

**TUMWATER PUBLIC HEALTH AND SAFETY COMMITTEE
MINUTES OF MEETING
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CONVENE: 8:01 a.m.

PRESENT: Chair Tom Oliva and Councilmembers Michael Althausser and Leatta Dahlhoff.

Staff: Fire Chief Scott LaVielle, Police Chief Jon Weiks, and Secretary Valerie Gow.

**HOMELAND
SECURITY REGION 3
MUTUAL AID
CONTRACT
RENEWAL:**

Fire Chief LaVielle briefed the committee on the request to forward the proposed contract renewal for Homeland Security Region 3 Mutual Aid to the Council for consideration.

The agreement was originated after the September 11, 2001 terrorist attacks. The State of Washington separated into nine Homeland Security Regions. The City of Tumwater is in Region 3. The Region meets monthly and participates in training with neighboring jurisdictions. Region 3 is comprised of Thurston, Mason, Lewis, Grays Harbor, and Pacific Counties, as well as the tribes. The agreement provides for the sharing of resources if a disaster occurs in any of the counties. The renewal would be effective until December 31, 2023. The City of Tumwater has not had the opportunity to take advantage of the agreement other than when a mudslide occurred in Grays Harbor County. At that time, Thurston County provided resources to help mitigate mudslides. The City has participated in some active shooter drills and training with partners to the agreement in 2015.

Councilmember Althausser asked whether the proposed agreement includes any updates or changes from the prior agreement. Fire Chief LaVielle said there were no changes or updates. Both the Fire Department and the City Attorney reviewed the agreement and recommend approval.

CONSENSUS: **The Public Health and Safety Committee recommended the City Council authorize the Mayor to sign the agreement renewal with Homeland Security Region 3 for mutual aid.**

**ORDINANCE NO.
O3029-027,
AMENDING TMC 8.08
NOISE CONTROL:**

Police Chief Weiks reported the proposed amendments were initiated by the Thurston County Prosecutor's Office to update the Tumwater Municipal Code (TMC) in response to an ongoing noise issue that was not adequately defined in the TMC. The Prosecutor's Office is recommending the changes, which were reviewed by City Attorney Kirkpatrick who is recommending approval to update the TMC. The amendment adds a definition for "EDNA" to TMC 8.08.020 and descriptive language regarding raucous, frequent, repetitive, and/or continuous sounds to TMC 8.08.030, and a minor change in language to TMC 8.08.040. The update was prompted by a skateboard park in a

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neighborhood that was not constructed to building codes and created repetitive noise from skateboards that disturbed the peace of an adjacent neighborhood. A local neighbor completed a study on the noise; however, the Prosecutor's Office did not believe the TMC included specific language and subsequently did not move forward with action. The proposed amendment addresses the loophole.

Staff requests the committee authorize staff to move draft Ordinance No. O2019-017 to the Council for consideration.

Councilmember Dahlhoff questioned the inconsistency in time ranges between the table on page 5 of the ordinance and the language that speaks to 10 a.m. to 7 p.m. in section 2 (page 5). Police Chief Weiks advised that the language in Section 2 is more specific than the EDNA Table.

Councilmember Dahlhoff asked about the reason for including "sanitarium" in Chapter 8.08.030 C. Police Chief Weiks said the use is included in the event of a sanitarium locating in the City. Throughout the TMC, many land uses not currently located in Tumwater are included to ensure the regulations are applicable to those future uses.

Councilmember Dahlhoff cited the inclusion of "phonograph" and suggested updating some of the descriptions. Police Chief Weiks advised that the language is broad to cover all circumstances.

Chair Oliva suggested updating the term for "sanitarium." Police Chief Weiks affirmed he would follow up with City Attorney Kirkpatrick and Development Director Matlock for possible substitution of language.

CONSENSUS:

The Public Health and Safety Committee forwarded the draft ordinance amending portions of TMC 8.08 Noise Control to the City Council for consideration pending a review and substitution of language by staff.

**GUIDANCE FOR
FIRST RESPONDERS:**

Fire Chief LaVielle briefed the committee on the review of response policies to ensure compliance with the Council's Housing Action Plan. He cited copies of police and fire policies guiding emergency response to the homeless population and encampments, and available community resources.

Staff reviewed the policies pursuant to the Council Housing Action Plan directing the review and clarification as necessary of all policies related to homelessness for first responders. The policies are in compliance with the Council's Housing Action Plan.

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The policies enable first responder response, as well as having the required resources to provide assistance in aiding the homeless seeking shelter or ensuring first responders are safe when responding to situations at homeless encampments that often located in unsafe environments. The Fire Department developed policies on interaction with the homeless to guide first responders and to remind personnel of the importance of ensuring situational awareness when responding to those types of incidents. Fire Department personnel often ask for law enforcement assistance if the situation warrants. In most instances, law enforcement assistance is not required. The guidance will be reviewed with and provided to all first responders.

Fire Chief LaVielle spoke to the importance of treating all individuals with dignity and respect regardless of the situation during a response incident. The policies assist in guiding first responders through different situations and stress the importance of situational awareness and the importance of wearing personal protection equipment.

The policies also include a list of resources available for first responders to contact 24 hours a day and the specific criteria for the services.

Fire Chief LaVielle advised of a situation involving a family with children arriving at the Fire Station seeking shelter. Fire crews provided the family with shelter for the evening. The Police Department has also provided similar service periodically.

Commissioner Dahlhoff asked whether staff is tracking those situations. Fire Chief LaVielle affirmed the information has been forwarded to City Administrator Doan. That prompted the development of the resource list so personnel would have the resources for referring those in need of shelter or other services. The information on resources will be included on all engines and medic units.

Commissioner Althausen asked whether staff tracks interactions in the field with the homeless that require some form of intervention. He asked that staff record the data and share the information with the Council to provide a snapshot of the scope of the problem beyond the one day count of the homeless. Fire Chief LaVielle confirmed the request. Each time a response occurs, the response generates a report, which can be analyzed to determine if additional transport was required or how the person was assisted. Police Chief Weiks said he is unsure whether the Police Department would have the same ability to generate a report, as homelessness is not a reporting category. He is unsure whether specific numbers could be provided; however, the

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number of interactions is very low. In those cases, when the Police Department retains the property if the department moves or assists an individual through a community caretaking function that information would be available. Currently, the department's reporting program does not include a data point to capture homeless incidents.

Fire Chief LaVielle added that the Fire Department's responses are lower than the Police Department; however, personnel could be informed about the need to track data. He was able to learn about the assistance by the crew for the family when he met with personnel to develop the guidelines. Each department shift could serve as a good source of intelligence on what is occurring in the community. The difficulty of tracking data is the lack of a reportable address when responding to a call. Tracking the number of responses would be time-consuming because it would require a review of each case narrative. Meeting with the crews could also provide the information as personnel have knowledge of the conditions, location, and size of encampments. He offered to provide a follow-up report in June.

Chair Oliva asked whether the policies were developed by assessing the need or reviewing best practices from across the country. Police Chief Weiks replied that the Police Department subscribes to the Lexipol service which provides source information on all public safety policy and training needs. Lexipol provides updates twice a year on policies or when emergency updates are released through a new state law or federal law. The department's emergent detention policy has been in effect since 2010 and the homeless policy was released in 2011.

Councilmember Althaus asked about the period of notice the City provides when an encampment needs to be removed, and whether that provision is included in any City policy. Police Chief Weiks said the issue was addressed as part of the policy review process. The City has never encountered that type of an incident. However, staff polled the City of Olympia about its process. An outline from the City of Olympia was obtained but staff has not begun drafting a similar policy. Councilmember Althaus asked about the status of the homeless encampment near Percival Creek. Police Chief Weiks replied that the encampment has not moved. Since the Boise court case decision, the City is exploring options. The issue of moving the encampment off City property is determining a new location or options that could be provided to the homeless. The City continues to work on those issues.

Commissioner Dahlhoff asked whether procedures have been developed for the policies. Police Chief Weiks advised that staff continues to work on procedures that will be encompassed after

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determining how the Boise decision will impact the City moving forward. After some steps are identified, the procedures will be finalized.

Fire Chief LaVielle cited his former position as Fire Marshal for White Center. The area housed a large tent city of homeless individuals located on church property. As the Fire Marshal, his concerns centered on aisle widths, safety of responders, safety of individuals during a response, the lack of proper lighting, sanitation, and fire hazards. Following a meeting with the leadership, a plan was devised to bring the area up to code to ensure an adequate width of aisles, placement of garbage cans, banning fires, and improvements to overall safety for residents and for responders. Some ways to resolve issues are determining ways to meet with leadership and discussing various options to increase safety for everyone.

ADJOURNMENT: **With there being no further business, Chair Oliva adjourned the meeting at 8:31 a.m.**