

Anacortes City Council Minutes - August 8, 2022

Call to Order

Mayor Matt Miller called to order the Anacortes City Council meeting of August 8, 2022 at 6:00 p.m. Councilmembers Jeremy Carter, Ryan Walters, Christine Cleland-McGrath, Carolyn Moulton and Bruce McDougall were present. Councilmembers Anthony Young and Amanda Hubik participated in the meeting remotely via Zoom.

Pledge of Allegiance

The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Mayor Miller shared that the Arts Festival was a success and provided an update on the 32nd Street and M Avenue roundabout, which is now open to traffic with the remaining landscaping and safety improvements to be installed over the next several weeks.

Fiber Committee

Mr. McDougall reported from the Fiber Committee meeting held the previous week. The topics discussed included current active subscriptions passing 1500, the West End and Guemes View expansion projects, and staffing changes in the Fiber department.

Housing Affordability and Community Services Committee

Mr. Walters reported from the Housing Affordability and Community Services Committee meeting held the previous week. The topics discussed included Police response to homelessness and drug enforcement strategies.

Planning Committee

Ms. Moulton reported from the Planning Committee meeting held earlier in the evening. The topics discussed included the Shoreline Master Program update and coordination between the Police, Planning Department and City Attorney for nuisance abatement.

Public Safety Committee

Mr. Carter reported from the Public Safety Committee meeting held the previous week. The topics discussed related to the Police Department included recruitment challenges, the School Resource Officer program, the selection of Officer Janet Wilson to be a member of the Skagit County crisis negotiation team, and patrol tactics training. Topics related to the Fire Department included ongoing Assistant Chief interviews, budget planning, and a Fire Station 3 Study progress update.

Finance Committee

Mr. McDougall reported from the Finance Committee meeting held the previous week. The main topic discussed was OpenGov implementation, including public view of the Capital Facilities Plan and OpenGov customization.

Public Comment

Mayor Miller invited the public to comment on any item not on the agenda.

Evan Saxton of Anacortes commented on the Ward 1 meeting held the previous week. He expressed disappointment at the tone of the rhetoric used by some attendees toward homeless individuals, and that it went unchallenged by leaders who were present. He asked that leaders challenge such rhetoric in the future.

Rochelle Kealoha commented on the Ward 1 meeting held the previous week, and expressed disappointment that the focus of the meeting was to unfairly associate drug houses, illegal drug use and homelessness. She

asserted that illegal drugs and drug houses are a problem throughout the community regardless of socioeconomic status, and attributed the current challenges to a shortage of resources.

Consent Agenda

Ms. Moulton removed Item 5.c., Resolution 3095 - Waiving the Competitive Bidding Requirements for the Purchase of Public Safety Cameras, from the Consent Agenda.

Ms. Moulton moved, seconded by Mr. Young, to approve the following Consent Agenda items. The motion carried unanimously by voice vote.

a. Minutes of August 1, 2022

b. Approval of claims in the amount of \$735,554.81

The following vouchers/checks were approved for payment:

EFT numbers: 103891 through 103945, total \$561,263.18

Check numbers: 103946 through 103959, total \$146,666.34

Wire transfer numbers: 307977 through 308438, total \$27,625.29

Resolution 3095 - Waiving the Competitive Bidding Requirements for the Purchase of Public Safety Cameras

Ms. Moulton started the discussion regarding Resolution 3095 - Waiving the Competitive Bidding Requirements for the Purchase of Public Safety Cameras, saying that she was not aware of the initiative prior to it appearing on the agenda besides a brief mention at the public meeting last Wednesday, and thought that it would be better placed on the regular agenda to obtain greater depth of detail and background on the initiative.

Police Chief, Dave Floyd, explained that the security cameras serve as a force multiplier and would deter crime without a physical police presence and could assist in identifying possible suspects should a crime occur in the area where the system is deployed. He addressed misconceptions about the cameras, saying that they would be placed in areas that are in plain view of police officers while on regular patrol and that the retention of video evidence can be key to successful criminal prosecution.

Mr. Carter pointed out that other cities deploy camera systems from this vendor, and related an anecdote that the system had been instrumental in the successful identification and arrest of a murder suspect.

Mr. Walters expressed his concern that the price for the system was high and that a better deal could be obtained through further staff investigation. He further suggested that a cap be placed on the number of systems and / or the dollar amount of the purchase. He expressed his support for deploying public safety cameras as a force multiplier for law enforcement capabilities, but that it would be beneficial if more than one system would be procured.

Chief Floyd responded that this system has an excellent capacity to expand with an integrated 4 terabyte digital video recording capability that would provide ample opportunity to access and utilize relevant footage.

Mr. Carter wondered if there was a specific timeline associated with system procurement via sole source resolution versus putting the project out to bid and whether it could be operational in time for the upcoming Oyster Run event.

Mayor Miller added that the system was introduced at the Association of Washington Cities annual conference where the system was demonstrated to have been used to arrest a suspect in a homicide case and that the value of the system is that a camera can be somewhere for an extended period of time, allowing patrol officers to focus elsewhere.

Chief Floyd mentioned that he had spoken with other vendors, and that challenges with other vendors included limited system configuration and restrictions on system mobility and placement. Further, he added that this system is custom designed for this particular law enforcement use and is portable and adaptable to evolving requirements.

City Attorney, Darcy Swetnam, provided a legal update on the procurement process and associated sole source requirements. She mentioned that after careful consultation with the Contracts Specialist that the first vendor did not meet the City's requirements due to the previously mentioned limitations, whereas Security Lines US product meets the requirements for a sole source resolution, adding that there were other Washington jurisdictions that had implemented a sole source resolution for the same vendor. She concluded that the timeframe of having the system deployed in time for the Oyster Run event would be tight and unlikely to be met.

Mayor Miller cited the examples of other jurisdictions using sole source resolutions for this system as being supportive of the initiative.

Mr. Young expressed support of the system being a force multiplier and the sole source resolution. He also advocated that the resolution be brought before the Council on the regular agenda and that there should be further public discussion about the system.

Ms. Cleland-McGrath expressed three points of concern, including a request for a full presentation on the system to enhance the Council's understanding of system capabilities, the scope of employment, and the possible limitations of sole sourcing a system without full consideration of future requirements.

Mayor Miller responded that staff had already addressed most of the Council's concerns, pointing out that it is a standalone system that can supplement the police force and that there are no salient policy issues related to the resolution.

Chief Floyd mentioned that the purpose of the camera would be to move it around as informed by crime trends to serve as a deterrent to further activity and that it would be deployed for day-to-day law enforcement purposes and large scale events.

Mayor Miller mentioned that the Marathon Petroleum refinery offered to cover the price of procurement.

Mr. Walters pointed out that if Marathon is donating the system, then there would be no sole source requirement. He added that his concerns are related to procuring more than one system and questioned the validity of the vendor's representations related to the sole source requirement. He concluded that there was no legitimate reason to push for rapid system acquisition and that he would be in favor of going forward with the resolution with a cap on the amount.

Mr. Carter agreed that there could be a cap on the resolution.

Mr. Young agreed that there should be a cap on the resolution and that the resulting agreement should come back in front of the Council for consideration and discussion.

RYAN WALTERS moved, seconded by JEREMY CARTER, to approve Resolution 3095 as amended in Section 2 to read "The City Council of the City of Anacortes hereby waives the bidding requirements for the purchase of one public safety camera system for use by the City of Anacortes and authorizes sole source purchasing from Security Lines US."

Vote: Ayes - JEREMY CARTER, ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, AMANDA HUBIK. Nays - None. Result: Passed

Other Business

Ordinance 4029: Hours and Closures for Parks and the Anacortes Community Forest Lands

Mr. Walters introduced the first reading of Ordinance 4029: Hours and Closures for Parks and the Anacortes Community Forest Lands (ACFL). He pointed out that this legislation came about largely as a result of concern around homeless individuals camping or staying in parks and forest lands past posted operating hours. It codifies a uniform set of opening hours (5am-10pm daily) and provides explicit authority to the Parks Director to close a section of a park or the ACFL and makes it a violation to be in those areas after hours or under a closure order. The legislation also provides a means of requesting afterhours access for special purposes. He further mentioned that this ordinance will exclude homeless individuals from parks and the ACFL during the overnight hours and that many of the ACFL restrictions are driven by past events that threatened community safety and security, such as the fire near Cranberry Lake.

Mr. Young wondered if the hours might be variable based on the time of year and amount of daylight.

Ms. Moulton responded that consistency and accessibility were the driving factors in setting the hours as drafted.

Mr. Carter expressed support for consistent hours and the ability to request access outside of normal hours.

Mr. Walters indicated that the Parks Director is in favor of keeping the signs the same in order to conserve funds that would be required for changes to signage and that 10pm has long been the accepted and advertised closing time for parks and the ACFL.

Mayor Miller added that the main point of the legislation is to make the posted regulations enforceable and that he would prefer to keep the operating hours as currently drafted.

Mayor Miller invited the public to comment on the agenda item. Asa Deane, Executive Director of Friends of the Forest, expressed support for the legislation in having clarity and consistency of access throughout the year and enforceability of the associated regulations.

Adjournment

There being no further business, at approximately 6:50 p.m. the Anacortes City Council meeting of August 8, 2022 was adjourned.