



City Council Minutes – August 1, 2011

At 7:30 p.m. Mayor Maxwell called the regularly scheduled Anacortes City Council meeting of August 1, 2011 to order. Roll call found present: Eric Johnson, Nick Petrish, Erica Pickett, Brad Adams, Bill Turner, Cynthia Richardson and Brian Geer. Roll call was followed by the Pledge of Allegiance.

Minutes of Previous Meeting

Mr. Petrish moved, seconded by Mrs. Pickett, that the minutes of July 18, 2011 be approved as if read. Vote: Ayes – Petrish, Pickett, Adams, Turner and Richardson. Abstain – Geer and Johnson. Motion carried.

Citizen Hearings

No one present wished to speak on any item not already on the agenda.

Mayor/Council Communication

Mayor Maxwell announced that the Port/City Liaison meeting on August 2, 2011 would be held in his office.

Consent Agenda

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

Approval of Vouchers/Cancellation of Checks

Council voted unanimously that the following vouchers/checks audited and certified by the City's Auditing Officer (Finance Director) and subsequently reviewed and approved by the Council Finance Committee on July 21, 2011 and July 28, 2011 are approved for payment as of this date August 1, 2011.

Claim Checks

July 2011: Check Numbers 61165 through 61338 in the total amount of \$765,530.56

EFT

July 2011: EFT Number 61164 in the total amount of \$10.10

Payroll for July 20, 2011 in the total amount of \$593,148.52

Check Numbers 36171 through 36234 in the total amount of \$42,155.94

Direct Deposit Numbers from 40595 through 40779 in the total amount of \$355,877.32

EFT Numbers from 1305 through 1312 in the total amount of \$195,115.26

In the same motion Council approved **Ordinance 2858** amending Chapter 2.04 of the City of Anacortes Code to change the starting time of the regular business meetings of City Council from 7:30 PM to 7:00 PM and the study and discussion meetings of City Council from 7:30 PM to 7:00 PM.

Public Hearing: Redistricting Wards

Planning Director Ryan Larsen explained that after each U.S. decennial census cities and other special districts have to assess if redistricting is required within their jurisdictions. In Anacortes, this means evaluating the ward boundaries. Mr. Larsen noted that precincts are based on number of registered voters but wards are based on overall population. He said RCW 29A.76.010 defines the City's responsibilities in this regard and listed the many other local jurisdictions that will also have to consider redrawing boundaries. Mr. Larsen said that Skagit County is responsible for defining commissioner districts and precinct boundaries, the City only defines ward boundaries. He added that it does not appear that Anacortes precinct boundaries will change following the 2010 census and that Anacortes ward boundaries currently match precinct boundaries.

Mr. Larsen said Anacortes now needs to look at its population change since the last census and determine if it needs to redistrict. He said the criteria are that each ward should have approximately the same number of residents and that they must be compact, contiguous, may not favor any political party or racial group, and should where possible follow recognized natural boundaries and preserve existing communities of related and mutual interest. Mr. Larsen said Anacortes contracted with Sammamish Data Systems, Inc. to analyze the current ward populations. SDS found that each ward should ideally have 5259 people and that the actual population of the wards as of the 2010 census was 5,397 in Ward 1, 5,577 in Ward 2 and 4,904 in Ward 3. Mr. Larsen said state law does not define how far actual populations can deviate from the ideal but that SDS uses 5% as a rule of thumb and has opined that all three wards are probably acceptable. Mr. Larsen said it is up to City Council to decide whether redistricting is necessary. Mr. Larsen recommended the Council accept public comment then decide how to proceed. He noted that a second public hearing is required on the plan that results in either case and that the final decision must be adopted by ordinance at a subsequent meeting. Mayor Maxwell inquired about the timeframe. Mr. Larsen said the final adopted plan must be delivered to Skagit County by December 8 but the County would prefer to have it in November. Mrs. Richardson clarified that any redistricting will not affect the November 2011 election. She asked if the County decision not to redraw precinct boundaries in Anacortes is final. Mr. Larsen said yes. Mr. Johnson asked for confirmation that SDS recommends preserving the existing ward boundaries. Mr. Larsen said yes and added that SDS is also consulting for the Port, school district, hospital district, and most cities in the county and is a very reputable firm.

At approximately 7:45 p.m. Mayor Maxwell opened the public hearing.

Frank Spargo, 1408 11th Street, testified that state law says each ward needs to be as nearly equal in population as possible. He said one ward is more than 6% under the average and the other two have more than the average. He said Anacortes should take the effort to redistrict to make the wards as equal as possible. Mr. Spargo said County law says if Anacortes redistricts the County will adjust precinct boundaries if warranted. He said failure to redistrict now will lock the existing boundaries for the next ten years. He said there is an opportunity with not much expenditure to redistrict now. Mr. Spargo questioned why splitting a precinct is not desirable and noted precinct boundaries can also be changed. He reiterated that all three wards deviate from the standard, not just Ward 3.

Arlene French, 1411 8th Street, asked for the absolute numbers of population in each ward and asked how population compares to registered voters. Mr. Larsen provided Ms. French with a copy of the population slide from his presentation.

No one else wishing to testify, at approximately 7:51 Mayor Maxwell closed the public hearing.

Mrs. Richardson observed that census population includes infants and children and does not reflect registered voters nor active voters so strictly equal population distribution doesn't guarantee equal voter distribution. Mr. Geer said SDS based its recommendation on current state and case law and is working for approximately 200 jurisdictions around the state. He said Anacortes would be wasting its time redrawing its wards. Mr. Petrish said ward councilmembers represent everyone in their ward, regardless of age or voter status. He said the wards would have to be redrawn to achieve truly equal population. Mr. Johnson asked how much would it cost to redistrict and asked what the population trends are for the wards from the past several censuses. Mr. Petrish said population depends on the number of building lots and that Anacortes anticipates a build out population of 18,000 to 20,000 by 2025. Mrs. Pickett reminded that the precinct boundaries are drawn by the County, not the City, and said that the deviations in the ward populations are rather small especially considering that they are based on population not registered voters. Mr. Turner observed that redistricting can be very controversial and could take a lot of time and expense. He said having precinct and ward boundaries match is desirable. He requested the population trend for Ward 3 and said if it is trending down maybe Anacortes should consider redistricting, otherwise the existing boundaries are probably fine. Mr. Adams said one of the guidelines is to keep common neighborhoods together which is currently the case. Mrs. Richardson asked if in fact the County will redraw precincts to match the wards if they change. Mr. Larsen said the County may or may not choose to do that. Mrs. Richardson said it would be confusing to voters if the ward boundaries didn't match precincts and that the existing boundaries have longstanding identity with voters. Mayor Maxwell

requested a pro forma on SDS. Mr. Larsen agreed. Mr. Johnson asked about the 5% deviation recommended by SDS. Mr. Larsen said it is based on past history and experience, there is no logic to it, 5% just seems to be acceptable as a number that would hold up in a court of law. Mr. Johnson again requested population trend data for Ward 3. Mayor Maxwell reported that the census indicates Anacortes population overall has dropped by about 1000 which is puzzling and doesn't match OFM figures. He added other cities have reported similar disparities. Mrs. Pickett wondered how snowbirds fill out their census forms.

Arts Commission Update

Parks and Recreation Director Gary Robinson and Arts Commission Co-Chair Kathy Clarke provided an overview of the current activities of the Arts Commission. Ms. Clarke explained the Public Art and Private Development initiative to incorporate artistic forms into all public and private development. She cited examples such as the City's Tursi Park/Pennsylvania Avenue area and the San Juan Passage development. She said the Commission has prepared a brochure and is distributing it to encourage more such projects. Ms. Clarke next described the vibrant anacortesartscommission.com website which provides images of all the public art in the City as well as a calendar of arts events and a directory of local arts organizations. She said the Commission is also represented on the City of Anacortes website. Next Ms. Clark announced that the full color Arts in Anacortes brochure has been updated to show the artwork currently in town. It has been widely distributed and will be refreshed every couple of years. Ms. Clarke reported that the Arts Commission recently held a retreat and brainstormed a campaign to increase public awareness of the public art in Anacortes. This will include participating in the monthly Art Walk such as a recent partnership with the Majestic to display public sculpture. She said the Commission is very active and will visit City Council on a regular basis to keep councilmembers informed. Mayor Maxwell observed that Anacortes has 326 pieces of public art. Mr. Turner and Mr. Geer both complimented the Arts Commission and the larger arts community in the City.

Mr. Robinson then addressed the Council. He advised that the Commercial Avenue loaned sculpture exhibit is in the process of changing out works of art. He showed slides of some of the new pieces. He said the Commission is working to site each sculpture for best viewing. He reminded that all the loaned sculpture is for sale and that the City gets a 30% commission to fund the work of the Arts Commission if a sculpture is purchased for private use and that the sculpture price is instead discounted 30% if the piece is purchased to remain in the public domain. Regarding the Roundabout sculpture Mr. Robinson reported that staff is working with WSDOT to get final approval to install the sculpture and engineer the base. He said the Arts Commission will raise the remaining \$5K required to purchase the sculpture and is hoping to install it this fall. Finally, Mr. Robinson advised that the Arts Commission has been exploring innovative funding mechanisms for the arts including the Loaned Sculpture program, private donors, partner agencies, grants, and a possible arts development fee such as other communities have instituted. Mr. Johnson reminded that Roger Born had suggested a sculpture corridor to tie downtown to the waterfront and recalled that such a corridor was very successful in The Hague. Mrs. Richardson expressed enthusiasm for the expanding public art collection in the city, mentioned that the Anacortes Arts Festival shares many of the goals of the Arts Commission, and said the art scene in Anacortes is getting exciting. Mr. Robinson said the Arts Commission has brought various arts groups together in a positive way. Mr. Adams added that the Arts Commission has brought some longtime public art back into public awareness. Mayor Maxwell thanked the Arts Commission for all its hard work.

Recreation Update

Mr. Robinson provided an overview of recreation programs and developments over the summer.

The Youth Fishing Derby on the first Saturday in June had a record 249 participants and was very successful. Mr. Robinson thanked the Puget Sound Anglers who are important partners in that event and also Department of Fish and Wildlife which stocks the lake with fish for the event. He said local sponsors included ACE, Sebo's and Holiday Market.

Mr. Robinson reported that the new registration process which requires prepayment for programs and accepts credit cards has worked very well and may account for the enrollment increases in many programs this summer.

The 7th Annual Bark in the Park took place June 11. Mr. Robinson explained that Amy Terhune and FIDO started the event and Recreation Manager Nicole Johnston has now taken it over involving a huge number of sponsors and volunteers. About 500 people and many dogs attended this very popular program this year. Mr. Turner complimented the T-shirt design by Ann Martin McCool.

Mr. Robinson reported that the youth sailing program is based at the recently reopened Seafarer's Memorial Park this summer with a new larger dock and easier launch facilities. Participation is high and is constrained by the number of boats. Mrs. Pickett complimented the Parks Department for taking on the sailing program. She recalled that the original boats for the program were purchased using interest from a \$50K pledge from the Soroptomist Club for restrooms. She praised staff and volunteers for maintaining the boats for so long.

Mr. Robinson said an example of the creative new programs staff continues to introduce is the very popular week long Survivor Camp that had a full quota of 46 participants in two sessions this year. A longstanding favorite is the Kids Are Best Fest at Storvik Park which has remained popular for 22 years. Mr. Robinson said he was proud that the event remains free to all participating families except for food and added that staff is working on food sponsorship for next year. Mrs. Richardson said this is a fine example of local service clubs pitching in and noted that the Kiwanis Club provides both funding and volunteers for the event.

Mr. Robinson said that classes and camps offered this summer include golf, football camp, bowling camp, basketball camp, tennis camp, pee wee sports camp, many adult classes an adult softball league.

Finally, Mr. Robinson reported that the Art Dash over the weekend had a record 458 registrants for the 5K, 10k and half marathon options. He said this is a cooperative event with the Anacortes Arts Festival and that proceeds from the run fund art projects particularly along the Tommy Thompson Trail. This year the half marathon was certified to serve as a qualifying event for marathoners but that people of all ages and abilities participated.

Mr. Geer thanked Nicole Johnston and Dustin South for their exceptional efforts to put on so many events so well. Mayor Maxwell concurred. Mr. Turner said he was pleased that so many people are participating fully in the community regardless of the economy. Mr. Robinson said the City has worked to keep fees reasonable so everyone can participate and that service clubs also offer scholarships to some participants.

There being no further business, at approximately 8:38 p.m. the regular Anacortes City Council meeting of August 1, 2011 adjourned.