

Anacortes City Council Minutes - May 27, 2025

Call to Order

Mayor Matt Miller called to order the May 27, 2025, Anacortes City Council meeting at 6:00 p.m. Councilmembers TJ Fantini, Ryan Walters, Anthony Young, Christine Cleland-McGrath (departed the meeting at 6:43 p.m.), Carolyn Moulton, and Amanda Hubik were present. Councilmember Bruce McDougall participated in the meeting remotely via Zoom (departed the meeting at 6:30 p.m.).

Pledge of Allegiance

The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Mayor Miller announced that the Guemes Island Ferry vehicle service is estimated to return on Friday, June 6th, with passenger-only service available until then.

Fiber Committee

Mr. Walters reported from the Fiber Committee meeting held May 22nd. The topics discussed included that SummitX has completed 82% of the Department of Commerce Economic Development Administration (EDA) area and that the project will be complete before the end of 2025, that installations will be underway in the EDA area starting in the first week of June, and the recent resolution of a system router issue that included a brief period of system unavailability in the early morning hours and involved the successful employment of the city's mass notification system. Mayor Miller expressed appreciation for the public's support of the city's fiber project.

Finance Committee

Ms. Cleland-McGrath reported from the Finance Committee meeting held May 22nd. The topics discussed included the retirement of a key employee and how to shift their responsibilities to others in the department, the annual audit report, and the upcoming City Council retreat where there will be an informed discussion based on updated data and informed by staff research on potential new revenue streams.

Planning Committee

Ms. Moulton reported from the Planning Committee meeting held earlier in the evening. The topics discussed included the Comprehensive Plan update check-in at the June 9th regular City Council meeting, the ongoing best available science review by GeoEngineers for the critical areas ordinance, an application for county .09 funding for \$750,000 to partially fund the construction of the event center, and "off-the-shelf" plans for accessory dwelling units. Mr. Young asked about the idea of the accessory dwelling unit plans. Ms. Moulton responded that in Seattle very few people have asked to use the existing plans. Mr. Walters added that Planning, Community, and Economic Development Director John Coleman would update the Economic Development Committee on the deep dive into the proposal.

Museum Committee

Ms. Hubik reported from the Museum Committee meeting held May 22nd. The topics discussed included a partnership with [Island Adventures](#) to conduct a historical cruise that will occur on three occasions throughout the summer, an update on the Q'elech'ilhch Park grant process for adding interpretive signs or panels and beautification, the storage building design project that will not impact parking, and an upcoming music exhibit for which the museum is seeking materials from the community.

Mr. Fantini announced that he and Ms. Moulton attended the empty-chair ceremony held by the Fidalgo Masonic Lodge on Memorial Day and the Senior Center unconventional runway show. He then mentioned that he had sent a letter to the mayor and the Council regarding a discussion about transitioning to a committee of the whole system as a point of discussion regarding council procedures during the upcoming City Council retreat. Ms. Cleland-McGrath mentioned that some of the topics that were discussed in Mr. Fantini's letter had

been discussed at the committee level but that this was the first time that a committee of the whole had been brought up. She asked if Mr. Fantini was requesting to add the issues captured in his letter as a City Council retreat agenda item, and why these issues had to be brought forward in a public forum when the Council had already had equal opportunity to discuss the Council retreat agenda. Mr. Fantini replied that this was the only way he knew how to communicate these ideas to all council members without violating the Open Public Meetings Act.

Public Comment

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

Laurie Carroll of Anacortes requested to appeal a letter from city code enforcement that required her to discontinue having an individual living in a recreational vehicle stored on her property in accordance with [AMC 19.48.020](#).

Consent Agenda

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

a. Minutes of May 19, 2025

b. Approval of claims in the amount of \$1,945,447.03

The following vouchers/checks were approved for payment:

EFT numbers: 112578 through 112620, total \$1,476,778.73

Check numbers: 112577 & 112621 through 112635, total \$458,223.62

Wire transfer numbers: 369565 through 369922, total \$10,444.68

c. Special Event: Anacortes High School and Cap Sante High School Graduation Parade 2025

d. Special Event: 4th of July Celebration

Other Business

Contract Award: Enterprise Resource Planning Software and Implementation Services #23-254-IDS-002

Finance Director Steve Hoglund introduced Finance Manager Rhonda Peck, who detailed the process that was undertaken to arrive at the proposed contract #23-254-IDS-002 with Tyler Technologies, Inc. to provide Enterprise Resource Planning (ERP) software and implementation services, referring to a slide presentation that was added to the packet materials for the meeting. Mayor Miller added that this proposal was the culmination of a lengthy process that involved every department in the city and expressed appreciation for the significant amount of work staff put into the project.

Discussion topics included:

- A consultant was hired to help with the application selection process.
- The request for proposal development process.
- How the software as a service fee proposed compares to the annual fee for the current system
 - The cost for Eden is \$80k versus \$190k for the new Tyler ERP.
- Savings on maintenance for moving to a cloud-based system versus having data maintained on premises.
- A mission-critical component of the city's software suite.
- Compatibility with Laserfiche for content and records management.
- 18–24-month implementation.
 - Eden will be run at the same time during implementation.
- Additional staff time requirements.
- Connectivity between Tyler EERP and SmartGov.
 - Manual to start, but potential automation will be explored.

- Post-implementation support.
 - Robust online support team and ticketing module.
- Feasibility of 10-day acceptance or rejection of deliverable timeline.
- Appreciation for achieving efficiency and adaptability to a growing city.
- Appreciation for staff work and the work ahead in implementation.
- Identifying any gaps in capability.

Anthony Young moved, seconded by Amanda Hubik, to authorize the mayor to execute contract #23-254-IDS-002 with Tyler Technologies, Inc. in the amount of \$941,697.00 to provide Enterprise Resource Planning software and implementation services.

Vote: Ayes - Carolyn Moulton, Anthony Young, Ryan Walters, Amanda Hubik, TJ Fantini. Nays - None. Abstentions - Christine Cleland-McGrath, Bruce McDougall. Result: Passed

Contract Award: Public Defense Services 2025–2028 #25-148-DEF-001

Administrative Services Director Emily Schuh introduced proposed contract #25-148-DEF-001 with Periscope Legal to provide legal services for those charged with a crime in Anacortes Municipal Court who are deemed indigent and are entitled to the effective assistance of counsel at public expense. She mentioned that the city is still waiting for Supreme Court action to determine the requirements for public defense as recommended by the Washington State Bar Association. She then recapped that the Council had been briefed on the coming changes to public defense requirements at the [June 3, 2024 meeting](#). Then, at the [May 19, 2025 meeting](#) they had approved the city's withdrawal from the [interlocal agreement](#) (approved at the [March 10, 2025 meeting](#)) with the cities of Burlington, Mount Vernon, and Sedro-Woolley to cooperatively procure public defense services, to pursue an exclusive contract with Periscope Legal. She then covered that existing funding for a second public defender in the 2025 budget and the imminent departure of the staff public defender would mean that no budget amendment would be required to execute this three-year contract. She pointed out that the agreement would come back before the Council if the caseload changed over an 18-month period by 15% or more, or if the Washington State Supreme Court changes the caseload requirements by 15% or more. She also mentioned that the city would not be funding the contractor's information technology, communications, travel, and training.

Discussion topics included:

- City personnel budgeted for public defense in 2025 and 2026.
- Contracting for a flat amount without mention of a specific caseload parameter.
- Tying the fees to the caseload and having flexibility based on Washington State Supreme Court action.
 - Contracts for conflict or overflow services will remain in place.
- If the Supreme Court reduces the allowed caseload, then this contract would need to be renegotiated at a higher cost.
 - Defense service costs will not decrease.
- Unrealistic requirement of communities to provide public defense support in a constrained fiscal environment.
 - The Washington State Bar Association has recommended a 70% reduction in the allowable caseload over 2 years.
 - Anacortes provided public comments with concerns about financial viability and attorney availability relative to the new requirements.
- Jurisdictions will not be able to enforce the law due to not having enough public defense attorneys.
- The temporary staff public defender will be departing not later than June 10th.
 - The contractor will assume cases and guarantee continuity of coverage.
- The contract is open to renegotiation if there is a 3% cost of living adjustment, or a 15% or greater change in caseload over an 18-month period, or a Supreme Court decision that changes the caseload by 15% or more.

- Difference in cost between this contractor and the others that responded to the request for proposal under the interlocal.
- Public defense costs are a nationwide challenge.
- Exhibit C monthly and quarterly reports in the contract. Are those reportable to the Council?
 - Would the reports show a year-over-year trend?
 - The current public defender provides that data and will be compared with contractor data.
- Forthcoming updates to the municipal code.
- Term of the contract - one year versus three years.
- Programming the cost to cover the potential caseload limits coming from the Supreme Court.
- Should we be considering hiring someone to serve on staff?
- Details about the Periscope Legal.
 - Two full-time attorneys and one legal assistant.
 - It is located in Island County.
 - Currently, they provide public defense services to the city of Oak Harbor.
 - They have secured office space in Anacortes.
- Basis of terms for renegotiation of the contract.
- Discuss the potential greater cost of public defense services at the Council retreat.

Anthony Young moved, seconded by Amanda Hubik, to authorize the mayor to execute contract #25-148-DEF-001 with Periscope Legal in the amount of \$855,000.00 to perform Public Defense Services from 2025 through 2028. .

Vote: Ayes - Carolyn Moulton, Anthony Young, Ryan Walters, Amanda Hubik, TJ Fantini. Nays - None.
Abstentions - Christine Cleland-McGrath, Bruce McDougall. Result: Passed

Adjournment

There being no further business, at approximately 7:18 pm the Anacortes City Council meeting of May 27, 2025, was adjourned.