

## **City Council Minutes – July 17, 2017**

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Mayor Laurie Gere called to order the regular Anacortes City Council meeting of July 17, 2017 at 6:00 p.m. Councilmembers Eric Johnson, Ryan Walters, Erica Pickett, Brad Adams, Liz Lovelett, Bruce McDougall and Matt Miller were present. The assembly joined in the Pledge of Allegiance.

### **Executive Session per RCW 42.30.110**

Mayor Gere announced that City Council and the City Attorney would convene in executive session for approximately 20 minutes to discuss potential litigation. At approximately 6:13 p.m. the mayor called meeting back to order and announced that no action had been taken in the executive session.

### **Announcements and Committee Reports**

#### **Department of Commerce Smart Vision Award: 2016 Comprehensive Plan:**

Planning Director Don Measamer reported that the City had submitted its 2016 Comprehensive Plan to the Department of Commerce for consideration for the Governor's Choice Award in its Smart Vision category. Mr. Measamer summarized the immense amount of public engagement and volunteer and staff time dedicated to the development and adoption of the plan. Mr. Measamer thanked all involved for their hard work to develop the final document.

Valerie Smith, Washington State Department of Commerce, presented Anacortes with the Governor's Smart Vision Award on behalf of Governor Jay Inslee. Ms. Smith cited the far reaching value of the comprehensive plan. She described the extensive public input and intense coordination and cooperation among a wide variety of stakeholders and concluded that the plan demonstrated excellence in comprehensive planning and meaningful public participation. Ms. Smith called Anacortes a leader in planning for smart sustainable growth and recognized the important role Anacortes serves in protecting surrounding rural, forested and marine areas that are so important to Anacortes and Skagit County citizens. Mayor Gere accepted the award on behalf of the city. Mr. Measamer distributed certificates of appreciation to the mayor, councilmembers, Planning Commissioners, Citizens Advisory Committee members, the consultant team from Makers, and Planning Manager Libby Grage.

**4th of July Parade Awards Presentation:** Sylvia Cooper thanked everyone who participated in the 4<sup>th</sup> of July parade and announced the first, second and third place winners in the float and marching group categories. Float: 1<sup>st</sup> place to Anacortes Sister Cities, 2<sup>nd</sup> place to Anacortes Community Theatre, 3<sup>rd</sup> place to When You Wish Events. Marching Group: 1<sup>st</sup> place tie between Anacortes Youth Cheer and Twisted Pixies, 2<sup>nd</sup> place to Kiwanis Sunrisers Kazoo and Precision Drill Team, 3<sup>rd</sup> place to Old Anacortes Rowing and Sailing Society (OARS). Mayor Gere presented awards and certificates to the winners.

**Port/City Liaison Committee:** Mr. Johnson reported from the committee meeting the prior Tuesday. Topics discussed included declining transport of prilled sulfur and a resulting decrease in prilled sulfur mitigation payments from the Port to the city; issuance of the Corps of Engineers permit for the wastewater treatment plant outfall repair which was schedule to begin August 6; long term use of the Marine Hardware building; and the maritime strategic plan currently under development. Mayor Gere elaborated on the fact gathering and stakeholder meetings held thus far as a collaborative effort between the city, the Port of Anacortes and EDASC on a strategic plan to develop a marine center of excellence and generate family wage jobs. The mayor said she would continue to report on the ongoing effort.

**Finance Committee:** Mr. Johnson reported from the committee meeting the prior Wednesday. He said sales tax revenue was up 11% from the same period the prior year, driven by businesses that respond to the health of the economy. He reported on upcoming improvements to picture quality on Channel 10. He

explained the proposed early payment of the final year of the library bond which would come to Council for action by resolution at its next regular meeting. Mr. Johnson described the City of Redmond model for evaluating the value of government services provided in relation to total taxes and fees collected and establishing a ratio consistent with voter sentiment to guide planning. Mr. McDougall reported that the committee had also discussed the risks and rewards of different rates of expansion of the city's fiber optic network. He explained that by year end the skeleton network connecting the utility pump stations would pass 10% of buildings in town. Mr. McDougall encouraged planning to determine how fast the network would be built out to reach remaining residents and businesses and develop funding and operating models to support build out, noting that the rapidly emerging internet of things would likely quickly expand demand for affordable high speed fiber connectivity.

Public Works Committee: Mr. Walters reported from the committee meeting earlier in the evening at which those present discussed the wastewater treatment plant outfall repair project and the need to order HDPE pipe for that project to ensure sufficient supply; the possible acquisition of the PUD water distribution system on south Fidalgo Island; a private road with public access in Skyline; the WSDOT Sharpes Corner roundabout project and overlay projects which were expected to go out to bid in the fall; the state legislature's failure to adopt a capital budget which could jeopardize the city's loan for the Blue Heron Circle reservoir project in which case the city might need to issue an internal loan to fund the project; and the pending Skagit County grant for fiber which was still under discussion.

Ms. Lovelett announced that she would not be able to attend the July 24, 2017 regular City Council meeting and asked that her absence be excused.

#### **Public Comment**

Nicholas Genovese, 1311 17<sup>th</sup> Street, asked who approves floats for the 4<sup>th</sup> of July parade. Mr. Genovese said that this was the first year in the six years he had attended the parade that he saw specific political narrative present. Mayor Gere explained that the parade had historically been open to anyone who arrived at the starting line and that when the city took over the event the prior year it began vetting only the participants who wished to compete for prizes though it was considering another kind of sign up system for the future. Mr. Genovese said he respected First Amendment rights but that he felt the parade was a celebration of community and patriotism, not a forum for specific political narratives.

Walter Guterbock, 2005 29<sup>th</sup> Place, said he observed the line of traffic waiting to turn south at Sharpes Corner and asked if a regular roundabout were built at that intersection, how would drivers ever get out of Anacortes heading east? Ms. Pickett said she was very impressed by WSDOT presentations addressing that question including a traffic simulation and that the WSDOT model indicated that the roundabout would accommodate the traffic flow. Mr. Walters observed that WSDOT can also adjust timing of the signal lights approaching the roundabout to regulate traffic flow. Mr. Guterbock agreed that in Great Britain traffic lights are used to regulate traffic flows surrounding busy roundabouts. Mr. Johnson requested that the WSDOT simulation be posted on the city website.

#### **Consent Agenda**

Mr. Johnson moved, seconded by Ms. Lovelett, to approve the following Consent Agenda items. Vote: Ayes – Walters, Pickett, Adams, Lovelett, McDougall, Miller and Johnson. Motion carried.

- a. Minutes of July 10, 2017
- b. Approval of Claims in the amount of: \$434,609.79
- c. Cap Sante Marine Lease

The following vouchers/checks were approved for payment:  
 EFT numbers: 85649 through 85702, total \$102,829.95  
 Check numbers: 85703 through 85757, total \$193,017.26  
 Wire transfer numbers: 211817 through 218933, total \$19,114.33

## **OTHER BUSINESS**

### **Resolution 1992: Approve the Addition of 32nd Street/D Avenue Roundabout Construction (2018) to State Transportation Improvement Plan (STIP)**

Public Works Director Fred Buckenmeyer explained that the city had been awarded federal grant funds for the design portion of the project and that the terms of that grant and potential grants for construction funds both require that the city demonstrate allocated funding sources for the construction of the roundabout. Mr. Buckenmeyer recommended earmarking \$600,000 of transportation impact fees for the project, noting that this was one of very few transportation projects eligible for impact fee funding. He clarified that street overlays were not eligible for impact fee funding. Mr. Buckenmeyer added that staff would apply for Transportation Improvement Board funding for construction of the roundabout and if that funding were awarded, some or all of the earmarked impact fees would not be spent on the 32<sup>nd</sup> Street and D Avenue roundabout project. Mr. Johnson confirmed that a subsequent budget amendment would be required to conform the 2018 budget to Resolution 1992 if it were approved.

Ms. Lovelett moved, seconded by Mr. Miller, to approve **Resolution 1992** to approve the use of impact fee funds, REET funds, and TIB funds for the fiscal year 2018 32nd Street and D Avenue roundabout project. Vote: Ayes – Pickett, Adams, Lovelett, McDougall, Miller, Johnson and Walters. Motion carried.

### **Contract Award: Aquatic Vegetation Management of Heart Lake (17-073-PRK-001)**

Parks Operations and Forestland Manager Jonn Lunsford requested Council approval to execute a contract with AquaTechnex to apply the herbicide fluridone at Heart Lake to treat the hybrid milfoil in the lake, consistent with Resolution 1989 adopted at the July 10, 2017 regular City Council meeting. Mr. Lunsford reported that staff issued a Request for Proposals and received two responses including the low bid from AquaTechnex. He said that the proposal had been reviewed by the city's consultant, Herrera Environmental, and found satisfactory. Mr. Lunsford recommended approval of the contract with AquaTechnex in the amount of \$41,826.75. He said work would begin very soon after approval. In response to a question from Mr. Miller, Mr. Lunsford reported that the other proposal had been in the amount of approximately \$49K.

Mr. Johnson moved, seconded by Mr. Adams, to authorize the mayor to enter into the presented contract with AquaTechnex. Ms. Lovelett asked Mr. Lunsford to ensure that the lake was adequately signed prior to application. Mr. Lunsford explained that application of fluridone does not require restrictions of use for swimming, drinking, or fishing but said both AquaTechnex and city staff would post extensive explanatory signage. Vote: Ayes – Adams, Lovelett, McDougall, Miller, Johnson, Walters and Pickett. Motion carried.

### **Local Climate Action (Discussion/Possible Action)**

Mayor Gere summarized the discussion of the city's green initiatives from the July 10, 2017 City Council meeting and Council's request for consideration of the open letter to the international community and parties to the Paris Agreement that was included in the packet materials.

Mayor Gere invited members of the audience to comment on this agenda item.

Eric Shen, speaking for Transition Fidalgo & Friends, said that everyone needs to work to combat climate change and its impacts. He reported that a growing number of states, cities, universities and businesses had been agreeing to work to meet the goals of the Paris Climate Agreement even though the U.S. federal Government had backed out of that agreement. Mr. Shen observed that greenhouse gases are generated by individuals and businesses so individual and local action was required to change that course. He said signing the open letter would show that Anacortes has been and remains dedicated to combatting climate change and preparing for its unavoidable impacts. Mr. Shen encouraged Council to sign on to the letter that dedicates Anacortes to meeting the goals of the Paris Climate Agreement.

Nicholas Genovese, 1311 17<sup>th</sup> St, cited his consulting career in water and process technologies that reduce the use of water and energy and therefore emissions. He applauded the city's efforts to conserve energy and resources which is good for local families, communities and businesses but said it was hard for him to understand signing a very generalized and unenforceable document to be held accountable to a bureaucracy in Brussels. He said the climate movement seemed like a centralization of power. Mr. Genovese said the local community and businesses were already doing the right things, becoming more efficient with water and energy, without signing the open letter.

Ms. Pickett made a business case for signing the document. She said it was unprecedented that 195 countries signed the Paris Climate Agreement. She observed that we all trade with other countries and said there was no reason for the United States to give another country any more reasons to buy Airbus vs. Boeing. She called the letter a statement of "we stand with you." Ms. Pickett agreed that the document was very broad and unenforceable but said any time 195 different cultures agree on a course of action, it's worth staying with that. She observed that the U.S. business sector was already moving to reduce carbon footprints because it makes good economic sense. She respected Mr. Genovese's concerns but said signing the open letter was worth it.

Mr. Johnson noted that more than 1400 institutions had signed the open letter, including 140 U.S. cities and towns and major businesses. He reported an email from a thoughtful constituent asking how Council could face the many employees of the two local oil refineries and tell them Anacortes wanted to act to cost them their jobs by aligning with proponents of the Paris Climate Agreement. Mr. Johnson noted that major energy companies were on record supporting the agreement because it reflects the economic future and that Shell was one of 16 parties that urged the U.S. to remain a party to the agreement. He explained that the Department of Defense considers climate change a major driver of instability which will cause military as well as economic challenges. Mr. Johnson said signing the open letter affirms that Anacortes will continue to support the efforts established by the Paris accords.

Mr. Adams praised Mr. Buckenmeyer's presentation at the July 10, 2017 City Council meeting enumerating the city's many efforts to achieve energy efficiency. He said the Paris Agreement has turned into a political thing but that the open letter doesn't approve the language of the Paris Agreement, simply says Anacortes will as a local community move forward to reduce energy use. He said he'd rather put the open letter in the form of a resolution and add the presentation from the prior week and language specifically listing Anacortes past and planned future efforts to conserve energy.

Ms. Lovett reported on her research of the Paris Climate Accord and said it allowed each country to determine its own efforts towards a solution. She agreed with Ms. Pickett that it takes a global community to solve these problems working together. She said that the open letter is non-binding but symbolizes to the local community that Anacortes has leadership to work locally on the effects of climate change and is dedicated to doing so. She called the Paris accord an historic opportunity for the entire world to move forward. Ms. Lovett observed that Anacortes is a refinery town and is on the forefront of the changing economy and achieving a just transition. She noted that there is a lot of consensus among refineries about the impacts of climate change.

Brian Wetcher, 814 26<sup>th</sup> Street, clarified that the Paris agreement would be administered under the auspices of the United Nations. He congratulated the city on acting on an impact of climate change by contracting to treat the milfoil at Heart Lake, which he said is almost completely the result of a warming climate over the past ten years. He said the city has stepped up to the plate with the technology it has adopted and its building code decisions. Mr. Wetcher recalled the slogan, "Think globally, act locally" and said the city has already acted locally, now was the time to think globally and tell the citizens why it is important that the city take a positive stand towards a unified approach to global warming.

Mr. Miller reiterated that issues like this are well outside Council's lane as a non-partisan governing body per Article 1 Section 10 of the U.S. Constitution. He said the proposal to sign the open letter clearly says that the elected representatives of the citizens of Anacortes don't like the action taken by the U.S. government with respect to the Paris Climate Agreement. Mr. Miller said that would divide rather than unite Council on issues it agreed upon, such as the great environmental and cost friendly actions reported by Mr. Buckenmeyer at the prior week's meeting. He gave other examples of federal action with which he disagreed but suggested those were not appropriate topics for Council consideration and that Council should better spend its time on infrastructure, public safety, budget and local regulations. Mr. Miller said he would not vote in favor of signing the open letter but that in no way implied he felt individuals should not voice their own opinions about political leadership. He called for the question to be voted on as soon as possible so Council could get back to work on development regulations.

Mr. Walters agreed with several of Mr. Miller's points and said he did not generally favor non-binding statements on issues Council had no control over but was willing to make an exception for this item because it is really important. He said the city was leading by example with its actions to respond to climate change but needed to tell the public what it was doing and why. Mr. Walters said the open letter did not endorse the Paris Climate Agreement, only committed Anacortes to remain engaged to hold warming well below 2°C and accelerate the transition to a clean energy economy. He cited the economic benefits and opportunities the two local refineries have brought to Anacortes but said that industry will change over time and Council needs to anticipate that. Mr. Walters argued that climate change is not a partisan issue and that opinion about it is not clearly divided along party lines.

Mr. McDougall agreed with Mr. Walters that the city was walking the walk with its actions to reduce its carbon footprint but wasn't necessarily communicating how it was doing so. He said he would be seeking partners to crunch numbers and study how Anacortes was doing as a municipality and as a community to reduce its carbon footprint, track that progress over time, and communicate it to the public. He said Anacortes was only bound by a commitment to itself to reduce its carbon footprint and to be part of the global community in that effort. He reminded that doing so also makes economic sense.

Ms. Lovelett moved, seconded by Mr. Johnson, to authorize the mayor to sign the open letter to the international community and parties to the Paris Agreement that was included in the packet materials. Mr. Adams moved, seconded by Mr. Miller, to add as an attachment to the letter the Green Initiatives Past-Present-Future slide presentation presented by staff at the July 10, 2017 City Council meeting and some language addressing what Anacortes has done to reduce its carbon footprint and what it intends to do in the future. Vote on amendment: Ayes – Lovelett, McDougall, Miller, Johnson, Walters, Pickett and Adams. Motion carried. Vote on amended motion: Ayes – McDougall, Johnson, Walters, Pickett, Adams and Lovelett. Nays – Miller. Motion carried.

There being no further business, at approximately 7:35 p.m. the Anacortes City Council meeting of July 17, 2017 was adjourned.