

**** Per Section 3 of Anacortes [Resolution 2082](#) Ratifying Proclamation of Emergency and Providing Temporary Procedures to Respond to the COVID-19 Epidemic, adopted by the Anacortes City Council on March 16, 2020, and [Resolution 3038](#), adopted June 28, 2021, extending the duration of portions of Resolution 2082 through September 30, 2021, City Council meetings may be held partially or entirely virtually.**

- Meetings may be viewed on the [City of Anacortes website](#), on the City of Anacortes [YouTube](#) Channel, or on TV [Channel 10](#).
- The public may also watch, listen to, or participate in the meeting live by visiting <https://us02web.zoom.us/j/89255646791> or by telephoning 1-253-215-8782 and entering Meeting ID 892 5564 6791.
- The public is encouraged to comment via email to cityclerk@cityofanacortes.org or via written comment addressed to City Clerk, P.O. Box 547, Anacortes, WA 98221. Public comments received by the [City Clerk](#) prior to 3:00 p.m. the day of the meeting will become part of the record for the meeting, just as if presented in person.
- Complete guidelines for virtual participation in Anacortes City Council meetings are available [here](#). View the quick video example for connecting to the meeting [here](#).



Anacortes City Council

Municipal Building Council Chambers

**** Attendees in Council Chambers must comply with [Dept. of Health orders](#) in effect on the date of each meeting ****

July 12, 2021
6:00 PM

PRELIMINARY AGENDA

[Packet Materials](#) / [Watch Meeting](#)

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Announcements and Committee Reports**
 - a. COVID-19 Update (Discussion)
 - b. Housing Affordability and Community Services Committee (Discussion)
 - c. Planning Committee (Discussion)
- 4. Public Comment**
- 5. Consent Agenda**
 - a. Minutes of July 6, 2021 (Action)
 - b. Approval of claims in the amount of \$570,121.33 (Action)
 - c. Street Fair Application: Fueling Education Fun Run, Shell Puget Sound Refinery (Action)
- 6. Public Hearings**
 - a. * Ordinance 3091: An Interim Ordinance to Facilitate the Development of Day Care Facilities in the R4 Zone (Discussion/Possible Action)
- 7. Other Business**
 - a. * Resolution 3042: A Resolution establishing the 2021 Docket of Comprehensive Plan and Development Regulation Amendments (Discussion/Action)

Per Resolution 2044, citizens wishing to comment on items not on the agenda may do so under the Public Comment portion of the agenda. Citizens wishing to comment on agenda items indicated with an asterisk (*) may do so as those items are considered by Council during the course of the meeting.

The City of Anacortes is committed to making public meetings available and accessible to all members of the community. For assistance with special needs, please contact the City Clerk at 360-299-1960 in advance of the meeting.

- b. * Ordinance 3092: Repealing AMC Chapter 5.47 Related to Single-Use Plastic Bags (Discussion/Possible Action)
 - c. * Thompson Train Static Display Plan (Discussion/Possible Action)
8. **Adjournment**

Per Resolution 2044, citizens wishing to comment on items not on the agenda may do so under the Public Comment portion of the agenda. Citizens wishing to comment on agenda items indicated with an asterisk () may do so as those items are considered by Council during the course of the meeting.*

The City of Anacortes is committed to making public meetings available and accessible to all members of the community.
For assistance with special needs, please contact the City Clerk at 360-299-1960 in advance of the meeting.

Anacortes City Council Minutes - July 6, 2021

Call to Order

Mayor Laurie Gere called to order the Anacortes City Council meeting of July 6, 2021 at 6:00 p.m. Councilmembers Anthony Young, Ryan Walters, Christine Cleland-McGrath, Carolyn Moulton, Bruce McDougall and Matt Miller were present. Councilmember Jeremy Carter was absent. Mr. Carter had been excused in advance at the May 24, 2021 regular City Council meeting.

Pledge of Allegiance

The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

COVID-19 Update and Reopening Report: Mayor Gere announced that City Hall had reopened for regular business hours and that the Anacortes Senior Activity Center had reopened earlier in the day. She noted that the present meeting was the first City Council meeting back in the Council chambers since March 2020.

Mayor Gere shared current case statistics and vaccination progress for Anacortes, Skagit County and Washington State. The mayor summarized the current statewide reopening guidance.

4th of July Report: Mayor Gere reported on the very successful 4th of July celebration on Sunday, July 4. She thanked a long list of staff, volunteers and donors who made the events possible.

Information Technology Committee: Mr. McDougall reported from the Committee meeting held the previous week. The topics discussed included the robust disaster recovery system, the VOIP phone system, email retention policy, the new hybrid virtual meeting technology, and budget priorities for 2022.

Port/City Liaison Committee: Ms. Cleland-McGrath reported from the Committee meeting held earlier in the day. The topics discussed included the Port's July 1 reopening, the community concert series for the summer, the Transit Shed, the outfall and 2nd Street.

Public Comment

No one present wished to address the Council on any topic not already on the agenda.

Consent Agenda

Ms. Cleland-McGrath removed Item 5c, Street Fair Application: Anacortes Arts Festival, from the Consent Agenda. CHRISTINE CLELAND-MCGRATH moved, seconded by MATT MILLER, to approve Consent Agenda items A, B, D and E. The motion carried unanimously by voice vote.

- a. Minutes of June 28, 2021
- b. Approval of claims in the amount of \$324,993.18
 - The following vouchers/checks were approved for payment:
 - EFT numbers: 100525 through 100556, total \$259,944.26
 - Check numbers: 100557 through 100568, total \$59,880.08
 - Wire transfer numbers: 276427 through 286589, total \$5,168.84
- d. Street Fair Application: Jennifer Bowman Birthday Party Street Closure
- e. Interlocal Agreement #21-165-MCT-001 with Skagit County: Community Court Program

f. Street Fair Application: Anacortes Arts Festival

Ms. Cleland-McGrath announced that she is on the Board of the Anacortes Arts Festival so she would abstain from voting on the application. MATT MILLER moved, seconded by ANTHONY YOUNG, to approve Consent Agenda Item 5c. The motion carried unanimously by voice vote, with Ms. Cleland-McGrath abstaining.

Other Business

Museum Advisory Board Appointment Confirmation

Mayor Gere requested Council confirmation of her appointment of Judith Zersen to the Museum Advisory Board to complete an unexpired term expiring December 31, 2022.

RYAN WALTERS moved, seconded by ANTHONY YOUNG, that Judith Zersen be confirmed as a Museum Advisory Board Member. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, MATT MILLER. Nays - None. Result: Passed

Contract Award: City Hall Parking Lot LID Retrofit Project #21-001-STM-002

Project Manager Tim Hohmann requested City Council consent to award a contract in the amount of \$403,928.27 to Valdez Construction, Inc. to perform the City Hall Parking Lot LID Retrofit Project. Mr. Hohmann described the project, referring to the packet materials for this agenda item. He responded to councilmember questions about street trees in the project area, net change in parking spaces, ADA compliance, and bicycle parking.

CAROLYN MOULTON moved, seconded by ANTHONY YOUNG, to authorize the Mayor to sign contract 21-001-STM-002 with Valdez Construction, Inc. in the amount of \$403,928.27 to perform the City Hall Parking Lot LID Retrofit Project. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, MATT MILLER. Nays - None. Result: Passed

Adjournment

There being no further business, at approximately 6:35 p.m. the Anacortes City Council meeting of July 6, 2021 was adjourned.

The following claims against the City of Anacortes have been preaudited and certified by the Clerk-Treasurer as ready for City Council approval at the July 12, 2021 City Council meeting:
[Download this file in OpenDocument spreadsheet format.](#)

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
286777	2/28/2021	25280	ORCA INFORMATION, INC	BACKGROUND CHECKS	\$ 122.00	hr
286960	4/15/2021	P1819-2-6	QCC QUALITY CONTROLS CORP.	WTP CONTROLS MODIFICATIONS PROJECT - PHASES 2 & 3 BAS TRAINS CONTROLS UPGRADE	\$ 1,627.50	dwtp
286951	6/1/2021	3005975898	TK ELEVATOR CORP	ELEVATOR MAINTENANCE: 6/1 - 8/31	\$ 683.24	medic
286907	6/1/2021	331 0578134	UNIFIRST CORPORATION	UNIFORM LAUNDRY - FIBER	\$ 40.76	fiber
286947	6/16/2021	90708849	OFS FITEL, LLC	S.F.I.W.S. TELEMTRY EXPANSION DESIGN - PHASE 1	\$ 6,250.00	dwtp
286703	6/20/2021	9882384426	VERIZON WIRELESS	SCADA COMMUNICATIONS 5/21-6/20/21	\$ 1,190.76	dwtp
286649	6/21/2021	10842	SKAGIT PUBLISHING LLC	PUBLISH AA-109076	\$ 93.38	finance
286650	6/21/2021	10843	SKAGIT PUBLISHING LLC	PUBLISH AA-109323	\$ 48.72	finance
286651	6/21/2021	10844	SKAGIT PUBLISHING LLC	PUBLISH AA-109474	\$ 113.68	finance
286652	6/21/2021	10845	SKAGIT PUBLISHING LLC	PUBLISH AA-110687	\$ 219.24	finance
286653	6/21/2021	10846	SKAGIT PUBLISHING LLC	PUBLISH AA-110760	\$ 138.04	finance
286789	6/22/2021	303276	BAY CITY SUPPLY	FACILITY USE ITEMS	\$ 813.90	pwfac
286790	6/22/2021	303316	BAY CITY SUPPLY	FACILITY USE	\$ 71.01	pwfac
286927	6/23/2021	60233	AMERICAN DISTRIBUTING COMPANY	LIGNIN	\$ 6,681.41	dshop
286961	6/23/2021	BC1385279	GALLS, LLC.	ANNUAL CLASS B UNIFORM ORDER (MULTIPLE	\$ 5,950.41	medic
286702	6/23/2021	757754	HASA, INC	PLANT CHEMICALS	\$ 4,781.46	dwtp
286769	6/23/2021	MV256528	MOTOR TRUCKS, INC	TENSIONER ASSY FAN #609	\$ 454.06	dshop
286655	6/23/2021	10911	SKAGIT PUBLISHING LLC	PUBLISH AA-112326	\$ 121.80	finance
286656	6/23/2021	10912	SKAGIT PUBLISHING LLC	PUBLISH AA-112873	\$ 166.46	finance
286657	6/23/2021	10913	SKAGIT PUBLISHING LLC	PUBLISH AA-112930	\$ 129.92	finance
286658	6/23/2021	10914	SKAGIT PUBLISHING LLC	PUBLISH AA-112981	\$ 170.52	finance
286659	6/23/2021	10915	SKAGIT PUBLISHING LLC	PUBLISH AA-113003	\$ 158.34	finance
286791	6/24/2021	303316A	BAY CITY SUPPLY	FACILITY USE ITEMS	\$ 49.11	pwfac
286645	6/25/2021	9712	C & C TIMBER INC	FIREWOOD RESALE ITEM WA PARK	\$ 1,540.00	parks1
286948	6/25/2021	000017092 - 5	H W LOCHNER INC	R AVENUE LONG-TERM IMPROVEMENT PROJECT - ENGINEERING - 5/29/21-6/25/21	\$ 42,623.45	pw1
286792	6/25/2021	52731	MT BAKER OVERHEAD DOORS INC	OPS GARAGE DOOR REPAIR	\$ 179.52	pwfac
286925	6/25/2021	0620716-IN	NATIONAL SAFETY, INC	SAFETY GEAR- WATER DEPT	\$ 868.57	wdist
286647	6/26/2021	165139	LAKESIDE INDUSTRIES, INC.	EZ STREET ASPHALT- WATER	\$ 1,075.91	wdist
286648	6/26/2021	165140	LAKESIDE INDUSTRIES, INC.	EZ STREET ASPHALT- WATER	\$ 1,037.63	wdist
286934	6/26/2021	9882853188	VERIZON WIRELESS	WTP SCADA MODEM 5/27-6/26/21	\$ 529.36	dwtp
286641	6/28/2021	1870015	MILES SAND & GRAVEL CO.	CRUSHED ROCK	\$ 183.87	dshop

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
286710	6/28/2021	220015149234	PUGET SOUND ENERGY INC	8147 S MARCH PT RD ST LIGHT 5/28 - 6/28/21	\$ 27.92	dshop
286794	6/28/2021	2128-01	QUANTUM CONSTRUCTION, INC	PRESTON LADDER REPAIR	\$ 4,281.77	pwfac
286793	6/28/2021	106400	VECA ELECTRIC & TECHNOLOGIES	GENERATOR CABLES FOR LIBRARY	\$ 1,499.62	pwfac
286643	6/28/2021	360-293-6427-0218975	ZIPLY FIBER	CITY HALL 911 6/28-7/27/21	\$ 81.01	finance
286644	6/28/2021	360-299-3674-0214175	ZIPLY FIBER	OPS 6/28 - 7/27/21	\$ 71.71	dshop
286699	6/28/2021	360-299-0813-1017915	ZIPLY FIBER	WWTP 6/28-7/27/21	\$ 416.62	dwwtp
286917	6/28/2021	360-588-9248-0619005	ZIPLY FIBER	APD BACKUP LINE 6/28-7/27/21	\$ 210.00	apd
286918	6/28/2021	360-588-1422-0822015	ZIPLY FIBER	APD BUSINESS LINE 6/28-7/27/21	\$ 306.66	apd
286919	6/28/2021	360-293-4900-0912865	ZIPLY FIBER	APD BAC LINE 6/28-7/27/21	\$ 87.43	apd
286920	6/28/2021	360-299-6615-0615165	ZIPLY FIBER	APD 911 LINE 6/28-7/27/21	\$ 74.64	apd
286937	6/28/2021	360-299-2484-0726025	ZIPLY FIBER	LIBRARY PHONE 6/28-7/27/21	\$ 58.06	publib
286953	6/28/2021	360-293-9063-0926075	ZIPLY FIBER	STA 3 PHONE/FAX/INTERNET 6/28-7/27/21	\$ 90.83	medic
286788	6/29/2021	303276A	BAY CITY SUPPLY	FACILITY USE ITEMS	\$ 113.22	pwfac
286916	6/29/2021	018703126	GALLS, LLC.	UNIFORM SHIRTS - NEW OFC MELTON	\$ 121.46	apd
286642	6/29/2021	805-71010	GCR TIRES & SERVICES	TRUCK TIRE DISPOSAL FEE	\$ 29.38	dshop
286926	6/29/2021	INV-21742	IMAGE360	GRAPHICS- #028	\$ 387.80	dshop
286712	6/29/2021	225891	NAPA	VAC/CAP- #176	\$ 5.05	dshop
286713	6/29/2021	225877	NAPA	FITTINGS, PUSH-ON SPLICER- #176	\$ 21.01	dshop
286646	6/29/2021	10361319	NAVIA BENEFIT SOLUTIONS, INC	JUNE PARTICIPANT FEES	\$ 132.80	hr
286945	6/29/2021	51610	ROBINSON BROTHERS	MUNICIPAL BROADBAND NETWORK - 2021 WESTSIDE BACKBONE EXPANSION	\$ 192,279.30	fiber
286958	6/29/2021	18398	TRANSPORTATION SOLUTIONS INC	TRANSPORTATION CONCURRENCY MANAGEMENT - 21ST STREET TOWNHOMES	\$ 2,340.00	plan
286952	6/29/2021	210789	T-SHIRTS BY DESIGN	T-SHIRTS FOR ANTIQUE ENGINE CREW	\$ 248.06	medic
286700	6/30/2021	12685	BUD CLARY CHEVROLET, INC.	2021 CHEVY SILVERADO	\$ 36,270.64	dshop
286763	6/30/2021	248 984 6277 5	CASCADE NATURAL GAS CORP.	WTP 6/2-6/29/21	\$ 1,176.06	dwwtp
286949	6/30/2021	2020-39	CURTIS EMERGENCY SERVICES LLC	WATER SYSTEM RISK & RESILIENCE ASSESSMENT & EMERGENCY RESPONSE PLAN - JUNE 2020	\$ 11,400.00	dwwtp
286950	6/30/2021	2020-38	CURTIS EMERGENCY SERVICES LLC	EMERGENCY MANAGEMENT SERVICES - JUNE 2021	\$ 1,350.00	medic
286764	6/30/2021	WABUR226950	FASTENAL COMPANY	WTP BOLTS, NUTS, ETC STOCK	\$ 43.88	dwwtp

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
286778	6/30/2021	54924	G12 COMMUNICATIONS	SIP TRUNKS 6/23-7/31/21	\$ 980.69	infosys
286924	6/30/2021	I5828583	HD FOWLER COMPANY INC	2" OPERATING NUT	\$ 102.62	wdist
286944	6/30/2021	RefundKrause	KRAUSE JR., WILLIAM	CAMPING REFUND A14 07/08-07/11	\$ 83.00	parks1
286701	6/30/2021	51161	KRIEG CONSTRUCTION, INC	3/8" HMA	\$ 14,558.47	dshop
286781	6/30/2021	0264-JUN21	LAW OFFICE OF CARA LORENZO	PUB DEF CONFL	\$ 6.50	court
286782	6/30/2021	0269-JUN21	LAW OFFICE OF CARA LORENZO	PUB DEF CONFLC	\$ 39.00	court
286783	6/30/2021	0267-JUN21	LAW OFFICE OF CARA LORENZO	PUB DEF CONFL	\$ 58.50	court
286784	6/30/2021	0266-JUN21	LAW OFFICE OF CARA LORENZO	PUB DEF CONFL	\$ 6.50	court
286785	6/30/2021	0268-JUN21	LAW OFFICE OF CARA LORENZO	PUB DEF CONFL	\$ 58.50	court
286786	6/30/2021	0265-JUN21	LAW OFFICE OF CARA LORENZO	PUB DEF CONFL	\$ 201.50	court
286787	6/30/2021	0270-JUN21	LAW OFFICE OF CARA LORENZO	PUB DEF CONFL	\$ 273.00	court
286705	6/30/2021	MV256918	MOTOR TRUCKS, INC	MIRROR GLASS KIT- #609	\$ 120.23	dshop
286711	6/30/2021	226175	NAPA	FRONT BRAKE PADS- #150	\$ 32.63	dshop
286946	6/30/2021	#0621	NELSON, BONNIE	AGING MASTERY PROGRAM ADMINISTRATION - JUNE 2021	\$ 237.50	parks1
286943	6/30/2021	26681	ORCA INFORMATION, INC	BACKGROUND CHECKS	\$ 275.00	hr
286929	6/30/2021	220025931985	PUGET SOUND ENERGY INC	CHERRY LN & ORCHARD AVE STREET LIGHTS 06/02- 06/30/21	\$ 7.52	dshop
286935	6/30/2021	200000666863	PUGET SOUND ENERGY INC	LIBRARY 10TH STREET LED 6/2-6/30/21	\$ 9.33	publib
286936	6/30/2021	200000667218	PUGET SOUND ENERGY INC	LIBRARY 10TH & M ST 6/2-6/30/21	\$ 19.82	publib
286959	6/30/2021	022577	REECE, STORMIE	DEPOT CLEANING JUNE 2021	\$ 682.00	parks1
286969	6/30/2021	CL27493	REISNER DISTRIBUTOR INC	VEHICLE FUEL - JUNE	\$ 23,211.63	finance
286942	6/30/2021	INV00665058	SMARSH, INC	TEXT ARCHIVING PLATFORM 6/1-6/30/21	\$ 110.47	infosys
286760	6/30/2021	331 0582590	UNIFIRST CORPORATION	WTP LAUNDRY SERVICE	\$ 102.50	dwwtp
286904	6/30/2021	49265239	UNIVAR USA INC	PUMP STATION CHEMICALS	\$ 226.85	dwwtp
286905	6/30/2021	49265240	UNIVAR USA INC	PUMP STATION CHEMICALS	\$ 226.85	dwwtp
286962	6/30/2021	COURT & BUILDING FEE	WASHINGTON STATE TREASURER	COURT & BLDG FEES TO STATE - QTR 2	\$ 35,161.85	finance
286779	7/1/2021	20262	ALL AMERICAN LEADERSHIP	JULY 2021 ONLINE LEADERSHIP DEV PROGRAM	\$ 1,000.00	pw1
286708	7/1/2021	P169803	CORE & MAIN LP	ALL PURPOSE METER SPUD WRENCH	\$ 492.43	wdist
286921	7/1/2021	0995012	FERGUSON ENTERPRISES, INC	MXU'S FOR INVENTORY	\$ 35,385.15	wdist
286765	7/1/2021	12529134	HACH COMPANY	GLASS ROD SECONDARY TURB STANDARD	\$ 1,270.44	dwwtp
286913	7/1/2021	1870766	MILES SAND & GRAVEL CO.	5/8" CRUSHED ROCK	\$ 134.37	dshop
286915	7/1/2021	1870765	MILES SAND & GRAVEL CO.	5/8" CRUSHED ROCK	\$ 275.82	dshop
286714	7/1/2021	226229	NAPA	ANTIFREEZE - SHOP	\$ 23.83	dshop
286715	7/1/2021	226306	NAPA	ELECTRIC BATTERY TESTER- #6913	\$ 65.27	dshop
286780	7/1/2021	200012505505	PUGET SOUND ENERGY INC	WTP 6/1/21-6/30/21	\$ 82,766.48	dwwtp
286928	7/1/2021	300000290043	PUGET SOUND ENERGY INC	STREET LIGHTS: 05/01- 06/01/2021	\$ 17,345.85	dshop
286930	7/1/2021	300000340004	PUGET SOUND ENERGY INC	STREET LIGHTS: 05/28- 06/28/21	\$ 79.68	dshop
286931	7/1/2021	300000006951	PUGET SOUND ENERGY INC	STREET LIGHTS: 05/28- 06/28/21	\$ 382.50	dshop

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
286933	7/1/2021	300000325005	PUGET SOUND ENERGY INC	STREET LIGHTS: 05/07- 06/07/21	\$ 79.38	dshop
286774	7/1/2021	5062298512	RICOH USA, INC	S/N C86152062 HR COPIES 6/1-6/30/21	\$ 11.24	finance
286775	7/1/2021	5062298659	RICOH USA, INC	CITY WIDE 4/1-6/30/21	\$ 325.08	finance
286776	7/1/2021	5062298763	RICOH USA, INC	S/N C86086497 PUB DEF COPIES 4/1-6/30/21	\$ 14.58	finance
286914	7/1/2021	5062298522	RICOH USA, INC	S/N C86138599 APD FRONT OFFICE COPIES 6/1-6/30/21	\$ 26.04	apd
286770	7/1/2021	1658	THE CLEAN TEAM	LTAC - PUBLIC RESTROOM MAINT	\$ 1,800.00	plan
286938	7/1/2021	GB00100301	TRANSAMERICA LIFE INS CO	LEOFF LONG-TERM CARE INSURANCE	\$ 634.98	hr
286654	7/1/2021	0542005-001	UNUM LIFE INS CO OF AMERICA	JULY LEOFF LONG-TERM CARE PREMIUM	\$ 1,024.90	hr
286761	7/1/2021	113875	WALTON BEVERAGE COMPANY, INC	WTP BREAKROOM SUPPLIES	\$ 70.00	dwtpt
286762	7/1/2021	2279054-0043-7	WASTE MANAGEMENT	WTP TRASH, RECYCLING 6/1/21-6/30/21	\$ 172.71	dwtpt
286767	7/2/2021	ANA-1219537	ANACORTES AMERICAN	FINANCE ANACORTES AMERICAN 8/4/21-8/3/22	\$ 66.35	finance
286768	7/2/2021	ANA-1218629	ANACORTES AMERICAN	PLANNING 8/4/21-8/3/22	\$ 66.35	plan
286773	7/2/2021	ANA-1219499	ANACORTES AMERICAN	WTP 8/5/21-8/4/22	\$ 66.35	dwtpt
286940	7/2/2021	8498 30 017 0319913	COMCAST	LIBRARY INTERNET ACCESS 7/9-8/8/21	\$ 182.07	fiber
286910	7/2/2021	I5831389	HD FOWLER COMPANY INC	2: OP NUT FOR 10" - 24"	\$ 108.06	wdist
286903	7/2/2021	226424	NAPA	OIL- #170	\$ 115.28	dshop
286911	7/5/2021	07/05/2021	FIDALGO CLEANING	APD CLEANING & SUPPLIES 7/5-7/18/21	\$ 800.00	apd
286968	7/6/2021	20211345	SYSTEMS DESIGN WEST, LLC	AMBULANCE SERVICE BILLING JUNE 2021	\$ 4,109.05	finance
286932	7/6/2021	Race Week Inv #5	WHIDBEY ISLAND RACE WEEK LLC	LTAC WHIDBEY RACE WEEK #5	\$ 6,765.67	plan
286967	7/7/2021	July	SKAGIT LAW GROUP, PLLC	PROSECUTING ATTORNEY SERVICES JULY 2021	\$ 6,430.00	legal

Total **\$570,121.33**



City Council Agenda Bill

Meeting Date: July 12, 2021

Agenda Item: 5.c.

Agenda Item Title: Street Fair Application: Fueling Education Fun Run, Shell Puget Sound Refinery

Staff Contact(s): DON MEASAMER

<u>Approved for Submittal to Council by</u>	<u>Action Type</u>
Joann Stewart	Public Hearing
DON MEASAMER	

Item Summary: Non-profit, 5K fun run and walk with 100% benefiting Anacortes Schools Foundation. Run starts in Washington Park, then out to Sunset Ave to Skyline Way, down to Old Salts, and back to the park. The road will be closed during the race time, between 9:25 and 9:45, after the last person is off the road and back in the park.

Budget Impact:

No impact to budget. The applicant will bring trash cans and collect all trash which will be disposed of at the refinery.

Previous Action: N/A

Recommended Motion: I move to approve the Street Fair Application for the Fueling Education Fun Run as submitted.

Alternative Actions: Deny application

Attachments (listed in order presented):

1. Fueling Education Approved Application
2. Fueling Education Map
3. Fueling Education Indemnification



Street Fair Application

Per AMC 7.04.040, application shall be filed not less than ninety days in advance of the date on which the event is to occur, if the event requires the closure of any highway or street, any detouring traffic, or any significant impact on city services. Other events not requiring the foregoing are to be filed not less than sixty days in advance of the proposed event. Applicants will be notified when the application is scheduled for consideration by City Council, and will again be notified when City Council either approves or denies the application. Following application approval, applicants will be provided with contact numbers for relevant city departments. Applicants are responsible to for contacting individual City departments to request services for the event, such as traffic control, solid waste removal, and food service inspection.

View Anacortes Municipal Code [Chapter 7.04, Special Events](#)

Application

Application Date *

Event Name *

Applicant/Organization Name *

Mailing Address *

Event Contact Person *

Event Contact Email *

Event Contact Phone *

Event Website

Estimated Number of Participants/Attendees *

Event Description *

Non Profit, 5K Fun Run and Walk Benefitting Anacortes Schools Foundation 100%. Run is held in Washington Park (start and finish). A small portion of the run is held on the road out of the park, right into Skyline with a turnaround in Old Salts gas station. We close traffic just before the kids race, 9:25 - to 9:45 am. Then we open up until just before the main 5k - 10:00 until 10:25 am when the last person is back into the park. We have volunteers at each key point to help communication and let through based on safety of the runner. See attachment

Will food vendors participate in this event? *

All Food Vendors must be inspected by the Fire Marshall on site prior to the start of the event.

☐ Yes ☒ No

Date Event Starts *

Time Event Starts *

AM ▼

Date Event Ends *

Time Event Ends *

PM ▼

Date Street Closure Starts *

Include requested closures before and after the event hours if required for set up and tear down.

Time Street Closure Starts *

AM ▼

Date Street Closure Ends *

Time Street Closure Ends *

AM ▼

Event Location *

List end points of each street that will be closed (e.g. 6th Street from O Ave to Q Ave). Also include location and dimensions of any structures that will be erected and locations of the event that will not be on city street right of way.

I have attached a map. The road out of Washington Park to the first right down to Skyline will be closed on one side of the street for runner safety. We have an alternate routes for traffic to go. As well, the time period for actual closure of traffic is very limited because we open up between the kids run and the 5K

Parking Location

List any public parking areas that the event requests to use for dedicated event parking, including handicapped parking.

We work with the Washington Park city official Bob Veaux to use the park parking

Event Map (optional)

Upload one or more maps of the event

Race Plan - Traffic and Roa... 115.85KB

Indemnification Agreement *

Upload scan of SIGNED indemnification agreement

Special-Event-Indemnificatio... 224KB

Download the Indemnification Agreement here.**Signage**

Street closure signs will be provided by the City of Anacortes. Applicants must contact City staff one week prior to the event to arrange sign delivery. Event sponsor personnel are responsible for placing street closure signs, which may not be posted more than 48 hours prior to the approved closure, must be

removed immediately following the event, and must be returned to city staff the first business day following the event.

Insurance

The applicant may be required to provide public liability insurance subject to the provisions of AMC 7.04.100. Applicants will be notified following application approval of insurance requirements for the specific event.

Electronic Signature Agreement

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.

I state that I am over the age of 18, that I agree to assume responsibility for the above-described event and to abide by all conditions stipulated by the approval of the application.*

☒ Yes

Signature

James Steller

Admin Review

Council Meeting Date *

Target date for presentation to City Council; no later than 30 days prior to event

7/12/2021

Staff Review Deadline *

Staff review/approval required no later than 7 days prior to City Council meeting to allow packet preparation

7/5/2021

Administrator comments and conditions of approval

Insurance Certificate

Upload

Insurance certificate may be required by staff or as a condition of Council approval

Departmental Review

Building Department will provide the following services for this event:

Building Department concerns, objections, or conditions of approval *

None

Fire Department will provide the following services for this event:

Fire Department concerns, objections, or conditions of approval *

None

Parks Department will provide the following services for this event:

none

Parks Department concerns, objections, or conditions of approval *

None

Police Department will provide the following services for this event:

Police Department concerns, objections, or conditions of approval *

None

Public Works Department will provide the following services for this event:

Please contact the Streets department in advance for the street closure signs.

Public Works Department concerns, objections, or conditions of approval *

will their be dumpster service needed for this I didn't see it mentioned.

Departmental attachments

Upload any staff memos, guidelines, or requirements that will be in effect for this event.

Upload

City Council Decision

City Council Decision *

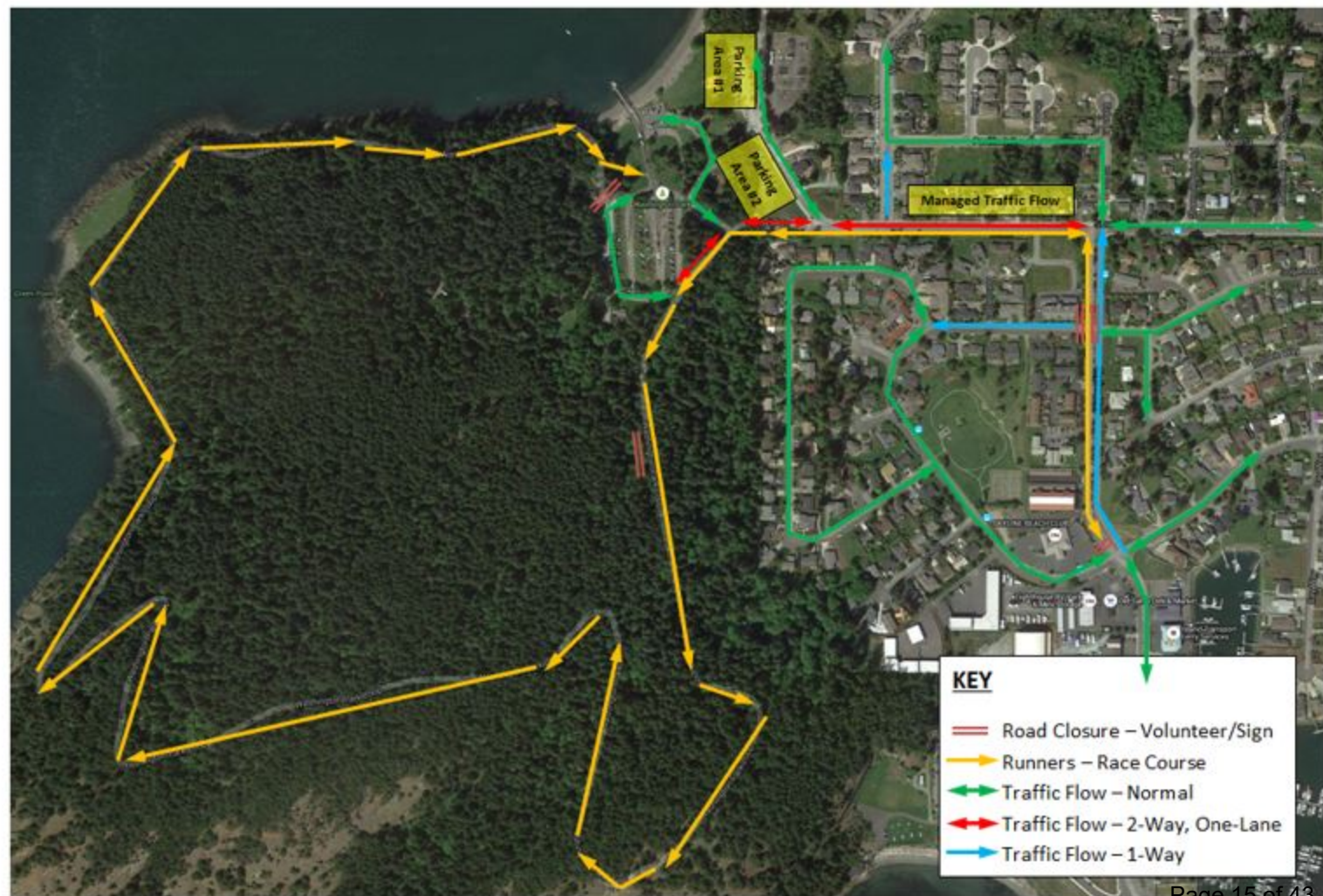
☐ Approved ☐ Approved with conditions ☐ Denied

City Council Decision Date ***Conditions of Approval****WebClient Path**

<https://laserfiche.cityofanacortes.org/laserfiche/index.aspx?>

Comments

Race Plan – People and Traffic Logistics





SPECIAL EVENT INDEMNIFICATION AGREEMENT

The undersigned applicant, by signing below, certifies that the applicant is the authorized officer of the sponsoring organization and agrees as follows:

Pursuant to Anacortes Municipal Code Title 7.04.090, the undersigned applicant agrees to defend, indemnify and hold the City of Anacortes, its agents, employees and officers, harmless from any and all claims, injuries, suits, damages, losses, demands and judgments including the attorneys' fees and other costs of their defense, arising out of in whole or in part, the activities, omissions or appliances of the applicant, his employees, agents, volunteers or otherwise, except any claims arising from the sole negligence of the City. The applicant further agrees to comply with all provisions of pertinent laws, rules and regulations, and agrees that any failure to so comply may lead to revocation of an applicant's permit. This Indemnification Agreement constitutes substantial adequate consideration in return for the City's issuance of a special event permit.

Date: 5/28/21

James Steller
Name and Title – Printed

James Steller
Signature

Name and Title – Printed

Signature



City Council Agenda Bill

Meeting Date: July 12, 2021

Agenda Item: 6.a.

Agenda Item Title: Ordinance 3091: An Interim Ordinance to Facilitate the Development of Day Care Facilities in the R4 Zone

Staff Contact(s): DON MEASAMER

Approved for Submittal to Council by **Action Type**

RYAN WALTERS

Ordinance

DON MEASAMER

STEVE HOGLUND

DARCY SWETNAM

Item Summary: Affordable childcare is a critical component of our economy and essential to the socioemotional development of children. There was a critical and urgent need for childcare in Anacortes prior to the pandemic, but the effects of the pandemic have substantially increased that need and decreased the number of providers. The City's development code imposes substantial hurdles on the development of new childcare facilities, namely the requirement for a conditional use permit with Type 4 review. The Type 4 review requires development of architectural drawings including elevation renderings, a pre-application meeting, a neighborhood meeting, a three-week comment period, a Planning Commission public hearing, a recommendation by the Planning Commission, and review by City Council. ([AMC 19.20.030](#)). The entire process can take months or years. The Planning Department is currently aware of two potential childcare facilities in the R4 zone that are facing these hurdles.

The high density residential R4 zone is well-suited to childcare facilities, which are ideally sited in residential neighborhoods. The R4 zone already allows other intense uses (e.g., assisted living facility) without a Type 4 review, making the requirements for childcare facilities anomalous and incongruous. Additionally, the medical overlay zone ([AMC 19.41.090.A](#)) overlays much of R4 and allows many medical related uses (including "medical day care") to be permitted without conditional use permits. Finally, the existing non-residential design and performance standards in Title 19 Division 6 address most aspects of these types of developments, making the conditional use permit largely superfluous. Notably, the parking requirement for childcare facilities makes the minimum number of spaces required a "director decision" ([AMC 19.64.040](#)).

This interim ordinance would change "day care II facilities" (defined in [AMC 19.44.010](#)) from a Type 4 conditional use permit to an outright permitted use, which requires no discretionary land use review. A City Council public hearing would be scheduled and held within 60 days. The interim ordinance is valid for six months unless extended by City Council before expiration. The Planning Department would begin work on a proposal for a permanent code change to facilitate childcare in the R4 zone, which would address parking requirements and the requirement for child drop-off/loading zones.

A public hearing on draft Ordinance 3091 has been scheduled for July 12, 2021.

Budget Impact:

None

Previous Action: Draft Interim Ordinance 3091 was first presented to city Council and the public at the [June 28, 2021](#) meeting.

Recommended Motion: I move to approve Ordinance 3091 as presented.

Alternative Actions: Deny

Attachments (listed in order presented):

1. Childcare Facilities in the R4 Zone Ordinance 3091 - Revised

Ordinance No. 3091

An Interim Ordinance to Facilitate the Development of Day Care Facilities in the R4 Zone

Whereas the availability of affordable childcare is foundational to the economy;

Whereas the City has long recognized a severe need for additional childcare and early learning capacity in Anacortes;

Whereas, prior to the COVID-19 pandemic, there were approximately 1,000 children in Anacortes under school age;

Whereas only 12% of those had access to full-time, licensed childcare, less than half of the Washington State average of 27%, which itself is considered to be a crisis of inadequate capacity;

Whereas the COVID-19 pandemic resulted in the closure of childcare facilities as stay-at-home orders directly caused closures or caused under-enrollment;

Whereas our emergence from the COVID-19 pandemic has created an even greater need for childcare facilities;

Whereas quality childcare is critical for the academic and socioemotional foundations of children;

Whereas the availability of affordable childcare is critical for working families;

Whereas many businesses are currently affected by labor shortages due in part to the lack of availability of childcare for the children of potential employees;

Whereas the City's development code requires application of the Type 4 conditional use permit process to establish new childcare facilities in residential zones;

Whereas the Type 4 review process is the highest level of review in the AMC (AMC 19.20.030.C) and requires public hearing before the Planning Commission and approval by the City Council;

Whereas specifically AMC 19.44.010 defines "day care II" to include child day care serving more than 12 children in any 24-hour period, or any day care as a principal use; and AMC 19.41.040 makes "day care II" a conditional use in all zones where it is allowed, including the R4 zone;

Whereas at least two potential childcare facilities in the R4 zone are contemplating the development permitting process now;

Whereas the Type 4 conditional use permit process is lengthy and expensive for permit applicants;

Whereas other higher intensity uses, including multifamily residences, assisted living facilities and bed and breakfasts, are allowed in the R4 zone without a conditional use permit;

Whereas RCW 36.70A.390 and AMC 19.16.110 authorize the City Council to adopt moratoriums, interim zoning ordinances, and interim official controls;

Whereas, as an interim ordinance, pursuant to WAC 197-11-880, the adoption of this ordinance is not subject to review under the State Environmental Policy Act;

Now, therefore, the City Council of the City of Anacortes does ordain as follows:

Section 1. The City Council finds that:

- a. an immediate and urgent need for childcare facilities exists in the City of Anacortes;
- b. the cost, delay, and uncertainty of the conditional use permit process reduces the likelihood that new childcare facilities will be established;
- c. the design and performance standards in the Unified Development Code for non-residential and multifamily buildings effectively mitigate the impacts of childcare facilities on neighboring uses in the R4 zone;
- d. the R4 zone, as a high-density residential zone that is intended by the Comprehensive Plan to serve as a transition from high intensity uses such as commercial or industrial development, to lower intensity residential areas, is ideal for new childcare facilities;
- e. a day care II facility in the R-4 zone will not create more impact than some of the other high-intensity uses already allowed in the R-4 zone as permitted uses;
- f. the Type 4 Conditional Use Permit process is unnecessary for day care II facilities in the R4 zone.

Section 2. Table 19.41.040 in AMC 19.41.040 is amended to make “day care II facilities” a permitted use in the R4 zone.

Section 3. The Department of Planning, Community, and Economic Development is directed to develop a work plan to identify other needed mitigation measures for day care II facilities in the R4 zone, including parking minimums and circulation standards for drop-off and pickup.

Section 4. Per RCW 36.70A.390, the City Council will hold a public hearing on this interim ordinance within 60 days of adoption.

Section 5. Per RCW 36.70A.390, this interim ordinance is effective for six months, and may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

Section 6. Per RCW 35A.12.130, this ordinance takes effect five days after its passage and publication.

PASSED and APPROVED this ____ day of _____, 2021.

APPROVED:

Laurie Gere, Mayor

Attest:

Steve Hoglund, City Clerk-Treasurer

Approved as to Form:

Darcy Swetnam, City Attorney



City Council Agenda Bill

Meeting Date: July 12, 2021

Agenda Item: 7.a.

Agenda Item Title: Resolution 3042: A Resolution establishing the 2021 Docket of Comprehensive Plan and Development Regulation Amendments

Staff Contact(s): LIBBY GRAGE

Approved for Submittal to Council by **Action Type**

LIBBY GRAGE

Resolution

STEVE HOGLUND

DARCY SWETNAM

Item Summary: Staff requests that Council adopt the attached Resolution 3042 establishing the 2021 docket of Comprehensive Plan and Development Regulation Amendments.

Budget Impact:

None.

Previous Action: City Council held a public hearing on [June 28, 2021](#).

The written public comment period ended on June 30, 2021. There were no additional public comments submitted.

Recommended Motion: I move to approve Resolution 3042, a resolution establishing the 2021 Docket of Comprehensive Plan and Development Regulation Amendments, as presented.

Alternative Actions: Request modifications to the resolution or do not approve the resolution

Attachments (listed in order presented):

1. Draft-Resolution 3042

Resolution No. 3042

A Resolution establishing the 2021 Docket of Comprehensive Plan and Development Regulation Amendments

Whereas under RCW 36.70A.130(2)(a), updates, proposed amendments, or revisions to the Comprehensive Plan are considered by the City no more frequently than once every year;

Whereas, under AMC 19.16.030(B), the City of Anacortes may accept petitions for development regulation amendments as part of the annual docketing process, or may itself initiate the process of adopting or amending development regulations at any time;

Whereas under AMC 19.16.040(B), the City of Anacortes accepted proposals for amendments to the Comprehensive Plan and/or development regulations through the last business day in March;

Whereas petitions received for the 2020 Docket that were not previously considered for docketing are included for consideration in the 2021 Docket;

Whereas the Planning, Community & Economic Development Department published notice of the public hearing on June 9, 2021 and accepted written comment through June 30, 2021;

Whereas the City Council held a public hearing on the proposals on June 28, 2021;

Whereas amendment proposals placed on the docket will undergo further public, agency, and environmental review, consideration by the Planning Commission, and final consideration by the City Council; however, placing a proposal on the docket does not imply its ultimate approval;

Whereas on July 12, 2021, the City Council deliberated on the proposals, including public comments received, and made a motion to include all the proposals for amendments to the Comprehensive Plan and Development Regulations.

Now, therefore it is hereby resolved by the Anacortes City Council that the 2021 Docket of Comprehensive Plan and Development Regulation Amendments is hereby adopted and attached as Exhibit A.

PASSED and APPROVED on this 12th day of July 2021.

CITY OF ANACORTES

By _____
Laurie Gere, Mayor

ATTEST:

Steven D. Hoglund, City Clerk

APPROVED AS TO FORM:

Darcy Swetnam, WSBA #40530
City Attorney

Resolution No. 3042
July 12, 2021

Exhibit A

2021 Docket of Proposed Comprehensive Plan and Development Regulation Amendments

Public Proposals			
Number	Title/Applicant	Summary	Action Taken
Comprehensive Plan			
P1	Promoting Neighborhoods & Affordable Housing, Evergreen Islands	Add 2 new policies to the Goal H-1 of the Housing Element relating to regulation of short-term rentals.	Include
P2	Skillings Future Land Use Map Amendment, Thomas Skillings	Change the future land use map designation of a portion of P33058 & P33059 (southeast corner of 35 th & V intersection) from Industrial to Residential Medium Density	Include
P3	Toward Zero Waste Policy, Ryan Walters	Adds a new goal and related policies to increase recycling and composting to 65% of the municipal solid waste stream	Include
City Initiated Proposals			
Number	Section	Summary	Action Taken
Comprehensive Plan			
C1	Introduction Section; Page I-12, "Other Plans"	Remove plan titles that are not required to be incorporated by reference, update remaining plan titles and dates	Include
Development Regulations			
C2	AMC 19.20.070 - Vesting	Revise vesting language to clarify that approval of certain application types (that are not building permits or land divisions) does not provide vested rights for subsequent building permit applications.	Include
C3	AMC Ch. 19.22 Concurrency	New section - Re-insert language (omitted in 2019 update) regarding Director establishment of a concurrency facilities review program to monitor capacity on concurrency facilities and assess the cumulative impact of forecasts of approved development upon capacity and anticipated levels of service. AMC 19.22.050 - Concurrency Test – Add application requirements and review fee language.	Include
C4	AMC 19.43.020.B -Adult Family Home Definition	Update to reflect recent changes to <u>RCW 70.128.010</u> , which allows provision of services to up to 8 adults upon approval by DSHS	Include

C5	AMC Ch. 19.52 – Public Street Design	Generally – consider changing terminology for ‘parking lane’ to ‘parking pocket’, where appropriate, to better convey comprehensive plan policies for new street design that minimizes impervious surfaces. The new street parking philosophy is less linear (lane) and more sectional (pockets).	Include
C6	AMC 19.52.040.A.2 – Modified and Special Standards	There are several areas in the city for which the Public Works Department has developed special design standards for a street or neighborhood; however, some of these have not been formally adopted by Council. These standards should be adopted formally by council and added to the Public Works Engineering Design Standards	Include
C7	AMC Table 19.52.040.E – Lane Design Standards	Add note about integration of guest parking to the Lane street standard, similar to the note in the Local Access standard (Table 19.52.040.A).	Include
C8	AMC Ch. 19.52.080 – Street Names and Signage	Add provision allowing the Fire Marshal or PW Director to require installation of No-Parking signage or other curb/pavement markings when a development contains a street with insufficient pavement width to allow for simultaneous on-street parking and emergency vehicle access.	Include
C9	AMC 19.53.030.B Driveway location	Subsection B.2. “Lowest volume street” needs to be defined or consider changing to “Lowest order functional classification” or similar. Subsection B.3. The conditions identified in (a) and (b) need further clarification to assist in application, including defining the ‘functional capacity’ for an alley. In this section or elsewhere, provide better guidance for determining when development /redevelopment will require relocation to the alley of an existing driveway/access onto a city street.	Include
C10	AMC 19.66 Fences	Clarify when a fence permit is required Identify parameters for what constitutes repair and maintenance of existing nonconforming fences.	Include
C11	AMC Ch. 19.67 Signs	Table 19.67.060, Projecting Sign maximum sign area - Update incorrect cross reference - The reference to 19.67.080(B)(1) should be 19.67.090(B)(1). Fix potentially conflicting provisions for commercial and noncommercial temporary signs located in the public right-of-way (AMC 19.67.110.C.2 and Table 19.67.110.F) and clarify placement standards.	Include



City Council Agenda Bill

Meeting Date: July 12, 2021

Agenda Item: 7.b.

Agenda Item Title: Ordinance 3092: Repealing AMC Chapter 5.47 Related to Single-Use Plastic Bags

Staff Contact(s): STEVE HOGLUND, DARCY SWETNAM

Approved for Submittal to Council by **Action Type**

STEVE HOGLUND

Ordinance

DARCY SWETNAM

Item Summary: Anacortes Municipal Code Section 5.47 was adopted by [Ordinance 3053](#) on November 4, 2019 with an effective date of April 4, 2020, that implemented a City ban on single-use plastic bags used by retail and other commercial outlets. Before the effective date arrived the ban was deferred by the Covid-19 response in [Resolution 2082](#) section 5. Subsequently the State of Washington implemented its own ban, effective when the Covid-19 emergency was declared over. The City's ban largely mirrors the State's ban, thereby making it unnecessary. This Ordinance 3092 repeals Ordinance 3053 and the associated city code chapter 5.47 that was established.

Budget Impact:

NA

Previous Action: [Ordinance 3053](#)

[Resolution 2082](#)

Recommended Motion: I move to approve Ordinance 3092 repealing Ordinance 3053 and AMC chapter 5.47

Alternative Actions: Do not approve ordinance, direct staff as to next steps for the City's plastic bag ban

Attachments (listed in order presented):

1. Ordinance 3092 repealing plastic bag ban

Ordinance 3092

An Ordinance Repealing Anacortes Municipal Code Chapter 5.47 Regulating the Distribution of Single Use Carryout Bags by Retail Establishments

WHEREAS, the City Council of the City of Anacortes was desirous of reducing waste within the City limits; and

WHEREAS, the City Council of the City of Anacortes determined that single use plastic shopping bags constitute undesirable waste that should be eliminated from the waste stream; and

WHEREAS, the City Council of the City of Anacortes adopted Ordinance 3053 on November 4th 2019 which created Chapter 5.47 of the Anacortes Municipal Code entitled “Single Use Carryout Bags”, which had an implementation date 6 months from adoption, making the effective date April 4, 2020, to allow retail vendors who used such bags a period of time to exhaust their stores of said plastic bags and identify suitable replacements and procedures to ensure a smooth transition; and

WHEREAS, before Ordinance 3053 became effective, the Mayor declared and Council ratified an emergency proclamation based on the COVID-19 pandemic, and Council adopted emergency procedures in Resolution 2082, which included suspension of the plastic bag ban; and

WHEREAS, the State of Washington adopted Senate Bill (SB) 5323-2019-20 which had an effective date of June 11, 2020, which:

- Prohibits single-use plastic carryout bags in all retail and grocery stores, restaurants, takeout establishments, festivals, and markets.
- Requires an 8-cent charge for all recycled content paper carryout bags and reusable carryout bags made of film plastic.
- Prohibits collection of the fee from anyone using a voucher or electronic benefits card issued under the Supplemental Nutrition Assistance Program (SNAP), Women, Infants and Children (WIC), Temporary Assistance for Needy Families (TANF), or Food Assistance Program (FAP).
- Requires a minimum of 40% post-consumer recycled content and meet composting requirements in all retail-provided paper bags.
- Requires that a reusable bag made of plastic film contain 20% post-consumer recycled content and be at least 2.25 mil thick.
- Requires compliant paper and reusable plastic film bags to be labeled with the above specifications
- Creates consistent policy and fees across the state.
- Does not apply to food banks and food assistance programs, however, those programs are encouraged to take actions to reduce the use of single-use plastic carryout bags; and

WHEREAS, Governor Jay Inslee suspended Washington State’s single use plastic bag ban until the COVID-19 state of emergency was declared over; and

WHEREAS, the City’s single use plastic ban in Chapter 5.47 AMC is redundant in light of the state-wide ban; and

WHEREAS, once Washington State declares the COVID-19 emergency to be over, the Washington State single use plastic bag ban will become effective.

NOW THEREFORE, the City Council of the City of Anacortes does ordain as follows:

Section 1. Anacortes Municipal Code Chapter 5.47 is hereby repealed in its entirety.

Section 2. The Washington State single use plastic bag ban as referenced above is acknowledged and endorsed by the City Council of the City of Anacortes.

Section 3. This ordinance shall take effect five (5) days from and after its passage, approval, and publication in the manner required by law.

PASSED AND APPROVED this ____ day of _____, 2021.

CITY OF ANACORTES:

Laurie Gere, Mayor

ATTEST:

Steven D. Hoglund, City Clerk/Treasurer

APPROVED AS TO FORM

Darcy Swetnam, City Attorney



City Council Agenda Bill

Meeting Date: July 12, 2021

Agenda Item: 7.c.

Agenda Item Title: Thompson Train Static Display Plan

Staff Contact(s): DARCY SWETNAM

<u>Approved for Submittal to Council by</u>	<u>Action Type</u>
DARCY SWETNAM	Discussion

Item Summary: At the February 22, 2021 Council meeting, the City Council directed the Mayor to develop a plan for a public static display of the Thomas G. Thompson, Jr. Train to comply with the 2012 Donation letter by which the City received the Train. In February, Council asked the Mayor to work with the Anacortes Railway Group, who indicated interest in funding and staffing the project. In late April 2021, the Anacortes Railway Group notified the Mayor that their group was withdrawing from the project and would not be financially supporting the endeavor. Therefore, the Mayor worked with staff to identify the necessary actions to develop a static display of the Train and the correlating budget requirements. The Mayor is now asking Council to allocate City funds for the development of the static display. On Wednesday, June 16, the City received a renewed request from the Thompson Family for the return of the Train, which is included in the Council's packet.

Budget Impact:

Council will need to direct staff to find \$140,000 in the 2021 budget to proceed this year, which will require cuts from existing budgeted expenditures. Additionally, there will be a commitment to budget funds for subsequent years for an additional 0.7 FTE staff member plus ongoing expenses, which staff estimate to be around \$87,000 in budget year 2022, plus unknown costs for train restoration and maintenance.

Previous Action: Council considered and rejected an offer from Bret Iwan to purchase the Train on [September 8, 2020](#). Council considered proposals for the Train on [October 26, 2020](#). On [February 22, 2021](#) Council received and considered a request from the Thompson Family to return the Train to the family, which Council denied.

Recommended Motion: I move to direct staff to prepare and return to Council a budget amendment to allocate \$140,000 from the 2021 budget to develop the static

display for the Train, and to incorporate funding for a 0.7 FTE and other necessary costs into plans for the 2022 budget.

Alternative Actions: Decline to fund the Train project, with potential return of the Train to the Thompson family.

Attachments (listed in order presented):

1. Thompson Letter to Anacortes City Council 7/7/2021
2. Static Display Business Plan
3. Thompson Letter to Anacortes City Council 6/16/2021
4. Anacortes Railway Group Letter 4/26/2021



ELIZABETH M. CARNEY
carney@westseattlelaw.com

July 7, 2021

To: Darcy Swetnam, City Attorney
P.O. Box 547
Anacortes, WA 98221

Re: Donation of the Thomas G. Thompson, Jr. Train, made June 21, 2012

Ms. Swetnam:

Thank you for conveying this communication to the Anacortes City Council.

Dear Members of the Anacortes City Council,

Over nine years ago, hopeful that she had found the right home for the masterpiece created by her husband, Anne Thompson, in trust and good faith, donated the Train to the City of Anacortes.

By his signature on the 2012 agreement outlining the terms of the donation, the then Mayor, H. Dean Maxwell, accepted the donation and the terms of the agreement. There is no reason to think either party had any but the best of intentions to go forward with the plan stated in the agreement.

And yet, now and since 2012, the Train sits in a shed built many years ago, with no significant progress toward meeting the terms of the 2012 agreement.

One thing is agreed between all who have knowledge of the history of the Train since its donation to the City of Anacortes. Knowing how to best manage this tremendous gift has been difficult.

The Council has fulfilled many of its responsibilities related to this donation.

Over the last several years, Council has shown its commitment and dedication to the Anacortes community in allowing all groups with an interest in complying with the 2012 agreement more than ample time to bring to Council a sustainable plan for managing the Train. After learning no volunteer group was viable, City staff invested considerable time to prepare an outline of the expected dollars needed from the city budget, to comply with the 2012 Train agreement.

In the Council meeting of June 21, 2021, to ensure the community had a final chance to comment, a decision was made to alert the public of expected dollars needed to financially manage the Train.

On June 23, 2021, an article was published in the Skagit Valley Herald with the headline, "Anacortes asks community for support for Tommy Thompson Train." In previous months, there had been other articles. Along with this most recent, the public has been well advised of the status of the Train and the costs needed from the public to keep the Train in the community.

There is one misconception discovered in recent weeks that should be clarified, for the Council and the public. If the Train is returned to the Thompson family, there will be no sale of the Train, and no financial payment to the Thompson family.

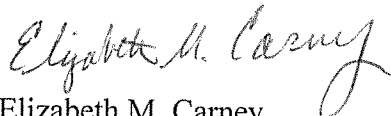
Council appears to have done everything possible to comply with the terms of an agreement entered into by the City in 2012. Council has allowed time for comment from constituents and allowed time for the people of Anacortes to come forward with commitments of their personal time and money. The Council has done everything in its power to ensure care for the 2012 donation. But it has not been enough. Even with all parties acting in good faith.

As you reflect on the proper disposition of the Train, please consider the respect owed to those who donate, the importance to a City Council in preserving a reputation of integrity in their dealings, and the needs of the Anacortes community.

From June 21, 2012, to the present, the unwavering goal of the Thompson family has been and continues to be, that the Train be where it can be safe and properly cared for, so as to honor the legacy of husband and father. Once again, the Thompson family affirms its willingness to accept the return of the Train that was represented in the June 21, 2012, agreement, including one engine and three cars, and all parts and pieces that were part of the engine and three cars at the time of the 2012 agreement.

For the people of Anacortes, the good of the Council, and the good of the Train, at the Anacortes City Council meeting of July 12, 2021, please cast your vote to return the Train to the Thompson family.

Respectfully,


Elizabeth M. Carney



Thomas G. Thompson, Jr. Train Static Display Plan

Office of Mayor Laurie Gere

P.O. Box 547
Anacortes, WA 98221

p. (360) 299-1950

laurieg@cityofanacortes.org
www.cityofanacortes.org

Table of Contents

I.	Executive Summary.....	2
II.	Necessary Elements of Static Display.....	2
	Train Ownership and Management	
	Location of Exhibit	
	Train Shed Renovations	
	Operation of Static Display	
	Staffing Needs	
	Train Maintenance	
	Train Shed Maintenance	
III.	Budget Requirements.....	4
	Train Shed Renovation	
	Operations	
	Train Restoration and Ongoing Maintenance	
	Staffing	

Executive Summary

i The family of the late Thomas G. Thompson, Jr. donated a train Mr. Thompson lovingly built and ran as a community amenity in 2012, with the request that the City use the Train to develop a static display open to the public. The Train has been stored at the City's Depot property in a wooden Train Shed constructed by Mr. Thompson for his Train, which is not currently suited to facilitate public viewing of the Train. The City now plans to move forward with the development of a static display for the Thomas G. Thompson, Jr. Train, which will be managed by the City Museum Department and open to the public.

The development of the display will require the renovation of the existing train shed, restoration of the Train, ongoing Train and shed maintenance, and operational plans and implementation.

The Mayor asks Council for a budget amendment of \$140,000 for 2021, and the integration of future needs of the display into future budget cycles.

Necessary Elements of Static Display

i Opening the static display to the public will require four main categories of work:

1. The renovation of the train shed;
2. Operational planning for the exhibit;
3. Train maintenance; and
4. Shed maintenance.

Train Ownership and Management

i The Train was donated to the City of Anacortes in 2012 by the Thompson family. The Train Shed had previously been donated to the City, along with related equipment. All assets related to this display will therefore remain the property of the City of Anacortes.

Location of Exhibit

i The Train is currently housed in the Train Shed that was constructed by Mr. Thompson and was a part of the history of the Train in Anacortes. Therefore, the City plans to improve the existing Train Shed, located at the Depot, to allow it to house the static display open to the public.

Train Shed Renovations

i The Train Shed will need certain renovations to transition to a suitable static display that can be opened to the public. These improvements are intended to accomplish two goals: to protect the Train from the elements and to allow the public enjoyment of the Train.

1. *Power: The train shed currently does not have power. Power is necessary to provide lights, heat, and climate control to minimize the elements' impact on the Train. This improvement will both protect the Train and facilitate public enjoyment of it.*
2. *Foundation: The train shed currently lacks adequate foundation support. Staff recommends installation of a proper foundation to both protect the Train and allow for a more robust public display.*
3. *Insulation: The train shed currently lacks insulation to maintain consistent temperature in the shed. Staff proposes insulating the train shed to protect the Train from the elements.*
4. *Windows: The current shed does not have windows. Staff propose adding windows to the shed, an upgrade necessary to allow public enjoyment of the Train.*
5. *Miscellaneous Improvements: There are other areas where the train shed does not meet current building code standards. While some of these variations are allowed in a historical building, staff recommends working with a contractor to identify those areas where the shed needs to be brought to code. For example, the shed needs to be improved to meet requirements under the Americans with Disability Act. These improvements will both protect the Train and the public to ensure the safety of the building for a public display and provide access to all interested visitors.*
6. *Display Enhancements: City staff recommend identifying areas where the facility can be enhanced to better interpret the history of the Train in Anacortes. These enhancements could include integrating related artifacts into the display, preparing signs and displays to interpret the Train's history, installing kiosks to show video footage, and other creative ways to honor and commemorate Thomas G. Thompson Jr.'s contribution to Anacortes's history.*

Operation of Static Display

The static display will be managed by the City Museum Department under the leadership of the Museum Director. Several key elements will need to be managed to open the display to the public.

1. *Hours of Operation: The City will establish set hours when the static display will be open to the public, which will be posted on the shed and the City website so the public can plan their visits. The hours will be based on anticipated demand, with the maritime heritage center and WT Preston exhibits as good models.*
-  2. *Curation: The Museum Department will oversee the display itself and ensure that it interprets the Thomas G. Thompson, Jr. Train's history in Anacortes.*
3. *Staff Time: Staff will be required to provide proper oversight for the facility and coordinate volunteers to staff the display when open to the public. Staff time may be required for the display if volunteers are unavailable.*
4. *Volunteer Coordination: The Museum Department will attempt to staff the display with volunteers to minimize staff time.*

Staffing Needs

-  • *To curate, oversee and coordinate the display, the Museum Department anticipates that it will need to hire the equivalent of 0.7 additional FTE employees.*

Train Maintenance



The Train will require initial work and then ongoing maintenance to protect the asset. The City will plan for the following items:

1. *Steam engine Expert:* The City will engage the help of a steam engine expert to identify the specific work and ongoing maintenance needs of the Train.
2. *Initial Work:* Before the Train should be opened for public display, it needs to be cleaned and preserved. The specific work needed to restore the Train will be established with the assistance of the steam engine expert.
3. *Annual Train Maintenance:* The Train will require regular maintenance, which will be identified with the steam engine expert. To maintain the Train, the City may be required to steam it up, which will only be done with the assistance and under the supervision of the City's contracted expert.

Train Shed Maintenance



The Train Shed will be added to the City's facilities department's list for management of building needs and repairs. It will require regular inspections and periodic maintenance as needed.

Budget Requirements



The City originally planned to work with the Anacortes Railway Group to fund the static display, but they notified the City by letter on April 30, 2021 that they no longer wish to support or participate in the project. Therefore, the City will have to fund the project, which will require budget allocations.

Train Shed Renovation



1. Staff have consulted with an outside contractor to determine the overall budget to make the required improvements to the train shed and have received an estimate of between \$100,000 and \$115,000. Therefore, I am asking Council to allocate \$115,000 from the 2021 budget for this work.
2. The City would need to hire a contractor to improve the Train Shed:
 - a. This would need to be competitively bid.
 - b. The contract would lay out the specifications developed by the City with the help of community stakeholders.
 - c. As the owner of the property, the City will be able to ensure that the property complies with the City's and community's vision for the display.

Operations

- i** Even with community interest in volunteering to staff the static display, it will be necessary to add 0.7 FTE of staff time to oversee the display, coordinate maintenance and improvements, coordinate volunteers, and staff the display.

Train Restoration and Ongoing Maintenance

- i** It is difficult to estimate the ongoing costs for maintaining the Train and shed, but staff anticipates potential annual maintenance costs in the area of \$15,000 to \$20,000 per year.

Staffing

- i** The estimated budget for staffing is \$52,000 per year, which will be adjusted annually based on CPI and salary increases.

Overview

i	Category	Budget Year 2021	Budget Year 2022	Ongoing
	Train Shed Renovation	\$115,000		
	Steam Engine Expert Contract	\$25,000	\$10,000	\$10,000
	Train Restoration	??		
	Annual Train Maintenance		\$15,000	\$15,000
	Annual Train Shed Maintenance		\$10,000	\$10,000
	Staffing Costs		\$52,000	\$52,000
	TOTAL	\$140,000	\$87,000	\$87,000

There is currently no budget allocated to this project. Therefore, if Council wants to move forward with this budget allocation, other items currently in the budget will have to be cut to free funds.

Summary



Council has tasked me with developing a plan for development of a static display for the Thomas G. Thompson, Jr. Train. I have worked with staff to identify the necessary elements. The City will need to commit to fund the renovation of the Train Shed, staffing and planning for operation of the exhibit, Train restoration and maintenance, and maintenance of the Train Shed.

To proceed, Council will need to allocate approximately \$140,000 from the 2021 budget for Train Shed improvement, Train restoration, and organization of the exhibit. The allocations for 2021 are not currently in the budget and so existing 2021 budget items will need to be cut to fund these items.

Council will need to allocate roughly \$87,000 plus Train restoration costs for budget year 2022, which will cover the new staff person required to manage the facility and exhibit. Future budget years will need to cover the costs of the staff person and ongoing maintenance of the Shed and Train.



ELIZABETH M. CARNEY
carney@westseattlelaw.com

June 16, 2021

To: Darcy Swetnam, City Attorney
P.O. Box 547
Anacortes, WA 98221

Re: For Council Meeting of June 21, 2021 / Please return the Train to the Thompson Family

Ms. Swetnam:

I appreciate your assistance in conveying this communication to the Anacortes City Council on the matter of the Thomas G. Thompson Jr. Train.

Anacortes City Council:

Exactly nine years ago today, June 21, 2012, the then Mayor of the City of Anacortes entered into an agreement, a contract, with Anne Thompson, forever wife and widow of Thomas G. Thompson Jr., the man behind the masterpiece that is the Thomas G. Thompson Jr. Train.

Anne Thompson made this donation to the City of Anacortes to honor her husband and provide a gift to the City. That agreement stated the City of Anacortes agrees the Train will be cared for and safely stored in Anacortes and efforts will be made to raise funds for an eventual display structure. The agreement went on to say, the City's intent with the gift of the Train is to establish a static display for the enjoyment of the community.

Over the last many, many months, on several occasions, Council has been presented with a copy of this agreement in Council packets. During the same time, Council was provided detailed education on the history of the Train from museum personnel, and reviewed letters and emails from constituents sharing their memories of the Train and their wish that it stays in Anacortes. Also, during this time, Council encouraged proposals from all volunteer groups championing the Train and welcomed their advocacy and commitment to finding ways to finance and manage the care and display of the Train in Anacortes.

Council was also presented with in person advocacy from Anne Thompson's son, imploring the Council to pay attention to the action and inaction of the City and volunteer groups since the donation, and to take action to comply with the 2012 agreement. Additional documents and sworn statements from Thompson family members were provided to Council, pleading with the Council to return the Train to the family, because this magnificent treasure, that mattered so dearly to the

family, was not being cared for as agreed. Months continued to pass, with no resolution to the fate of the Train.

Most recently, discussions by Council regarding the future of the Train appear to have centered on the reality of financial support.

A proposal from Mayor Gere to City Council was presented at the April 7, 2021, Council meeting. This proposal identified dollars believed to be needed to adequately invest in the Train to comply with the 2012 agreement. The proposal included estimated initial costs and estimated annual costs that could be covered by the City or other affiliated groups. The proposal included a hope that the Anacortes Railway Group would contribute funds and support based on discussion with the ARG in the preceding months.

The Mayor's proposal included estimated costs of restoring the train shed. Of note, linked on the King 5 website, a story out of Skagit County on March 29, 2021, reported there was a 188% increase in lumber costs since the beginning of the pandemic, stating "Prices are at unprecedented levels". The costs included in the estimates provided to Council may not have included these heightened costs of materials and construction because these costs appear to be ever changing. And the costs are always increasing.

As of April 29, 2021, with the letter from Dave Sem and the members of the Anacortes Railway Group to Mayor Laurie Gere and the Anacortes City Council Members, all volunteer groups who over time have demonstrated an interest in the Train have dissolved or withdrawn their support.

A review of the recent discussions of the budget for the City of Anacortes reflects so many needs in the Anacortes community. Pressing needs that require significant financial resources. These needs could be judged, not unfairly, to be of far greater importance for the community than the Train.

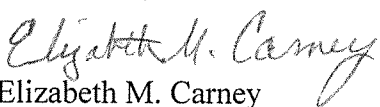
Nine years ago, the 2012 agreement was made. And the Train still sits in an old shed.

It is not clear that the terms of the 2012 agreement could have been met in the years following 2012, even if the situation had been managed differently. But whatever may have been possible with the Train in 2012 may just not be possible now. The universe has changed. Persons in all communities, including those in Anacortes, have survival needs to be met. Channeling dollars to infrastructure, emergency response teams, teachers and schools, libraries, and medical personnel, could be reasonably judged by the Council to be the priority.

The Thompson family continues its readiness to welcome the Train back. From June 21, 2012, to the present, the single, unwavering goal of the Thompson family was that the Train be where it would honor their husband and father and be safely enjoyed by others.

The Thompson family believes the return of the Train to the Thompson family is in the best interest of the Train, but more importantly, is in the best interest of the needs of the people of Anacortes.

Respectfully,


Elizabeth M. Carney

April 26, 2021

To: Mayor Laurie Gere
Anacortes City Council Members

Subject: Thomas G. Thompson Jr. Train

Dear Mayor and Council Members,

The Anacortes Railway Group is pleased that our efforts have revealed considerable local interest in the Tommy Thompson Train and the need for the City of Anacortes to display the train in accordance with the terms of the 2012 MOA with the Thompson Family.

Tommy created a remarkable piece of industrial art with his train and operated it in Anacortes for many years. While the relationship between Tommy and the City was not always smooth, he persevered and contributed a wonderful civic legacy to City lore. Upon his untimely death in 1999 the Thompson family removed the train from Anacortes and put it into storage in Seattle. It remained there, apparently unattended, until 2012 when the family was asked by Seattle City Light to move it. The family approached Anacortes to accept the train as a gift to the City with an MOA signed to accomplish that transfer. A group of local volunteers retrieved the train from Seattle, returned it to Anacortes, recertified the boiler, presented it back to the City during the 2012 Independence Day Parade and returned it to Tommy's train shed near the Depot. While a related volunteer group worked to develop a plan to operate the train in Anacortes, the City chose, for whatever reason, not to pursue the display as required by the MOA. When the volunteer group was unable to realize their goals, the City was left with no display nor operating train in 2018. An interested party in California approached the Thompson Family and the City in 2019 with an offer to buy and subsequently operate the train in California. The Thompson family and the City created a new MOA in late 2019. Subsequent discussions indicate there was not a common understanding of intent of that MOA. Our group came forward to assist the City in retaining the train in Anacortes and either operating it per the 2019 MOA or displaying it per the 2012 MOA. Repeated debates at City Council meetings have brought us to this point.

Seeing that the Council was not of a mind to operate the train in the city, our group offered overall funding, staffing and maintenance in a two-step approach to display the train in answer to the 2012 MOA. Initially we considered remodeling the existing train shed, but we felt the estimate to do so a poor value for the money. We then proposed to move directly to the second step with a new display building located in the Jim Rice Civic Park near the Depot and next to the WT Preston. Our proposal also included working with the City to help complete that area of Jim Rice Civic Park and provide a tourism connection between the Port's north/west basin and the Anacortes downtown core.

The Mayor and Staff provided an initial proposal between the City and the Anacortes Railway Group at the April 12, 2021 City Council meeting which focused only on remodeling the existing train shed. The extended debate at the Council meeting led to a further action to Mayor and Staff to revisit the proposal and meet with the Anacortes Railway Group. The Mayor and Staff met

with the Anacortes Railway Group on April 22, 2021 to present their revised proposal, focused again only on the existing train shed. The Anacortes Railway Group presented an outline of a proposed MOA along with supporting documents and concept renderings. Following discussions that indicated there were some critical difficulties with the proposals on the part of both City and Anacortes Railway Group, it was agreed that both parties would review the other proposals after the meeting.

The Anacortes Railroad Group carefully reviewed the April 12 and April 22 proposals by the City and firmly believes the City is completely capable of carrying out the intent of those proposals without the participation of our group. Both City proposals are essentially the same relative to the ARG's proposed participation. With the City centric proposal organized under the Museum, a City managed project to remodel the existing train shed and the capability of the existing Museum Foundation to raise funds and recruit volunteers it is our considered position that there is no need nor role for our group in the City's plan.

We wish to thank the City Council for allowing us the opportunity to pursue our gift to the city. But it is abundantly clear to us that the situation the City finds itself in now with respect to the Thompson family, municipal policies and regulations along with the past MOA's that any further attempt on our part to partner with the City is futile.

Our sincerest hope is the City Council, Mayor and staff will continue to create the display in Anacortes to celebrate and honor Tommy's Train in accord with the 2012 MOA.

Respectfully,

Dave Sem
And the members of the Anacortes Railway Group