associate Planner, Community Planning & Development

SUBJECT: Woodard Lane Co-housing PRD Amendment, Proj. No. 13-0024 – CPD Staff Response to the Letter from Ms. Debra Van Tuinen to the Olympia City Council, dated March 28, 2014

DATE: April 4, 2014

On April 1, at the regularly scheduled meeting Council was scheduled to consider a consent agenda item adopting a resolution granting preliminary approval of the Woodard Lane Co-housing Planned Residential Development (PRD) Amendment, Council File No. 13-0662 (CPD Proj. No. 13-0024). The “Amendment” is to allow two additional units to the previously approved sixteen through the purchase of Thurston County Transfer of Development Rights, as indicated in the Council’s packets for Council File No. 13-0662. On March 28, Ms. Van Tuinen submitted a letter via email to Mayor Buxbaum identifying three issues that she refers to as “Compliance Issues” – relating to building height, parking, and building setbacks. These issues -- related to the original development of the site and indirectly to the modification -- led to postponement of consideration of the amendment.

Over the years City Staff have had many conversations with Ms. Van Tuinen in an effort to address these and related issues, however as indicated in her letter, there are still issues to be resolved. This memo responds to the latest correspondence.

The original development approval, associated with the co-housing development, is still under construction and is expected to be completed by 2015 with the development of the remaining two buildings – a common house and a four-unit residential building. In addition the special PRD approval, all buildings on the site must comply with building, zoning, fire, and engineering codes.

Height and Stories:

Ms. Van Tuinen asserts that the buildings already built exceed the allowable height limit of 35 feet, and include more than the allowed two stories. In the opinion of staff, the buildings include a number of structural features, such sloped roofs, basements and mezzanines, that contribute to the bulk and scale of the buildings but do not result in exceeding either the limits of International Building Code (IBC) or the Olympia Development Code (Title 18, UDC).

- **Building height** is defined as the vertical distance from grade plane (average adjacent ground) to the average height of the highest primary roof surface (OMC 18.02.180.H. The average

height is typically the midpoint of a sloped roof. Thus, for example, according to the construction drawings the taller buildings have a roof peak about 40 feet above the ground, but the height to the midpoint of the roof (the height for zoning purposes) is about 32 feet.

- **Roof projections**, such as antennas, chimneys, ventilating fans, skylights, and other such features, may exceed the standard height limit by no more than 18 feet (OMC 18.04.080.I).
- Some of the buildings include basements. A **basement** is not considered an above-ground story. To qualify as a basement: 1) the finished surface of the floor above the basement must be no more than six feet above grade plane, 2) the finished surface of the basement floor must be below the grade plane for over 50% of the total building perimeter, and 3) the finished surface of the basement floor must be no more than twelve (12) feet above the finished ground level at any point (OMC 18.02.080.S). All basements in the PRD comply with these requirements.
- Each of the three buildings constructed since July 2008 includes a “mezzanine.” **Mezzanines** (a building code term for what might be called a ‘loft’ or ‘dormer,’ are considered a portion of the story below and by both building and zoning code definition do not constitute a separate story (IBC 505.1). To qualify as a mezzanine the floor area may not exceed one-third of the floor area of the room or space below (IBC 505.2).

The combination of these features results can result in buildings that from some perspectives seem to be taller than 35 feet and include up to four stories; nonetheless they comply with the code limitations of 35 feet in height as defined, and two full above-grade stories.

Parking:

Off-street parking for the PRD dwelling units has been provided in the southwest area of the development with access from Woodard Avenue NW. Twenty-seven (27) parking spaces are required for the proposed eighteen (18) dwelling units – twenty-nine (29) are provided.

Ms. Van Tuinen states that “residents park their cars next to their residences on Muirhead and block the turnaround at the end of Muirhead...” Staff conducted an on-site investigation on April 8, 2014, and noted that the width of Muirhead Avenue NW narrows to twenty (20) feet, which means that no parking should be allowed on Muirhead Avenue NW west of Thomas Street. City staff will install “NO PARKING” signs on both east and west bound Muirhead Avenue west of Thomas Street. Please note

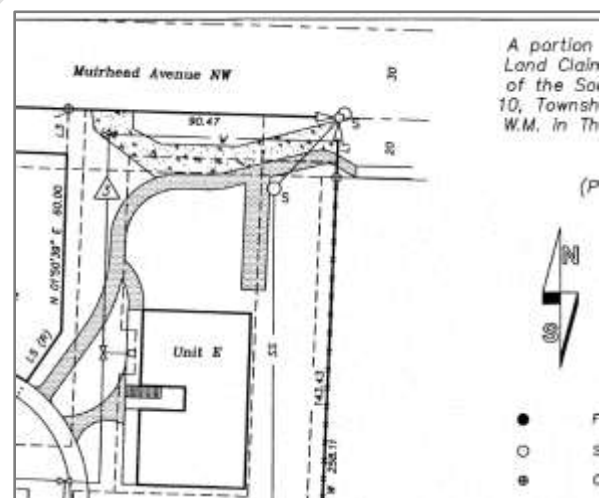


Figure 1 Sheet 5 of 5, BSP 12/20/13.

that it may also appear that the residents are parking on the street because the northeast section of the development site – Woodard Lane Co-housing property – includes a gravel area where residents may park their vehicles (Figure 1).

Setbacks

Ms. Van Tuinen asserts that the side yard setback nearest the east property line is less than the 20 feet required. Construction plans proposed a 25-foot setback adjacent to the single family residences, from the eastern-most building to the property line. A field inspection on April 1, 2014, confirmed that the buildings as built comply with the 20-foot minimum requirement. Thus, consistent with the Staff Report to the Hearing Examiner for the development project (CPD File No. 05-0121, February 11, 2008), and the Hearing Examiner’s Finding, Conclusions and Decision, (05-0121, April 17, 2008), the setback requirements for the development proposal were met.

Staff is prepared to answer any additional questions regarding this response to Ms. Van Tuinen’s citizen letter as necessary.

DRAFT

1 BEFORE THE CITY OF OLYMPIA HEARINGS EXAMINER

2 IN RE:) HEARING NO. 12-0024
3 WOODARD LANE CO-HOUSING)
TENANTS IN COMMON,) FINDINGS OF FACT,
4 Applicant.) CONCLUSIONS OF LAW
AND RECOMMENDATIONS

5
6 **APPLICANT:** Woodard Lane Co-Housing Tenants in Common
1620 Woodard Avenue N.W.
7 Olympia, Washington 98502

8 **REPRESENTATIVES:**

9
10 Liv Monroe
Woodard Lane Co-Housing Tenants in Common
11 1620 Woodard Avenue N.W.
Olympia, Washington 98502

12 **SUMMARY OF REQUEST:**

13 Amendment to the previously approved Planned Residential Development to increase the
14 number of approved residential units from sixteen to eighteen pursuant to the acquisition of two
15 Transferable Development Rights (TDR's), OMC 18.04.080(A)(5).

16 **LOCATION OF PROPOSAL:**

17 1620 Woodard Avenue N.W., Olympia, Washington 98502

18 **SUMMARY OF DECISION:**

19 The Planned Residential Development should be amended to allow two additional residential
20 units for the two TDR's, subject to conditions.

21 **BACKGROUND**

22 The Woodard Lane Co-Housing Planned Residential Development ("Woodard Lane")
23 was approved by the Hearing Examiner and City Council in 2008. The approved Planned
24 Residential Development allowed for the construction of up to sixteen residential units in this co-
25 housing project. The Applicant has since arranged for the acquisition of two Transfer

*Findings of Fact, Conclusions of Law
and Recommendations - 1*

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

1 Development Rights, or TDR's, and seeks to increase the number of allowed units from sixteen
2 to eighteen pursuant to the TDR's. As explained more fully below, I recommend to the City
3 Council that the Planned Residential Development be amended to allow two additional
4 residential units in consideration for the two TDR's, subject to certain conditions.

5 Initial Public Hearing

6 The initial public hearing on this request commenced at 6:30 p.m. on July 8, 2013, in the
7 Planning Hearing Room in the City Hall. The City appeared through Catherine McCoy of
8 Planning Staff. Woodard Lane appeared through its representative, Liv Monroe. Testimony was
9 received from the City through Ms. McCoy. Testimony from the Applicant was received from
10 Liv Monroe. A verbatim recording was made of the public hearing and all testimony was taken
11 under oath. A total of twenty-three exhibits were introduced during the course of three hearings
12 as more fully identified on Attachment "A" to this decision.

13 Catherine McCoy of Planning Staff provided a history of the project. Following approval
14 of the Planned Residential Development in 2008 Woodard Lane undertook construction of a
15 majority of the approved development including three multi-family residential buildings,
16 designated as Units B, C and E on site maps, as well as all site improvements including parking,
17 walkways, driveways, and landscaping. Each of the three constructed residential buildings
18 provides for four residential units, but the lower floor of Unit E is currently used as the Common
19 House where meals and other communal activities take place. Thus, while twelve residential
20 units have been constructed only ten are in current use as residences. The approved Planned
21 Residential Development recognizes two additional residential buildings, Unit A and Unit D, but
22 neither of these units has been constructed. Thus, twelve of the sixteen approved units have been
23 constructed to date.

24 Ms. McCoy explained that the Applicant wants to now construct Unit D to take
25 advantage of the four remaining approved but un-built units. More importantly, the Applicant

1 also wants to construct Unit A, and to have it include two additional units. The first floor of Unit
2 A would become the new home of the Common House and the second floor would, if approved,
3 provide two additional residential units, increasing the total number of units to eighteen.

4 To construct these units the Applicant must first have the project amended to increase the
5 number of allowed units from sixteen to eighteen. To summarize, the amended project, if
6 approved, would provide for four four-unit buildings, Units B, C, D and E, and a fifth building,
7 Unit A, housing the Common House on its first floor and two additional units on its second floor,
8 for a total of eighteen residential units.

9 In order to be granted two additional residential units the Applicant has arranged for the
10 acquisition of two Transfer Development Rights, or TDR's, from a Thurston County property
11 owner. Ms. McCoy testified that City Staff had calculated that these two TDR's would allow the
12 Applicant an additional three residential units based upon the amount of acreage involved. If this
13 calculation is correct the Applicant would be eligible for an increase from sixteen to nineteen
14 units. Although the Applicant had only sought two additional units, it asked for approval of this
15 third (nineteenth) additional unit to be utilized if/when it later constructed a final residential
16 building (Unit F).

17 The project as constructed includes a twenty-nine stall parking area, bike storage shed
18 and a communal kitchen. Each of these improvements is noteworthy as their size is based upon
19 the approved sixteen-unit development. Ms. McCoy testified that an increase in allowed units
20 from sixteen to eighteen (or nineteen) would not require a modification of the parking lot, bike
21 storage shed or communal kitchen as all of these improvements are of sufficient size for the
22 requested increase.

23 Ms. McCoy also testified that the proposed new construction will not require additional
24 stormwater analysis; will not involve any construction within shorelines jurisdiction; and will not
25 impact any critical areas.

1 The one significant impact of an enlarged project is on the handling of trash and
2 recyclable materials. The project currently relies upon standard-sized wheeled containers for
3 both trash and recyclables, and these containers are stored at the north end of the parking lot,
4 well away from neighboring properties. The increased size of the project will necessitate
5 conversion to a trash dumpster. Ms. McCoy explained that she has conferred with other City
6 Staff and waste management officials and concludes that the only appropriate location for this
7 dumpster would be at the northeast corner of the project site in close proximity to an adjoining
8 residence owned by Debra Van Tuinen.

9 As noted in Ms. McCoy's Staff Report the City had received comments from several
10 neighboring homeowners in advance of the public hearing. Not surprisingly, the requested
11 amendment has served as something of a referendum on the development as a whole. Neighbors
12 express unhappiness with the scale and massing of the buildings, traffic and noise congestion,
13 on-street parking problems and the proposed location of the waste and recycling receptacles.

14 Ms. McCoy concluded her testimony by confirming that City Staff recommends approval
15 of the requested amendment subject to certain conditions set forth on Page 8 of the Staff Report.
16 The City's proposed conditions would allow for the addition of three residential units (two on the
17 second floor of Unit A and a third to be held for later construction of Unit F) on the conditions
18 that the Applicant submit proposals for a better buffering between its development and single-
19 family residences to the east; that it provide greater detail for the location of solid waste
20 receptacles along Muirhead Avenue including screening; and that if a Unit F is later constructed
21 on Lot 4 that the Applicant first be required to submit design plans for staff level detailed design
22 review.

23 At the conclusion of Ms. McCoy's presentation Liv Monroe spoke on behalf of Woodard
24 Lane. Ms. Monroe provided a brief history of the project since its approval in 2008. She then
25 explained that Woodard Lane wishes to proceed with construction of the previously approved

1 Unit D, bringing the number of constructed units to the allowed sixteen. The proposed
2 amendment would allow Woodard Lane to construct two additional units on the top of Unit A.
3 Unit A would then be constructed to house the Common House on its first floor and these two
4 additional units on its second floor, bringing the total number of residential units to eighteen. To
5 accomplish this Woodard Lane has arranged for acquisition of two TDR's from a rural
6 landowner in Thurston County.

7 Ms. Monroe admitted that she was surprised by the City's calculations that the two TDR's
8 would allow Woodard Lane an additional three units. Ms. Monroe had anticipated that the two
9 TDR's could be converted to two additional residential units, not three. If Woodard Lane was
10 allowed this third additional unit it would be held in reserve for the later construction of the final
11 building (Unit F) identified on the project's site map.

12 Ms. Monroe acknowledged that the project has had some issues with its neighbors in the
13 single-family neighborhood immediately east of the site. In order to alleviate some of these
14 concerns Woodard Lane offers to construct a six-foot high solid fence to improve the buffering
15 between the project and the residences to the east. Due to the existence of several large trees
16 along this boundary the fence would be constructed so as to not cause the removal of the trees.
17 In other words, the fence would be constructed from tree to tree rather than as a single
18 continuous fence.

19 Ms. Monroe also defended the proposed location of the trash dumpster at the northeast
20 corner of the project. She explained that the current size of the project allows for trash and
21 recyclables to be maintained in standard size carts but that Woodard Lane will be forced to go to
22 a dumpster with its increase in population. The current location of trash and waste receptacles is
23 within the footprint of the intended Unit A and therefore must be relocated. She agreed that the
24 most appropriate site for relocation is at the northeast corner of the project along Muirhead.

1 Following Ms. Monroe's testimony the hearing was opened for public comment. Debra
2 Van Tuinen, an adjoining neighbor, spoke in opposition. Ms. Van Tuinen's residence is located
3 at the southwest corner of the North Thomas/Muirhead Avenue intersection. The proposed site
4 of the trash dumpster is within a few feet of her boundary line and just a short distance from her
5 house. She is strongly opposed to the relocation of trash receptacles to this site and asked that
6 the City be required to re-examine this question and consider alternatives, including relocation to
7 Woodard Avenue as was originally proposed in 2008. Ms. Van Tuinen also testified as to
8 various problems resulting from the lack of buffering between the project and its single-family
9 neighbors as well as with individuals using Muirhead Avenue as a parking area.

10 At the conclusion of public testimony I advised Ms. McCoy that I was unclear on how
11 the City had calculated that two TDR's would convert to three additional residential units for
12 Woodard Lane. I also explained that I shared Ms. Van Tuinen's concerns with the proposed
13 location of the trash dumpster next to her property. In light of these two concerns I recessed the
14 public hearing until July 17, 2013 to receive additional information on (1) the City's calculations
15 on the number of additional units available to Woodard Lane as a result of two TDR's, and (2)
16 further investigation of the best site for the trash dumpster, provided, however, that its relocation
17 would not cause the reduction of available parking stalls.

18 **Second Public Hearing**

19 Prior to the hearing scheduled for July 17 I was notified by City Staff that the requested
20 information would not be available in time. The hearing was therefore further continued to July
21 24 at 5:30 p.m. In advance of the July 24 hearing I received a Memorandum from Todd Stamm,
22 Planning Manager for the City (Exhibit 17) confirming that, upon further consideration, the City
23 agrees that each TDR would equate to one additional residential unit for Woodard Lane. The
24 two TDR's to be acquired by Woodard Lane would therefore result in two additional available
25 units, not three as earlier calculated.

1 Also in advance of the July 24 hearing I received a letter from Jason Whalen (Exhibit
2 18), an attorney representing Debra Van Tuinen. On behalf of Ms. Van Tuinen Mr. Whalen
3 expressed continuing opposition to the proposed location of the dumpster next to her property;
4 asked that no additional parking be allowed along Muirhead Avenue; requested that any
5 amendment be conditioned upon improved landscaping and buffering; and agreed with the
6 Hearing Examiner's position that each TDR would equate to one additional residential unit and
7 hence the two available TDR's would equate to two additional units, not three.

8 The public hearing resumed on July 24 at 5:30 p.m. Ms. McCoy was present on behalf of
9 the City and Ms. Monroe and Ms. Van Tuinen were also present. Ms. McCoy reviewed the
10 Memorandum prepared by Todd Stamm and confirmed that the City's position had changed and
11 that it now believed that the Applicant's two available TDR's would justify two additional
12 residential units, not three as earlier proposed. Ms. Monroe responded and admitted that these
13 revised calculations were consistent with her initial expectations and that she would accept that
14 the two available TDR's would equate to two additional units, not three.

15 Ms. McCoy also testified that additional meetings had taken place regarding the location
16 of trash and recycling receptacles but unfortunately a written report was not yet ready. The
17 hearing was therefore again recessed until August 12 so that this report could be completed and
18 made available to all interested parties.

19 Third Public Hearing

20 In advance of the rescheduled hearing on August 12 I received a Memorandum from Ms.
21 McCoy (Exhibit 20) explaining that City Staff had been successful in establishing better
22 locations for the waste and recycling receptacles. The new proposed locations are identified on a
23 revised site map (Exhibit 21) and are to be located not far from their current location and well
24 away from adjoining residences. More specifically, the trash dumpster would be located at the
25 northwest corner of the parking area; the recycling carts would be located just south of proposed

1 Unit A and a solid waste cart would be located near the northeast corner of the parking lot
2 adjacent to an existing gardening area.

3 The public hearing reconvened on August 12 at 5:30 p.m. and once again Ms. McCoy,
4 Ms. Monroe and Ms. Van Tuinen were present. Ms. McCoy explained the proposed relocation
5 of these facilities and Ms. Monroe confirmed Woodard Lane's willingness to have the facilities
6 relocated to these sites. Ms. Van Tuinen expressed thanks to the City and Woodard Lane for the
7 relocation of these facilities as proposed. She then made the additional request that Woodard
8 Lane be required to also relocate some small composting receptacles, currently positioned near
9 her property, to the same general area as the yard waste cart and garden.

10 Although it has taken three public hearings to complete this process the extra time and
11 effort has proven worthwhile as it has resulted in agreements among the City, the Applicant and
12 the adjoining landowner on all key issues.

13 Ms. Van Tuinen also asked that an additional condition be imposed requiring Woodard
14 Lane to relocate the existing small composting receptacles to the same area as the yard waste cart
15 and garden. This is a sensible recommendation, and one that Woodard Lane may want to follow,
16 but I do not believe that it is significant enough to impose as a condition.

17 At the conclusion of the third hearing Woodard Lane asked about the possibility of being
18 allowed to develop the six available units (four previously approved units and the two new ones)
19 in a different configuration than previously proposed. Stated differently, Woodard Lane
20 wondered whether it was required to construct Unit D as a two-story, four-unit building and Unit
21 A as the new Common House with two upstairs units, or whether it could make Unit D a three-
22 story, six-unit building or otherwise construct the new units in a different manner than originally
23 proposed. I was not previously aware of any such desire and I do not believe that the
24 neighborhood has been given adequate notice of this alternative. I therefore recommend that
25 approval of the two additional units be on the condition that the new buildings be constructed as

1 proposed on Exhibit 21. Any modification to this plan should be by formal application with
2 notice to the public and an opportunity to respond.

3 Accordingly, I make the following:

4 **FINDINGS OF FACT**

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

6 1. Woodard Lane requests an amendment to the previously approved Planned
7 Residential Development to increase the number of approved residential units from sixteen to
8 eighteen through the use of two available Transferrable Development Rights (TDR's).

9 2. The proposed site is zoned Single-Family Residential (R4-8).

10 3. Pursuant to the State Environmental Policy Act, a Determination of Non-
11 Significance (DNS) was issued on December 28, 2007, as a component of project review for the
12 Woodard Lane Co-Housing Planned Residential Development proposal, 05-0121. Further
13 environmental review is not required for this proposed amendment.

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

17 5. Staff recommends that the City Council approve the proposed amendment subject
18 to several conditions.

19 6. The Staff Report, Page 2, contains Findings relating to the property. The Hearing
20 Examiner has reviewed those Findings and adopts them by reference.

21 7. The Staff Report, Pages 2 and 3, contains Findings relating to the history of the
22 original Planned Residential Development Application and its approval; the proposed
23 amendment and public comment regarding the amendment. The Hearing Examiner has reviewed
24 those Findings and adopts them by reference with the exception of any Finding that the

25 Applicant proposes to convert the two available TDR's into three additional dwelling units. The

1 Hearing Examiner instead finds that the Applicant proposes to convert the two TDR's into two
2 additional units; that City Staff initially concluded that the TDR's would allow for three
3 additional units; that subsequently City Staff reconsidered its calculations and now concludes
4 that the two TDR's would translate to two additional units; and that the Applicant concurs with
5 this result.

6 8. The Staff Report, Page 4, contains proposed Findings relating to the calculation of
7 the number of additional units available to the Applicant as a result of obtaining two TDR's. The
8 City has since reconsidered these calculations and no longer proposes adoption of the proposed
9 Findings found on Page 4 of the Staff Report. Instead, the City now concludes that the Applicant
10 must obtain one TDR for each additional residential unit requested, and that two available TDR's
11 would equate to two additional residential units, all as set forth more fully in Exhibit 17. The
12 Hearing Examiner has reviewed the proposed Findings found in Exhibit 17 and adopts them as
13 his own Findings of Fact.

14 9. The Staff Report, Pages 5-7, contains proposed Findings relating to compliance
15 with the Planned Residential Development Ordinance, OMC Chapter 18.56. The Hearing
16 Examiner has reviewed those Findings and adopts them as his own Findings of Fact with two
17 exceptions: (a) two available TDR's would allow for two additional residential units, not three,
18 as more fully explained in the previous Finding, and (b) the City no longer recommends
19 relocation of solid waste and recycling facilities off of Muirhead Avenue N.W. and now
20 recommends them to be relocated to an internal site as more fully identified on Exhibit 21.

21 10. The Staff Report, Pages 7 and 8, contains Findings relating to compliance with
22 the transfer of development rights, OMC Chapter 18.90. The Hearing Examiner has reviewed
23 those Findings and adopts them as his own Findings of Fact.

24 11. The Applicant has stipulated to the requirement of constructing a six-foot high
25 solid fence along its east boundary as a condition of amendment approval. The fence will be

1 constructed in a manner to avoid the removal of existing trees and will therefore be constructed
2 from tree to tree rather than on a single continuous line.

3 12. City Staff recommends approval of the proposed amendment but subject to
4 different conditions than originally proposed at Page 8 of the Staff Report. City Staff now
5 recommends approval of the proposed amendment on the following conditions:

6 a. The Applicant shall construct a fence along its east boundary as described more
7 fully in the previous Finding;

8 b. The Applicant shall relocate waste and recycling receptacles to interior locations
9 as identified on Exhibit 21;

10 c. When and if a building is proposed for construction on Lot 4 (Unit F) the
11 Applicant will be required to submit design plans for a staff level detailed design review. The
12 design will need to demonstrate a strong effort at mitigating, to the extent possible, negative
13 building and site design impacts on adjacent properties;

14 d. The PRD shall be referenced on the official zoning map by adoption of an
15 ordinance amending the map to include a reference to the binding site plan;

16 e. Prior to land use approval the Applicant shall provide signed and recorded
17 Transfer of Development Rights Certificate for each unit of density on the receiving parcel(s) in
18 the Residential 4-8 district;

19 f. A signed and recorded Document of Attachment of the development rights to the
20 subject parcel(s).

21 13. The Applicant does not object to the revised conditions of approval.

22 14. An adjoining landowner, Debra Van Tuinen, initially objected to the proposed
23 amendment for reasons described more fully in the Background Section. Ms. Van Tuinen now
24 concurs with approval of the proposed amendment subject to the conditions proposed by City
25 Staff.

1 15. Ms. Van Tuinen also recommends that small composting receptacles currently
2 located near her property be relocated to the site's garden area. While these suggestions are
3 sensible they are not significant enough to be imposed as conditions.

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

5 **CONCLUSIONS OF LAW**

6 1. The Hearing Examiner has jurisdiction over the parties and the subject matter.
7 2. The requirements of SEPA have been met.
8 3. Any Conclusions of Law contained in the foregoing Background Section or
9 foregoing Findings of Fact are hereby incorporated by reference and adopted by the Hearing
10 Examiner as Conclusions of Law.

11 4. Each available Transfer of Development Right (TDR) would equate to one
12 additional residential unit. Upon acquisition of two TDR's the Applicant would be entitled to
13 amendment of the Planned Residential Development to allow two additional units subject,
14 however, to such reasonable conditions as are imposed by City Council. To the extent that the
15 City's Memorandum, Exhibit 17, contains proposed Conclusions of Law relating to the
16 conversion of TDR's into additional available residential units, the Hearing Examiner adopts
17 these Conclusions as his own Conclusions of Law.

18 5. The proposed amendment, as conditioned, satisfies the requirements of the
19 Planned Residential Development Ordinance, OMC Chapter 18.56.

20 6. The proposed amendment, as conditioned, satisfies the requirements of the
21 Transfer of Development Rights Ordinance, OMC Chapter 18.90.

22 7. The proposed amendment, allowing for the addition of two additional residential
23 units (increasing the number of available units from sixteen to eighteen); the construction of
24 Units "D" and "A" as identified more fully on Exhibit 21, should be approved subject to the
25 following conditions:

*Findings of Fact, Conclusions of Law
and Recommendations - 12*

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

1 a. The Applicant shall construct a fence along its east boundary as described more
2 fully in the previous Finding;

3 b. The Applicant shall relocate waste and recycling receptacles to interior locations
4 as identified on Exhibit 21;

5 c. When and if a building is proposed for construction on Lot 4 (Unit F) the
6 Applicant will be required to submit design plans for a staff level detailed design review. The
7 design will need to demonstrate a strong effort at mitigating, to the extent possible, negative
8 building and site design impacts on adjacent properties;

9 d. The PRD shall be referenced on the official zoning map by adoption of an
10 ordinance amending the map to include a reference to the binding site plan;

11 e. Prior to land use approval the Applicant shall provide signed and recorded
12 Transfer of Development Rights Certificate for each unit of density on the receiving parcel(s) in
13 the Residential 4-8 district;

14 f. A signed and recorded Document of Attachment of the development rights to the
15 subject parcel(s).

16 Having entered his Findings of Fact and Conclusions of Law, the Hearing Examiner
17 recommends to the City Council that the proposed amendment be **APPROVED**; that the number
18 of available residential units be increased from sixteen to eighteen; and that construction of Units
19 D and A as identified on Exhibit 21 be permitted subject to the following conditions:

20 a. The Applicant shall construct a fence along its east boundary as described more
21 fully in the previous Finding;

22 b. The Applicant shall relocate waste and recycling receptacles to interior locations
23 as identified on Exhibit 21;

24 c. When and if a building is proposed for construction on Lot 4 (Unit F) the
25 Applicant will be required to submit design plans for a staff level detailed design review. The

1 design will need to demonstrate a strong effort at mitigating, to the extent possible, negative
2 building and site design impacts on adjacent properties;

3 d. The PRD shall be referenced on the official zoning map by adoption of an
4 ordinance amending the map to include a reference to the binding site plan;

5 e. Prior to land use approval the Applicant shall provide signed and recorded
6 Transfer of Development Rights Certificate for each unit of density on the receiving parcel(s) in
7 the Residential 4-8 district;

8 f. A signed and recorded Document of Attachment of the development rights to the
9 subject parcel(s).

10 DATED this 15 day of August, 2013.

11 
12 _____
13 Mark C. Scheibmeir
14 City of Olympia Hearing Examiner
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CASE 13-0024

LIST OF EXHIBITS

1. Staff Report and Attachments
2. Overview of Woodard Co-Housing dated July 1, 2013
3. Site Plan, Sheet 6 of 12 05-0121 mark up
4. Transfer Development Rights Document Dated July 8, 2013
5. Photos of Area- Presented by Liv Monroe
6. Photos of Area- Proposed Dumpster Site, Presented by Liv Monroe
7. Photos of Area- Proposed Fence, Presented by Liv Monroe
8. Site Plan- Showing Relocation of the Garbage Container Site
9. Site Plan indicating Screening
10. Plan Sheets 1-12 from Vector Engineering Dated February 20, 2013
11. Photos (collectively) A6, A3, A5, A7 and A8 Presented by Debra VanTuinen
12. Photo A1 Presented by Debra VanTuinen
13. Photo A2 Presented by Debra VanTuinen
14. Photo A 4 Posting Notice Presented by Debra VanTuinen
15. Photos (collectively) A9, A10, A11, A12, A13 and A14 Presented By Debra VanTuinen
16. Written Testimony by Debra VanTuinen
17. Memorandum from Todd Stamm, Planning Manager dated July 18, 2013
18. Correspondence to Mark Scheibmeir, Hearing Examiner from Mr. Whalen, legal rep. for Debra VanTuinen dated July 24, 2013
19. Message from Alan Murley to Debra VanTuinen
20. Email from Catherine McCoy, Associate Planner to Mark Scheibmeir, Hearing Examiner dated July 25, 2013.
21. Site Plan dated July 28, 2013 Showing Locations of Refuse Container Placement
22. Photo of worm composting location Presented by Debra VanTuinen
23. Photo of Food Waste Bucket Location Presented by Debra VanTuinen

**CITY OF OLYMPIA
HEARING EXAMINER
STAFF REPORT
July 8, 2013**

- Case:** Woodard Lane Co-Housing Planned Residential Development Amendment, 12-0024
- Applicant:** Liv Monroe - Representative
Woodard Lane Co-Housing Tenants in Common
1620 Woodard Ave NW
Olympia WA 98502
- Type of Action Request:** The Applicant requests a review and recommendation of approval from the Hearing Examiner to the City Council for an amendment to the planned residential development to increase the housing density of the underlying residential R 4-8 zone above seven units per acre through the use of transferable development rights (OMC 18.04.080(A)(5)).
- Project Location:** 1620 Woodard Ave NW
Olympia WA 98502
- Legal Description:** Thurston County Assessor's Tax Parcel No. 67400006300 in Sec. 10, T18N, R2W, W.M.
- Comprehensive Plan & Zoning Designation:** Single-Family Residential (R 4-8)
- SEPA Determination:** A SEPA determination of Nonsignificance was issued on December 28, 2007, as a component of project review for the Woodard Lane Co-Housing Planned Residential Development proposal, 05-0121. SEPA environmental review is not required for this development proposal. WAC 197-11-230(3), WAC 197-11-600 (2) and (3).
- Public Notification:** Public notification for this hearing was mailed to property owners within 300 feet and recognized neighborhood associations, posted on the site, and published in *The Olympian* on or before June 25, 2013, in conformance with Olympia Municipal Code (OMC) 18.78.020.
- Staff Recommendation:** Recommend to the Olympia City Council *conditional approval* of the proposal to amend the density requirements of the Planned Residential Development.

Property Information:

The Woodard Lane Co-Housing Planned Residential Development is located in Olympia’s Northwest neighborhood between Muirhead Avenue NW and Woodard Lane NW, west of Thomas Street. The Co-housing development is 2.9 acres in area, of which .56 acre is identified as critical area(s).

At present, site improvements include three residential buildings, Units B, C, and E, a total of twelve (12) dwelling units, and one 960 sq.ft. non-residential shop and bike storage shed. The residential buildings are two stories in height with a daylight basement in each building.

The site is served by City water, fire suppression, sanitary sewer, solid waste, and storm water systems facilities pursuant to the requirements for Planned Residential Development and Binding Site Plan approval (Attachment 2).

The subject site is zoned Single-Family Residential (R 4-8), and as such it is primarily single family housing that surrounds the site. To the west is the Snyder Creek ravine. Access to the site is taken from Woodard Avenue along the south boundary. Parking spaces for 29 vehicles exist in the southern portion of the site.

A condominium was created by and for the property owners and is administered by a Homeowner’s CoHousing Association.

Background Permit Information:

The application for an amendment to the planned residential development (PRD) was received by the Community Planning & Development Department (CPD) on February 20, 2013. The Site Plan Review Committee met with the applicant on June 26, 2013, and made a motion to recommend conditional approval of the proposal to the Hearing Examiner.

City Council approved the PRD in July, 2008 (CPD Proj. No. 05-0121); the final binding site planned was approved and recorded with the Thurston County April, 2010 (BSP 4148171). The timeline of the original Woodard Lane CoHousing Planned Residential Development, CPD 05-0121, is as follows:



Figure 1: Subject Site. CPD, 2013.

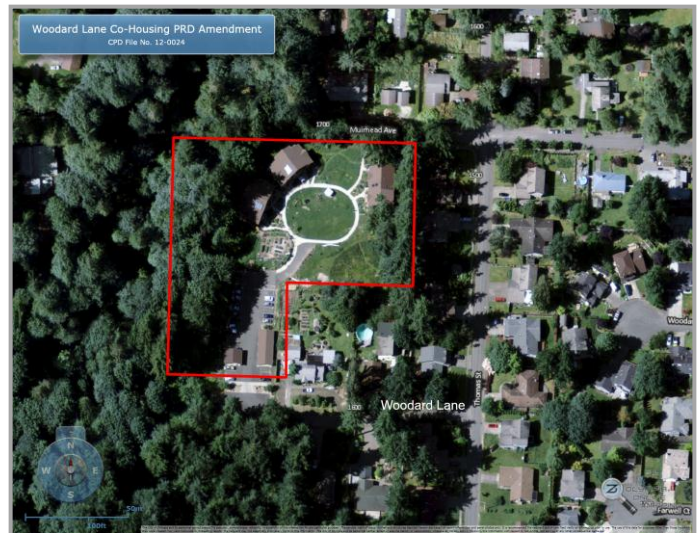


Figure 2: Aerial Photo of the Site. CPD, 2013.

1. February, 2005 - Pre-submittal conference for the Woodard Lane Co-Housing Planned Residential Development (PRD);
2. August, 2006 - Application received by CPD, routed internally and externally;
3. December, 2007 - SEPA Determination of Nonsignificance;
4. February, 2008 - CPD Staff Report to the Hearing Examiner (Attachment 5);
5. April, 2008 - Hearing Examiner Findings, Conclusions, and Decision (Attachment 6);
6. July, 2008 - Olympia City Council Approval of the Planned Residential Development (Attachment 6);
7. October, 2008 - Civil set approved for construction; all conditions placed on the PRD are met;
8. March, 2010 - Final Approval of Binding Site Plan (BSP), 4148171 (Attachment 2).

A Neighborhood Meeting for the current proposal was held on March 21, 2013, at the Garfield Elementary School multi-purpose room. Four members of the public attended the meeting, all in support of the project proposal, none opposed.

The Community Planning & Development Department has received public input pertaining to the proposal in the form of electronic communications (Attachment 3). Comments address several issues, including but not limited to negative impacts the development has had on adjacent properties (scale and massing of the buildings), traffic and noise congestion from construction activities, on-street parking concerns due to the increased density, and concerns pertaining to the location of the solid waste and recycling station.

Project Description:

The applicant requests review and recommendation to the City Council for approval of an amendment to the existing Planned Residential Development (PRD). The request is to increase the maximum housing density above seven (7) units per acre in the underlying R 4-8 district through the use of transfer of development rights obtained from a certified Thurston County sending site. The applicant proposes to apply the development rights to the subject site which would permit a total of 3 additional dwelling units in the development.

APPLICABLE REGULATIONS AND STAFF ANALYSIS

Applicable Regulations:

Residential Districts, OMC 18.04
Planned Residential Development, OMC 18.56
Transfer of Development Rights, OMC 18.90

The proposed application (amendment) is unique in that the review is limited to the request to increase the maximum allowable density of the R 4-8 district above the current limit of seven units per acres through the use of Transfer of Development Rights (TDR). The Planned Residential Development was thoroughly discussed, examined, and finalized as part of a previously approved preliminary PRD and final Binding Site Plan (Attachments 2, 5, 6).

Entitlements and building permits for construction of the buildings have been obtained, construction of three of the five buildings has occurred, and required site improvements have been put in place and inspected for compliance with the City's Land Use, Engineering, and Building Code requirements.

RESIDENTIAL DISTRICTS, OMC CHAPTER 18.04

1. OMC 18.04.080(A)(1)(a) - Maximum housing densities are based on the total area of the entire site, including associated and/or previously dedicated right-of-way, but not including streams, wetlands, landslide hazard areas, "important habitat areas", and "important riparian areas" and land to be dedicated or sold for public parks, schools, or similar non-residential uses.

Findings:

The project site is 2.901 acres in size, and contains .56 acre critical areas. This leaves 2.34 acres of total site area as the basis for density calculations for the proposal. The maximum housing density in the R 4-8 district, in units per acre, is seven (7) (OMC 18.04.080(A)).

2. OMC 18.04.080(A)(5) - Transfer of Development Rights. Development Rights must be obtained from an eligible property owner in a Thurston County Transfer of Development Rights Sending Zone in order to develop above seven (7) units per acre in an R 4-8 District.

Findings:

The applicant has an agreement in place for the purchase of two transfer of development rights (TDR) units from a sending site in Thurston County¹. The landowner wishing to sell two development rights, and the applicant of record have agreed to the exchange and intend to record a Deed of Transfer with the Thurston County Auditor pursuant to the Thurston County Transfer of Development Rights Program. Additionally, as part of the land use permitting process, and pursuant to the TDR Program, the applicant will provide a signed and recorded certificate for each unit of density.

The Thurston County Transfer of Development Rights Program states that one TDR can be used for one additional unit of density above 7 dwelling units per acre. With two units of transfer under agreement, the applicant has the potential to increase the maximum density of the district from seven (7) to eight (8), thereby increasing the total number of dwelling units from 16 to 18.72, which would then be rounded to 19 under OMC 18.02.080.

The calculation is as follows:

*Total site area (acres) minus the area of specified critical area multiplied by the maximum dwelling units per acre by zoning (with transfer of development rights) equals the maximum dwelling unit potential: $2.9 - .56 * 8 = 18.72$, or 19 when rounded up.*

¹ Thurston County Planning Department Transfer of Development Rights Program; http://www.co.thurston.wa.us/planning/workingland/tdr_home.html. Retrieved from the webpage, June 27, 2013 by C. McCoy, CPD.

PLANNED RESIDENTIAL DEVELOPMENT, OMC CHAPTER 18.56

1. OMC 18.56.020 - Purpose. The intent of the PRD regulations is to permit greater flexibility and, consequently, more creative and imaginative design as required for the development within the MR 7-13, MR 10-18, and certain other residential areas than generally is possible under conventional zoning regulations. It is further intended to promote urban infilling and more economical and efficient use of the land, while providing a development which is compatible with the surrounding neighborhood, a harmonious variety of housing choices, a higher level of urban amenities, and preservation of natural topography, unique geological features, and open space. It is also intended to encourage the provision of more usable and suitably located recreation facilities and other public and common facilities than would otherwise be provided under conventional land development procedures.

Additionally, it is the purpose of this Chapter to enable clustering of development in order to preserve the significant wildlife habitat located in certain land use districts as depicted in the Comprehensive Plan and take the greatest possible advantage of existing topography and other natural features to promote environmental and aesthetic goals by optimizing siting, orientation, layout and design of structures to protect natural vegetation, wetlands, drainage areas, slopes and other natural features.

Findings:

Staff believes that the Woodard Lane Co-Housing planned residential development fully meets the intent and purpose of this code provision. The site is well designed, engineered, and developed in support of smart growth and modern energy design and development principles. The buildings are removed from the critical areas and face one another around a common multi-use area and there is ample active and passive open space. The combination of the new buildings, and the new and existing landscaping and open space blend in well with the character of the surrounding community. Staff believes, save for the massing and volume of the building along the east property line, the PRD is a significant asset for both the immediate vicinity and Olympia as a whole.

2. OMC 18.56.040(D) - The density requirements of the underlying use district shall apply.

Findings:

The amendment proposal is to increase the maximum density requirements of the use district, which is currently set at seven units per acre. The density requirements of this zone may increase above the seven units per acre only when development rights are obtained from an eligible property owner in a Thurston County Transfer of Development Rights Sending Zone (OMC 18.04.080(A)(5)). The applicant has entered into an agreement with a property owner in a development rights 'sending zone' that wishes to sell two development rights to the applicant of record for the sole purpose of increasing the density on the subject site. The number of dwelling units permitted on this site was limited to 16 units in July, 2008 (Attachment 6).

3. OMC 18.56.060 - An approved PRD, or subsequent revision thereto, shall be binding as to the general intent and apportionment of land for buildings, stipulated use and circulation pattern. The terms and conditions upon which approval was given shall not be changed except as provided in Subsection 18.56.120(B), Minor and Major Adjustments.

Findings:

The approval of the binding site plan constitutes final development plan approval (OMC 18.56.080(A)(2), (Attachment 2). The applicant intends to change the density of the underlying district, which in and of itself would constitute a major adjustment to the PRD.

4. 18.56.120(B)(2) - Major adjustments. Major adjustments are those which substantially change the character, basic design, **density**, open space or other requirements and conditions of the Planned Residential Development. When a change constitutes a major adjustment, no building or other permit shall be issued without prior review of such adjustment by the Hearing Examiner and approval by the City Council.

Findings:

As stated above, a change in density of the underlying zone requires review by the Hearing Examiner and approval by the City Council, which is the primary purpose of the public hearing today.

5. OMC 18.56.140(E) - Perimeter Treatment. Relationship of PRD Site to Adjacent Area. The design of a PRD shall take into account the relationship of the site to the surrounding areas. The perimeter of the PRD shall be so designed as to minimize undesirable impacts of the PRD on adjacent properties and, conversely, to minimize undesirable impacts of adjacent land use and development characteristics on the PRD.

Findings:

The applicant intends for two of the new units to be placed over the (future) Common House on Lot 2, and the remaining unit will be reserved for future construction of a building on Lot 4 (Attachment 2). The applicant also intends to develop Lot 3 with a four-unit structure as planned and approved in the original PRD development. Therefore, the total of new units to be built on the site, with approval of the PRD amendment, equals seven new units.

Staff has met with the applicant, with surrounding community members, and visited the site on several occasions. Based on statements made at the meetings and comments submitted to the Department, Staff believes that the treatment of the space between the subject site and the adjacent property east of the site could be improved. At this stage, there is little to be done with the building itself, however, improved landscaping or additional fencing treatment is warranted between the buildings that might alleviate some of the disruption of the privacy and activities of residents in adjacent buildings. To that end, staff recommends that the applicant provide options for treatment of the space between the subject site and the adjacent properties east of the site.

Staff believes that the three new units, with approval of the amendment proposal, would not further compound negative impacts of the development on surrounding properties. However, if and when a building is constructed on Lot 4, the area between Lot 4 and the abutting sites to the east will also need design treatment that ensures privacy and protects both the on-site users and surrounding community members.

Additional comments focused on a request to ensure that the solid waste and recycling facilities are located off Muirhead Avenue NW and placed either internal to the development or along Woodard Avenue NW. This Lead Planner discussed options for relocating the facilities with the Fire Marshall, the Building Official, and the City's Solid Waste Engineer, all of whom, based on necessary fire access to the site from the south and the ease of access for garbage vehicles from Muirhead Avenue Northwest, determined that the safest and most efficient siting of the utilities need be from Muirhead Avenue Northwest.

TRANSFER OF DEVELOPMENT RIGHTS, OMC CHAPTER 18.90

1. OMC 18.90.020(A)(1,2) - Required Instruments. Final approval for site plans or subdivision plats which involve the transfer of development rights shall not be approved until evidence is provided to the City that the following instruments have been approved by the Thurston County TDR Program Administrator and recorded with the Thurston County Auditor:
 - Signed and Recorded Transferable Development Rights Certificates for each unit of density on the receiving parcel(s) in the Residential 4-8 District; and
 - A signed and recorded Document of Attachment of the development rights to the subject parcel(s).
 - The following information shall be recorded on the face of any plat for property which received a transfer of development rights under the provision of this Chapter:
 - A statement that the development rights used in the plat have been transferred in accordance with the Deed of Transfer of Development Rights, prescribed by Thurston County; the volume and page number of the recordation of the Deed of Transfer of Development Rights between the owner and the applicant; the volume and page number of the recordation of the Transfer of Development Rights Easement between the original owner and Thurston County; the serial numbers issued by the Thurston County TDR Program Administrator of the TDRs used in the plat; and the volume and page number of the recorded Document of Attachment of the TDRs to the subject parcel. [See Section 18.04.080(A)(6).]

Findings:

Staff recommends that the items listed above become conditions of land use approval of the amendment to the Planned Residential Development.

SITE PLAN REVIEW COMMITTEE SUMMARY OF RECOMMENDATIONS

Staff recommends approval of the Woodard Lane Co-housing Planned Residential Amendment, CPD Proj. No. 13-0024, subject to the following conditions:

1. Pursuant to OMC 18.56.140(E):
 - a. The applicant shall provide options for treatment of the space/area between the subject site and the adjacent properties east of the site, pursuant to OMC 18.36.140(A).
 - b. The applicant shall provide details for the location and screening of solid waste receptacles along Muirhead Avenue NW, pursuant to OMC 18.36.140(A).
 - c. When and if a building is proposed for construction on Lot 4, the applicant will be required submit design plans for a staff level detail design review. The design will need to demonstrate a strong effort at mitigating, to the extent possible, negative building and site design impacts on adjacent properties.

2. Pursuant to OMC 18.56.080(D):
 - a. The PRD shall be referenced on the official zoning map by adoption of an ordinance amending the map to include a reference to the binding site plan.

3. Pursuant to OMC Chapter 18.90:
 - a. Prior to land use approval, the applicant shall provide signed and recorded Transfer of Development Rights Certificates for each unit of density on the receiving parcel(s) in the Residential 4-8 district, and;
 - b. A signed and recorded Document of Attachment of the development rights to the subject parcel(s).

Submitted By: Catherine McCoy, Associate Planner, on behalf of the Olympia Site Plan Review Committee

Staff Contact: Catherine McCoy, Associate Planner
(360) 570-3776
cmccoy@ci.olympia.wa.us

Date Prepared: June 28, 2013

Attachments:

- Attachment 1:** General Land Use Application, February 20, 2013
- Attachment 2:** Final Binding Site Plan, April 28, 2010
- Attachment 3:** Project-related Communications from Neighborhood Residents
- Attachment 4:** Neighborhood Meeting Notice and Sign-in Sheet, March 21, 2013
- Attachment 5:** City of Olympia Hearing Examiner Staff Report, Feb. 11, 2008 (Proj. No. 05-0121),
- Attachment 6:** Findings, Conclusions and Decision of the Hearing Examiner of the City of Olympia, April 2008, and Supplemental Findings and Conclusions of Law of the Olympia City Council, July, 2008.
- Attachment 7:** *A Study of Transfer of Development Rights (TDR) in Thurston County, Washington.*

Overview of Woodard Lane Cohousing - July 1, 2013

Request for Land Use Permit to Increase Density to 8 homes per acre in a 4-8 zone by Purchasing Transfer Development Right's (slightly revised for February 20, 2013)

submitted by Liv Monroe 360-357-4503 or livmonroe@gmail.com

Woodard Lane Cohousing is comprised of members who worked together since 2004 to build Olympia's first Cohousing community which is organized as a Condominium. The 11 homes built to date are in three 4-plexes with the 12th unit being used as the Common House temporarily. The original members moved in after the City of Olympia approved and issued Certificates of Occupancy on April 29, 2010. Now we are preparing to build a fourth duplex and the permanent Common House. We would like to put two additional units on top of the Common House for a total of 18 units, including the temporary Common House. Our land is 2.9 acres of which 2.35 acres are buildable, i.e. not part of the steep ravine to Schneider Creek.

We built this community and live in it because we value community as highly as privacy and cohousing gives us both. See our attached brochure or go to www.woodardlanecoho.org for more information about our community.

Presently, nine of the eleven homes are owned by members, the other two are rented and owned by the eight member families who worked together to build Woodard Lane Cohousing. These eight families call themselves the Tenants in Common of WLCH (TnC) and are now working together to build the next two buildings. Presently we have committed buyers for three units plus other potential buyers and we are looking for more. Possibly we will have enough buyers to break ground this coming building season, 2013. It is more likely that we will not be ready to begin until mid 2014.

We originally built 3 buildings and prepared the land for 3 additional buildings, two to be for homes and the third to be the Common House. Because of the limited number of homes permitted by the zoning, the desire for as much green space as possible, and the high cost of building new we have decided to build only 2 additional buildings at this time: the planned 4-plex on lot #3, the planned Common House on lot #2 with an additional 2 homes on top so they can have the sun and the great view into the ravine. This will leave lot #4 as a play field and give us a total of 18 homes when we convert the temporary Common House back to a home. Four 4-plexes hold 16 homes plus 2 on top of the Common House makes 18 total.

In order to build 18 units on our 2.9 acres (2.35 buildable acres) it is our understanding that we will need to buy two Transfer Development Rights. $2.35 \text{ acres} \times 8 / \text{acre} = 18.8$ homes on our property. Our understanding is that this number can be rounded up to allow 19 homes. Although we want to build up to 18 now, we would like permission to build as many as possible so we won't need to go through this process again. The building locations indicated on our Binding Site Plan will not be changed even with 19 units.

We believe that our community manifests the objectives of OMC Section 18.56.020, by building to the maximum density, using a small footprint per home (about 500 sq. feet) to maintain as much green space as possible, and building a Common House large enough to meet individual's infrequent needs. Uses for the Common House include: family gatherings, overnight guests, meetings, playing music and dancing, working on projects, sharing meals, and connecting with the larger neighborhood.

Cohousing offers a living choice for those who like to find social connections without getting into a car and who prefer knowing their neighbors well. The numbered statements below are some of our main goals. Under each goal is a list of some of the ways we have or plan to achieve these goals.

1. Encourage social interaction.
 - a. An inviting Common House between parking and homes
 - b. Access to units is for pedestrian and emergency vehicles only
 - c. Front porches or patios on all homes for congregating
 - d. Homes have a public side looking out onto the Common Green
 - e. No visual barrier fences
 - f. Shared play structures and areas for children (of all ages)
 - g. Shared kitchen, dining, fireplace room, dance hall, activity room, laundry, library, meeting room, mail area, children's play areas, and more in the Common House.
 - h. Shared outdoor areas, play structures, workshop, bike storage, field, and food garden.

2. Healthy attractive living space
 - a. Park cars near the road and away from the homes
 - i. Fumes are farther away from people
 - ii. Walking is encouraged
 - iii. Less pavement
 - b. Preserve ground space. Maintain as much green as possible
 - i. Stack units
 - ii. Foot paths rather than driveways to homes
 - iii. About 500sq' footprint per unit plus a 1650 sq' Common House footprint. (Units are stacked and a 4-plexes covers under 2000sq' or 500sq'/unit).
 - iv. Landscaped garden areas for all to enjoy.
 - v. A large central green yard.
 - c. Take advantage of as much natural light and solar heat as possible
 - i. Each home will have three main walls with windows
 - ii. Lower units will have 9' ceilings for more light
 - iii. The Common House is oriented with south facing windows and south sloping roofs. Units are oriented this way when possible and not shaded.
 - d. Keep natural landscaping
 - i. Keep the native trees and plants around the periphery
 - ii. Use native plants and ferns salvaged (at least 120) from house sites for landscaping.
 - iii. Provide homes for deer and birds.

3. Conserve energy and resources
 - a. Shared walls and small units to conserve heat
 - b. Build homes with great insulation and little air loss
 - c. One lawn and therefore one lawn mower
 - d. One shop for common use
 - e. Cooking for large group 1-3 times a week
 - f. Shared garden space
 - g. Easy, safe, accessible bicycle storage
 - h. Shared activity, play, laundry, and crafts rooms
 - i. Shared vehicles, boats, and bikes. (e.g. it is possible for a family to own one car instead of two because there are other vehicles available at times.)

4. Respect individual differences and privacy
 - a. Houses will be privately owned as condominiums

- b. A private back or side space and/or decks for each home
- c. Varied and affordable homes to serve differing family needs. (This is one goal we have not been able to meet.)
- d. Small homes with larger space shared in common
- e. ADA available units

As you enter the property from Woodard Avenue NW you are in the aisle between two rows of parking with 29 total spaces including 6 in carports and for 2 handicapped. On your left is a community workshop and bike storage garage. At the end of the parking lot the road ends for cars but is available for emergency vehicles to reach the fire hydrant on the central "Common Green Circle." The permanent vegetable garden is on the right and the Common House will be on the left. After passing them you reach the Circle with a pedestrian path around it. Starting from the left is 4-plex B, then C, a space for D, and finally E. There is a field and some trees between E and the Garden where Building F is no longer in the plans to build. Most of the homes have woods behind them, some also view the deep ravine. The pedestrian path continues out the northeast corner of the property to connect with Muirhead Avenue and Thomas Street NW.

The houses around the circle beginning on the left side just beyond the Common House will contain as follows (the square footages are rounded off):

Building A, to be built and the purpose for this Land Use permit:

1. A 3200 sq foot Common House, half on the main level and half in a daylight basement, 1600 sq feet on each level.
 - a. Great room, large kitchen, Fireplace room, entry and half bath on main floor.
 - b. A large covered front porch open to the Common Green and garden.
 - c. A large deck on the back overlooking the ravine.
 - d. Play room, laundry facilities, office, ADA bath with shower, sauna, storage, mechanical room, project room, and guest room on the basement level with a back covered patio facing the ravine.
 - e. Connection between the two floors by an internal staircase or external ramp that can take a wheel chair from one level to the other.
2. Two small, 874 sq. foot homes on top of the Common House
 - a. Each home has one regular and one very small bedroom, a kitchen, full bath, laundry hook up, and a living/dining room.
 - b. Each unit has a 6' deep deck across the back towards the ravine which is also overhang for half of the Common House back deck.
 - c. Homes are reached by shared external stairs from the Common House front deck.
 - d. Homes share a front deck looking towards the Common Green and Garden.

Building B, occupied

1. Home B1 (lower left) 1851sq' with 4 bedrooms with a main floor above and a daylight basement with bedrooms below looking out on the ravine.
2. Home B2 (lower right): 1851sq' with 4 bedrooms, the mirror image of B1.
3. Home B3 (upper left): 1144sq' with 1 bedroom on main floor and a mezzanine.
4. Home B4 (upper right): 1144sq' with 1 bedroom, the mirror image of B3.

Building C, occupied (almost the same as building B)

1. Home C1 (lower left): 1851sq' with 3 bedrooms and an office, the main floor above and a daylight basement below looking out on the ravine.
2. Home C2 (lower right): 1851sq' with 4 bedrooms, the same as B2.
3. Home C3 (upper left): 1144sq' with 1 bedroom, the same as B3.
4. Home C4 (upper right) Unsold: 1144sq' with 1 bedroom, the same as B4.

Building D, to be built

1. Home D1 (lower left): 1,851 sq' with 4 bedrooms, a main floor above and a daylight basement below looking out on the ravine.
2. Home D2 (lower right): 982sq' with 3 bedrooms on one level, ground.
3. Home D3 (upper left): 1264sq' with 1 bedroom on one floor and a mezzanine.
4. Home D4 (upper right): 1264sq' with 2 bedrooms on one level and a mezzanine.
5. Storage Basement under D2: An underground basement under D2 will provide the community with bike parking and individual storage cages for owners. Access is from the back northwest corner.

Building E, occupied

1. Home E1 (lower left) Unsold: 982sq' with 2 bedrooms on one level, ground. ADA.
2. Home E2 (lower right) Temporary Common House to be sold when Permanent Common House is built: 1003sq' with 2 bedrooms, mirror image of E-1.
3. Home E3 (upper left): 1264sq' with 2 bedrooms on main floor and a mezzanine.
4. Home E4 (upper right): 1374sq' with 1 bedrooms on main floor and 2 mezzanines.

Building F will stay a Field, not to be built upon at this time, perhaps later if we choose to build a 19th unit there.

Landscape Plan: Our landscape plan includes areas around the parking lot and street frontage which we have completed. The only part we have not complete is around the Common House building itself. We will do this after the building is constructed.

Parking: We have 29 parking places, two of which are for handicapped parking. If we can build to 18 homes this will be 1.5 parking places per home plus 10%. I believe this is the number allowed. $18 \text{ homes} \times 1.5 \text{ space/home} = 27 \text{ spaces}$. $27 \text{spaces} \times 1.1\% = 29.7 \text{ spaces}$.

Garbage: We are now using 3 solid waste carts, 3 recycle carts, and one yard waste cart which are picked up at the end of our driveway closest to our homes. With more homes we will need a dumpster. A representative from the City waste removal department came out in 2010 and suggested the far NE corner of the property as the preferred location for a dumpster. The recycle carts can be placed there too. We also prefer this location.

Purchase of TDRs: For many years we have been in communication with Marlene Hampton who has TDRs registered with Thurston County that she is interested in selling. We have secured the money to purchase these from persons planning to buy 3 of our new homes. We will provide a signed and recorded certificate of TDRs as part of our submission for building permits or as needed.

The Parcel Numbers were changed with the filing of the Binding Site Plan, #4148171 on 4/29/2010.

Lot 2, parcel number 84690000200 is for the Common House plus two homes.

Lot 3, parcel number 84690000300 is for 4-plex D with four homes.

Lot 4, parcel number 84690000400 is our Field.

Each occupied home has its own parcel number

Building B parcel numbers are from 84690200101 to ...104

Building C parcel numbers are from 84690300101 to ...104

Building E parcel numbers are from 84690500101 to ...104

Ownership of the Property: Nine individuals or couples are Full Members (i.e. owners) in Woodard Lane Cohousing, own all of the land and buildings, and are making this application as a group

organized as Tenants in Common of Woodard Lane CoHousing (TnC). Their names and contact information are listed on the attachment titled "Woodard Lane CoHousing Full Owner Members as of 2/18/2013." As new Full Members buy into the Community they will become owners of some parts and eventually when their units are distributed to them they will own them outright and also own an undivided share of all the common ground and buildings.

In Summary, we are requesting no change from our already approved location and footprint for buildings on lots 2 and 3. By adding units on top of the Common House these two homes will not increase our total building footprint and for the time being lot 4 will remain a field.

As shown on our submitted site plan the two new structures will be within the spaces indicated on our Binding Site Plan #4148171 filed with Thurston County on 4/19/2010 and not on the water line right of way at the north edge of the property. Our environmental study, tree plan and storm water plans were approved for 19 units I believe, the number we thought (in 2008) we would be allowed to build with the purchase of TDR's.

This request is to be allowed to build a total of 19 homes with the purchase of TDR's. After our hearing on February 11, 2008, case # 05-0121, the Hearings Examiner said that without TDR's we were permitted to build only 16 homes. We would like to build a total of 18 homes as soon as we have buyers for them. We would like permission to build to full density so we will not need to return to the Hearings Examiner if we choose to build the 19th home at some later date.

Owner's Declaration

Known to all men present that Christopher J. Russo and Robin Diane Stiritz, each as their separate estate, as to an undivided 9.78794% interest; Liv V. Monroe, as her separate estate, as to an undivided 12.997799% interest; Jean Reynolds, as her separate estate, as to an undivided 9.78794% interest; Heather Saunders, as her separate estate, as to an undivided 9.28029% interest; Marjorie Schubert and Jim Anest, each as their separate estate, as to an undivided 13.0189% interest; John Terranova and Joann Terranova, each as their separate estate, as to an undivided 16.228759% interest; Peter J. Vennewitz, as his separate estate, as to an undivided 13.0189% interest; Eva Pannabecker and David Lerner, each as their separate estate, as to an undivided 13.0189% interest and Joshua Parker and Katherine Parker, husband and wife, as to an undivided 2.860572% interest, the undersigned owners of the real property described herein and Olympia Federal Savings and Loan Association, the mortgagee thereof hereby declare this Binding Site Plan and dedicates to the use of the public forever all streets, avenues, places and sewer easements or whatever public property there is shown on the Binding Site Plan and the use for any and all public purposes not inconsistent with the use thereof for public highway purposes. Also the right to make all necessary slopes for cuts and fills upon the tract shown on this plat in the reasonable original grading of all the streets, avenues, places etc. shown hereon. Also the right to drain all streets over and across any portion of the tract where water might take a natural course after the street or streets are graded. Also, all claims for damage against any governmental authority are waived which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said roads.

In witness whereof we set our hands and official seals at the dates below written

Christopher J. Russo date

Robin Diane Stiritz date

Liv V. Monroe date
Individually and as trustee of the Vennewitz/Monroe Trust

Jean Reynolds date

Heather Saunders date

Marjorie Schubert date

Jim Anest date

John Terranova date

Joann Terranova date

Peter J. Vennewitz date
Individually and as trustee of the Vennewitz/Monroe Trust

Eva Pannabecker date

David Lerner date

Katherine Parker date

Joshua Parker date

Olympia Federal Savings and Loan Association date

By: _____

Its: _____

A portion of The Dickerson Donation Land Claim in the Northeast Quarter of the Southwest Quarter of Section 10, Township 18 North, Range 2 West, W.M. in Thurston County, Washington.

(Page 1 of 5 Pages)

Total Project Legal Description(s):

Lots 62, 63 and 64 of Parker and Hays Plat as recorded in Volume 1 of Plats, Page 16; EXCEPTING therefrom the South 150 feet of the East 200 feet; in Thurston County, Washington.

TOGETHER with and subject to the following:

- 1) Easement and the terms and conditions thereof:
Grantee: City of Olympia
Purpose: Watermain
Recorded: June 23, 1969
Recording number: 804285
- 2) Easement affecting a portion of said premises and for the purposes stated therein:

In Favor of: Puget Sound Energy
Purpose: Electric Transmission and distribution Line and appurtenances thereto
Recorded: March 6, 2009
Recording Number: 4064718
Affects: Portion of said premises
- 3) Easement and the terms and conditions thereof:
Grantee: City of Olympia
Purpose: Water Lines
Area affected: Portion of said premises
Recorded: February 12, 2010
Recording Number: 4136263
- 4) Easement and the terms and conditions thereof:
Grantee: City of Olympia
Purpose: Sewer Lines
Area affected: Portion of said premises
Recorded: February 12, 2010
Recording Number: 4136264

Survey Notes

1. Full reliance has been placed in Chicago Title Insurance Company report under Order No. 2073650 dated April 16, 2010 at 8:00 AM and supplemental information for legal descriptions and revelations of easements, no further search of the record has been made.
2. The property depicted and described hereon encloses an area of 2.901 acres.

MODIFICATIONS/REVISIONS

It is expected that modifications and revisions to the Binding Site Plan and its approved design plans, conditions of approval and documents may be necessary and normal during the course of its development. The City of Olympia Development Review Committee shall review and take such action as with respect to any proposed modifications or deviations from the approved Binding Site Plan and/or any documents attached thereon. The burden of proof to demonstrate why a modification or deviation is needed shall be placed on the application. At the discretion of the Development Review Committee the applicant may be required to record a revised and approved plan or document. There shall be no modification to the tract geometry of this Binding Site Plan except as provided by the City of Olympia.

Certificate – City Engineer

Examined and approved this ____ day of _____, 2013.

Olympia City Engineer

Certificate – Community Planning and Development

Examined and approved this ____ day of _____, 2013.

Olympia Planning Director

Certificate – County Health Department

Examined and approved this ____ day of _____, 2013.

Thurston County Health Department

Certificate – Assessor

Examined and approved this ____ day of _____, 2013.

Thurston County Assessor

Certificate – Treasurer

I hereby certify that all taxes on the land described hereon have been fully paid to and including the year 2013.

Thurston County Treasurer

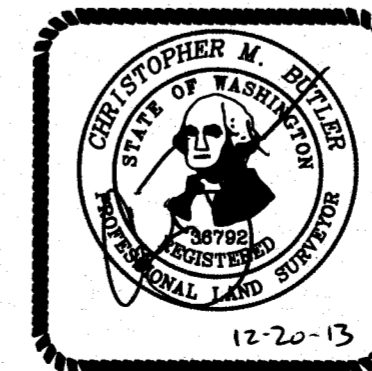
Certificate – Auditor

Filed for record at the request of Butler Surveying Inc., this ____ day of _____ 2013. At ____ minutes past ____ o'clock __.M., and recorded under Auditor's File No. _____

Thurston County Auditor Deputy

Land Surveyor's Certificate

I hereby certify that this Binding Site Plan is based upon an actual field survey in the Dickerson Donation Land Claim in the Northeast Quarter of the Southwest Quarter of Section 10, Township 18 North, Range 2 West, W.M. in Thurston County, Washington, that the courses and distances are correct and that the perimeter boundary has been staked on the ground with capped rebars or as shown hereon.



City of Olympia Binding Site Plan No. 10-0022 OL (REVISED)	
Assessor's Current Parcel Number 67400006300	
BUTLER SURVEYING INC. 475 NW CHEHALIS AVENUE P.O. BOX 149, CHEHALIS, WA 98532 360/748-8803	
Drawn C. Butler	Date 12-20-13
Checked CB	Job No. 05-67
Scale none	Sheet 1 of 5

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) SS
COUNTY OF _____)

On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Christopher J. Russo to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) SS
COUNTY OF _____)

On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Robin Diane Stirtz to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) SS
COUNTY OF _____)

On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Liv V. Monroe to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) SS
COUNTY OF _____)

On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Jean Reynolds to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) SS
COUNTY OF _____)

On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Heather Saunders to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) SS
COUNTY OF _____)

On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Marjorie Schubert to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) SS
COUNTY OF _____)

On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Jim Anest to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) SS
COUNTY OF _____)

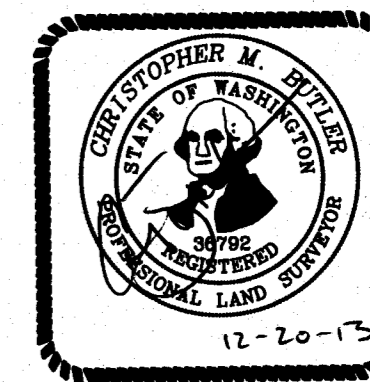
On this ____ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me John Terranova to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed: _____
Residing at: _____
My Commission Expires: _____

A portion of The Dickerson Donation Land Claim in the Northeast Quarter of the Southwest Quarter of Section 10, Township 18 North, Range 2 West, W.M. in Thurston County, Washington.

(Page 2 of 5 Pages)



City of Olympia Binding
Site Plan No. 10-0022 OL
(REVISED)

Assessor's Current Parcel Number
67400006300

BUTLER SURVEYING INC.

475 NW CHEHALIS AVENUE
P.O. BOX 149, CHEHALIS, WA 98532
360/748-8803

Drawn C. Butler Date 12-20-13

Checked CB Job No. 05-67

Scale none Sheet 2 of 5

ACKNOWLEDGMENT

STATE OF WASHINGTON)
COUNTY OF _____)

On this ___ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Joann Terranova to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this ___ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed:
Residing at:
My Commission Expires:

ACKNOWLEDGMENT

STATE OF WASHINGTON)
COUNTY OF _____)

On this ___ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Peter J. Vennewitz to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this ___ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed:
Residing at:
My Commission Expires:

ACKNOWLEDGMENT

STATE OF WASHINGTON)
COUNTY OF _____)

On this ___ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me David Lerner to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this ___ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed:
Residing at:
My Commission Expires:

ACKNOWLEDGMENT

STATE OF WASHINGTON)
COUNTY OF _____)

On this ___ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Eva Pannabecker to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this ___ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed:
Residing at:
My Commission Expires:

ACKNOWLEDGMENT

STATE OF WASHINGTON)
COUNTY OF _____)

On this ___ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Katherine Parker to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this ___ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed:
Residing at:
My Commission Expires:

ACKNOWLEDGMENT

STATE OF WASHINGTON)
COUNTY OF _____)

On this ___ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Joshua Parker to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this ___ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed:
Residing at:
My Commission Expires:

ACKNOWLEDGMENT

STATE OF WASHINGTON)
COUNTY OF _____)

On this ___ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me Peter J. Vennewitz and Liv V. Monroe to me known to be the Trustees of the Vennewitz/Monroe Trust, the entity described in and which executed the within and foregoing instrument, and acknowledged that they signed the same as the free and voluntary act and deed of said Trust for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this ___ day of _____, 2013.

Notary Public in and for the State of Washington
Name Printed:
Residing at:
My Commission Expires:

ACKNOWLEDGMENT

STATE OF WASHINGTON)
COUNTY OF _____)

On this ___ day of _____, 2013, before me, a Notary Public in and for the State of Washington, duly and commissioned and sworn, personally appeared before me _____ to me known to be the _____ (TITLE) of Olympia Federal Savings and Loan Association, a Washington State Chartered Commercial Bank, and acknowledged the said instrument to be the free and voluntary act and deed of said Bank, for the uses and purposes therein mentioned, and on oath stated that ___ is authorized to execute the said instrument and that the seal affixed (if any) is the official seal of said Bank.

Witness my hand and official seal the day and year above written.

Notary Public in and for the State of Washington
Name Printed:
Residing at:
My Commission Expires:

A portion of The Dickerson Donation Land Claim in the Northeast Quarter of the Southwest Quarter of Section 10, Township 18 North, Range 2 West, W.M. in Thurston County, Washington.

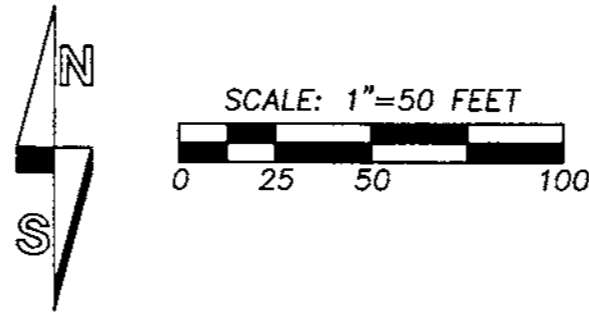
(Page 3 of 5 Pages)



Table with 2 columns: Field Name and Value. Fields include City of Olympia Binding Site Plan No. 10-0022 OL (REVISED), Assessor's Current Parcel Number 67400006300, BUTLER SURVEYING INC., 475 NW CHEHALIS AVENUE, P.O. BOX 149, CHEHALIS, WA 98532, 360/748-8803, Drawn C. Butler, Date 12-20-13, Checked CB, Job No. 05-67, Scale none, Sheet 3 of 5.

A portion of The Dickerson Donation Land Claim in the Northeast Quarter of the Southwest Quarter of Section 10, Township 18 North, Range 2 West, W.M. in Thurston County, Washington.

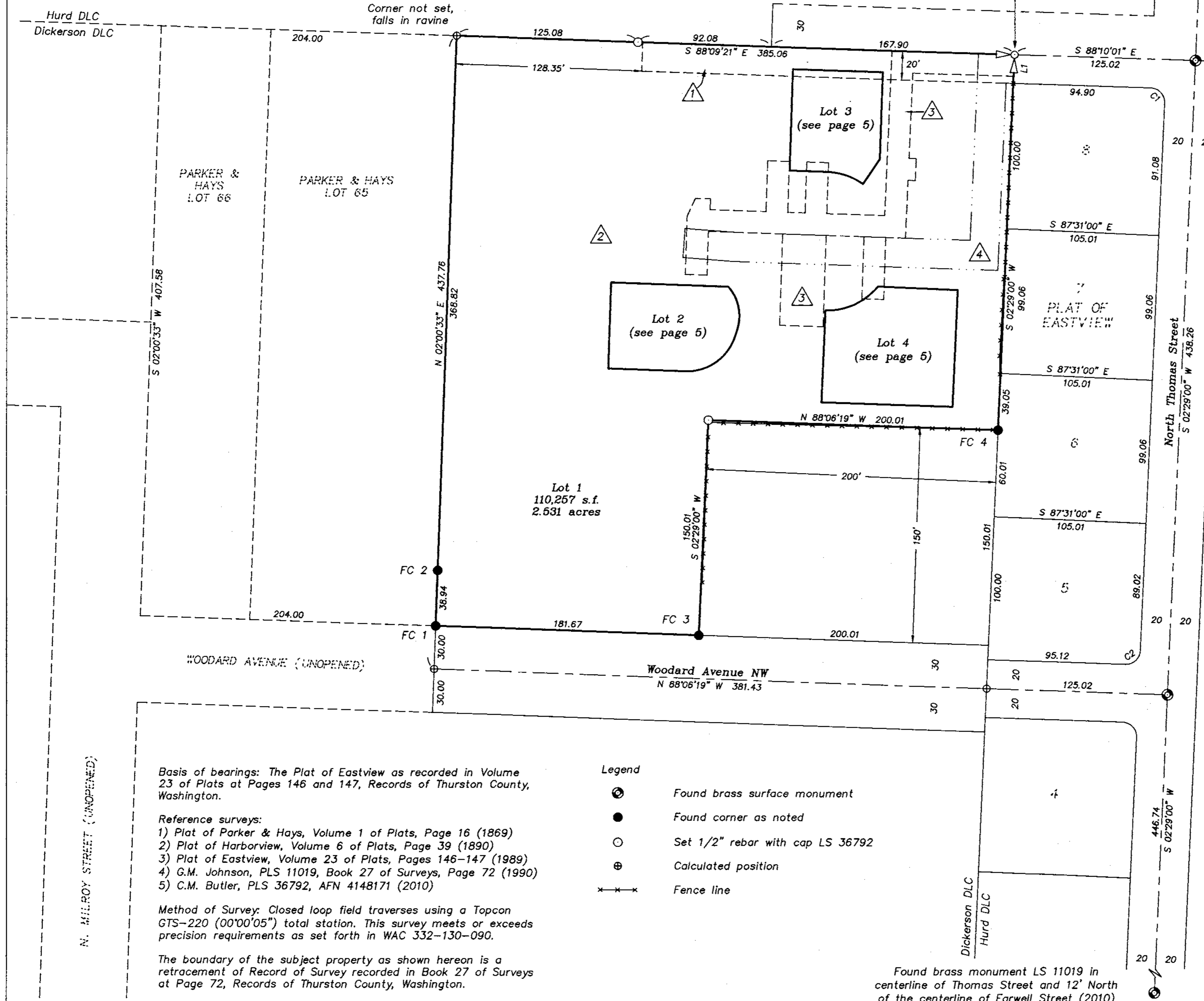
(Page 4 of 5 Pages)



NE corner Dickerson DLC
2" iron pipe of record has been destroyed by sewer construction. Set tack and LS 36792 washer in lead in concrete pad around sewer manhole at position calculated as per reference surveys 2 and 3 (2010)

LINE TABLE			
NO.	BEARING	DISTANCE	
L1	S 02°29'00" W	20.01	

CURVE TABLE			
NO	DELTA	RADIUS	LENGTH
C1	90°39'01"	10.00	15.82
C2	89°24'41"	10.00	15.61



- Found corners (FC)
- 1) Found 1/2" rebar with cap LS 7397 bearing S51°47'W 0.29' from calculated position (2010)
 - 2) Found 1/2" rebar with cap LS 5154 bearing S81°39'W 0.43' from calculated position. (2010)
 - 3) Found 1/2" rebar with cap LS 7397 bearing N61°48'E 0.13' from calculated position (2010)
 - 4) Found 1/2" rebar with cap LS 7397 at calculated position (2010)

- 1 Water main easement as per AFN 804285
- 2 Electric transmission and distribution easement as per AFN 4064718. Not surveyable.
- 3 Water main easement as per AFN 4136263
- 4 Sewer main easement as per AFN 4136264

Situs Address
1620 Woodard Avenue NW
Olympia, WA 98502



Basis of bearings: The Plat of Eastview as recorded in Volume 23 of Plats at Pages 146 and 147, Records of Thurston County, Washington.

- Reference surveys:
- 1) Plat of Parker & Hays, Volume 1 of Plats, Page 16 (1869)
 - 2) Plat of Harborview, Volume 6 of Plats, Page 39 (1890)
 - 3) Plat of Eastview, Volume 23 of Plats, Pages 146-147 (1989)
 - 4) G.M. Johnson, PLS 11019, Book 27 of Surveys, Page 72 (1990)
 - 5) C.M. Butler, PLS 36792, AFN 4148171 (2010)

Method of Survey: Closed loop field traverses using a Topcon GTS-220 (00°00'05") total station. This survey meets or exceeds precision requirements as set forth in WAC 332-130-090.

The boundary of the subject property as shown hereon is a retracement of Record of Survey recorded in Book 27 of Surveys at Page 72, Records of Thurston County, Washington.

- Legend
- Found brass surface monument
 - Found corner as noted
 - Set 1/2" rebar with cap LS 36792
 - ⊕ Calculated position
 - Fence line

Found brass monument LS 11019 in centerline of Thomas Street and 12' North of the centerline of Farwell Street (2010)

City of Olympia Binding
Site Plan No. 10-0022 0L
(REVISED)

Assessor's Current Parcel Number
67400006300

BUTLER SURVEYING INC.
476 NW CHEHALIS AVENUE
P.O. BOX 149, CHEHALIS, WA 98532
360/748-8803

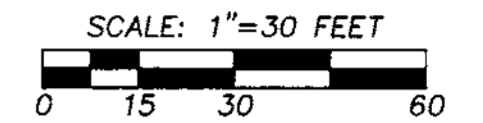
Drawn C. Butler Date 12-20-13

Checked CB Job No. 05-67C

Scale 1" = 50' Sheet 4 of 5

A portion of The Dickerson Donation Land Claim in the Northeast Quarter of the Southwest Quarter of Section 10, Township 18 North, Range 2 West, W.M. in Thurston County, Washington.

(Page 5 of 5 Pages)

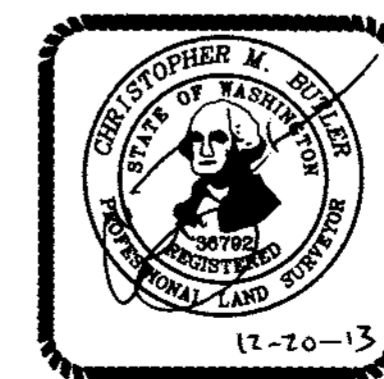


- Found corner as noted
- Set 1/2" rebar with cap LS 36792
- ⊕ Calculated position
- Fence line
- Sewer manhole
- Sewer cleanout
- SS Sewer line
- ⊗ Water valve
- ⊗ Water meter
- ⊗ Hydrant
- w — Water line
- Storm manhole
- Storm cleanout
- ▭ Catch basin
- Storm line
- ▨ Walking path
- ▨ Gravel area

LINE TABLE			
NO.	BEARING		DISTANCE
L1	S 02°29'00" W		20.00
L2	N 18°22'22" E		4.70
L3	S 01°50'39" W		15.00
L4	S 88°13'51" E		25.28
L5	N 34°24'54" E		20.59
L6	N 87°31'00" W		32.00

CURVE TABLE					
NO	DELTA	RADIUS	LENGTH	CHORD	CHORD BRG
C1	60°18'52"	30.00	31.58	30.14	S 11°47'02" E
C2	73°31'17"	35.00	44.91	41.89	S 55°08'02" W
C3	32°38'36"	47.50	27.06	26.70	S 71°54'33" E
C4	52°08'13"	45.00	40.95	39.55	S 65°42'02" W

- ① Water main easement as per AFN 804285
- ② Electric transmission and distribution easement as per AFN 4064718. Not surveyable.
- ③ Water main easement as per AFN 4136263
- ④ Sewer main easement as per AFN 4136264



City of Olympia Binding Site Plan No. 10-0022 OL (REVISED)

Assessor's Current Parcel Number 67400006300

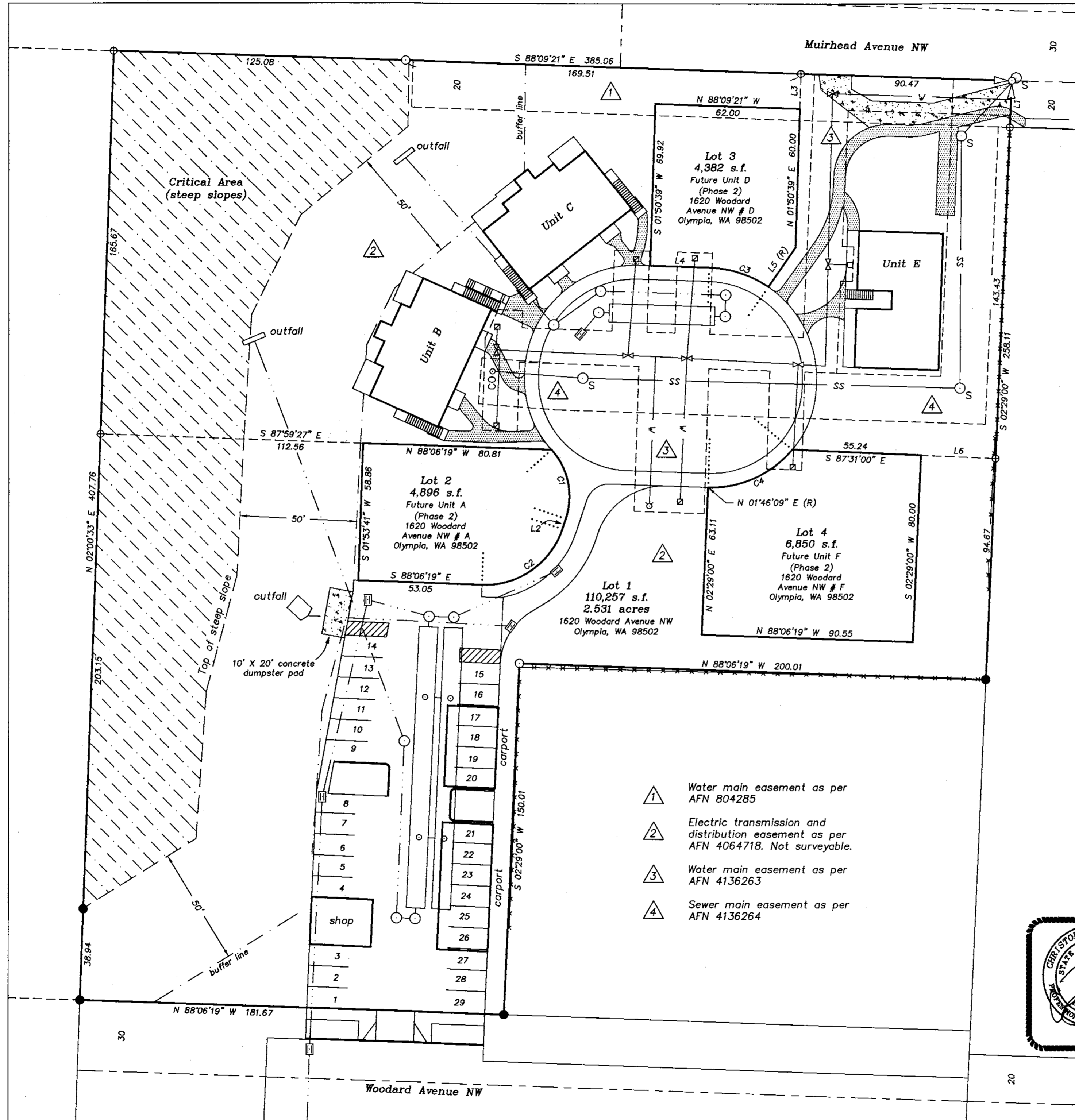
BUTLER SURVEYING INC.

475 NW CHEHALIS AVENUE
P.O. BOX 149, CHEHALIS, WA 98532
360/748-8803

Drawn C. Butler Date 12-20-13

Checked CB Job No. 05-67C

Scale 1" = 30' Sheet 5 of 5



City of Olympia, Washington
RESOLUTION NO. _____ 1 7 0 9

**A RESOLUTION adopting Findings of Fact and Conclusions of Law
Approving the Woodard Lane Co-housing, Preliminary Planned Residential
Development, CP&D No. 05-0121.**

WHEREAS, on July 15, 2008, the Olympia City Council considered the Woodard Lane Co-Housing Preliminary Planned Residential Development (PRD), as per OMC 18.56.060.C; and

WHEREAS, the City Council approved the co-housing project as recommended by the Hearing Examiner and as subsequently clarified by staff in attachment 3 to the July 15, 2008 staff report, adopted the findings and conclusions of the Hearing Examiner, and directed the City Attorney to prepare supplemental findings and conclusions that reflect the staff responses;

NOW, THEREFORE, the Olympia City Council does hereby resolve as follows:

1. Adoption of Findings and Conclusions of Law. The Findings and Conclusions of Law attached hereto as Exhibit A and incorporated herein by reference are hereby adopted.
2. Ratification. Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

PASSED AND APPROVED this 22nd day of July 2008.



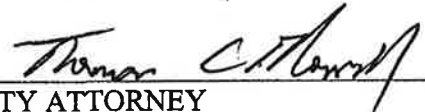
DOUG MAH
MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

EXHIBIT A

BEFORE THE OLYMPIA CITY COUNCIL

IN RE:

**Woodard Lane Co-Housing Preliminary
Planned Residential Development**

**CP&D #05-0121
FINDINGS AND CONCLUSIONS OF
LAW**

FINDINGS AND CONCLUSIONS OF LAW

1. The Hearing Examiner held a public hearing regarding the Woodard Lane Co-housing project and issued a decision with findings, conclusions and recommendations related to the project. As part of that decision, the Hearing Examiner tasked staff to follow up on several items and to provide additional information to the Olympia City Council. In Attachment 3 to the Staff Report to the City Council on this matter, staff has provided additional information on each of these items. Attachments 3 through 7 of the Staff Report contain supplemental information that was not available at the time of the hearing, and thus they will be added to the record. Some of the following supplemental findings and conclusions address the questions that were not answered at the time the Hearing Examiner rendered his decision.
2. The Council approves the Woodard Lane Co-housing project preliminary planned residential development as clarified and modified below. The Examiner's recommendations, as clarified and modified below, are adopted as conditions of the preliminary planned residential development approval. The Olympia City Council also accepts the Hearing Examiner's findings and conclusions and adopts them as the Council's own as clarified and modified below. Approval of the final planned residential development is conditioned on the applicant complying with the preliminary approval conditions.
3. Under Recommendation #9 in the Decision, the Hearing Examiner requested that the Department of Community Planning and Development determine the appropriate width of the travel and parking portion of Woodard Avenue. The Department, in its response submitted to Council, said that EDDS standard plan 4-2J is the appropriate depiction of the curb-to-curb street cross-section along with a planter strip. The Council agrees. Standard Plan 4-2J shall be used to govern the form of the street cross-section as well as the planter strip along the project's side of Woodard Avenue.
4. Under recommendations #18 to 20 of the Hearing Examiner's Decision, the Hearing Examiner asked the Department to evaluate whether a reduction in the 10-foot setback between the water and sewer lines could be permitted. The Department's response to the City Council states that the standards do not permit a reduction in the 10-foot separation. The City Council agrees. A reduction in the 10-foot separation would not be consistent with the requirements in EDDS 6.130(A). In light of the denial of reduction of that 10-foot separation, the applicant shall demonstrate to the satisfaction of the Department of

Community Planning and Development that the tree density and other tree requirements are met prior to final approval.

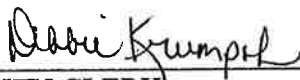
5. Under recommendation #23, the Hearing Examiner requested that the Department examine whether any portion of Schneider Creek on site is subject to Shoreline Management Act jurisdiction. Based on an email from Steve Morrison, a planner from Thurston Regional Planning Council, the Department concluded that no portion of the site is within Shoreline Management Act jurisdiction. See attachment 7 to the staff report. The City Council concludes that no portion of the site is within Shoreline Management Act jurisdiction.
6. Under recommendation #24, the Hearing Examiner required that the Applicant retain a qualified expert to evaluate potential impacts of stormwater discharges to Schneider Creek and to recommend any necessary potential mitigation measures. The applicant hired a qualified expert to evaluate the impacts to Schneider Creek. The report provided various options that could mitigate potential impacts to Schneider Creek. The actual stormwater design will be evaluated at the time of engineering permitting to ensure that the proposed project complies with OMC 18.32.415.

DATED this 22nd day of July 2008.



DOUG MAH
MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

\\murphy\documents\Land Use\08-2403\12937.doc



City of
OLYMPIA

Community Planning & Development, 837 7th Avenue, SE, P.O. Box 1967, Olympia, WA 98507-1967
Telephone (360) 753-8314 - Fax (360) 753-8087 - E-mail: cpdinfo@ci.olympia.wa.us

STATE ENVIRONMENTAL POLICY ACT DETERMINATION OF NONSIGNIFICANCE

Project Number: 05-0121

Project Name: Woodard Lane Co-Housing

Description of Proposal: Development of 2.9 acres into a 19-unit residential project consisting of 5 building, 1 common house, and a shared parking area.

Location of Proposal: Section 10, Township 18 N., Range 2W
1600 Woodard Avenue NW;
Tax Parcel # 67400006300

Applicant: Woodard Lane Cohousing, LLC
c/o Liv Monroe, Manager
P.O. Box 313
Olympia, WA 98507

Representative: CJ Russo and Robin Stiritz
4511 5th Ave NW,
Olympia, WA 98502
(360) 866-4557

Lead Agency: City of Olympia

SEPA Official: Todd Stamm, Planning Manager

Date of Issue: Friday, December 28, 2007

Threshold Determination: The lead agency for this proposal has determined that it probably will **not** have a significant adverse impact upon the environment. Therefore an Environmental Impact Statement is **not** required under RCW 43.21C.030 (2) (C). This decision was made after review by the City of Olympia of an Environmental Checklist and other information on file with the City. This information is available to the public on request.

This project is subject to and must conform to the City of Olympia's Engineering Design and Development Standards (OMC 12.02), Drainage Design and Erosion Control Manual (OMC 13.16), and the Unified Development Code (OMC 18).

Comments regarding this DNS should be directed to the SEPA Official at the address above. This DNS is **not** a permit. The City of Olympia will not act on and no permits will be issued for this proposal prior to the appeal deadline. The applicant shall not begin work until after the appeal



during or following the 14-day comment period, a mitigated DNS will be issued.


COMMENT DEADLINE: 4:00 p.m., Monday, January 14, 2008

HEARING EXAMINER AUTHORITY: The proposed project requires the review and recommendation of the Olympia Hearing Examiner to the Olympia City Council. **A public hearing regarding this project has not yet been set. When a date has been determined, notice will be mailed in compliance with OMC 18.78.** Pursuant to Olympia Municipal Code 14.04.155, the Hearing Examiner is authorized to modify or add SEPA conditions to ensure consistency between this threshold determination and the Examiner's decision and no appeal is necessary for the Examiner to consider and revise or add conditions based on SEPA authority.

APPEAL PROCEDURE: Pursuant to RCW 43.21C.075 (3) and Olympia City Code 14.04.160(A), the lack of conditions (mitigating measures) of a DNS may be appealed by any agency or aggrieved person. Appeals must be filed with the Community Planning and Development Department at the address above within twenty-one (21) calendar days of the date of issue. Any appeal must be accompanied by a \$200 administrative appeal fee.

APPEAL DEADLINE: 5:00 p.m., Tuesday, January 22, 2008

Issued by:



TODD STAMM
Planning Manager

SM/re





City of
OLYMPIA

ENVIRONMENTAL CHECKLIST

Community Planning & Development, 837 7th Avenue, SE, P.O. Box 1967, Olympia, WA 98507-1967
Telephone (360) 753-8314 - Fax (360) 753-8087

COPY

1. **Applicant:** Woodard Lane Cohousing LLC
Address PO Box 313, Olympia, WA 98507-0313

E-mail Address: woodardlanecoho@yahoo.com
Phone: 360-866-8680 or 360-357-4503
2. **Representative:** Liv Monroe
Address: PO Box 313, Olympia, WA 98507-0313

E-mail Address: liv@psncc.org
Phone: _____
3. Property Address or Location: 1600 Woodard Ave NW
Olympia, WA 98502
4. Section/Township/Range: Sec 10, Town 18N, Range 2W
Tax Parcel Nos.: 67400006300
5. Total Acres: 2.901
7. Initial Permit Type(s): Cohousing
8. Zoning: R 4-8
9. Shoreline Designation (if any): none
10. Water Body (if any nearby): Schneider Creek

*** OFFICIAL USE ONLY ***

MASTER FILE # 05-0121

SEPA # _____

PROPOSAL NAME: WOODARD LANE
COHOUSING

RELATED CASES: _____

PROPOSED CITY ACTION: _____

RECEIVED

FEE RECEIVED: 2006

DATE RECEIVED: 2006 AUG 16 2006

BY: _____

COMMUNITY PLANNING & DEVELOPMENT DEPT.

SUPPLEMENTAL REPORTS: _____

11. Project name and brief description of the proposal: Woodard Lane Cohousing
Cohousing residential community, cars on periphery, common facilities and spaces, 19 family living units
12. Proposed timing or phasing, and estimated completion date: Intended completion: Dec 2007
13. Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, explain:
No
14. Do you know of any plans by others that may affect this site? If yes, explain?
No
15. List other federal, state, or local permits, licenses, or approvals required for the proposal:
Building permits
16. List any environmental information that has been prepared or will be prepared regarding this proposal.
Drainage and erosion control plan, stormwater treatment design, geotechnical report, tree plan

(Please Print)

Evaluation For
Agency Use OnlyTo Be Completed by Applicant

ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (circle one):

flat, rolling, hilly, steep slopes, mountainous, other.

2.35 acres flat to gentle slope and the rest steep slope of ravine to Schneider Creek

b. What is the steepest slope on this site (approximate percent slope)?

90% drop at the ravine. The property slopes from the southeast corner to the northwest corner from 182 ft. to 166 ft. (5% to 6% slope) at the top of the ravine, then to 116 feet at the bottom of the ravine in the far northwest corner.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Gravelly sandy loam over cemented glacial till, with a fluctuating seasonal water table, typical of the Alderwood series.

d. Are there surface indicators or history of unstable soils in the immediate vicinity? If so, describe.

No

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

Minimal grading. All fill will come from property (mostly basement excavation)
The road to support fire trucks will require some structural fill.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

26%

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Install silt fences, temporary retention ponds, and riprap.

2. Air

What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known. ?

No emissions other than small machinery. We intend to not burn leftover wood.

To Be Completed by Applicant

- a. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No

- b. Proposed measures to reduce or control emissions or other impacts to air, if any:

Our plan is to build with as little impact as possible to land and air.

3. Water

a. Surface

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Schneider Creek runs just beyond the NW corner of the property. Then it runs into the Sound.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Yes, building will occur within 200' of Schneider Creek (about 170' from the creek measure on the horizontal). Our plan is to implement all erosive^{on} control asures.

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None

- (4) Will the proposal require surface water withdrawals or diversion? Give general description, purpose, and approximate quantities if known.

No

- (5) Does the proposal lie within a 100-year flood plain? If so, note location on the site plan.

No

- (6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

To Be Completed by Applicant

b. Ground

- (1) Will groundwater be withdrawn or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example, domestic sewage; industrial containing the following chemicals . . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None, project includes city sewer.

c. Water Runoff (including stormwater)

- (1) Describe the source of runoff (including stormwater and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other water? If so, describe.

All stormwater will be handled according to the city's requirements and our plan approved by the city.

- (2) Could waste materials enter ground or surface water? If so, generally describe.

No

- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any.

All runoff water impact will be handled according to our city approved plans.

4. Plants

- a. Circle types of vegetation found on the site

Deciduous tree: alder, maple, aspen, other, madrona, cherry _____

Evergreen tree: fir, cedar, pine, other hemlock _____

Shrubs: Grass; Pasture; Crop or grain

Wet soil plants: cattail, buttercup, bulrush, skunk cabbage

Water plants: water lily, eelgrass, milfoil, other _____

Other types of vegetation blackberries, ferns

- b. What kind and amount of vegetation will be removed or altered?

Some alder, cherry, maple, fir, madrona (because diseased), and cherry trees. Blackberry and other invasive plants will be removed, See the accompanying tree plan by a certified arborist at Sound Urban Forestry.

To Be Completed by Applicant

- c. List threatened or endangered species known to be on or near the site.
None known
- d. Proposed landscaping, use of native plants, or other measures to
preserve or enhance vegetation on the site, if any.

We have moved some ferns to save them for landscaping. The periphery of the site will be kept natural including the 50' set back from the ravine. The circle in front of the houses and the areas between the houses will be "landscaped" with an emphasis on native plants.

5. Animals

- a. Circle any birds and animals that have been observed on or near the site or are known to be on or near the site:

Birds: hawk, heron, eagle, songbirds, other: lots pileated woodpecker (on concern list)

Mammals: deer, bear, elk, beaver, other _____

Fish: bass, salmon, trout, herring, shellfish, other none _____

- b. List any threatened or endangered species known to be on or near the site.

None known

- c. Is the site part of a migration route? If so, explain.
None known

- d. Proposed measures to preserve or enhance wildlife, if any:

Retain native vegetation on slope and 50' set back; enhance vegetation and transplant on flat; retain all but 3-5 of the fir trees.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electric, natural gas, solar, human energy used for heating, lighting and cooking

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

no

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

High R insulation, radiant floor heat, passive solar, perhaps geothermal or heat pump, shared vehicles, bicycles, shared space, small homes, and window dressings to reduce energy loss.

To Be Completed by Applicant

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill or hazardous waste, that could occur as a result of this proposal? If so, describe.

Less than the usual home building because we have chosen to build for chemically sensitive people.

- (1) Describe special emergency services that might be required.

No special services, the only foreseen services are the fire, ambulance and other common residential service vehicles.

- (2) Proposed measures to reduce or control environmental health hazards, if any.

None needed

b. Noise

- (1) What types of noise exist in the area that may affect your project (for example, traffic, equipment, operation, other)

None

What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example, traffic, construction, operation, other)? Indicate what hours noise would come from the site.

General construction noise and traffic from 7:00 a.m. to 6:00 p.m. There will be some added traffic with the new homes in the neighborhood.

To Be Completed by Applicant

- (2) Proposed measures to reduce or control noise impacts, if any.

Confine construction activities to normal working hours (7:00 am - 6:00 pm)

8. Land and Shore Use

- a. What is the current use of the site and adjacent properties?

The site is currently undeveloped. It is covered with grasses trees and other brush one would expect to see on an undeveloped parcel. The neighboring properties are residential.

- b. Has the site been used for agriculture? If so, describe.

No, except perhaps some home gardening

- c. Describe any structures on the site.

None now. We have heard that there once was a building that is long gone.

- d. Will any structures be demolished? If so, what?

No

- e. What is the current zoning classification of the site?

R 1-8

- f. What is the current comprehensive plan designation of the site?

Residential

- g. If applicable, what is the current Shoreline Master Program designation of the site?

N/A

- h. Has any part of the site been classified an "environmentally sensitive" area? If so, specify.

No

- i. Approximately how many people would reside or work in the completed project?

32-45 of all ages - project includes 19 residential units

- j. Approximately how many people would the completed project displace?

Zero

- k. Proposed measures to avoid or reduce displacement impacts, if any?

N/A

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

These are family residences as is the neighborhood and the zone.

To Be Completed by Applicant

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high-, middle-, or low-income housing.

19 middle income units

- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle-, or low-income housing.

0

- c. Proposed measures to reduce or control housing impacts, if any.

N/A

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas. What is the principal exterior building material(s) proposed?

Common House from bottom of basement is highest structure at 30-32.' Housing buildings with daylight basements will be 30-32' above ground level at the entry of the homes.

Hardiboard and perhaps stucco will be used for exteriors of buildings.

- b. What views in the immediate vicinity would be altered or obstructed?

None

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Plan to build beautiful buildings and landscape them attractively. Low impact development practices will be employed to reduce the effects of construction and preserve as much of the existing wooded areas as possible.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Only normal home windows could possibly glare within the project

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No

- c. What existing off-site sources of light or glare may affect your proposal?

None

- d. Proposed measures to reduce or control light and glare impacts, if any.

N/A

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Informally folks can sit and walk in the woods above the ravine here.

To Be Completed by Applicant

- b. Would the proposed project displace any existing recreational uses? If so, describe.
None. However, the fields, now used to play and picking black berries, will be houses and the common yard.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.

N/A

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on or proposed for national, state, or local preservation registers known to be on or next to the site? If so, generally describe.
No
- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.
None
- c. Proposed measures to reduce or control impacts, if any:
N/A

Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.
Woodard Ave NW is a narrow paved road which currently goes about 10' beyond the City's right of way into the property to the south. In order for the road to be extended to the entry to this property it will need to be widened somewhat on the north, taking some of the neighbor's front yard that is in the right-of-way. We have discussed a plan for this with the city and our site plan contains our proposal. We hope to find a solution that works for the City, neighbors, and us.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
5 blocks away on Bowman NW
- c. How many parking spaces would the completed project have? How many would the project eliminate?
We would have 1.5 per unit or 29. None are eliminated.
- d. Will the proposal require any new roads or streets or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).
Yes. The road needs to be extended and some way to turn around, possibly into our driveway, needs to be included. See our plans for details.

To Be Completed by Applicant

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

20 round trips per day. Probably the peak volume would be from 7:40-9:00am

- g. Proposed measures to reduce or control transportation impacts, if any:

Shared cars, use of bikes, buses and walking. It is close enough to walk to stores. Cost of gas will help control trips.

15. Public Services

- a. Would the project result in an increased need for public services (for example, fire protection, police protection, health care, schools, other)? If so, generally describe.

Only as much as 19 living units would require. We intend to fill at least 5 units with families with children.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

Close in high density to make distances shorter for public services.

16. Utilities

- a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer,
septic system, other These are available to the site or next door neighbors

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity that might be needed.

Natural Gas and Electricity by PSE
Refuse service, water and sewer by Olympia City
Telephone by Qwest
Cable to be decided

SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make this decision.

Signature: Liv Monroe Date: 8-1-06

NOTE: An additional "Supplemental Sheet for Non-Project Actions" must be attached if this checklist is for adoption of a proposed regulation, policy, standard, plan, or similar non-construction action.



City of
OLYMPIA

Community Planning & Development, Box 1967, Olympia, WA 98507
Telephone (360) 753-8314, Fax (360) 753-8087

MEMORANDUM

Date: July 18, 2013
To: Mark Scheibmeir, Olympia Hearing Examiner
From: Todd Stamm, Planning Manager – Community Planning and Development
Subject: TDR Bonus in R 4-8 Zone

The Woodard Co-Housing project presents what I believe is an interpretation question of ‘first impression’ for Olympia. This memo summarizes my observations regarding the issue.

Although Table 4.04 says the maximum housing density in R 4-8 is 8 units per acre, it references OMC 18.04.080A. OMC 18.04.080(A)(4) and (5) together provide that in this zone – and subject to certain exceptions – transferable development rights (TDRs) must be obtained to exceed 7 units per acre. To the best of my knowledge the 2.34 acre Woodard Co-housing is the first project to propose exceeding 7 units pursuant to this clause. (The proponents previously sought an exception by variance, which was denied, in part because the TDR option was unavailable.) Unlike most codes, Olympia’s is not explicit regarding the TDR arithmetic. In my opinion there are three possible approaches to applying this code section:

1. To exceed 7 units per acre, and instead have an 8 unit per acre maximum for the entire project, an applicant must obtain at least one, and only one, TDR unit. This interpretation would lead to the anomalous result that a developer of 10 acres would obtain ten ‘bonus’ units by purchasing 1 TDR while an owner of 4 acres would obtain only four bonus units. This approach would significantly skew the TDR market since sellers would seek to sell only to larger developers. In my opinion this clearly was not the intent of this clause.
2. An applicant must obtain one TDR for each acre that they propose to develop beyond 7 units per acre. TDRs are discrete measurements, i.e., one cannot purchase a fractional unit, and thus are subject to Olympia’s rounding clause -- OMC 18.02.080(H). Thus, to increase the density for this 2.34 acre parcel 2 TDRs must be obtained. The two TDRs results in the project being eligible for the 8 unit per acre maximum density and – applying that rounding clause – the new maximum density is 19 units ($8 \times 2.34 = 18.72$ rounded up to 19).

This interpretation presents two problems. First, depending on the acreage it would result in one ‘extra’ round-up-unit for some projects and not for others, thus like the interpretation above it results in certain projects obtaining more (or less, see below*) bonus units than others as a result of purchasing the same number of TDR. Second, it

presents the question of whether the rounding clause can result in slightly exceeding the express limits of a zone, such as the 8-units-per-acre maximum density. (As explained below, I think this last issue need not be reached in this instance and here express no opinion on the topic.)

3. An applicant must obtain 1 TDR-unit for each bonus (over 7 per acre) unit they wish to build. Here the applicant has obtained 2 TDRs, which would increase their allowed density from 16 units ($2.34 \times 7 = 16.38$ rounded to 16) to 18 units ($16 + 2$). This type of constant TDR-to-bonus ratio is the most common TDR mechanism in TDR codes and, although not explicit, in my opinion this is probably the intended and correct interpretation of Olympia's program. (Were the applicant to obtain 3 TDR it would raise the question of whether 2.34 acres can be 'rounded up to 19 units' pursuant to the rounding clause of 18.02.080(H) as discussed above. However, since only 2 TDRs are proposed in this instance that question is not presented here and I would urge the Examiner not to address hypotheticals.)

*For example, in contrast with the case at hand where in theory purchasing 2 TDRs would result in a 3 unit bonus, interpretation #2 when applied to 1.51 acres could result in a requirement to purchase 2 TDRs to be eligible for 8 units per acre (1.51 rounds up to 2), but yields only one bonus unit ($7 \times 1.51 = 10.57$ which rounds to 11; while $8 \times 1.51 = 12.08$ which rounds to 12).

A STUDY OF TRANSFER OF DEVELOPMENT RIGHTS (TDR) IN THURSTON COUNTY, WASHINGTON

Prepared June 2010 by Evergreen College students Jenna Fissenden and Steven Michener with guidance from staff members within the Thurston County Planning Department

Introduction

The Thurston County Board of Commissioners in 2010 adopted a goal of fully implementing the county's existing transfer of development rights program (TDR) to preserve agricultural lands and open space. Since 2009, an informal group of interested stakeholders has been meeting to discuss ways to enhance the program. The group is broken into three subcommittees: the Sending Subcommittee (composed of those selling development rights); the Receiving Subcommittee (composed of those purchasing development rights); and the Program Details Subcommittee.

This report and the corresponding research was produced for the stakeholders group by Evergreen College students Jenna Fissenden and Steven Michener as part of an independent learning contract, with guidance from Thurston County staff. The purpose of this study is to address the functional and dysfunctional components of Thurston County's existing transfer of development rights program. This report also analyzes and conceptually applies proven methodologies from working TDR programs throughout the United States.

Transfer of Development Rights Explained

Transfer of development rights (TDR) is "a land use regulatory tool under which development rights can be severed from a tract of land and sold in a market transaction. The parcel from which the rights are transferred is then permanently restricted as to future development, and the purchaser of the rights may assign them to a different parcel to gain additional density" (Taintor). TDR programs serve both farmers and the community by preserving designated long-term agriculture, ultimately cultivating a more agriculturally independent economy.

Research/Analysis

A feasibility matrix was created to evaluate the potential of implementing features from other successful programs across the United States into Thurston County's TDR program. Feasibility matrices, for the purpose of this research, break down effective programs into four components: legal, social/policy, economic and technical and then apply their effectiveness to Thurston County's potential for a workable program. The Growth Management Act (GMA), Urban Growth Area (UGA) and other relevant regulations were considered in order to make projections for Thurston County.

There are many working TDR programs throughout the United States. Analyzing those models within the framework of a feasibility matrix highlights which prospective elements could be applied in Thurston County. For example, Calvert County in Maryland created the Purchase and Retirement Fund (PAR) in which the county purchases development credits from sending areas and permanently retires them, ultimately serving the farmers and reducing the number of houses built. The feasibility of the PAR program depends upon a potential-site agriculture tax or the partial allocation of funds from the Real Estate Excise Tax (REET) in order to fund purchases in an ongoing way.

Municipal and county governments are possible stewards under the PAR model -- provided adequate funding is available to purchase the development rights. Land is put under permanent easement; therefore, environmental organizations are generally supportive of this approach. Citizen support for the program typically depends upon whether a tax is imposed. Economically, PAR is feasible through matching and leveraging. If funding is available to the county through EPA grants, REET and Conservation futures, a PAR fund is achievable. Calvert County's model also depends upon proper staffing.

Currently, Thurston County's TDR program allows for one unit of increased density, while in most all other county programs, the addition of units is higher. For example, in Pinelands New Jersey, one purchased development credit transfers into four units in a receiving area (Pruetz). An increased ratio in Thurston County is legally feasible and in compliance with the Urban Growth Area (UGA) as well as the county's current comprehensive plan; however there is minimal incentive for developers or receiving areas. Increasing the unit ratio may create more stimulus for the purchase of credits, creating an economic gain for both the sending and receiving areas as well municipalities.

While an increase in ratio is feasible under Thurston County and state policies, the incorporated areas (cities) that receive the increased densities must also approve of the ratio. This can pose a challenge if a receiving city resists the increased densities resulting from a TDR program or expresses a “not in my back yard” philosophy.

The above models represent just a few options that could be feasible in Thurston County. Many programs across the U.S. have worked well due to factors not entirely controlled by the counties, but instead by market demand. Other factors affect the workability of a TDR program, such as the willingness of incorporated cities to participate in the program and the availability of receiving areas.

Considering the state of the economy as well as the housing market, demand for increased density within Thurston County cities is minimal. Due to lack of demand, programs must adapt accordingly. One way to compensate would be through creative incentives such as carbon sequestration, increased height restrictions on city buildings, stormwater credits and/or by-right permitting.

Market Demand

In its report on TDRs, the Cascade Land Conservancy emphasizes the role of market demand. The conservancy notes: “Because TDR is a market-based program, adequate demand for increased density (or other development incentives) is essential to the emergence of a robust TDR marketplace” (Cascade Land Conservancy). Since TDR programs depend highly on market demand, a thorough background analysis should be completed to find an appropriate transfer ratio that is of value to all stakeholders. As mentioned above, many working programs around the country feature an increased density ratio instead of a one-to-one ratio. A severed credit should be worth more to a property owner in a sending area than what the land would be worth after development. Of course, the value of this credit must be worth more to a developer in a receiving area than the value had by foregoing the planned incentive. Currently, Thurston County's one-to-one ratio is of value to sending site property owners but not to receiving site stakeholders.

Transfer of Development Rights versus Purchase of Development Rights

Transfer of development Rights (TDR) and purchase of development rights (PDR) programs have been used successfully in other preservation programs around the country. PDR programs can even be used effectively in the market-based system. A PDR system buys development rights and extinguishes them, then places a conservation easement on the land from which it was sold. This can be an effective tool to preserve land that abuts an urban growth boundary or land that is environmentally significant, such as watersheds and estuaries.

By extinguishing rights with public funds, a jurisdiction can drive demand for existing rights by limiting supply. King County, WA, for example, used this combination of PDR and TDR with great success; the county now has extinguished development rights on more than 90,000 acres of land. However, a majority of these credits have been bought and transferred. Most of King County's credits have been purchased with earmarked tax revenue and are currently available for sale. King County is a prime example of using TDR and PDR together to preserve key areas first and to establish a market. King County has established many key psychological factors by acquiring these credits and then selling them at a fair market rate. The program administrators provide confidence for stakeholders by investing in the program and establishing a going rate for credits that is public knowledge.

TDR Banks

A TDR bank is an open forum usually found on a jurisdiction's TDR website along with the program description. A bank has many functions, including providing a place for buyers and sellers to post a need for TDR credits and credits that are for sale. A jurisdiction may also use the bank to kickstart a market by posting TDR credits for sale. Managers of working TDR programs have concluded that a bank is an essential tool for the success of the program. Ultimately, a TDR bank has potential to provide stakeholders with confidence in the program and provides security in the marketplace by making the monetary value of TDR credits transparent to the public.

Clear, Defined Sending and Receiving Areas

In Thurston County's TDR program, sending areas are defined as those areas that are zoned for long-term agriculture, while receiving areas are found inside the urban growth boundary and are subject to county or municipal zoning. There is an interest in extending the current program to include environmentally sensitive areas and working lands that are beneficial to Thurston County's economy and future environmental health. By clearly defining and ranking sending areas according to their importance to the county, a defined number of TDR credits can be established for possible use. This action will create a solid market base and in turn allow cities to plan for increased density needed to protect these areas. Clear and defined receiving areas that are able to accommodate the increased density can then be established. These receiving areas should also be considered for by-right permitting and up-front environmental analysis, giving more incentive to developers to use TDR credits.

Public Education and Outreach

According to the Cascade Land Conservancy, "Activity in a TDR program will be limited if potential participants are not aware of its existence, its benefits, or their eligibility" (Cascade Land Conservancy Guide). A well funded and thought-out marketing campaign will help make the public aware of the program and its goals. This campaign should be sensitive to the wants, needs and attitudes of current property owners as well as stakeholders' feelings toward government interference of property and increasing growth (Cascade Land Conservancy, guide).

All of the working programs that were reviewed have up-to-date and informative websites clearly explaining their TDR programs' functions and goals. A webpage describing the program with access to applications and forms, maps, history of sales, lists of buyers and sellers and a FAQ sheet is a useful way to communicate easily with the public at little expense. This is also an effective way to publish information about the benefits and goals of the program – again, with little cost to the county or municipality. Thurston County's TDR website is available on www.co.thurston.wa.us/planning.

Benefits to Sending Areas: Preservation of Farmland

There are currently 487,040 total acres in Thurston County and only 11,550 acres are zoned long-term agriculture. While the comprehensive plans for Thurston County and its municipalities share a common goal of maintaining rural character and protecting working lands, the designated long-term agriculture acreage is limited.

Aesthetically, preserving farmland is essential to fulfilling the county's all-encompassing vision of maintaining rural character. The most recent updated Thurston County Comprehensive Plan, amended in 2008, states the following under the headline of "Agriculture Resources":

"They recognize the essential role of land conservation and local food production in maintaining the quality of life and long-term sustainability of the community. In addition, they recognize the multiple benefits provided by farmland, including wildlife habitat and flood control. The community also recognizes that maintaining viable agricultural resources requires a partnership with the farming community."

TDR programs offer economic benefits to farmers through compensation. Rather than selling prime agricultural land for development, farmers are able to sell credits instead, thus receiving compensation and a guaranteed future of farming.

Benefits to Receiving Areas

In a functional TDR program, both sending and receiving areas must accrue benefits. Creating an incentive-based system is a viable option when market demand is minimal. If increasing density is impractical, receiving areas can also look to new incentives such as expediting the approval process for development through a by-right system. The City of Olympia provides an incentive by allowing TDR-credit buyers to use their credits to build at a density that would otherwise be too low under existing zoning requirements. This approach appeals to the general attitudes of local residents who value a rural setting.

When developers purchase TDR credits and apply them to building at an increased density close to the downtown region, both the municipality and the citizens benefit. By pushing density further away from agricultural areas, fewer services and infrastructure are necessary. Time, expenditures and labor are required to fulfill the needs of rural citizens, all of which require municipal or county resources. With less resources delegated to residents outside the city, receiving areas benefit exponentially.

Conclusion

The workability of a TDR program relies heavily upon community involvement in which citizens hold intrinsic value in agricultural and environmental resources. There are three factors that drive a workable TDR program: market demand, education and sense of place. In order to revitalize Thurston County's current program, municipalities and the county must work together to establish distinct guidelines that are not only clear, but accessible and easy to use for both sending and receiving areas.

Thurston County Comprehensive Plan, "Chapter Three-Natural Resources." January 2008.

Accessed May 26, 2010.

http://www.co.thurston.wa.us/planning/comp_plan/docs/2009/Chapter_%2003_NATURAL%20RESOURCE_12.08.pdf

Kaplowitz, Michael. Machermer, Patricia. Pruetz, Rick. "Planners' experiences in managing growth using transferable development rights (TDR) in the United States" Science Direct. 2007.

Accessed May 26, 2010. www.elsevier.com/locate/landusepol.

Pruetz, Rick. Beyond Takings and Givings. February 2003. Cushing-Malloy, Inc. California.

Cascade Land Conservancy. "A Guide to Designing Transfer of Development Rights Programs in Washington State" June 2009.





Machermer, Patricia. Kaplowitz, Michael. "A Framework for Evaluating Transferable Development Rights Programs" Journal of Environmental Planning and Management. June 2002.

THURSTON COUNTY Transfer of Development Rights Sending & Receiving Areas

SENDING AREAS

 Long Term Agriculture

UGA Boundaries


-  OLYMPIA
-  LACEY
-  TUMWATER
-  GRAND MOUND

RECEIVING AREAS


Olympia


 Residential 4-8

Lacey


 High Density Residential


 Moderate Density Residential

 Mixed Use High Density Corridor


 Mixed Use Moderate Density Corridor

Tumwater

 Single Family Low (4-7)


 Single Family Medium (6-9)

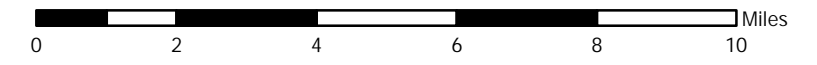
 Multifamily Medium (9-15)

 Multifamily High (14-29)

Grand Mound UGA

 Residential 3-6

 Residential 4-16

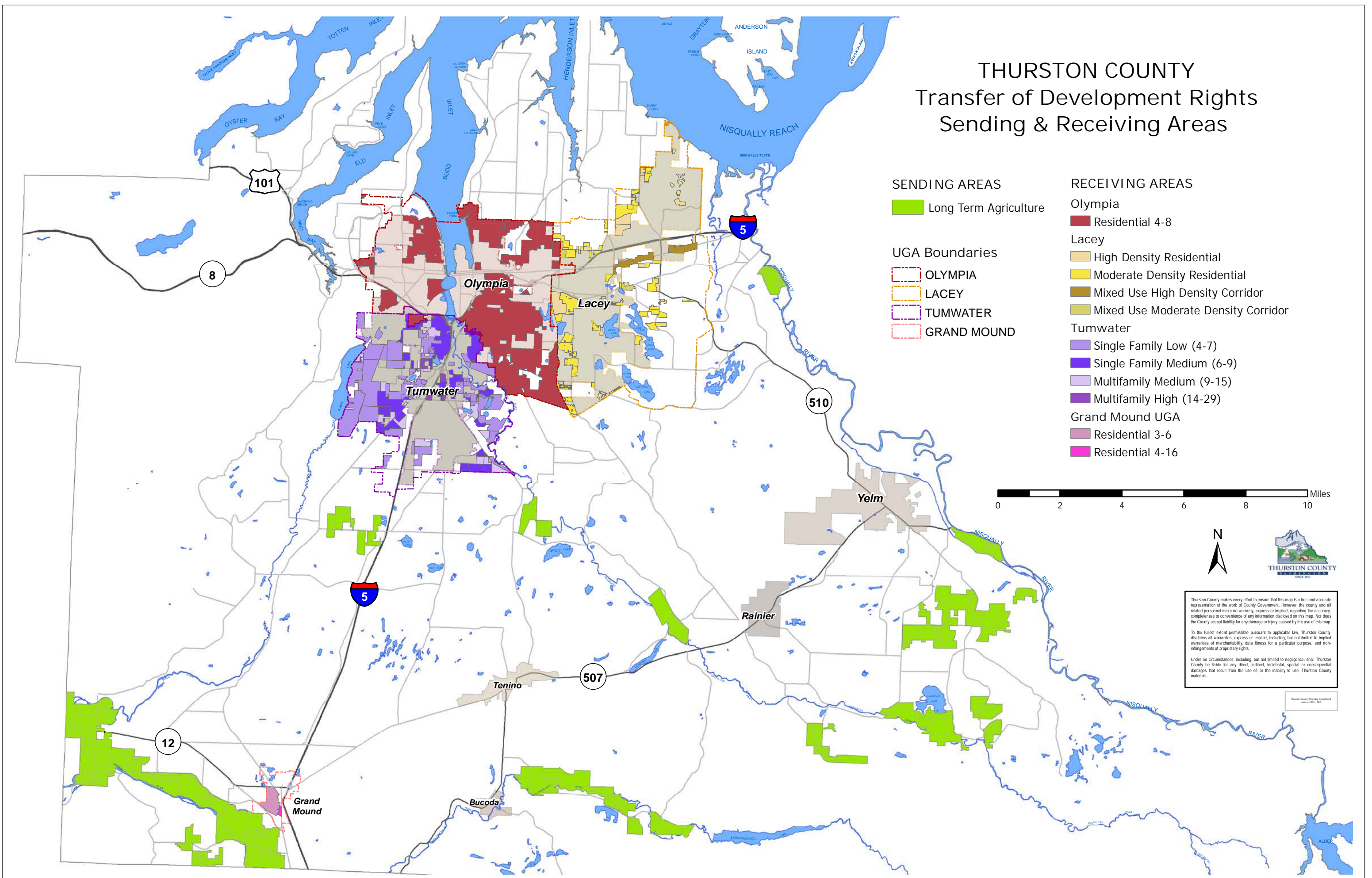


Thurston County makes every effort to ensure that this map is a true and accurate representation of the work of County Government. However, the county and all related personnel make no warranty, express or implied, regarding the accuracy, completeness or convenience of any information disclosed on this map. Nor does the County accept liability for any damage or injury caused by the use of this map.

To the fullest extent permissible pursuant to applicable law, Thurston County disclaims all warranties, express or implied, including, but not limited to implied warranties of merchantability, data fitness for a particular purpose, and non-infringement of proprietary rights.

Under no circumstances, including, but not limited to negligence, shall Thurston County be liable for any direct, indirect, incidental, special or consequential damages that result from the use of, or the inability to use, Thurston County materials.

Thurston County Planning Department
June 4, 2013 - 402



January 25, 2014

Dear Catherine,

The fence is done and Debra said she is very happy with it. We ended up hiring a new person who not only finished it but rebuilt it so it won't come down in a wind storm.

The diagonal support 2x4s are on our side of the fence. They will stay in place for at least a month until the concrete is totally cured. At that time we will fill in the tops of the post holes as well. The fence is totally on our side of the property line, even the cement bases. Debra said she is willing to sign an agreement that she and we know that it is not on the property line.

The fence extends from the agreed upon grove of trees at the north end of 1531 Thomas St, between 4" and 1' west of the property line, to where that property abuts 1521 Thomas St, then continues in a straight line behind 1521 to near the big fir tree on the property line. From this point on there are woods on our property that neither our adjacent neighbor nor our community wanted to disturb for a fence.

The uneven top of the fence is because of the slope. We all wanted to make the fence as tall as allowed and agreed that the stepped down top was a good solution. Note that in the photo showing the whole fence from the neighbors side (the pretty side of the fence) there is a sunny spot at the far left and if you look closely you can see the last sections of the fence. You may also notice from our side that there is a space in the fence without boards so that we can see the large tree, part of which is on our side of the property line. This was intentional.

The garbage dumpster pad is near our original line up of garbage cans as you can see in the photo by the lineup of recycle carts and the yard cart. This has worked out very well because now there is plenty of room for all needed carts and the dumpster can be picked up without our losing any parking places. No neighbor from any property is affected by the site, smell or collection noise of the dumpster because it is in the center of our property. Our plan is to plant rhododendrons between the dumpster and the new common house. Since we plan to start construction on the common house this spring we will wait until after that construction to plant all of the landscaping around the new building. I am pleased by its looks and think it actually looks better than several of the rolling carts.

Let me know when we can get on the City Council agenda. I look forward to hearing from you.

Thanks for your patience, Liv Monroe











City of Olympia

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

City Council

Approval of Amendment to Interlocal Agreement for Sale of Water to Thurston PUD No. 1

Agenda Date: 4/15/2014

Agenda Number: 4.E

File Number: 14-0236

File Type: contract

Version: 1

Status: Consent Calendar

..Title

Approval of Amendment to Interlocal Agreement for Sale of Water to Thurston PUD
No. 1

..Recommended Action

Committee Recommendation:

Not referred by a committee.

City Manager Recommendation:

Move to approve and authorize the Mayor to sign an updated interlocal agreement to
sell water to Thurston PUD No.1.

..Report

Issue:

Whether to approve the updated Interlocal Agreement with Thurston PUD No. 1.

Staff Contact:

Laura Keehan, Senior Planner, Public Works Water Resources, 360.753.8321
Andy Haub, Water Resources Director, Public Works Water Resources, 360.753.8475

Presenter(s):

None - Consent Calendar Item

Background and Analysis:

The City has supplied water to Thurston Public Utility District's (PUD) Tanglewilde
water system since 1964.

In May 2005, the City and the PUD signed the *Intergovernmental Agreement for Sale
of Water, Assignment of Water System Accounts, and Management of Water System*.
This agreement defined new roles and responsibilities because the City had
historically operated and maintained the PUD water system. In essence it changed the
City's role from operation and maintenance to becoming a wholesale water supplier to
Thurston PUD. The agreement also outlined the need for Thurston PUD to find a
water supply source other than the City.

The PUD has actively pursued securing its own water supply. Over the past several
years, the PUD redeveloped its existing well, drilled two new wells, and constructed a
new reservoir. The new facilities means the PUD will no longer need to purchase
water from the City. The PUD is currently waiting for the final water rights for its supply
from the Department of Ecology. Once the water right is received, the transition will be

Agenda Date: 4/15/2014

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formalized. The City and PUD are scheduled to make this transition formal no later than June 2014.

The updated interlocal agreement being considered by Council has two major changes.

- 1. Allows for a 9-month termination notice.** The 2005 agreement required the PUD to give the City 36 months written notice prior to termination. The notice allows the City to financially plan for reduced revenues collected from the PUD. However, the PUD has diligently communicated with City staff regarding their progress toward becoming independent of the City's water supply. Staff received adequate notice to plan for the loss of revenue from the PUD as a wholesale water customer. Given the coordination between the PUD and the City, a nine month notice is adequate.
- 2. Allows the PUD to collect full amount of revenue from new connections.** General Facility Charges (GFCs) are collected from new customers to help pay for upgrading the drinking water system. In the past, the PUD and the City shared this revenue. The new agreement allows the PUD to collect it in whole. This is appropriate because the PUD constructs their own infrastructure and facilities.

Neighborhood/Community Interests (if known):

None known.

Options:

1. Authorize the Mayor to sign the Agreement.
This new agreement does not require the PUD to pay GFCs to the City for new connections and allows the agreement to be terminated upon nine months written notice. It fulfills the terms of the 2005 agreement requiring the PUD to find an alternative water supply.
2. Do not authorize the Mayor to sign the Agreement.
The 2005 agreement will remain in effect. The PUD will be using their own water supply and they will still be required to pay the City for GFCs as well as a monthly-fixed water charge for 36 months (notice for termination).

Financial Impact:

The revenue collected for GFCs from the PUD varies from year to year depending upon the number of new connections. The number of new connections is typically low. In 2013, the PUD had one connection and the City received a payment of \$1,357.41.

The PUD pays the City a base fee of \$5,286.61 per month for water service. With the new agreement, the City plans to collect \$5,286.61 per month for nine months rather than 36 months. This will result in a loss of revenue of \$142,738.47. This decrease in

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Utility revenue has been anticipated.

Attachment:

1. Intergovernmental Agreement for Sale of Water by the City of Olympia to PUD
No. 1 of Thurston County
2. Map PUD Service Area

**INTERGOVERNMENTAL AGREEMENT FOR
SALE OF WATER BY THE CITY OF OLYMPIA TO
PUD NO. 1 OF THURSTON COUNTY**

THIS AGREEMENT ("Agreement") is made and entered into by and between, the City of Olympia, a Washington municipal corporation ("City" or "Olympia"), and Public Utility District No. 1 of Thurston County, a municipal corporation ("PUD"), collectively referred to herein as "the Parties."

Whereas, pursuant to RCW 35.92.170, RCW 35.92.200, RCW 54.16.090, and chapter 39.34 RCW, the City and the PUD are authorized to enter into a contract or agreement for the delivery and supply of water; and

Whereas, the Parties entered into an Intergovernmental Agreement for Sale of Water, Assignment of Water System Accounts, and Management of Water System (Agreement) in May of 2005, relating to transfer of facilities, services areas, charges for wholesale water and operational transitions; and

Whereas, the Parties executed amendments to the Agreement in December of 2006, May of 2007, and August of 2008 regarding development of the per unit water rate and various terms for setting rates, including the standards/methodology for how the rates and GFC's were to be adjusted in future years; and

Whereas the PUD has made efforts in the past several years to become an independent water purveyor, developing a new water source, large storage tank, and substantially reducing their demand for City of Olympia wholesale water; and

Whereas the PUD is pursuing additional water rights from the Department of Ecology, in order to cease their reliance on City of Olympia wholesale water, and plans to negotiate a mutual aid agreement with Olympia for emergency water supplies once they have obtained these new water rights; and

Whereas, the Parties wish to update the terms of their relationship with respect to the City's sale of water to the PUD for use in what is known as the Tanglewilde and Thompson Place Water System transferred to the PUD by the City in the May 2005 Intergovernmental Agreement;

NOW, THEREFORE, the Parties agree to the following:

Section 1. Replacement of Prior Agreements.

A. The Agreement for Management of Water System entered into on May 8, 1996, and amended December 14, 1999, ("Management Agreement") is terminated by this Agreement, notwithstanding any notice requirements. The PUD was charged with providing relevant written

notice to the Washington State Department of Health advising them that as of June 1, 2005, the City would no longer be operating the system referenced in the Intergovernmental Agreement referenced in Section 1.B. herein.

B. The Intergovernmental Agreement for Sale of Water, Assignment of Water System Accounts, and Management of Water System entered into in May of 2005, as amended in December 2006, May 2007, and August 2008, is hereby superseded by this Agreement.

Section 2. Transfer of Portion of City Water System/Clarification of Area

The parties confirm and agree that all right, title, and interest in and to that portion of the City Water System (also known as the Tanglewilde and Thompson Place Water System) located in the Thompson Place subdivision, as depicted and legally described on Exhibit A-1 attached hereto and incorporated herein by reference, has been transferred to the PUD.

Section 3. Assignment of Water Accounts

The City has assigned all City of Olympia water accounts located in what was formerly the City's Water System, depicted on Exhibit A-1, to the PUD. The City has provided the PUD all of the City's electronic and paper data pertaining to such accounts, including distribution diagrams, billing data, water quality information, and telemetry equipment. The PUD shall bear all costs for purchase of any hardware or software necessary to store, or use data provided by the City pursuant to this Agreement.

Section 4. Responsibility for Ownership, Operation, and Maintenance of the Tanglewilde and Thompson Place Water System

The PUD shall be solely responsible, and shall bear all costs of, operation and maintenance of the transferred area depicted in Exhibit A-1, unless otherwise provided herein.

Section 5. Agreement to Sell Water

The City agrees to sell to the PUD and the PUD agrees to purchase from the City, a water supply for the PUD under the following terms:

A. Beginning on the effective date of this Agreement and extending for the remainder of its term, the City commits to reserving a maximum of 360 gallons per minute (gpm) instantaneous quantity (Qi) for the PUD to withdraw. This translates to a maximum quantity per month of 20,791 ccf.

The rates for water supply services to be paid by the PUD to the City, beginning as of the date of this Agreement, shall be a fixed annual charge of Sixty-Three Thousand Four Hundred and Thirty-Nine and 32/100 Dollars (\$63,439.32), plus seasonal volume charges of \$0.59 per CCF November through June, and \$0.82 per CCF July through October.

Each calendar year throughout the term of this Agreement, the City has the right to annually increase the fixed and volume charges at the same rate as the published Seattle Consumer Price Index.

The City shall bill the PUD the fixed monthly charge and the calculated volume charges each month, and the PUD shall remit to the City the billed amount within thirty (30) days of the date of the billing. The City shall provide the PUD with the actual source meter readings which indicate the exact amount of usage (in CCF) for the month being billed.

B. The PUD agrees that it shall use water purchased under this Agreement solely for subsequent retail sale to customers within the boundaries of the area depicted in Exhibit A-1, as may be revised or amended consistent with RCW 90.03.386. The PUD agrees that it will implement conservation goals and programs equivalent to those utilized by the City of Olympia for the remainder of its water system. Equivalency as used in this subsection shall be measured by the reduction target used by the City.

C. The PUD shall, at its own expense, maintain any pump stations necessary to provide water purchased from the City to PUD customers in the PUD Water Systems.

D. All water provided by the City to the PUD will be metered through a master meter owned by the City of Olympia. The City will maintain and read the meter for billing purposes of this Agreement. Both parties shall have access to the meter and, in addition, the PUD shall have access to the City's meter maintenance records. The existing master meter was installed in 2005. If determined necessary during the term of this Agreement, the City may purchase and install a replacement meter at its discretion.

E. The City's agreement to sell water hereunder is subject to such restrictions as the City may impose from time to time on its other wholesale and/or retail water customers, and may be suspended in the event of a loss of supply emergency at the City's McAllister Springs water source or at such other source used by the City to supply the PUD under this Agreement.

Section 6. Review of Rate Components

A. The City shall be responsible for performing rate studies to adjust capital costs, operations and maintenance costs, and cost allocation. Any costs for these studies will be shared equally with the PUD to the extent they relate to rates and allocable costs under this Agreement.

B. The parties intend that rate adjustments be based upon contemporary cost of service based rate making methodologies, including but not limited to the methodology recommended by the American Water Works Association (AWWA). If the parties do not agree to the rate adjustments, the parties shall participate in nonbinding mediation by a mutually agreed-upon professional mediator, with the cost of the mediation to be shared equally by the parties. If the mediation is unsuccessful, rate options as recommended by the respective PUD and City staff shall be presented to the City Council, who shall determine and set the rate. The City Council's determination shall be final, subject to compliance with this Agreement and applicable law.

Section 7. Water Meters

A. The City may, with prior notice to the PUD, enter the Tanglewilde 2 Pump Station to inspect and re-calibrate the meter to ensure its accuracy to the satisfaction of both the PUD and City. The City and PUD will jointly (50/50) share the cost of source meter calibration. The PUD reserves the right to institute any security measures necessary to protect the infrastructure of the Tanglewilde and Thompson Place Water System and will notify the City thirty (30) days prior to any changes affecting the duties of this section.

B. City personnel shall read the source meter at the Tanglewilde 2 Pump Station on the first day of each month or, if the first day of the month falls on a weekend or holiday, on the first regular business day following the first day of the month.

Section 8. Cross Connection Program

A. The PUD has developed a Cross Connection Program that is consistent with requirements mandated by the Washington State Department of Health for retail customers on the PUD and City Water Systems.

B. In order to protect Olympia's water supply and the PUD's customers from cross contamination, the PUD—shall, beginning June 30, 2014, conduct annual inspections of cross connection equipment according to the requirements of WAC 246-290-490 and shall send the City Cross Control Program Lead a copy of their annual testing results.

Section 9. Effective Date and Termination

This Agreement shall become effective once fully executed and filed as required by state law. The Agreement shall run for a term of two (2) years from that date unless terminated earlier pursuant to this Agreement; provided, however, that the PUD shall exercise due diligence and good faith to locate an alternative source of water supply and to terminate this Agreement prior to the expiration of said term. If the PUD obtains a new source of water (either by contract or obtaining water rights) the PUD may terminate this Agreement with nine (9) months written notice to the City.

PUBLIC UTILITY DISTRICT NO. 1
OF THURSTON COUNTY

By: _____
John Weidenfeller

Its: General Manager _____

APPROVED AS TO FORM:

Joe Rehberger
PUD Lead Counsel

CITY OF OLYMPIA

By: _____

Its: _____

APPROVED AS TO FORM:



Assistant City Attorney

EXHIBIT "A-1"



LEGAL DESCRIPTION FOR AREA PUD ALLOWED TO SERVE UNDER INTERGOVERNMENTAL AGREEMENT

That part of Sections 10, 11, 14, and 15 Township 18 North, Range 1 West, W.M., described as follows:

Beginning at the Intersection of Pacific Avenue and Kinwood Road; thence Northerly along the centerline of Kinwood Road to its intersection with the South line of the Southeast Quarter of the Northwest Quarter of said Section 15; thence Westerly along said line to the West line of the East 264 feet of the West 724 feet of the South 330 feet of said quarter; thence Northerly along said line to the South line of the Plat of Kinwood Park as recorded in Volume 21 of Plats, Page 130 records of Thurston county, Washington; thence East along said South line of said plat to the Southwest corner of Lot 1 of said plat; thence North along the West line of said Lot and its extension to the North line of the private road as shown on said Plat; thence easterly along said north line and its extension to its intersection with the centerline of Kinwood Road; thence Northerly along the centerline of Kinwood Road to its intersection with the Southern boundary of the Plat of Greentree Place as recorded in Volume 16 of Plats, at Page 9, records of said county, extended to the East; thence Westerly along said extension and the Southern boundary of said plat and its extension to the West to the centerline of Carpenter Road; thence Northerly along said centerline to its intersection with the centerline of Martin Way; thence Easterly along the centerline of Martin Way to its intersection with the Southern extension of the Westerly line of Parcel C of Boundary Line Adjustment Number 872015, records of said county; thence Northerly along said extension and the Westerly line of said Parcel C to the Northwest corner of said Parcel; thence East, South, West, and South along the boundary of said Parcel C to the Northerly right-of-way line of Martin Way; thence Easterly along said right-of-way line to the Southwest corner of Parcel 2 of Boundary Line Adjustment Number 0533, records of said county; thence North, West, North, and East along the boundaries of Lots 1 and 2 of said BLA 0533 to the Westerly right-of-way line of Neil Street; thence Northerly along the Westerly right-of-way line of said Neil Street for 280 feet; thence Northeasterly to the Southwest corner of Lot 38 of the plat of Merkel Addition to Thompson Place Division Number 3, as recorded in Volume 13 of Plats, at Page 92, records of said county; thence Northerly along the Westerly boundary of the plots of said Merkel addition to Thompson Place Division Number 3, Merkel addition to Thompson Place Division Number 2, as recorded in Volume 13 of Plats, at Page 86, Warner Addition to Thompson Place Division 2, as recorded in Volume 13 of Plats, at Page 25, Warner Addition to Thompson Place Division 1, as recorded in Volume 13 of Plats, at Page 31, all which are records of said county; and the Northerly extension of the Westerly boundary of said Warner Addition to Thompson Place Division 1 to its intersection with the centerline of Interstate 5, which specific details are on file with the Washington State Department of Transportation, Olympia, Washington; thence Easterly along the said centerline of Interstate 5 to its intersection with the East West centerlines of said Sections 10 and 11; thence Easterly along said section centerlines to the Easterly boundary of the Plat of Beweys Place Addition to Thompson Place, as recorded in Volume 16 of Plats, at Pages 67 and 68, records of said county; thence Southerly and Westerly along said plat boundaries to the Northeast corner of the Plat of Solar Place as recorded in Volume 20 of Plats, at Page 85, records of said county; thence Southerly and Westerly along said plat boundaries to the Westerly boundary of the plat of Thompson Place Division 6, as recorded in Volume 16 of Plats, at Page 21, records of said county; thence Southerly along said plat boundaries and its extension to the centerline of Martin Way; thence Southwesterly along said centerline to a point that is 205 feet more or less from its intersection with the centerline of Kingham Street; thence Southerly along a line at 90 degrees to Martin Way to the plat boundary of School Way Subdivision as recorded in Volume 13 of Plats, at page 7, records of said county; thence Easterly along said plat boundary for 282.74 feet to the Northeast corner of said Plat; thence Southerly along the Easterly boundary of said plat to the Northwest corner of the Plat of Tanglewilde Division 12, as recorded in Volume 14 of Plats, at Page 103, records of said county; thence Easterly along the said plat boundary to the Northwest corner of the Plat of Tanglewilde Division 14, as recorded in Volume 17 of Plats, at Page 56, records of said county; thence Southerly, Easterly, Southerly, Southwesterly, Westerly, Southerly, Westerly, Southerly Easterly and Northerly along said plat boundary to the Northwest Corner of the Southwest Quarter of the Northeast Quarter of said Section 14; thence Easterly along the Northerly line of said Quarter to the Northeast Corner of the Southwest Quarter of the Northeast Quarter of said Section; thence Southerly along the East line of said Quarter to its intersection with the centerline of Stelocoom Road; thence Southwesterly along said centerline to its intersection with the East line of Tanglewilde Division 15, as recorded in Volume 17 of Plats, at Page 59, records of said county; extended southerly; thence Northerly, Westerly, Southerly, Westerly, Northerly, Westerly, Northerly, Westerly, Southerly, Westerly, Southerly, and its extensions of said plat to the centerline of said Stelocoom Road; thence Southwesterly along the centerline of said road to its intersection with the centerline of Pacific Avenue; thence Southwesterly along the centerline of Pacific Avenue to its intersection with the Northerly extension of the East line of Lot 3 of the Plat of Fleetwood Acres, as recorded in Volume 10 of Plats, at Page 5, records of said county; thence Southerly, Southwesterly, Northerly, and its extensions of said plat to its intersection with the centerline of Pacific Avenue; thence Southwesterly along said centerline to the point of beginning.

LEGEND
--- AREA PUD ALLOWED TO SERVE UNDER INTERGOVERNMENTAL AGREEMENT WITH CITY OF OLYMPIA.

NOTES
 1. THIS MAP IS NOT INTENDED TO REFLECT THE PUD'S SERVICE AREA BOUNDARY UNDER THE NORTH THURSTON COUNTY COORDINATED WATER SYSTEM PLAN.

City of Olympia

City Council

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

Approval of Stormwater Utility Easement for the City of Tumwater on the Brewery Wellfield Property Jointly Owned by the Cities of Lacey, Olympia and Tumwater

Agenda Date: 4/15/2014

Agenda Number: 4.F

File Number: 14-0298

File Type: contract

Version: 1

Status: Consent Calendar

..Title

Approval of Stormwater Utility Easement for the City of Tumwater on the Brewery Wellfield Property Jointly Owned by the Cities of Lacey, Olympia and Tumwater

..Recommended Action

Committee Recommendation:

Not referred by committee

City Manager Recommendation:

Move to grant and authorize the City Manager to sign an easement to the City of Tumwater for improvements to an existing stormwater outfall on a portion of the property jointly owned by the cities of Lacey, Olympia and Tumwater, known as the Brewery Wellfield site.

..Report

Issue:

Whether to grant an easement to the City of Tumwater for improvements to an existing stormwater outfall on property jointly owned by the Cities of Lacey, Olympia and Tumwater at the Brewery Wellfield.

Staff Contact:

Laura Keehan, Senior Planner, Public Works Water Resources, 360.753.8321

Presenter(s):

Not applicable

Background and Analysis:

The Cities of Lacey, Olympia and Tumwater jointly own property (18 acres), wells, and water rights at a location called the Brewery Wellfield, which is located along Cleveland Avenue in Tumwater. The cities are currently in the process of developing a preliminary engineering plan to determine the costs and options for delivering water from this site to the three cities.

The City of Tumwater has a stormwater outfall which crosses the property and needs to be upgraded to reduce erosion along the hillside and into the Deschutes River. They have received a grant to complete the design and construction work for this project. Part of the project will involve relocating and redesigning the stormwater outfall which will be within the boundaries of the jointly-owned property (see attachment). The City of Tumwater is requesting an easement from Lacey and

Agenda Date: 4/15/2014

Agenda Number: 4.F

File Number: 14-0298

Olympia to complete work on this project. The City of Lacey is scheduled to consider the request next.

The easement is outside the area that is likely to include potential future drinking water facilities or municipal drinking water wells. Terms of the easement make it clear that the City of Tumwater will take full responsibility for the ongoing maintenance and liability associated with this stormwater facility.

Neighborhood/Community Interests (if known):

None known.

Options:

1. Grant the easement. If the easement is granted, the City of Tumwater will proceed with building a stormwater facility in the easement area.
2. Do not grant the easement.
The City of Tumwater would not be able to construct the stormwater facility. Stormwater would continue to runoff from Cleveland Avenue negatively affecting water quality in the Deschutes River.

Financial Impact:

None.

When Recorded Mail To:

City of Tumwater
555 Israel Road SW
Tumwater, WA 98501
Attn: Dan Smith/Public Works Dept., Engineering Division

STORMWATER UTILITY EASEMENT

Grantors: CITY OF LACEY, a Washington Municipal Corporation
CITY OF OLYMPIA, a Washington Municipal Corporation
CITY OF TUMWATER, a Washington Municipal Corporation
Grantee: CITY OF TUMWATER, a Washington Municipal Corporation
Abbreviated Legal: Ptn of Parcel B BLA-05-7481 TW (actual legal on Exhibits A & B)
Assessor's Tax Parcel ID#: 09470003001

For and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the CITY OF LACEY, the CITY OF OLYMPIA and CITY OF TUMWATER ("Grantors"), as joint owners of that certain real property (the "Property") located in Tumwater, Washington, legally described on attached Exhibit A, and depicted on Exhibit B, grant unto the CITY OF TUMWATER, a municipal corporation ("Grantee") for the purposes hereinafter set forth a permanent easement under, across and over that real Property.

1. Purpose. Grantee and its agents, designees and/or assigns shall have the right, with prior notice to Grantor whenever possible, to enter upon the Property to inspect, design, construct, reconstruct, operate, maintain, repair, replace, remove, grade, excavate, and enlarge all stormwater runoff treatment, detention, infiltration and conveyance facilities and all appurtenances thereto ("Facilities").

2. Access. Grantee shall have the right of access to the Easement over and across the Property to enable Grantee to exercise its rights hereunder by utilizing the improved driveway off Cleveland Avenue to the Property, or by any other method mutually agreeable to Grantor and Grantee.

3. Obstructions; Landscaping. Grantee may from time to time remove vegetation, trees, or other obstructions within the Easement, and may level and grade the Easement to the extent reasonably necessary to carry out the purposes set forth herein, provided, that following any

such work, Grantee shall restore the Easement to a condition similar to its condition prior to such work. Following the installation of the Facilities, Grantors may undertake any ordinary improvements to the landscaping of the Easement, provided that Grantors shall not place trees or other plants in that Easement that would be unreasonably expensive or impractical for Grantee to remove and restore. Vegetation with aggressive root systems that could be a problem for underground infrastructure shall not be used.

4. Grantor's Use of Easement. This Easement shall be non-exclusive. Grantors reserve the right to use the Easement for any purpose not inconsistent with Grantee's rights provided: further, that Grantors shall not construct or maintain any buildings or other structures on the Easement, that Grantors shall not perform grading or other forms of construction activity on the Property that would alter the functioning of the Facilities, and that Grantors shall not blast within fifteen (15) feet of the Easement.

5. Indemnification. Grantee agrees to indemnify, defend, and hold Grantors, their elected officials, officers, employees, agents, and volunteers harmless from any and all claims, demands, losses, actions and liabilities (including costs and reasonable attorney fees) to or by any and all persons or entities, including, without limitation, their respective agents, licensees, or representatives, arising from, resulting from, or connected with this Easement.

6. Other Considerations. Grantee shall remain the responsible party for the continued operation and maintenance of said stormwater facilities, including treatment and disposal of any hazardous wastes associated with stormwater treatment or spills, any improvements to the easement for aesthetic purposes, any activities necessary to provide continued stormwater runoff treatment and conveyance, as well as other, non-essential stormwater utility functions such as maintaining vegetated screens and other grounds maintenance. Grantee shall obtain all necessary permits for the construction, operation, and maintenance of said stormwater utilities, and Grantee shall be the solely responsible for compliance with said permits.

7. Successors and Assigns. The rights and obligations of the parties shall inure to the benefit of and be binding upon their respective successors in interest, heirs and assigns.

** * * Signatures Appear on the Following Pages * * **

DATED THIS _____ day of _____, 2014.

GRANTOR

GRANTOR

CITY OF LACEY

CITY OF OLYMPIA

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

On this day personally appeared before me _____, to me known to be the _____ of the _____ that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument and that the seal affixed, if any, is the corporate seal of said corporation.

On this day personally appeared before me _____, to me known to be the _____ of the _____ that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument and that the seal affixed, if any, is the corporate seal of said corporation.

GIVEN my hand and official seal this _____ day of _____, 2014.

GIVEN my hand and official seal this _____ day of _____, 2014.

(typed/printed name of notary)

(typed/printed name of notary)

Notary Public in and for the State of Washington.
My commission expires _____

Notary Public in and for the State of Washington.
My commission expires _____

**Accepted and Approved:
CITY OF LACEY**

**Accepted and Approved:
CITY OF OLYMPIA**

Scott Spence, City Manager

Steven R. Hall, City Manager

Date

Date

Approved as to form:

Approved as to form:

City Attorney


City Attorney (ACA)

GRANTOR / GRANTEE

Pete Kmet

CITY OF TUMWATER

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

On this day personally appeared before me Pete Kmet to me known to be the Mayor of the City of Tumwater that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument and that the seal affixed, if any, is the corporate seal of said corporation.



GIVEN my hand and official seal this 7th day of March, 2014.

Melody R. Valiant

(Typed/printed name of notary)

Notary Public in and for the State of Washington.
My commission expires 04-23-2014.

**Accepted and Approved:
CITY OF TUMWATER**

John Doan

John Doan, City Administrator

3/7/2014

Date

Approved as to form:

[Signature]

City Attorney

**EXHIBIT A
LEGAL DESCRIPTIONS**

**PARCEL NO. 09470003001
THE CITIES OF LACEY, OLYMPIA AND TUMWATER**

LEGAL DESCRIPTION OF PROPERTY

Tract 1 as described in Exhibit A of Superior Court Cause No. 06-2-00310-9 Stipulation for and Judgment and Decree of Appropriation as recorded under Thurston County Auditor's File No. 4052797.

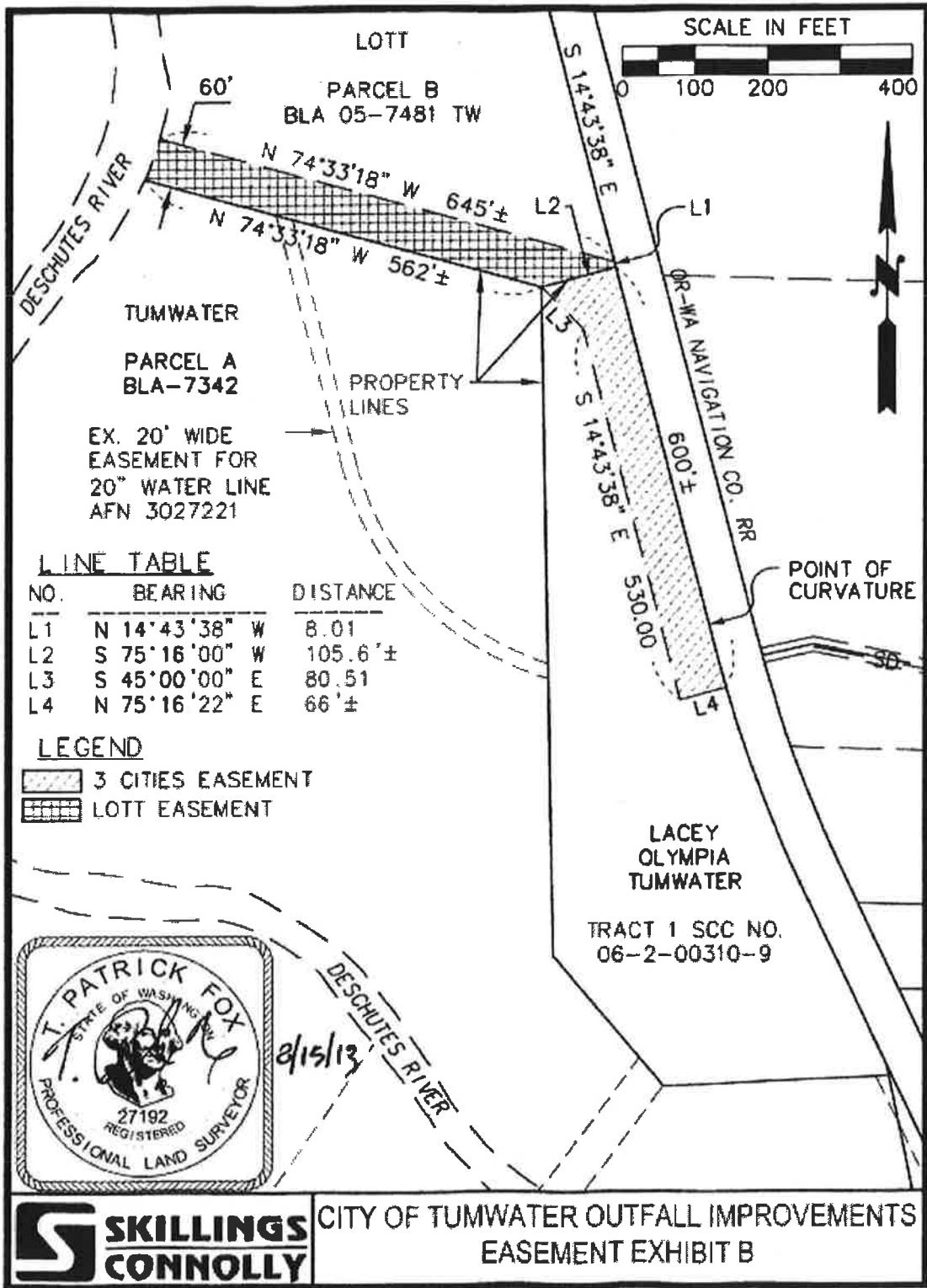
LEGAL DESCRIPTION OF EASEMENT

That portion of Tract 1 as described in Exhibit A of Superior Court Cause No. 06-2-00310-9 Stipulation for and Judgment and Decree of Appropriation as recorded under Thurston County Auditor's File No. 4052797, said portion is described as follows:

That portion of said Tract 1 described as beginning at the northeast corner of said Tract 1; thence, along the north line of said Tract 1, South 75°16' West 105.6 feet, more or less, to the northwest corner of said Tract 1; thence South 45° East 80.51 feet to a point 65.00 feet westerly of, when measured perpendicular from, the east line of said Tract 1; thence, parallel with the tangent portion of said east line and the southerly extension thereof, South 14°43'38" East 530.00 feet; thence North 75°16'22" East 66 feet more or less to said east line; thence northerly along said east line 600 feet more or less to the point of beginning.



8/15/2013



City of Olympia

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

City Council

Approval of Intergovernmental EMS Contract for Paramedic Services with Thurston County

Agenda Date: 4/15/2014

Agenda Number: 4.G

File Number: 14-0331

File Type: contract

Version: 1

Status: Consent Calendar

..Title

Approval of Intergovernmental EMS Contract for Paramedic Services with Thurston County

..Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the Interlocal EMS Contract for the Mayor's signature .

..Report

Issue:

Changes in the number of paramedics at Olympia Fire Department necessitates a change in the Intergovernmental EMS Contract.

Staff Contact:

Greg Wright, Deputy Fire Chief, 360.753.8466

Presenter(s):

Greg Wright, Deputy Fire Chief

Background and Analysis:

The City of Olympia has had a contract with Thurston County (Medic One) to provide paramedic services for nearly 40 years. The contract language specifically ties the reimbursement to the City to the number of paramedic FTE's being employed. The language specifies 7 paramedics at 100% or 8 paramedics at 90% or 9 paramedics at 80% for each paramedic unit, Medic 4 and Medic 10. The City makes up the difference allowing the City to employ paramedic firefighters at reduced cost per FTE. The arrangement has served both parties and the citizens of Olympia and Thurston County well, The contract as is currently written specifies the number of FTE's.

In 2014 the Olympia Fire Department has experienced and will continue to experience a number of retirements and promotions changing the number of paramedics. Each time this happens the contract in its current form needs to be reopened and changed. This requires a significant amount of staff time, legal time for review, City Council and Board of County Commissioners time. Last year when one such change was made the question was asked, "why not create a contract that had more flexibility?" At the time it

Agenda Date: 4/15/2014

Agenda Number: 4.G

File Number: 14-0331

was decided not to make the changes but with the number of paramedic retirements and promotions expected by Olympia Fire Department in 2014, it has been decided to change the contract once to create the flexibility needed rather than reopen the contract each time there is a change in the number of paramedics.

The way the percentages are tied to the number of FTE's creates a situation where the cost to the County is essentially the same no matter the number of paramedic FTE's. The City needs flexibility to invoice for a changing number of paramedic FTE's so that revenue received matches the revenue budgeted for 2014. Approving this agreement provides the needed flexibility and assures that the City receives the appropriate reimbursement. It does not appreciably affect the County financially and saves all parties significant staff, legal and elected official time.

Neighborhood/Community Interests (if known):

N/A

Options:

Approve the Interlocal EMS Contract for Paramedic Services for the Mayor's signature.

Financial Impact:

None if passed. Passage assures that the City of Olympia is able to recover fully the budgeted cost of providing paramedic services.

INTERGOVERNMENTAL EMS CONTRACT

THIS CONTRACT is made and entered into in duplicate originals this day by and between the **COUNTY OF THURSTON**, a municipal corporation, hereinafter referred to as the 'COUNTY' and the **CITY OF OLYMPIA**, a municipal corporation, hereinafter referred to as the 'AGENCY';

WHEREAS, Chapter 39.34 RCW authorizes local governments to enter into agreements for joint and cooperative undertakings; and

WHEREAS, regulations over the provision of emergency medical services include Chapters 18.71, 18.73, 70.168 RCW and Chapter 246-976 WAC; and

WHEREAS, RCW 70.168.120 authorizes the County to establish local emergency care councils; and

WHEREAS, Thurston County Medic One is supported by a county wide levy in order to provide county wide emergency medical services as provided by law; and

WHEREAS, certain local agencies have the resources including human resources available to provide such services at the requisite level of quality and training; and

WHEREAS, the COUNTY desires to have the AGENCY perform emergency medical services as hereinafter set forth; requiring specialized skills and other supportive capabilities; and

WHEREAS, sufficient COUNTY resources are not available to provide such services; and

WHEREAS, the AGENCY represents that it is qualified and possesses sufficient skills and the necessary capabilities, including technical and professional expertise where required, to perform the services set forth in this Contract;

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

I. SERVICES

- A. The AGENCY shall perform such services and accomplish such tasks, as are identified and designated as AGENCY responsibilities throughout this Contract and as detailed in Exhibit "A" attached hereto and made a part hereof.
- B. The COUNTY shall purchase and provide all materials and equipment necessary for the full performance of this Contract by AGENCY except as provided in Paragraph IV.E. of this Contract.
- C.1. The COUNTY, through the Thurston County Emergency Medical Services Fund, shall provide the AGENCY with vehicles designed and equipped to furnish emergency medical services as required by law, twenty-four (24) hours a day, seven (7) days a week. AGENCY agrees to maintain said vehicles at all times so that they meet the following standards: State of Washington Department of Health; Office of Emergency Medical Services and Trauma Systems as contained in Chapter 18.73, Chapter 18.71 and Chapter 70.168 RCW; and all applicable Washington Administrative Codes and regulations in effect at the time of this Contract as written and hereafter amended. AGENCY agrees that such vehicles will at all times be equipped with equipment necessary to provide the services

contemplated by this Contract. Said vehicles and equipment shall remain the property of the COUNTY.

C.2 In lieu of a County vehicle, the AGENCY may provide a mutually acceptable vehicle for which the COUNTY shall reimburse the AGENCY \$25.00 per day for each day said vehicle is in use as the paramedic response vehicle. "Use" is defined as: in working order, and available for use by the AGENCY.

C.3. The COUNTY may, with the approval of the AGENCY, provide the AGENCY with an additional vehicle designed and equipped to furnish emergency medical services as required by law. The AGENCY duties set out in Section I.C.1. and Exhibit "A." II.B. 1-4 of this Contract shall also apply to any such additional vehicle. Such vehicle and equipment shall also remain the property of the COUNTY.

II. EFFECTIVE DATE; DURATION

The term of this Contract and the performance of the AGENCY shall commence on January 1, 2014. This Contract will terminate on December 31, 2016. This agreement replaces all prior interlocal agreements regarding the subject matter contained in this agreement. This Contract may be extended or terminated upon mutual agreement between the parties hereto and pursuant to the terms and conditions herein.

III. THE EMERGENCY MEDICAL SERVICES SYSTEMS COUNCIL

A. The AGENCY and the COUNTY shall coordinate the services described in Exhibit "A" through the Emergency Medical Services Council (EMS Council).

B. The EMS Council is formally established by Thurston County Board of Commissioners Resolution No. 6131, and the EMS Council is recognized by the Washington State Department of Health.

C. The EMS Council shall advise the AGENCY and the COUNTY with regard to the formulation and implementation of an Emergency Medical Services System consistent with State and Federal guidelines. The EMS Council is not a party to this Contract, and nothing herein shall serve to create third party rights in favour of the EMS Council, or any other person, or entity not specifically identified as a party to this Contract.

IV. COMPENSATION AND METHOD OF PAYMENT

A. No payment by the COUNTY shall be made for any service rendered by AGENCY except for services identified and set forth in this Contract.

B. The COUNTY shall reimburse the AGENCY in twelve (12) monthly payments for the cost of paramedical services performed under this contract in an amount equivalent to actual costs of either 80 percent (80%) of said costs for the 9-medical or 90 percent (90%) of said costs for the 8-medical or 100 percent (100%) of said cost for the 7-medical paramedic unit known as "Medic 4" and either 80 percent (80%) of said costs for the 9-medical or 90 percent (90%) of said costs for the 8-medical or 100 percent (100%) of said cost for the 7-medical paramedic unit known as "Medic 10." The COUNTY will be notified 30 days in advance for any staffing modifications to Medic 10 unit that affect this reimbursement formula. In addition, the AGENCY may promote and be reimbursed for up to one (1) Emergency Medical Services Officer (EMSO) at the actual rank but no higher than Captain. Said EMSO will be a response paramedic within the staffing allocation described herein and reimbursed at the

rate described for the staffed unit to which he/she is assigned. For the purposes of this paragraph of this Contract cost of "paramedical services" will be limited to the following:

1. SALARIES AND BENEFITS: At a minimum, the equivalent cost of the salaries and all other monetary benefits for fourteen (14) ALS certified paramedic personnel, but not to exceed the actual equivalent cost of the salaries and all other monetary benefits paid to or for the benefit of the paramedics assigned by the AGENCY, up to a maximum equivalent of eighteen (18) paramedic personnel that includes an EMSO as assigned by the AGENCY.
 2. Paramedics' Uniform and Clothing Maintenance Allowance.
 3. Overtime in an amount equivalent to 8 percent (8%) of projected annual base wages for nine (9) ALS certified paramedic personnel (9 Firefighter/Paramedic wage X 8% X 80%= Overtime Allotment) or eight (8) ALS certified paramedic personnel (8 Firefighter/Paramedic wage X 8% X 90%= Overtime Allotment) or seven (7) ALS certified paramedic personnel (7 Firefighter/Paramedic wage X 8% X 100%=Overtime Allotment) matching the staffing level of this section) for Medic 4 Unit and 8 percent (8%) of projected annual base wages for nine (9) ALS certified paramedic personnel (9 Firefighter/Paramedic wage X 8% X 80%= Overtime Allotment) or eight (8) ALS certified paramedic personnel (8 Firefighter/Paramedic wage X 8% X 90%= Overtime Allotment) or seven (7) ALS certified paramedic personnel (7 Firefighter/Paramedic wage X 8% X 100%=Overtime Allotment) matching the staffing level of this section) for Medic 10 Unit.
 4. Overtime incurred by the AGENCY due to disability shall not have a maximum limitation and will be reimbursed at 100%. Disability overtime shall be designated and claimed separate from overtime as specified (in paragraph IV.B.3.) above. The AGENCY shall maintain physician documentation of disability that resulted in disability overtime scheduling.
 5. Overtime for backfill (except as required in Exhibit A, paragraph II.A. of this Contract), special event (paragraph IV.E of this Contract) or paramedic disability (paragraph IV.B.4 of this Contract) may be filled by a firefighter at a lower wage, at the discretion of the AGENCY. Reimbursement for said firefighter to fill the opening may be requested by the AGENCY.
- C. The AGENCY shall submit to the Thurston County Medic One Office, an invoice executed in accordance with Exhibit "B" and Exhibit "C" attached hereto and made a part hereof, on or about the last day of the month following the close of each pay period identified in Section IV.B. of this Contract.
- D. The COUNTY shall initiate authorization for payment after receipt of the invoice required in Subsection IV.C. and receipt of any required periodic reports identified in Exhibit "A", Section II.B.6., of this Contract and shall make payment to the AGENCY within thirty (30) days thereafter.
- E. The COUNTY shall reimburse the AGENCY 100 percent (100%) for expenses incurred by the AGENCY as set forth in Exhibit "A" Section II.B.3. and Section II.B.4. of this Contract and for other services rendered at the direction of the COUNTY, except for paramedic services.

- F. The COUNTY shall reimburse the AGENCY 100 percent (100%) for the purchase, under emergency conditions, of equipment/supplies necessary for performance of this Contract.

The AGENCY shall submit to the Thurston County Medic One Office, an invoice executed in accordance with Exhibit "B" attached hereto and made a part hereof, on or about the last day of the month following month of purchase.

- G. The COUNTY shall pay for Hepatitis B vaccines for new hire paramedics, if not previously vaccinated. The AGENCY shall be responsible for scheduling the vaccination series for each paramedic, including follow-up testing to ensure the vaccine was successful. Results of follow-up testing shall be provided to Medic One.

If the vaccine is not successful, the COUNTY shall pay for another series of shots. If the series of shots has to be restarted due to the failure of a paramedic to obtain the shots on schedule, other than when a medical condition precludes the timely completion of the vaccination series, the AGENCY shall pay for the second vaccine procedure.

If a paramedic refuses vaccine, a signed release completed by the AGENCY must be provided to Medic One. Vaccine or signed release must be initiated within three (3) months of hire and documentation provided to Medic One.

- H. The COUNTY shall reimburse the AGENCY 50 percent (50%) of the cost for four (4) self-contained breathing apparatus (SCBA), to be placed in the primary Medic One vehicles operated by the AGENCY pursuant to paragraph I C.1, or C.2. The AGENCY shall be responsible for the routine maintenance of the SCBA. It is agreed that the anticipated normal service life of the SCBA is five (5) years if subjected to normal wear and tear. In the event that the SCBA is subjected to extensive damage beyond normal wear and tear, and part or all needs to be replaced prior to the anticipated five year service life, such replacement shall be paid on the basis of 50 percent (50%) by the COUNTY and 50 percent (50%) by the AGENCY.

- I. The COUNTY shall reimburse the AGENCY 80 percent (80%) of the cost of protective clothing for each new paramedic hired. The AGENCY shall maintain and replace the protective clothing due to normal wear and tear. If the protective clothing ensemble is destroyed or damaged beyond what can be considered normal wear and tear while conducting paramedic services, and requires replacement sooner than normally expected, the COUNTY shall reimburse the AGENCY 80 percent (80%) of the cost of such replacements. The COUNTY will reimburse 100 percent (100%) of the cost of AGENCY required ballistic body armor for personnel under this Contract. The AGENCY agrees to provide protective clothing which meets or exceeds the following standards:

*NFPA Standard 1973, 1993 Edition
*NFPA 1972, 1992 Edition

*MII-B-2885
*WAC 296-976

*NFPA 1971, 1991 Edition
*WAC 296-305

- J. The COUNTY shall reimburse the AGENCY 80 percent (80%) of the cost of the pre-employment medical and psychological exam given to a paramedic candidate hired to fill a vacancy.

- K. The COUNTY shall reimburse the AGENCY for laundry expenses directly associated with providing paramedic personnel to meet contractual obligations (i.e., linens, bedding, coveralls). Reimbursement is based on the following formula: *The product of total laundry costs multiplied by the ratio of paramedics to operations division personnel multiplied by 80%.*

- L. The COUNTY shall reimburse the AGENCY a total of \$7,056.00 annually for fire station building space dedicated to the Medic 4 and Medic 10 vehicle and backup vehicle(s). Reimbursement is based on the following formula for each unit's footprint and required set backs as follows: *392 square feet (22 feet by 8 feet, and 3 foot set backs on all sides) x \$0.50 per square foot x 3 vehicles X 12 months). Maximum annual payment is \$7,056.00.*
- M. The COUNTY shall reimburse the AGENCY 100 percent (100%) for overtime costs incurred by paramedics while attending the Medical Program Director's required monthly "in-service" lecture/run review, and when required by the Medical Program Director to attend the "skill lab" provided through the Harborview Paramedic Training Program.
- N. The COUNTY shall reimburse 80 percent (80%) of the costs of biannual medical exams and annual audiometric testing for paramedics if the AGENCY provides such testing to their firefighting personnel.
- O. The COUNTY shall initiate authorization for payment after receipt of the AGENCY'S invoice required in Section IV.C., Section IV.E., and Section IV.F. of detailing reimbursement of eligible costs under this Contract and shall make payment to the AGENCY within thirty (30) days thereafter. The AGENCY shall provide appropriate documentation of requested costs.
- P. The COUNTY shall be responsible for the initial purchase, repair and replacement of ALS dispatch system printer(s) or dispatch FAX equipment. The AGENCY shall be responsible for the provision of transmission lines and any supplies necessary for the operation of this equipment.
- Q. The COUNTY shall reimburse the AGENCY \$2,520.00 annually for fire station office space dedicated for paramedic use, at two (2) fire stations. Reimbursement is based on the following formula: *100 square feet x \$15.75 per square foot x 2 offices x 80%, per year.*
- R. The COUNTY shall provide the AGENCY an annual reimbursement of \$30,000.00 to offset costs associated with managing the MEDIC 4 and MEDIC 10 paramedic units in the MEDIC 4 and MEDIC 10 paramedic zones.

V. ESTABLISHMENT AND MAINTENANCE OF RECORDS

- A. The AGENCY agrees to maintain books, records and documents and accounting procedures and practices which accurately reflect all direct and indirect costs related to the performance of this Contract. Such fiscal books, records, documents, reports and other data shall be maintained in a manner consistent with the "Budgeting, Accounting, Reporting System for Counties and Cities, and Other Local Governments," referred to as "BARS," as issued by the Office of the State Auditor, State of Washington.

The AGENCY further agrees that the COUNTY and/or State/Federal officials shall have the right to monitor and audit at their own expense the fiscal components of the AGENCY to ensure that actual expenditures remain consistent with the terms of this Contract.

- B. The AGENCY shall retain all books, records, documents and other material relevant to this Contract for at least three (3) years after its expiration. The AGENCY agrees that the COUNTY or its designee shall have full access and right to examine any of said materials at all reasonable times during said period.
- C. The AGENCY'S fiscal management system shall include the capability to provide accurate, current and complete disclosure of the financial status of this Contract upon request.

VI. STANDARDS FOR PARAMEDIC TRAINING

The AGENCY shall require each paramedic operating a COUNTY vehicle to be trained as prescribed in WAC 246-976. The AGENCY shall, upon completion of the initial training and renewal every three years, thereafter provide the COUNTY documentation that each paramedic is in compliance with the aforementioned training standard.

VII. ASSIGNMENT/SUBCONTRACTING

- A. The AGENCY shall not assign any portion of this Contract without the written consent of the COUNTY, and it is further agreed that said consent must be sought in writing by the AGENCY not less than fifteen (15) days prior to the date of any proposed assignment.
- B. Any work or services assigned hereunder shall be subject to each provision of this Contract and proper bidding procedures where applicable as set forth by local, State and/or Federal statutes, ordinances and guidelines.
- C. Any technical/professional service subcontract not listed in this Contract, must have express advance approval by the COUNTY.

VIII. FUTURE SUPPORT

The COUNTY makes no commitment to future support and assumes no obligation for future support of the activity contracted for herein, except as may be expressly set forth in this Contract. All compensation methods and formulas shall be reviewed for appropriateness each contract period.

It is the expressed desire of the AGENCY to assure that the basic compensation formula (IV.B.) and any other methods and formulas in general, shall be made a part of any future contract negotiations. The AGENCY makes no commitment to future support and assumes no obligation for future support of the activity contracted for herein, except as may be expressly set forth in this Contract.

IX. COMPLIANCE WITH LAWS

The parties, in performance of this Contract, agrees to comply with all applicable local, State and/or Federal laws and ordinances, including standards for licensing, certification and operation of facilities, programs and accreditation, and licensing of individuals and any other standards or criteria as described in this Contract to assure quality of services.

X. NON-DISCRIMINATION IN EMPLOYMENT AND SERVICES

- A. The COUNTY and the AGENCY are equal opportunity employers.
- B. The AGENCY agrees that it shall not discriminate against any employee or applicant on the grounds of race, color, religion, sex, sexual orientation, national origin, creed, marital status, age, veteran status, or the presence of any disability; provided that the prohibition against discrimination in employment because of disability shall not apply if the particular disability prevents the particular worker involved from performing the occupational requirements of the job. The AGENCY shall take such action with respect to this Contract as may be required to ensure full compliance with state and federal law.

- C. The AGENCY shall not, on the grounds of race, color, sex, sexual orientation, religion, national origin, creed, marital status, age, veteran status or the presence of any disability deny any individual any services or other benefits provided under this Contract.

XI. RELATIONSHIP OF PARTIES

- A. The parties agree that an independent contractor relationship is created by this Contract. No agent, employee, servant or representative of the AGENCY shall be deemed to be an employee, agent, servant or representative of the COUNTY for any purpose, and the employees of the AGENCY are not entitled to any of the benefits the COUNTY provides for COUNTY employees. The AGENCY shall be solely and entirely responsible for its acts and for the acts of its agents, and employees during the performance of this Contract.
- B. The COUNTY will not exercise control and direction over the work of the AGENCY, and is interested primarily in the results to be achieved. However, the services contemplated herein must meet the general approval of the COUNTY and shall be subject to the COUNTY'S general rights of inspection and review to secure the satisfactory completion hereof.
- C. In the event that any of the AGENCY'S employees or agents, carry on activities or conduct themselves in any manner which may jeopardize the funding of this Contract, the AGENCY shall be responsible for taking adequate measures to prevent said employee or agent from performing or providing any of the services contained in this Contract.
- D. Communications between the AGENCY and the COUNTY shall be addressed to the regular place of business:

THURSTON COUNTY
c/o MEDIC ONE ADMINISTRATOR
THURSTON COUNTY MEDIC ONE
2703 PACIFIC AVE SE, SUITE C
OLYMPIA, WA 98501

CITY OF OLYMPIA
c/o FIRE CHIEF
POST OFFICE BOX 1967
OLYMPIA, WA 98507-1967

- E. In the event that the COUNTY the AGENCY individually or collectively with other AGENCIES providing paramedic services under this contract have reached an impasse regarding a material portion of this contract, the COUNTY and the AGENCY/AGENCIES may mutually agree to seek the services of a neutral third party for the purposes of fact finding and resolution recommendation regarding the specifics of the impasse. The neutral third party entity shall be mutually agreed upon by all parties prior to engagement of the neutral third party entity. Further, all parties shall agree to the purpose for which the neutral third party entity shall be engaged and said purpose will be reduced to writing and signed by all parties. The recommendation of the third party shall be considered a non-binding recommendation. The cost of neutral third party fact finding services and recommendation shall be borne equally by all parties involved.

XII. POLITICAL ACTIVITY PROHIBITED

None of the funds, materials, property or services provided directly or indirectly under this Contract shall be used for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition.

XIII. INDEMNIFICATION; HOLD HARMLESS

- A. All services to be rendered or performed under this Contract shall be performed or rendered entirely at the AGENCY'S own risk and the AGENCY expressly agrees to indemnify and hold harmless the COUNTY and all of its officers, agents, employees, or otherwise, from any and all liability, loss or damage including reasonable costs of defense that they may suffer as a result of claims, demands, actions, or damages to any and all persons or property, costs or judgments against the COUNTY or any person which result from or arise out of the services to be performed by the AGENCY under this Contract; provided, this section shall not apply to liability resulting exclusively from errors or omissions of the COUNTY, its officers, or employees.
- B. The COUNTY expressly agrees to indemnify and hold harmless the AGENCY and all of its officers, agents, employees, or otherwise, from any and all liability, loss or damage including reasonable costs of defense that they may suffer as a result of claims, demands, actions, or damages to any and all persons or property, costs or judgments against the AGENCY which result from or arise out of the failure of products or equipment provided by the COUNTY to the extent such failure results from the negligence of the COUNTY, or the services to be performed by the AGENCY as a result of acting under the express and negligent direction or control of a COUNTY agent or representative, excluding the Medical Program Director or any other medical doctor.
- C. In the event that a claim and/or lawsuit is brought against a party to this Agreement, or against any party's officers, officials or employees for actions arising out of their conduct in responding to a request for assistance, it shall be the duty of each such party to promptly notify the other parties that actually responded to the event which is the subject of such claim or lawsuit that the same has been initiated.

XIV. INSURANCE

- A. The COUNTY shall for the duration of this CONTRACT, self-insure or provide insurance coverage for vehicle damage to all vehicles provided under Section I.C. of this Contract.
- B. The AGENCY shall maintain the following coverage and conditions for which the COUNTY shall reimburse the AGENCY for the premium expense:
 - 1. Professional Legal Liability:
The AGENCY shall maintain Professional Legal Liability or Professional Errors and Omissions coverage appropriate to the AGENCY'S profession. The policy shall be written subject to limits of not less than \$2,000,000.00 per loss. The coverage shall apply to liability for a professional error, act or omission arising out of the scope of the AGENCY'S services defined in this Contract. Coverage shall not exclude bodily injury or property damage. Coverage shall not exclude hazards related to the work rendered as part of the Contract or within the scope of the AGENCY'S services as defined by this Contract including testing, monitoring, measuring operations or laboratory analysis where such services are rendered as part of the Contract.
 - 2. Commercial General Liability:
The AGENCY shall maintain Commercial General Liability coverage or equivalent form with a minimum limit of \$2,000,000.00 combined single limit per occurrence for bodily injury, personal injury and property damage. The general aggregate limit shall apply separately to this Contract or be no less than \$5,000,000.00. Specialized forms specific to the industry of the AGENCY shall be deemed equivalent provided coverage is no more restrictive than would be provided under a standard commercial general liability policy, including contractual liability coverage.

3. **Business Automobile Liability:**
The AGENCY shall maintain Business Automobile Liability insurance or equivalent form with a limit of not less than \$2,000,000.00 each accident combined bodily injury and property damage. Coverage shall include owned, hired and non-owned automobiles.
4. **Worker's Compensation:**
The AGENCY shall maintain Worker's Compensation insurance as required by the Revised Code of Washington Chapter 51 and shall provide evidence of coverage to the Thurston County Risk Management Office.
5. **Verification of Coverage and Acceptability of Insurers:**
The AGENCY shall furnish the COUNTY with properly executed certificates of insurance or a signed policy endorsement which shall clearly evidence all insurance required in this section prior to commencement of services. The certificate shall provide that the underlying insurance contract shall not be cancelled, allowed to expire, or be materially reduced in coverage except on thirty (30) days prior written notice to the COUNTY. Any certificate or endorsement limiting or negating the insurer's obligation to notify the COUNTY of cancellation or changes shall be altered so as not to negate the intent of this provision.
 - (a) Written notice of cancellation or change shall be mailed to the COUNTY at the following address:

Thurston County Department of Human Resources
Attn: Thurston County Risk Manager
2000 Lakeridge Drive SW
Olympia, Washington 98502-6045
 - (b) The AGENCY or their broker shall provide a copy of any and all insurance policies specified in this Contract upon request of the Thurston County Risk Management Office.
 - (c) The AGENCY shall maintain all required policies in force from the time services commence until services are completed. Certificates, policies, and endorsements expiring before completion of services shall be promptly replaced.
 - (d) The AGENCY shall place insurance with insurers licensed to do business in the state of Washington and having A.M. Best Company ratings of no less than A:7 with the exception that excess and umbrella coverage used to meet the requirements for limits of liability or gaps in coverage need not be placed with insurers or re-insurers licensed in the State of Washington.
6. **Other Insurance Provisions:**
 - (a) The AGENCY'S liability insurance policies shall be primary with respect to any insurance or self-insurance programs covering the COUNTY, its elected officials, officers, employees, and agents.
 - (b) Any failure to comply with reporting provision of the policies shall not affect coverage provided to the COUNTY, its elected officials, officers and employees or agents.
 - (c) The AGENCY'S insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurers liability.

- (d) The insurance limits mandated for any insurance coverage required by this Contract are not intended to be an indication of exposure nor are they limitations on indemnification.
 - (e) The AGENCY shall meet all of the insurance requirements in Sections 5. and 6. by its participation as a member of the Washington Cities Insurance Authority, which includes contractual liability coverage.
- 7. The COUNTY shall reimburse the AGENCY 100 percent (100%) for the cost of medical malpractice insurance premiums.
 - 8. The COUNTY shall reimburse the AGENCY 100 percent (100%) for the cost of general and auto liability insurance premiums associated with this Contract.
 - 9. The Agency shall submit to the Thurston County Medic One office an invoice executed in accordance with Exhibit "B" attached hereto, no later than November 1st for reimbursement of the cost of insurance as described in Section XIV.B.1. and Section XIV.B.2. The AGENCY shall provide documentation with the invoice that supports the amount invoiced.
- C. In lieu of the insurance coverage in this section, the AGENCY may satisfy the requirements set forth in Subsection B, by proof of coverage afforded by the Washington Cities Insurance Authority (WCIA).

XV. TREATMENT OF ASSETS

- A. Title to all property furnished by the COUNTY shall remain in the name of the COUNTY.
- B. Title to all nonexpendable personal property and all real property purchased by the AGENCY, the cost of which the AGENCY is entitled to be reimbursed as a direct item of cost under this Contract, shall pass to and vest in the COUNTY.
- C.1. The COUNTY shall be responsible for any loss or damage to property of the COUNTY incurred in the performance of the Contract which results from:
 - (a) Normal wear and tear;
 - (b) Road hazards not reasonably foreseeable;
 - (c) As among the parties to this Contract, the negligence of a person not a party to this Contract;
 - (d) Theft and vandalism.
- C.2. Any other loss or damage to property of the COUNTY incurred in the performance of this Contract shall be borne in the following manner:
 - (a) The AGENCY having control of the property at the time of the loss or damage shall be responsible for the first \$500.00 of loss or damage.
 - (b) The COUNTY shall be responsible for the remainder.
- C.3. The AGENCY shall be responsible for any loss or damage to property of the COUNTY when such loss or damage results from:
 - (a) Wilful misconduct or negligence on the part of the AGENCY or it's employees.
 - (b) Unauthorized use of vehicle(s) or equipment by AGENCY employees that renders vehicle(s) or equipment provided by the COUNTY unavailable to meet the terms of this Contract.
- D. Upon the happening of any loss or destruction in excess of \$500.00 or damage to any COUNTY property, whether or not covered by Section XV.C. of this Contract, the AGENCY

shall take all reasonable steps to notify the Medic One Administrator, of such loss or damage within twenty four (24) hours and shall take all reasonable steps to protect that property from further damage. For any loss or damage in excess of \$500.00, the AGENCY shall, in a timely manner, or not to exceed thirty (30) days, submit a comprehensive written report to the Medic One Administrator detailing the events leading to the loss and the results of the investigation into the incident. For loss of less than \$500.00 a verbal notification followed by a written memo shall be required.

- E. The AGENCY shall surrender to the COUNTY all property of the COUNTY within fifteen (15) days after rescission, termination or completion of this Contract unless another date for surrender of said property is mutually agreed upon by the parties.

XVI. SUSPENSION, TERMINATION AND CLOSE-OUT

If the AGENCY fails to comply with the terms and conditions of this Contract, the COUNTY may pursue such remedies as are legally available including, but not limited to, the suspension or termination of this Contract in the manner specified herein.

- A. **Suspension:** If the AGENCY fails to comply with the terms of this Contract, or whenever the AGENCY is unable to substantiate full compliance with the provisions of this Contract, the COUNTY may suspend the Contract pending corrective action or investigation, after first allowing a reasonable period for the AGENCY'S cure. The COUNTY shall provide written notice of intent to suspend the Contract, and shall set forth the actions the AGENCY must take, and the time frame within which such action must occur to avoid suspension. If, following such reasonable period for cure the AGENCY fails to cure, the COUNTY may suspend the Contract pending corrective action or investigation by COUNTY employees or their agents. The effective date of suspension shall not be less than seven (7) days following written notification of suspension to the AGENCY. The suspension shall remain in full force and effect until the AGENCY has taken corrective action to the satisfaction of the COUNTY and is able to substantiate its full compliance with the terms and conditions of this Contract. No obligation incurred by the AGENCY during the period of suspension shall be allowable under the Contract except any reasonable, proper and otherwise allowable costs which the AGENCY could not avoid during the period of suspension. If the AGENCY has corrected its action(s) to the satisfaction of the COUNTY, the COUNTY shall immediately notify the AGENCY in writing that the period of suspension has ended, and shall specify the effective date of the end of such suspension.
- B. **Termination for Cause by County:** If the AGENCY fails to cure the non-compliance issues that resulted in a suspension of the Contract by the COUNTY, and any of the below-listed conditions exist, the COUNTY may terminate this Contract in whole or in part. If the COUNTY exercises its right to terminate the Contract, it shall notify the AGENCY in writing of the effective date of the termination, and shall set forth the reasons for termination. The COUNTY shall not give less than 21 days notice of intent to terminate the Contract. After the effective date of termination, no charges incurred by the AGENCY under any terminated portions of the Contract are allowable as against the COUNTY, except for any charges reasonably incurred or encumbered prior to the AGENCY receiving notice of intent to terminate.

Non-compliance, and one of the following conditions provides cause for termination:

1. The lack of compliance with the provisions of this Contract are of such scope and nature that the COUNTY deems continuation of this Contract to be substantially detrimental to the interests of the COUNTY;

2. The AGENCY has failed to take satisfactory action to correct non-compliance as directed by the COUNTY or its authorized representative within the time specified by same and as set forth in the request to cure notice in Section XVI A.
- C. Termination for Cause by Agency: In the event the COUNTY fails to comply with the terms and conditions of this Contract, the AGENCY shall give notice of such failure and allow a reasonable period for the COUNTY'S cure. Thereafter, in the event the COUNTY fails to cure, the AGENCY may terminate part or all of this Contract upon sixty (60) days written notice to the COUNTY.
- D. Termination for Other Grounds: This Contract may also be terminated in whole or in part as follows:
1. By either party with the mutual consent of the other party, in which case the two parties shall devise by mutual written agreement, the conditions of termination including the effective date thereof and in case of termination in part, that portion to be terminated;
 2. By the COUNTY, if the funds allocated by the COUNTY via this Contract are from anticipated sources of revenue, and if the anticipated sources of revenue do not become available for use in purchasing said services.
- E. Close-Out: In the event that this Contract is terminated in whole or in part for any reason, the following provisions shall apply:
1. Upon written request by the AGENCY, the COUNTY shall make or arrange for payment to the AGENCY of allowable reimbursable costs not covered by previous payments;
 2. The AGENCY shall immediately refund to the COUNTY any monies paid in advance for services not performed;
 3. The AGENCY shall submit, within thirty (30) days after the date of expiration of this Contract, all financial, performance and other reports required by this Contract;
 4. In the event a financial audit has not been performed prior to closeout of this Contract, the COUNTY retains the right to withhold a just and reasonable sum from the final payment to the AGENCY after fully considering the recommendations on disallowed costs resulting from the final audit.

XVII. JURISDICTION

- A. This Contract has been and shall be construed as having been made and delivered within the State of Washington, and it is agreed by each party hereto that this Contract shall be governed by the laws of the State of Washington, both as to interpretation and performance.
- B. Any action of law, suit in equity, or judicial proceeding for the enforcement of this Contract or any provisions thereof, shall be instituted and maintained only in any of the courts of competent jurisdiction in Thurston County, Washington.

XVIII. SEVERABILITY

- A. It is understood and agreed by the parties hereto that if any part, term or provision of this Contract is held by the courts to be illegal, the validity of the remaining provisions shall not be

affected, and the rights and obligations of the parties shall be construed and enforced as if the Contract did not contain the particular provision held to be invalid.

B. If it should appear that any provision hereof is in conflict with a statute of the State of Washington, said provision which may conflict therewith shall be deemed modified to conform to such statutory provision.

XIX. ENTIRE AGREEMENT

The parties agree that this Contract is the complete expression of the terms hereto and any oral representations or understandings not incorporated herein are excluded. This agreement replaces all prior interlocal agreements regarding the subject matter contained in this agreement. Further, any modification of this Contract shall be in writing and signed by both parties. Failure to comply with any of the provisions stated herein shall constitute material breach of contract and is cause for termination. Both parties recognize time is of the essence in the performance of the provision of this Contract. It is also agreed by the parties that the forgiveness of the non-performance of any provision of this Contract does not constitute a waiver of the provisions of this Contract.

DATED: _____

CITY OF OLYMPIA

Mayor

DATED: _____

BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington

Chair

Commissioner

Commissioner

ATTEST:

City Clerk

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:

JON TUNHEIM
PROSECUTING ATTORNEY

Darre Nienaber DCA

By: Olympia City Attorney

By: Rick Peters, Deputy Prosecuting Attorney

EXHIBIT A: SERVICES

I. SERVICE AREA

The following services shall be provided within Thurston County during the term of this Contract. The units will be known as "Medic 4" and "Medic 10." The normal paramedic service area will be the areas known as the "Medic 4 Olympia" zone and "Medic 10 West County" zone as described by the COUNTY. The AGENCY will be responsible to routinely station a unit within each zone and to provide service with the described paramedic unit within the Medic 4 (station O-4) and Medic 10 (station O-2) zones. The AGENCY is required to notify the COUNTY in writing at least 6 months prior to any change in Medic Unit station base location stated herein unless changed under special circumstances. The AGENCY will respond to other emergency paramedic dispatches/zones as a normal part of the integrated Thurston County Medic One system.

II. SERVICES

- A. The AGENCY shall provide four Thurston County approved and Washington State certified "Physician's Trained Mobile Intensive Care Paramedics" to staff two ambulances equipped to furnish emergency medical assistance twenty-four (24) hours a day, seven (7) days a week. The AGENCY shall provide advanced emergency medical services as prescribed by the State designated supervising physician.
1. The requirements for a "Physician's Trained Mobile Intensive Care Paramedic" are defined under Chapter 18.71.205 RCW and Chapter 246-976 WAC.
 2. The requirements for an equipped ambulance are defined under Chapter 18.73 RCW and Chapter 246-976 WAC.
 3. The authority of the State designated supervising physician is defined under Chapter 18.71.205 RCW and Chapter 246-976 WAC.
- B. The AGENCY and the COUNTY are responsible for supplies, purchasing and ambulance maintenance as follows:
1. The AGENCY shall purchase fuel, oil and other vehicle supplies for any vehicles provided under Section I.C. of this Contract. The AGENCY shall either be reimbursed by the COUNTY or forward bills to the COUNTY for payment directly to the Supplier; depending on the convenience of the COUNTY.
 2. The AGENCY shall maintain records of fuel and oil consumption and all maintenance and repairs of such vehicles.
 3. AGENCY shall accomplish routine maintenance which is servicing of such vehicles of at least minimum level of the written specifications as provided by the manufacturer of the vehicle and will be designated as the COUNTY'S EVT (Emergency Vehicle Technician) contract maintenance AGENCY to provide said maintenance and repairs to all Medic One vehicles. Reimbursement shall only be for services provided by other than paramedic personnel. The COUNTY'S maintenance provider shall be the COUNTY'S designated EVT maintenance agency or a mutually acceptable alternative. Services provided by the COUNTY'S EVT maintenance agency are listed on Exhibit A Attachment 1 "Designated EVT Maintenance Agency and Services" and a list of COUNTY vehicles to be serviced by the COUNTY'S EVT Maintenance Agency are listed

on Exhibit A Attachment 2 "Medic One EVT vehicles list." The AGENCY will request monthly reimbursement for one (1) FTE Master Mechanic EVT on Exhibit B.

4. The AGENCY shall provide repairs and maintenance of such vehicles other than routine as needed. Such services shall be coordinated with the COUNTY and the COUNTY shall be notified and must approve in advance, except under emergency conditions, any repair expected to exceed \$1,000.00. Request for payment shall be submitted to the COUNTY in a timely manner, not to exceed sixty (60) days after completion of work.
5. The AGENCY shall maintain approximately a thirty (30) day level of medical supplies and shall obtain new supplies from the COUNTY. The COUNTY shall reimburse the AGENCY \$1,440.00 annually for ALS supply storage space at two (2) fire stations. Reimbursement is based on the following formula: *120 square feet X \$0.50 per square foot 2 offices x 12 months*. The AGENCY shall keep records of medical supplies used in the thirty (30) day period and submit these records to the COUNTY on a monthly basis.
6. The AGENCY shall submit the patient care reporting data as required by the COUNTY'S current patient care data management system to the COUNTY within seventy two (72) hours of the EMS run.

City of Olympia

City Council

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

Approval of Interlocal Agreement between the City of Olympia and Thurston County Fire Protection District 8

Agenda Date: 4/15/2014

Agenda Number: 4.H

File Number: 14-0332

File Type: contract

Version: 1

Status: Consent Calendar

..Title

Approval of Interlocal Agreement between the City of Olympia and Thurston County
Fire Protection District 8

..Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve the Interlocal Agreement between the City of Olympia and Thurston
County Fire Protection District 8 for the Mayor's signature.

..Report

Issue:

The Fire Department's business plan for use of the Mark Noble Regional Fire Training
Center stresses opening the facility for use by other fire agencies for a fee. This
agreement with Thurston County Fire Protection 8 is one such opportunity to open the
facility and generate revenue.

Staff Contact:

Greg Wright, Deputy Fire Chief
360.753.8466

Presenter(s):

Greg Wright, Deputy Fire Chief

Background and Analysis:

The Fire Department's business plan for use of the Mark Noble Regional Fire Training
Center stresses opening the facility for use by other fire agencies for a fee. This
agreement with Thurston County Fire Protection 8 is one such opportunity. The District
is mostly volunteer so the times that they would like to use the facility are primarily
evenings and weekends. There are members in the District that are trained to use
portions of our training facility while other parts of the training will require Olympia
approved and furnished instructors. This agreement covers all of the legal/liability
concerns, describes when and how the District can use the facility and the amount of
fees the Olympia Fire Department will invoice to the District.

This agreement was modeled after other such agreements that are already in place
for others to participate in fire training at the facility. There is sufficient time for all our

Agenda Date: 4/15/2014

Agenda Number: 4.H

File Number: 14-0332

contracted neighbors to use the facility without encroaching on the Olympia Fire Department use of the facility.

Neighborhood/Community Interests (if known):

No specific concern. The training facility is behind a manufacturing facility (Georgia Pacific) and retail outlet (Home Depot), there are no actual neighbors to the Fire Training Facility so evening or weekend training noise will not be an issue.

Options:

Approve the Interlocal Agreement between the City of Olympia and Thurston County Fire Protection District 8 for the Mayor's signature.

Financial Impact:

This agreement will bring \$3,500 per year in revenue to the Fire Training Facility.

**INTERLOCAL AGREEMENT
BETWEEN
THE CITY OF OLYMPIA AND THURSTON COUNTY FIRE PROTECTION
DISTRICT 8
FOR
TRAINING SERVICES AT THE CITY OF OLYMPIA MARK NOBLE REGIONAL
TRAINING CENTER**

1. This agreement for training services (“Agreement”) is between the City of Olympia (“OLYMPIA”) and Thurston County Fire District 8 (DISTRICT)

2. **RECITALS.**

2.1 **Interlocal Cooperation.** RCW 39.34.010 permits local governments 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.

2.2 **Agreements Authorized.** 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 the contract sets forth the purposes, powers, rights, objectives and responsibilities of the contracting parties.

2.3 **Purpose.** The purpose of this Agreement is to provide a set number of hours of fire training, to the DISTRICT at OLYMPIA’s Mark Noble Regional Fire Training Center (“Training Center”) located at 1305 Fones Road in Olympia, Washington, subject to the terms and conditions outlined in this Agreement and any exhibits or attachments incorporated by reference.

3. **DEFINITIONS.** In this Agreement, the following words shall have the meanings set forth below:

3.1 **Director of Training:** – Chief of Operations at the Training Center, employed by OLYMPIA at the Olympia Fire Department (“OFD”), responsible for managing the Training Center, which includes but is not limited to, setting curricula, scheduling classes, conducting evaluations of the effectiveness of the training programs, selecting training personnel, and determining performance and participation standards.

3.2 **Training Officers:** Employees from the OFD, or other agencies, designated by the Director of Training to perform certain tasks.

3.3 **Instructors**: Employees from the OFD, or other agencies, designated by the Director of Training to train and instruct firefighters, firefighter paramedics, and fire officers of their own or another department/district.

3.4 **Off Peak Training Hours**: Training on evenings between 1700-2200 and Sunday 0800-2200.

4. **RESPONSIBILITIES OF: The DISTRICT**

4.1 **General**. In its use of the Training Center, DISTRICT personnel shall adhere to all OFD facility rules and regulations, policies, and schedules as set forth by the Director of Training and in Appendix B.

4.2 **Annual Fee and Training Deliverables**. The DISTRICT shall pay to OFD a fee for nonexclusive access to and use of the Training Center ("Annual Fee"). The Annual Fee and list of training deliverables is set out in Appendix A to this Agreement. In the event this Agreement is effective for portions of a year, the annual fee shall be pro-rated accordingly.

4.3 **Consumables**. The DISTRICT shall pay OLYMPIA directly for consumables, at actual cost plus an admin fee of an additional 15%. The Consumables Fee is payment for items used in standard fire training, including but not limited to items such as propane, smoke fluid, sheetrock, OSB, and similar supplies.

4.4 **Method of Payment**. OFD will produce twice yearly billing statements on June 1 and December 1 that will include Annual and Consumables fees, as well as any additional costs provided for under this Agreement for the DISTRICT's use of the Training Center. The DISTRICT agrees to remit payment to the OFD within thirty (30) days of receipt of the OFD's invoice.

5. **POLICIES & PROCEDURES – COMPLIANCE WITH LAW**

5.1 **Policies**. The DISTRICT shall comply with OFD's Fire Training Center Rules & Regulations, Policies, and Procedures. These are subject to change at the discretion of OFD. Except when such advance notice is impractical or unreasonable, OFD shall give at least thirty (30) days' advance, posted written notice of any changes. Provided that, when training on or related to vehicles or equipment of The DISTRICT (e.g., water tender,), policies, procedures or protocols of The DISTRICT shall be followed. All policies and procedures shall be in writing and available to the Parties.

5.2 **Law**. The Parties shall comply with all applicable federal, state, and local laws including, without limitation, all OLYMPIA codes, ordinances, resolutions, and standards as they currently exist or are hereafter amended or newly adopted.

6. INDEMNIFICATION

6.1 **Indemnification.** The DISTRICT shall defend, indemnify and hold OLYMPIA, its officers, officials, employees and volunteers harmless from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of the DISTRICT's use of the Training Center or from any activity, work or thing done, permitted, or suffered by the DISTRICT in or about the Training Center, except only such injury or damage as is caused by the negligence of OLYMPIA, subject to the terms of 6.2, below.

6.2 **No Indemnification for Joint DISTRICT/OFD Training.** When OFD and the DISTRICT are training jointly at the Training Center, each party shall be responsible for its own defense of any claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property arising out of such joint training.

6.3 **Waiver of Immunity.** It is specifically and expressly understood that the indemnification provided herein constitutes the waiver by each Party to immunity under industrial insurance, Title 51 RCW, solely for the purposes of the indemnification under this Agreement Section 6. This waiver has been mutually negotiated by the Parties.

7. INSURANCE

The DISTRICT shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the use of the Training Center.

7.1 **Minimum Scope of Insurance.** The DISTRICT shall maintain insurance of the types described below, on the forms described or shall provide evidence of equivalent coverage.

7.1.1 **Automobile Liability** insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

7.1.2 **Commercial General Liability** insurance shall be written on Insurance Services Office (ISO) occurrence form CG 00 01 and shall cover premises and contractual liability.

7.1.3 **Workers' Compensation** coverage as required by the Industrial Insurance laws of the State of Washington.

7.2. **Minimum Amounts of Insurance.** The DISTRICT shall maintain the following insurance limits:

7.2.1. **Automobile Liability** insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.

7.2.3. **Commercial General Liability** insurance shall be written with limits no less than \$5,000,000 each occurrence, \$10,000,000 general aggregate.

7.3 **Verification of Coverage.** The DISTRICT shall furnish OLYMPIA with certificates or other evidence of insurance coverage.

7.4 **Failure to Maintain Insurance.** Failure on the part of the DISTRICT to maintain the insurance required shall constitute a material breach of Agreement, upon which OLYMPIA may, after giving written notice to the DISTRICT to correct the breach, immediately terminate the Agreement.

7.5 **No Limitation.** The DISTRICT's maintenance of insurance as required by the Agreement shall neither be construed to limit the liability of the DISTRICT to the coverage provided by such insurance, nor to otherwise limit OLYMPIA's recourse to any remedy available at law or in equity.

8. **NO JOINT BOARD.** This Agreement creates no joint board and no separate legal entity.

9. DISPUTE RESOLUTION

9.1 **Informal.** The MNRFTC Director of Training, together with the DISTRICT'S Assistant Chief of Training and Safety, shall meet and attempt to resolve any matter of training, scheduling, personnel, financing or any other dispute arising out of this Agreement. In the event that the parties fail to resolve the dispute, the Fire Chief of each Party shall meet and attempt to resolve any remaining issues. In the event the parties remain unable to reach agreement, the City Manager of the City of Olympia, who has ultimate authority over the Training Center and its activities, shall make a final decision on the dispute.

9.2 **Mediation.** Should the DISTRICT disagree with the OLYMPIA City Manager's decision, the DISTRICT may request mediation within thirty (30) days of the City Manager's decision. Upon agreement to mediate, the Parties shall attempt to mediate the dispute through a mutually agreeable third party. The cost of the mutually agreeable mediator will be born equally by the parties. Either party may terminate mediation at any time. If the parties cannot agree to a decision at mediation, either party may take such action as authorized under the Agreement, including commencement of an action in court.

10. GENERAL

10.1 **Amendments.** Except expressly allowed for revisions to Appendix A of this Agreement, no amendment to this Agreement shall be valid unless evidenced in writing, properly agreed to and authorized by each Party's governing authority.

10.2 **Severability.** If any provision of this Agreement or its application is held invalid, the remainder of the Agreement or the application of the remainder of the Agreement shall remain valid and in full force and effect.

10.3 **No Third Party Benefits.** This Agreement is entered into for the benefit of the Parties to the Agreement only and shall confer no benefits, direct or implied, on any third persons.

10.4 **Assignment.** Neither the DISTRICT nor OLYMPIA shall have the right to transfer or assign, in whole or in part, any or all of its obligations and rights hereunder without the prior written consent of the other Party.

10.5 **No Waiver.** Failure or delay of either Party to declare any breach or default immediately upon occurrence shall not waive such breach or default.

10.6 **Captions.** The respective captions of the Sections of this Agreement are inserted for convenience of reference only and shall not be deemed to modify or otherwise affect any of the provisions of this Agreement.

10.7 **Equal Opportunity to Draft.** The Parties have participated and had an equal opportunity to participate in the drafting of this Agreement and Appendix A. No ambiguity shall be construed against either Party upon a claim that the Party drafted ambiguous language.

10.8 **Recording.** Prior to its entry, 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.

10.9 **Notice.** Any notice required under this Agreement shall be to the Party at the address listed below and shall become effective three (3) days following the date of deposit in the United States Postal Service.

OLYMPIA

Attn: Fire Chief
Re: Training Agreement with TCFD 8
PO Box 1967
Olympia, WA 98507-1967

THURSTON COUNTY FIRE PROTECTION DISTRICT 8

Attn: Fire Chief
Re: Training Agreement with City of Olympia
3506 Shincke RD NE
Olympia, WA 98506

10.10 **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.

10.11 **Entire Agreement.** This Agreement and Appendix A set forth all terms and conditions agreed upon by the OLYMPIA and the DISTRICT, and supersedes any and all agreements oral or otherwise with respect to the subject matter addressed herein.

11. RECORDS

11.1 **Financial Records.** Each Party agrees to maintain books, records, and documents which sufficiently and properly reflect all direct and indirect costs related to the performance of this Agreement and maintain such accounting procedures and practices as may be deemed necessary to assure proper accounting of all funds paid pursuant to this Agreement. These records shall be subject, at all reasonable times, to inspection, review or audit by the other Party, its authorized representative, the State Auditor, or other governmental officials authorized by law to monitor this Agreement.

11.2 **Public Records Generally.** Each Party shall maintain public records in accordance with state law, in the manner and for the time period applicable to such records. If either Party receives a request for records created as a part of this program, each Party agrees to fully cooperate with the other in a timely response to any such request.

11.3 **Training Records.** The DISTRICT shall be responsible for maintaining its own individual firefighter training records.

12. DURATION OF AGREEMENT & TERMINATION

12.1 **Effective Date.** This Agreement shall take effect after all authorizing signatures are affixed hereto and proper compliance with filing pursuant to RCW 39.34.040.

12.2 **Term.** Unless otherwise terminated as provided herein, this Agreement shall continue until December 31, 2015

12.3 **Non-Appropriation of Funds.** If sufficient funds are not appropriated or allocated for payment under this Agreement for any future budget (calendar) year, neither OLYMPIA nor the DISTRICT will be obligated to continue the Agreement after the end of the current calendar year, and this Agreement will automatically terminate upon the completion of all remaining Services for which funds are allocated. No penalty or expense shall accrue to either Party in the event this provision applies.

12.4 **Surviving Provisions.** Agreement Sections 6, Indemnification, and 11, Records, shall survive the termination of this Agreement, pursuant to their terms.


13. AUTHORIZATION AND EXECUTION. Each Party warrants that it is duly authorized to enter this Agreement and that the person(s) executing the Agreement are authorized to execute the Agreement for and on behalf of the identified Party

14. RATIFICATION. Any training performed and subsequent payment made in 2014 in reliance on this Agreement that is prior to its effective date that falls within the scope of this Agreement and is consistent with its terms is hereby ratified and confirmed.

CITY OF OLYMPIA

Mayor Stephen H. Buxbaum

Approved as to Form:



Assistant City Attorney

Date: _____

THURSTON COUNTY FIRE PROTECTION DISTRICT 8



Chairman of the Board

Approved as to Form:

Date: 3/17/2014

APPENDIX A

FUNDING AND DELIVERABLES

(1) Annual Fee: The DISTRICT shall pay to the OLYMPIA a flat rate annual \$3830.00 fee for a specified number of off-peak fire training hours, nonexclusive access to the Training Center property for fire ground training as outlined in this Agreement, and certain Consumables. Instructor fees billed by and paid directly to Bates Technical College

(2) Scheduling: The DISTRICT is responsible for coordinating scheduling with OFD, so as to avoid any scheduling conflicts with other training. After the training schedule is set by OFD, communication to the DISTRICT Members regarding schedules and training content is the responsibility of the DISTRICT.

(3) Consumables: The DISTRICT shall pay OLYMPIA directly for the actual cost of consumables plus an additional administration fee of 15%.

(4) Training Deliverables:

2014

To be Scheduled: (Monday) Blue Card two Monday Evenings X 3 hours = 6 hours	6 hours CTC Facility 1 Metro instructor*
May: (Sunday) FGS Firefighter Survival three X 8 hours = 24 hours	24 hours Facility 2 Metro Instructors*
June – Aug: (Sunday) Drill Ground Training nine consecutive Sunday's with 1 Instructor for 6 students = 36 hours	36 hours Facility 1 Metro Instructor*
August: (Sunday) Live Fire 2 Metro instructors. NOTE: 12 Student Maximum	8 hours Facility Live Fire Prop 2 Metro LFT Instructors*
Oct: (Monday) Blue Card two Monday Evenings X 3 hours = 6	6 hours CTC Facility 1 Metro instructor*

2015

January: No Training	
February: (Sunday) Live Fire 2 Metro instructors. NOTE: 12 Student Maximum	8 hours Facility Live Fire Prop 2 Metro LFT Instructors*
March: (Sunday) instructed Vent class NOTE: 10 Student Maximum 4 hours	4 hours Facility 1 Metro Instructor*
April: (Monday) Blue Card two Monday Evenings X 3 hours = 6 hours	6 hours CTC Facility 1 Metro instructor*
May: (Sunday) FGS Firefighter Survival three X 8 hours = 24 hours	24 hours Facility 2 Metro Instructors*

June – Aug: (Sunday) Drill Ground Training nine consecutive Sunday's with 1 Instructor for 6 students = 36 hours	36 hours Facility 1 Metro Instructor*
August: (Sunday) Live Fire 2 Metro instructors. NOTE: 12 Student Maximum	8 hours Facility Live Fire Prop 2 Metro LFT Instructors*
Oct: (Monday) Blue Card two Monday Evenings X 3 hours = 6	6 hours CTC Facility 1 Metro instructor*

NOTE: * Bates Technical College Instructor fees apply to each of these training sessions and are not covered in the price of this agreement. Instructor's fees are billed by Bates Technical College and paid by the District on a separate invoice directly to Bates Technical College. Those fees are projected to be of approximately \$7865.00 per year.

(5) Attendance:

- Attendance at scheduled training is required. Absences will be counted as training hours.

(6) Specific Training/Curricula:

- Live Fire Training – Blue Card Simulations, and Vent Training”
- Fire Ground Survival – Joint IAFF & IAFC copyrighted program.
- Other (discretionary) curricula, as approved by the Director of Training.

(7) Operational Contacts for OLYMPIA (in order of authority):

- 1. Olympia Training Officer (Initial Contact)**
- 2. Director of Training for MNRFTC**
- 3. Olympia Fire Chief**
- 4. Olympia City Manager (Highest Authority)**

APPENDIX B

CITY OF OLYMPIA MARK NOBLE REGIONAL FIRE TRAINING CENTER RULES & REGULATIONS FOR USE OF PREMISES UPDATED MAY, 2013

General rules:

- All fire training shall be performed in accordance with all applicable laws, regulations, and safety standards including but not limited to NFPA standards and applicable WAC provisions;
- There shall be no alteration of onsite props;
- Users are required to remove all personal items at the end of the training and shall leave the facilities and grounds in the same condition as when they arrived;
- User shall supervise trainees and ensure that all trainees are properly informed about rules and regulations of the facility as well as proper protocol for the particular Training;
- User understands that additional instruction and/or training may be occurring in other areas of the MNRFTC at the same time as User's Training and User will ensure that trainees stay within the areas specifically reserved for this Training, except when necessary to enter or exit the MNRFTC.
- Decisions of the City of Olympia's designated MNRFTC Trainers and Instructors are final.

Rules specific to classroom use:

- Occupancy is limited to 30;
- Food and beverages are allowed at the trainer's discretion.

For rules specific to live fire training, see the document entitled,

STRUCTURAL FIRE TRAINER ACTION PLAN (issued at time of live fire training event).

Misuse of the facility and/or failure to comply with these Rules & Regulations, as well as those posted on the Premises, may result in the City's cancellation and/or early termination of a training event, possible forfeiture of the fee and potential denial of any future use.

Reservations & Fees:

- Reservations and fees cannot be transferred to another organization and/or individual without the express written permission of the MNRFTC Director of Training ("Director").

Cancellation:

- Should User wish to cancel the Training, notice to the City must be received at least seven (7) days prior to the scheduled Training except for instances of Greater Alarm Calls or disasters. User recognizes that without proper notice of cancellation, the City may be unable to schedule another event in the area that was to be used for the Training. **Should User cancel without the required notice, the availability of future training reservations will be at the sole discretion of the City depending on the circumstances.**

City of Olympia

City Council

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

Approval to Apply for 2014 Grant Opportunities: 2014 Safe Routes to School Program and Pedestrian and Bicycle Program

Agenda Date: 4/15/2014

Agenda Number: 4.I

File Number: 14-0355

File Type: decision

Version: 1

Status: Consent Calendar

..Title

Approval to Apply for 2014 Grant Opportunities: 2014 Safe Routes to School Program and Pedestrian and Bicycle Program

..Recommended Action

Committee Recommendation:

The Bicycle and Pedestrian Advisory Committee reviewed the proposed projects and concurs with the recommendation to apply for the identified projects in the Safe Routes to School Program and Pedestrian and Bicycle Program.

City Manager Recommendation:

Move to approve and authorize staff to apply for projects in the 2014 Safe Routes to School and Pedestrian and Bicycle Programs. If the City receives grant funding in either of these programs, the City Manager is authorized to sign the necessary documents allowing the City to spend the grant funds.

..Report

Issue:

Whether to authorize staff to apply for two grant programs with the Washington State Department of Transportation. They are the 2014 Safe Routes to School Grant Program and 2014 Pedestrian and Bicycle Grant Program.

Staff Contact:

Randy Wesselman, Engineering and Planning Supervisor Public Works
Transportation, 360.753.8477

Presenter(s):

N/A

Background and Analysis:

Each year, staff looks for federal and state grant opportunities to make City dollars go further to complete priority projects in the *Capital Facilities Plan* (CFP).

The purpose of the *Safe Routes to School* (SRTS) Program is to increase the number of children walking and biking to school safely. All projects must be within two-miles of primary, middle or high schools (K-12).

The purpose of the *Pedestrian and Bicycle Program* is to improve conditions for biking and walking and encourage "complete street" type projects that safely meet the needs

Agenda Date: 4/15/2014

Agenda Number: 4.I

File Number: 14-0355

of bicyclists, pedestrians, public transportation users and motorists while protecting and preserving the environment and character of the community.

The combined funding for the *SRTS Program* and *Pedestrian and Bicycle Program* is \$8 Million statewide. The City uses existing local funding as match-to-leverage grants in order to be more competitive. No match is required for these grants but preference is given to projects that provide a match.

2014 Safe Routes to School Program

The following project will be submitted for funding:

1. Quince Street Sidewalk, Miller Avenue to Reeves Middle School. (see attachment for a more detailed description of the project.)

2014 Pedestrian and Bicycle Program

The following projects will be submitted for funding:

1. Fern Street Sidewalk, from 9th Avenue to 1105 Fern Street; and
2. Eastside Street/22nd Avenue Sidewalk, from Fir Street to Wheeler Avenue - Design Only.

See attachment for a more detailed description of the proposed projects.

Neighborhood/Community Interests (if known):

The 22nd Avenue/Eastside Street Sidewalk and Fern Street Sidewalk are identified in the *2003 Sidewalk Program*. Several public requests have been made for sidewalks on these streets.

Quince Street is an Identified school walking route to Reeves Middle School. The Olympia School District and City have received numerous concerns about this section of street.

Options:

1. Move to approve and authorize staff to apply for projects in the 2014 Safe Routes to School and Pedestrian and Bicycle Programs. If the City receives grant funding in either of these programs, the City Manager is authorized to sign the necessary documents allowing the City to spend the grant funds.
2. Provide guidance on other projects to submit for the Safe Routes to School Program and Pedestrian and Bicycle Program grants.
3. Direct staff not to apply for grants funds in the Safe Routes to School Program and/or Pedestrian and Bicycle Program.

Financial Impact:

These are preliminary cost estimates and will be updated for the grant applications.

2014 Safe Routes to School Program

Agenda Date: 4/15/2014

Agenda Number: 4.I

File Number: 14-0355

Quince Street Sidewalk	Grant Request:	\$203,200	
	Match (20%):	\$ 50,800	
	Project Total:	\$254,000	

2014 Pedestrian and Bicycle Program

Fern Street Sidewalk	Grant Request:	\$308,400	
	Match (40%):	\$205,600	
	Project Total:	\$514,000	

22nd Avenue/Eastside Street Sidewalk	Grant Request:	\$390,000	
(Design Only)	Match (40%):	\$260,000	
	Project Total:	\$650,000	

Safe Routes to School and Pedestrian Bicycle Program Grant Opportunities

April 2, 2014

Available Grants

Safe Routes to School (SRTS) Program

- The purpose is to increase the number of children walking and biking to school safely. All projects must be within two-miles of primary, middle or high schools (K-12).
- Eligible projects include improvements that reduce potential pedestrian and bicycle conflicts with motor vehicle traffic; reduce traffic volumes around schools; and/or establish safer and fully accessible crossings, walkways, trails or bikeways.

Pedestrian and Bicycle Program

- Purpose is to improve conditions for biking and walking and encourage “complete street” type projects that safely meet the needs of bicyclists, pedestrians, public transportation users and motorists, and also protect and preserve community environment and character.
- Eligible projects include design/scoping projects or engineering projects that help reduce the nearly 400 fatal and injury collisions involving pedestrians and bicyclists that occur each year in Washington and/or projects that significantly increase mobility to encourage more people to bicycle and walk.

Both grants are administered by the Washington State Department of Transportation (WSDOT). There is a total of \$8M statewide for both programs.

Safe Routes to School Program

Quince Street Sidewalk, from Miller Avenue to Reeves Middle School.

- Scope: Installs curb and sidewalk on the east of side of the street, replaces asphalt sidewalk with rolled asphalt curb adjacent to vehicle parking lane. Installs school zone flashing beacons.
- Preliminary Cost Estimate: \$254,000

Rationale:

- Quince Street is one of two access points to Reeves Middle School
- Identified school walking route
- School District and City have received multiple concerns about this section of street
- Prior Council support
- Local Access street, not in any construction program

Other projects considered:

Eastside Street /22nd Avenue Sidewalk, from Boundary Street to Fir Street.

- Extends current sidewalk project to Boundary Street
- Simpler segment of remaining need
- Ranks #8 out of 33 in Parks and Pathways Sidewalk Program

Other projects considered (continued):

Boulevard Road Sidewalk, from 18th Avenue to Olympia Regional Learning Academy (ORLA)/15th Avenue.

- ORLA construction creates new destination
- Links to improvements on 18th Avenue, east of Boulevard Road
- Ranks #22 out of 33 in Parks and Pathways Sidewalk Program

Pedestrian and Bicycle Program

Fern Street Sidewalk, from 9th Avenue to 1105 Fern Street.

- Scope: Installs sidewalk on the west side of Fern Street
- Preliminary Cost Estimate: \$514,000

Rationale:

- Missing link to transit route from apartments and day care center
- Long standing request from area residents
- Council support to apply for a grant for this project in the past
- Remaining small gap of sidewalk in this recently developed dense residential area
- Identified need on Parks and Pathways sidewalk project list
- Ranks #19 out of 33 in Parks and Pathways Sidewalk Program

Eastside Street/22nd Avenue Sidewalk, from Fir Street to Wheeler Avenue.

- Scope: Design only
- Preliminary Cost Estimate: \$650,000

Rationale:

- Design funds advance complex project to construction
- Continuation of current construction project
- Design helps understand costs and funding needs
- Connects to trail, parks and downtown
- Ranks #8 out of 33 in Parks and Pathways Sidewalk Program

Other Project Considered:

State Avenue Sidewalk, from Wilson Street to Phoenix Street, and Phoenix Street Sidewalk, from Martin Way to State Avenue.

- Next priority in sidewalk program
- Design complete
- No funding to finish project (not Parks and Pathways funded)
- Urban Corridor area - target for redevelopment
- Preliminary Cost Estimate: \$370,000

City of Olympia

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

City Council

Approval of Capital Area Regional Public Facilities District Regional Representative

Agenda Date: 4/15/2014

Agenda Number: 4.J

File Number: 14-0361

File Type: decision

Version: 1

Status: Consent Calendar

..Title

Approval of Capital Area Regional Public Facilities District Regional Representative

..Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to appoint Chris Leicht as a Regional Representative to the Capital Area Regional Public Facilities District Board for a 4-year term ending March 1, 2018.

..Report

Issue:

Appointment of Chris Leicht as a Regional Representative to the Capital Area Regional Public Facilities District.

Staff Contact:

Jay Burney, Assistant City Manager, 360.753.8740

Presenter(s):

N/A

Background and Analysis:

The Capital Area Regional Public Facilities District (CARPFD) Board is an interjurisdictional body created by the cities of Olympia, Lacey, Tumwater and Thurston County.

The purpose of this district is to receive PFD revenues from the State and then enter into contracts with local entities for regional projects, based on the interlocal agreements. Currently the CARPFD has contracts with the city of Lacey for the Regional Athletic Complex (RAC) and the City of Olympia for the New Hands on Children's Museum.

The CARPFD is managed by a seven member Board of Directors. Three members of the Board are appointed jointly by the four local jurisdictions. The remaining four members are appointed individually by each of the jurisdictions to four year terms.

The Regional Representative position is one of the three positions appointed jointly by the jurisdictions. Chris Leicht has expressed an interest to continue in his capacity as

Agenda Date: 4/15/2014

Agenda Number: 4.J

File Number: 14-0361

a Regional Representative on this Board.

The annual meeting of the CARPFD is scheduled to take place in June 2014.

Neighborhood/Community Interests (if known):

N/A

Options:

1. Move to appoint Chris Leicht as a Regional Representative to the Capital Area Regional Public Facilities District Board for a 4-year term ending March 1, 2018.
2. Refer the matter to the General Government Committee for a recommendation.

Financial Impact:

N/A

City of Olympia

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

City Council

Approval of Chehalis Western and Woodland Trails Transportation Alternative Program (TAP) Grant Submission

Agenda Date: 4/15/2014

Agenda Number: 4.K

File Number: 14-0364

File Type: decision

Version: 1

Status: Consent Calendar

..Title

Approval of Chehalis Western and Woodland Trails Transportation Alternative
Program (TAP) Grant Submission

..Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve TAP submission for a federal grant through Thurston Regional
Planning Council (TRPC), and authorize the City Manager to sign necessary
documents if the grant is awarded.

..Report

Issue:

April 4, 2014 was the grant application deadline for the 2014 TAP proposals. Multiple
jurisdictions were involved, and Olympia did not take on the task until March 25.
Because the timeline was tight, the application was submitted by the deadline and City
staff now seek City Council approval of the project submitted.

Staff Contact:

Stephanie Johnson, Arts & Events Program Manager, Parks, Arts & Recreation,
360.709.2678

Presenter(s):

None - consent calendar.

Background and Analysis:

The project application is for a \$50,000 grant to design and build a small, attractive
place for bicyclists and pedestrians at the junction or "hub" of the Chehalis Western
Trail and the Olympia and Lacey Woodland Trails. The Bridging the Gap trail
construction, managed by Thurston County, is multi-year, multi-jurisdictional endeavor
connecting communities, commuters and citizens at work and at play.

The "Hub" is both an appropriate place to provide wayfinding signage and
commemorates the efforts of participating Thurston County communities, but also an
opportunity for benches and other amenities designed to welcome travelers to rest
and recreate.

Agenda Date: 4/15/2014

Agenda Number: 4.K

File Number: 14-0364

This project is the only TAP proposal submitted by City of Olympia this grant cycle .

Neighborhood/Community Interests (if known):

The “Hub” Junction Project is a high priority for Lacey and Thurston County , and is supported by the Woodland Trails Greenway Association .

Options:

1. Approve TAP submission for a federal grant through TRPC .
2. Withdraw the submitted project from consideration in the current grant process.

Financial Impact:

The request for the “Hub” project from TRPC is \$50,000 for design and construction of a commemorative trail amenity. There is no local match required for this project; however, it is a reimbursement grant so the City will need to front end the design services and construction costs.



2014 Regional TAP Project Proposal

PROJECT TITLE: Chehalis Western and Woodland Trails "Hub" Junction

GENERAL PROJECT INFORMATION

Agency or Organization City of Olympia Parks, Arts & Recreation
 Contact Person Stephanie Johnson
 Phone Number 360.709.2678
 Email Address sjohnso1@ci.olympia.wa.us

Type of Transportation Partner (Check one)

Traditional Transportation Partner
 Non-Traditional Transportation Partner

Threshold Criteria (Check all that apply)

	Yes	NO
Project elements meet all regional eligibility requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Project elements and administration meet all federal eligibility requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Applicant can demonstrate ability to obligate funding as proposed	<input checked="" type="checkbox"/>	<input type="checkbox"/>

STATUS OF EXISTING FEDERAL PROJECTS

	Yes	No
Does the applicant have any other regionally selected projects underway? (yes or no)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the applicant have any other state selected federal projects underway? (yes or no)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If yes to either, attach separate documentation describing status of each project including project name, funding source, year of award, progress to date, future obligation commitments and strategy for meeting those obligation commitments in addition to those associated with new project funding.

PROJECT INFORMATION

Applicant's Project Priority

	Yes	NO
Are you submitting more than one TAP application?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If "YES", what priority is this project application?

Type of Project or Program

(Identify one "Primary Purpose" and any "Secondary Purpose" project type that applies)

	Primary Purpose (1)	Secondary Purpose(s)
Safe Routes to School project or program	<input type="checkbox"/>	<input type="checkbox"/>
Provision of facilities for pedestrians and/or bicycles	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Preservation and/or conversion of abandoned railway corridors for bike/ped trails	<input type="checkbox"/>	<input type="checkbox"/>
Construction of turnouts, overlooks, and viewing areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Recreational Trails Program (Section 206 of title 23)	<input type="checkbox"/>	<input type="checkbox"/>
Inventory, control and removal of outdoor advertising	<input type="checkbox"/>	<input type="checkbox"/>
Preservation & rehabilitation of historic transportation buildings, structures, facilities	<input type="checkbox"/>	<input type="checkbox"/>
Vegetation management in ROW to control invasive species or control erosion	<input type="checkbox"/>	<input type="checkbox"/>
Archaeological activities related to impacts from transportation projects	<input type="checkbox"/>	<input type="checkbox"/>
Environmental mitigation to address stormwater associated with highway runoff	<input type="checkbox"/>	<input type="checkbox"/>
Environmental mitigation to reduce wildlife mortality or improve habitat connectivity	<input type="checkbox"/>	<input type="checkbox"/>

PROJECT OVERVIEW

Brief abstract (~ 100 words) of proposal identifying problem or need, how the proposal will address it, and anticipated benefits. This is a high level summary suitable for reports and on-line descriptions. Detailed project information is provided on page 3.

Completion of the Bridging the Gap effort is the crowning achievement of a multi-year, multi-jurisdictional endeavor connecting communities, commuters and citizens at work and at play. The junction of the Chehalis Western and Olympia and Lacey Woodland Trails is an appropriate place to commemorate the efforts of participating Thurston County communities through creation of an attractive gathering place for bicyclists and pedestrians with wayfinding signage, benches and other amenities designed to welcome travelers to rest and recreate.

PROJECT DETAILS

Project Type and Location

Construction Projects Project Location Bridging the Gap Intersection of CWT, OWT and LWT
 Type of Construction Project Trail Amenity and Wayfinding
 Length/Size of Construction Project See narrative for detail

Programs/Services Delivery Area of Program/Service NA
 Duration of Program/Service NA

Total Project Cost (In whole dollars, below)		Total Cost	Year (FFY)
Construction Element	Preliminary Engineering/Design:	\$ 10,000.00	2015
	Right-of-Way:		
	Construction:	\$ 40,000.00	2015
Program or Operational Element	Program or Operations:		
	Other Cost:		
Total Project Cost (Sum of all project phase costs identified above):		\$ 50,000.00	

FFY 2015 and Anticipated Future Year Funds	FFY 2015	<i>Future estimates are not binding</i>	
		FFY 2016	FFY 2017-18
From Project Applicant			
Local State			
Anticipated TAP Grant			
Total Project Revenue			

Note: Anticipated future year funds are provided as a regional coordination and planning tool; they do not bind the applicant or TRPC to a future funding commitment. Actual availability of funds each fiscal year is dependent on a variety of factors. Future funds will be awarded through an annual call for projects.

CERTIFICATION ACCEPTANCE

CA Agency and Representative City of Olympia, Francis R Eide, City Engineer

CA Signature and Date Francis R Eide 4/3/2014

Project Verification and Endorsement

This project proposal reflects established local funding priorities consistent with the Regional Transportation Plan. Costs represent accurate planning level estimates needed to accomplish the work described herein. The project described is financially feasible, and local match revenue identified above is available and will be committed to the project if it receives the requested TAP grant. If selected, the project will obligate funding in the federal fiscal year described above; failure to do so may result in loss of funding for the project. I realize that the use of federal funds for this project entails administrative and project compliance requirements over which TRPC has no control, and for which this agency or organization will be responsible.

This project has the full endorsement of the governing body/leadership of this agency or organization.

Paul Simmons - Parks, Arts, & Recreation Director
Name and Title of Designated Representative

[Signature]
Signature of Designated Representative

4/3/14
Date

Project Title: Chehalis Western and Woodland Trails "Hub" Junction

SUPPORT FOR RECOGNIZED REGIONAL INITIATIVES

Identify any ways in which the proposed project supports existing regional initiatives. Examples of such initiatives include, but are not limited to, Sustainable Thurston, Urban Corridor Communities, Walk and Roll, Healthy Kids Safe Streets, Thurston Thrives, Commute Trip Reduction.

Focusing on human-powered, non-carbon producing transportation, this project meets the spirit of the following regional initiatives: Sustainable Thurston, Urban Corridor Communities, Walk and Roll, Healthy Kids Safe Streets, Thurston Thrives, Commute Trip Reduction.

PROJECT DESCRIPTION & SIGNIFICANCE

Please address the following in your narrative: Describe the proposed project and why it is regionally significant, paying particular attention to anticipated benefits to be realized. Identify any collaboration or partnership with other entities with a vested interest in this project. Note whether this project leverages previous work, such as an implementation phase of a previous study or design phase, or whether it lays the groundwork for subsequent implementation phases. Describe any efforts that will help ensure this project can meet its obligation commitments without jeopardizing previous commitments. Indicate if this project is already identified in any local or regional plan, or other list of projects subject to public review and comment. If it is not identified as such, describe how it is consistent with established community values.

The "Hub" Junction Project provides opportunity to commemorate the partnerships that achieved the Chehalis Western Trail Bridging the Gap effort to complete 41.7 miles of rail to trail radiating like a spoke from the junction, connecting Olympia and Lacey to Woodard Bay and the communities of South Thurston County, and eventually Tumwater.

The City of Olympia intends to take the lead in the design process for the "Hub" Junction project, collaborating with Lacey and Thurston County to determine project goals and facilitate that vision through work with a Landscape Architect.

The project will address three components:

Recognition: The Bridging the Gap effort has been a tremendous undertaking, involving local, State and Federal Funds, and partnerships among Lacey, Olympia and Thurston County to provide the regional trails network needed for extensive off-street transportation. This intersection brings together three different trail systems decades in the making, and is an appropriate location in which to recognize, with a plaque or other commemorative feature, the communities of Thurston County whose commitment and long-term vision have resulted in a superior trails network.

Wayfinding: Directions and distances, and a trail map are important components to the function of these crossroads, to orient trail users to the system and its various destinations. This is a critical intersection of two major regional trails in the urban area of Thurston County.

Hub: The intersection is a natural destination for trail users again as a directional aid or a place to meet up at the beginning, middle or end of an excursion. Benches, potable water (if possible), and some kind of hard scape may contribute to a place to stop and rest or meet up with a group. The space should not be intended for long-term gathering, with weather protection and other amenities that invite long-term stays, but rather an active location where people stop to tie a shoe, meet a friend, consult a map, fill a water bottle or have a snack.

The finished project should be attractive, functional and durable, but not high maintenance.

Project Title: Chehalis Western and Woodland Trails "Hub" Junction

PROJECT DESCRIPTION & SIGNIFICANCE (continued)

Design direction will be determined through consultation with the Technical Advisory Committee and the Transportation Policy Board that have guided the larger project to date. This final piece is the capstone to a pivotal section of the Thurston Regional Trail Network.

The "Hub" Junction Project is a high priority for the cities of Olympia and Lacey, and Thurston County and is supported by the Woodland Trails Greenway Association.

Chehalis Western and Woodland Trails “Hub” Junction



Proposed location for Chehalis Western and Woodland Trails “Hub” Junction.

- Map from the 2007 Thurston Regional Trails Plan

Disclaimer
This map is for general planning purposes only. Thurston Regional Planning Council makes no representations as to the accuracy or fitness of the information for a particular purpose.





Project Status Summary

Project	Funding Source	Year Awarded	Progress to Date	Future Obligation Commitments	Strategy for Meeting Obligations
<i>Boulevard Road and 22nd Avenue Roundabout</i>	Regional Surface Transportation Program (STP)	May 2011	<ul style="list-style-type: none"> Project bids will be opened on April 3, 2014. 	<ul style="list-style-type: none"> Construction funds are obligated, no future obligations required. 	<ul style="list-style-type: none"> Construction scheduled to begin May 2014.
<i>Smart Corridors Project</i>	Congestion Mitigation and Air Quality Improvement Program (CMAQ)	November 2012	<ul style="list-style-type: none"> Central management software purchased and installed. 	<ul style="list-style-type: none"> Scheduled to obligate construction funds in July 2014. 	<ul style="list-style-type: none"> City Design staff resourced – Design complete May 2014. City will purchase equipment to complete project.
<i>Citywide Pedestrian Crossing Improvement</i>	Highway Safety Improvement Program (HSIP)	June 2012	<ul style="list-style-type: none"> Construction is complete. Completing punch list items. 	<ul style="list-style-type: none"> No future obligations required. 	<ul style="list-style-type: none"> Design and construction is complete. In project close-out phase.
<i>22nd Avenue Sidewalk</i>	Safe Routes to School (SRTS)	July 2013	<ul style="list-style-type: none"> 60% design complete. 	<ul style="list-style-type: none"> Obligate construction funds in 1st quarter of 2015. 	<ul style="list-style-type: none"> City Design staff resourced – Design in 2013/2014. Construction scheduled to begin 2nd quarter 2015.
<i>West Olympia Access - Interchange Justification Report (IJR)</i>	Regional Surface Transportation Program (STP)	May 2013	<ul style="list-style-type: none"> Request for Qualifications issued January 2014. Interview Consultant teams on April 1, 2014. 	<ul style="list-style-type: none"> No future obligations required. 	<ul style="list-style-type: none"> Design will be completed by a consultant. City of Olympia will provide project management.
<i>Boulevard Road and Morse-Merryman Road Roundabout</i>	Regional Surface Transportation Program (STP)	May 2013	<ul style="list-style-type: none"> 30% design complete. 	<ul style="list-style-type: none"> Scheduled to obligate construction funds in 4th quarter of 2016. 	<ul style="list-style-type: none"> Design staff resourced – Design 2013-2016. Consultant will be selected for the ROW acquisition phase – ROW acquisition phase begins 1st quarter of 2015. Construction scheduled for 2017.

CITY COUNCIL

ANDY RYDER
Mayor

CYNTHIA PRATT
Deputy Mayor

VIRGIL CLARKSON

JEFF GADMAN

LENNY GREENSTEIN

JASON HEARN

MICHAEL STEADMAN

CITY MANAGER

SCOTT H. SPENCE



Shaping
our community
together

CITY OF **LACEY**

420 COLLEGE STREET SE
LACEY, WA 98503-1238

April 3, 2014

Transportation Policy Board
Thurston Regional Planning Council
2424 Heritage Court SW Suite A
Olympia, WA 98502-6031

Dear TPB Board Members:

Re: TAP Grant Application

The City of Lacey Board of Park Commissioners submits this letter of support for the Bridging the GAP/Woodland Trail Intersection "Wayfinding-Tribute" project. This project has widespread support of trail users, planners, managers, and elected officials.

This project is at the intersection of two regional trails, the Chehalis Western Trail and the Woodland Trail. Once the gap over Pacific Avenue is "bridged", we anticipate more use on both trails. Neighboring businesses and trail users alike will benefit from the wayfinding signs. The "HUB" that will be constructed will be used as resting place, a place to meet up with other trail users, and a place to disseminate trail information. These amenities are currently needed on both trails, and will be conveniently located at the HUB to serve both trails.

We respectfully ask for your support to fund this project application.

Sincerely,


Paul Royer, Chair
City of Lacey Board of Park Commissioners

cc: Mayor Andy Ryder and Members of the Lacey City Council
Scott Spence, City Manager



TDD Relay
1-800-833-6388

City Council
(360) 491-3214

City Manager
(360) 491-3214

City Attorney
(360) 491-1802

Community Development
(360) 491-5642

Finance
(360) 491-3212

Parks & Recreation
(360) 491-0857

Police
(360) 459-4333

Public Works
(360) 491-5600

Fax #
(360) 438-2669



City of Olympia

City Council

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

Approval of an Ordinance to Vacate a Portion of the North-South Alley Abutting the West Side of 1063 Capitol Way

Agenda Date: 4/15/2014

Agenda Number: 4.L

File Number: 13-0998

File Type: ordinance

Version: 3

Status: 2d
Reading-Consent

..Title

Approval of an Ordinance to Vacate a Portion of the North-South Alley Abutting the West Side of 1063 Capitol Way

..Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to adopt an ordinance on second reading to vacate a portion of the north-south alley abutting the west side of 1063 Capitol Way.

..Report

Issue:

Shall a portion of the north-south alley abutting the west side of 1063 Capitol Way be vacated?

Staff Contact:

Tom Hill, Permit and Inspection Services Manager, Community Planning and Development, 360.753.8486

Presenter(s):

Tom Hill, Permit and Inspection Services Manager, Community Planning and Development

Background and Analysis:

The background and analysis has not changed since the April 1 Council meeting to hold a public hearing and approve the ordinance on first reading.

On February 4 the City Council passed a resolution to hold a public hearing April 1, 2014 to hear testimony about a request to vacate a portion of the north-south alley abutting the west side of 1063 Capitol Way to allow all the property within this area to be incorporated into the site for future development.

The Alley Right-of-Way to be vacated runs north-south and is presently open.

To achieve a complete and comprehensive assessment of this right-of-way vacation petition, City staff have sent requests for comments to the various city departments

Agenda Date: 4/15/2014

Agenda Number: 4.L

File Number: 13-0998

and outside agencies responsible for water, sewer, and storm utilities, traffic engineering, fire department, police department, and solid waste. Franchise utilities also have been notified.

There are no objections to vacating this alley from a technical perspective providing the following conditions are met during the redevelopment of the site:

Puget Sound Energy has existing natural gas and electric facilities in the area. These facilities will be required to be relocated to the satisfaction of Puget Sound Energy.

Neighborhood/Community Interests (if known):

None.

Options:

1. Approve or do not approve the recommended ordinance.

Financial Impact:

None

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON
VACATING AS A PUBLIC THOROUGHFARE A PORTION OF THE
UNOPENED RIGHT-OF-WAY LOCATED AT 1063 CAPITOL WAY
SOUTH.**

WHEREAS, the Olympia City Council adopted Resolution No. M-1801 on February 4, 2014, setting a public hearing date for April 1, 2014, at 7:00 p.m. to allow public comment for or against vacation of the following described public thoroughfare situated in the City of Olympia, Thurston County, State of Washington, to wit:

The north-south 10-foot alley in Mackay and Burr's Subdivision of Block 81, Sylvester's Plat of Olympia, as recorded in Volume 8 of Plats, Page 34, records of Thurston County, Washington, bounded by Union Avenue on the north and 11th Avenue on the south.

WHEREAS, the petitioner is requesting that a portion of the north-south 10-foot alley in Mackay and Burr's Subdivision of Block 81, Sylvester's Plat of Olympia be vacated; and

WHEREAS, notice of this proposed vacation was posted physically on site, and adjoining neighbors were mailed notice of the hearing; and

WHEREAS, a public hearing was held by the City Council of the City of Olympia on said petition on April 1, 2014, at 7:00 p.m. or thereafter in the evening; and

WHEREAS, the City has received no comments from utility providers with regard to this vacation; and

WHEREAS, the Public Works Department has indicated that the property has no known current or foreseeable future use to the City as a right-of-way; and

WHEREAS, this vacation is deemed to be in the public interest and serve the public welfare;

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

Section 1. As recommended by the City of Olympia Public Works Department and as requested by the owner of the abutting parcels, the Olympia City Council, pursuant to RCW 35.79.010, hereby vacates as a public thoroughfare the herein above described property.

Section 2. The vacation meets the criteria set forth in OMC 12.16.100.

Section 3. This Ordinance shall not become effective until the owners of the abutting property pay to the City of Olympia the amount required under OMC 12.16.030, .080, .090 and RCW 35.79.030 for the area so vacated. Failure of the abutting property owners to remit this amount within ninety (90) days of the passage of this Ordinance shall automatically void the petition and

this Ordinance without it being brought back before the City Council. The City Clerk/Treasurer shall certify on the face of this Ordinance whether or not the payment is received within the time limit referred to above.

Section 4. I, Jane Ragland Kirkemo, City Clerk/Treasurer, hereby certify that an amount equal to one-half of the appraised value of property above vacated was ___ was not ___ received within the time referred to above.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Darren Pienaber Dct

CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF OLYMPIA, WASHINGTON, FIXING
APRIL 1, 2014, AS THE DATE FOR PUBLIC HEARING ON A
PROPOSAL TO VACATE AS A PUBLIC THOROUGHFARE A
PORTION OF THE UNOPENED RIGHT-OF-WAY LOCATED AT 1063
CAPITOL WAY SOUTH.**

WHEREAS, under state statute RCW 35.79.010, the City Council is required to adopt a resolution which sets a public hearing date for the consideration of a right-of-way vacation request; and

WHEREAS, the City Council of the City of Olympia has determined that a public hearing should be held regarding the proposal to vacate an unopened alley at 1063 Capitol Way South; and

WHEREAS, one of the purposes of this Resolution is to provide notice to residents and neighbors of the proposed road vacation;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council, pursuant to RCW 35.79.010, hereby initiates procedures to vacate as a public thoroughfare the following described property:

The north-south 10-foot alley in Mackay and Burr's Subdivision of Block 81, Sylvester's Plat of Olympia, as recorded in Volume 8 of Plats, Page 34, records of Thurston County, Washington, bounded by Union Avenue on the north and 11th Avenue on the south.

Section 2. April 1, 2014, at the hour of 7:00 p.m. or thereafter, at the City Hall Council Chambers, 601 4th Avenue E, Olympia, Washington, is fixed as the time and place for the hearing on said proposed alley vacation, such time shall not be more than sixty days nor less than twenty days after the passage of this Resolution.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2014.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Darren Nienaber DCA

CITY ATTORNEY



PETITION TO VACATE PUBLIC RIGHT-OF-WAY

RECEIVED OCT 23 2013 COMMUNITY PLANNING & DEVELOPMENT DEPT. Community Planning & Development 601 4th Avenue - PO Box 1967 Olympia WA 98507-1967 Phone: 360.753.8314 Fax: 360.753.8087 cpdinfo@ci.olympia.wa.us www.olympiawa.gov

OFFICIAL USE ONLY

Applicant: Wa St. DES Address: 1063 Capital Phone: File #: 13-3323 Receipt #: Date: 10/23/13

HONORABLE MAYOR AND CITY COUNCIL:

We, the undersigned, do hereby petition the Olympia City Council to vacate the following described public right-of-way:

LEGAL DESCRIPTION OF AFFECTED RIGHT-OF-WAY:

THE NORTH-SOUTH 10-FOOT ALLEY IN MACKAY AND BURR'S SUBDIVISION OF BLOCK 81, SYLVESTER'S PLAT OF OLYMPIA, AS RECORDED IN VOLUME 8 OF PLATS, PAGE 34, RECORDS OF THURSTON COUNTY, WASHINGTON. BOUNDED BY UNION AVENUE ON THE NORTH AND 11TH AVENUE ON THE SOUTH.

PURPOSE OF REQUEST & STATEMENT OF PUBLIC BENEFIT:*

Vacate the alley between the two (2) state owned buildings for the purpose of redevelopment of the entire block.

*See criteria for approval on the reverse side of this form.

PETITIONERS

Table with 3 columns: Owner's Signature, Owner's Name (printed), Parcel Number. Row 1: Thomas R. Henderson, 60208100100










I verify that each of the above signatures represents a legal and registered owner of the property abutting the above-described right-of-way:











Stephanie J. Fuller 10-10-13 Applicant's Signature Date 360-407-9310 Stephanie.Fuller@DES.WA.GOV

ALLEY LEGAL DESCRIPTION:

THE NORTH-SOUTH 10-FOOT WIDE ALLEY IN MACKAY AND BURR'S SUBDIVISION OF BLOCK 81, SYLVESTER'S PLAT OF OLYMPIA, AS RECORDED IN VOLUME 8 OF PLATS, PAGE 34, RECORDS OF THURSTON COUNTY, WASHINGTON, BOUNDED BY UNION AVENUE ON THE NORTH, AND 11TH AVENUE ON THE SOUTH.

LEGEND

-  WATER METER
-  FIRE HYDRANT
-  WATER VALVE
-  CATCH BASIN
-  STORM DRAIN MANHOLE
-  SEWER MANHOLE
-  CLEAN OUT
-  GAS VALVE
-  TELEPHONE MANHOLE

-  WATER LINE
-  STORM LINE
-  SEWER LINE
-  BURIED POWER
-  GAS LINE
-  FIBER OPTIC LINE
-  COMMUNICATION LINE
-  RIGHT OF WAY
-  PLAT LOT LINES
-  VACATIONS LINES



10/2/13



City of Olympia

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

City Council

Approval of Ordinance Adopting a “Civic Center” Drug Free Zone

Agenda Date: 4/15/2014

Agenda Number: 4.M

File Number: 14-0151

File Type: ordinance

Version: 3

Status: 2d
Reading-Consent

..Title

Approval of Ordinance Adopting a “Civic Center” Drug Free Zone

..Recommended Action

Committee Recommendation:

Land Use and Environment Committee recommends approving the attached ordinance creating a “Civic Center” Drug Free Zone.

City Manager Recommendation:

Move to approve on second reading the attached ordinance creating a “Civic Center” Drug Free Zone, as recommended by the Land Use and Environment Committee.

Note: Attachment #3 is the updated sign. Based on Council’s guidance at 1st reading the header “Drug Free Zone” is removed. The sign header now says “Notice.”

..Report

Issue:

The downtown core is experiencing an increase in crimes related to drug use. Law enforcement is using a variety of tactics to combat the crime. Establishing Drug Free Zones around 5 specific civic centers in the downtown area will give law enforcement other tools for addressing undesirable behavior.

Staff Contact:

Ronnie Roberts, Chief of Police, 360.753.8409]

Presenter(s):

Chief Ronnie Roberts, Olympia Police Department
Thurston County Prosecuting Attorney Jon Tunheim

Background and Analysis:

Over the last two years there has been a growing trend in drug related crime in the downtown core. The police department, as well as other city departments and staff, have heard strong feedback and criticism related to the chronic drug problem. Citizen complaints of open air drug dealing, drug use and discarded needles have generated a perception of a lack of commitment by law enforcement and the city to address these negative downtown behaviors.

In partnership with other local law enforcement and criminal justice agencies, a number of strategies have been identified to reduce the impact on drugs in our

Agenda Date: 4/15/2014

Agenda Number: 4.M

File Number: 14-0151

broader regional community. A particular focus of these efforts is our own downtown area.

Thurston County Prosecutor Jon Tunheim has dedicated a felony-level prosecutor to oversee prosecution of all felony criminal cases in the downtown core. The Thurston County Narcotics Task Force has pledged their support to investigate drug crimes in Olympia in addition to their larger drug distribution investigations. The Olympia Police Department has increased its presence downtown with two foot patrol officers and additional patrol services.

The designation of drug free zones is another tool that can be used to reduce crime in the downtown. State law currently designates schools, parks and transit centers as drug free zones. Local governing authorities are permitted to designate drug free zones around civic centers, as well. The zones encompass the designated property plus a 1000 foot perimeter surrounding the property. Selecting five key centers in downtown Olympia will ensure that the majority of downtown falls within a drug free zone.

Regional law enforcement leaders believe the creation of drug free zones around civic centers will aid the efforts to address drug crime behavior. The creation of drug free zones enables law enforcement to refer charges to the prosecutor's office that in turn can increase penalties for those convicted of drug crimes in these zones. While enhanced penalties are not appropriate in all cases, repeated violations or chronic drug crime offenders could be subject to longer incarceration, be referred to drug court, face increased sanctions, or be subjected to court exclusion orders restricting their access to our downtown area. In addition to these impacts on violators, we believe the creation of drug free zones makes a positive statement about the kind of behaviors that are acceptable, and not acceptable, in our downtown core.

The attached map identifies the suggested civic centers for drug free zone designation and the zone coverage. The facilities identified as potential drug free zones include the Washington Center for Performing Arts, the Olympia Center, the Hands on Children Museum, the Olympia Timberland Regional Library, and the Olympia City Hall. All of these facilities are accessed by adults and children for education, enrichment and entertainment opportunities. Drug use is completely incompatible with these community activities.

Neighborhood/Community Interests (if known):

The Olympia Downtown Association (ODA), the Parking and Business Improvement Area (PBIA), numerous downtown business owners, and citizens have expressed significant concern about drug use and anti-social behavior in the downtown. They have expressed an interest in the City taking action to curb such behavior.

Options:

Approve or do not approve the recommended ordinance.

Agenda Date: 4/15/2014
Agenda Number: 4.M
File Number: 14-0151

Financial Impact:
NA

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, DESIGNATING CERTAIN CIVIC CENTERS LOCATED WITHIN THE CITY OF OLYMPIA AND THE AREA WITHIN ONE THOUSAND FEET OF THE PERIMETER OF EACH OF THOSE CIVIC CENTERS AS DRUG-FREE ZONES PURSUANT TO RCW 69.50.435; AND ADDING A NEW SECTION 9.28.020 TO THE OLYMPIA MUNICIPAL CODE.

WHEREAS, there is an inherent interest in protecting the public's safety and accessibility of the following civic centers located within the City of Olympia and their 1,000-foot perimeters: the Hands On Children's Museum, The Washington Center, The Olympia Center, Olympia City Hall, and the Olympia Timberland Regional Library (the Civic Centers); and

WHEREAS, there is an increase in the consumption of illegal felony drugs, including methamphetamine and heroin, within downtown areas of Olympia and within the 1,000-foot perimeters of the Civic Centers; and

WHEREAS, designating the Civic Centers and their 1,000-foot perimeters as drug-free zones will permit a potential enhanced sentence if a person is convicted of a felony drug offense; and

WHEREAS, the Olympia City Council finds it to be in the best interest of the City of Olympia to amend the Olympia Municipal Code and designate the Civic Centers and their 1,000-foot perimeters as drug-free zones pursuant to RCW 69.50.435; and

WHEREAS, this Ordinance is supported by the staff report and accompanying materials concerning the Ordinance, along with documents on file with the City of Olympia, and the professional judgment of City staff; and

WHEREAS, this Ordinance is adopted pursuant to Article 11, Section 11, of the Washington State Constitution and other applicable authority;

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

Section 1. Amendment of OMC 9.28.00. Section 9.28.00 of the Olympia Municipal Code is hereby amended to read as follows:

Chapter 9.28
DRUGS

9.28.000 Chapter Contents

Sections:

9.28.010 State statutes adopted by reference.

9.28.020 Drug-Free Zones.

Section 2. New Section OMC 9.28.020. There is hereby added to the Olympia Municipal Code a NEW SECTION 9.28.020 as follows:

9.28.020 Drug-Free Zones

A. Pursuant to the authority of RCW 69.50.435, the City of Olympia hereby designates the following civic centers located within the City of Olympia and their 1,000-foot perimeters as Drug-Free Zones:

1. The Hands On Children’s Museum and the area within one thousand (1,000) feet of the perimeter of the Hands On Children’s Museum;
2. The Washington Center and the area within one thousand (1,000) feet of the perimeter of The Washington Center;
3. The Olympia Center and the area within one thousand (1,000) feet of the perimeter of The Olympia Center;
4. Olympia City Hall and the area within one thousand (1,000) feet of the perimeter of Olympia City Hall;
5. The Olympia Timberland Regional Library and the area within one thousand (1,000) feet of the perimeter of the Olympia Timberland Regional Library;

Said Drug-Free Zones are depicted on the map attached hereto as Exhibit A.

B. As used in this section, the term “Civic Center” shall mean a publicly owned or publicly operated place or facility used for recreational, educational, or cultural activities.

C. All civic centers designated as Drug-Free Zones shall be posted with appropriate signs which indicate that civic center area is a Drug-Free Zone.

Section 3. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

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

Section 5. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Darren Niehaber

CITY ATTORNEY

PASSED:

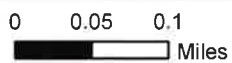
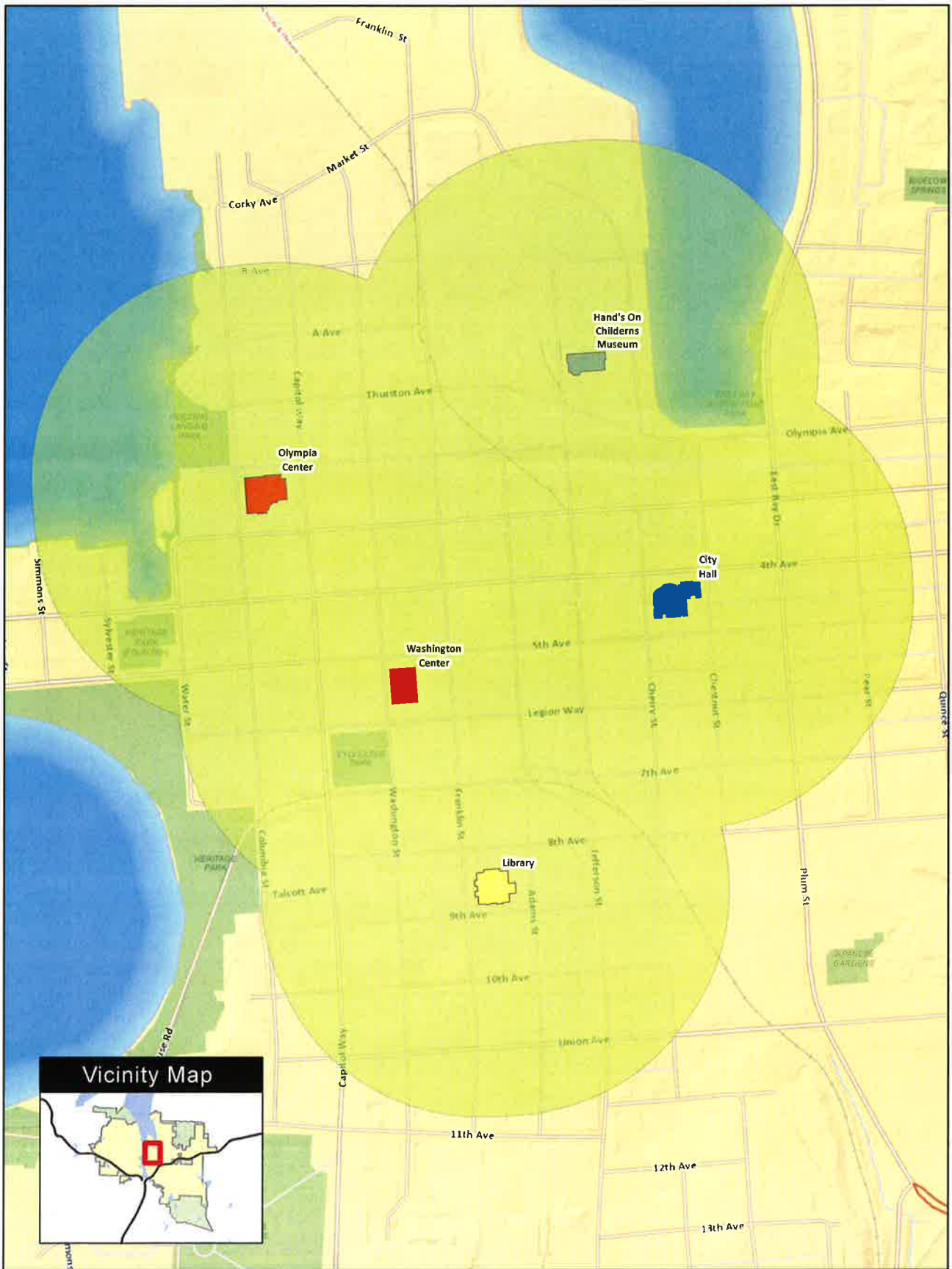
APPROVED:

PUBLISHED:

Proposed Downtown Drug Free Zone

1000' Buffer from Public Facility Building Perimeter

City of Olympia | Capital of Washington State



Map created Date: march 19, 2014
Please contact Steve Hall with questions:
shall@ci.olympia.wa.us

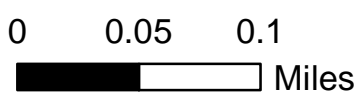
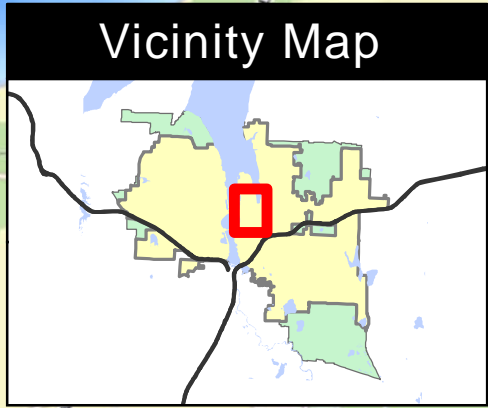
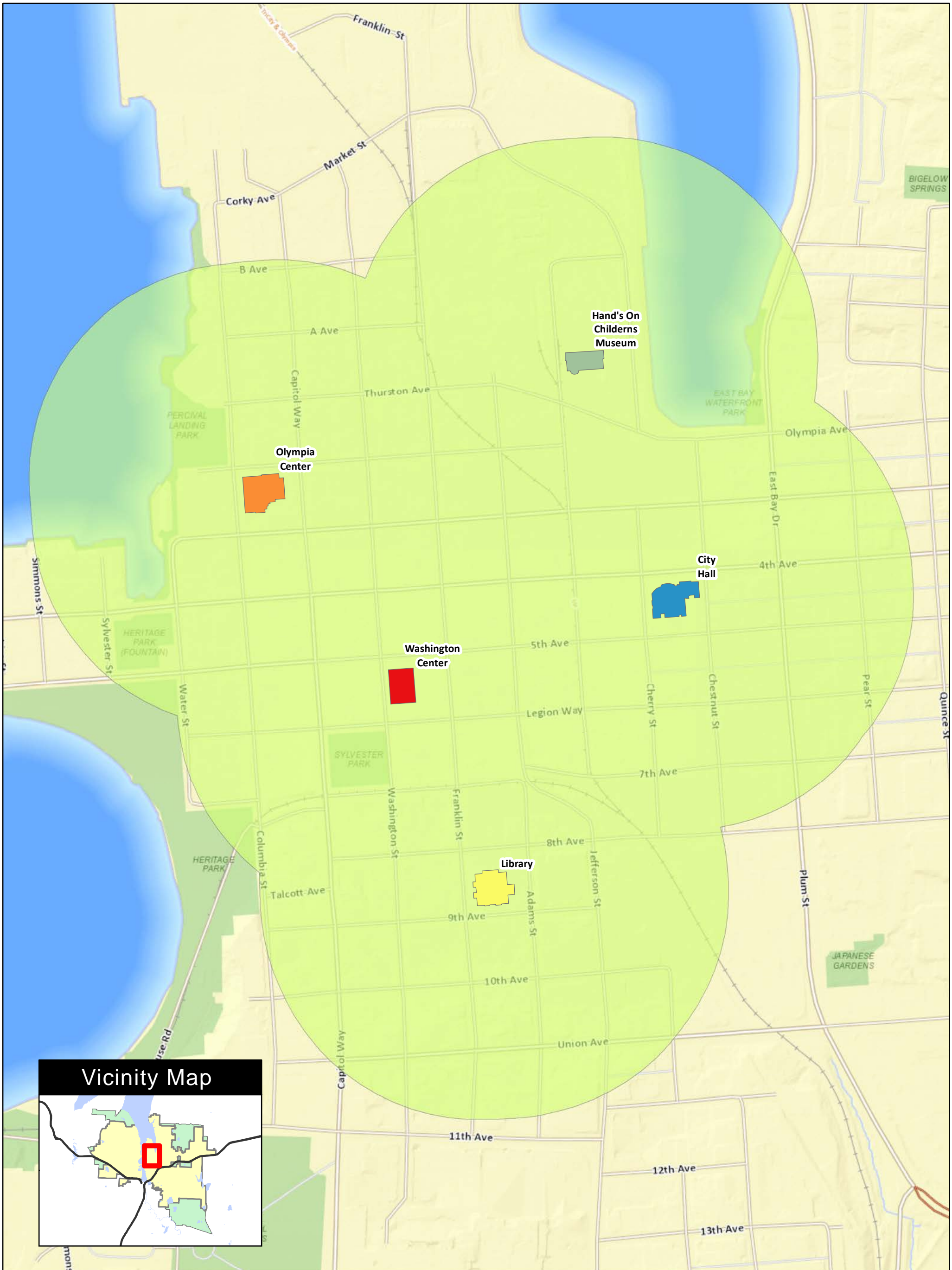
The City of Olympia and its personnel cannot assure the accuracy, completeness, reliability, or suitability of this information for any particular purpose. The parcels, right-of-ways, utilities and structures depicted herein are based on record information and aerial photos only. It is recommended the recipient and/or user field verify all information prior to use. The use of this data for purposes other than those for which they were created may yield inaccurate or misleading results. The recipient may not assert any proprietary rights to this information. The City of Olympia and its personnel neither accept or assume liability or responsibility, whatsoever, for any activity involving this information with respect to lost profits, lost savings or any other consequential damages.



Proposed Downtown Drug Free Zone

1000' Buffer from Public Facility Building Perimeter

City of Olympia | Capital of Washington State



Map created Date: march 19, 2014
Please contact Steve Hall with questions:
shall@ci.olympia.wa.us

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NOTICE

**ENHANCED
PENALTIES APPLY
FOR DRUG SALES
OR DISTRIBUTION
WITHIN 1000 FEET
OF THIS FACILITY.**

OMC XX.X.XXX

City of Olympia

City Council

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

Approval of 2013 Year End Financial Review and Adoption of Ordinance Appropriating Fund Balance for Various Purposes

Agenda Date: 4/15/2014

Agenda Number: 4.N

File Number: 14-0229

File Type: ordinance

Version: 3

Status: 2d
Reading-Consent

..Title

Approval of 2013 Year End Financial Review and Adoption of Ordinance Appropriating Fund Balance for Various Purposes

..Recommended Action

Committee Recommendation:

Finance Committee recommends approval of the financial review and adoption of the attached appropriating ordinance.

..Recommended Action

City Manager Recommendation:

Move to approve the 2013 Year End Financial Review; and adopt on second reading the ordinance appropriating Fund Balance for various purposes.

..Report

Issue:

2013 Year-end financial review and appropriation ordinance.

Staff Contact:

Dean Walz, Finance Manager, 360.753.8465

Presenter(s):

Dean Walz, Finance Manager

Background and Analysis:

On April 1, the Council directed staff to make the following changes to the appropriation detail.

\$ 88,880	Parking Special Account
200,000	Information Technology
325,000	PSE - LED light conversion
500,000	Isthmus Park Project - Added
<u>836,300</u>	Facilities major repair & maintenance - Reduced
\$ 1,950,180	

April 1 proposed appropriation:

The City of Olympia ended 2013 with \$1.1 million excess revenue compared to budget and expenses \$1.2 million under budget. The Finance Committee recommends the

Agenda Date: 4/15/2014

Agenda Number: 4.N

File Number: 14-0229

appropriation of \$1,950,180 for various purposes.

\$ 88,880	Parking Special Account
200,000	Information Technology
325,000	PSE - LED light conversion
<u>1,336,300</u>	Facilities major repair & maintenance
\$ 1,950,180	

Neighborhood/Community Interests (if known):

N/A

Options:

- 1) Pass the ordinance on second reading as presented.
- 2) Pass the ordinance on second reading with different amounts. The ordinance would be changed as directed by Council for presentation on second reading.
- 3) Do not pass the ordinance.

Financial Impact:

\$836,300 from the general fund balance will be appropriated to the Building Repair and Replacement Fund, \$500,000 will be appropriated to the Isthmus Park project, and \$325,000 will be appropriated for the Puget Sound Energy streetlight conversion project. \$88,880 will be transferred to the parking special account and \$200,000 to information technology.

Ordinance No.

AN ORDINANCE of the City of Olympia, Washington, relating to the 2014 budget, and appropriating \$200,000 for information systems; \$88,880 for Parking Special Account; \$325,000 for Puget Sound Energy LED street light conversion; \$836,300 for Equipment and Facilities Reserve (repair) Fund; and \$500,000 for the Isthmus Park project.

WHEREAS, this appropriation will be funded by the General Fund, fund balance;

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

Section 1. That the following appropriation is hereby made:

GENERAL FUND (001)

Resources:	Fund Balance	\$1,950,180
Appropriations:	Transfer to:	
	Information Systems Special Account	200,000
	Parking Special Account	88,880
	Equipment & Facilities Reserve Fund	836,300
	Isthmus Parking Project	500,000
	Capital Improvement Fund	
	PSE – Street Light Conversion	325,000
	TOTAL APPROPRIATIONS	\$1,950,180

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



ASSISTANT CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

Ordinance No.

AN ORDINANCE of the City of Olympia, Washington, relating to the 2014 budget, and appropriating \$200,000 for information systems; \$88,880 for Parking Special Account; \$325,000 for Puget Sound Energy LED street light conversion; and \$1,336,300 for Equipment and Facilities Reserve (repair) Fund.

WHEREAS, this appropriation will be funded by the General Fund, fund balance;

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

Section 1. That the following appropriation is hereby made:

GENERAL FUND (001)		
Resources:	Fund Balance	\$1,950,180
Appropriations:	Transfer to:	
	Information Systems Special Account	200,000
	Parking Special Account	88,880
	Equipment & Facilities Reserve Fund	1,336,300
	Capital Improvement Fund	
	PSE – Street Light Conversion	325,000
	TOTAL APPROPRIATIONS	\$1,950,180

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



ASSISTANT CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

2013 Year End Financial Review*

These numbers are **unaudited and may change.*

The City of Olympia spent \$108 million in 2013 and generated \$104 million in revenues.

Revenues in the General Fund were 1.9% above budget (\$1.1 million) and expenditures were less than budget by 2% (\$1.2 million). As in 2012, at the end of December, the City permitted several multi-family buildings. Permit revenue was 49% above budget.

Sales and use tax revenue was 5% more than 2012. Sales and use tax includes general sales tax, criminal justice sales tax and now the public safety sales tax. The public safety portion was collected for six months in 2013. In general, retail sales, construction, and new car sales all increased for 2013. Sales tax for 2013 starts to get the City back to the pre-recession amounts.

Property taxes were on budget for the first time in three years. However the assessed value remains down.

Private Utility taxes were down approximately a half million dollars. This year none of the sectors – gas, electric, or phone – made budget. This continues to be a declining revenue for the City.

Business and Occupation Taxes were \$134 thousand above budget. This reflects the beginning of an improved economy.

Court fines are revenue that we need to continue to monitor. 2013 was the 4th consecutive year revenues were less than budget. However, expenses were also down compared to budget. This is tied to the large number of vacancies in police officers.

Development related activity is usually closely tied to impact fees. 2013 total impact fees were almost double the 2012 amount (\$1,528,081). Park impact fees accounts for almost all of the increase. Although development fees were 49% above budget, they are still below the pre-recession amount. (Chart 8). The 2013 impact fee collection and usage report is shown on Chart 7.

Major Categories of General Fund Revenue Activity*	
Sales Tax – Regular Public Safety and Criminal Justice	\$581,430
Property Taxes	(14,040)
Probation/Day Reporting	(109,150)
Court Fines	(113,290)
Business & Occupation Tax	(113,930)
Private Utility Tax	(467,990)
City Utility Tax	(128,610)
Building Permits	869,732

**Numbers are rounded*

Expenditures under budget in the general fund were able to bolster the year end savings. Most departments in the City had a significant surplus. Of the \$1.2 million under expenditure of budget, almost \$700,000 (54%) came from salaries and benefits. As attrition occurred, departments held positions open or waited to fill positions.

Recommended Year-end Appropriations

Prior to 2009, funds for technology improvements were included in the capital facilities plan. After much debate, money for major technology improvements became an operating budget expense to be funded from year end surplus.

Recommended Uses

During the budget process, Council agreed to use any year end surplus to restore reserves to avoid deeper cuts to the operating budget. Other recommended assignments:

- \$250,000 – 2011 Council set aside
- \$325,000 – Puget Sound Energy streetlight conversion (recommended by both Land Use and Finance committees)

General Fund 2013 Year End Activity

\$1,163,550	Revenue over estimate
<u>\$1,236,910</u>	Expenditures under budget
\$2,400,460	2013 increase in resources
250,370	2011 unallocated amount
\$2,650,830	Amount Available

Policy uses:

(\$262,980)	Required to maintain 10% reserve
(\$73,670)	Used in 2014 budget
(\$88,880)	Parking Unbudgeted gain
(\$200,000)	Allocation for information technology
<u>\$2,025,300</u>	Balance after policy reduction

Recommended uses:

(\$325,000)	PSE street light conversion
(\$1,450,300)	Facilities major repair and maintenance
<u>\$250,000</u>	Resource Balance (unallocated)

Utility Budgets

In general, the utility funds followed the same pattern and trends as the General Fund – slight under-collection of revenues -- offset by under-spending on the expense side. In each of the utilities, when a surplus is generated, the excess remains in the utility. The excess funds must be appropriated by Council to be spent. The indicators below continue to reflect the economy. The number of past due notices and shuts offs for nonpayment are still substantially higher than pre-recession.

Utility Indicators

Chart 1

	Pre-Recession Average	2009	2010	2011	2012	2013
Title Company F/B Requests	1125	522	639	270	828	1145
New Services Added	315	165	239	202	184	229
Past Due Notices	13,725	14,958	16,560	16,567	16,761	16,632
Final Delinquency Notices	4250	4,816	5,239	4,832	4,678	5,521
Shut Offs Performed	600	1,923	1,961	1,849	1,913	1,744
Returned Checks/Drafts	170	194	206	182	197	253
Total Utility Customers	18,500	18,996	19,218	19,274	19,471	19,760
Utility Revenues (In millions)		\$32.5	\$32.9	\$35.4	\$36.9	\$37.9

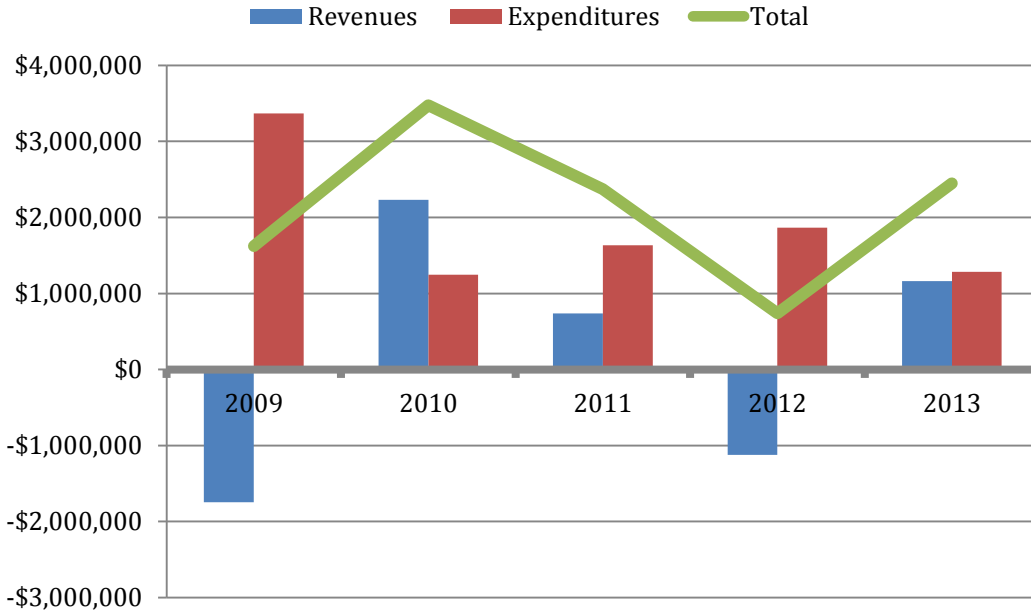
Fund Balance Analysis

Chart 2

	2008	2009	2010	2011	2012	2013
Revenues		(\$1,746,560)	\$2,230,030	\$737,650	(\$1,124,860)	\$1,163,550
Expenditures		\$3,368,630	\$1,245,595	\$1,634,670	\$1,866,100	\$1,236,910
Council set aside						\$250,370
Totals	\$806,200	\$1,622,070	\$3,475,625	\$2,372,320	\$741,240	\$2,650,830
Uses	Left in fund Balance for use in 2009 budget	\$200,000 for Technology \$229,000 for Building Repair The remainder went to pay down the loan for environmental cleanup on City Hall site	\$554,000 for 2011 budget \$1,720,000 to pay off remainder of City Hall loan \$138,000 for Justice Center renovations \$414,000 for Building Repair \$50,000 for LEOFF \$88,500 for fire equipment reserve	\$200,000 for technology \$1,632,282 for Building Repair \$50,000 for LEOFF \$168,000 for parking \$44,000 for Justice Center fencing, lighting \$36,000 for probation RMS \$80,000 for CRA	(\$14,340) Growth in 10% reserve (\$174,460) used in 2013 budget \$200,000 for Technology \$23,000 for Jail Remodel \$10,000 for EDC \$319,440 for Building Repair	(\$262,980) Growth in 10% reserve (\$73,670) used in 2014 budget \$200,000 for Technology \$88,880 parking unbudgeted gain \$325,00 for PSE lights \$1,450,300 for Building Repair \$250,000 for Council set aside

Fund Balance Analysis

Chart 3



Sales Tax

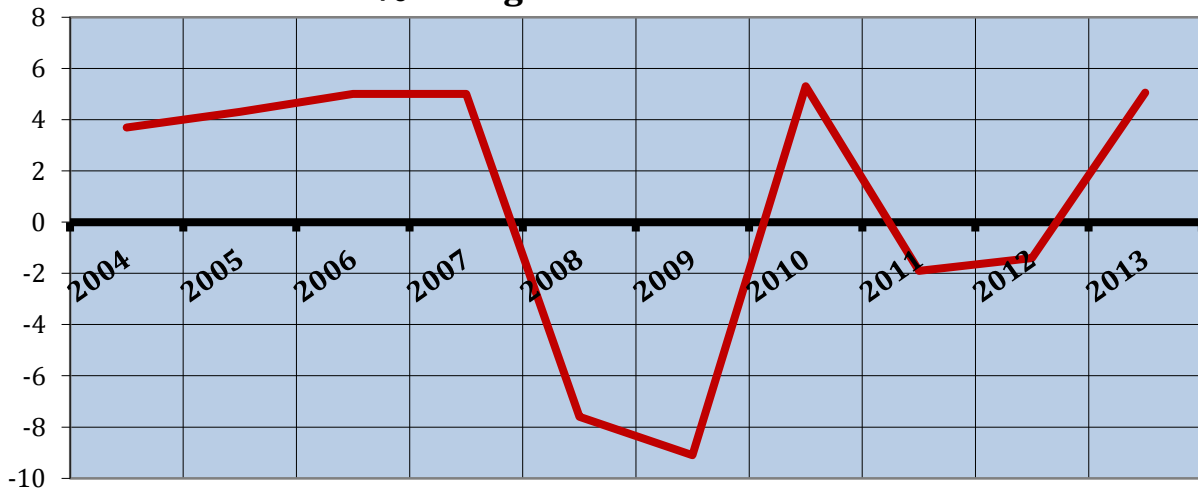
Chart 4



Sales Tax

Chart 5

% Change from Previous Year



Sales Tax

Chart 6

% Change by Month last 12 Month

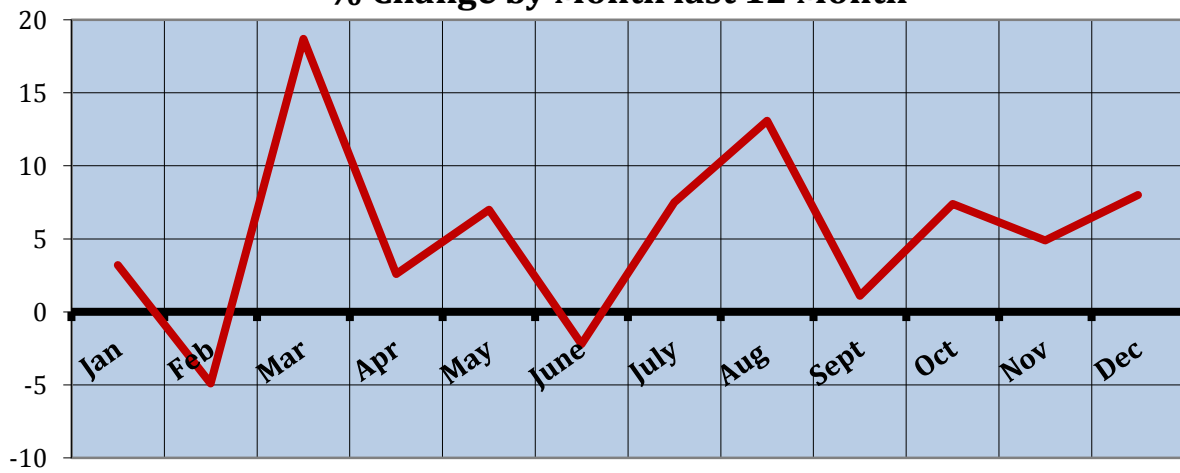
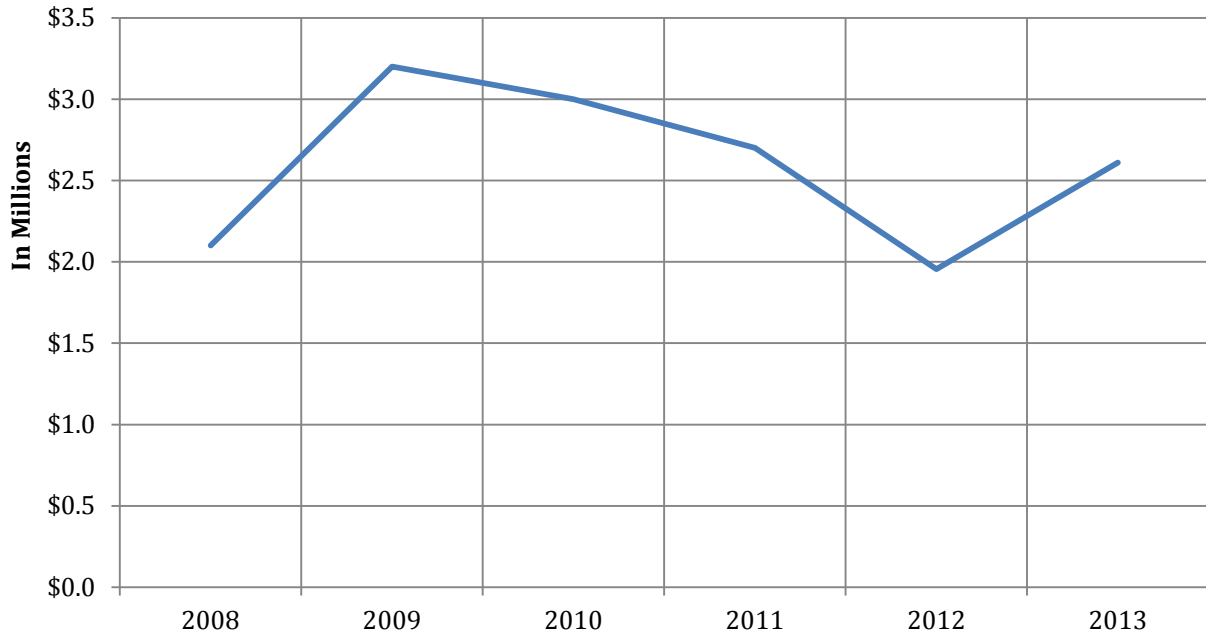


Chart 7

City of Olympia, Washington										
IMPACT FEE COLLECTION AND USAGE										
AMOUNT:	Fire	Transport.	PARKS							Total
			Neigh.	Community	Open	Ball	Tennis	Urban Trails	Special Use & Unallocated	City
1992 - 2004	1,432,297	6,420,717	399,102	257,771	2,159,064	724,903	70,082	268,727	-	11,732,663
2005	215,847	1,270,881	28,694	n/a	335,742	80,707	8,873	44,315	-	1,985,058
2006	153,029	1,086,086	27,569	n/a	322,449	77,458	8,517	42,683	-	1,717,791
2007	83,416	470,653	16,474	n/a	191,883	45,862	5,001	25,886		839,175
2008	95,679	1,128,246	12,329	12,932	68,360	12,155	1,329	6,811	14,151	1,351,992
2009	53,060	2,212,795	61,427	103,981	140,091	299	33	163	114,925	2,686,775
2010	640	821,417	106,335	176,897	196,271	-	-	-	184,936	1,486,495
2011	-	1,124,036	158,551	270,122	324,904	-	-	-	289,306	2,166,919
2012	-	1,065,528	92,875	156,379	173,983	-	-	-	163,461	1,652,226
2013	-	1,371,693	288,671	1,049,649	432,988	-	-	-	37,306	3,180,307
Total Since										
Nov. 1992	2,033,967	16,972,052	1,192,026	2,027,731	4,345,735	941,384	93,835	388,585	804,085	28,799,401
Court Ordered Refunds (fee portion)										
	-	(278,075)	(62,571)	-	(174,169)	(84,087)	(7,857)	(25,707)	-	(632,466)
Use of Impact Fees:										
1993- 2004	(720,493)	(5,104,777)	(360,127)	(263,276)	(1,342,703)	(459,015)	(47,376)	(136,671)	0	(8,434,439)
2005	(48,374)	(179,571)	(27,471)	0	(37,929)	(2,852)	0	(14,037)	0	(310,234)
2006	(4,300)	(321,895)	(422)	0	(263,541)	(212)	0	(18,337)	0	(608,708)
2007	(46,048)	(73,826)	74	0	(873,336)	(136)	0	(34,497)	0	(1,027,769)
2008	(646,837)	(69,821)	0	0	(119,644)	(1,548)	(238)	(100,930)	0	(939,017)
2009	(675,430)	(1,063,672)	(8,228)	0	0	0	0	(32,723)	0	(1,780,052)
2010	(225,582)	(3,726,910)	(84,348)	0	(253,192)	(76,215)	0	(21,201)	(119,200)	(4,506,648)
2011	0	(2,221,697)	(27,781)	(95,000)	(515,494)	(357,550)	(58,132)	0	(91,011)	(3,366,665)
2012	0	(1,204,603)	(15,279)	0	(80,042)	(1,139)	(34)	(9,320)	(166)	(1,310,581)
2013	0	(149,994)	(120,145)	(626,760)	0	0	0	(9,749)	(289,000)	(1,195,648)
Total Usage	(2,367,064)	(14,116,766)	(643,727)	(985,036)	(3,485,881)	(898,668)	(105,779)	(377,465)	(499,377)	(23,479,761)
Note: usage is as of process date, if accounting month not closed amount may vary.										
Balance	(333,097)	2,577,210	485,728	1,042,696	685,686	(41,370)	(19,801)	(14,587)	304,708	4,687,173
Interest	333,097	978,059	30,986	9,028	454,153	198,384	19,801	47,024	3,042	2,073,575
Bal. w/Interest		3,555,270	516,715	1,051,723	1,139,839	157,014	0	32,437	307,750	6,760,748
Budget Balance	-	2,650,280	259,503	128,216	413,758	156,686	0	20,827	193,347	3,822,617
Balance Available for										
Appropriation	0	904,990	257,212	923,507	726,081	328	0	11,611	114,403	2,938,131

Building Permit Revenue

Chart 8



City of Olympia

City Council

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

Approval of Ordinance Amending Olympia Municipal Code Regarding Landscaping and Screening of Solid Waste Receptacles (Containers)

Agenda Date: 4/15/2014

Agenda Number: 4.O

File Number: 14-0281

File Type: ordinance

Version: 2

Status: 2d
Reading-Consent

..Title

Approval of Ordinance Amending Olympia Municipal Code Regarding Landscaping and Screening of Solid Waste Receptacles (Containers)

..Recommended Action

Committee Recommendation:

The Olympia Planning Commission gave their support to amend the code as drafted on November 3, 2013.

City Manager Recommendation:

Move to approve on second reading an ordinance amending Olympia Municipal Code (OMC) 18.36.060 subsections (I) and (L) Landscaping and Screening of Solid Waste Receptacles (Containers).

..Report

Issue:

Whether to approve an ordinance amending the OMC to change the solid waste container screening requirement.

Staff Contact:

Ron Jones, Senior Program Specialist, Public Works Waste ReSources,
360.753.8509

Presenter(s):

None, as this is a Consent Calendar item.

Background and Analysis:

The background and analysis have not changed from the April 1 staff report presented for first reading.

Chapter 18.36 of the OMC establishes standards for landscaping and screening of trash containers for the purpose of providing physical and visual buffers between differing land uses. These buffers are intended to lessen and improve environmental and aesthetic impacts of development and enhance the overall appearance of the City.

The current code identifies three types of screening a developer can use to partially hide, or completely hide the container from public view. The current code requires all

Agenda Date: 4/15/2014

Agenda Number: 4.O

File Number: 14-0281

commercial and multi-family solid waste containers be screened from view using a 100% solid barrier. Residential carts and public litter containers are currently excluded from this code.

Current Screen Definitions:

- Solid Screen (Type I): 100 percent solid sight barrier
- Visual Screen (Type II): Partial sight barrier
- Visual Buffer (Type III): Partial visual separation for a softer appearance

Over the past few years, changes to the City's garbage and recycling trucks and development guidelines have made it increasingly difficult to locate and collect solid waste containers inside Type I Screens.

Proposed Change:

The proposed amendment changes the requirement for screening solid waste containers from a Solid Screen (Type-I) to a Visual or Partial Screen (Type-II). This change will improve Waste ReSources' operational efficiency and worker safety by making it easier to access and collect the containers. It will also be easier for developers to site and construct Type-II Screens. The change is also in keeping with CPTED (Crime Prevention Through Environmental Design) principles to eliminate places for individuals to hide.

The Olympia Planning Commission (OPC) held a briefing on May 5, 2013, a public hearing on June 17, and further deliberated this issue in July and November. The OPC provided input and they support the proposed amended ordinance.

Neighborhood/Community Interests (if known):

The OPC held a Public Hearing on June 17, 2013 to solicit comments on the proposed amendment. No comments were received.

Options:

1. Move to approve on second reading OMC 18.36.060 Landscaping and Screening, sub-sections (I) and (L).

Implications:

- Solid waste containers would only be required to be partially screened from public view.
- Improves solid waste container access, which improves collection efficiency and worker safety.
- Makes it easier to find a location for solid waste containers and enclosures on properties that are difficult to develop. Some solid waste containers may become more visible to the public.
- Uses fewer materials and allows vegetative screening instead of hard materials.
- Partial screens do not provide hiding places.

Agenda Date: 4/15/2014

Agenda Number: 4.O

File Number: 14-0281

2. Do not approve the ordinance as recommended.

Implications:

- No changes to the code means that solid waste containers would still be required to be screened 100 percent from public view.
- It will remain challenging to site enclosures on property that is difficult to develop.
- It does not improve collection efficiency.
- Solid enclosures provide hiding places for unwanted materials that should be put in a dumpster.

Financial Impact:

No direct financial impact. The revised code will improve operational efficiencies and help control cost of providing service.

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING OLYMPIA MUNICIPAL CODE SUBSECTIONS 18.36.060(I) and 18.36.060(L) RELATING TO SCREENING WASTE CONTAINERS AND MECHANICAL EQUIPMENT IN ALL ZONING DISTRICTS.

WHEREAS, existing City of Olympia zoning codes require screening of waste containers and mechanical equipment; and

WHEREAS, on June 17, 2013, the Olympia Planning Commission held a public hearing on proposed amendments to the Olympia Municipal Code which provide for screening of waste containers and mechanical equipment; and

WHEREAS, on July 15 and November 4, 2013, the Planning Commission deliberated and forwarded their recommendation to approve the proposed amendments to the Olympia City Council; and

WHEREAS, the Olympia City Council deems it to be in the best interest of the City of Olympia to approve the Planning Commission's recommendation and amend the Olympia Municipal Code to allow amendments to the screening of waste containers and mechanical equipment; and

WHEREAS, this Ordinance is supported by the staff report and accompanying materials concerning the Ordinance, along with documents on file with the City, and the professional judgment of City staff; and

WHEREAS, this Ordinance is adopted pursuant to RCW 36.70A and Article 11, Section 11, of the Washington State Constitution.

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

Section 1. Amendment of OMC 18.36.060(I). Olympia Municipal Code Subsection 18.36.060(I) is hereby amended to read as follows:

I. Trash Waste Containers, Mechanical Equipment and Open Storage.

1. ~~In all commercial and multifamily zone districts, mechanical equipment and waste receptacles which are visible from adjoining streets or parking areas shall be screened from public view by a Type I Solid Screen. This does not include pedestrian oriented waste receptacles along walkways.~~ Waste Containers & Mechanical Equipment: Solid waste containers (dumpsters, carts, drop boxes and compactors) and mechanical and electrical equipment in industrial, commercial, multi-family and mixed-use projects, which would otherwise be visible from adjoining streets shall be screened from public view by a Type II Visual Screen unless such would interfere with access and service, in which case a Type III Visual Buffer shall be provided.

2. Open Storage: All outside storage areas shall be fully screened by a Type I Solid Screen a minimum of five (5) feet in width, unless the Department finds such storage material is not visually obtrusive.

Section 2. Amendment of OMC 18.36.060 (L). Olympia Municipal Code Section 18.36.060 (L) is hereby amended to read as follows:

L. Types of Perimeter Landscape.

1. Solid Screen (Type I). Purpose: This type of landscaping is intended to provide a solid sight barrier between totally separate and incompatible land uses such as residential and industrial areas. It is also used around outdoor storage yards, and service yards, ~~trash receptacles, mechanical and electrical equipment, etc.~~

Materials: Landscaping shall consist of evergreen trees, tall shrubs and ground cover which will provide one hundred percent sight-obscuring screen; OR a combination of seventy-five (75) percent evergreen and twenty-five (25) percent deciduous trees with large shrubs and ground cover backed by a one hundred (100) percent sight-obscuring fence. Tree, shrub, and groundcover spacing shall be appropriate for the species type and consistent with the intent of this section.

2. Visual Screen (Type II). Purpose: This type of landscaping vegetation or landscape structure, or both, is intended to create a visual separation that may be less than one hundred (100) percent sight-obscuring ~~between incompatible land use zones. This It~~ is typically found between commercial and industrial zones; high density multifamily and single family zones; commercial/office and residential zones; and to screen commercial and industrial use waste containers, mechanical and electrical equipment from the street.

Materials: Vegetative ~~Landscaping~~ shall consist of evergreen OR a combination of approximately sixty (60) percent evergreen and forty (40) percent deciduous trees, interspersed with large shrubs and ground cover. A sight-obscuring fence or other landscape structure can be used and may be required if as determined by the Design Review Board or Administrator it is necessary to reduce site specific adverse impacts to adjacent land uses. Tree, shrub, and groundcover spacing shall be appropriate for the species type and consistent with the intent of this section (See Section ~~18-04A.050~~ 18.170.050, Multifamily Design Guidelines Residential, Fences and Walls).

3. Visual Buffer (Type III). Purpose: This type of landscaping is intended to provide partial visual separation of uses from streets and main arterials and between compatible uses in order to soften the appearance of parking areas and building elevations. Landscaping shall consist of no more than fifty (50) percent deciduous species. Waste containers may be buffered from view using vegetation or a landscape structure or both.

Materials: Vegetative ~~Landscaping~~ shall be a mixture of evergreen and deciduous trees interspersed with large shrubs and ground cover. Tree, shrub, and groundcover spacing shall be appropriate for the species type and consistent with the intent of this section.

Section 3. Effective Date. This Ordinance shall be in effect five days after its passage and publication.

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:


DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

City of Olympia

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

City Council

Approval of Amendment to Ordinance 6888 (Operating Budget)

Agenda Date: 4/15/2014

Agenda Number: 4.P

File Number: 14-0283

File Type: ordinance

Version: 2

Status: 2d
Reading-Consent

..Title

Approval of Amendment to Ordinance 6888 (Operating Budget)

..Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve amending ordinance on second reading.

..Report

Issue:

Amendment to Ordinance 6888

Staff Contact:

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

Presenter(s):

Dean Walz, Fiscal Services Director

Background and Analysis:

The background and analysis have not changed from the April 1 staff report presented for first reading.

To change the budget the Council must approve a new ordinance amending the budget. Generally, budgetary amendments are made quarterly. On occasion a budget change needs to be made between the quarterly updates and a separate ordinance will come before the Council. These ordinances do not officially amend the budget ordinance, but does provide authorization to expend funds. The attached ordinance reflects ordinances which may have been adopted relating to the budget since the last quarterly update, and other proposed changes to the budget.

No ordinances were passed since the adoption of the ordinance 6888 relating to the operating budget.

Budget Items Not Previously Presented to the Council:

- 1) Appropriation of \$44,000 for daytime security guard at City Hall. This is funded

Agenda Date: 4/15/2014

Agenda Number: 4.P

File Number: 14-0283

from cable franchise fees.

- 2) Appropriation of \$10,000 to the Human Resources to reimburse for labor resolution costs. This is funded from an insurance recovery.
- 3) Appropriation of \$3,000 to the Building Demolition and Nuisance Abatement Account. This is funded from a transfer from existing General Fund appropriations.
- 4) Appropriation of \$5,000 for the Heritage Program Alley Naming/Improvement project. This is funded from a Thurston County Heritage Grant.
- 5) Appropriation of \$30,000 for the Ambassador Program. Funding is from the PBIA Fund.
- 6) Appropriations of \$400,000 to be transferred from the Drinking Water O&M Fund to the Drinking Water Capital Fund. This is funded from reserves in the O&M Fund excess of the operating reserve requirement.
- 7) Appropriation of \$73,703 for the Waste ReSources 6 year plan update. This is funded from a grant from the State of Washington, Department of Ecology.
- 8) Appropriation of \$20,000 for legal and technical services related to sampling Port of Olympia stormwater sediments sampling. Funding is provided from the Stormwater Utility fund balance.
- 9) Appropriation of \$9,444 for the Boulevard Road pump station. Funding is provided by the Wastewater Utility fund balance.
- 10) Appropriation of \$9,462 for the Mottman Road crosswalk beacon by SPSCC. Funding is from a grant from SPSCC.
- 11) Appropriation of \$116,539 for cost of living increases to employees covered by the AFSCME, IUOE, Teamster, Police labor agreements. These agreements provided for a 4% cost of living increase if the 2013 sales tax increased by 5% or more over 2012. The increase over 2012 was 5.057%. The adopted 2014 budget included a 3% increase. The additional 1% is funded from increased estimates of 2014 sales tax collections. Original sales tax projections were based on a 2013 increase of 4%.

Neighborhood/Community Interests (if known):

None noted.

Options:

- 1) Approve ordinance amending ordinance 6888.
- 2) Do not approve the amending ordinance. The budget items would not be authorized.

Financial Impact:

Total increase appropriations by \$721,148. The sources of funding for these appropriations are noted above.

Agenda Date: 4/15/2014
Agenda Number: 4.P
File Number: 14-0283

Ordinance No.

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING TO BUDGETS, FINANCE, AND SALARIES, AND AMENDING ORDINANCE NO. 6888.

WHEREAS, the City Council of the City of Olympia, having held a public hearing on the preliminary budget on November 12, 2013, as required by law, and having considered the public testimony presented; and

WHEREAS, the City Council of the City of Olympia passed ordinance 6888 on December 17, 2013; and

WHEREAS, throughout the year, updates are required to recognize changes relating to budgets, finance and salaries; and

WHEREAS, the following amendments need to be made to ordinance 6888;

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

Section 1. 2014 Budget. The budget for the calendar year 2014 is hereby adopted in the amounts and for the purposes as shown below; and the following sums, or so much thereof as shall severally be found necessary, are hereby appropriated out of any of the monies in the several funds in the City Treasury hereinafter named.

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
General, Regular Operations	\$73,667	\$62,661,803 62,876,804	\$62,735,470 62,950,471	
General, Special Sub-Funds				
Special Accounts	219,400	1,079,130 1,082,130	1,298,530 1,301,530	
Washington Center	5,000	253,154	258,154	
Municipal Arts	123,000		123,000	
Equip & Facilities Reserve	871,175	658,800	1,529,975	
Total General Fund	1,292,242	64,652,887 64,870,888	65,945,129 66,163,130	
4 th /5 th Avenue Corridor Bridge Loan		565,921	565,921	
LTGO Bond Fund - 2006 Parks		1,197,750	1,197,750	
UTGO Bond Fund – 2009 Fire		1,214,903	1,195,531	19,372
City Hall Debt Fund – 2009	1,032	2,420,886	2,421,918	

2010 LTGO Bond – Street Projects		438,213	438,213	
L.O.C.A.L. Debt Fund – 2010	1	178,280	178,281	
2010B LTGO Bonds - HOCM		405,063	405,063	
2013 LTGO Bond Fund		672,325	672,325	
Water Utility O&M	78,212 478,212	11,224,138	11,302,350 11,702,350	
Sewer Utility O&M	274,650 284,094	16,947,190	17,221,840 17,231,284	
Solid Waste Utility	386,021	9,591,628	9,977,649	10,051,352
Storm Water Utility	56,607 76,607	4,595,500	4,652,107 4,672,107	
Water/Sewer Bonds		2,041,945	2,027,113	14,832
Equipment Rental	18,285	1,632,800	1,651,085	
TOTALS	\$2,107,050 \$2,536,494	\$117,779,429 \$118,071,133	\$119,852,275 \$120,573,423	\$34,204

Section 2. Administration. The City Manager shall administer the budget, and in doing so may authorize adjustments within the funds set forth in Section 1 above, to the extent that such adjustments are consistent with the budget approved in Section 1.

Section 3. Salaries and Compensation. The salaries and compensation for the City of Olympia employees for the calendar year 2014 shall be as set forth in the "Supplementary Information" section of the 2014 Adopted Operating Budget document, or as the same may be amended by the City Manager as part of his administration of the budget pursuant to Section 2 above.

Section 4. Benefit Cost Sharing. The City Manager is authorized to modify and establish benefit cost sharing for City employees; and such programs may be based, in part, on an employee's start date with the City.

Section 5. 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 6. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 7. Effective Date. This ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



DEPUTY CITY ATTORNEY (ACA)

PASSED:

APPROVED:

PUBLISHED:

City of Olympia

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

City Council

Approval of Amendment to Ordinance 6884 (Special Funds)

Agenda Date: 4/15/2014

Agenda Number: 4.Q

File Number: 14-0284

File Type: ordinance

Version: 2

Status: 2d
Reading-Consent

..Title

Approval of Amendment to Ordinance 6884 (Special Funds)

..Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve amending ordinance on second reading.

..Report

Issue:

Amendment to Ordinance 6884

Staff Contact:

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

Presenter(s):

Dean Walz, Fiscal Services Director

Background and Analysis:

The background and analysis have not changed from the April 1 staff report presented for first reading.

To change the budget the Council must approve a new ordinance amending the budget. Generally, budgetary amendments are made quarterly. On occasion a budget change needs to be made between the quarterly updates and a separate ordinance will come before the council. These ordinances do not officially amend the budget ordinance, but does provide authorization to expend funds. The attached ordinance reflects ordinances which may have been adopted relating to the budget since the last quarterly update, and other proposed changes to the budget.

No ordinances were passed since the adoption of ordinance 6884 relating to Special Funds.

Budget Item not previously presented to the Council:

Agenda Date: 4/15/2014

Agenda Number: 4.Q

File Number: 14-0284

- 1) Appropriation of \$50,000 for downtown alley lighting and \$275,000 for sidewalk and access ramp improvements. This is funded from a HUD, Section 108 loan.

Neighborhood/Community Interests (if known):

None noted.

Options:

- 1) Approve ordinance amending ordinance 6884.
- 2) Do not approve the amending ordinance. The budget items would not be authorized.

Financial Impact:

Total increase in appropriations is \$325,000. The sources of funding for these appropriations are noted above.

Ordinance No.

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, APPROPRIATING FUNDS WITHIN VARIOUS SPECIAL FUNDS, AND AMENDING ORDINANCE NO. 6884

WHEREAS, the City Council of the City of Olympia passed ordinance 6884 on December 17, 2013; appropriating funds within various special funds, and;

WHEREAS, the following amendments need to be made to ordinance 6884;

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

Section 1. The following appropriations are hereby made:

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
CDBG Loan Repayment Fund	\$10,000	\$70,000	\$80,000	
Housing Urban Development Fund		357,512 682,512	357,512 682,512	
Lodging Tax Fund		480,000	471,677	\$8,323
Parks & Recreational Sidewalk Utility Tax Fund		719,788	719,788	
Parking Business Improvement Area Fund		110,000	110,000	
Farmers Market Repair & Replacement Fund	10,000		10,000	
Hands On Children's Museum	39,833	377,680	417,513	
Equipment Rental Replacement Reserve Fund	13,864	1,388,100	1,401,964	
Unemployment Compensation Fund		183,000	183,000	
Insurance Trust Fund	49,000	1,636,000	1,685,000	
Workers Compensation Fund	403,000	1,447,000	1,850,000	
Washington Center Endowment Fund		11,346	11,346	
TOTALS	\$525,697	\$6,780,426 7,105,426	\$7,297,800 7,622,800	\$8,323

Section 2. 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 3. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 4. Effective Date. This ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



ASSISTANT CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

City of Olympia

City Council

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

Approval of Amendment to Ordinance 6887 (Capital Budget)

Agenda Date: 4/15/2014

Agenda Number: 4.R

File Number: 14-0285

File Type: ordinance

Version: 2

Status: 2d
Reading-Consent

..Title

Approval of Amendment to Ordinance 6887 (Capital Budget)

..Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve amending ordinance on second reading.

..Report

Issue:

Amendment to Ordinance 6887

Staff Contact:

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

Presenter(s):

Dean Walz, Fiscal Services Director

Background and Analysis:

The background and analysis have not changed from the April 1 staff report presented for first reading.

To change the budget the Council must approve a new ordinance amending the budget. Generally, budgetary amendments are made quarterly. On occasion a budget change needs to be made between the quarterly updates and a separate ordinance will come before the Council. These ordinances do not officially amend the budget ordinance, but does provide authorization to expend funds. The attached ordinance reflects ordinances which may have been adopted relating to the budget since the last quarterly update, and other proposed changes to the budget.

One ordinance passed since the adoption of the 2014 capital budget. Ordinance 6895 was adopted on March 18, 2014. The ordinance appropriated \$142,200 for the Artesian Court Development project. Funding is provided by a transfer from the City Hall Construction Fund.

Budget Items Not Previously Presented to the Council:

Agenda Date: 4/15/2014

Agenda Number: 4.R

File Number: 14-0285

- 1) Appropriation of \$9,041 for the Boulevard & 22nd Avenue transportation project. Funding is from a transfer from the SEPA Mitigation Fee Fund. The SEPA Mitigation Fee Fund appropriations are also increased.
- 2) Appropriation of \$687 for the Yauger Expansion Phase 1 transportation project. Funding is from a transfer from the SEPA Mitigation Fee Fund. The SEPA Mitigation Fee Fund appropriations are also increased.
- 3) Appropriation of \$170,000 for the Stormwater six year plan. Funding is from a grant from the State of Washington, Department of Ecology.
- 4) Appropriation of \$90,000 for hazardous tree removal. Funding is for the Capital Improvement Fund, fund balance.
- 5) Appropriation of \$275,000 for the construction of a garage at the Fire Training Center. Funding is from a contribution of \$205,000 from Fire District 3 (Lacey) and \$70,000 from the Fire Bond Construction Fund. This will utilize the balance of resources in the Fire Bond Construction Fund.

Neighborhood/Community Interests (if known):

None noted.

Options:

- 1) Approve ordinance amending ordinance 6887.
- 2) Do not approve the amending ordinance. The budget items would not be authorized.

Financial Impact:

Total increase in appropriations \$696,656. The sources of funding of these appropriations are noted above.

Ordinance No.

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING TO THE CAPITAL FACILITIES PLAN FOR THE YEARS 2014-2019; AND AMENDING ORDINANCE 6887.

WHEREAS, the Olympia City Council adopted the “Capital Facilities Plan,” herein referred to as “CFP,” for years 2014 through 2019 by passing Ordinance 6887 on December 17, 2013; and

WHEREAS, the CFP is periodically amended to recognize additional revenue and/or appropriations, as provided for in RCW 36.70A.130(2)(a)(iv), and;

WHEREAS, the following amendments need to be made to ordinance 6887:

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

Section 1. That certain document entitled the "Capital Facilities Plan," covering the years 2014 through 2019, a copy of which will be on file with the Office of the Director of Administrative Services and available on the City’s web site, is hereby adopted as the Capital Facilities Plan for the City of Olympia and is incorporated herein as though fully set forth.

Section 2. Upon appropriation by the City Council of funds therefore, the City Manager shall be authorized to prepare plans and specifications, to take bids and make expenditures for the projects set forth in the CFP during the year for which said projects are scheduled; provided that any award of bids and execution of contracts for construction shall be approved as provided in OMC Chapter 3.16.

Section 3. It is anticipated that the funding source and the construction schedule for projects identified in the CFP may be changed over the next year. Such changes shall not constitute an amendment to the Comprehensive Plan for purposes of RCW 36.70A.130.

Section 4. The Director of Administrative Services is hereby authorized to bring forward into fiscal year 2014 all appropriations and allocations not otherwise closed, completed, or deleted from prior fiscal years' capital budgets.

Section 5. Volume III of the Olympia Comprehensive Plan (Capital Facilities) is repealed in its entirety.

Section 6. The following appropriations are hereby made:

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
Impact Fee Fund	\$666,213		\$666,213	
SEPA Mitigation Fee Fund	76,290 86,018		76,290 86,018	
Parks & Recreational Sidewalk, Utility Tax Fund	163,258	\$2,297,992	2,461,250	

FUND	APPROP. FUND BALANCE	ESTIMATED REVENUE	APPROP.	ADDITIONS TO FUND BALANCE
Real Estate Excise Tax Fund		1,000,000	1,000,000	
Capital Improvement Fund		4,837,514	4,557,314	\$280,200
		5,264,442	5,074,242	190,200
Water CIP Fund	1,092,257	734,543	1,826,800	
Sewer CIP Fund	1,592,399	741,301	2,333,700	
Storm Water CIP Fund		2,419,600	2,419,600	
		2,589,600	2,589,600	
TOTALS	\$3,590,417	\$12,030,950	\$15,341,167	\$280,200
	\$3,600,145	\$12,627,878	\$16,037,823	\$190,200

Section 7. 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 8. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 9. Effective Date. This ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



DEPUTY CITY ATTORNEY (ACA)

PASSED:

APPROVED:

PUBLISHED:

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 \$50,000 for the Community Renewal Area Planning Process

Agenda Date: 4/15/2014

Agenda Number: 4.S

File Number: 14-0313

File Type: ordinance

Version: 1

Status: 1st
Reading-Consent

..Title

Approval of Appropriation Ordinance in the Amount of \$50,000 for the Community
Renewal Area Planning Process

..Recommended Action

Committee Recommendation:

The Community & Economic Revitalization Ad Hoc Committee recommends the
planning process.

City Manager Recommendation:

Move to approve on first reading and forward to second reading the appropriation
ordinance in the amount of \$50,000 for continuation of the Community Renewal Area
(CRA) planning process.

..Report

Issue:

Whether to approve an appropriation ordinance in the amount of \$50,000 to finish
development of a Community Renewal Plan (CRP) for Downtown Olympia. Tasks to
complete which would be funded by this appropriation ordinance include:

- Outreach and public involvement
- Planning and analysis including evaluation of blight, and project identification
and evaluation
- Production of visually appealing draft and final versions of the CRP with
presentation to Council

Staff Contact:

Karen Kenneson, Business Manager, Community Planning and Development,
360.753.8277

Presenter:

N/A

Background and Analysis:

On March 17, 2014, City Council authorized moving forward with the CRA planning
process to complete a Community Renewal Plan (CRP) for Downtown Olympia and an
additional \$50,000 in funding to complete this work. ECONorthwest is currently under
contract to provide redevelopment strategic planning and a CRP for Downtown
Olympia but additional work is needed to advance an adoptable CRP to City Council.

Agenda Date: 4/15/2014

Agenda Number: 4.S

File Number: 14-0313

This appropriation ordinance would formalize and approve the use of \$50,000 in fund balance to the Council Goal Account for use in this project.

Neighborhood/Community Interests (if known):

This project is of interest to the community and community stakeholders will continue to be involved in this process through the CAC.

Options:

1. Approve the appropriation ordinance in the amount of \$50,000 for funding the CRA process.
2. Do not approve the appropriation ordinance and direct staff to identify other potential sources of funding.

Financial Impact:

The funding source for this appropriation would come from fund balance that is not currently committed to another use.

Ordinance No.

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING TO THE 2014 BUDGET, AND APPROPRIATING \$50,000 FOR COMMUNITY RENEWAL AREA (CRA) PLANNING. FUNDING IS TO BE PROVIDED FROM THE GENERAL FUND BALANCE.

WHEREAS, the Community Planning and Development Department wishes to amend the scope of the original contract with ECONorthwest for Community Renewal Area (CRA) Planning Process Consultation Services, to include production of a Community Renewal Plan (CRP) for Downtown Olympia; and

WHEREAS, on March 17, 2014, the Olympia City Council authorized proceeding with the CRA planning process and development of a CRP for Downtown Olympia, and appropriating \$50,000 therefor;

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

Section 1. That the following appropriations are hereby made:

GENERAL FUND (001)

Resources:	General Fund balance	\$50,000
	TOTAL RESOURCES	\$50,000
Appropriations:	Council Goals - CRA	\$50,000
	TOTAL APPROPRIATIONS	\$50,000

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



ASSISTANT CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

DATE: Feb 12, 2014

ECO Project #: 20765

TO: Community and Economic Revitalization Committee (CERC)¹

FROM: Lorelei Juntunen

SUBJECT: SCOPE FOR COMPLETING A COMMUNITY RENEWAL AREA PLAN FOR DOWNTOWN OLYMPIA

ECONorthwest is under contract to the City of Olympia to provide redevelopment strategic planning and a Community Renewal Plan (CRP) for downtown Olympia. Significant outreach and technical analysis has been completed, but additional work is needed to advance to Council an adoptable CRP. This memorandum provides the scope for completing the CRP, including preparation for a workshop focused on the Isthmus Area.

The goal of the re-scope remains to produce **an adoptable CRP** that will: (1) address stakeholder concerns about community renewal and help the City move stakeholders toward consensus on a vision for Isthmus redevelopment; (2) define viable projects for Isthmus and roles community renewal can play to achieve these projects ; (3) explain community renewal's potential to catalyze redevelopment in downtown Olympia. A key component of the revised scope is a community workshop, facilitated with property owners in the Isthmus area and an existing Citizens Advisory Committee (CAC) in a process of evaluating options for redevelopment of that District. **Because the outcome of the community workshop is primarily about engaging the CAC, and their input is likely to affect collective thinking about the CRP and the process that follows, it is possible that additional re-scoping will be necessary after the design workshop.** The CRA process is likely to move forward in some form regardless of outcomes at the workshop, but the specific steps and areas of focus may shift.

Expected outcomes:

- Support outreach and education efforts around the creation of the Community Renewal Area, and a vision for redevelopment of the Isthmus.
- Create a Community Renewal Plan for Downtown Olympia as required by RCW 35.81.010(18) for Council's consideration.
- Identify what land is to be acquired, buildings demolished or redeveloped and what improvements are to be carried out to revitalize Downtown and in the Isthmus in particular.
- Identify what changes in existing land use regulations are necessary to implement the Community Renewal Plan.
- Create an action plan with clear next steps for project implementation.
- Provide an ample opportunity for public engagement while sustaining a sense of urgency and an action orientation.

¹ Formerly, and sometimes in this document, the "Ad Hoc Committee"

Tasks

1. Isthmus area workshop process

For this workshop, Fregonese Associates, a regional planning and facilitation firm, will join the ECONorthwest team.

A. Preparation

Property owner meeting (February 6, 2014)

This first meeting was convened to discuss the purpose and timing of the workshop, to understand the desires, and to encourage the productive engagement in the workshop of the Isthmus area property owners.

CAC meeting: principles and process (March 6)

To set the workshop conversation off with the right tone, we recommend a pre-meeting with the CAC and property owners², facilitated by Fregonese Associates to accomplish the following:

- Identify a set of principles for the Isthmus that all can agree to. These principles are likely to be basic and high-level statements, such as “the Isthmus must be improved”.
- Identify any areas of disagreement or strongly held opinions that will need to be reconciled through the process.
- Identify and get buy-in on a set of re-use options that can help to test areas of agreement

Fregonese will use instant polling software to allow the participants to remain anonymous, if they choose, in their opinions about the area’s future.

The outcomes of this meeting will significantly shape the agenda and focus of the Design workshop (described in Step 2). With an understanding of likely areas of agreement and disagreement, we can design a workshop and associated visualizations that will best meet the needs of the group.

Community and Economic Revitalization Committee (CERC) Meeting (March 20)

We will check in with the CERC following these two meetings to report findings from the property owner and CAC meeting, and to review a preliminary agenda and process in advance of the design workshop.

² All references to CAC in this scope assume that property owners in the Isthmus are included as members of the CAC.

B. Design workshop

CAC Design Workshop (April 5, 2014)

The Consultant and the City will host a workshop with CAC members (including key property owners) to address issues raised in previous CAC meetings. The workshop will focus on the Isthmus, and be organized as a half-day workshop, facilitated by John Fregonese from Fregonese Associates. ECO will work with Fregonese Associates and City staff to design the details of the workshop, but in general, it will follow this format:

- ECO will present the work completed to date, including the market analysis for downtown Olympia. This is important context for understanding the challenges to redevelopment, but also the imperative for action for downtown.
- The purpose of the workshop will be to work toward agreement on potential uses, public improvements, and design characteristics for the Isthmus properties.
- Fregonese Associates effectively uses instant polling technology to anonymously “take the temperature” of participants, and would use this technology for this workshop to move participants toward consensus by providing value statements about area redevelopment and determining the degree of agreement with those statements.

After the workshop, Fregonese Associates will design one or two (depending on the degree of agreement) conceptual diagrams and site plans, which may be augmented with more detailed photo illustrations at a later date (see “optional visualizations” later in the scope).

CERC/CAC meeting (May 15)

At this meeting, the team will present findings and conclusions from the workshop, including site plans, to receive comments that can be used to fine tune the scenarios and ensure that they are ready for additional public comment.

C. Follow-up

Open house (July, date TBD)

Outputs of the design workshop will be shared with attendees of an open house (described in more detail in the CRP plan completion sections below).

Ad Hoc Committee Meeting (August 21)

We will meet with the Ad Hoc Committee following the CAC meeting to debrief and gather additional feedback for use in preparation of a draft CRP.

CAC meeting (August 21)

The results will be presented at a CAC meeting, along with ideas on how to implement them, to get feedback on how to incorporate the results into a CRP, thoughts about next steps for

additional community engagement and to describe and get feedback on lessons learned through the process.

2. Community Renewal Plan process

A. Outreach and public involvement

ECO will work with City staff to develop materials for and attend an open house that will provide an opportunity for feedback regarding the scenarios from the Isthmus area workshop, but will also provide educational materials and opportunities for feedback regarding the CRP process. The open house will be organized as a drop-in event with topic-specific tables, rather than as a facilitated workshop.

City staff will coordinate venue, invitations, and material production. Fregonese Associates staff will provide refinements to their visualizations and will attend the open house. ECO staff will provide materials regarding CRP, and will attend the open house.

The budget for this task supports additional CAC and Ad Hoc committee meetings, as described in the meetings schedule provided at the end of this work scope. Additional interviews or conversations with property owners or stakeholders may also be necessary; the budget supports some limited additional outreach.

B. Planning and analysis

Evaluation of blight.

ECO will update (as necessary to reflect a final boundary) its analysis of socio-demographic trends in the Area, including unemployment, household income, as well as real estate trends such as improvement-to-land-value ratios, vacancy rates, crime rates, and floor-to-area ratios and visual surveys. This will include an update to the property-specific findings of health and safety blight. Using these data, ECO will document blight findings within the final boundary.

Project identification and evaluation

An outcome of the workshop will be a conceptual visualization (or possibly two options) for the area's redevelopment that matches the vision developed through the workshop process. These visualizations, based on preliminary land use code and regulations review, and review of market data and economic viability, will help communicate to the community the power of a public-private partnership on the Isthmus area to transform Downtown Olympia into a more vibrant, urban community. Realizing that many projects would not pencil out through private resources alone, ECO will examine a range of financing tools that could help spur new development in Downtown Olympia, including State and Federal grants, Local Improvement Districts, Section 108 loans, New Market Tax Credits, EB5 foreign investments, sole-source Impact Fees, City revenue bonds, and various tax credits and abatements. While the numbers will be estimates, the team will also roughly forecast future tax revenues that could be generated through redevelopment of the Isthmus area.

Where appropriate, the Consultant will recommend changes to local land-use regulations to better facilitate the desired redevelopment in the Isthmus area. During this analysis, the Consultant will work with staff to confirm consistency with other City planning efforts, such as the updates of the City’s Comprehensive Plan and Shoreline Master Program.

C. Plan document

ECO will produce visually appealing draft and final versions of the CRP, and present them to the CAC, the CERC Committee, and Council as described in the meeting schedule at the end of this scope of work. The CRP will reflect the broad input received from stakeholders throughout the process, support the City’s vision for a more vibrant Downtown, and provide a clear path forward on Isthmus area properties for the next five years while meeting the requirements of the Revised Code of Washington as provided in 35.81.010(18).

D. Additional visualizations

The budget includes dollars for additional optional visualization in the Isthmus area or other sites. These visualizations may include site plans, photomorphs, massings, or other representations, and will be developed based on conversations between City staff, the CERC, and with Fregonese Associates as needed.

Budget

Task	Additional Budget Needed
1. Isthmus Workshop	
1A. Preparation	None. Covered in initial contract.
1B. Workshop	None. Covered in initial contract.
1C. Follow up	None. Covered in initial contract.
2. Community Renewal Plan	
2A. Outreach	\$15,000
2B. Planning and Analysis	\$15,000
2C. Plan document	\$10,000
2D. Additional Visualization (Optional)	\$10,000
Total	\$50,000

Schedule

Figure 1 provides an overview of key tasks and timeline. Figure 2 provides an overview of meetings and process, with a description of who will attend each meeting.

Figure 1. Overview of key tasks



Figure 2. Meeting schedule

Event	Dates	Purpose	CC	Ad Hoc	CAC	Who attends		
						Staff	ECO	Fregonese
Property owners in Gateway	February 6, 2014	Discuss design workshop and interests in Gateway area						
Ad Hoc Committee	March 6, 2014	CRA process update and principles for Gateway area						
CAC mtg	March 6, 2014	CRA process update and principles for Gateway area						
Ad Hoc Committee	March 20, 2014	Finalize CRA process for Council Consideration						
CAC	April 5, 2014	Design workshop for Gateway area						
CAC	May 15, 2014	Fine tune scenarios for workshop						
OPEN HOUSE	Date TBD, in July	CRA and Gateway area						
Ad Hoc Committee	August 21, 2014	Discuss feedback from open house; show final scenarios; Consider initial draft of CRA plan; clarify development toolkit						
CAC	August 21, 2014	Discuss feedback from open house; show final scenarios; consider initial draft of CRA plan						
Ad Hoc Committee	October 16, 2014	Revised draft of CRA plan						
CAC	October 16, 2014	Revised draft of CRA plan						
Ad Hoc Committee	November 13, 2014	Review draft of CRA plan						
Ad Hoc Committee	December 4, 2013	finalize draft for Council consideration						
City Council	late Dec TBD	Final report draft						
City Council	Jan TBD	Final report presentation						

City of Olympia

City Council

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

Public Hearing: Approval of an Ordinance to Extend for an Additional Six Months the Moratorium on Medical Marijuana Collective Gardens (First and Final Reading)

Agenda Date: 4/15/2014

Agenda Number: 5.A

File Number: 14-0328

File Type: public hearing

Version: 1

Status: Public Hearing

..Title

Public Hearing: Approval of an Ordinance to Extend for an Additional Six Months the
Moratorium on Medical Marijuana Collective Gardens (First and Final Reading)

..Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

- Hold the public hearing.
- After closing the Public Hearing and if Council has enough information for a decision, move to suspend Council's usual Guideline and approve on first and final reading the ordinance extending the moratorium on medical marijuana collective gardens for an additional 6 months, to a total of 547 days. [Two-thirds affirmative vote is needed for first and final reading = 5 members if all are present.]

..Report

Issue:

Should the City Council extend the City's existing moratorium on new, non-Initiative 502 cannabis related land uses.

Staff Contact:

Chris Grabowski, Code Enforcement Officer, 360.753.8168

Darren Nienaber, Deputy City Attorney, 360.753.8044

Presenter(s):

Chris Grabowski, Code Enforcement Officer, 360.753.8168

Darren Nienaber, Deputy City Attorney, 360.753.8044

Background and Analysis:

In November of 2012, Washington State voters passed Initiative 502 legalizing the sale of recreational cannabis the Washington State. Subsequently, on May 7, 2013, the Olympia City Council established a moratorium on all new cannabis related land uses. The moratorium was for one year and is scheduled to expire May 7, 2014.

Since the adoption of the moratorium, there have been no new cannabis related land

Agenda Date: 4/15/2014

Agenda Number: 5.A

File Number: 14-0328

uses in the City. The only complaints to the City's code enforcement division about the existing collective gardens have been nuisance smells, which have been dealt with under the City's existing nuisance laws. Anecdotal evidence suggests that there has been no reduction in the availability of medical cannabis to patients, and that they are amply served by the existing shops that hold themselves out as collective gardens. The City has not made determination that any of the existing shops that hold themselves out as collective gardens are in compliance with state law. Rather, the City has no significant evidence at this time that those shops do not meet the state legal requirements for collective gardens.

Interim regulations for I-502 recreational cannabis were adopted by Council in October of 2013, resulting in the lifting of the moratorium only on State licensed I-502 production, processing, and retail establishments. The moratorium on new medical collective gardens and other marijuana related uses remains in place. To date, the State has not issued any licenses for retail sales of recreational cannabis. These are expected to be issued in June or July of this year. It is unclear what effect, if any, the proposed two recreational outlets in the City will have on the medical collective gardens.

The 2014 Legislature did not pass any amendments to the current medical cannabis statutes, and Initiative 502 did not contain any amendments to the medical cannabis statutes, resulting in two separate regulatory systems: one dealing with medical cannabis and the other dealing with adult recreational use of cannabis. In January of 2014, the Legislature took up the challenge of merging the existing medical cannabis collective garden laws with the new Initiative 502 recreational laws. Washington House Bill 2149 and Washington Senate Bill 5887 both passed in their respective houses but unfortunately, in a short session, the Legislature was unable to send a combined bill to the Governor's office for his signature. Consequently, the medical marijuana collective gardens will continue in their current uncertain legal status until the next session of the Legislature, scheduled for January 2015.

In its August 29, 2013 memorandum (see Attachment #2) to all United States Attorneys, the Department of Justice outlined its expectation that those jurisdictions which allow the use of recreational cannabis do so with the "expectation that states and local governments...will implement strong and effective regulatory and enforcement systems that will address the threat those state laws could pose to public safety, public health, and other law enforcement interests." The medical marijuana market, acting through collective gardens, is at this point largely unregulated and thus may be a higher priority target for federal law enforcement. The state legislative attempts to regulate medical marijuana was partly in response to the Department of Justice memorandum.

Other Washington jurisdictions have responded in diverse ways in dealing with collective gardens (see Attachment #1). Seventy one (71) have moratoria. Twenty (20) have interim regulations, twenty three (23) have permanent regulations, and six

Agenda Date: 4/15/2014

Agenda Number: 5.A

File Number: 14-0328

(6) ban collective gardens outright. The City of Federal Way, for example, is continuing its moratorium while working on drafting interim regulations. By contrast, the City of Mukilteo has adopted permanent regulations which define a collective garden as a "Marijuana Facility" and have allowed them only in Light Industrial zones, along with producing and processing of cannabis. In April of this year, the Washington State Court of Appeals upheld the City of Kent's ban on medical marijuana collective gardens. Thus, cities are authorized to prohibit collective gardens outright.

Neighborhood/Community Interests (if known):

Anecdotal information indicates that the medical cannabis community is currently adequately served by the number of shops that hold themselves out as existing collective gardens that came into existence prior to the City's moratorium.

Options:

1. Conduct public hearing, pass moratorium extension on first and final reading.
2. Conduct public hearing, first reading moratorium extension. Final reading on April 29th.
3. Conduct public hearing, do not extend moratorium, and let the moratorium expire on May 7, 2014.

Financial Impact:

None

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, EXTENDING FOR SIX MONTHS THE MORATORIUM UPON MEDICAL MARIJUANA COLLECTIVE GARDENS AS ESTABLISHED BY ORDINANCE NO. 6851 AND AS AMENDED BY ORDINANCE NO. 6873

WHEREAS, since 1970, federal law has prohibited the manufacture and possession of marijuana as a Schedule I drug; and

WHEREAS, Initiative Measure No. 692, approved by the voters of Washington State on November 30, 1998, and now codified as chapter 69.51A RCW, created an affirmative defense for "qualifying patients" to the charge of possession of marijuana (cannabis); and

WHEREAS, the intent of Initiative 692 was that qualifying "patients with terminal or debilitating illnesses who, in the judgment of their physicians, would benefit from the medical use of marijuana, shall not be found guilty of a crime under state law" (RCW 69.51A.005), but that nothing in the law "shall be construed to supersede Washington state law prohibiting the acquisition, possession, manufacture, sale, or use of marijuana for non-medical purposes" (RCW 69.51A.020); and

WHEREAS, the Washington State Legislature passed E2SSB 5073 in 2011; and

WHEREAS, on April 29, 2011, former Governor Christine Gregoire vetoed all of the provisions of E2SSB 5073 relevant to medical marijuana dispensaries but left the provisions relating to cultivation of marijuana for medical use by qualified patients individually and in collective gardens; and

WHEREAS, RCW 69.51A.085 authorizes qualifying patients "to create and participate in collective gardens for the purpose of producing, processing, transporting, and delivering cannabis for medical use," provided no more than ten qualifying patients participate in a collective garden, a collective garden does not contain more than 15 plants per patient up to a total of 45 plants per collective garden, and the collective garden does not contain more than 24 ounces of useable cannabis per patient, up to a total of 72 ounces of useable cannabis; and

WHEREAS, under RCW 69.51A.060(1), it is a class 3 civil infraction to display medical cannabis in a manner or place which is open to view of the general public, which would include growing plants; and

WHEREAS, RCW 69.51A.140 authorizes cities to adopt and enforce zoning requirements, business licensing requirements, health and safety requirements, and business taxes pertaining to the production, processing, or dispensing of cannabis or cannabis products within their jurisdiction and that nothing in chapter 181, Laws of 2011 is intended to limit the authority of cities to impose zoning requirements or other conditions upon licensed dispensers, so long as such requirements do not preclude the possibility of siting licensed dispensers within the jurisdiction; and

WHEREAS, Initiative Measure No. 502, approved by the voters of Washington State on November 6, 2012, calls for the establishment of a regulatory system licensing producers, processors, and retailers of recreational marijuana for adults 21 years of age and older, legalizes the possession and private recreational use of marijuana, and requires the Washington State Liquor Control Board to adopt procedures and criteria for issuing licenses to produce, process, and sell marijuana; and

WHEREAS, the City of Olympia adopted Ordinance No. 6851 on May 7, 2013, imposing a moratorium (the Moratorium) on the establishment of medical cannabis collective gardens and other establishments involved in the sale, manufacturing, distribution, or use of marijuana because of the potential impact on the public health, safety, and welfare; and

WHEREAS, the City Council conducted a public hearing on June 25, 2013, as required by Ordinance No. 6851, to take public testimony regarding the establishment of the Moratorium; and

WHEREAS, the City Council conducted a public hearing on October 15, 2013, to take public testimony regarding interim regulations pertaining to state-licensed producers, processors, and retailers of state-licensed recreational marijuana; and

WHEREAS, on November 4, 2013, the City Council adopted Ordinance No. 6873 establishing interim regulations to avoid unanticipated negative impacts on the community and the public health, safety, and welfare associated with state-licensed marijuana producers, processors, and retailers; and

WHEREAS, Ordinance No. 6873 repealed the Moratorium insofar as it applied to state-licensed retailers, producers, or processors of recreational marijuana. All other new marijuana uses, including medical marijuana establishments, continue to be prohibited by the Moratorium; and

WHEREAS, the City has received no evidence that there is insufficient access to medical marijuana; and

WHEREAS, the Washington State Attorney General issued an advisory opinion in January 2014, that states municipalities can prohibit state-licensed marijuana businesses within a city's boundaries or impose zoning and other land use regulations pertaining to such businesses; and

WHEREAS, legislation was introduced in the Washington State Legislature's 2014 session concerning recreational, commercial, and medical marijuana, which would have merged medical marijuana into the state-licensed recreational market; and

WHEREAS, the Legislature failed to act on the bills, leaving the laws regarding medical marijuana regulations unchanged; and

WHEREAS, the Federal Bureau of Investigation has indicated that it will not conduct criminal background checks on recreational marijuana applicants; and

WHEREAS, there remains uncertainty as to the federal government's position on the legality of and potential enforcement against medical marijuana collective gardens and dispensaries; and

WHEREAS, the United States Department of Justice issued a memorandum on August 29, 2013, which suggested that Washington's medical marijuana system is untenable and inconsistent with federal law enforcement priorities; and

WHEREAS, the legislation proposed in the Washington State legislature concerning medical marijuana was intended, in part, to respond to direction from the federal government about the need to regulate recreational and medical marijuana and such legislation appears likely to be reintroduced next year; and

WHEREAS, the Court of Appeals affirmed a city's right to prohibit collective gardens in *Cannabis Action Coalition v. City of Kent*; and

WHEREAS, jurisdictions are experiencing an increase in violence involving medical marijuana businesses; and

WHEREAS, the City is authorized pursuant to RCW 35A.63.220 and RCW 36.70A.390 to renew an existing moratorium for up to six months as long as the City adopts findings of fact and holds a public hearing prior to renewing the moratorium; and

WHEREAS, a public hearing was held on April 15, 2014, to receive and consider public testimony regarding an extension of the Moratorium; and

WHEREAS, the City Council finds that it is necessary to extend the duration of the Moratorium as established by Ordinance No. 6851 and as amended by Ordinance No. 6873 for an additional six months in order to complete the work plan outlined in Ordinance No. 6851 as it pertains to medical marijuana collective gardens; and

WHEREAS, the City has completed certain portions of its work plan regarding permanent regulations of marijuana, including assessing the approaches of other jurisdictions; and

WHEREAS, additional time is needed for the City to complete its work plan related to adopting permanent regulations concerning marijuana establishments; and

WHEREAS, this Ordinance is also adopted pursuant to Article 11, Section 11, of the Washington State Constitution; and

WHEREAS, this Ordinance is supported by the staff report and attachments and documents on file with the City of Olympia and also by the professional judgment and experience of City staff;

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

Section 1. Extension of Moratorium Duration. Section 3 of Ordinance No. 6851 is hereby amended as follows:

Section 3. Duration. The interim zoning control set forth in this Ordinance shall be in effect ~~for three hundred and sixty-five days (365)~~ five hundred forty-seven (547) days, unless subsequently extended by the City Council pursuant to state law.

Section 2. Findings. The City Council hereby adopts the above recitals as findings of fact in support of this Ordinance.

Section 3. Ordinance No. 6851. All remaining provisions of Ordinance No. 6851, as amended by Ordinance No. 6873, not herein amended or supplemented shall remain in full force and effect.

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

Section 5. 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 6. Effective Date. This Ordinance shall take effect five (5) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Darren Nienaber

DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED:

City	Allow Under Existing Laws	Moratorium	Interim Zoning	Permanent Zoning	Prohibition
Aberdeen			X		
Anacortes		X			
Arlington				X	
Auburn		X			
Bainbridge Island		X			
Bellevue			X		
Bellingham			X		
Black Diamond		X			
Blaine				X	
Bonney Lake		X			
Burien				X	
Burlington				X	
Camas		X			
Carbonado		X			
Carnation				X	
Centralia		X			
Chehalis		X			
Cheney			X		
Clarkston		X			
Cle Elum		X			

College Place		X			
Concrete				X	
Covington			X		
Davenport		X			
Dayton		X			
Des Moines				X	
DuPont		X			
East Wenatchee		X			
Eatonville			X		
Edgewood			X		
Edmonds		X			
Ellensburg				X	
Enumclaw		X			
Ephrata			X		
Everett			X		
Everson		X			
Fairfield		X			
Federal Way		X			
Ferndale				X	
Fife		X			
Friday Harbor				X	

Gig Harbor				X	
Grandview					X
Granite Falls		X			
Hoquiam		X			
Issaquah		X			
Kalama				X	
Kelso		X			
Kenmore		X			
Kennewick		X			
Kent		X			
Kirkland			X		
Lacey	X				
Lake Forest Park		X			
Lake Stevens		X			
Leavenworth		X			
Liberty Lake		X			
Long Beach		X			
Longview		X			
Lynden		X			
Lynnwood			X		
Marysville		X			

Medical Lake		X			
Mesa		X			
Mill Creek		X			
Millwood				X	
Milton		X			
Monroe			X		
Moses Lake				X	
Mossyrock					X
Mount Vernon					
Mountlake Terrace				X	
Mukilteo				X	
Napavine		X			
Normandy Park			X		
North Bend		X			
Oak Harbor		X			
Oaksdale					X
Ocean Shores		X			
Olympia		X			
Othello		X			
Pasco		X			
Port Orchard			X		

Port Townsend		X			
Poulsbo			X		
Prosser		X			
Pullman				X	
Puyallup		X			
Quincy		X			
Raymond				X	
Redmond		X			
Renton		X			
Richland		X			
Rockford		X			
Roy		X			
Royal City			X		
Sammamish		X			
SeaTac					X
Seattle				X	
Sedro-Woolley		X			
Sequim		X			
Shelton				X	
Snohomish		X			
Spokane				X	

Stanwood		X			
Sumas		X			
Sunnyside¹		X			
Tacoma			X		
Toppenish		X			
Tukwila				X	
Tumwater				X	
University Place		X			
Vader			X		
Vancouver		X			
Waitsburg			X		
Walla Walla			X		
Wenatchee²					X
West Richland		X			
Woodinville		X			
Woodland		X			
Yakima					X
Zillah		X			
TOTAL	1	71	20	23	6

1. On September 30, 2013, the Sunnyside city council voted to extend the city's moratorium on the producing, processing and selling of recreational marijuana within city limits to 12 months from its original six months.

[2.](#) On October 24, 2013, the Wenatchee city council voted against an ordinance that would have exempted marijuana businesses from the city requirement that all businesses comply with federal laws, so marijuana businesses are now prohibited from siting in the city.




The Deputy Attorney General

Washington, D.C. 20530

August 29, 2013

MEMORANDUM FOR ALL UNITED STATES ATTORNEYS

FROM: James M. Cole 
Deputy Attorney General

SUBJECT: Guidance Regarding Marijuana Enforcement

In October 2009 and June 2011, the Department issued guidance to federal prosecutors concerning marijuana enforcement under the Controlled Substances Act (CSA). This memorandum updates that guidance in light of state ballot initiatives that legalize under state law the possession of small amounts of marijuana and provide for the regulation of marijuana production, processing, and sale. The guidance set forth herein applies to all federal enforcement activity, including civil enforcement and criminal investigations and prosecutions, concerning marijuana in all states.

As the Department noted in its previous guidance, Congress has determined that marijuana is a dangerous drug and that the illegal distribution and sale of marijuana is a serious crime that provides a significant source of revenue to large-scale criminal enterprises, gangs, and cartels. The Department of Justice is committed to enforcement of the CSA consistent with those determinations. The Department is also committed to using its limited investigative and prosecutorial resources to address the most significant threats in the most effective, consistent, and rational way. In furtherance of those objectives, as several states enacted laws relating to the use of marijuana for medical purposes, the Department in recent years has focused its efforts on certain enforcement priorities that are particularly important to the federal government:

- Preventing the distribution of marijuana to minors;
- Preventing revenue from the sale of marijuana from going to criminal enterprises, gangs, and cartels;
- Preventing the diversion of marijuana from states where it is legal under state law in some form to other states;
- Preventing state-authorized marijuana activity from being used as a cover or pretext for the trafficking of other illegal drugs or other illegal activity;

- Preventing violence and the use of firearms in the cultivation and distribution of marijuana;
- Preventing drugged driving and the exacerbation of other adverse public health consequences associated with marijuana use;
- Preventing the growing of marijuana on public lands and the attendant public safety and environmental dangers posed by marijuana production on public lands; and
- Preventing marijuana possession or use on federal property.

These priorities will continue to guide the Department's enforcement of the CSA against marijuana-related conduct. Thus, this memorandum serves as guidance to Department attorneys and law enforcement to focus their enforcement resources and efforts, including prosecution, on persons or organizations whose conduct interferes with any one or more of these priorities, regardless of state law.¹

Outside of these enforcement priorities, the federal government has traditionally relied on states and local law enforcement agencies to address marijuana activity through enforcement of their own narcotics laws. For example, the Department of Justice has not historically devoted resources to prosecuting individuals whose conduct is limited to possession of small amounts of marijuana for personal use on private property. Instead, the Department has left such lower-level or localized activity to state and local authorities and has stepped in to enforce the CSA only when the use, possession, cultivation, or distribution of marijuana has threatened to cause one of the harms identified above.

The enactment of state laws that endeavor to authorize marijuana production, distribution, and possession by establishing a regulatory scheme for these purposes affects this traditional joint federal-state approach to narcotics enforcement. The Department's guidance in this memorandum rests on its expectation that states and local governments that have enacted laws authorizing marijuana-related conduct will implement strong and effective regulatory and enforcement systems that will address the threat those state laws could pose to public safety, public health, and other law enforcement interests. A system adequate to that task must not only contain robust controls and procedures on paper; it must also be effective in practice. Jurisdictions that have implemented systems that provide for regulation of marijuana activity

¹ These enforcement priorities are listed in general terms; each encompasses a variety of conduct that may merit civil or criminal enforcement of the CSA. By way of example only, the Department's interest in preventing the distribution of marijuana to minors would call for enforcement not just when an individual or entity sells or transfers marijuana to a minor, but also when marijuana trafficking takes place near an area associated with minors; when marijuana or marijuana-infused products are marketed in a manner to appeal to minors; or when marijuana is being diverted, directly or indirectly, and purposefully or otherwise, to minors.

must provide the necessary resources and demonstrate the willingness to enforce their laws and regulations in a manner that ensures they do not undermine federal enforcement priorities.

In jurisdictions that have enacted laws legalizing marijuana in some form and that have also implemented strong and effective regulatory and enforcement systems to control the cultivation, distribution, sale, and possession of marijuana, conduct in compliance with those laws and regulations is less likely to threaten the federal priorities set forth above. Indeed, a robust system may affirmatively address those priorities by, for example, implementing effective measures to prevent diversion of marijuana outside of the regulated system and to other states, prohibiting access to marijuana by minors, and replacing an illicit marijuana trade that funds criminal enterprises with a tightly regulated market in which revenues are tracked and accounted for. In those circumstances, consistent with the traditional allocation of federal-state efforts in this area, enforcement of state law by state and local law enforcement and regulatory bodies should remain the primary means of addressing marijuana-related activity. If state enforcement efforts are not sufficiently robust to protect against the harms set forth above, the federal government may seek to challenge the regulatory structure itself in addition to continuing to bring individual enforcement actions, including criminal prosecutions, focused on those harms.

The Department's previous memoranda specifically addressed the exercise of prosecutorial discretion in states with laws authorizing marijuana cultivation and distribution for medical use. In those contexts, the Department advised that it likely was not an efficient use of federal resources to focus enforcement efforts on seriously ill individuals, or on their individual caregivers. In doing so, the previous guidance drew a distinction between the seriously ill and their caregivers, on the one hand, and large-scale, for-profit commercial enterprises, on the other, and advised that the latter continued to be appropriate targets for federal enforcement and prosecution. In drawing this distinction, the Department relied on the common-sense judgment that the size of a marijuana operation was a reasonable proxy for assessing whether marijuana trafficking implicates the federal enforcement priorities set forth above.

As explained above, however, both the existence of a strong and effective state regulatory system, and an operation's compliance with such a system, may allay the threat that an operation's size poses to federal enforcement interests. Accordingly, in exercising prosecutorial discretion, prosecutors should not consider the size or commercial nature of a marijuana operation alone as a proxy for assessing whether marijuana trafficking implicates the Department's enforcement priorities listed above. Rather, prosecutors should continue to review marijuana cases on a case-by-case basis and weigh all available information and evidence, including, but not limited to, whether the operation is demonstrably in compliance with a strong and effective state regulatory system. A marijuana operation's large scale or for-profit nature may be a relevant consideration for assessing the extent to which it undermines a particular federal enforcement priority. The primary question in all cases – and in all jurisdictions – should be whether the conduct at issue implicates one or more of the enforcement priorities listed above.

As with the Department's previous statements on this subject, this memorandum is intended solely as a guide to the exercise of investigative and prosecutorial discretion. This memorandum does not alter in any way the Department's authority to enforce federal law, including federal laws relating to marijuana, regardless of state law. Neither the guidance herein nor any state or local law provides a legal defense to a violation of federal law, including any civil or criminal violation of the CSA. Even in jurisdictions with strong and effective regulatory systems, evidence that particular conduct threatens federal priorities will subject that person or entity to federal enforcement action, based on the circumstances. This memorandum is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any party in any matter civil or criminal. It applies prospectively to the exercise of prosecutorial discretion in future cases and does not provide defendants or subjects of enforcement action with a basis for reconsideration of any pending civil action or criminal prosecution. Finally, nothing herein precludes investigation or prosecution, even in the absence of any one of the factors listed above, in particular circumstances where investigation and prosecution otherwise serves an important federal interest.

cc: Mythili Raman
Acting Assistant Attorney General, Criminal Division

Loretta E. Lynch
United States Attorney
Eastern District of New York
Chair, Attorney General's Advisory Committee

Michele M. Leonhart
Administrator
Drug Enforcement Administration

H. Marshall Jarrett
Director
Executive Office for United States Attorneys

Ronald T. Hosko
Assistant Director
Criminal Investigative Division
Federal Bureau of Investigation

City of Olympia

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

City Council

Approval of Bid Award for the 5th Avenue Paving Project

Agenda Date: 4/15/2014

Agenda Number: 6.A

File Number: 14-0250

File Type: report

Version: 1

Status: Other Business

..Title

Approval of Bid Award for the 5th Avenue Paving Project

..Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to award and authorize the City Manager to sign the construction contract with Rognlin's, Inc. in the amount of \$335,000.

..Report

Issue:

Whether to award the low bid of \$335,000 to Rognlin's, Inc. to construct the 5th Avenue Paving project.

Staff Contact:

Mark Russell, P.E., Director of Transportation, Public Works, 360.753.8762
Brett Bures, Project Manager, Public Works Engineering, 360.753.8290

Presenter(s):

Mark Russell, P.E., Director of Transportation, Public Works, 360.753.8762

Background and Analysis:

The 5th Avenue Paving project is part of Transportation's Pavement Preservation Program. This strategy seeks to maintain the City's streets at the lowest possible cost using various methods such as chip seal and asphalt paving. The goal is to extend the overall life of the City's streets and delay the need for expensive repairs and reconstruction.

This project paves 5th Avenue from Capitol Way to Water Street and adds pedestrian bulb-outs on each corner. It also removes a travel lane and widens the sidewalk for one block between Capitol Way and Columbia Street (see attached map). The intent is to enhance the pedestrian experience and provide additional space for businesses to create "place-making" type opportunities.

Before making this recommendation, Transportation staff analyzed the effects of removing the vehicle lane. They found it would have a minimal effect on traffic flow, adding only a few seconds of delay. A well-connected street grid in this area also

Agenda Date: 4/15/2014

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File Number: 14-0250

gives drivers many route choices.

Staff has been coordinating with Olympia Downtown Association (ODA) and Parking and Business Improvement Area (PBIA) members. Both organizations are supportive of this project.

The project is anticipated to start in May and be completed before Lakefair begins mid-July. Constructing the wider sidewalk will be done in two phases. The City will build the sidewalk for half of the block. It will start at Capitol Way along the front of Olympia Federal and Savings (see attached map). A private developer intends to construct the remainder of the wider sidewalk as part of a future development.

Neighborhood/Community Interests (if known):

- The new asphalt will provide a smoother driving surface for vehicles and bicycles.
- Pedestrian bulb-outs will provide a safer pedestrian experience by shortening the crossing distance.
- The sidewalk widening provides a more inviting space for pedestrians and provides businesses an opportunity for place-making.
- During construction, the City will communicate information about alternate routes with the traveling public and key stakeholders.
- The City will regularly communicate with the ODA, PBIA, citizens, emergency responders, Intercity Transit, and other stakeholders about the timing, schedule, and construction impacts through news releases, postcards, on-site visits, and Twitter.

Options:

1. Award and authorize the City Manager to sign the construction contract with Rognlin's, Inc. in the amount of \$335,000.00.
Project proceeds as planned.
2. Reject all bids and direct staff to rebid the project.
The time needed to rebid will delay construction until 2015, and the cost may increase due to increased staff time and potentially higher bids.

Financial Impact:

The 5th Avenue Paving project is funded by the Street Repair and Reconstruction Program. Four bids were received (see attached summary of bids). The low bid of \$335,000 is approximately 2% above the Engineer's estimate. There are sufficient funds in the budget to complete this project.

Overall project costs:

Total Low Bid:	\$ 335,000.00
Contingency to Award:	\$ 33,500.00

Agenda Date: 4/15/2014

Agenda Number: 6.A

File Number: 14-0250

Engineering:	\$	<u>164,000.00</u>
Total Estimated Project Costs:	\$	532,500.00
Total Available Budget:	\$	572,031.00

Attachments:

1. Vicinity Map
2. Summary of Bids



BID TABULATIONS

Project Name: 5th Ave Paving
 Project No. : 0937G
 Bid Opening Date: 3/28/2014

**SCHEDULE A
 OPINION OF PROBABLE
 CONSTRUCTION COSTS**

BID #3
Granite Construction Company
 1525 E. Marine View Drive
 Everett, WA 98201

BID #4
NOVA Contracting, Inc
 10615 Delphi Road SW
 Olympia, WA 98512

Item Number	Schedule Item	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
A1	104-000	Minor Change	EST	1	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
A2	105-000	Record Drawings	LS	1	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 1,500.00	\$ 1,500.00
A3	107-000	SPCC Plan	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,650.00	\$ 1,650.00
A4	109-000	Mobilization	LS	1	\$ 15,700.00	\$ 15,700.00	\$ 34,000.00	\$ 34,000.00	\$ 40,000.00	\$ 40,000.00
A5	110-000	Project Temporary Traffic Control	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 32,900.00	\$ 32,900.00	\$ 2,000.00	\$ 2,000.00
A6	110-005	Flaggers and Spotters	HR	1440	\$ 45.00	\$ 64,800.00	\$ 30.00	\$ 43,200.00	\$ 35.00	\$ 50,400.00
A7	110-030	Pedestrian Traffic Control	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 1,000.00	\$ 1,000.00	\$ 20,000.00	\$ 20,000.00
A8	202-000	Removal of Structure and Obstruction	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 50,000.00	\$ 50,000.00	\$ 21,000.00	\$ 21,000.00
A9	202-030	Removal of Cement Concrete Pavement	SY	46	\$ 40.00	\$ 1,840.00	\$ 60.00	\$ 2,760.00	\$ 400.00	\$ 18,400.00
A10	504-000	HMA Cl. 1/2" PG 64-22	TN	285	\$ 90.00	\$ 25,650.00	\$ 165.00	\$ 47,025.00	\$ 150.00	\$ 42,750.00
A11	504-070	Planing Bituminous Pavement	SY	2651	\$ 7.00	\$ 18,557.00	\$ 3.00	\$ 7,953.00	\$ 9.00	\$ 23,859.00
A12	504-120	Pavement Repair Excavation Incl. Haul	SY	100	\$ 75.00	\$ 7,500.00	\$ 55.00	\$ 5,500.00	\$ 39.00	\$ 3,900.00
A13	505-050	Planing Cement Conc. Pavement	SY	10	\$ 20.00	\$ 200.00	\$ 5.00	\$ 50.00	\$ 300.00	\$ 3,000.00
A14	701-110	Trench Drain	LF	150	\$ 75.00	\$ 11,250.00	\$ 115.00	\$ 17,250.00	\$ 187.00	\$ 28,050.00
A15	704-308	Ductile Iron Storm Sewer Pipe 8 In. Diam.	LF	99	\$ 40.00	\$ 3,960.00	\$ 110.00	\$ 10,890.00	\$ 95.00	\$ 9,405.00
A16	705-000	Catch Basin Type 1	EA	5	\$ 1,000.00	\$ 5,000.00	\$ 2,000.00	\$ 10,000.00	\$ 1,500.00	\$ 7,500.00
A17	705-520	Adjust Manhole	EA	7	\$ 500.00	\$ 3,500.00	\$ 900.00	\$ 6,300.00	\$ 900.00	\$ 6,300.00
A18	705-530	Adjust Catch Basin	EA	5	\$ 500.00	\$ 2,500.00	\$ 800.00	\$ 4,000.00	\$ 900.00	\$ 4,500.00
A19	705-560	Connection to Drainage Structure	EA	1	\$ 250.00	\$ 250.00	\$ 500.00	\$ 500.00	\$ 600.00	\$ 600.00
A20	705-570	Connection to Existing Manhole	EA	2	\$ 1,500.00	\$ 3,000.00	\$ 500.00	\$ 1,000.00	\$ 600.00	\$ 1,200.00
A21	708-000	Bank Run Gravel for Trench Backfill	TN	92	\$ 25.00	\$ 2,300.00	\$ 17.00	\$ 1,564.00	\$ 42.00	\$ 3,864.00
A22	708-050	Connect to Existing Pipe	EA	2	\$ 2,000.00	\$ 4,000.00	\$ 500.00	\$ 1,000.00	\$ 500.00	\$ 1,000.00
A23	712-400	Adjust Valve Box	EA	6	\$ 300.00	\$ 1,800.00	\$ 600.00	\$ 3,600.00	\$ 400.00	\$ 2,400.00
A24	715-010	Adjust Water Meter Box	EA	2	\$ 300.00	\$ 600.00	\$ 1,600.00	\$ 3,200.00	\$ 400.00	\$ 800.00
A25	801-015	Erosion/Water Pollution Control	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 500.00	\$ 500.00	\$ 2,100.00	\$ 2,100.00
A26	801-035	Inlet Protection	EA	9	\$ 75.00	\$ 675.00	\$ 150.00	\$ 1,350.00	\$ 90.00	\$ 810.00
A27	802-410	Property Restoration	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 500.00	\$ 500.00	\$ 9,200.00	\$ 9,200.00
A28	802-125	PSIPE Tree 2 1/2 In. Caliper	EA	2	\$ 350.00	\$ 700.00	\$ 1,000.00	\$ 2,000.00	\$ 1,000.00	\$ 2,000.00
A29	802-420	Tree Grate	EA	2	\$ 800.00	\$ 1,600.00	\$ 1,200.00	\$ 2,400.00	\$ 1,300.00	\$ 2,600.00
A30	802-300	Topsoil Type A	CY	3	\$ 100.00	\$ 300.00	\$ 50.00	\$ 150.00	\$ 44.00	\$ 132.00
A31	802-360	Fine Compost	CY	1	\$ 200.00	\$ 200.00	\$ 75.00	\$ 75.00	\$ 100.00	\$ 100.00
A32	802-520	Relocate Existing Street Amenity	EA	3	\$ 275.00	\$ 825.00	\$ 300.00	\$ 900.00	\$ 1,200.00	\$ 3,600.00
A33	804-000	Cement Conc. Traffic Curb	LF	625	\$ 25.00	\$ 15,625.00	\$ 16.00	\$ 10,000.00	\$ 20.00	\$ 12,500.00
A34	806-000	Cement Conc. Driveway Entrance	SY	52	\$ 50.00	\$ 2,600.00	\$ 52.00	\$ 2,704.00	\$ 55.00	\$ 2,860.00
A35	809-010	Raised Pavement Marker Type 2	HUND	0.36	\$ 725.00	\$ 261.00	\$ 2,000.00	\$ 720.00	\$ 2,100.00	\$ 756.00
A36	814-000	Cement Conc. Sidewalk	SY	737	\$ 35.00	\$ 25,795.00	\$ 25.00	\$ 18,425.00	\$ 35.00	\$ 25,795.00
A37	814-010	Cement Conc. Curb Ramp	EA	12	\$ 1,000.00	\$ 12,000.00	\$ 850.00	\$ 10,200.00	\$ 750.00	\$ 9,000.00
A38	820-110	Adjust Junction Box	EA	11	\$ 900.00	\$ 9,900.00	\$ 300.00	\$ 3,300.00	\$ 400.00	\$ 4,400.00
A39	821-000	Permanent Signing	LS	1	\$ 500.00	\$ 500.00	\$ 3,000.00	\$ 3,000.00	\$ 2,400.00	\$ 2,400.00
A40	822-005	Plastic Line	LF	1305	\$ 15.00	\$ 19,575.00	\$ 3.50	\$ 4,567.50	\$ 3.40	\$ 4,437.00
A41	822-035	Plastic Stop Line	LF	33	\$ 10.00	\$ 330.00	\$ 25.00	\$ 825.00	\$ 22.00	\$ 726.00
A42	822-045	Plastic Crosswalk Line	SF	989	\$ 10.00	\$ 9,890.00	\$ 10.00	\$ 9,890.00	\$ 10.00	\$ 9,890.00
A43	822-105	Plastic Parking Stall Marking	LF	110	\$ 5.00	\$ 550.00	\$ 8.00	\$ 880.00	\$ 8.00	\$ 880.00
A44	822-300	Painted Curb	LF	277	\$ 5.00	\$ 1,385.00	\$ 3.00	\$ 831.00	\$ 3.00	\$ 831.00
GRAND TOTAL					\$	\$ 329,618.00	\$	\$ 373,909.50	\$	\$ 404,095.00

These bid results are for Contractors information only. These results will undergo further review by the City of Olympia in determination of award to the lowest responsive and responsible bidder.



BID TABULATIONS
Project Name: 5th Ave Paving
Project No. : 0937G
Bid Opening Date: 3/28/2014

SCHEDULE A
OPINION OF PROBABLE
CONSTRUCTION COSTS

BID #1
Rognlin's Inc.
 321 W. State Street
 Aberdeen, WA 98520

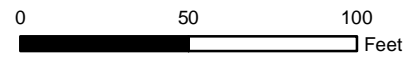
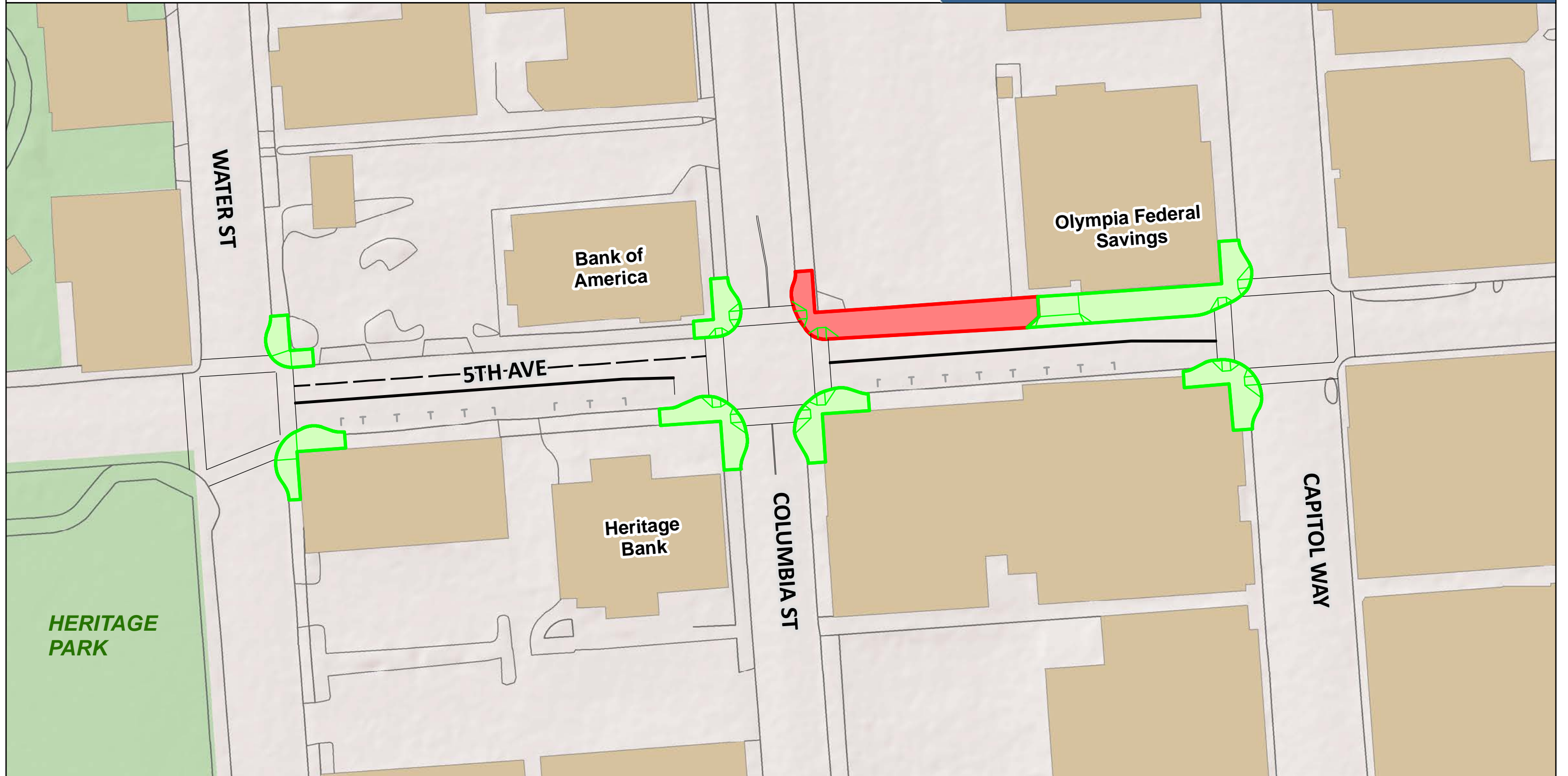
BID #2
Northwest Cascade, Inc.
 10412 John Bananola Way E.
 Puyallup, WA 98373

Item Number	Schedule Item	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
A1	104-000	Minor Change	EST	1	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
A2	105-000	Record Drawings	LS	1	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 211.00	\$ 211.00
A3	107-000	SPCC Plan	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 500.00	\$ 500.00	\$ 4,000.00	\$ 4,000.00
A4	109-000	Mobilization	LS	1	\$ 15,700.00	\$ 15,700.00	\$ 30,000.00	\$ 30,000.00	\$ 13,500.00	\$ 13,500.00
A5	110-000	Project Temporary Traffic Control	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 3,000.00	\$ 3,000.00	\$ 5,460.00	\$ 5,460.00
A6	110-005	Flaggers and Spotters	HR	1440	\$ 45.00	\$ 64,800.00	\$ 50.00	\$ 72,000.00	\$ 53.00	\$ 76,320.00
A7	110-030	Pedestrian Traffic Control	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 3,000.00	\$ 3,000.00	\$ 4,100.00	\$ 4,100.00
A8	202-000	Removal of Structure and Obstruction	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 16,031.00	\$ 16,031.00	\$ 19,905.00	\$ 19,905.00
A9	202-030	Removal of Cement Concrete Pavement	SY	46	\$ 40.00	\$ 1,840.00	\$ 50.00	\$ 2,300.00	\$ 36.00	\$ 1,656.00
A10	504-000	HMA Cl. 1/2" PG 64-22	TN	285	\$ 90.00	\$ 25,650.00	\$ 100.00	\$ 28,500.00	\$ 105.00	\$ 29,925.00
A11	504-070	Planing Bituminous Pavement	SY	2651	\$ 7.00	\$ 18,557.00	\$ 3.00	\$ 7,953.00	\$ 4.00	\$ 10,604.00
A12	504-120	Pavement Repair Excavation Incl. Haul	SY	100	\$ 75.00	\$ 7,500.00	\$ 40.00	\$ 4,000.00	\$ 80.00	\$ 8,000.00
A13	505-050	Planing Cement Conc. Pavement	SY	10	\$ 20.00	\$ 200.00	\$ 3.00	\$ 30.00	\$ 4.00	\$ 40.00
A14	701-110	Trench Drain	LF	150	\$ 75.00	\$ 11,250.00	\$ 125.00	\$ 18,750.00	\$ 173.00	\$ 25,950.00
A15	704-308	Ductile Iron Storm Sewer Pipe 8 In. Diam.	LF	99	\$ 40.00	\$ 3,960.00	\$ 70.00	\$ 6,930.00	\$ 65.00	\$ 6,435.00
A16	705-000	Catch Basin Type 1	EA	5	\$ 1,000.00	\$ 5,000.00	\$ 1,200.00	\$ 6,000.00	\$ 1,270.00	\$ 6,350.00
A17	705-520	Adjust Manhole	EA	7	\$ 500.00	\$ 3,500.00	\$ 600.00	\$ 4,200.00	\$ 725.00	\$ 5,075.00
A18	705-530	Adjust Catch Basin	EA	5	\$ 500.00	\$ 2,500.00	\$ 600.00	\$ 3,000.00	\$ 650.00	\$ 3,250.00
A19	705-560	Connection to Drainage Structure	EA	1	\$ 250.00	\$ 250.00	\$ 2,000.00	\$ 2,000.00	\$ 960.00	\$ 960.00
A20	705-570	Connection to Existing Manhole	EA	2	\$ 1,500.00	\$ 3,000.00	\$ 1,500.00	\$ 3,000.00	\$ 1,000.00	\$ 2,000.00
A21	708-000	Bank Run Gravel for Trench Backfill	TN	92	\$ 25.00	\$ 2,300.00	\$ 20.00	\$ 1,840.00	\$ 50.00	\$ 4,600.00
A22	708-050	Connect to Existing Pipe	EA	2	\$ 2,000.00	\$ 4,000.00	\$ 1,250.00	\$ 2,500.00	\$ 810.00	\$ 1,620.00
A23	712-400	Adjust Valve Box	EA	6	\$ 300.00	\$ 1,800.00	\$ 500.00	\$ 3,000.00	\$ 500.00	\$ 3,000.00
A24	715-010	Adjust Water Meter Box	EA	2	\$ 300.00	\$ 600.00	\$ 200.00	\$ 400.00	\$ 100.00	\$ 200.00
A25	801-015	Erosion/Water Pollution Control	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 1,000.00	\$ 1,000.00	\$ 2,800.00	\$ 2,800.00
A26	801-035	Inlet Protection	EA	9	\$ 75.00	\$ 675.00	\$ 50.00	\$ 450.00	\$ 43.00	\$ 387.00
A27	802-410	Property Restoration	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 2,500.00	\$ 2,500.00	\$ 3,200.00	\$ 3,200.00
A28	802-125	PSIPE Tree 2 1/2 In. Caliper	EA	2	\$ 350.00	\$ 700.00	\$ 1,000.00	\$ 2,000.00	\$ 1,150.00	\$ 2,300.00
A29	802-420	Tree Grate	EA	2	\$ 800.00	\$ 1,600.00	\$ 1,250.00	\$ 2,500.00	\$ 2,700.00	\$ 5,400.00
A30	802-300	Topsoil Type A	CY	3	\$ 100.00	\$ 300.00	\$ 40.00	\$ 120.00	\$ 120.00	\$ 360.00
A31	802-360	Fine Compost	CY	1	\$ 200.00	\$ 200.00	\$ 60.00	\$ 60.00	\$ 62.00	\$ 62.00
A32	802-520	Relocate Existing Street Amenity	EA	3	\$ 275.00	\$ 825.00	\$ 500.00	\$ 1,500.00	\$ 290.00	\$ 870.00
A33	804-000	Cement Conc. Traffic Curb	LF	625	\$ 25.00	\$ 15,625.00	\$ 25.00	\$ 15,625.00	\$ 25.00	\$ 15,625.00
A34	806-000	Cement Conc. Driveway Entrance	SY	52	\$ 50.00	\$ 2,600.00	\$ 100.00	\$ 5,200.00	\$ 82.00	\$ 4,264.00
A35	809-010	Raised Pavement Marker Type 2	HUND	0.36	\$ 725.00	\$ 261.00	\$ 2,000.00	\$ 720.00	\$ 2,000.00	\$ 720.00
A36	814-000	Cement Conc. Sidewalk	SY	737	\$ 35.00	\$ 25,795.00	\$ 45.00	\$ 33,165.00	\$ 46.00	\$ 33,902.00
A37	814-010	Cement Conc. Curb Ramp	EA	12	\$ 1,000.00	\$ 12,000.00	\$ 1,250.00	\$ 15,000.00	\$ 1,675.00	\$ 20,100.00
A38	820-110	Adjust Junction Box	EA	11	\$ 900.00	\$ 9,900.00	\$ 300.00	\$ 3,300.00	\$ 200.00	\$ 2,200.00
A39	821-000	Permanent Signing	LS	1	\$ 500.00	\$ 500.00	\$ 1,250.00	\$ 1,250.00	\$ 2,100.00	\$ 2,100.00
A40	822-005	Plastic Line	LF	1305	\$ 15.00	\$ 19,575.00	\$ 3.00	\$ 3,915.00	\$ 3.00	\$ 3,915.00
A41	822-035	Plastic Stop Line	LF	33	\$ 10.00	\$ 330.00	\$ 20.00	\$ 660.00	\$ 20.00	\$ 660.00
A42	822-045	Plastic Crosswalk Line	SF	989	\$ 10.00	\$ 9,890.00	\$ 10.00	\$ 9,890.00	\$ 9.00	\$ 8,901.00
A43	822-105	Plastic Parking Stall Marking	LF	110	\$ 5.00	\$ 550.00	\$ 8.00	\$ 880.00	\$ 7.00	\$ 770.00
A44	822-300	Painted Curb	LF	277	\$ 5.00	\$ 1,385.00	\$ 3.00	\$ 831.00	\$ 3.00	\$ 831.00
GRAND TOTAL					\$ 329,618.00	\$ 329,618.00	\$ 335,000.00	\$ 335,000.00	\$ 357,528.00	\$ 357,528.00

These bid results are for Contractors information only. These results will undergo further review by the City of Olympia in determination of award to the lowest responsive and responsible bidder.

5th Avenue Paving Project

After



Legend

- New Curb and Sidewalk (City)
- New Curb and Sidewalk (Others)
- New Pavement Marking

Map created : April 7, 2014

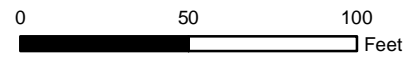
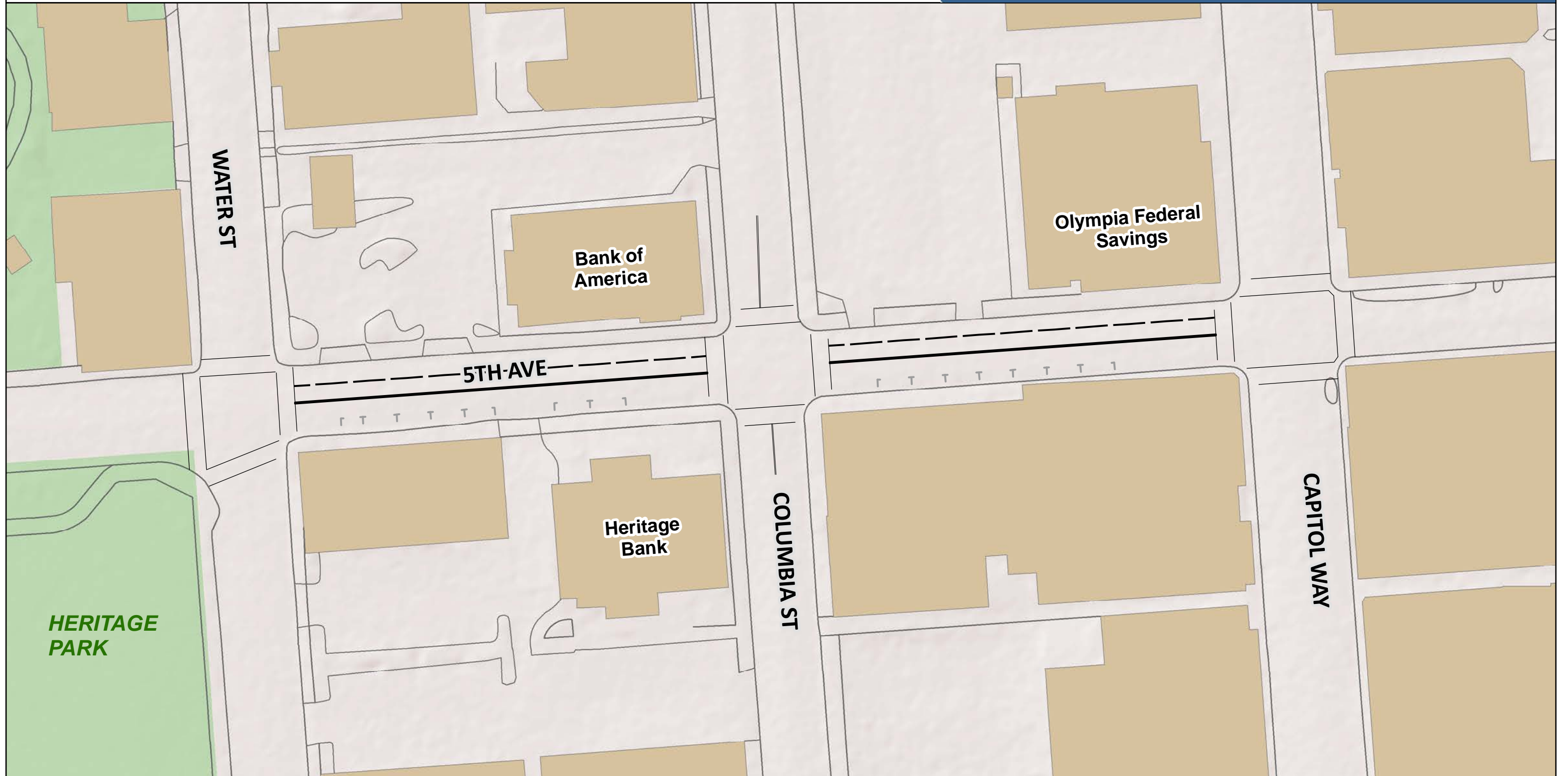
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5th Avenue Paving Project

Before



Legend

— Existing Pavement Marking

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City of Olympia

City Hall
601 4th Avenue E.
Olympia, WA 98501
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City Council

Approval of Bid Award for the Boulevard Road and 22nd Avenue Roundabout Project

Agenda Date: 4/15/2014

Agenda Number: 6.B

File Number: 14-0296

File Type: decision

Version: 1

Status: Other Business

..Title

Approval of Bid Award for the Boulevard Road and 22nd Avenue Roundabout Project

..Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to award the bid for the Boulevard Road and 22nd Avenue Roundabout Project to Active Construction Inc. in the amount of \$2,076,362.10, and authorize the City Manager to execute the contract.

..Report

Issue:

Whether to award the low bid, which is 4.4% above the engineer's estimate. Timely bid award will allow the project to proceed as planned this year.

Staff Contact:

Mark Russell, P.E., Director of Transportation, Public Works, 360.753.8762

Jim Rioux, Project Manager, Public Works Engineering, 360.753.8484

Presenter(s):

Mark Russell, P.E., Director of Transportation, Public Works, 360.753.8762

Background and Analysis:

The Boulevard Road Corridor Study, adopted by City Council in 2006, identified adding roundabouts at three locations along Boulevard Road between Pacific Avenue and Yelm Highway. These locations were selected to address traffic congestion, and improve bicycle, pedestrian, transit and motorist safety. The first of these three roundabouts, at the intersection of Boulevard Road and Log Cabin Road, was completed in 2010. This current project constructs the second roundabout at the Boulevard Road and 22nd Avenue intersection. The third and final roundabout at the Morse Merryman Road intersection is currently in the early design phase and construction is anticipated to occur in 2016 or 2017.

The project will also include the following features:

- Sidewalks on both sides of the road. The sidewalks will be separated from the street by planter strips where feasible;
- Bike lanes on both sides of the street;

Agenda Date: 4/15/2014

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File Number: 14-0296

- Ornamental streetlights;
- New drinking water mains;
- Extending the existing sanitary sewer main;
- Stormwater system improvements, including expanding one storm pond and constructing a new storm pond;
- Undergrounding private utilities; and
- Paving the road within the project limits.

The project is scheduled to start in May and be completed by fall of this year. Staff will present an overview of the project and discuss traffic impacts during construction .

Neighborhood/Community Interests (if known):

- The project will improve bicycle, pedestrian, and transit access and safety;
- Improve traffic flow;
- Construction will cause traffic delays along Boulevard Road and 22nd Avenue. The streets will remain open during construction. At times construction will require single lane closures. Flaggers will direct vehicles through the construction area during lane closures.
- The City will communicate information about alternate routes with the traveling public and key stakeholders.
- The City will regularly communicate with the Coalition of Neighborhood Associations, area Neighborhood and Homeowners Associations, citizens, emergency responders, schools, and other stakeholders about the timing, schedule and construction impacts. Staff will use a variety of communication tools including media releases, postcards, on-site visits, and Twitter.

Options:

1. Move to award the bid for the Boulevard Road and 22nd Avenue Roundabout Project to Active Construction, Inc. in the amount of \$2,076,362.10, and authorize the City Manager to execute the contract.
 - Project proceeds as planned.
 - The City will deliver on its commitment to our funding partners to construct the project this year.
2. Reject all bids and direct staff to rebid the project.
 - The time needed to rebid will delay construction until 2015, and costs are likely to increase.
 - Construction delay may result in loss of some or all of the funding from the project's grant funding sources.

Financial Impact:

Funding for this project comes from the Boulevard Road Capital Improvement Program that includes funds from the Transportation Benefit District, Impact Fees, SEPA Mitigation Fees, a Federal Surface Transportation Program (STP) grant, and a Transportation Improvement Board (TIB) grant. Water Resources is also funding the

Agenda Date: 4/15/2014

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water and sewer improvements through the City's Drinking Water Distribution System Improvements Program and the City's Wastewater Transmission and Collection Program.

The low bid of \$2,076,362.10 is approximately 4.4% above the Engineer's estimate. There are sufficient funds in the budget to complete this project.

Overall project costs:

Total Low Bid:	\$2,076,362
Contingency to Award (10%):	\$ 207,636
Engineering: Design, Inspection, Consultants	\$1,435,750
Right of Way	\$ 429,000
Total Estimated Project Cost:	\$4,148,748
Original Project Funding:	\$5,119,653
Difference (Savings):	(\$ 970,905)

Attachments:

1. Vicinity Map
2. Summary of Bids



BID TABULATIONS SUMMARY

Project Name: Boulevard Road/22nd Ave RAB

Project No. : 1164G, LA#7540 & STPUS-9943(017)

Bid Opening Date: 4/3/2014

	OPINION OF PROBABLE CONSTRUCTION COSTS	<u>BID #1</u> Active Construction, Inc. P.O. Box 430 Puyallup, WA 98443	<u>BID #2</u> NOVA Contracting, Inc. 10615 Delphi Rd. SW Olympia, WA 98512	<u>BID #3</u> Johansen Excavating, Inc. 28215 112th Street East Buckley, WA 98321
Schedule A - Roadway	\$ 1,477,865.00	\$ 1,630,019.82	\$ 1,717,228.00	\$ 1,730,922.95
Schedule B - Watermain including tax	\$ 154,675.52	\$ 157,018.53	\$ 194,153.60	\$ 157,945.12
Schedule C - Sanitary Sewer including tax	\$ 23,936.00	\$ 27,413.25	\$ 35,256.64	\$ 46,188.32
Schedule D - Joint Utility Trench	\$ 332,130.00	\$ 261,910.50	\$ 219,518.00	\$ 331,234.00
<u>GRAND TOTAL SCHEDULES A, B, C & D INCLUDING TAX</u>	\$ 1,988,606.52	\$ 2,076,362.10	\$ 2,166,156.24	\$ 2,266,290.39

The bid results are for Contractors information only. These results will undergo further review by the City of Olympia in determination of award to the lowest responsive and responsible bidder.



BID TABULATIONS SUMMA

Project Name: Boulevard Road/22nd Ave

Project No. : 1164G, LA#7540 & STPUS-9

Bid Opening Date: 4/3/2014

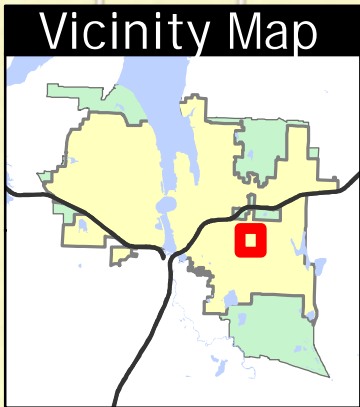
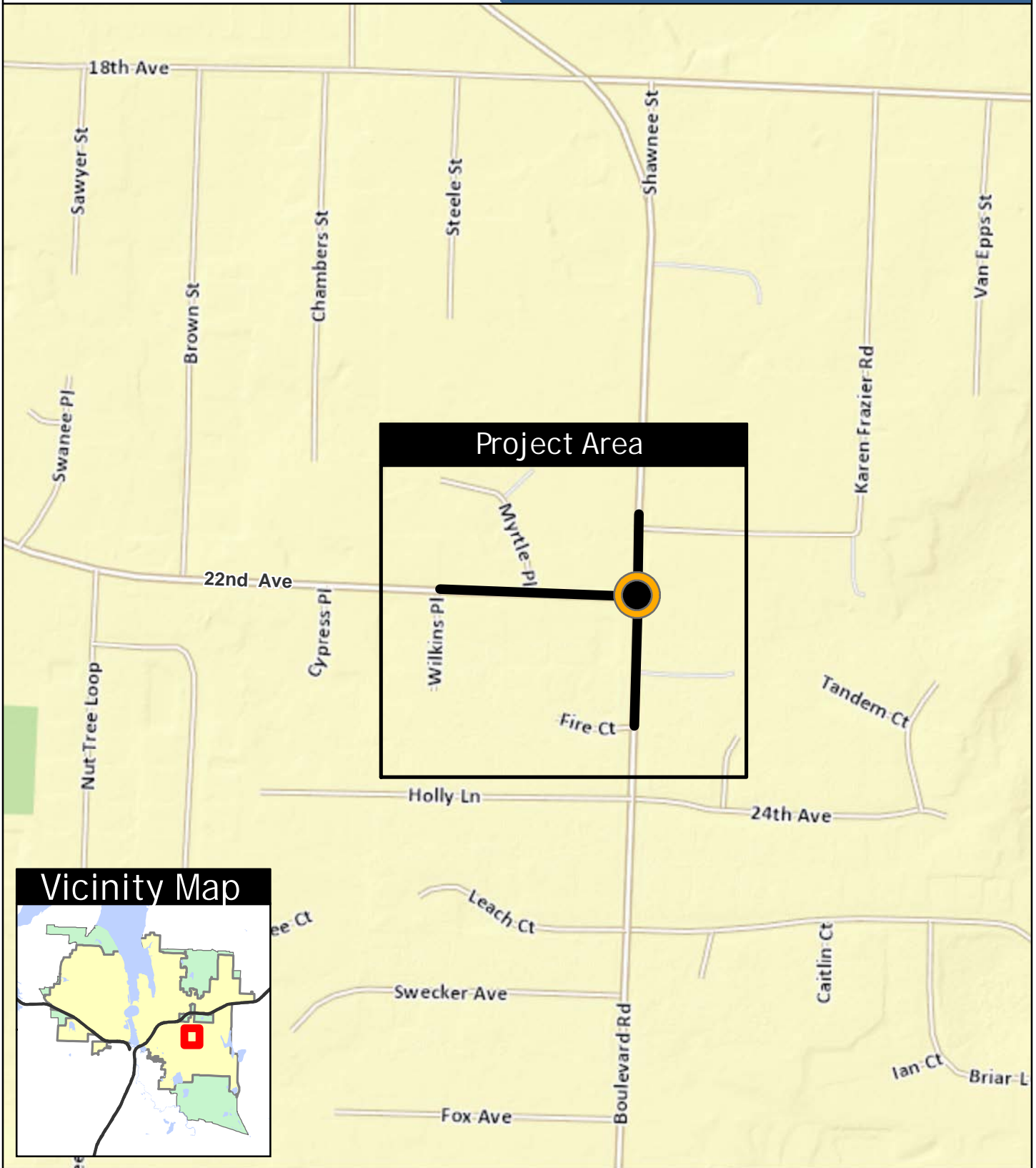
		BID #4 Titan Earthwork, LLC 13806 13th Street E Sumner, WA 98390	BID #5 Rognlin's, Inc 321 W. State Street Aberdeen, WA 98520	BID #6 WHH Nisqually Federal Services LI 1423 East 29th Street Tacoma, WA 98404	BID #7 Sterling Breen Crushing, Inc. P.O. Box 1347 Chehalis, WA 98532
	OPINION OF PROBABLE CONSTRUCTION COSTS				
Schedule A - Roadway	\$ 1,477,865.00	\$ 1,805,781.61	\$ 1,810,000.00	\$ 1,900,044.00	\$ 1,891,615.15
Schedule B - Watermain including tax	\$ 154,675.52	\$ 175,516.16	\$ 166,464.00	\$ 162,624.45	\$ 178,292.74
Schedule C - Sanitary Sewer including tax	\$ 23,936.00	\$ 44,499.20	\$ 43,520.00	\$ 41,210.72	\$ 29,229.12
Schedule D - Joint Utility Trench	\$ 332,130.00	\$ 300,725.00	\$ 309,000.00	\$ 264,320.00	\$ 408,885.00
GRAND TOTAL SCHEDULES A, B, C & D INCLUDING TAX	\$ 1,988,606.52	\$ 2,326,521.97	\$ 2,328,984.00	\$ 2,368,199.17	\$ 2,508,022.01

The bid results are for Contractors information only. These results will undergo further review by the City of Olympia in determination of award to the lowest responsive and responsible bidder.

Vicinity Map

Boulevard Road and 22nd Avenue Roundabout

City of Olympia | Capital of Washington State



0 175 350 Feet

1 inch = 350 feet

Map printed 3/26/2014
For more information, please contact:
Jim Rioux, Project Manager
(360) 753-8484.

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City of Olympia

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601 4th Avenue E.
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360-753-8447

City Council

Direction on Language for Council's Public Hearing Draft of the Comprehensive Plan

Agenda Date: 4/15/2014

Agenda Number: 6.C

File Number: 14-0373

File Type: decision

Version: 2

Status: Other Business

..Title

Direction on Language for Council's Public Hearing Draft of the Comprehensive Plan

..Recommended Action

Committee Recommendation:

Draft Comprehensive Plan language is included in attachments 1-6 from three sources:

1. Council-directed language at its March 11, 2014, study session on:
 - a. Greenhouse Gas Emissions and Climate Change
 - b. Sea Level Rise
 - c. Dark Skies
2. Land Use and Environment Committee recommended language on:
 - a. Rezoning Criteria
 - b. High-Density Neighborhood Overlay
3. Staff recommended language, coordinated with Olympia Planning Commission, on:
 - a. Comprehensive Plan Action Plan Process
 - b. Disaster Planning
 - c. Locating Underground Utilities
 - d. Parks Maintenance and Operations Funding Consideration

City Manager Recommendation:

Move to direct staff to include the attached recommendations (Attachments 1-6) in a City Council public hearing draft of the Olympia Comprehensive Plan.

..Report

Issue:

The Planning Commission and City Manager have presented Council with recommendations on the Comprehensive Plan Update. City Council will hold a public hearing on a draft Comprehensive Plan Update at a date to be determined (most likely in June 2014). What policy language should be included on the issues listed in the recommendation?

Staff Contact:

Leonard Bauer, Deputy Director, Community Planning and Development,
360.753.8206

Presenter(s):

Leonard Bauer, Deputy Director, Community Planning and Development

Agenda Date: 4/15/2014

Agenda Number: 6.C

File Number: 14-0373

Rich Hoey, Director, Public Works

Greg Wright, Deputy Fire Chief

Stacey Ray, Associate Planner, Community Planning and Development

Jonathon Turlove, Associate Planner, Parks, Arts and Recreation

Background and Analysis:

At its February 25 work session on the Draft Comprehensive Plan Update recommended by the Olympia Planning Commission, the City Council referred policy issues to future Council study sessions, to the Land Use and Environment Committee (LUEC), and to staff. The City Council held a work session on March 11, 2014, and considered policies regarding: Greenhouse Gas Emissions and Climate Change, Sea Level Rise, and Dark Skies (impacts of lighting on night skies). The LUEC held a meeting on March 27, 2014, and made recommendations regarding: Rezoning Criteria and High-Density Neighborhoods Overlay definition. Staff has met with the lead Planning Commissioner to recommend policies regarding: Comprehensive Plan Action Plan Process, Disaster Planning, Locating Underground Utilities, and Parks Maintenance and Operations Funding Consideration.

Background for each of these issues is provided in the staff reports for these issues for the following public meetings:

- February 25, 2014 City Council meeting
- March 11, 2014 City Council study session
- March 27, 2014 Land Use and Environment Committee meeting

Attachments 1-6 include the recommended language for each issue.

Neighborhood/Community Interests (if known):

Public input collected during the Comprehensive Plan Update *Imagine Olympia* process is documented on the Imagine Olympia website. During the March 27, 2014, LUEC meeting additional public input was received on the Re-zoning Criteria and High-Density Neighborhood Overlay issues.

Options:

1. Move to direct staff to include the attached recommendations (attachments 1-6) in a City Council public hearing draft of the Olympia Comprehensive Plan.
2. Move to amend some or all of the recommended language, and then move to include amended language in a City Council public hearing draft of the Olympia Comprehensive Plan.
3. Refer some or all of the language back to LUEC or staff for further refinement.

Financial Impact:

None; this work item is an element of the Comprehensive Plan Update. Individual policies may have financial implications in the future as they are implemented.

Agenda Date: 4/15/2014
Agenda Number: 6.C
File Number: 14-0373

Draft Comprehensive Plan Policies Addressing Greenhouse Gas Emissions & Climate Change

Staff recommends that the track change edits shown below be included in the Public Hearing Draft.

Natural Environment Chapter:

GN9: Community sources of emissions of carbon dioxide and other climate-changing greenhouse gases are identified, monitored, and reduced.

PN 9.1: Participate~~Coordinate~~ with local and state partners in the development of a regional climate action plan aimed at reducing greenhouse gases by 25 percent of 1990 levels by 2020, 45 percent of 1990 levels by 2035 and 80 percent of 1990 levels by 2050. ~~identify and monitor sources of greenhouse gas emissions using best available science; identify reduction targets and actions.~~

PN9.2: Monitor the greenhouse gas emissions from city operations, and implement new conservation measures, technologies and alternative energy sources to reach established reduction goals.

PN9.3: Reduce the use of fossil fuels and creation of greenhouse gases through planning, education, conservation, and development and implementation of renewable sources of energy. (See also GL2.)

PN9.4: Encourage the conservation and reuse of existing natural resources and building materials.

PN9.5: Reduce the pollution and energy consumption of transportation by promoting the use of electric vehicles and providing expanding accessible and inviting alternatives that reduce vehicle miles traveled, including transit, walking and cycling. (See also GT25.)

PN9.6: Plan to adapt, mitigate, and maintain resiliency for changing environmental conditions due to climate change, such as longer periods of drought and increased flooding related to changing weather patterns and sea level rise (see also GU11).

PN9.7: Reduce energy use and the environmental impact of our food system by encouraging local food production.

Land Use & Urban Design Chapter:

GL2: Buildings, commercial and industrial processes, and site designs use energy efficiently.

PL2.1: Pursue partnerships to Promote energy efficient construction and lighting, low-energy designs ~~such as readily accessible stairways as an alternative to elevator use,~~ and weatherization in both new and existing buildings. Encourage material subsidies including subsidizing materials for low-income citizens.

PL2.2: Promote public education and provide energy conservation and solar and other renewable energy information in cooperation with local utilities and others.

PL2.3: Encourage local 'cogeneration' of energy when environmentally sound and not in conflict with other land uses.

PL2.4: Encourage buildings and site designs that result in energy efficiency and use of solar and other renewable energy.

PL2.5: Support efforts to protect ~~and use~~ solar access in existing structures and to incorporate solar access provisions into new development projects.

Draft Comprehensive Plan Policies Addressing Sea Level Rise

The current draft has language in two chapters. For ease of reference, staff recommends combining Sea Level Rise policies in one chapter, The Utilities Chapter, instead of locating them in 2 chapters. Staff proposes that the revision below to the Utilities Chapter be included in the Public Hearing Draft Comprehensive Plan.

Natural Environment Chapter:

~~GN5: The City has used best available information to devise and implement a sea level rise strategy.~~

~~PN5.1: Evaluate all options, including retreat, to deal with the impacts of sea level rise in Olympia.~~

~~PN5.2: Consider different scenarios for varying amounts of sea level rise, and the accompanying adaptation and response options for each scenario.~~

~~PN5.3: Perform a cost-benefit analysis for each adaptation strategy. Consider the physical, environmental and social factors as well as costs in the analysis.~~

~~PN5.4: Evaluate different financing options for adaptation strategies.~~

~~PN5.5: Use the best available science and the experiences of other municipalities in formulating future plans for sea level rise.~~

~~PN5.6: Engage the community in a discussion of the different mitigation scenarios and adaptation strategies and response and cost.~~

Utilities Chapter:

~~GU11: The City has used best available information to devise and implement a sea level rise strategy.~~

~~PU11.1: Develop plans and cost estimates for protection and adaptation strategies to sea level rise that include regulatory, engineering and natural solutions.~~

~~PU11.2: Coordinate with other key stakeholders, such as downtown businesses, LOTT Clean Water Alliance, the Port of Olympia, environmental groups, downtown residents, and other public interest groups.~~

~~PU11.3: Incorporate flexibility and resiliency into public and private infrastructure in areas predicted to be affected.~~

~~PU11.4: Maintain public control of downtown shorelines that may be needed to serve flood management functions.~~

~~PU11.5: Engage the community in a discussion of the different mitigation scenarios, adaptation strategies, and costs.~~

Utilities Chapter:

GU11: The City uses best available information to implement a sea level rise management plan that will protect Olympia's downtown (see also GN9).

PU11.1: Evaluate different scenarios for sea level rise, including varying magnitudes and time horizons, and develop a progression of adaptation and response actions for each scenario.

PU11.2: Develop plans, cost estimates and financing options for addressing sea level rise that include regulatory, engineering and environmentally sensitive solutions.

PU11.3: Maintain public control of downtown shorelines that may eventually be needed to help manage flood water.

PU11.4: Incorporate sea level rise planning into the design of public and private infrastructure where needed.

PU11.5: Use the best available science and the experiences of other communities in formulating plans for sea level rise.

PU11.6: Partner with government entities and other key stakeholders, such as, the State of Washington, LOTT Clean Water Alliance, Port of Olympia, Squaxin Island

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Tribe, downtown property owners, businesses and residents, environmental groups, and other interested parties.

PU11.7: Engage the community in a discussion of various sea level rise scenarios, how the City will respond to lessen the impact, and what the costs would be.

City Council Meeting
April 15, 2014

Draft Comprehensive Plan Goals and Policies addressing “Dark Skies”

At the March 11 Council Study Session, in response to comments provided by Planning Commissioner Judy Bardin, Councilmember Cooper directed staff to make the following edit to the Draft Comprehensive Plan Goal that addresses “Dark Skies:”

GN10 Artificial sources of nighttime light are minimized to protect wildlife, ~~and~~ vegetation, and the health of the public, and preserve views of the night sky.

LUEC Recommendation for Amendment to Re-zoning Criteria for City Council Public Hearing Draft of Comprehensive Plan

Revise the text on pages 56-57 of December 2013 Draft Olympia Comprehensive Plan as follows to refer to topics that should be addressed in future development code amendments that govern rezones:

Proposed rezones shall meet criteria to be adopted into the Olympia Municipal Code that address:

- 1. Consistency with the comprehensive plan.*
- 2. Consistency with the city's development regulations that implement the comprehensive plan.*
- 3. Compatibility with adjoining zoning districts and transitioning where appropriate to ensure compatibility.*
- 4. Adequacy of infrastructure in light of development potential of the proposed zoning.*

The following information is provided as background only and will not be included in the Public Hearing draft.

**Comparison of Olympia Planning Commission and City Manager
Comprehensive Plan Text Recommendations**

For Rezoning Criteria

Reviewed by City Council February 25, 2014

Planning Commission Recommendation	City Manager Recommendation
Consistency with the applicable land use designation description in the comprehensive plan.	Consistency with the comprehensive plan.
Will clearly implement applicable policies in all elements of the comprehensive plan. If there are clear inconsistencies between the proposed rezone and specific, applicable policies in the comprehensive plan, the rezone should not be approved.	Consistency with the city’s development regulations that implement the comprehensive plan.
Consistency with the applicable general and specific purpose statements in Title 18 of the OMC.	Consideration of adjoining zoning districts
The proposed zoning shall be identical to an existing zoning district that is adjacent to the subject property. The proposed zoning may also be approved if it clearly fulfills the specific purpose statement of an adjacent zoning district that is not identical.	Adequacy of infrastructure in light of development potential of the proposed zoning
Clear evidence that the maximum density of development permitted in the proposed zoning district can be adequately served by infrastructure systems as described in the city’s adopted master plans for sanitary sewer, potable water, transportation, parks and recreation, stormwater and public safety services; and in the applicable facilities and services plans of the Olympia School District, Intercity Transit, and other required public service providers.	

LUEC Recommendation for Amendment to High-Density Neighborhoods Definition for City Council Public Hearing Draft of Comprehensive Plan

Revise the definition of High-Density Neighborhoods on page 97 of December 2013 Draft Olympia Comprehensive Plan as follows:

High Density Neighborhoods Overlay: *High Density Neighborhoods are multi-family residential, commercial and mixed use neighborhoods with densities of at least 25 dwelling units per acre for residential uses that are not re-using or redeveloping existing structures. ~~Specific zoning may provide for densities higher than 25 units per acre.~~ New mixed-use developments include a combination of commercial floor area ratio and residential densities that are compatible with a high-density residential neighborhood. The height in these neighborhoods will be determined by zoning and based on the “Height and View Protection Goals and Policies.”*

Following is background information which will not be included in the Public Hearing draft.

Current Olympia Planning Commission Recommendation:

High Density Neighborhoods are multi-family residential, commercial and mixed use neighborhoods with densities of at least 25 dwelling units per acre. Specific zoning may provide for densities higher than 25 units per acre. The height in these neighborhoods will be determined by zoning and based on the “Height and View Protection Goals and Policies.”

City Manager Recommendation at February 25, 2014, work session:

High Density Neighborhoods are multi-family residential, commercial and mixed use neighborhoods with a goal of densities of at least 25 dwelling units per acre for single-use residential developments. Specific zoning may provide for densities higher than 25 units per acre, but not less than 15 units per acre.

Olympia Draft Comprehensive Plan

Policy Issues Referred by City Council to Staff at Feb. 25, 2014 Meeting

Updated Staff Recommendations

At its February 25, 2014, meeting, the Olympia City Council directed further of 19 policy issues from the Planning Commission-recommended Draft Comprehensive Plan. The five issues below were referred to staff to develop new policy language for each issue for the Council to consider including in a public hearing draft of the Comprehensive Plan.

Each issue includes a summary of the Olympia Planning Commission recommendation, the city manager recommendation that was presented at the February 25 meeting, and the new staff recommendation incorporating the direction of the City Council from its February 25 meeting. **Staff requests Council approval to include the “new staff recommendation” in the Public Hearing draft. The “new staff recommendation” is underlined.**

1. Action Plan Process

OPC Recommendation in Draft Plan:

PP1.1 and PP1.2 in the Public Participation and Partners Chapter in the draft Comprehensive Plan describe specific roles for staff, Council, and the Commission in the development and ongoing management of the Implementation Strategy (Action Plan). In PP1.1, the Council and Commission are charged with identifying actions with a special emphasis on the priorities of advisory groups. PP1.2 specifically outlines how the Plan will be managed and updated, including the creation of a committee, the make-up of that committee, and what bodies the committee will report to on an annual basis.

Proposed City Manager Recommendation:

Staff recommends that proposed policies PP1.1 and PP1.2 be replaced with one policy that identifies that there will be an Implementation Strategy. However, the details regarding how it will be developed and maintained would not be specified .

- Replace PP1.1 with: *PP 1.1 Engage partners in the development and regular updating of an implementation strategy to fulfill Comprehensive Plan goals and policies. This strategy will include a monitoring and reporting process.*
- Delete PP1.2.

NEW STAFF RECOMMENDATION (based on Council feedback received 2/25/14):

PP1.1

Develop a strategy to implement the Comprehensive Plan goals and policies. Collaborate with partners, including City Advisory Committees and Commissions, neighborhoods, and other community groups, so that the strategy reflects community priorities and actions.

PP1.2

Annually measure and highlight progress towards achieving the Comprehensive Plan goals and policies. Engage the community in updating the strategy, publish performance reports, and recognize community partners who contribute to achieving the vision.

2. Disaster Planning (Subduction Earthquake Policies)

OPC Recommendation in Draft Plan:

Adopt a new set of policies addressing the risk of a ‘Cascadia subduction zone earthquake,’ specifically:

- *Policy S13.9: Educate citizens about the possibility, and potential impacts, of a Cascadia subduction zone earthquake and actions they can take to prepare for such an event.*
- *Policy S13.10: Address the severe and extended impacts of a Cascadia subduction zone earthquake in the City’s emergency response plans and preparations.*
- *Policy S13.11: Continue to gather best available information on the impacts of a Cascadia subduction zone earthquake, including the potential magnitude and impacts of vertical movements and tsunamis*

Proposed City Manager Recommendation:

Do not adopt the language in the recommendations; instead, continue policy of coordinating City’s efforts related to disaster risks through the accepted standard of all-hazard formatting in cooperation with the region’s other Emergency Management programs. Revise policy S13.11 to state:

Continue to gather best available information on earthquakes, and the potential magnitude and impacts of vertical movement, while educating citizens on the impacts of all hazards.

NEW STAFF RECOMMENDATION (based on Council feedback received 2/25/14):

PS13.7

Coordinate the City's preparation, mitigation, response and recovery to disasters through an all-hazard Emergency Management program that includes planning for major catastrophic events.

PS13.9

Educate citizens on how to sustain their households without outside assistance for a minimum of 72 hours during an emergency event, and that some events, such as a severe earthquake, may require them to sustain themselves for five to ten days or more.

3. Locating underground utilities

OPC Recommendation in Draft Plan:

Draft policy PU3.6 states that utilities will be grouped, and to include in the Engineering Design and Development Standards (EDDS) a guidance drawing with street trees and public and private utilities co-located in the public right-of-way.

Proposed City Manager Recommendation:

Revise policy PU3.6 as follows:

Locate public and private utilities in public rights-of-way and/or easements on private property in a manner to facilitate safe and efficient operation, maintenance and repair. Provide a guidance drawing within the Engineering Design and Development Standards that shows how and where public and private utilities should be located.

NEW STAFF RECOMMENDATION (based on Council feedback received 2/25/14):

PU3.6

Locate public and private utilities in public rights-of-way and/or easements on private property in a manner to facilitate safe and efficient operation, maintenance and repair, and to minimize conflicts. Provide guidance within the Engineering Design and Development Standards that shows how and where public and private utilities should be located, including opportunities for co-location.


4. Parks Maintenance and Operations Funding Consideration

OPC Recommendation in Draft Plan:

Draft policy PR6.5 states:

Ensure adequate park maintenance and operation funding before new facilities are developed.

Delete reference at end of chapter:


The current [Parks, Arts and Recreation Plan](#)  contains a detailed list of proposed projects and programs for the next 10 years.

Proposed City Manager Recommendation:

Revise Policy 6.5 to read:

Ensure adequate maintenance and operation funding before new park facilities are acquired and developed.

Delete reference at end of chapter:


The current [Parks, Arts and Recreation Plan](#)  contains a detailed list of proposed projects and programs for the next 10 years.

NEW STAFF RECOMMENDATION (based on Council feedback received 2/25/14):

PR6.5

[Establish a strategy for funding maintenance and operation of new park facilities before they are developed.](#)

Amend reference at end of chapter:












~~The For more information on proposed park projects and programs, see the current [Parks, Arts and Recreation Plan](#)  contains a detailed list of proposed projects and programs for the next 10 years.~~

Name	Meeting Date	Meeting Time	Meeting Location	Meeting Details	Agenda	Minutes	Media
Land Use & Environment Committee	4/17/2014	5:30 PM	Council Chambers	Meeting details	 Agenda	Not available	Not available
City Council	4/15/2014	7:00 PM	Council Chambers	Meeting details	 Agenda	Not available	Not available
Arts Commission	4/10/2014	6:00 PM	The Olympia Center Room 103	Meeting details	 Agenda	Not available	Not available
City Council	4/8/2014	7:00 PM	Council Chambers <i>Special Study Session</i>	Meeting details	 Agenda	Not available	Not available
Land Use & Environment Committee	3/27/2014	5:30 PM	Council Chambers	Meeting details	 Agenda	Not available	Not available
Bicycle and Pedestrian Advisory Committee	3/26/2014	6:15 PM	Council Chambers	Meeting details	 Agenda	Not available	Not available
Planning Commission	3/17/2014	6:30 PM	Room 207	Meeting details	 Agenda	 Minutes	 Media
Community & Economic Revitalization Committee	3/17/2014	4:30 PM	Council Chambers	Meeting details	 Agenda	Not available	Not available
Arts Commission	3/13/2014	6:00 PM	Room 112	Meeting details	 Agenda	Not available	Not available
Finance Committee	3/13/2014	5:30 PM	Olympia Center - 222 Columbia St NW - Room 102 <i>Special Finance Committee Meeting</i>	Meeting details	 Agenda	 Minutes	Not available
City Council	3/11/2014	7:00 PM	Council Chambers <i>Special Study Session</i>	Meeting details	 Agenda	 Minutes	Not available
Utility Advisory Committee	3/6/2014	5:40 PM	City Hall, Room 207	Meeting details	 Agenda	 Minutes	Not available
City Council	3/4/2014	7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
Planning Commission	3/3/2014	6:30 PM	Room 207	Meeting details	 Agenda	 Minutes	 Media
Bicycle and Pedestrian Advisory Committee	2/26/2014	6:15 PM	Council Chambers	Meeting details	 Agenda	 Minutes	Not available
City Council	2/25/2014	7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
City Council	2/25/2014	5:30 PM	Room 207 <i>Special Study Session</i>	Meeting details	 Agenda	 Minutes	Not available
Planning Commission	2/24/2014	6:30 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media

Land Use & Environment Committee	2/20/2014		5:30 PM	Council Chambers	Meeting details	 Agenda	 Minutes	Not available
Arts Commission	2/13/2014		6:00 PM	Room 112 <i>Special Meeting</i>	Meeting details	 Agenda	 Minutes	Not available
Bicycle and Pedestrian Advisory Committee	2/12/2014		6:15 PM	Council Chambers	Meeting details	 Agenda	 Minutes	Not available
General Government Committee	2/11/2014		4:30 PM	Room 207	Meeting details	 Agenda	 Minutes	Not available
Planning Commission	2/10/2014		6:30 PM	Room 207	Meeting details	 Agenda	 Minutes	 Media
City Council	1/30/2014		4:30 PM	Room 112 <i>Ad Hoc Community Renewal Area Committee</i>	Meeting details	 Agenda	 Minutes	Not available
City Council	1/28/2014		7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
Planning Commission	1/27/2014		6:30 PM	Room 207	Meeting details	 Agenda	 Minutes	 Media
Design Review Board	1/23/2014		6:30 PM	Room 207	Meeting details	 Agenda	 Minutes	Not available
Land Use & Environment Committee	1/23/2014		5:30 PM	Council Chambers	Meeting details	 Agenda	 Minutes	Not available
Bicycle and Pedestrian Advisory Committee	1/22/2014		6:15 PM	Council Chambers <i>Canceled 1/22/14</i>	Meeting details	 Agenda	Not available	Not available
City Council	1/21/2014		7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
Planning Commission	1/13/2014		6:30 PM	Room 207	Meeting details	 Agenda	 Minutes	Not available
City Council	1/11/2014		8:30 AM	Fire Station #4 - 3525 Stoll Road <i>Council Annual Retreat</i>	Meeting details	 Agenda	 Minutes	Not available
Arts Commission	1/9/2014		6:00 PM	Room 112	Meeting details	 Agenda	 Minutes	Not available
City Council	1/7/2014		7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
Planning Commission	12/16/2013		6:30 PM	Room 207	Meeting details	 Agenda	 Minutes	 Media
Arts Commission	12/12/2013		6:00 PM	City Hall Room 304 <i>Special Meeting</i>	Meeting details	 Agenda	 Minutes	Not available
Finance Committee	12/12/2013		5:30 PM	Room 112	Meeting details	 Agenda	 Minutes	Not available
Planning Commission	12/9/2013		6:30 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
Utility Advisory Committee	12/5/2013		5:40 PM	City Hall, Room 207	Meeting details	 Agenda	 Minutes	Not available
Land Use & Environment Committee	12/5/2013		5:30 PM	Council Chambers	Meeting details	 Agenda	 Minutes	Not available
Land Use & Environment Committee	11/21/2013		5:30 PM	Council Chambers	Meeting details	 Agenda	 Minutes	Not available
City Council	11/20/2013		6:30 PM	Council Chambers <i>Joint Meeting of the Ad Hoc Community Renewal Area (CRA) Committee and the Citizens Advisory Committee (CAC)</i>	Meeting details	 Agenda	 Minutes	Not available
Bicycle and Pedestrian Advisory Committee	11/20/2013		6:15 PM	City Hall, Room 207	Meeting details	 Agenda	 Minutes	Not available

City Council	11/19/2013		7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
Planning Commission	11/18/2013		6:30 PM	Room 207	Meeting details	 Agenda	 Minutes	 Media
Arts Commission	11/14/2013		6:00 PM	Room 112	Meeting details	 Agenda	 Minutes	Not available
City Council	11/12/2013		7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
Utility Advisory Committee	11/7/2013		5:40 PM	City Hall, Room 207	Meeting details	 Agenda	 Minutes	Not available
City Council	11/4/2013		7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
Planning Commission	11/4/2013		6:30 PM	Room 207	Meeting details	 Agenda	 Minutes	 Media
City Council	10/29/2013		6:00 PM	Council Chambers <i>Special Meeting with Coalition of Neighborhood Associations (CNA)</i>	Meeting details	 Agenda	 Minutes	 Media
Land Use & Environment Committee	10/24/2013		5:30 PM	Council Chambers	Meeting details	 Agenda	 Minutes	Not available
Planning Commission	10/21/2013		6:30 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
City Council	10/18/2013		1:00 PM	Room 207 <i>Special City Council Meeting to hold the Ad Hoc Community Renewal Area Committee Meeting</i>	Meeting details	 Agenda	 Minutes	Not available
City Council	10/15/2013		7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
Arts Commission	10/10/2013		6:00 PM	City Hall - Room 112 <i>Special Meeting</i>	Meeting details	 Agenda	 Minutes	Not available
Finance Committee	10/10/2013		5:30 PM	Room 112	Meeting details	 Agenda	 Minutes	Not available
Planning Commission	10/7/2013		6:30 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
Parks and Recreation Advisory Committee	10/3/2013		6:00 PM	The Olympia Center, Room 200	Meeting details	 Agenda	 Minutes	Not available
Utility Advisory Committee	10/3/2013		5:40 PM	City Hall, Room 207	Meeting details	 Agenda	 Minutes	Not available
City Council	10/1/2013		7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
Land Use & Environment Committee	9/26/2013		5:30 PM	Council Chambers	Meeting details	 Agenda	 Minutes	Not available
Heritage Commission	9/25/2013		6:30 PM	Room 207	Meeting details	 Agenda	 Minutes	Not available
Bicycle and Pedestrian Advisory Committee	9/25/2013		6:15 PM	Council Chambers	Meeting details	 Agenda	 Minutes	Not available
City Council	9/24/2013		5:30 PM	Conference Room 112 <i>Ad Hoc Community Renewal Area Committee</i>	Meeting details	 Agenda	 Minutes	Not available
Arts Commission	9/12/2013		6:00 PM	Room 112	Meeting details	 Agenda	 Minutes	Not available
City Council	9/10/2013		7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
Planning Commission	9/9/2013		6:30 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
Land Use & Environment Committee	8/26/2013		5:30 PM	Council Chambers	Meeting details	 Agenda	 Minutes	Not available
Planning Commission	8/24/2013		9:00 AM	See Attachments 1 & 2 <i>ANNUAL RETREAT</i>	Meeting details	 Agenda	 Minutes	Not available
Planning	8/19/2013		6:30 PM	Room 207	Meeting details	 _____	 _____	 _____

Commission					Agenda	Minutes	Media	
Arts Commission	8/8/2013		6:00 PM	Room 112	Meeting details	 Agenda	 Minutes	Not available
Planning Commission	8/5/2013		6:30 PM	Room 207	Meeting details	 Agenda	 Minutes	 Media
Land Use & Environment Committee	7/25/2013		5:30 PM	Council Chambers	Meeting details	 Agenda	 Minutes	Not available
City Council	7/23/2013		7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
City Council	7/23/2013		5:00 PM	Room 207 <i>Special Study Session</i>	Meeting details	 Agenda	 Minutes	Not available
City Council	7/16/2013		7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
City Council	7/12/2013		3:00 PM	Room 112 <i>Ad Hoc Community Renewal Area Committee</i>	Meeting details	 Agenda	 Minutes	Not available
Arts Commission	7/11/2013		6:00 PM	Room 112	Meeting details	 Agenda	 Minutes	Not available
Finance Committee	7/11/2013		5:30 PM	Room 112	Meeting details	 Agenda	 Minutes	Not available
City Council	7/9/2013		7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
City Council	7/8/2013		3:00 PM	Room 207 <i>Ad Hoc Community Renewal Area Committee</i>	Meeting details	 Agenda	 Minutes	Not available
Planning Commission	7/1/2013		6:30 PM	Room 112 <i>Planning Commission Finance Subcommittee</i>	Meeting details	 Agenda	 Minutes	Not available
Land Use & Environment Committee	6/27/2013		5:30 PM	Council Chambers	Meeting details	 Agenda	 Minutes	Not available
Heritage Commission	6/26/2013		6:30 PM	Room 207	Meeting details	 Agenda	 Minutes	Not available
City Council	6/22/2013		2:00 PM	LOTT Board Room, 500 Adams St. NE <i>Mid-Year Retreat</i>	Meeting details	 Agenda	 Minutes	Not available
Planning Commission	6/19/2013		6:30 PM	Room 112 <i>MEETING CANCELLED AND MOVED TO JULY 1, 2013 - Planning Commission Finance Subcommittee</i>	Meeting details	 Agenda	Not available	Not available
Planning Commission	6/17/2013		6:30 PM	Room 207	Meeting details	 Agenda	 Minutes	 Media
Arts Commission	6/13/2013		6:00 PM	The Olympia Center, Room 204, 222 Columbia St NW <i>Special Meeting</i>	Meeting details	 Agenda	 Minutes	Not available
PBIA Advisory Board	6/13/2013		6:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	Not available
City Council	6/11/2013		7:00 PM	Council Chambers <i>Special Study Session</i>	Meeting details	 Agenda	 Minutes	 Media
Parks and Recreation Advisory Committee	6/6/2013		6:00 PM	The Olympia Center, Room 200	Meeting details	 Agenda	 Minutes	Not available
Utility Advisory Committee	6/6/2013		5:40 PM	City Hall, Room 207	Meeting details	 Agenda	 Minutes	Not available
City Council	6/4/2013		7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
Planning Commission	6/3/2013		6:30 PM	Room 207	Meeting details	 Agenda	 Minutes	 Media
City Council	5/28/2013		7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes	 Media
Land Use &	5/23/2013		5:30 PM	Council Chambers	Meeting details	 _____	 _____	Not available

					Agenda	Minutes	
Environment Committee							
City Council	5/21/2013		7:00 PM	Council Chambers	Meeting details	 Agenda	 Minutes  Media
Planning Commission	5/20/2013		6:30 PM	Council Chambers	Meeting details	 Agenda	 Minutes  Media
Arts Commission	5/9/2013		6:00 PM	City Hall, Room 304	Meeting details	 Agenda	 Minutes Not available
<div style="border: 1px solid black; display: inline-block; padding: 2px;">1</div> 2					Page 1 of 2, items 1 to 100 of 196.		

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Imagine Olympia

Featured Links

- [FINAL Supplemental Environmental Impact Statement](#)
- [Shoreline Master Program](#)
- [Growth Management Act](#)
- [Action Plan Process Starting](#)
- [Urban Corridors](#)

feedback

Send comments on the draft to City Council anytime at imagineolympia@ci.olympia.wa.us

Background

In 2009, the City initiated a major update to its Comprehensive Plan. Between 2009 and 2012, City staff and the Olympia Planning Commission reached out to the community through meetings, events, personal interviews, online surveys and more.



Over one thousand community members shared their thoughts about how we can best shape our community, face collective challenges, and meet shared goals.

[What is a Comprehensive Plan?](#)

The Comprehensive Plan is our roadmap for the future. How we face the challenges of today determines what kind of City Olympia will be tomorrow.

The Comprehensive Plan is a land use document that provides the direction to manage where and how growth needs are met. Plan elements include land use, housing, capital facilities, utilities, natural resources, transportation, economic development, cultural resources, and other topics.

The Comprehensive Plan may be amended annually and a major update is required every eight years.

[What Does the Comprehensive Plan Do and How Does it Guide the City's Plans and Actions?](#)

What's Happening Now?

We are in the final stages of updating the Comprehensive Plan vision, goals and policies. Other steps required by the State's Growth Management Act will be completed between 2014-2016.



The City Council has scheduled a series of study sessions and subcommittee meetings to discuss selected topics addressed in the Draft Comprehensive Plan recommended by the Olympia Planning Commission. The public is invited to attend. Following these sessions, the Council plans to release an updated City Council Draft Comprehensive Plan that will be the topic of at least one public hearing.

Here are the meetings that have been scheduled. **All meetings will be held at Olympia City Hall.**

DATE	TIME	TYPE	TOPIC
March 11	7:00 pm	City Council Work Session	Climate Change and Greenhouse Gases Sea Level Rise Impacts of Night-Time Lighting
		Land Use and	High-density neighborhoods Minimum



Comment Now
OPC RECOMMENDED DRAFT COMP PLAN NOW AVAILABLE

Comp Plan
VIEW THE LATEST DRAFT OF THE COMPREHENSIVE PLAN UPDATE

City Calendar

- 04/11** - 09:30 a.m. [Volunteer Work Party](#)
- 04/12** - 09:00 a.m. [Volunteer Work Party](#)
- 04/14** - 5:30 p.m. [LEOFF 1 Disability Board](#)
- 04/14** - 6:00 p.m. [Joint Planning Commission/Coalition of Neighborhood Associations](#)
- 04/14** - 6:30 p.m. [Hearing Examiner Public Hearing](#)

→ [View full calendar...](#)

City Updates

BUDGET. The [2014 Adopted Operating Budget](#) is available for viewing online.

PLASTIC BAG BAN OPEN HOUSE On Wednesday, April 16 from 5:00-7:00pm at Olympia City Hall, Room 207 the City of Olympia and Thurston County Solid Waste will be hosting an informational meeting to assist retailers with the upcoming plastic bag ban.

ARTS COMMISSION VACANCY. City Council is accepting applications for one vacancy on the Olympia Arts Commission. [Application Form...](#)

OLYMPIA MUNICIPAL CODE. Quick link to the [Olympia Municipal Code.](#)

MEETINGS. [Agenda and Minutes](#) for City Council and most advisory committees.

March 27	5:30 pm	Environmental Committee (LUEC)	Density Requirements Criteria for Considering Re-Zones
April 8	7:00 pm	City Council Work Session	Urban Corridors Urban Agriculture
April 17	5:30	LUEC	Alley Requirement View Protection Urban Green Space and Tree Canopy
April 22	7:00	City Council Work Session	Street Connectivity Park Drive SW Street Connection

Olympia Planning Commission's (OPC) Recommended Draft Now Available!

Click to view the [OPC Recommended Draft Plan](#). Our new online service allows for simple and intuitive viewing, searching, cross-referencing, sharing and printing of City plans and documents.

Olympia's Comprehensive Plan Update is a work in progress. See proposed recommendations:

- [Changes in the current draft](#)
- [Summary of Planning Commission Recommendations Revised December 2013](#)
- [City Manager Recommendations Revised February 2014](#)

[New 2/5/2014 Comparison Matrix: 1994 Comprehensive Plan and May 2013 Comprehensive Plan Draft](#)

This document provides a method to track where the goals and policies in the existing Comprehensive Plan (also called the "1994 Comprehensive Plan") may be found in the December 2013 Comprehensive Plan Draft.

When goals or policies have been significantly revised, removed or replaced, brief notes explain the reason for the change. The notes provided are not intended to be an in-depth description. For additional information about a particular goal or policy, please contact Associate Planner Stacey Ray at 360.753.8046.

- [Chapter 1: Land Use](#)
- [Chapter 2: Environment](#)
- [Chapter 3: Sustainable Economy](#)
- [Chapter 4: Urban Growth Management](#)
- [Chapter 5: Utilities](#)
- [Chapter 6: Transportation](#)
- [Chapter 7: Parks, Arts and Recreation](#)
- [Chapter 8: Energy](#)
- [Chapter 9: Historic Preservation](#)
- [Chapter 10: Urban Forestry](#)
- [Chapter 11: Housing](#)
- [Chapter 12: Public Involvement](#)
- [Chapter 13: Public Safety](#)

The City Council is beginning their review process. Once they determine a public hearing, and deliberation schedule, it will be posted here. The City Council hosted a series of public forums in October and November explaining new goals and policies, the Commission's recommendations, and the update process. "Phase 4 - Council Process" below links to information provided at the forums.

You may request that staff present information about the update to your organization or neighborhood by emailing imagineolympia@ci.olympia.wa.us.

How We Got Here - The Process

[Phase 1 - Scoping New Information 1/15/2014](#)

During 2009-2010, the City asked community members to imagine the City over the next 20 years. We wondered, what are your hopes and dreams for Olympia? What are your priorities?

What would a perfect day in the Olympia of the future be like?

This year-long conversation took place through meetings both small and large, online comments, mailed-in forms, a phone survey, as well as numerous personal interviews.

- [Community Conversations Summary \(2009\)](#)
- [Community Meeting Comments \(2010\)](#)
- [Scope of the Update with Commentaries](#) *New 1/15/2014*

[Phase 2 - Focus Areas New Information 2/28/2014](#)

After reviewing the hundreds of comments collected during Phase 1, the Olympia Planning Commission selected four focus areas around which to engage the community in a deeper dialogue. The focus areas were downtown, urban corridors, neighborhood planning, and environmental stewardship.

The Planning Commission hosted meetings from October 2010 through Spring 2011 in an effort to learn more specific concerns and preferences of the community as well as to share the City's constraints and challenges around these issues. There were additional opportunities to get involved online.

- [Focus Meetings Summary](#)
- [Focus Meeting Final Method and Data Report](#) *New Information 2/28/2014*

New! The Focus Meeting Final Methods and Data Report now includes a new column in the comment tables that shows how all comments received are addressed in the December 2013 OPC Final Comprehensive Plan Draft.

[Phase 3 - Drafts and Recommendations New Information 2/20/2014](#)

April Draft

On April 2nd of 2012, City staff released the first draft of the Comprehensive Plan update. Recommended changes were based on the scope of the update and public input. These included new demographic and background information, incorporating master plans and other related planning efforts, and some new goals and policies that reflect the desires of the community.

In an effort to increase public access to the Plan, the text was edited to eliminate redundancy and for readability. The document was also reorganized and converted to a web-based format to improve accessibility and search-ability. Many options were offered to the public for commenting on the April Draft by using the City website, email, postal service, and hand deliveries to City Hall:

- [Online Comments](#)
- [Emails - A to M alphabetically by last name](#)
- [Emails - N to Z alphabetically by last name](#)
- [Hard Copies - by postal service or hand deliveries to City Hall](#)
- [April 21, 2012 Forum and Open House Comments](#)
- [Nonrecord Miscellaneous Comments](#)

Planning Commission Public Hearing (July 2012) Draft

On July 6, 2012, the City released a second draft of the Comprehensive Plan Update. Staff reviewed and considered all comments on the April Draft in order to make revisions and prepare a draft on which the Olympia Planning Commission could base their recommendations for City Council. The Commission held seven public hearings between July and October 2012.

- [2012 Public Comment Response Summary](#)
- [July 23, 2012 Planning Commission Public Hearing Summary and Comments](#)
- [July 25, 2012 Planning Commission Public Hearing Summary and Comments](#)

Public comments received during record period July 6 through July 27, 2012 by 5:00 p.m.

- [Emails - 1](#)
- [Emails - 2](#)
- [Online submissions](#)
- [Hard Copies](#)

Public comments received post-July 27, 2012 record closure

- [Hard Copies](#)
- [Emails and Hard Copies](#)
- [Additional Emails](#) - July 27 to September 4, 2012

Public comments received for the Planning Commission public hearing October 29, 2012

- [Hard Copies](#)
- [Emails](#)

Planning Commission extended the record to 5:00 p.m., November 2, 2012

- [Comments of Record](#)

Planning Commission Recommendations

Following several months of reviewing the draft plan and accepting public comments, the Olympia Planning Commission submitted a recommendation to the City Council on March 18, 2013. Later in 2013, the Commission revised some of these recommendations, referred to as the 'Urban Neighborhoods' package, and forwarded their final recommendations to Council on December 16, 2013.

- [Chair's Cover Letter & Addendum](#)
- [Individual Commissioner Letters](#)
- [Planning Commission Final Recommendations Updated February 20, 2014](#) *New Updated 2/20/2014*

[Phase 4 - Council Process](#)

The City Council is beginning their review process. At 7:00 p.m. on January 21, 2014, the Council held a study session to learn more about the Planning Commission's recommendation. The Council will hold another study session at 7:00 p.m. on Tuesday, February 25, 2014. When the Council establishes a specific review process including a public hearing date, more information will be posted here. In the meantime, the 'Forum Materials' below provide some background information.

[January 21st Council Study Session Materials](#)

PowerPoint Presentation:

- [Olympia Planning Commission Recommended Draft December 2013](#)

Video




- [Imagine Olympia - Shaping How We Grow](#)

[Forum Materials](#)

PowerPoint Presentation:

- [Welcome and Forum Overview](#)

Posters:

- Imagine Olympia [Phase 1](#) 
- Imagine Olympia [Phase 2](#) 
- Imagine Olympia [Phase 4](#) 

Handouts:

- [Tips for Navigating the Online Comprehensive Plan](#)
- [Public Comment Card](#)
- [Planning Commission Recommendations Updated May 2013](#)
- [Substantive Change List for the Planning Commission May 2013 Draft](#)

The Vision and the Process Handouts:

- [Phase IV Council Review Timeline](#)
- [Public Process Update Fall 2013-2014](#)
- [What is the Comprehensive Plan](#)
- [Public Forums - Plan Highlights](#)
- [2009-2012 Planning Commission Process](#)
- [Olympia Community Values and Vision](#)

Putting the Plan into Action Handouts:

- [Implementation Strategy - Action Plan](#)
- [Sub-Area Planning](#)

Environmental Stewardship & Parks Handouts:

- [Climate Change and Sea Level Rise](#)
- [Urban Forestry and Green Space](#)
- [Low Impact Development](#)


Land Use - Urban Design Housing Handouts:

- [Urban Agriculture](#)
- [Land Use and Design](#)
- [Scenic Views](#)

Transportation Handouts:

- [Transportation Chapter Overview](#)
- [West Olympia Transportation Studies](#)
- [Transportation Network Connectivity](#)
- [High Density Corridors FAQs](#)
- [Urban Corridors](#)

Current and Previous Comprehensive Plans

- [Current Comprehensive Plan as of December 2013](#) 
- [1994 Comprehensive Plan with updates](#)
- Adopted Original 1994 Comprehensive Plan - [Section 1](#) | [Section 2](#) | [Section 3](#) | [Section 4](#)
- 1988 Comprehensive Plan - [Section 1](#) | [Section 2](#) | [Section 3](#) | [Section 4](#) | [Section 5](#)
- [1975 Comprehensive Plan](#)
- [1959 Comprehensive Plan](#)
- [1946 Comprehensive Plan](#)

Questions?

Email imagineolympia@ci.olympia.wa.us

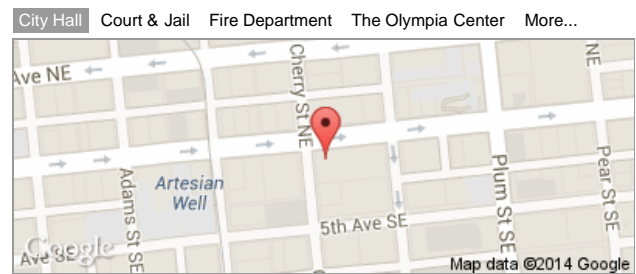
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City of Olympia

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City Council

Consider Changes to the Economy Chapter of the Comprehensive Plan to Implement the Investment Strategy and Feasibility Report

Agenda Date: 4/15/2014

Agenda Number: 6.D

File Number: 14-0314

File Type: decision

Version: 2

Status: Other Business

..Title

Consider Changes to the Economy Chapter of the Comprehensive Plan to Implement the Investment Strategy and Feasibility Report

..Recommended Action

Committee Recommendation:

The Community and Economic Revitalization Committee recommends including the proposed revisions to the Economy Chapter of the Comprehensive Plan in the City Council's Public Hearing Draft.

City Manager Recommendation:

Move to direct staff to include the proposed revisions to the Economy Chapter of the Comprehensive Plan in the City Council's Public Hearing Draft. (The revisions are highlighted with color in attachment #1.)

..Report

Issue:

Consider the proposed revisions to the Economy Chapter and provide feedback and direction to staff regarding inclusion in the Public Hearing Draft of the Comprehensive Plan.

Staff Contact:

Keith Stahley, Director Community Planning and Development Department
360.753.8227

Presenter(s):

Keith Stahley, Director Community Planning and Development Department

Background and Analysis:

Consistent with their 2014 Work Plan and direction provided by City Council at the February 11, 2014 meeting, the Community and Economic Revitalization Committee reviewed the Economy Chapter of the proposed Comprehensive Plan for consistency with the Investment Strategy Report. The Committee reviewed the attached draft (Attachment 1) at its March 17, 2014 meeting and forwarded a recommendation of approval subject to the revisions noted in the attached draft. The revision are highlighted with color in attachment #1.

Options:

1. Approve the revisions to the Economy Chapter proposed by the Community

Agenda Date: 4/15/2014

Agenda Number: 6.D

File Number: 14-0314

- and Economic Revitalization Committee as presented and include these revisions in the City Council Public Hearing Draft of the Comprehensive Plan.
2. Consider the revisions to the Economy Chapter proposed by the Community and Economic Revitalization Committee and provide staff direction to modify the proposal prior to inclusion in the City Council Public Hearing Draft of the Comprehensive Plan.
 3. Consider revisions to the Economy Chapter proposed by the Community and Economic Revitalization Committee and provide direction to the committee and refer to the Committee for further consideration.
 4. Consider revisions to the Economy Chapter proposed by the Community and Economic Revitalization Committee and refer to the General Government Committee for further consideration.
 5. Consider revisions to the Economy Chapter proposed by the Community and Economic Revitalization Committee and refer to the Planning Commission for their review and consideration.

Financial Impact:

No additional financial impact.

Economy

RECOMMENDED CHANGES HIGHLIGHTED WITH COLOR

Introduction



The strength of Olympia's economy is what determines whether we are able to pay for the public services and special features that make our community a great place to live. And the community we create is the most effective tool we have for attracting and maintaining high-quality job opportunities. The quality of the community is the most powerful economic engine we have.

Olympians have told us they value an economy where:

- There are plentiful living-wage jobs.
- Consumers and the City support local entrepreneurs.
- Residents and businesses want many of their goods and services to come from local sources.
- A highly educated workforce, entrepreneurial spirit and culture of innovation energize our economy.
- Art projects, art events, and support for the arts are integral to the community and its economy.

A healthy economy must provide jobs that pay a living wage, usually defined as a wage that allows a household to meet its basic needs without the need for public assistance. The level of a living wage will vary based on the size and makeup of the household.

The table below shows living wages calculated for Olympia residents, based on the cost of food, housing, transportation, child care, and other basic needs; it assumes full-time, year-round employment.

Olympia Living Wage

(2010 data)

Household type	Monthly Income Needed	Annual Income Needed	Living Wage Per Worker
Single Adult	\$2,365	\$28,378	\$13.64
One Adult, one child (6-8)	\$3,438	\$41,260	\$19.84
One Adult, two children (1-2, & 6-8)	\$4,103	\$49,232	\$23.66
Two adults (one working), two children	\$3,719	\$44,630	\$21.46
Two adults (both working), two children	\$5,286	\$63,430	\$15.25

For a healthy economy to thrive over the long run, it must be able to absorb market changes and business-cycle fluctuations. This often requires a diverse economy, which can cushion the impact of one or more sectors in decline. A healthy economy provides a reliable tax base that generates revenues sufficient to keep pace with inflation. When Olympia's economy stalls and taxes can't pay for existing programs, the City must eliminate jobs and services and construct fewer capital facilities to balance its budget.

Olympia's Economic Profile



In general, cities play a relatively small part in the economic development arena, and Olympia is no exception. However, the City has the following roles:

- Using its land-use authority to provide places for businesses to locate.
- Maintaining an efficient, fair, transparent, and predictable permitting process that reduces business-cost and timeline uncertainties. .
- Collaborating with other public and private entities that have a more direct role in economic development, such as ports, business

associations, and economic development associations.

- Developing and maintaining the infrastructure healthy businesses and neighborhoods need.
- Investing in, traditional infrastructure, such as roads, sewer and water service, as well as in schools, parks, arts, and our the natural environment.

In 2013 the City initiated an economic development planning process to consider creating a Community Renewal Area in downtown and to provide an assessment of broader real estate market. This process resulted in the preparation of two key reports: *Investment Strategy: Olympia's Opportunity Areas* and the *Downtown Olympia Community Renewal Area Feasibility Study*. These reports will help to refine the City's approach to economic development over the coming years and underpin the City's Community Renewal Area planning process.

The Investment Strategy Report provided a community-wide assessment of key redevelopment opportunity areas. Six geographic areas were examined in detail:

Opportunity Site	Council-identified development opportunity
Kaiser/Harrison	Potential for neighborhood commercial/mixed-use/retail district on large single-ownership tract
Olympia Landfill	City-owned, potential major retail site adjacent to existing major retail area
Division/Harrison	Potential neighborhood center adjacent to established neighborhoods
Headwaters	Large multi-ownership parcel with wetland amenity and infrastructure challenges.
Kmart Site	Former K-mart site (currently vacant) on major close-in retail corridor
Downtown	Focus area for Community Renewal Area planning

This report recommends the City manage its development area assets as a portfolio that adheres to the community vision. This approach includes: (1) strategically investing in infrastructure improvements, such as roadways,

streetscape improvements, and property acquisition; (2) making necessary or desired regulatory adjustments, such as zoning changes; and (3) creating partnerships with developers and property owners to generate development returns that remain sensitive to market demand.

Olympia's three top employers:

Government:

Olympia is the capital of Washington and seat of Thurston County, and both provide many local jobs. In fact, government was the largest employer in Thurston County in 2010, contributing nearly 36,000 jobs. What's more, many of these government jobs are tied to our more diverse, statewide economy, which helps to shield our community from economic swings. Fluctuations in state government can affect our local economy.

According to the Investment Strategy Report, "State government will remain a key industry in Thurston County, but its employment is forecast to decrease. State government is the largest employer in Thurston County, with 20,071ⁱ employees in 2013. Total state employment has been fairly flat since 2002, and has decreased since 2008. State government employment appears not to be growing in the near-term. This will likely affect demand for office space within the County. However, almost a third of state government employees statewide (32%) are over 55 years of age. As these employees retire over the next decade, many of those positions will likely be filled with younger employees. This trend could impact the demand for residential housing within Thurston County, regardless of the overall size of state government."

The report continues, "while the State's office use has recently declined, in the last legislative session, it committed to consider a major investment in a 200,000 square foot office building downtown to accommodate its own needs for new office space. Adding this new square footage for State uses suggests that the existing vacancies in the private office market are unlikely to be filled with State workers, and that the City may continue to see a trend toward conversion of downtown office space to housing and other uses".

Healthcare:

Olympia is also a regional medical center, serving Thurston, Mason, Gray's

Harbor and Lewis counties. Health care is the Thurston County's second-largest employment sector, with an estimated 11,595 jobs.

Retail:

Olympia's shopping mall, auto mall, and downtown business core make it the region's largest retail center, providing significant sales tax revenue. Retail provides an estimated 11,076 jobs in 2010 and is the county's third largest employment sector. However, unlike our government and health care employers, retail provides an average living wage that is just under what the City estimates is needed for a single adult in Olympia.

Industry	Avg # Employees	Avg. Annual Wage
Ag., forestry, fishing, hunting	1,370	\$32,491
Mining	35	\$41,204
Utilities	169	\$75,435
Construction	3,274	\$41,893
Manufacturing	3,088	\$43,234
Wholesale Trade	2,697	\$83,700
Retail Trade	11,076	\$26,316
Transportation, warehousing	1,684	\$34,449
Information	991	\$46,379
Finance & Insurance	2,159	\$53,953
Real Estate & Rental, & Leasing	1,272	\$28,824
Professional & Technical Services	3,244	\$54,790
Management of Companies & Enterprises	663	\$59,515
Administrative & Waste Services	3,319	\$25,449
Educational Services	1,271	\$42,351
Health Care & Social	11,595	\$42,206

Assistance		
Arts, Entertainment & Recreation	1,189	\$16,783
Accommodation & Food Service	7,517	\$15,665
Other Services, except Public administration	4,431	\$25,753
Government	35,867	\$53,014
Not Elsewhere Classified	0	\$0
Total	96,767	\$42,370

The Investment Strategy Report adds, "The City of Olympia is projected to accommodate an estimated additional 18,000 jobs by 2035.ⁱⁱ Of those, almost 75% of new jobs in Olympia will be in commercial sectors. Jobs in industrial sectors (10%) and government (15%) will make up the remainder of new employment. Countywide, the sectors with the largest forecasted new jobs are professional and business services. However, Thurston Regional Planning Council's forecasts have construction employment growing substantially with total construction employment more than doubling by 2040 from 5,620 in 2010 to 12,700. Manufacturing employment is also forecasted to increase but at a much slower rate adding about 500 jobs from 2010 to 2040."

Education and entertainment

Olympia is the region's restaurant, art and entertainment Center. There are three nearby colleges, The Evergreen State College, St. Martin's University, and South Puget Sound Community College, which have a major impact on the culture of our community, and our high average level of education.

The Port of Olympia

Olympia is also the only city in Thurston County with a deep water harbor. The Port of Olympia operates a marine import and export terminal, the largest recreational boating marina on South Puget Sound, and a state-of-the-art boatyard. The Port is also the home of many private, marine-related businesses, the Batdorf and Bronson Roasting House, the Olympia Farmers' Market, and many professional offices and retail businesses.

Among our partners in economic development, the Port of Olympia has the closest relationship to Olympia's economy, and its mission is to grow the Thurston County economy, move people and goods, and improve the County's recreation options and environment. The Port is a special-purpose district, and its boundaries are the same as Thurston County's.

The Port owns 200 acres along Budd Inlet near Olympia's central business district. The Comprehensive Scheme of Harbor Improvements, the Port's land-use plan for its Olympia properties, includes industrial uses in the vicinity of the Marine Terminal, recreational boating uses at the Swantown Marina and Boatyard, and mixed uses in the Market, North Point, and East Bay Districts. Recreational uses are envisioned throughout its mixed-use districts and the Marina. For example, the East Bay District is a significant investment and downtown redevelopment opportunity, home to the Hands On Children's Museum and East Bay Plaza.

Although a smaller factor in our local economy than state government, the Port's potential is significant and gives the City an opportunity to further diversify its economy.

In addition, Olympia is well-served by its highway network, which includes Interstate 5 and Highway 101, with links to State Route 8 and the Olympic and Kitsap Peninsulas. All of this means Olympia's location provides easy access to a variety of recreational opportunities -- from bike trails and kayaking within our city limits, to skiing and hiking in the mountains, to beachcombing along the coast and regional customers for the area's retail businesses and health care providers.

Key findings from the Feasibility Study include:

- State government anchors the employment base in Thurston County. Government employment is down though in recovery. State government employment does not look to be growing in the near term and will not be a driver of the regional economy in the near future. This trend impacts the demand for office space, both existing and new development.
- Thurston County benefits from regional economic growth and activity in the Puget Sound region that filters down to the County as the region grows. Joint Base Lewis McChord has increased demand for housing in the region, particularly in Lacey.
- Rents for most development types are still at a low point from the recession, which makes it difficult for new development to substantially increase the income potential of a property through redevelopment. There are a number of sites throughout the region for development to choose from. New development will likely choose the easiest and cheapest sites before more challenging in-fill development.

- Suburban/urban infill development continues to be oriented towards vacant land. Much of the new development in areas since 2000 (for all product types) has been oriented around areas easily accessibility from Interstate-5 and major arterials with less expensive land.
- There are growing signs of an urban infill market in Olympia in part driven by a changing demographic oriented urban living. In the last ten years, most recent building activity in Olympia has focused on rehabilitation or remodeling of existing space with limited new development. As growth picks up, multi-family development is the most likely market ready, and it likely will occur in easily developable and/or high amenity areas that are most attractive.
- Continued population growth in the region will generate demand for additional housing and commercial services, such as general services, retail, and health care. However, there is not a shortage of easily developable sites, (e.g. vacant, low intensity) throughout the region, which gives uses a number of site options to choose from.

The Downtown Olympia

Downtown Olympia is a special place, with the only urban waterfront in the area, it serves as not just Olympia's downtown but the region's. Downtown Olympia is home to the region's major performing arts, museums, banking, dining and entertainment facilities as well as the Port of Olympia and the LOTT Clean Water Alliance regional treatment facility.

Thursday, Friday and Saturday evenings see the streets of downtown come alive with theater patrons, dinners and a lively bar scene. Recent enhancements such as the Hands on Children's Museum, East Bay Plaza, LOTT's WET Center and Percival Landing reconstruction only add to downtown's status as a destination.

The proximity of the Capital Campus to downtown create a strong relationship between the campus and downtown that is enhanced by the presence of the Dash Shuttle an Intercity Transit bus that operates on 10 to 15 minute headways.

Starting in 2012 there have been several conversions of second floor offices to residential units. Over 50 new units are either finished or under construction. These units represent the first new market rate housing in downtown in many years. A large apartment building is currently proceeding through the City's permitting process representing another significant step forward for downtown housing.

Downtown remains a work in progress and the City has invested heavily

from both a capital facilities and services perspective. Over the past three years the City has used an action oriented program known as the Downtown Project to effect change. The Downtown Project has included key elements such as enhancing the downtown walking patrol, replacing parking pay stations, creating a Downtown Ambassador program, establishing an Alcohol Impact Area, and construction of parklets to name just a few.

The City has initiated a Community Renewal Area (CRA) planning process for downtown. The *Downtown Olympia Community Renewal Area Feasibility Study* was the second significant work product related to Olympia's CRA process. This report provides the outline and support materials for the ultimate creation of a CRA in Downtown Olympia.

Key findings related to downtown from the *Feasibility Study* include:

- Demand from those users who need to be downtown (such as state government, the Port, and related uses) is not a growing part of the economy.
- The redevelopment hurdle downtown is higher than other locations because of higher land and construction costs.
- Commercial rents are not yet high enough to justify new commercial construction in Downtown Olympia.
- Office rents have decreased from (\$19.60/SF/Yr in 2009 to \$15.70/SF/Yr today as vacancies have increased.
- Retail rents are more stable, but decreased from \$14.10/SF/Yr in 2009 to \$12.10/SF/Yr today.
- Low vacancy rates and modest rent increases for apartments citywide, as well as some anecdotal evidence suggest that there is near term demand for multi-family housing. Recent successful multi-family(housing projects, building(reuse) have occurred downtown as well.
- Over \$100 million of public investment has been made downtown by the City and Port of Olympia in new buildings and parks, including a new City Hall, the Hand On Children's Museum, LOTT Clean Water Alliance offices, East Bay Plaza, and Percival Landing.

The Community Renewal Area law was created by the state specifically to give communities the tools that they need in order to help areas such as the downtown move forward. Washington law (RCW 35.81) allows cities to establish a Community Renewal Area through the designation of a geographic area that contains blight and the creation of a Community

Renewal Plan for addressing that blight. Many Washington cities have used CRA to develop and implement redevelopment plans, including Vancouver, Shoreline, Everett, Bremerton, and Anacortes.

Olympia's downtown is the urban center for the entire region; residents and business owners would all benefit from a more active, vibrant downtown. However, parts of downtown are widely recognized as "blighted," with several condemned or obsolete buildings occupying key properties. Soil contamination, soils subject to liquefaction and rising seas also contribute to the blight. Re-development is stuck despite the area's unparalleled assets. The City has an interest in improving the downtown and enhancing its economic productivity in a manner consistent with the rest of this plan. The creation of a CRA may be one way to accomplish this objective.

A Healthy Economy Enhances our Quality of Life



Olympia enjoys a relatively healthy economy and stable revenue base, making it possible for it to invest in public improvements and services. These include the Washington Center for the Performing Arts, The Olympia Center, Percival Landing, the Farmers Market, new sewer capacity, new roads, and other needed infrastructure. All of this makes Olympia increasingly attractive to private investors, which will further increase our revenue base, and make more community improvements possible.

[Table here](#)

Olympia's revenue comes from a mix of taxes and fees. The Olympia General Fund Revenues Per Capita table shows the sources of the City's General Fund revenues, over the last 15 years on a per capita basis. Olympia's largest revenue source is taxes, which represents well over half of the General Fund's revenue. The Olympia Tax Revenues Per Capita table provides a breakdown of taxes by various categories. Significant tax revenues come from commercial hubs such as the auto mall and regional shopping areas, construction and construction related industries.

[Olympia Tax Revenues per capita are here](#)

While taxes on a per-capita basis have generally increased during the last few decades, our revenue from sales, business and property taxes fluctuates with the state of the general economy. Revenue from sales tax

falls when consumers spend less. The property tax we collect per capita falls when property tax levies don't keep pace with population growth. Finally, property taxes have been limited by Initiative 747, passed by Washington voters in 2001, which limits growth in property tax revenue to 1 percent per year a rate that generally lags well behind the increasing costs of providing those services.

Yet major City services depend on these tax revenues. City residents, as well as workers and shoppers coming to Olympia require maintained streets, police and fire protection, water and sewer service, and more. Growing neighborhoods require these same services, plus parks (provided by the City) and schools (provided by the school district). The challenge is to provide these services at high quality for the best cost, and meet those standards when City revenues decline, by finding new revenue options or cutting services.

Maintaining and improving Olympia's infrastructure puts another large demand on the City's funds, made even more challenging as federal and state assistance has declined. Yet, an adequate and dependable infrastructure is critical to our ability retain and attract businesses.

Community Investment



Private investment can expand a community's economy and strengthen its material prosperity. But an infrastructure needs to be in place, or underway, to interest private businesses in locating or expanding in Olympia. For this reason, it's critical for any community to invest resources in capital facilities that will support a healthy local economy *and* its values and vision for the future.

Recent capital investments have included:

- Olympia's new City Hall and the reopening of Percival Landing (Phase 1) in 2011, together an investment of over \$50 million.
- In the East Bay area, the LOTT WET Science Center, East Bay Plaza, and the Hands On Children's Museum are providing more family activities downtown.
- New sidewalks and transportation corridors at Boulevard Road and Harrison Avenue now make it easier to get around by foot, bike,

- bus or car.
- Our new Fire Station 4 has lowered 911 response times.
- Planned upgrades to our water supply will help to ensure an adequate and high quality water supply for decades to come.

All of these projects are examples of how our investments have improved our public spaces and quality of life and have provided the impetus for more private investment to follow.

Over the next 20 years, Olympia must continue to make judicious "up-front" investments that bring development to targeted areas, using its partnerships as effectively as possible. To keep them affordable, such investments will need to be located in the downtown, *Investment Strategy Report* opportunity areas or Urban Corridors. Projects that "leap-frog" to remote sites outside of our existing infrastructure can be prohibitively expensive to develop.

The *Investment Strategy Report* recommends that the City should proactively:

- **Review changing market dynamics** to identify new barriers and opportunities to allow the City to invest in the most market-feasible projects.
- **Develop relationships with property owners and other stakeholders to learn about their interests and short-term and long-term development goals.** Given the barriers to development described in the report, the City will need to establish new partnerships with property owners and developers if it wishes to achieve development in the opportunity areas that is compatible with the City's Comprehensive Plan. Community and neighborhood stakeholders are also critical to this process.
- **Continue and improve community conversations to better clarify and articulate desired development outcomes and coordinate stakeholders' visions for development.** This work would help to refine the City's policy goals for the opportunity areas and other areas through the comprehensive planning process. Given long-term demographic shifts, the City should support higher density, infill development to achieve multiple public policy goals.

- **Take advantage of opportunities when they present themselves**, which may mean that the City would focus on new opportunity areas, or move forward with actions in existing opportunity areas ahead of schedule.
- **Coordinate funding opportunities with other public stakeholders** (the County, transit agency, the Port of Olympia, the State of Washington, others) with the City's CFP for major infrastructure investments that move the implementation forward.

Coordinate with planning and implementation in key opportunity areas. Some initial steps toward implementation are already underway, including the Martin Way Corridor Study and the Comprehensive Plan update. The Martin Way Corridor Study is evaluating infrastructure investments that can improve access and safety for all transportation modes, and spur higher density development. The City could consider combining subarea planning efforts with the comprehensive planning process for the Kaiser/Harrison and Division/Harrison areas.

In addition to the City's work on the Community Renewal Area Olympia has recently established a Section 108 Loan Program. This program leverages the City's annual CDBG Allocation to create a loan pool to promote economic development opportunities within our community. These funds must be used in a manner consistent with the Department of Housing and Urban Development's regulations. Generally these funds can be used to support economic development projects that create jobs for low to moderate income people or support reinvestment in areas such as downtown where low to moderate income people live.

Economic development efforts must be consistent with growth management goals and not strain the capacity of our natural resources. They must be consistent with the efficient and appropriate use of land. The impact of new business must not compromise the local environment. Economic development does not mean "growth," although growth of jobs, population and revenue may be a byproduct. While growth can improve a community's quality of life, economic development must be carefully planned. Our investment today in new buildings, streets and should not damage the ability of future generations to meet their needs.

[Change:](#)

Goals and Policies

 SHARE

Olympia has a stable economy that provides jobs that pay a living wage.

 SHARE

PE1.1 Provide a desirable setting for business investment and activity.

PE1.2 Develop or support programs and strategies that encourage living-wage jobs.

Olympia has a strong revenue base.

 SHARE

PE2.1 Encourage retail, office, **medical** and service activities for their value in providing employment and tax revenues.

PE2.2 Identify major revenue-generating sectors and identify actions the City can take to help maintain their economic health.

PE2.3 Ensure that the total amount of land planned for commercial and industrial uses is sufficient for expected demand.

PE2.4 Diversify the local economy in a way that builds on our stable public sector base, and by supporting businesses that can reduce reliance on goods and services from outside the community.

PE2.5 Support employers who export goods and services to regional, national or international markets, but keep jobs and dollars in Olympia.

PE2.6 Regularly review the development market to identify changing circumstances that create barriers or opportunities for investment in our community.

PE2.7 Use the City's Section 108 Loan program to promote job creation and redevelopment activity that benefits low to moderate income people in our community.

A vital downtown provides a strong center for

Olympia's economy.

 SHARE

PE3.1 Support a safe and vibrant downtown with many small businesses, great public places, events, and activities from morning through evening.

PE3.2 Support lively and active downtown parks and waterfront attractions.

PE3.3 Promote high-density housing downtown for a range of incomes.

PE3.4 Protect existing trees and plant new ones as a way to help encourage private economic development and redevelopment activities.

PE3.5 Support continuation of the Dash Shuttle as a means of linking the Capital Campus and downtown.

PE3.6 Use tools such as the Downtown Project, establishment of a Community Renewal Area, creation of a downtown master plan and other planning efforts to improve the economic and social health of downtown.

PE3.7 Use the Section 108 Loan Program to encourage economic investment and job creation in our downtown that benefits low to moderate income people.

The City achieves maximum economic, environmental and social benefit from public infrastructure.

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PE4.1 Plan our investments in infrastructure with the goal of balancing economic, environmental and social needs, supporting a variety of potential economic sectors, and creating a pattern of development we can sustain into the future.

PE4.2 Stimulate and generate private investment in economic development and redevelopment activities as recommended in the Investment Strategy Report.

PE4.3 Make decisions to invest in public infrastructure projects after analysis determining their total costs over their estimated useful lives, and their benefit to environmental, economic and social systems.

PE4.4 Consider whether the public cost of new or improved infrastructure can be recovered through increased revenues the City can expect from the

private investment the improvement will attract.

PE4.5 Identify and take advantage of infrastructure grants, loans, and other incentives to achieve the goals of this Comprehensive Plan.

PE4.6 Economic uncertainty created by site contamination can be a barrier to development in downtown and elsewhere in our community; Identify potential tools, partnerships and resources that can be used to create more economic certainty for developments by better characterizing contamination where doing so fulfills a public purposes.

PE4.7 Identify where new and upgraded utilities will be needed to serve areas zoned for commercial and industrial use, and encourage the development of utilities to service these areas.

PE4.8 Investigate the feasibility of the City providing telecommunications infrastructure, or other new forms of infrastructure.

PE4.9 Collaborate with public and private partners to finance infrastructure needed to develop targeted commercial, residential, industrial, and mixed-use areas (such as Downtown Investment Strategy Report opportunity areas and along Urban Corridors) with water, sewer, electricity, street, street frontage, public parking, telecommunications, or rail improvements, as needed.

PE4.10 Encourage new development in areas the City has designated for “infilling,” before considering proposals to expand land-use areas, or add new ones.

PE4.11 Serve sites to be designated for industrial or commercial development with required utilities and other services on a cost-effective basis and at a level appropriate to the uses planned for the area and coordinated with development of the site.

PE4.12 Avoiding building lengthy and expensive service extensions that would cost more than could ever be recovered from revenues.

The City has responsive and efficient services and permitting processes.



PE5.1 Maintain the City’s high quality customer service and continuously seek to improve it.

PE5.2 Use regulatory incentives to encourage sustainable practices.

PE5.3 Improve the responsiveness and efficiency of the City's permit system, in part by identifying and removing waste, lack of clarity, duplication of efforts and other process inefficiencies that can occur in the development review process.

PE5.4 Create more predictability in development review process to reduce costs, without eliminating protections.

PE5.5 Eliminate redundancy in review processes, and create clearer rules.

PE5.6 Create a review process that is easy for all parties to understand at every stage and that invites input from affected parties as early as possible in the development process.

PE5.7 Use tools such as Form Based Codes, Subarea Plans, Focus Area Plans, Community Renewal Area planning and other proactive planning processes and tools to define and develop a shared redevelopment vision for specific areas within the community such as those identified in the Investment Strategy Report and elsewhere in this plan.

Collaboration with other partners maximizes economic opportunity.

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PE6.1 Support appropriate economic development efforts of our neighboring jurisdictions, recognizing that the entire region benefits from new jobs, regardless of where they are.

PE6.2 Collaborate with neighboring jurisdictions to develop a regional strategy for creating a sustainable economy.

PE6.3 Look for economies of scale when providing services at the regional level.

PE6.4 Prepare preliminary studies for priority development sites (such as Downtown, Investment Strategy Report opportunity areas or Urban Corridors) in advance, so the City is prepared for development applications, and the process can be more efficient.

PE6.5 Collaborate with local economic development organizations to create

new and maintain existing living-wage jobs.

PE6.6 Work closely with state and county governments to ensure their offices and facilities are in the City of Olympia, which is both the state's capitol and the county seat. Continue to work with the State of Washington on its Preferred Leasing Areas Policy and collaborate with Thurston County government to accommodate the needs for county courthouse-related facilities.

PE6.7 Collaborate with The Evergreen State College, St. Martin's University, and South Puget Sound Community College on their efforts to educate students in skills that will be needed in the future, to contribute to our community's cultural life, and attract new residents.

PE6.8 Encourage Evergreen State College, St. Martin's University, and South Puget Sound Community College to establish a physical presence in downtown.

PE6.9 Collaborate with hospitals and other health care providers to identify actions the City could take to support their role in ensuring public health and their vitality as a major local employment base and to establish a physical presence in downtown.

PE6.10 Work with the Thurston Economic Development Council to identify businesses that support the health care sector, and identify what the City can do to help them succeed.

PE6.11 Support our neighboring jurisdictions in their role as the regional center for other activities, such as manufacturing, freight transportation, and air transportation.

PE6.12 Collaborate with the Port in its role of facilitating economic development, while continuing to exercise regulatory control over Port development and operations.

PE6.13 Balance the Port's need for truck and rail transportation corridors, while minimizing conflicts with other traffic needs and land use goals.

PE6.14 Coordinate funding opportunities with other public stakeholders (the County, Intercity Transit agency, the Port of Olympia, the State of Washington, Olympia School District, others) with the City's CFP for major infrastructure investments to maximize the impact of those investments.

Community and Economy



In 2009, Olympia was selected as one of the Top 10 Best Cities in the nation, by Kiplinger's Personal Finance Magazine. While identifying state government as the "keystone of Olympia's economy," it called Olympia itself a "cultural diamond in the rough" where a thriving visual and performing arts scene is celebrated. It is our individuality as a community -- and our quirkiness -- that sets us apart from other communities, and which makes Olympia such a great place to live and start a business.

According to the 2011 Thurston County Creative Vitality Index, more than 650 "creative jobs" were added to the community between 2006 and 2009. These include public relations specialists, writers, librarians, photographers, architects, and others in "creative occupations."

Olympia has received many awards for livability over the years. In 2010, Olympia was recognized as the most secure mid-sized city in the U.S by Farmers Insurance, based on factors that included crime statistics, weather, risk of natural disasters, housing depreciation, environmental hazards, and life expectancy. In 2010, the *Gallup-Healthways Well-Being Index* ranked Olympia in the top 20% of cities in Washington State. Its survey categories included life evaluation, emotional health, physical health, healthy behaviors, work environment, clean water, and general satisfaction with life and work.

Several recent studies suggest that a sense of "place" - a sense of authenticity, continuity and uniqueness - is the key to a community's future economic opportunity. One study found that cities in which residents reported highest levels of attachment to and passion for their communities also had the highest rates of economic growth over time. These studies also discovered that qualities such as a welcome and open feeling, attractiveness, and a variety of social events and venues all contributed to this emotional bond. Parks and trees, community and historic landmarks, and public art also contributed to that hard-to-define "sense of place."

A Diverse Economy



Those same qualities that contribute to the strong emotional bonds many residents form with Olympia also appeal to visitors. Visitors contribute to our economy by shopping, dining, taking in a performance in one of our theaters, and spending the night in a hotel. According to the Thurston Visitor and Convention Bureau, in 2009, Thurston County businesses generated an estimated \$66.9 million from tourism alone – spending on accommodations and food service, arts, entertainment and recreation, retail and travel. This revenue generated an estimated \$19.6 million in local and taxes that year, and employed an estimated 3,000 people.

Olympia's arts community is also a draw for tourism, and one of its beneficiaries.

Music

According to findings from a study completed by students at The Evergreen State College for the Olympia Arts Commission, the music industry in Olympia generated an estimated \$27 million in total business revenues --including manufacturing, retail, and venue receipts-- in 2008, contributing approximately \$2.5 million in local and state taxes for that year.

Theater

The Arts Alliance of Downtown Olympia determined that in 2009, local theaters brought 167,000 people downtown to attend more than 500 live performances, primarily in the evenings and Sunday matinees. The industry had a \$3.8 million operating budget, and brought in an estimated \$1.6 million to the community in local pay and benefits.

Artists as business owners

As of January 2010, State Senate District 22, which includes Olympia, was home to 410 arts-related businesses that employed 1,374 people, according to a report published by the national organization, *Americans for the Arts*. According to the report, "Arts-centric businesses play an important role in building and sustaining economic vibrancy. They employ a creative workforce, spend money locally, generate government revenue, and are a cornerstone of tourism and economic development."

Small businesses

According to the Thurston Economic Development Council, an estimated

14,000 small businesses are registered in Thurston County, and 92% of them employ 10 or fewer people. Small businesses include service providers, small manufacturers, farmers, artists, and many of the retail businesses that set our community apart from others.

But for these businesses to provide a living wage [for their owners and employees], they need a strong customer base. Since 2007, the Olympia-based volunteer organization, *Sustainable South Sound* has hosted a “Buy Local” program, which encourages citizens to shop at local farms and businesses. The program has an education and outreach program that shows people where their dollars go, based on where they shop, and a savings book with incentives to shop at more than 140 participating farms, businesses and organizations. They also help businesses find local sources for the goods and services they need for their own operations. Business training and support is available through our local colleges and university, the Thurston Economic Development Council, and Olympia-based *Enterprise for Equity*, which helps people with limited incomes start and sustain small businesses.

Goals and Policies

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Public and private investors are aware of Olympia’s advantages.

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PE7.1 Actively promote economic activities that are consistent with the values expressed in this Comprehensive Plan.

PE7.2 Market Olympia’s advantages to local and out-of-town businesses that may be considering expansions or new facilities in the area.

PE7.3 Define a more active City role in stimulating development, and influencing the design and type of development.

PE7.4 Continue to coordinate and partner with the Thurston County Economic Development Council to promote Olympia’s economic redevelopment opportunities.

Historic resources are used to promote economic stability in the City.

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PE8.1 Strengthen economic vitality by helping to stabilize and improve property values in historic areas through the continued support of the Heritage Commission and planning to protect and promote our historic resources.

PE8.2 Encourage new development to harmonize with existing historic buildings and areas.

PE8.3 Protect and enhance the City's ability to attract tourists and visitors through preservation of historic resources.

PE8.4 Renovation, reuse and repair of existing buildings is preferable to new construction and should be done in a manner that protects and enhances the resource when historic properties are involved.

PE8.5 Help low- and moderate-income individuals rehabilitate their historic properties.

Tourism is a community revenue source.

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PE9.1 Provide or support, services and facilities to help visitors enjoy our community's special events and unique character, and work to fully capture the potential economic benefits of their visits.

PE9.2 Continue to support efforts to restore, maintain and improve Olympia's local museums and other attractions.

PE9.3 Support continued tree plantings as a way to continually improve on Olympia's natural beauty and attractiveness to tourists – and to help create a network of scenic roadways and streets.

PE9.4 Implement strategies to enhance heritage tourism opportunities.

Olympia is a regional center for arts and entertainment.

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PE10.1 Continue to provide programs and services that support arts activities in Olympia.

PE10.2 Support local art galleries, museums, arts and entertainment facilities, organizations, and businesses.

PE10.3 Examine the feasibility of establishing an arts center for the community.

Small businesses contribute to Olympia's economic diversity.

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PE11.1 Promote the concept that buying from local businesses is a way to strengthen the local economy.

Change:

PE11.2 Provide support for start-up businesses. Develop local awareness of the need for business incubator facilities, and allow for more home-based businesses.

For More Information

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- [Knight Soul of the Community Project](#)  studies that sense of "place" that attached people to their communities
- Port of Olympia Comprehensive Scheme of Harbor Improvements
- Port of Olympia 2013-2025 Strategic Plan Vision 2025
- [The Profile](#)  is the Thurston County Regional Planning Council's flagship document that provides demographic, statistical and mapping information. [Thurston Economic Vitality Index](#)  provides both a trend analysis and snapshot of Thurston County's economy based upon a series of key indicators
- [Washington State County Travel Impacts 1991-2009](#)  examines the economic significance of the travel industry in the 39 counties of Washington state from 1991-2009
- [Investment Strategies Report: City of Olympia Opportunity Areas](#)

- [Downtown Olympia Community Renewal Area Feasibility Study](#)

ⁱ Source: Washington Department of Personnel, 2013

ⁱⁱ Thurston County Employment Forecast Allocations, 2013. Thurston Regional Planning Council.

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