



City of Olympia

City Hall
601 4th Avenue E
Olympia, WA 98501

Meeting Minutes - Draft City Council

Information: 360-753-8447

Tuesday, November 13, 2012

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 Karen Rogers

Excused: 1 - Councilmember Steve Langer

1.A ANNOUNCEMENTS

Mayor Buxbaum announced the City Council met as scheduled at 5:30 p.m. and recessed to Executive Session for no more than an hour to discuss existing litigation, potential litigation, and a real estate matter. No decisions were made and the City Attorney was present.

1.B APPROVAL OF AGENDA

Councilmember Roe moved, seconded by Councilmember Cooper, to approve the agenda. The motion carried by the following vote:

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

2. SPECIAL RECOGNITION - None

3. PUBLIC COMMUNICATION

Mr. Jim Reeves discussed future earthquakes.

Mr. Matthew Green, 1017 Capitol Way S, discussed the public safety ballot measure recently passed and lessons learned.

COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)

Councilmember Roe acknowledged the presence of a Boy Scout troop in the audience.

4. CONSENT CALENDAR

Councilmember Roe moved, seconded by Councilmember Hankins, 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 Rogers

- 4.A 12-0739** Approval of November 5, 2012 City Council Meeting Minutes
- Attachments:** [1. Minutes](#)
- The minutes were adopted.
- 4.B 12-0727** Approval of Contract Amendment No. 1 for Washington Center for the Performing Arts (WCPA) Exterior Repairs Architectural Services
- Attachments:** [1. Amendment](#)
- The contract was adopted.
- 4.C 12-0731** Approval of the Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program (CDBG)
- Attachments:** [1. CAPER](#)
- The report was adopted.

SECOND READINGS - None

FIRST READINGS

- 4.D 12-0734** Amendment to the Model B&O Ordinance - Title 5 of the Olympia Municipal Code
- Attachments:** [1. Ordinance](#)
[2. Recap](#)
- The ordinance was approved on first reading and moved to second reading.

5. PUBLIC HEARING

- 5.A 12-0195** Public Hearing on the Ad Valorem Property Tax and Ad Valorem (Property) Tax Ordinance.
- Attachments:** [1. Ad Valorem Ordinance](#)
[2. Estimated 2013 General Fund Revenue by Type](#)
- Fiscal Services Director Dean Walz gave a brief overview of the ad valorem property tax and proposed ordinance.*
- Mayor Buxbaum opened the public hearing.*
- No one signed up to testify.*
- Mayor Buxbaum closed the public hearing.*
- Mayor Pro Tem Jones moved, seconded by Councilmember Cooper, to**

approve on first reading and forward to second reading the ordinance setting the ad valorem tax amount and amount of increase for the budget year 2013. The motion carried by the following vote:

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

Nay: 1 - Councilmember Rogers

5.B 12-0728

Public Hearing on the 2013 Operating Budget, Capital Facilities Plan, Impact Fees, and Lodging Tax

Attachments: [1. Drinking Water Rates](#)
[2. Rates and Charges](#)
[3. UAC Letter](#)
[4. LTAC Recommendations](#)
[5. Changes to CFP](#)
[6. CFP Summary](#)
[7. Percival Floats Estimate](#)
[8. Link to Budgets posted online](#)

Administrative Services Director Jane Kirkemo gave a brief overview of the 2013 preliminary operating budget.

Councilmember Hankins, as Chair of the Lodging Tax Advisory Committee, gave a brief overview of the Committee's unanimous recommendations for 2013 funding proposals. She discussed a change in the recommendation for Earthbound Productions from \$3,500 to \$5,000 and noted the additional \$1,500 in the recommended funding would come from cash flow reserve.

Utility Advisory Committee (UAC) Chair Thad Curtz highlighted the 2013 utility rate recommendations from the Committee.

Mayor Buxbaum opened the public hearing.

2013 OPERATING BUDGET TESTIMONY

Mr. Phil Schulte, 1732 Medallion Loop NW, noted an increase in funding on pages 34 and 35 but didn't see an explanation for it. He said the reform measures proposed by the City are good, but asked what the financial impact would be. He discussed asset management and asked what amount should be set aside to begin to deal with facility maintenance. He commented on the short time citizens have had to review the proposed budget and said he would like more opportunity to ask questions prior to the public hearing being held.

Safepace Director Mary Pontarolo spoke in support of continued funding for the Victim Assistance Advocate position.

Mr. Jeffrey Jaksich, 812 San Francisco Ave, asked the Council to create a citizen budget advisory committee in early January.

CAPITAL FACILITIES PLAN TESTIMONY

Mr. Earl Hughes, 1905 Muirhead Ave NW, spoke in support of providing power and

water at the Percival Landing docks.

LODGING TAX TESTIMONY

Earthbound Productions Board President Nicole Mercier, 2110 Mark St NE, spoke in support of the proposed increase in funding and if approved, anticipates meeting with the City to update the 2013 scope of work.

Mariah Arts School Owner Diane Gaile, 1403 Garfield Ave NW, spoke in support of funding for the Procession of the Species event.

Mr. Jerry Berebitsky, 3344 Donnelly Dr SE, spoke in support of funding for the Procession of the Species event.

Olympia-Lacey-Tumwater Visitor and Convention Bureau (VCB) Board President Evette Temple, 1103 Jasper Ave NE, thanked the Council for funding support.

IMPACT FEES TESTIMONY

No one signed up to testify.

Mayor Buxbaum closed the public hearing.

Mayor Buxbaum raised the issue of parking pay stations and noted a pilot parking program that has been going on for the last few months. He asked for Council interest in asking staff to bring a proposal forward to change the parking pay stations to smart meters.

Council Discussion:

- Support to move forward and ask staff to come up with a plan to change the meters out.*
- Support the plan to move forward as long as the plan includes changing out the parking pay stations as their useful life expires.*
- Request for the cost and timeline for an implementation plan.*

Mayor Buxbaum asked staff to bring back a proposal for changing out the parking pay stations as part of the budget balancing discussion next week.

Councilmember Rogers noted comments made by Ms. Gayle, Mr. Schulte and Mr. Jaksich and asked for a referral to the General Government Committee to consider establishing a citizen budget advisory committee. Mayor Buxbaum suggested the referral go to the Finance Committee instead of the General Government Committee. Councilmember Roe suggested it go to General Government as other advisory committee governance does. Councilmember Cooper thought it had already been referred to the Finance Committee and asked that the Finance Committee Chair report on progress next week. Mayor Buxbaum, as Finance Committee Chair, agreed to report on the Committee's work on this topic as part of the budget discussion next week.

Councilmember Rogers requested copies of Finance Committee minutes where citizen involvement in the budget has been discussed this year.

The public hearing was held and closed.

6. OTHER BUSINESS

- 6.A 12-0732** Approval of Interlocal Agreement with the Washington Department of Fish and Wildlife Regarding Coordination in the Sale of Property at 600 Capital Way N in Olympia, Washington

Attachments: [1. Interlocal Agreement](#)

Mayor Pro Tem Jones noted he works for the Department of Enterprise Services, which has a role in the proceedings. He indicated his job function is unrelated to the proceedings outlined in the agreement.

City Attorney Tom Morrill gave a brief background of the agreement before the Council.

Councilmember Hankins moved, seconded by Councilmember Cooper, to authorize the Mayor to execute the Interlocal Agreement with the Washington Department of Fish and Wildlife regarding coordinated efforts the entities will take in the marketing and potential sale of property at 600 Capitol Way N in Olympia. The motion carried by the following vote:

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

- 6.B 12-0737** Agenda Item:
Resolution Concerning Columbia Street Downtown Housing Project

Attachments: [1. Resolution](#)
[2. Nov 2 Ltr from Berschauer](#)
[3. Oct 31 Ltr from City](#)

City Manager Steve Hall provided background on the resolution before the Council.

Council Discussion:

- Apartments versus condos*
- No requirement to provide for residential parking, but initial plans include parking on the first floor.*
- Initial plans are very general at this point.*
- The City match up to \$450,000 is a dollar for dollar match, only if the developer matches. The City wouldn't have to put in any money until the developer has paid \$25,000 to ensure clean up is moving forward.*

Councilmember Cooper moved, seconded by Councilmember Hankins, to adopt a resolution authorizing the City Manager to prepare and sign the necessary documents concerning the property on Columbia Street between 4th and 5th Avenues that clarify the City's contribution toward a cleanup of the site, that clarify the protections the City will receive concerning potential liabilities at the site, and that modify an existing restrictive covenant on the property to allow a smaller scale market rate housing project on a portion of the property. The motion carried by the following vote:

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

- 6.C 12-0738** Resolution Concerning Inauguration Day 2013

Attachments: [1. Resolution](#)

Councilmember Cooper introduced the topic and noted a few highlights in the proposed resolution.

Councilmember Cooper moved, seconded by Councilmember Roe, to adopt the resolution declaring Inauguration Day, January 16, 2013, a "city of celebration", suspending parking fees on January 16, 2013, and encouraging the Washington State Inaugural Ball Committee to hold the Governor's Inaugural Ball at the Washington State Capitol. The motion carried by the following vote:

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

7. CONTINUED PUBLIC COMMUNICATION

8. REPORTS AND REFERRALS

8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS

Mayor Pro Tem Jones reported highlights from the Thurston County Solid Waste Advisory Committee (SWAC), Intercity Transit, and Thurston Regional Planning Council (TRPC) meetings he attended.

Councilmember Rogers reported highlights from the Economic Development Council (EDC) and Intercity Transit meetings she attended.

Councilmember Cooper passed along thanks to staff from TCOMM911 for expediting an emergency permit and to Steve Hall for quickly assisting a citizen whose car was hit while at City Hall.

Mayor Buxbaum reported highlights from the Transportation Policy Board and Parking and Business Improvement Area (PBIA) Board meetings he attended.

Mayor Buxbaum noted the City's Hearing Examiner Tom Bjorgen notified the Mayor that his opponent conceded, so his elected position is now official. City Attorney Tom Morrill noted there will be an item on next week's agenda to terminate Mr. Bjorgen's contract so that he can take his elected position in December.

Councilmember Roe noted she would like the City to pursue providing public restrooms downtown.

Mayor Pro Tem Jones thanked the public for voting to support the public safety.

8.B CITY MANAGER'S REPORT AND REFERRALS

Mr. Hall noted Dan Leahy brought a request to the Council October 9 for reimbursement of expenses related to the 7-Eleven appeal. He reported there is no provision in the code to allow City reimbursement of expenses.

Mr. Hall thanked political candidates for cleaning up campaign signs in City right-of-way following the election.

Mr. Hall discussed the recent passage of the citizens' initiative to legalize marijuana in Washington. He indicated the impacts of this initiative passing are unknown and said there is a lot to learn in the coming weeks.

9. ADJOURNMENT

The meeting adjourned at 9:30 p.m.