



# Meeting Agenda

## City Council

City Hall  
601 4th Avenue E  
Olympia, WA 98501

Information: 360.753.8244

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**Monday, November 1, 2021**

**7:00 PM**

**Online and Via Phone**

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**Special Meeting**  
**Register to Attend:**

[https://us02web.zoom.us/webinar/register/WN\\_D9D6wu6XTW6r\\_-J7LsTpww](https://us02web.zoom.us/webinar/register/WN_D9D6wu6XTW6r_-J7LsTpww)

- 1. ROLL CALL**
- 1.A ANNOUNCEMENTS**
- 1.B APPROVAL OF AGENDA**
- 2. SPECIAL RECOGNITION - None**
- 3. PUBLIC COMMENT**

*(Estimated Time: 0-30 Minutes) (Sign-up Sheets are provided in the Foyer.)*

*During this portion of the meeting, community members may address the City Council regarding items related to City business, including items on the Agenda. In order for the City Council to maintain impartiality and the appearance of fairness in upcoming matters and to comply with Public Disclosure Law for political campaigns, speakers will not be permitted to make public comments before the Council in these three areas: (1) 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, or (2) where the public testimony may implicate a matter on which the City Council will be required to act in a quasi-judicial capacity, or (3) where the speaker promotes or opposes a candidate for public office or a ballot measure.*

*Individual comments are limited to two (2) minutes or less. In order to hear as many people as possible during the 30-minutes set aside for Public Communication, the City Council will refrain from commenting on individual remarks until all public comment has been taken. The City Council will allow for additional public comment 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 COMMENT (Optional)**

#### **4. CONSENT CALENDAR**

*(Items of a Routine Nature)*

- 4.A**    [21-1037](#)    Approval of October 19, 2021, City Council Special Joint Meeting with Olympia Downtown Alliance Meeting Minutes  
**Attachments:**    [Minutes](#)
- 4.B**    [21-1040](#)    Approval of October 19, 2021, City Council Meeting Minutes

**Attachments:** [Minutes](#)

- 4.C [21-1031](#) Approval of a Resolution Authorizing a Memorandum of Understanding between the City of Olympia and Thurston County to Address the Need for Managed Parking Sites for Individuals Living in Vehicles

**Attachments:** [Resolution](#)  
[Agreement](#)

- 4.D [21-1047](#) Approval of a Resolution Authorizing a Grant Application for the Percival Creek Sewer Reroute Project

**Attachments:** [Resolution](#)  
[Resolution Designating Applicant Agent](#)

#### **4. SECOND READINGS (Ordinances) - None**

#### **4. FIRST READINGS (Ordinances) - None**

### **5. PUBLIC HEARING**

- 5.A [21-1015](#) Public Hearing to Consider an Ordinance Modifying the Boundaries of the Parking and Business Improvement Area to Correct a Scrivener's Error, Changing the Number of Advisory Board Members to Eleven, and to Provide for PRIDE Programs and Events

**Attachments:** [Ordinance](#)

- 5.B [21-1014](#) Public Hearing to Consider an Ordinance Declaring a Continuing State of a Public Health Emergency Related to Homelessness and COVID-19 - First and Final Reading

**Attachments:** [Ordinance](#)

### **6. OTHER BUSINESS**

- 6.A [21-1046](#) 2022 Preliminary Operating Budget Briefing

### **7. CONTINUED PUBLIC COMMENT**

*(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 Executive Assistant 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 Hall  
601 4th Avenue E.  
Olympia, WA 98501  
360-753-8244

## City Council

### Approval of October 19, 2021, City Council Special Joint Meeting with Olympia Downtown Alliance Meeting Minutes

**Agenda Date:** 11/1/2021  
**Agenda Item Number:** 4.A  
**File Number:**21-1037

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**Type:** minutes **Version:** 1 **Status:** Consent Calendar

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#### **Title**

Approval of October 19, 2021, City Council Special Joint Meeting with Olympia Downtown Alliance Meeting Minutes



# Meeting Minutes - Draft

## City Council

City Hall  
601 4th Avenue E  
Olympia, WA 98501

Information: 360.753.8244

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Tuesday, October 19, 2021

5:30 PM

Online and Via Phone

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**Joint Meeting with Olympia Downtown Alliance**  
**Attend: [https://us02web.zoom.us/j/88664709921?](https://us02web.zoom.us/j/88664709921?pwd=UGtpQ2ZLcHdSV1ZEMXdWYUtDb2JXUT09)**  
**pwd=UGtpQ2ZLcHdSV1ZEMXdWYUtDb2JXUT09**

### 1. ROLL CALL

**Present:** 7 - Mayor Cheryl Selby, Mayor Pro Tem Clark Gilman, Councilmember Jim Cooper, Councilmember Yến Huỳnh, Councilmember Dani Madrone, Councilmember Lisa Parshley and Councilmember Renata Rollins

### 2. BUSINESS ITEM

- 2.A [21-1002](#) Joint Meeting Between the Olympia City Council and Olympia Downtown Alliance

The City Council met with the Olympia Downtown Alliance Board to discuss topics of mutual interest including public safety, housing/homelessness, economic development, cleanliness/beautification, and general updates.

**The study session was completed.**

### 3. ADJOURNMENT

The meeting adjourned at 6:46 p.m.



City Hall  
601 4th Avenue E.  
Olympia, WA 98501  
360-753-8244

## City Council

### Approval of October 19, 2021, City Council Meeting Minutes

**Agenda Date:** 11/1/2021  
**Agenda Item Number:** 4.B  
**File Number:**21-1040

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**Type:** minutes **Version:** 1 **Status:** Consent Calendar

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**Title**

Approval of October 19, 2021, City Council Meeting Minutes



# Meeting Minutes - Draft

## City Council

City Hall  
601 4th Avenue E  
Olympia, WA 98501

Information: 360.753.8244

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**Tuesday, October 19, 2021**

**7:00 PM**

**Online and Via Phone**

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**Register to attend:**

[https://us02web.zoom.us/webinar/register/WN\\_m6FNw7UOR2GMvMWju1bXrA](https://us02web.zoom.us/webinar/register/WN_m6FNw7UOR2GMvMWju1bXrA)

### 1. ROLL CALL

**Present:** 7 - Mayor Cheryl Selby, Mayor Pro Tem Clark Gilman, Councilmember Jim Cooper, Councilmember Y  n Hu  nh, Councilmember Dani Madrone, Councilmember Lisa Parshley and Councilmember Renata Rollins

### 1.A ANNOUNCEMENTS

Mayor Selby discussed a mural that was defaced over the weekend and was repainted by volunteers and City staff.

City Manager Jay Burney gave an update on the move of the mitigation site.

### 1.B APPROVAL OF AGENDA

The agenda was approved.

### 2. SPECIAL RECOGNITION - NONE

### 3. PUBLIC COMMENT

The following people spoke: Matt DeBord, Bill Bode, Erich Abel, Patricia Bracy, Terence Mah, Anna Schlecht and Georgene Abbott.

### 4. CONSENT CALENDAR

**4.A** [21-0990](#) Approval of October 7, 2021 Special City Council Meeting Minutes

**The minutes were adopted.**

**4.B** [21-0998](#) Approval of October 12, 2021 City Council Meeting Minutes

**The minutes were adopted.**

**4.C** [21-0999](#) Approval of Bills and Payroll Certification

Payroll check numbers 93286 through 93325 and Direct Deposit transmissions: Total:

\$3,504,013.98; Claim check numbers 3739376 through 3739792: Total:  
\$12,393,576.00.

#### 4. SECOND READINGS (Ordinances)

- 4.D [21-0979](#) Approval of an Ordinance Amending Ordinance 7287 (Operating, Special and Capital Budgets) - Third Quarter 2021

**The ordinance was adopted on second reading.**

#### Approval of the Consent Agenda

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

**Aye:** 7 - Mayor Selby, Mayor Pro Tem Gilman, Councilmember Cooper, Councilmember Huỳnh, Councilmember Madrone, Councilmember Parshley and Councilmember Rollins

#### 4. FIRST READINGS (Ordinances) - NONE

### 5. PUBLIC HEARING

- 5.A [21-0993](#) Public Hearing on the Assumption of the Olympia Transportation Benefit District

Deputy Public Works Director Mark Russell gave an overview of the Olympia Transportation Benefit District (TBD) and the assumption to recent legislation that allows the City Council to assume the authority and powers of the TBD.

Mayor Selby opened the public hearing at 7:45 p.m. No one spoke. Mayor Selby closed the public hearing at 7:45 p.m.

Councilmembers ask clarifying questions

**The public hearing was held and closed.**

### 6. OTHER BUSINESS

- 6.A [21-0941](#) Emergency Preparedness Overview Briefing

Emergency Management Coordinator Patrick Knouff gave an overview of emergency preparedness procedures.

Councilmembers asked clarifying questions.

**The report was received.**



**7. CONTINUED PUBLIC COMMENT - None****8. REPORTS AND REFERRALS****8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS**

Councilmembers reported on meetings and events attended.

Councilmember Cooper noted public speakers from the Olympia Metropolitan Park District Board asked the Council to declare an end to exigent financial circumstances related to the COVID-19 pandemic. Following discussion, the Council declined to take formal action at this time.

**8.B CITY MANAGER'S REPORT AND REFERRALS - None****9. EXECUTIVE SESSION****9.A [21-1003](#) Executive Session Pursuant to RCW 42.30.110(1)(b); RCW 42.30.110(1)(c) - Real Estate Matter**

Mayor Selby recessed the meeting at 8:38 p.m. She asked the Council to reconvene in 5 minutes for an Executive Session pursuant to RCW 42.30.110(1)(b); RCW 42.30.110(1)(c) to discuss a real estate matter. She announced no decisions would be made, the meeting was expected to last no longer than thirty minutes, and the Council would adjourn immediately following the Executive Session. The City Attorney was present at the Executive Session.

**9. ADJOURNMENT**

The meeting adjourned at 8:55 p.m.



## City Council

### Approval of a Resolution Authorizing a Memorandum of Understanding between the City of Olympia and Thurston County to Address the Need for Managed Parking Sites for Individuals Living in Vehicles

**Agenda Date:** 11/1/2021  
**Agenda Item Number:** 4.C  
**File Number:**21-1031

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**Type:** resolution **Version:** 1 **Status:** Consent Calendar

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#### **Title**

Approval of a Resolution Authorizing a Memorandum of Understanding between the City of Olympia and Thurston County to Address the Need for Managed Parking Sites for Individuals Living in Vehicles

#### **Recommended Action**

##### **Committee Recommendation:**

Not referred to a committee.

##### **City Manager Recommendation:**

Move to approve a Resolution authorizing a Memorandum of Understanding between the City of Olympia and Thurston County to address the need for managed parking sites for individuals living in vehicles.

#### **Report**

##### **Issue:**

Whether to approve a Resolution authorizing a Memorandum of Understanding between the City of Olympia and Thurston County to address the need for managed parking sites for individuals living in vehicles.

##### **Staff Contact:**

Leonard Bauer, Director, Community Planning and Development, 360.753.8206

##### **Presenter(s):**

None - Consent Calendar Item

##### **Background and Analysis:**

There currently is no shelter or sanctioned safe parking area to address the needs and impacts of individuals living in vehicles on public streets in Thurston County. Numerous vehicles parked on Ensign Road (and other areas of the City) are being used as residences. This has created a

situation that has many detrimental impacts to the health and safety of the people residing there; to operations and access to Providence St. Peter Hospital and other neighboring businesses; to travelers along Ensign Road; and to surrounding wetlands and streams.

This Memorandum of Understanding (MOU) outlines a collaboration between the City of Olympia and Thurston County to address some aspects of this situation. Phase 1 of the MOU would commit the City and County to working toward moving 15-20 of the vehicles on Ensign Road to an interim site owned by Thurston County on Carpenter Road north of Martin Way. Under Phase 2 of the MOU, the City and County would work with the Regional Housing Council toward acquisition and development of a safe parking facility for up to three years on Franz Anderson Road in Olympia. The long-term purpose of the property is for a permanent supportive housing facility or an affordable housing development.

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

The businesses, residents and travelers on Ensign Road have a very strong interest in this situation. Additionally, the neighborhood in the vicinity of Franz Anderson Road (south of Martin Way, north of I-5, and west of Lilly Road) would also have strong interest in Phase 2 of the MOU.

**Options:**

1. Approve a Resolution authorizing a Memorandum of Understanding between the City of Olympia and Thurston County to address the need for managed parking sites for individuals living in vehicles.
2. Do not approve a Resolution authorizing a Memorandum of Understanding between the City of Olympia and Thurston County to address the need for managed parking sites for individuals living in vehicles.
3. Table consideration of the Resolution for further discussion.

**Financial Impact:**

The MOU commits expenditure of funds received as a \$100,000 donation from Providence to further support by the Scattered Sites program and case management work with residents of Ensign Road during Phase 1. Additional funding from the Regional Housing Council will also be necessary to implement Phase 2, along with City staff support during both Phases.

**Attachments:**

Resolution  
Agreement

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OLYMPIA AND THURSTON COUNTY RELATING TO JOINT EFFORTS TO ADDRESS THE NEED FOR MANAGED PARKING SITES FOR HOMELESS PERSONS LIVING IN RECREATIONAL AND MOTOR VEHICLES, AND FOR THE CITY MANAGER TO EXECUTE SAID MEMORANDUM OF UNDERSTANDING**

**WHEREAS**, the City of Olympia (the “City”) and Thurston County (the “County”) desire to create an understanding of their working relationship related to ongoing efforts to address the impacts of homeless persons living in recreational and motor vehicles along right-of-way on Ensign Road and other streets and encampments located throughout the community; and

**WHEREAS**, the City and County agree that unsheltered and unmanaged homelessness constitutes a public health emergency, and such emergency requires the City and County to coordinate their resources to address the ongoing impacts and needs of homeless persons; and

**WHEREAS**, there currently is no shelter or sanctioned safe parking areas to address the needs and impacts of persons living in recreational and motor vehicles parked on public right-of-way on Ensign Road and other streets, and that homeless persons living in recreational and motor vehicles along Ensign Road is detrimental to the health and safety of the individuals living in such vehicles, St. Peter’s Hospital, businesses, property owners, and visitors, including negative impacts on emergency medical first responders accessing St. Peter’s Hospital which provides regional medical care for residents of the City and County; and

**WHEREAS**, the City and County recognize that persons living in recreational and motor vehicles along Ensign Road is also negatively impacting the ability of public transit vehicles to safely navigate Ensign Road and that bicycle lanes and sidewalks along Ensign Road are also being negatively impacted, and that living in recreational and motor vehicles is also negatively impacting surrounding wetland and streams near Ensign Road; and

**WHEREAS**, the City and County agree that safe parking facilities are needed to address the foregoing concerns; and

**WHEREAS**, the City and County recognize the need to enter into a Memorandum of Understanding to address these serious and ongoing public health issues by coordinating resources and working together to collaboratively address these regional issues;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE** as follows:

1. The Olympia City Council hereby approves the Memorandum of Understanding, attached hereto as Exhibit A, as the first step to achieve the joint goals set forth in the document.
2. The City Manager is directed and authorized to execute the Memorandum of Understanding, attached as Exhibit A, and to present all necessary future interlocal agreements as may be required to the City Council in order to achieve the goals of the City and County as set forth in the Memorandum of Understanding.

3. Further, the City Manager is also authorized to make any amendments or minor modifications consistent with the intent of the Memorandum of Understanding as may be necessary, or to correct any scrivener's errors.

**PASSED BY THE OLYMPIA CITY COUNCIL** this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
MAYOR

**ATTEST:**

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

**APPROVED AS TO FORM:**

**Mark Barber**  
\_\_\_\_\_  
CITY ATTORNEY

**MEMORANDUM OF UNDERSTANDING**

The City of Olympia and Thurston County desire to create a clear understanding of their working relationship related to ongoing efforts to address the impacts of unsheltered/homeless individuals living along Ensign Road in particular and other streets and encampments located throughout the community.

**The City and County, hereinafter the Parties, find the following to be true:**

- A. Unsheltered and unmanaged homelessness constitute a public health emergency and require the County and City to coordinate their resources and actions.
- B. Neither the City nor the County have sufficient resources to address the ongoing impacts or needs of unsheltered homelessness.
- C. There currently is no shelter or sanctioned safe parking area to address the needs and impacts of individuals living in vehicles on public streets.
- D. Camping along Ensign Road is detrimental to the health and safety of the individuals living there and surrounding businesses, property owners and visitors.
- E. Camping along Ensign Road is having unacceptable impacts on operations at St. Peter Hospital.
- F. Camping along Ensign Road is having unacceptable negative impacts on emergency medical first responders accessing St. Peter Hospital.
- G. Camping along Ensign Road is negatively impacting the ability of public transit vehicles to safely navigate Ensign Road.
- H. Camping along Ensign Road is impacting the ability of the public to use Ensign Road and the bike lanes and sidewalks in that roadway.
- I. Camping along Ensign Road is having negative impacts on surrounding wetlands and streams.
- J. A safe parking facility is needed to address these concerns.

**Therefore, the Parties agree:**

**Phase I – Carpenter Road and Martin Way Site**

- K. Continue to support the Scattered Site Support Program with shared technical support and financial resources as currently exists through June 30, 2022.
  - a. \$50,000 of financial support from Providence will be used by City of Olympia to support activities similar to those provided under the current Scattered Site program and otherwise necessary to carry out this agreement.
  - b. \$50,000 of financial support from Providence will be used by Thurston County to support the Case Management Sub-contract.

- c. Thurston County will provide the necessary resources to fully fund the Case Management Support sub-contract, to include funding for 24 hour support to the Martin Way and Carpenter Road property.
- L. Work collaboratively to create a short-term safe parking facility on the County’s Carpenter Road Public Works site, no more than 6-7 months.
- M. The purpose of this facility will be to provide an interim location for 15 to 20 vehicles currently residing along Ensign Road closest to St. Peter Hospital while a more permanent facility is developed. The city and county will coordinate this process, and the county reserves the right to approve what vehicles will be moved to this temporary location.
- N. The County will be the lead entity to develop and operate this Martin Way and Carpenter Road facility.
  - a. The County is responsible for prohibiting unauthorized vehicles from parking at the Martin Way and Carpenter Road County-owned site and securing the site.
- O. The City is responsible for management of adjacent City-owned property.
- P. The City will continue to manage contracts for portable restrooms, and garbage service at the site.
- Q. The City will provide technical support through its Homeless Response Resources.
- R. The City will enforce parking restrictions along Ensign Road to prevent a return or increase in vehicles parking on Ensign Road closest to St. Peter Hospital.

**Phase II Franz Anderson Road Site**

- S. To jointly and equally share in the costs of purchase, development and management of the Franz Anderson property (hereinafter “the Property”) with the Regional Housing Council (RHC) partners, with the intention of creating a temporary Safe Parking Site for individuals residing along Ensign Road, the County’s Carpenter Road Property and other places in the County.
- T. No more than fifty recreational vehicles shall be accommodated on the Property.
- U. To jointly and equally share the costs for the acquisition and preparation of the Property, including but not limited to plans and reports necessary to support acquisition and development of the property into a safe parking facility.
- V. For both the County and City to provide and coordinate funding support through the Regional Housing Council (RHC) for ongoing management of the facility for three years, including 24 hour per day staffing, social service support, hygiene, utilities, trash removal, community and neighborhood relations, and other services and support to effectively manage the facility. County and City participation in this project is contingent on this funding support by the RHC.
- W. For the County and City to negotiate and execute an Interlocal Agreement for the acquisition and operation of the Property.

- X. The long term purpose of the Property is for a permanent supportive housing facility or an affordable housing development.
- Y. The safe parking facility will be operated on the Property for no more than three years.
- Z. The City of Olympia agrees to take the lead in developing and managing this facility and that all expenses will be shared among all the Parties as described in this agreement.
- AA. Each jurisdiction is responsible for paying the full cost of its staff members to support this project.
- BB. To support one another with technical assistance and support for grant funding through state and federal sources.
- CC. Funds under the purview of the RHC will be requested and used to offset the cost of development and management of the Property as described in this agreement.
- DD. Other members of the RHC may participate in this program by contributing a proportionate share of the acquisition, development and operations costs.
- EE. The parties will jointly and annually prepare a report to their respective governing bodies detailing the costs of operations and key program metrics as identified by the parties as part of the operating agreement.
- FF. To jointly participate in any neighborhood or site councils to facilitate open communications between the site operator, residents and surrounding businesses, neighbors and property owners.

**Now Therefore:**

The Parties agree to jointly prepare all necessary agreements to achieve the goals of this Memorandum of Understanding, direct their respective staff to work collaboratively towards this end and present said agreements to their respective governing bodies for their consideration without delay.

Signed and agreed this \_\_\_\_\_, day of \_\_\_\_\_, 2021:

\_\_\_\_\_  
 Steven J. Burney, City Manager  
 City of Olympia

\_\_\_\_\_  
 Ramiro Chavez, County Manager  
 Thurston County

Approved as to Form:

Approved as to Form:

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

\_\_\_\_\_  
 Deputy Prosecuting Attorney



## MEMORANDUM OF UNDERSTANDING

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- D. Camping along Ensign Road is detrimental to the health and safety of the individuals living there and surrounding businesses, property owners and visitors.
- E. Camping along Ensign Road is having unacceptable impacts on operations at St. Peter Hospital.
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- J. A safe parking facility is needed to address these concerns.

**Therefore, the Parties agree:**

### **Phase I – Carpenter Road and Martin Way Site**

- K. Continue to support the Scattered Site Support Program with shared technical support and financial resources as currently exists through June 30, 2022.
  - a. \$50,000 of financial support from Providence will be used by City of Olympia to support activities similar to those provided under the current Scattered Site program and otherwise necessary to carry out this agreement.
  - b. \$50,000 of financial support from Providence will be used by Thurston County to support the Case Management Sub-contract.

- c. Thurston County will provide the necessary resources to fully fund the Case Management Support sub-contract, to include funding for 24 hour support to the Martin Way and Carpenter Road property.
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- M. The purpose of this facility will be to provide an interim location for 15 to 20 vehicles currently residing along Ensign Road closest to St. Peter Hospital while a more permanent facility is developed. The city and county will coordinate this process, and the county reserves the right to approve what vehicles will be moved to this temporary location.
- N. The County will be the lead entity to develop and operate this Martin Way and Carpenter Road facility.
  - a. The County is responsible for prohibiting unauthorized vehicles from parking at the Martin Way and Carpenter Road County-owned site and securing the site.
- O. The City is responsible for management of adjacent City-owned property.
- P. The City will continue to manage contracts for portable restrooms, and garbage service at the site.
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- T. No more than fifty recreational vehicles shall be accommodated on the Property.
- U. To jointly and equally share the costs for the acquisition and preparation of the Property, including but not limited to plans and reports necessary to support acquisition and development of the property into a safe parking facility.
- V. For both the County and City to provide and coordinate funding support through the Regional Housing Council (RHC) for ongoing management of the facility for three years, including 24 hour per day staffing, social service support, hygiene, utilities, trash removal, community and neighborhood relations, and other services and support to effectively manage the facility. County and City participation in this project is contingent on this funding support by the RHC.
- W. For the County and City to negotiate and execute an Interlocal Agreement for the acquisition and operation of the Property.

- X. The long term purpose of the Property is for a permanent supportive housing facility or an affordable housing development.
- Y. The safe parking facility will be operated on the Property for no more than three years.
- Z. The City of Olympia agrees to take the lead in developing and managing this facility and that all expenses will be shared among all the Parties as described in this agreement.
- AA. Each jurisdiction is responsible for paying the full cost of its staff members to support this project.
- BB. To support one another with technical assistance and support for grant funding through state and federal sources.
- CC. Funds under the purview of the RHC will be requested and used to offset the cost of development and management of the Property as described in this agreement.
- DD. Other members of the RHC may participate in this program by contributing a proportionate share of the acquisition, development and operations costs.
- EE. The parties will jointly and annually prepare a report to their respective governing bodies detailing the costs of operations and key program metrics as identified by the parties as part of the operating agreement.
- FF. To jointly participate in any neighborhood or site councils to facilitate open communications between the site operator, residents and surrounding businesses, neighbors and property owners.

**Now Therefore:**

The Parties agree to jointly prepare all necessary agreements to achieve the goals of this Memorandum of Understanding, direct their respective staff to work collaboratively towards this end and present said agreements to their respective governing bodies for their consideration without delay.

Signed and agreed this \_\_\_\_\_, day of \_\_\_\_\_, 2021:

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Stephen J. Burney, City Manager  
City of Olympia

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Ramiro Chavez, County Manager  
Thurston County



## City Council

### Approval of a Resolution Authorizing a Grant Application for the Percival Creek Sewer Reroute Project

**Agenda Date:** 11/1/2021  
**Agenda Item Number:** 4.D  
**File Number:**21-1047

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**Type:** resolution **Version:** 1 **Status:** Consent Calendar

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#### **Title**

Approval of a Resolution Authorizing a Grant Application for the Percival Creek Sewer Reroute Project

#### **Recommended Action**

##### **Committee Recommendation:**

Not referred to a committee.

##### **City Manager Recommendation:**

Move to approve the Resolution authorizing the Wastewater Utility to apply for a State of Washington Building Resilient Infrastructure and Communities Grant and sign the required form "Resolution Designating Applicant Agent", as well as authorize the City Manager to sign the grant, if awarded.

#### **Report**

##### **Issue:**

Whether to approve the Resolution authorizing the Wastewater Utility to apply for a State of Washington Building Resilient Infrastructure and Communities grant for the Percival Creek Bridge Sewer Reroute Project and sign the State required form titled "Resolution Designating Applicant Agent".

##### **Staff Contact:**

Susan Clark, Engineering and Planning Supervisor, Water Resources, 360.753.8321

##### **Presenter(s):**

None - Consent Calendar Item

##### **Background and Analysis:**

The Building Resilient Infrastructure and Communities grant program funds cost effective mitigation projects that are designed to increase resilience and public safety, reduce injuries and loss of life, and reduce damage and destruction to property, critical services, facilities, and infrastructure. It is a cost-share grant, 75 percent federal funds and 25 percent local funds.

The Percival Creek Utility Bridge was severely damaged on February 7, 2020, when a tree fell and

struck the middle span breaking the existing sewer and water mains that are attached to the underside of the bridge. At the time, approximately 30,000 gallons of untreated sewage entered Percival Creek, Capitol Lake and Budd Inlet. Although the bridge and sewer main have been brought back to pre-disaster function, the bridge continues to be susceptible to storms, landslides, and earthquakes. The Wastewater Utility is proposing to mitigate this risk by using horizontal directional drilling to reroute the sewer main under Percival Creek. Following relocation of the water main and private utilities, the Percival Creek Utility Bridge would be removed.

The existing 10-inch diameter sewer main which currently crosses Percival Creek via the Percival Creek Utility Bridge connects Evergreen Park Court SW to an existing LOTT Clean Water Alliance interceptor pipeline located adjacent to Percival Creek and the nearby railroad. It is a critical connection within the City's sewer infrastructure. The sewer main is the only outlet for the sanitary sewer system for the area known as Courthouse Hill. Approximately 765 residential accounts and 42 commercial accounts, including the Thurston County Courthouse, are provided service by this sewer main.

The "Resolution Designating Applicant Agent" must be submitted with the completed FEMA Hazard Mitigation Grant Program Sub-Application for the Percival Creek Utility Bridge Sewer Reroute Project.

The grant sub-application is due November 8, 2021.

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

The goal of the proposed project is to mitigate the loss of an essential service (sanitary sewer service) to residential and business customers that would result from a storm, landslide or earthquake causing damage to the Percival Creek Utility Bridge. With the proposed rerouting of the sewer main under Percival Creek using horizontal directional drilling the adverse impacts from a storm, landslide or earthquake will be minimized.

**Options:**

1. Approve the Resolution authorizing the Wastewater Utility to apply for a Building Resilient Infrastructure and Communities grant and sign the required Resolution Designating Applicant Agent, as well as authorize the City Manager to sign the grant, if awarded. This allows staff to apply for the grant by the deadline and, if funded, implement the project in 2023-2025.
2. Decline the request to submit the grant application and sign the required Resolution Designating Applicant Agent. Staff would not apply for grant funding, instead an alternative source of funding, such as wastewater utility rates, will be required for the project.

**Financial Impact:**

The total project cost is estimated at \$4,725,000. The maximum federal share is 75 percent of the total eligible costs. The minimum non federal cost share is 25 percent. The City's 25 percent match will be covered by the Wastewater Utility.

**Attachments:**

Resolution  
Resolution Designating Applicant Agent

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON, AUTHORIZING THE WASTEWATER UTILITY TO APPLY FOR A GRANT FOR THE PERCIVAL CREEK BRIDGE SEWER REROUTE PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO FULFILL THE TERMS OF THE GRANT, IF AWARDED.**

**WHEREAS**, a major rain and wind storm on February 7, 2020 caused a large tree to fall on the City of Olympia utility bridge crossing Percival Creek causing severe damage. Water and sewer lines were broken, the beams holding up the bridge were broken, the bridge deck and railings were severed, an embankment under the bridge foot was severely eroded; and

**WHEREAS**, the storm event and subsequent damage to the sewer line caused the release of untreated sewage into Percival Creek, Capitol Lake, and Budd Inlet; and

**WHEREAS**, the 10-inch diameter sewer main serves approximately 765 residential units and 42 commercial accounts including the Thurston County Courthouse; and

**WHEREAS**, the City of Olympia received a FEMA mitigation grant and a Washington State Department of Commerce Emergency Loan to repair the damage caused by the February 7, 2020, storm event back to its pre-disaster function; and

**WHEREAS**, the Washington State Department of Commerce Emergency Loan also included funding for an analysis of the feasibility of using horizontal directional drilling for replacing the sewer main under Percival Creek as an alternative to full restoration of the utility bridge; and

**WHEREAS**, emergency repairs have been completed to the Percival Creek Utility Bridge and sewer and water mains to pre-disaster function and a feasibility analysis of using horizontal directional drilling for replacing the sewer main has been completed; and

**WHEREAS**, the location of the utility bridge makes it susceptible to repeat storm events and the utility bridge is not built to current seismic standards; and

**WHEREAS**, the State of Washington Building Resilient Infrastructure and Communities (BRIC) Grant Program provides funding for projects that reduce risks from disasters and natural hazards; and

**WHEREAS**, the Wastewater Utility submitted a preapplication for the State of Washington BRIC Grant Program in September 2021 and was selected to submit a complete application; and

**WHEREAS**, the State of Washington BRIC Grant Program, if awarded to the City, will be used for rerouting the sewer main on the Percival Creek Utility Bridge for the City's Wastewater Utility. The total project cost is estimated at \$4,725,000; and

**WHEREAS**, the terms of the State of Washington BRIC Grant Program require 25 percent matching funds, which is estimated to be \$1,181,250. The maximum grant term is three years; and

**WHEREAS**, as part of the sub-application for the BRIC Grant for the Percival Creek Sewer Re-route Project, the City must submit a “Resolution Designating Applicant Agent” approved by the City Council; that Resolution Designating Applicant Agent is being considered contemporaneously with this Resolution;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE** as follows:

1. The City’s Wastewater Utility is authorized to pursue the Building Resilient Infrastructure and Communities (BRIC) Grant Program offered by the State of Washington to fund part of the cost of rerouting the sewer main currently located on the Percival Creek Bridge.
2. The City agrees to the terms of the State of Washington BRIC Grant Program, including providing the 25 percent matching funds, which is estimated to be \$1,181,250.
3. If the City is awarded a grant under the State of Washington BRIC Grant Program, the City Manager is authorized and directed to execute the State of Washington BRIC Grant Program Agreement on behalf of the City of Olympia, and the City Manager is further authorized and directed to execute any other documents necessary to execute said Agreement, and to make any minor modifications as may be required and are consistent with the intent of the Agreement, or to correct any scrivener’s errors.

**PASSED BY THE OLYMPIA CITY COUNCIL** this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

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

APPROVED AS TO FORM:

*Michael M. Young*  
\_\_\_\_\_  
DEPUTY CITY ATTORNEY

# Resolution Designating Applicant Agent

For the state of Washington Building Resilient Infrastructure and Communities (BRIC) Program Sub-Application and Grant:

BE IT RESOLVED THAT

Steven J. Burney, City Manager

—  
(Print Name and Title)

OR HIS/HER ALTERNATE

Debbie Sullivan, Deputy City Manager

—  
(Print Name and Title)

Is hereby authorized to execute for and on behalf of The City of Olympia a local government entity, state agency, special purpose district, federally recognized tribe or private nonprofit organization established under the laws of the state of Washington, this application, grant agreement, and payment requests to be filed with the Military Department, Emergency Management Division, for the purpose of obtaining and administering certain state and federal financial assistance under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Act of 1988, P.L. 93-288, as amended.

THAT the Olympia City Council hereby authorizes its agent to provide to the Washington Military Department, Emergency Management Division assurances and agreements required for all matters concerning such non-disaster mitigation.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Signature

Cheryl Selby, Mayor

\_\_\_\_\_  
Print Name and Title

\*Note: Applicant agent designation is made by a mayor, county executive or governing board. An individual cannot designate himself/herself as the Applicant Agent.

Approved as to Form:

Michael M. Young  
Deputy City Attorney





## City Council

### Public Hearing to Consider an Ordinance Modifying the Boundaries of the Parking and Business Improvement Area to Correct a Scrivener's Error, Changing the Number of Advisory Board Members to Eleven, and to Provide for PRIDE Programs and Events

**Agenda Date:** 11/1/2021  
**Agenda Item Number:** 5.A  
**File Number:**21-1015

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**Type:** public hearing **Version:** 1 **Status:** Public Hearing

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#### **Title**

Public Hearing to Consider an Ordinance Modifying the Boundaries of the Parking and Business Improvement Area to Correct a Scrivener's Error, Changing the Number of Advisory Board Members to Eleven, and to Provide for PRIDE Programs and Events

#### **Recommended Action**

##### **Committee Recommendation:**

Not referred to a committee.

##### **City Manager Recommendation:**

Hold a public hearing. Upon closing the public hearing move to approve on first reading and forward to second reading an ordinance modifying the boundaries of the Parking and Business Improvement Area (PBIA) to correct a scrivener's error; changing the number of PBIA Advisory Board members from 15 to 11; and to provide for PRIDE programs and events in downtown.

#### **Report**

##### **Issue:**

Whether to approve an ordinance modifying the boundaries of the PBIA to correct a scrivener's error in Ordinance No. 6375 as subsequently codified in OMC 3.62.010; changing the number of PBIA Advisory Board members from 15 to 11, and providing for PRIDE programs and events, and to pass the ordinance after a public hearing upon at least 15 days' notice as required by RCW 35.87A.050 and RCW 35.87A.075.

##### **Staff Contact:**

Max DeJarnatt, Program Analyst, Community Planning & Development, 360.570.3723

##### **Presenter(s):**

Max DeJarnatt, Program Analyst, Community Planning & Development

**Background and Analysis:**

Almost 16 years ago, the Olympia City Council passed and approved Ordinance No. 6375 establishing a Parking and Business Improvement Area (PBIA) as permitted by RCW Chapter 35.87A. Within Ordinance No. 6375 was a metes and bounds legal description for Zone C. Unfortunately, there was a scrivener's error in the Zone C legal description that was undiscovered at the time, and remained undiscovered as the PBIA, established by Ordinance No. 6375, was codified into OMC 3.62.010. A review of the legal description in Zone C revealed the error when compared to Exhibit A-1, attached to Ordinance No. 6375.

The effect of the error is that Council must modify the boundaries of the PBIA to be consistent with its intent in 2005 when passing Ordinance No. 6375, and to be consistent with Exhibit A-1 as attached to Ordinance No. 6375. While the scrivener's error is a simple typographical error, Council must hold a public hearing to consider an Ordinance to correct the scrivener's error as correction will modify the boundaries of Zone C of the PBIA. The proposed Ordinance also addresses a request from the PBIA Board to reduce the number of Advisory Board members from fifteen 15 to 11 to improve the Board's efficiency and management, and to also include PRIDE programs and events in downtown in addition to others within the PBIA.

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

The PBIA Advisory Board request to reduce the size of the Advisory Board members to from 15 to 11 and there is a general interest in the City supporting PRIDE activities in the community.

**Options:**

1. Approve the ordinance modifying the boundaries of the PBIA to correct a scrivener's error in the legal description of Zone C within Ordinance No. 6375, and as subsequently codified in OMC 3.62.010, following a public hearing on the boundary modification as required by RCW 35.87A.050 and RCW 35.87A.075.
2. Following the public hearing, move to take no action. The effect will be that the error will remain in Ordinance No. 6375, and as codified in the current OMC 3.62.010, and the boundaries in Zone C as legally described will be inconsistent with Exhibit A-1 attached to Ordinance No. 6375.

**Financial Impact:**

The scrivener's error in the text has resulted in the City reimbursing 41 businesses for previous assessments, totaling approximately \$45,000. Fixing the scrivener's error will align the text with the map showing the intended boundary of the PBIA. This modification will enable the City to assess businesses within the intended PBIA boundary in 2022.

**Attachments:**

Ordinance

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

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING OMC CHAPTER 3.62 TO MODIFY THE BOUNDARIES OF THE PARKING AND BUSINESS IMPROVEMENT AREA TO CORRECT A SCRIVENER'S ERROR IN ORDINANCE NO. 6375, AND AS SUBSEQUENTLY CODIFIED IN OMC 3.62.010; TO CHANGE THE NUMBER OF ADVISORY BOARD MEMBERS TO ELEVEN; AND TO ALSO PROVIDE FOR PRIDE PROGRAMS AND EVENTS**

**WHEREAS**, on November 15, 2005, the Olympia City Council passed and approved Ordinance No. 6375 establishing a Parking and Business Improvement Area (hereafter "PBIA"); and

**WHEREAS**, Ordinance No. 6375 also provided various programs for improving downtown parking, a clean and safe program to make downtown cleaner and more welcoming and to improve the public's perception of safety, to provide for streetscape beautification, clean-up, public arts programs, way finding signs, and administration and staff support, a business recruitment and retention program, and a commercial marketing program; and

**WHEREAS**, a levy of special assessments was adopted to finance the programs of the PBIA as provided in Ordinance No. 6375; and

**WHEREAS**, Ordinance No. 6375 provided for three zones within the PBIA: Zone A, Zone B, and Zone C, with a metes and bounds legal description for each zone; and

**WHEREAS**, the metes and bounds legal description for Zone C in Ordinance No. 6375 contains a scrivener's error that requires correction, and which is inconsistent with Exhibit A-1 to Ordinance No. 6375. A copy of the necessary correction is set forth in Exhibit A attached hereto; and

**WHEREAS**, Ordinance No. 6375 has been codified in the Olympia Municipal Code (OMC) in OMC Chapter 3.62, thus requiring an Ordinance to amend and correct the legal description for Zone C in OMC 3.62.010; and

**WHEREAS**, the PBIA Board has requested to reduce the number of advisory board members from fifteen (15) to eleven (11) board members to better facilitate and manage board meetings for the PBIA; and

**WHEREAS**, OMC 3.62.020(5) should be amended to also include among community events held downtown PRIDE events, in addition to Music in the Park, ArtsWalk, Downtown for the Holidays, and the Pet Parade; and

**WHEREAS**, assessments shall remain as established in OMC Chapter 3.62 in the modified area;

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

**Section 1. Amendment of OMC 3.62.** Olympia Municipal Code Chapter 3.62 is hereby amended to read as follows:

## **Chapter 3.62**

### **PARKING AND BUSINESS IMPROVEMENT AREA**

3.62.000 Chapter Contents

Sections:

- 3.62.010 Parking and Business Improvement Area Established.
- 3.62.020 Programs.
- 3.62.030 Levy of Special Assessments.
- 3.62.040 Rate Changes.
- 3.62.050 Deposit of Revenues.
- 3.62.060 Collection Schedule.
- 3.62.070 Delinquent Payments.
- 3.62.080 Notices.
- 3.62.090 Disputes.
- 3.62.100 Expenditures.
- 3.62.110 Administration.
- 3.62.120 Contract for Program Management.
- 3.62.130 Advisory Board.
- 3.62.140 Bids Required for Construction of Projects.
- 3.62.150 Commencement of Assessments.
- 3.62.160 Ratification and Confirmation.

#### **3.62.010 Parking and Business Improvement Area Established**

As authorized by Chapter 35.87A RCW, there is hereby established a Parking and Business Improvement Area ("Parking and Business Improvement Area" or "PBIA"), consisting of Zones A, B and C, within the boundaries as described below and shown on the map attached hereto as Exhibit A-1. If there is any conflict between said map and narrative description, the text shall prevail.

#### **ZONE A:**

All of that portion of the City of Olympia, Washington described as bounded on the North by the centerline of State Avenue, bounded on the South by the centerline of Legion Way, bounded on the West by the centerline of Columbia Street, and bounded on the East by the centerline of Franklin Street.

#### **ZONE B:**

All of that portion of the City of Olympia, Washington described as beginning at the centerline intersection of Water Street and 7th Avenue; thence West to the ordinary high water line of Capitol Lake; thence Northerly and Westerly along said line to the East line of the Deschutes Waterway as shown on the official First Class Tideland Plat of the City of Olympia; thence Northerly along said waterway and its extension to the centerline of Olympia Avenue extended Westerly; thence Easterly along said extension to the line of ordinary high tide; thence Northerly along said line to the centerline of Thurston Avenue extended Westerly; thence Easterly along said extension and the centerline of Thurston Avenue to the centerline of Jefferson Street; thence Southerly along said centerline to the centerline of Olympia Avenue; thence Easterly along the centerline, as platted, of said street to a point 150 feet more or less Westerly of the centerline intersection of Pear Street and Olympia Avenue; thence Southerly more or less parallel to Pear Street, said course following original platted lot lines, to the centerline of 7th Avenue;

thence Westerly along said centerline to the point of beginning; EXCEPTING, the area described in Zone A above.

**ZONE C:**

All of that portion of the City of Olympia, Washington described as beginning at the centerline intersection of Columbia Avenue and Union Avenue; thence Northerly along the centerline of Columbia Avenue to the centerline of 7th Avenue; thence Easterly along said centerline to the centerline of Washington Street; thence Southerly along said centerline to the centerline of ~~7th~~ Union Ave; thence Westerly along said centerline to the point of beginning; ALSO, All of that portion of the City of Olympia, Washington described as beginning at the line of ordinary high tide with to the centerline of Thurston Avenue extended westerly; thence Northerly along said high tide line to a point 600 feet Northerly of the centerline of Corky Avenue extended Westerly; thence Easterly and parallel to Corky Avenue and its extension to the centerline of East Bay Drive; thence Southerly along said centerline to the centerline of Olympia Avenue; thence Westerly along said centerline to the centerline of Jefferson Street; thence Northerly along said centerline to the centerline of Thurston Avenue; thence Westerly along said centerline and its extension to the point of beginning.

**3.62.020 Programs**

Special Assessment revenues shall be used for the purpose of providing special projects and services under the following program headings:

1) Downtown Parking Improvements Program

This program will provide for parking improvements to address the concern for downtown Olympia businesses and property owners, as well as patrons and employees. The PBIA special assessments may be used to fund administrative costs such as staff support, the construction or operation and maintenance of a parking structure or other parking improvements.

2) Clean and Safe Program

This program will provide additional projects and services to make downtown cleaner, more welcoming and improve the public's perception of safety. This program may include a volunteer effort to provide eyes and ears on the street and to assist people downtown; administration and staff support; graffiti removal; and efforts to reduce offenses such as public urination, drug use and sales, aggressive panhandling and public intoxication.

3) Civic Beautification and Sign Program

An overall beautification program will help the general aesthetic of downtown. Such a program may include:

- a) Streetscape beautification
- b) Area-wide Paint Up, Fix Up, Clean Up Campaign
- c) Public arts programs
- d) Public/private way finding signs
- e) Administration and staff support

4) Business Recruitment and Retention Program

Preparation of inventories of commercial vacancies, information about incentives and benefits to locating downtown and development of a common vision for the types of businesses and other organizations

would enhance the downtown. Inventory information will facilitate development of specific recruitment and retention strategies for different parts of downtown. Inventories may include:

- a) Community preference surveys
- b) Inventory of vacancies
- c) Advertising vacancies

Administration and staff support to prepare the inventories is included.

#### 5) Commercial Marketing Program

Development of a well-conceived "Buy Local" marketing program that will benefit the whole downtown and to continue the support of long-standing community events through:

- a) Advertising and promotion
- b) Theme development
- c) Special events and activities
- d) Tourism attraction

Other existing programs may be reviewed for supplementation with PBIA special assessments, including but not limited to:

- a) Community events held downtown including Music in the Park, ArtsWalk, Downtown for the Holidays, PRIDE, and the Pet Parade;
- b) Marketing programs including the shopping and restaurant guide, and event management or support;
- c) Programs to clean up downtown that include the semi-annual clean-ups, graffiti management, and mural programs.
- d) Programs to develop partnerships for local governments, quasi-public and non-profit groups that work in or invest resources in downtown on behalf of the public.

Administration and staff support will be included in the programs and projects listed above.

The list of possible services and projects within the general program categories above is illustrative and not exclusive. The costs are estimated only and the PBIA budget shall be established by City Council and expended based on actual receipts, as set forth in Section 10 below.

#### **3.62.030 Levy of Special Assessments**

To finance the programs authorized in OMC 3.62.020, and in recognition of the special benefits created thereby, a special assessment is hereby levied upon and shall be collected annually from all the businesses and multi-family residence owners / operators ("Ratepayers") in the Parking and Business Improvement Area described in OMC 3.62.010, as authorized by RCW 35.87A.080, except non-profit corporations or organizations. Assessments shall not be pro-rated. The special assessments shall be levied upon the Ratepayers in Zones A, B and C according to the rates established as follows:

Business Type	Zone A			Zone B			Zone C		
	Large	Medium	Small	Large	Medium	Small	Large	Medium	Small
Restaurant/Retail	\$750	\$500	\$250	\$600	\$400	\$200	\$300	\$200	\$150
Professional/Service	\$400	\$300	\$200	\$300	\$200	\$150	\$200	\$150	\$150
Financial Institutions	\$750			\$600			\$300		
Lodging/Apartments	30 or less rooms = \$200; 31-50 rooms = \$300; 51+ rooms - \$400								
Personal Care Services	Minimum \$150 plus \$75 per station above 2 stations with a cap of \$500								

Definitions:

**Business.** Means any person, group or entity, including but not limited to a sole proprietorship, partnership, corporation, limited liability partnership or limited liability corporation, that engages in business with the object of gain, benefit, or advantage to the person, group or entity, or to another person or class, directly or indirectly. "Engages in business" as used herein shall have the meaning set forth in Olympia Municipal Code Section 5.04.040.N.

**Employee.** Any person whose work is devoted to the ongoing operation of a business or multi-family residence. As used in this ordinance, "Employee" includes a person with an ownership interest in a business, regardless of whether that person is paid a salary or wages.

**Financial Institution.** Means a bank, savings and loan, credit union, or similar institution.

**Full-Time Equivalent (FTE).** A position or positions requiring work equal to or exceeding forty (40) hours per week.

**Large // Medium // Small.** Based on employee count: FTE's (Full time Equivalent)

- Small 1-3 FTE's
- Medium 4-6 FTE's
- Large 7+ FTE's

**Lodging.** Means engaging in the business defined in OMC Section 5.04.040.MM.3.f. Examples include the rental of rooms by the day or week to community visitors. "Lodging" also means the rental or lease of a residential dwelling unit, if such unit is contained within any building or buildings containing four (4) or more residential units or any combination of residential and commercial units, whether title to the entire property is held in single or undivided ownership or title to individual units is held by owners who also, directly or indirectly through an association, own real property in common with the other unit owners.

**Non-profit corporation or non-profit organization.** "Non-profit corporation or non-profit organization" means a corporation or organization in which no part of the income can be distributed to its members,

directors, or officers and that holds a current tax exempt status as provided under Sec. 501(c)(3) of the Internal Revenue Code, as may hereafter be amended, or is specifically exempted from the requirement to apply for its tax exempt status under Sec. 501(c)(3) of the Internal Revenue Code, or as may hereafter be amended. Where the term "non-profit organization" is used, it is meant to include non-profit corporations.

Personal Care Service Business. Means a hair salon, barber shop, manicurist, tanning salon, acupuncturist, massage therapist, esthetician, exercise studio, yoga studio, Pilates studio, soothsayer, and the like.

Professional Services Businesses. Means Architects, Engineers, Attorneys, Dentists, Doctors, Accountants, Optometrists, Realtors, Insurance Offices, Mortgage Brokers and most other businesses that require advanced and/or specialized licenses and/or advanced academic degrees.

Restaurant. Means a business that sells prepared foods and drinks.

Retail. Means a business that engages in sales at retail and / or retail sales, as those terms are defined in Olympia Municipal Code Section 5.04.040.MM.1.a and .1.c - .1e, but does not include the provision of any services. "Retail" includes, as an example, the buying and reselling of goods, such as that engaged in by clothing stores, shoe stores, office supplies, etc.

Service Business. Means a business that engages in retail services, as that term is defined in Olympia Municipal Code Section 5.04.040.JJ, or engages in the activities set forth in OMC 5.04.040.MM.1.b, MM.2, MM.3a - e, MM.4, and MM.6-7. Examples include repair shops, automotive-oriented service businesses, computer repair and support, tech support services, entertainment businesses such as theaters, etc.

### **3.62.040 Rate Changes**

Changes in the assessment rate shall only be made by ordinance adopted by the Olympia City Council and as authorized in RCW 35.87A.140.

### **3.62.050 Deposit of Revenues**

There is hereby created in the City a separate subaccount designated as the Parking Business Improvement Area Account (called "the Account"). The following monies shall be deposited in the Account:

- A. All revenues from special assessments levied under this ordinance;
- B. All income to the City from public events financed with special assessments;
- C. Gifts, donations and voluntary assessment payments for the Account; and
- D. Interest and all other income from the investment of Account deposits.

### **3.62.060 Collection Schedule**

Special assessments shall be collected on an annual basis.

### **3.62.070 Delinquent Payments**

If an assessment has not been paid within thirty (30) days after its due date, it will be considered delinquent. The City Manager or their designee is authorized to assign delinquent assessments to a collection agency or bring an action in any court of competent jurisdiction.

### **3.62.080 Notices**

Notices of assessment and all other notices contemplated by this ordinance may be sent by ordinary mail or delivered by the City to the address shown on City of Olympia records, as they may be modified from time to time based on information provided by the Program Manager (if any). Failure of the Ratepayer to



receive any mailed notice shall not release the Ratepayer from the duty to pay the assessment and any collection agency charges.

### **3.62.090 Disputes**

Any Ratepayer aggrieved by the amount of an assessment may appeal the City's rate classification to the City Manager or the City Manager's designee for review. The City Manager or the City Manager's designee may uphold the assessment or adjust the assessment consistent with this ordinance. The City Manager's or the City Manager's designee's decision shall be final and not appealable to any court or body. The appellant Ratepayer has the burden of proof to show that the assessment is inconsistent with the applicable assessment fee provided for herein.

### **3.62.100 Expenditures**

Expenditures from the Account shall be made upon vouchers drawn for services rendered and shall be used exclusively for the statutory purposes each as more fully defined in Section 2. Pursuant to RCW 35.87A.110, the City Council shall have the sole discretion and authority to adopt a work program and budget for expenditures from the Account at such times as the Council may determine.

### **3.62.110 Administration**

The City Manager or the City Manager's designee shall administer the program for the City with authority to:

- A. Classify Ratepayers within the three zones under Sections 1 and 3. As part of this classification, the City Manager or designee is authorized to make a determination of the number of regular FTEs employed by a Ratepayer prior to issuing assessment notices each calendar year. The classification and FTE determination shall be based on information from City of Olympia records as they may be modified from time to time based on information provided by the Program Manager (if any);
- B. Collect the special assessments; and
- C. Upon Council approval, execute an annual program management contract with a Program Manager.

### **3.62.120 Contract for Program Management**

Pursuant to RCW 35.87A.110, the City Manager or designee may contract with a chamber of commerce or similar business association entity or entities operating within the boundaries of the PBIA to act as a Program Manager. The Program Manager shall administer the PBIA's operation, including but not limited to implementation of the projects and activities contained in the work program adopted by the City Council under OMC 3.62.020, performing the administrative duties allocated to the City Manager or the City Manager's designee under this Chapter.

Any contract entered into under this Section shall include provisions to address the following:

- A. Provisions for the Program Manager to:
  - 1. Create and maintain a business data base of all Ratepayers within the boundaries of the PBIA;
  - 2. Classify each Ratepayer within each of the three zones, based on the number of regular FTEs for each Ratepayer;
  - 3. Provide the data base and classifications to the City in sufficient time for its use in mailing annual special assessment notices, but no later than November 1 of each calendar year;
  - 4. Perform all basic Municipal Services Contract provisions (periodic billing and reporting requirements, internal controls and maintain accurate records, etc.);
  - 5. Perform the projects and services listed in Section 020 as approved annually by the City Council pursuant to Subsection B.2 below;

6. Submit reimbursement request on vouchers drawn for services rendered (consistent with the Council adopted budget and work program for that calendar year);
7. Provide administrative support for the creation and operation of the PBIA Advisory Board created pursuant to Section 13 below, including soliciting nominations and conducting an election for Board representatives.

B. Provisions for the CITY to:

1. Review the PBIA Advisory Board's annual proposed budget recommendations for special services and projects;
2. Adopt a work program and budget for expenditures;
3. Send a bill to each business within the boundary on an annual basis based on the assessment list provided by the Program Manager;
4. Resolve Ratepayer disputes;
5. Collect special assessments;
6. Pursue collection by sending the bill to a collection agency or commencing an action in a court of competent jurisdiction to collect the special assessment;
7. Review and reimburse eligible expenses; and
8. Conduct periodic review of the Program Manager's performance.

**3.62.130 Advisory Board**

There is hereby created an advisory board to the Olympia City Council. The Board shall consist of an odd number totaling at least ~~15~~ 11 member representatives of Ratepayers representing a diversity of business classifications, interests, and viewpoints within the PBIA. Board members shall be elected by a majority of Ratepayers within the PBIA voting in an election conducted by the Program Manager under Section 12 above. The Council may also appoint a nonvoting Council member representative and/or City staff liaison. The Board's duties shall include the annual development of a proposed work program with specific projects and budgets and the recommendation of the same to the City Council for its consideration, and preparation of a plan for regular communication of PBIA projects and information to Ratepayers, including specific provisions for communication with non-English speaking Ratepayers and other projects and activities as approved by the City Council in the Board's annual work plan.

**3.62.140 Bids Required for Construction of Projects**

Pursuant to RCW 35.87A.200, the City Manager and/or the Program Manager utilized under Section 12 above shall call for competitive bids by appropriate public notice and award contracts, whenever the estimated cost of any Parking and Business Improvement Area public works construction project, including cost of materials, supplies and equipment, exceeds the sum of two thousand five hundred dollars. Pursuant to RCW 35.87A.210, the cost of a public works construction project for the purposes of this Section shall be aggregate of all amounts to be paid for the labor, materials and equipment on one continuous or inter-related project where work is to be performed simultaneously or in near sequence.

Breaking a public works construction project into small units for the purposes of avoiding the minimum dollar amount prescribed herein is contrary to public policy and is prohibited.

**3.62.150 Commencement of Assessments**

Assessments shall commence as of January 1, 2006 for all existing businesses located within the assessment area depicted in Section 1 above. Any new business or multi-family residence commencing operation within the boundaries of the PBIA after November 1 of any given year shall be exempt from

payment of the assessment until November 1 following the business' or multi-family residence's commencement of operation; provided, that no exemption under this section have a duration of longer than one year. Such a business or multi-family residence shall be assessed the January 1 following commencement of its operation. Assessments shall not be prorated.

**3.62.160 Ratification and Confirmation**

The making of contracts and expenditures and the sending of assessment notices pursuant to the authority and prior to the effective date of this ordinance are hereby ratified and confirmed.

**Section 2. Corrections.** The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**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 thirty (30) days after publication, as provided by law.

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MAYOR

**ATTEST:**

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CITY CLERK

**APPROVED AS TO FORM:**

Mark Barber  
CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**



## City Council

### Public Hearing to Consider an Ordinance Declaring a Continuing State of a Public Health Emergency Related to Homelessness and COVID-19 - First and Final Reading

**Agenda Date:** 11/1/2021  
**Agenda Item Number:** 5.B  
**File Number:**21-1014

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**Type:** public hearing **Version:** 1 **Status:** Public Hearing

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#### **Title**

Public Hearing to Consider an Ordinance Declaring a Continuing State of a Public Health Emergency Related to Homelessness and COVID-19 - First and Final Reading

#### **Recommended Action**

##### **Committee Recommendation:**

Not referred to a committee.

##### **City Manager Recommendation:**

Conduct a public hearing and upon closing the hearing move to approve the ordinance declaring a continuing state of public health emergency relating to human health and environmental conditions caused by increasing homelessness and COVID-19 and extending the sunset provision by three years on first and final reading.

#### **Report**

##### **Issue:**

Whether to conduct a public hearing and approve an ordinance declaring a continuing state of public health emergency relating to increasing homelessness and COVID-19 and extending the sunset provision by three years.

##### **Staff Contact:**

Leonard Bauer, Director, Community Planning and Development Department 360.753.8227

##### **Presenter(s):**

Leonard Bauer, Director, Community Planning and Development Director

##### **Background and Analysis:**

Homelessness is an issue of urgent public concern facing Olympia and the region. On June 14, 2018, the Thurston County Board of Health declared homelessness a public health crisis in Thurston County.

The City Council passed and adopted Ordinance No. 7146 on July 17, 2018, declaring a public health emergency related to homelessness (the Ordinance). The Ordinance requires review of the conditions that gave rise to the public health emergency by the City Council every six months to determine if those conditions continue to warrant keeping the Ordinance measures in place. If the Council finds that the conditions still exist, the Ordinance may be extended for an additional six months until the sunset date of December 19, 2021.

After considering public testimony and reviewing the conditions that gave rise to this public health emergency, the City Council found that the conditions still existed and passed and adopted ordinances declaring a *continuing* state of public health emergency relating to homelessness as follows:

- Ordinance No. 7179 - December 18, 2018
- Ordinance No. 7192 - May 7, 2019
- Ordinance No. 7207 - November 12, 2019

After considering public testimony and finding that the emergency relating to homelessness was continuing and increasing in the City of Olympia and was further compounded and exacerbated by the special dangers posed by the COVID-19 pandemic, the City Council passed and adopted the following ordinances declaring a *continuing* state of public health emergency relating to homelessness:

- Ordinance No. 7243 - May 5, 2020
- Ordinance No. 7256 - November 2, 2020
- Ordinance No. 7277 - May 4, 2021

The City has been in the process of identifying and implementing solutions-based actions to address this increasingly challenging issue since first declaring a public health emergency. However, conditions necessitating a public health emergency continue to exist in the City, including widespread unsanctioned camping, threats of communicable diseases from unsanitary conditions, environmental degradation from human waste and garbage, illegal drug use, and improper use of public and private property throughout our community.

The public health emergency relating to homelessness has been further compounded and exacerbated by the special dangers posed by the novel coronavirus COVID-19 pandemic to persons who are homeless. The pandemic has been recognized as a public health emergency by federal, state and City declarations related to the danger posed by the COVID-19 virus.

The above circumstances are and continue to present significant public health and safety issues for the entire community and necessitate urgent further actions to mitigate the conditions giving rise to this threat to public health and safety.

Declaring a state of continuing public health emergency provides a factual basis for the City's present and existing public health emergency and references statutory authority that allows the City more flexibility to act quickly in response to homelessness. Under the Ordinance, the City may, for example, obligate funds, enter into contracts, or site facilities outside of normal time-consuming procedures.

Due to the continuing conditions that have given rise to this public health emergency and the necessity to keep in place the extraordinary measures authorized by the proposed ordinance to respond to this ongoing public health emergency, staff is proposing a three-year extension of the sunset provision to December 19, 2024.

This ordinance declaring a continuing public health emergency, if adopted after the public hearing, shall take effect immediately upon unanimous adoption, and the emergency will be in effect through May 4, 2022. Six months after adoption of this continuing public health emergency ordinance, the City Council will review the conditions that gave rise to this public health emergency to determine if the Ordinance should be extended or amended to permit another six-month period.

**Neighborhood/Community Interests:**

Homelessness and its impacts affect the entire City.

**Options:**

1. Conduct a public hearing and move to approve the ordinance declaring a continuing state of public health emergency relating to human health and environmental conditions caused by increasing homelessness and COVID-19 and extending the sunset provision by three years to December 19, 2024.
2. Conduct a public hearing and move to take no action. The Ordinance declaring a public health emergency due to homelessness and COVID-19 shall sunset and end on December 19, 2021.

**Financial Impact:**

No immediate financial impacts.

**Attachments:**

Ordinance

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

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING TO PUBLIC HEALTH AND SAFETY AND DECLARING A CONTINUING STATE OF PUBLIC HEALTH EMERGENCY RELATING TO HOMELESSNESS AND COVID-19; AUTHORIZING SUCH ACTIONS AS ARE REASONABLE AND NECESSARY TO MITIGATE THE CONDITIONS GIVING RISE TO SUCH PUBLIC HEALTH EMERGENCY; EXTENDING THE SUNSET PROVISION FOR THREE YEARS; AND DECLARING AN EMERGENCY SO THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION**

**WHEREAS**, persistent and increasing homelessness is a public health and safety issue that greatly impacts people experiencing homelessness, as well as the entire community, all citizens, neighborhoods, and businesses; and

**WHEREAS**, the Olympia City Council passed Ordinance No. 7146 on July 17, 2018, finding and declaring a public health emergency relating to human health and environmental conditions caused by increasing homelessness in the City of Olympia; and

**WHEREAS**, since the adoption of Ordinance No. 7146, the number of homeless persons and tents within the downtown zone of the City of Olympia dramatically increased, particularly since August 2018, causing serious and detrimental conditions relating to human health, sanitation, and welfare; and

**WHEREAS**, after considering public testimony and reviewing the conditions that gave rise to this public health emergency, the City Council found that the conditions still existed and passed and adopted ordinances declaring a *continuing* state of public health emergency relating to homelessness as follows:

- Ordinance No. 7179 – December 18, 2018
- Ordinance No. 7192 – May 7, 2019
- Ordinance No. 7207 – November 12, 2019

and

**WHEREAS**, after considering public testimony and finding that the emergency relating to homelessness was continuing and increasing in the City of Olympia and was further compounded and exacerbated by the special dangers posed by the COVID-19 pandemic, the City Council passed and adopted the following ordinances declaring a *continuing* state of public health emergency relating to homelessness:

- Ordinance No. 7243 – May 5, 2020
- Ordinance No. 7256 – November 2, 2020
- Ordinance No. 7277 – May 4, 2021

**WHEREAS**, the number of homeless persons occupying portions of the downtown zone within the City of Olympia has caused significant and real problems for public health and safety relating to human excrement, urine, trash, refuse, needles associated with drug use; all of which pose a serious and immediate danger to public health; and

**WHEREAS**, the Olympia City Council finds that in Olympia and Thurston County and throughout the nation, large numbers of individuals, families and unaccompanied youth are experiencing homelessness due to such factors as job loss, rising housing costs, stagnant and declining wages, family crisis, domestic violence, trauma, substance abuse or addiction, and mental health issues, and discrimination based on

race, disability, sexual orientation, gender expression, and transgender status; and that such conditions have not abated or decreased since the adoption by Council of Ordinance No. 7146 on July 17, 2018, but have shown increasing signs within the City of Olympia; and

**WHEREAS**, communities such as Seattle, Washington; Tacoma, Washington; Portland, Oregon; and Los Angeles, California, have declared states of emergency in order to provide expedited emergency services and shelters for unsheltered individuals, families and unaccompanied youth and are continuing to struggle with the effects of homelessness within their respective jurisdictions; and

**WHEREAS**, the supply of available temporary shelter beds in Thurston County and the City of Olympia is inadequate to meet demand of homeless persons; and

**WHEREAS**, the Eighth Amendment to the U.S. Constitution, as interpreted by the Ninth Circuit Court of Appeals in *Martin v. City of Boise*, 902 F.3d 1031 (Sept. 4, 2018), precludes the City from enforcing criminal ordinances against homeless persons for sleeping outside on public property when there is no access to alternative shelter or lawful camping sites, and the United States Supreme Court declined review of the Ninth Circuit's decision on December 16, 2019, resulting in the *Boise* decision being the law within the Ninth Circuit; and

**WHEREAS**, the Olympia City Council finds there is an emergency need for designated public property so homeless persons may lawfully camp within the City of Olympia with public sanitation facilities, potable water, and collection of trash and refuse for proper solid waste disposal; and

**WHEREAS**, the experience of being unsheltered is traumatic and endangers public health as these conditions expose occupants to harmful weather conditions, communicable diseases such as hepatitis, tuberculosis, respiratory illnesses, malnutrition, and violence; and exacerbate medical conditions such as high blood pressure, diabetes, and asthma because there is no safe place to properly store medications or syringes; and

**WHEREAS**, mental health issues such as depression or schizophrenia often develop or intensify for unsheltered individuals, and those conditions frequently co-occur with a complex mix of severe physical, alcohol and/or substance use, and other social problems; and

**WHEREAS**, when a patient's health is continually compromised by unstable conditions, health care services are rarely effective, and inpatient hospitalization or residential drug treatment and mental health care rarely have lasting impacts when a patient is returned to a homeless environment; and

**WHEREAS**, other environmental degradation can occur, such as damage to critical wetlands and river buffers when occupied by encampments, or surface water contamination due to runoff from garbage that can find its way into groundwater, rivers, and to other waterbodies causing harm to people, fish and wildlife; and

**WHEREAS**, conditions necessitating a public health emergency continue to exist in the City of Olympia, including widespread unsanctioned camping, threats of communicable diseases from unsanitary conditions, environmental degradation from human waste and garbage, illegal drug use, and improper use of public and private property throughout our community; and

**WHEREAS**, the above circumstances are and continue to present significant public health and safety issues for the entire community and necessitate urgent further actions to mitigate the conditions giving rise to this threat to public health and safety; and

**WHEREAS**, the City of Olympia is confronted with exigent financial circumstances related to this public health and safety emergency to protect its citizens and residents, and to protect the community; and



**WHEREAS**, the growing homeless population in the City of Olympia has surpassed Olympia’s available means and resources, such that assistance is urgently needed from Thurston County and the State of Washington to make available county and state lands, buildings, and other resources to help provide temporary camping and shelter for Olympia’s homeless population; and

**WHEREAS**, the public health emergency relating to homelessness has been further compounded and exacerbated by the special dangers posed by the novel coronavirus COVID-19 pandemic to persons who are homeless, and said pandemic has been recognized as a public health emergency by federal, state and City declarations related to the danger posed by the COVID-19 virus; and

**WHEREAS**, the above circumstances warrant the exercise of the City of Olympia’s power to declare a public health emergency under authority of Article XI, Section 11, of the Washington State Constitution; 35A.11.020 RCW; 35A.11.030 RCW; 35A.13.190 RCW; 35A.38.010 RCW; 35.33.081 RCW; Chapter 38.52 RCW; Chapter 39.04 RCW; WAC 197-11-880; and other applicable laws and regulations, and pursuant to Chapter 2.24 of the Olympia Municipal Code, and pursuant thereto, and the authorization of such extraordinary measures as are reasonable and necessary in light of such continuing public health emergency to mitigate the conditions giving rise to the public health emergency; and

**WHEREAS**, the City Council has reviewed the conditions that have given rise to this public health emergency to determine if such conditions warrant keeping in place the extraordinary measures authorized herein to respond to this continuing public health emergency; and

**WHEREAS**, the City Council finds such conditions still exist and determines it to be in the best interest of the residents of the City of Olympia to extend the ordinance declaring a public health emergency due to homelessness and COVID-19 for an additional six (6) month period, and extend its sunset provision for an additional three (3) years to December 19, 2024;

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

**Section 1.** The above-stated recitals are adopted as findings of the Olympia City Council and are incorporated by this reference as though fully set forth herein.

**Section 2.** It is hereby declared that a continuing state of public health emergency exists due to an exigent threat to human health and environmental conditions related to homelessness and COVID-19 affecting the City of Olympia. Therefore:

- A.** The City Manager is hereby authorized and empowered to carry out those powers and duties as are reasonable and necessary to mitigate the effects of the emergency.
- B.** All of the personnel, services and facilities of the City of Olympia will be utilized as needed, in response to the emergency needs of the community.
- C.** Those departments, officers, and employees of the City of Olympia are authorized and empowered, among other things, to do the following:
  - (1) Obligate funds for emergency expenditures as directed by the City Council;
  - (2) Enter into contracts and incur obligations necessary to combat such emergency situations to protect the public health and safety of persons and property;
  - (3) Provide appropriate emergency shelter or lawful camping sites to houseless individuals; and
  - (4) Take other actions, as appropriate, in response to such public health emergency.
- D.** Each designated City department is authorized to exercise the powers vested under Section 2 of this Ordinance in the light of these exigencies of an extreme emergency situation without regard to time consuming procedures and formalities prescribed by law (with the exception of mandatory constitutional requirements).

- E. The Mayor is authorized to submit a written request to the Board of Commissioners for Thurston County, and to Governor Jay Inslee, to make available county and state lands, buildings, and other resources to address the public health emergency caused by the rapidly growing homeless population in the City of Olympia.

**Section 3. Sunset Provision.** This Ordinance shall sunset and no longer be in force or effect at 11:59 p.m. on December 19, ~~2021~~ 2024. The City Council shall, no later than six (6) months after the effective date of this Ordinance, review the conditions that have given rise to this public health emergency to determine if such conditions warrant keeping in place the extraordinary measures authorized herein to respond to this continuing public health emergency. If the City Council finds such conditions still exist, the City Council may extend this ordinance for an additional six (6) month period and can do so successively until the sunset date on December 19, ~~2021~~ 2024.

**Section 4. Corrections.** The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 5. 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 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 is for the immediate preservation of public peace, health, safety, and welfare pursuant to City of Olympia public health emergency Ordinance No. 7146, and as continued by Ordinance Nos. 7179, 7192, 7207, 7243, 7256, and 7277, and shall take immediate effect upon adoption, as provided by law.

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MAYOR

**ATTEST:**

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CITY CLERK

**APPROVED AS TO FORM:**

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**Mark Barber**  
CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**



## City Council

### 2022 Preliminary Operating Budget Briefing

**Agenda Date:** 11/1/2021  
**Agenda Item Number:** 6.A  
**File Number:**21-1046

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**Type:** report **Version:** 1 **Status:** Other Business

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**Title**

2022 Preliminary Operating Budget Briefing

**Recommended Action**

**Committee Recommendation:**

Not referred to a committee.

**City Manager Recommendation:**

Receive a briefing on the 2022 Preliminary Operating Budget presentation and begin budget discussions. Briefing only. No action requested.

**Report**

**Issue:**

Whether to receive a briefing on the Preliminary 2022 Preliminary Operating Budget.

**Staff Contact:**

Aaron BeMiller, Finance Director, 360.753.8465

**Presenter(s):**

Jay Burney, City Manager

Aaron BeMiller, Finance Director

**Background and Analysis:**

The City's 2022 Preliminary Operating Budget will be presented to Council. The preliminary budget maintains basic service levels and programs as well as reductions and enhancements in various areas.

The 2022 Preliminary Operating Budget recommends appropriations to fund:

1. General Fund - basic core municipal services such as Fire, Police and Parks, etc.
2. Debt Service Funds - debt service to support outstanding debt obligations.
3. Enterprise Funds - utility operational services.
4. Specials Funds - providing appropriations for lodging tax recipients and Parking Business Improvement Area.
5. Operating transfers between funds, including revenues collected through special revenue and

utility funds that will be transferred to the capital budget to support projects.

Staff will present an overview of the 2022 Preliminary Operating Budget, the budget process, and revenue and expense assumptions.

The Finance Committee and City Council will continue discussing the operating budget at the following scheduled meetings:

- November 3** Finance Committee Special Meeting - Budget discussion
- November 9** City Council - Public Hearing on Ad Valorem Tax. Discussion on Utility Rates, General Facility Charges, Impact Fees, Lodging Tax, and PBI
- November 16** City Council - Public Hearing - 2022 Operating & Capital Budgets
- November 17** Finance Committee - Unfunded Needs, End of Year Recommendations, Budget Changes
- November 23** City Council - Budget Changes/Balancing
- November 24** Finance Committee Special Meeting (if necessary) - Budget Balancing
- December 7** City Council - First reading, 2022 Operating & Capital Budget Ordinance
- December 14** City Council - Adopt Final 2022 Operating & Capital Budget Ordinance - Second Reading

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

The City's budget is a policy document, financial plan, and communications tool that reflects the City Council's planned activities for the budget year.

**Options:**

1. Receive the briefing.
2. Do not receive the briefing.
3. Receive the briefing at another time.

**Attachments:**

None