

City Council Minutes – March 13, 2017

Mayor Laurie Gere called to order the regular Anacortes City Council meeting of March 13, 2017 at 6:00 p.m. Councilmembers Eric Johnson, Ryan Walters, Erica Pickett, Brad Adams and Matt Miller were present. Councilmembers Liz Lovelett and John Archibald were absent.

Ms. Pickett moved, seconded by Mr. Miller, to excuse the absence of Ms. Lovelett who was ill. The motion passed unanimously by voice vote.

The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Planning Committee: Mr. Walters reported that the committee met the prior week to interview Hearing Examiner candidates and so did not meet at its regular time earlier in the evening.

Mayor Gere announced a special meeting for the residential development regulations and design standards open house sponsored by the City of Anacortes Department of Community and Economic Development on Thursday, March 16, 2017 from 6 p.m. to 8 p.m. in the City Council chambers. She encouraged the public to attend.

Public Comment

Linda McNamar, 509 5th Street, asked Council to revisit the issue of banning plastic bags. She said other cities such as Seattle, Bellingham and Chehalis have banned plastic bags and Anacortes can and should, too. Ms. McNamar said the plastic bag problem has gone on too long. She asked what would be required to move the issue forward. Mayor Gere responded that the topic would be referred to committee.

Mr. Walters moved, seconded by Mr. Johnson, to excuse the absence of Mr. Archibald who was ill. No one objected.

Consent Agenda

Mr. Adams removed Items 5c, 5d and 5f from the Consent Agenda. Mr. Johnson moved, seconded by Mr. Adams, to approve the following Consent Agenda items. The motion passed unanimously by voice vote.

- a. Minutes of March 6, 2017
- b. Approval of Claims in the amount of: \$621,966.85
- e. Contract Modification: WWTP Outfall Repair (13-020-SEW-004)

The following vouchers/checks were approved for payment:
EFT numbers: 84049 through 84107, total \$205,243.09
Check numbers: 84108 through 84166, total \$328,885.67
Wire transfer numbers: 213466 through 214058, total \$5,414.36

- c. Contract Award: Blue Heron Circle Reservoir Project Construction Management Services (16-039-WTR-003)
- d. Contract Modification: Blue Heron Circle Reservoir Engineering Services (16-039-WTR-001)

Mr. Adams requested a staff update on this large project and why there had been no bid process for the proposed contracts. Project Manager Jeff Marrs, Water Treatment Plant Manager, explained that HDR had been selected during the design review process and that the current matter was a modification to that contract to continue HDR's engineering services during construction. Mr. Marrs reported that MWH was selected for construction management services in order to establish the same very successful team that had managed the Water Treatment Plant expansion. He assured Council that Anacortes would be getting the best value for its professional service expenditures. Mr. Adams moved, seconded by Ms. Pickett, to approve Consent Agenda Items C and D. The motion passed unanimously by voice vote.

f. **Resolution 1985:** Special Market Condition for Purchase of Directional Drilling Equipment

Mr. Adams noted that Council had approved a similar resolution the prior month and asked the relationship between the two. Public Works Director Fred Buckenmeyer explained that following Council adoption of Resolution 1984 on February 13, 2017, the approved equipment had been professionally inspected and found to need significant repairs. He said staff had since investigated other available used machines and recommended the proposed machine, which was ready for use at a price below comparable machines. Mr. Adams moved, seconded by Mr. Walters, to approve Consent Agenda Item F. The motion passed unanimously by voice vote.

OTHER BUSINESS

Arts Commission Update

Parks and Recreation Director Gary Robinson introduced an update to Council on the work of the Anacortes Arts Commission during the prior year. Mr. Robinson introduced the commission members who were present including Lanny Bergner, Terry MacDonald, Ron Smith, Brian Strickland, Lisa Rhoades and Karla Locke and also recognized Rita James and Mary Snyder for their contributions to the commission.

Commissioner Karla Locke described a number of the commission's recent initiatives including increasing public awareness with a new website (anacortesartscommission.com), First Friday art walks at the Depot Arts Center, the 98221 Gallery at City Hall, alternating art exhibits with sister city Sydney, B.C., the Arts for All program, and the Art, Therapy, Wellness series at Anacortes Public Library.

Commissioner Lisa Rhoades presented the 98221 Studio Tour guide. She said the program was hugely successful in 2016 and that the commission expected that to continue with the second annual event scheduled for October 21-22, 2017. Ms. Rhoades said the group planned to increase promotion to Victoria and Vancouver, B.C. as many visitors from that area attended the 2016 event.

Mr. Robinson updated Council on the proposed outdoor sculpture exhibit in the madrone grove immediately east of the Depot Arts and Community Center. He said the plan had been adapted to address concerns expressed following discussions with the Parks Board, Arts Commission, and City Council Parks & Recreation Committee. Mr. Robinson described the sculpture mounting methodology designed so as not to disturb trees roots. He displayed an aerial photo depicting the proposed locations for the dozen sculptures and images of the art. Mr. Robinson responded to councilmember questions about the exhibit and councilmember requests for interpretive signage explaining the origin of the grove and encouraging respect for the trees. Councilmembers thanked the Commission for its very active approach to expanding access to art in the community.

Hearing Examiner Confirmation

Planning Director Don Measamer recapped Council's consideration of code changes regarding code enforcement and adoption of Ordinance 2988 creating the office of Hearing Examiner to hear appeals of

code enforcement actions and certain limited land use actions. Mr. Measamer reported that staff had issued a Request for Proposal for hearing examiner services, that three proposals had been submitted, that the Council Planning Committee had selected two of those for interview, and that after interviews with the committee members and staff the interview panel recommended engaging Sound Law Center, specifically Mr. Ted Hunter as Hearing Examiner and Mr. Andrew Reeves as Hearing Examiner Pro-Tem. Mr. Measamer summarized the firm's qualifications as presented in the packet materials for the evening and said it provided hearing examiner services to twenty different jurisdictions in Washington state. Mr. Walters and Mr. Adams, both of whom served on the interview panel, strongly recommended the selections. Mayor Gere confirmed with Mr. Measamer that the firm had agreed to a rate of \$125/hour. Mr. Miller requested an updated estimate of the annual cost of the new position. Mayor and Council asked Mr. Measamer to prepare a contract with Sound Law Center and bring it back before Council for approval.

Resolution 1963: Establishing Fees for the Storm Water Utility and Ordinance 2979 Removing Storm Rates from AMC and Defining Impervious Surface Units

Public Works Director Fred Buckenmeyer recapped and continued the discussion of this topic from the February 13, 2017 City Council meeting. His slide presentation was added to the packet materials for the meeting. Mr. Buckenmeyer presented Rate Schedule A, the preferred option recommended by staff, which would increase storm water utility rates gradually from January 1, 2018 through 2030. He contrasted this with alternative Rate Schedule B which would initiate the rate increase mid-way through 2017. Each schedule included the anticipated annual revenue, net revenue, and reserve balance. Mr. Buckenmeyer then demonstrated the impact of Rate Schedule A on bills for selected commercial accounts inside and outside the HM/LM1 zones. He concluded by listing potential rate equity improvements that staff could continue to investigate. Mr. Buckenmeyer said that a public outreach campaign was being developed but would not go live until specific rates were approved. He responded to questions regarding possible rate adjustments for residential customers with significantly smaller or larger than average lots or homes and reminded that a 20% discount on all City utilities was available to customers who met limited income eligibility requirements. Mr. Walters requested a means for commercial customers to request re-evaluation of their ERU equivalency. Mr. Miller requested that the public outreach effort explain how the new 3600 SF ERU was developed. Mr. Buckenmeyer concurred. Discussion continued on related topics.

Mr. Johnson moved, seconded by Mr. Walters, to approve **Ordinance 2979** to update City code related to stormwater utilities and approve **Resolution 1963** to increase stormwater utility rates as presented by staff as Rate Schedule A. Mr. Adams confirmed that the only portion of the unified fee schedule that was changed by Resolution 1963 was the storm utility rates. Ms. Pickett contrasted the CPI language in the body of Resolution 1963 with that in its Attachment A. Mr. Walters concluded that the more specific language in Attachment A governed. Mr. Walters asked staff to correct the spelling errors in Exhibit A prior to execution. Mr. Buckenmeyer agreed to do so. Vote: Ayes – Walters, Pickett, Adams, Miller and Johnson. Motion carried.

There being no further business, at approximately 7:25 p.m. the Anacortes City Council meeting of March 13, 2017 was adjourned.