

Anacortes City Council Minutes - March 18, 2024

Call to Order

Mayor Matt Miller called to order the Anacortes City Council meeting of March 18, 2024 at 6:00 p.m. Councilmembers TJ Fantini, Ryan Walters, Christine Cleland-McGrath, Carolyn Moulton, and Amanda Hubik were present. Councilmembers Anthony Young and Bruce McDougall were absent.

Ms. Moulton moved, seconded by Ms. Hubik, to excuse the absence of Mr. Young and Mr. McDougall. The motion carried unanimously by voice vote.

Pledge of Allegiance

The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Mayor Miller shared an update on the completion of the R Avenue Improvement Project, thanked HF Sinclair for the donation of playground safety equipment, announced the Egg Dash on Friday, March 22nd at 6:00pm, and reminded the Council about the purpose of committees per City Council procedures.

Public Works Committee

Mr. Walters reported from the Public Works Committee meeting held earlier in the evening. The topics discussed included the proposed 12th Street and Commercial Avenue roundabout, which will be re-considered at a subsequent City Council meeting.

Economic Development Committee

Planning, Community, and Economic Development Director John Coleman reported that the Economic Development Committee met on March 12th and that Mr. Young and Mr. McDougall attended the meeting. Mayor Miller announced that in light of the committee members' absence, the meeting would be reported on at the next regular meeting.

Public Comment

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

Linnea McCord of Anacortes commented on government debt and the responsibilities of managing the budget. She then asked that the Council stop work on the proposed Habitat for Humanity project until it has performed its own due diligence in determining that it is not an illegal gift under Washington state law, asserting that the City Council did not provide adequate time or information for consideration of the project.

Pat Gardner of Anacortes asked about parking requirements for new multi-unit developments, noting that more vehicles parked on the road invites increased crime and suggesting that developers be required to provide adequate secure off-street parking for residents.

Kellee List of Anacortes commented on the proposed Habitat for Humanity project on West 5th Avenue, asking that the Council provide prominent public notice, and why there has been limited communication. She added that this project has been misrepresented as small homes and that it is not compatible with the neighborhood.

Xuhua Mu of Anacortes readdressed her previous questions regarding the Habitat for Humanity project posed at the March 4th meeting. Has the project been approved? How will the project be funded and the process for selecting the dollar amount of funding? What was the rationale for five units compared to two as described on the Skagit County website? What is the traffic impact of the project on the area? What are checks in place to ensure neighborhood safety is maintained? How do you guarantee high quality design? How do five cottages

enhance the character of the neighborhood? Who determines project compatibility with the existing neighborhood?

Suzanne Rohner of Anacortes expressed satisfaction that the Council will reconsider the roundabout. She then addressed the proposed Habitat for Humanity project on West 5th Avenue and city growth, and the benefits of owning property versus renting property.

Consent Agenda

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

a. Minutes of March 11, 2024

b. Approval of claims in the amount of \$947,961.20

The following vouchers/checks were approved for payment:

EFT numbers: 108895 through 108929, total \$933,606.73

Check numbers: 108930 through 108948, total \$6,757.56

Wire transfer numbers: 343269 through 343581, total \$7,596.91

c. Contract Award: Commercial Ave Multimodal Enhancement Channelization Plan - WSDOT Reviews #24-075-TRN-001

Other Business

Cap Sante Park Lookout Proposal

Parks and Recreation Director Jonn Lunsford detailed the public process that brought the proposal before the Council and introduced Anacortes Rotary Foundation President Ron Litzinger, who provided an overview of the Cap Sante Park Lookout project proposal, referring to a presentation that was added to the packet materials for the meeting.

Mayor Miller invited members of the audience to comment on this agenda item. Public comment was given as follows:

Cynthia Richardson of Anacortes and the Cap Sante neighborhood spoke about the history of the Cap Sante lookout and the various amenities present at the site, voicing support for the additional amenities included in the project.

Jim Oschmann of Anacortes expressed support for the proposed project.

Discussion topics included:

- Eight-foot retaining wall location.
- Cap Sante as part of the Anacortes tour.
- Increased accessibility for disabled and elderly community members.
- Permitting risk exposure.
- Grading for the project and vegetation impacts.
- Lodging Tax Advisory Committee approved the funding.
- Council constrained to limit of LTAC funding.
- Timeline for construction.
- Source of additional funding if needed.
- Fit into the landscape and trail improvements.
- East side trail development.

- Safety for families with young children.
- Not visible from downtown.
- Safety enhancements for the west side.
- Spend Lodging Tax Advisory Committee be spent last.
- Twelve-month time limit on the project to encourage action.

Mr. Fantini moved to approve funding for the project in 2024 as approved by the Lodging Tax Advisory Committee. Mr. Walters requested that city staff bring a resolution before the City Council that would provide a formal means of approval. Mayor Miller noted that the other Councilmembers agreed and announced that it would be added to the agenda for a subsequent regular meeting.

Fire and Emergency Medical Services 2024 Department Update

Anacortes Fire and Emergency Medical Services Chief Bill Harris provided a 2024 department update, referring to a slide presentation that was added to the packet materials for the meeting.

Mayor Miller invited members of the audience to comment on this agenda item. Public comment was delivered as follows:

Xuhua Mu of Anacortes asked if the increase in call volume would follow the population growth trend and what assumptions were made to support those trend predictions. She also asked if call volume trends would remain similar post COVID-19 pandemic.

Discussion topics included:

- Incident command system = ICS, managing structure fires.
- AV = assessed value.
- NIMS = National Incident Management System.
- Ability to cover service area.
- Call volume to age analysis.
- Definition of a canceled call.
- Community paramedic and relationship to call volume.
- Transportation of elderly patients to and from care facilities.
- Alternative fire inspection models to increase annual completion rates.

Resolution 3152: Waiving Competitive Bidding Requirements for WTP Rotork Valve Actuators

Public Works Director Andrew Rheume introduced Resolution 3152 that would waive competitive bidding requirements for the Water Treatment Plant Rotork valve actuators.

RYAN WALTERS moved, seconded by AMANDA HUBIK, to approve Resolution 3152 as presented. Vote: Ayes - RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, AMANDA HUBIK, TJ FANTINI. Nays - None. Result: Passed

Ordinance 4075: Amending the Anacortes Municipal Code to establish a definition and add regulations for short-term rentals in the Commercial (C), Central Business District (CBD), Marine Mixed Use (MMU), and Commercial Marine (CM) zones.

Planning Manager Libby Grae introduced Ordinance 4075 that would amend the Anacortes Municipal Code to establish a definition and add regulations for short-term rentals in the Commercial (C), Central Business District

(CBD), Marine Mixed Use (MMU), and Commercial Marine (CM) zones, referring to a slide presentation that was added to the packet materials for the meeting.

Mayor Miller invited members of the audience to comment on this agenda item. Public comment was given as follows:

Mary LaFleur of Anacortes advocated against the proposed regulation of short-term rentals, pointing out that the government should not restrict homeowners from using their homes for that purpose or any other purpose and that short-term rentals are beneficial to the economy and the community. She also addressed the drawbacks of long-term rentals, including the difficulty of homeowners evicting bad tenants.

Jason Goold of Anacortes commented that the vacancy rate has a larger impact than short-term rentals on the economy and that a ban would carry a corresponding negative effect. He asserted that the Planning Commission made their decision with inadequate information and intimated that there could be constitutional problems with the proposed regulations. He added that the property values of those who are able to maintain their short-term rental status will increase at the expense of others, and that short-term rentals should be permitted in all zones.

DiAnn Sager of Anacortes related her experience staying in a short-term rental during a home flooding emergency, advocating for having these units available to those in similar situations. She added that short-term rentals provide peace and quiet not always available in hotels to athletes and other performers who need adequate rest to perform at a high level.

Tom Glade of Anacortes and Evergreen Islands commented on the benefit to those individuals seeking long-term housing of limiting or regulating short-term rentals, citing an AZ Central article that discusses the difficulty that the City of Sedona encountered with unregulated short-term rentals.

Gary Sandvig of Anacortes commented on his positive experience as the owner of a short-term rental in unincorporated Skagit County and the contrasting drawbacks of long-term rentals, including past experience with difficult tenants. He added that short-term rentals provide tax revenue to the city.

Rowena Durr of Anacortes described her experience as a rental broker in Anacortes, citing the economic benefits of short-term rentals.

John Prosser of Anacortes related his experience working with the owner of a local condominium development and provided statistics that support the benefit of short-term rentals. He expressed opposition to the proposed ordinance. He voiced support for short-term rentals in commercial business district and commercial zones and recommended that they be prohibited in the marine mixed use and commercial marine zones.

Kathleen Lorence-Flanagan of Anacortes expressed support for the proposed ordinance.

Kevin Pratt of Anacortes commented that his family relies on income generated from their short-term rental and expressed opposition to the proposed ordinance.

Cynthia Richardson of Anacortes commented on variable economic conditions that make flexible regulation of rental properties more beneficial to the local economy and property owners.

Almery Ecta of Anacortes addressed the benefits and flexibility of short-term rentals for families and guests.

Discussion topics included:

- This item limited to mixed use and industrial zones.
- Housing Action Plan
- Acting for the needs of the many, not just the few.
- Building sustainable community.
- Allow it in commercial and commercial business district, while prohibiting it in marine mixed use and commercial marine zones.
- Owner occupancy of short-term rentals in residential zones.
- How many community concerns came forward? Who from?
- How much development since development regulations in 2019? Were those units built to be affordable?
- Owner-occupied housing not affecting housing market.
- What would happen if people do not comply with the code?
- How many short-term rentals in 2019 before the code update?
- Balancing temporary emergent need versus sustainable long-term housing.
- Housing market effects.
- Monitoring and having a more robust short-term rental market.
- Partial use of homes for short-term rentals.
- Not hearing from those who work here, but cannot live here.
- Marine mixed use - owner-operator.
- Long-term view of 20-30 years in the future.
- Stop-gap measure to address the situation now.

CAROLYN MOULTON moved, seconded by RYAN WALTERS, to suspend the two-read rule for ordinances. Vote: Ayes - RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, AMANDA HUBIK. Nays - TJ FANTINI. Result: Passed

RYAN WALTERS moved, seconded by AMANDA HUBIK, to approve Ordinance 4075 as presented. Vote: Ayes - RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, AMANDA HUBIK. Nays - TJ FANTINI. Result: Passed

Contract Award: Manage Detection and Response (MDR) Service #24-016-ITS-001

Administrative Services Director Emily Schuh introduced proposed contract #24-016-ITS-001 for Manage Detection and Response service, detailing the contract price, term and scope, referring to a slide presentation that was added to the packet materials for the meeting.

Discussion topics included:

- The Albert sensor as a potential alternative.

AMANDA HUBIK moved, seconded by TJ FANTINI, to authorize the mayor to sign contract #24-016-ITS-001 with Critical Insight. Vote: Ayes - RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, AMANDA HUBIK, TJ FANTINI. Nays - None. Result: Passed

Adjournment

There being no further business, at approximately 9:14 p.m. the Anacortes City Council meeting of March 18, 2024, was adjourned.