



City Council Minutes – September 20, 2010

At 7:30 p.m. Mayor Maxwell called the regularly scheduled Anacortes City Council meeting of September 20, 2010 to order. Roll call found present: Erica Pickett, Brad Adams, Bill Turner, Cynthia Richardson and Brian Geer. Kevin McKeown and Nick Petrish were absent. Roll call was followed by the Pledge of Allegiance.

Minutes of Previous Meeting

Mr. Geer moved, seconded by Mr. Turner, that the minutes of September 7, 2010 and September 13, 2010 be approved as if read. Vote: Ayes – Pickett, Adams, Turner, Richardson and Geer. Motion carried.

Citizen Hearings

No one present wished to speak on any items not on the regular agenda.

Mayor/Council Communication

Mayor Maxwell reminded the community that Oyster Run would take place on Sunday and advised that the Anacortes Police Department was preparing for the event.

Mrs. Pickett reported a nice Fidalgo Bay Day on Saturday. She thanked the Samish Indian Nation, Trident Seafood and Taylor Shellfish Farm for their generosity.

Consent Agenda

Mrs. Pickett moved, seconded by Mr. Geer, to approve the following Consent Agenda items. Vote: Ayes – Adams, Turner, Richardson, Geer and Pickett. Motion carried.

Approval of Vouchers/Cancellation of Warrants

Council voted unanimously that the following vouchers/warrants audited and certified by the City's Auditing Officer (Finance Director) and subsequently reviewed and approved by the Council Finance Committee on September 9, 2010 and September 16, 2010 are approved for payment as of this date September 20, 2010.

Claims Warrants

September 2010: Warrant Numbers 57279 through 57456 in the total amount of \$1,032,440.05

EFT

September 2010: Warrant Numbers 57266 through 57278 in the total amount of \$3,080.14

Payroll for September 20, 2010 in the total amount of \$546,822.07

Warrant Numbers 35223 through 35269 in the total amount of \$40,309.64

Direct Deposit Numbers from 36798 through 36976 in the total amount of \$327,198.69

EFT Numbers from 1179 through 1184 in the total amount of \$179,313.74

Cancelled Warrants

September 2010: Warrant Number 57122 in the total amount of \$84.72

In the same motion Council:

Adopted **Ordinance 2836** amending Ordinance 2824 vacating a right-of-way of certain portions of 11th Street, Block 243 Map of Anacortes, Records of Skagit County, Washington.

CDBG 2009 Consolidated Annual Performance & Evaluation Report (CAPER)

Planning Director Ryan Larsen presented Council with the City's CAPER for the 2009 reporting year which summarizes annual activity corresponding to the 2007-2009 Consolidated Plan. Mr. Larsen summarized some of the projects funded under the program including \$77,758.15 for the Anacortes Family Shelter which is now up and running; \$28,743 for Gentry House Adult Day Care Center which is

now up and running to accommodate adults with special needs and provide respite care for caregivers; \$15,935.70 to Skagit County Community Action Agency (SCCAA) for the CHORE program to assist elderly disabled individuals including at least 40 residents of Anacortes; \$36,000 over three years for improvements to the Skagit County Food Distribution Center which serves area food banks and hot meal programs including those in Anacortes; and \$28,497 of American Reinvestment and Recovery Act (ARRA) funding for a SCCAA project which provided weatherization assistance to a low income Anacortes household.

Consultant Contract: Study and Design of Modifications to 3 MG Water Booster Pump Station

Public Works Director Fred Buckenmeyer asked Council to approve a consultant contract to MWH for preliminary design work on the 3 million gallon water booster pump station upgrade to serve the Skyline reservoir. He said in spite of several low cost adjustments over the years the City has had difficulty keeping the reservoir full in the summer during peak demand. Mr. Buckenmeyer said the Water System Plan calls for the pumps to be upgraded and noted they were installed in 1975. He asked Council to approve a contract for an amount not to exceed \$45,037 and said this item has been in the budget for two years. Mr. Turner asked for some background on MWH. Mr. Buckenmeyer replied that MWH Americas, Inc. has designed and managed most of the City's water line segment replacements for years and will also be recommended to manage the upcoming water treatment plant upgrade. Referring to Mr. Buckenmeyer's September 15, 2010 memo to Council Mr. Geer asked what happens if MWH determines the new pumps won't fit in the existing building. Mr. Buckenmeyer said the building may have to be expanded. The Mayor and Mr. Buckenmeyer clarified that the proposed MWH contract is just for design and engineering of the pumps. Mr. Turner moved, seconded by Mr. Adams, to approve the contract award to MWH Americas, Inc. Vote: Ayes – Turner, Richardson, Geer, Pickett and Adams. Motion carried.

Community Service Work Contract: Ace of Hearts Park – Rotary Club

Parks and Recreation Director Gary Robinson asked Council to approve a \$15,000 Community Service Work Contract with the Anacortes Rotary Club for drainage and utility work at the future baseball field at Ace of Hearts/Rotary Park. Mr. Robinson said similar contracts have been used in the past very successfully in our parks and that RCW 35.21.278 allows cities to issue up to \$25,000 of such contracts each year. Mr. Turner clarified that the City will provide material and diesel fuel and in return the Rotary Club will contribute \$45,000 worth of labor for \$15,000. Mr. Robinson concurred and added that the baseball club may contribute additional labor. Mrs. Pickett asked about worker insurance. Mr. Robinson said volunteers are covered by the City but anyone who is hired to work on the project is insured by the entity that hires them. Mr. Adams asked if the design plans are approved by the City before the work is undertaken. Mr. Robinson said he reviews the work in the field and has significant control over it. Mr. Geer moved, seconded by Mrs. Pickett, to approve the Community Service Work Contract with the Anacortes Rotary Club. Mrs. Richardson and Mr. Robinson thanked the Rotary Club and other volunteer groups for making things happen that neither the clubs nor the City could accomplish alone. Vote: Ayes – Richardson, Geer, Pickett, Adams and Turner. Motion carried.

Ordinance: Approving Shoreline Master Program

Ordinance: Approving Changes to AMC Chapter 18.16 – Shoreline Master Plan

Mr. Larsen asked Council to review and approve an ordinance adopting the comprehensive Shoreline Master Program (SMP) update and an ordinance updating AMC Chapter 18.16 to address procedural issues and incorporate the SMP into the AMC. Mr. Larsen explained that the City received a letter from the Department of Ecology (DOE) on September 7, 2010 approving the SMP subject to required and suggested changes which were included in the Council packet. Mr. Larsen said that staff and the City's consultant, The Watershed Company, met with DOE and worked through the DOE comments. He felt all issues had been adequately addressed and that the intent of the SMP would be met by adopting the required and suggested changes. He added that on the recommendation of legal counsel Susan Drummond staff has added a clause to the ordinance to clarify which regulations pertain to critical areas that are outside of or span the shoreline jurisdiction. Mr. Larsen then addressed several of the required changes from DOE. He said legal descriptions were required for all the designated shorelines and some minor definition changes were also required. Mr. Larsen also highlighted a required change to DR-6.5.8 regarding landscaping for public access trails in shoreline areas and another to DR-6.6.7 requiring an

inventory of critical saltwater habitat prior to construction of over water and near-shore developments. Mr. Larsen noted that such an inventory is already required for a JARPA and the Mayor advised applicants can use existing documentation to meet the City requirement. Mr. Larsen thanked the Mayor, City Council, Planning Commission, Citizens Advisory Committee, Department of Ecology, Dan Nickel of the Watershed Company, City staff Don Measamer, Libby Grage and Rob Hoxie, and the citizens of Anacortes for all their hard work to get the SMP update to this point.

Mrs. Richardson moved, seconded by Mr. Geer, to adopt **Ordinance 2837** approving the Shoreline Master Program update and **Ordinance 2838** approving changes to AMC Chapter 18.16 and thereby put a new SMP in place. She said Anacortes is one of the first in the state to have completed this process and praised Mr. Larsen and his staff for their hard work. Mr. Adams emphasized that the new Shoreline Master Program protects the shoreline for water dependent uses and commercial and industrial development. Vote: Ayes – Geer, Pickett, Adams, Turner and Richardson. Motion carried to applause.

There being no further business, at approximately 7:55 p.m. Mayor Maxwell adjourned the regularly scheduled Anacortes City Council meeting of September 20, 2010.