

Oak Harbor City Council
Workshop Meeting Minutes
May 25, 2022

CALL TO ORDER

Mayor Severns called the meeting to order at 2:00 p.m.

This was both a physical meeting location and a virtual meeting per WA Proclamation 20-28. The meeting was viewable live via YouTube at www.youtube.com/cityofoakharbor or could be viewed on Channel 10/HD 1090.

Public Comments are not normally included for Council Workshops).

ROLL CALL

City Council Present:

Mayor Robert Severns
Mayor Pro Tem Beth Munns - absent
Councilmember Tara Hizon
Councilmember Jim Woessner
Councilmember Bryan Stucky
Councilmember Shane Hoffmire
Councilmember Dan Evans
Councilmember Eric Marshall

Staff Present: Videoconference

City Administrator Blaine Oborn
Finance Director David Goldman
Development Services Director David Kuhl
Public Works Director Steve Schuller
City Engineer Alex Warner
Engineering Technician Jon Pollock
Principal Planner Cac Kamak
Fire Chief Ray Merrill
Police Chief Dresker
Harbormaster Chris Sublet
Human Resources Director Emma House
City Administrator Executive Assistant Macalle Finkle
Communications & IT Manager Sabrina Combs
City Clerk Julie Lindsey

Also in attendance: Interim City Attorney
Hillary J. Evans of Kenyon Disend, PLLC

MAYOR

Mayor Severns noted as there were no items for action, he would not request the Clerk to call the roll, but instead had all members of Council and the City Clerk introduce themselves. Mayor Severns observed that Mayor Pro Tem Munns had asked to be excused and Councilmember Hizon was attending remotely.

DEVELOPMENT SERVICES

a. Active Transportation Plan

Principal Planner Kamak provided an overview of what defined an Active Transportation Plan, how it was important to the community and would benefit the City, and how it would be implemented. The City obtained a grant from the Island Regional Transportation Planning Organization (IRTPO) to aid in planning for Active Transportation. The grant is via a federal grant program, administered through the State of Washington and the IRTPO. Staff has worked with the State on the procedures for obligating and allocating the grant funds. Planning efforts include hiring a consultant to help move forward. The City put out a Request for Qualifications (RFQ) in May with a closing date of June 6, 2022. Planner Kamak requested to have a member of the Council be part of the selection process, and noting staff is aiming for a consultant contract in July. He shared two videos that helped to explain about Active Transportation Plans.

Councilmember Woessner provided his respective comments and questions. Mayor Severns requested that if any Councilmember was interested in participating in the selection process to please let him know.

b. Parking of Recreational Vehicles Text Amendment

Development Services Director Kuhl presented a proposed change to Oak Harbor Municipal Code (OHMC) regarding when and how recreational vehicles are parked in the city. He noted an ongoing safety issue with many recreational vehicles and commercial vehicles being stored on city streets, reducing site visibility near corners and driveways as well as encroachment into rights-of-way for other vehicles, bicycles and pedestrian traffic, especially in residential neighborhoods. Director Kuhl explained the rationale for the proposed changes was safety, and provided size comparisons for vehicles to demonstrate the differences in width and length.

For recreational vehicles, the proposed Code amendment would create Section 10.12.186 which would allow recreational vehicles to be parked on city streets for a maximum of 72-hours. This would provide adequate loading and unloading time between vehicle uses. If the 72 -hour period is exceeded, the vehicle would have to be relocated, and not on the same street. For purposes of definition, a recreational vehicle is defined as, but not limited to, motor homes, trailers, campers, vans, boats and boat trailers. Recreational vehicles could be parked legally in a driveway or side or rear yard of a home.

For commercial vehicles, under the proposed code commercial vehicles would not be stored on a public street. Commercial vehicles are defined as an oversized commercial vehicle or any tow trucks, dump trucks, truck tractors, concrete mixing trucks, stake bed trucks, buses, or similar vehicles regardless of weight. The vehicles could not be stored in a side or rear yard area, including a driveway. Commercial vehicles would be allowed in the case of ongoing commercial activities being conducted on the site, such as during a home remodel or street construction.

Development Services Director Kuhl explained the draft ordinance included in the packet, had been vetted by legal counsel. He introduced Mr. Ray Heltsley, who oversees Code Compliance for the City. Mr. Heltsley noted some municipalities use a permitting system and also noted the cooperative relationship between his position and the Police Department. Chief of Police Dresker spoke to Council questions regarding RV's and homelessness. He noted an ordinance would be another tool available to aid in enforcement. The Police Department has been fairly successful with patrolling RV's parking on public property. Chief Dresker noted this would be a good topic for discussion in a public safety work group, to include the City Attorney and a member of the Council. Councilmember

Stucky volunteered.

Councilmembers Evans, Woessner, Stucky and Hoffmire provided their respective comments and questions.

The item will be scheduled for a future workshop following additional discussion.

FINANCE

a. Oak Harbor Financial Primer Part 1-B

Finance Director Goldman continued his overview of City finances and processes for the Council. His continuing presentation on revenue sources included an in-depth review of:

- Other Taxes
 - Utility Tax
 - Business & Occupation Tax (not imposed by the City of Oak Harbor)
 - Real Estate Excise Tax
 - 2% Lodging Tax
 - Gambling Tax
- Intergovernmental Revenue
- Other Revenues
- Resources
 - Fund Balances
 - Reserves
 - Interfund Transactions

Upcoming primers will include Expense Categories and Details, Project Funding and Budgeting, and Investments.

Councilmembers Stucky, Hoffmire and Woessner and Mayor Severns provided their respective comments and questions. City Administrator Oborn noted these primers provided a great opportunity to review in preparation for the next biennial budget.

ENGINEERING

a. 2022 Transportation Benefit District (TBD) Overlay Status

City Engineer Warner provided background information and an update to the Council. He explained Oak Harbor residents passed the Transportation Benefit District (TBD) initiative in November 2019. For the past two years, the City has contracted with Island County to perform TBD projects which provide asphalt overlays and chip sealing for local residential streets. This year, Island County is performing only the chip seal work, and the overlays are being managed in-house under a separate contract.

The overlay work has been designed by the City's Engineering Division as the first project in the City's In-House Engineering Program. The work will occur between late June through October on

the east side of the city and will overly approximately 3.6 lane-miles. All streets other than E. Whidbey Avenue will be paid by the TBD. E. Whidbey Avenue will be paid using the Annual Overlay Streets Fund. Engineer Warner noted a 6-foot bike lane in each direction can be added to E. Whidbey Avenue with no additional pavement.

The construction contract was publicly advertised and was estimated in the range of \$1.1 to \$1.3 million. Bids were publicly opened at City Hall on May 25, 2022 at 1:00 p.m. The City received two bids; Lakeside Industries at \$1.25 million and Kreig Construction at \$1.02 million, making Kreig the apparent low bidder. Staff will bring a contract to Council at their June 7, 2022 meeting for approval.

The contract with Island County for the chip seal work was approved by the Council on March 1, 2022 for an amount not to exceed \$221,000.00. That work is anticipated to begin this summer in the southeast quadrant of the city, involving approximately 6 lane-miles.

Councilmembers Hoffmire, Evans and Stucky provided their respective comments and questions.

Mayor Severns requested signage be placed to inform citizens of the street projects being funded by the TBD.

b. Well Water Supply

City Engineer Warner, assisted by Engineering Technician Pollock provided an informational presentation on the City's water system and analysis of the emergency water supply, as well as how proceeding with reconstructing Well #9 will enable the Public Works Department, Water Division, to better serve the City in the event of a loss of one or both of the water transmission mains from the City of Anacortes. He noted this item was brought back to the Council at their request from the March 15, 2022 Council Meeting. Restoring emergency water production levels by refurbishing Well #9 will increase production from 300 gallons per minute to 450 gallons per minute, which is a 50% increase in the production rate from the two current operational wells and serves as a restoration of production capacity to levels prior to 2010.

Engineer Warner outlined the transmission of potable water from mains that cross the Deception Pass Bridge. The water is produced by the City of Anacortes at their water treatment plant located in Mount Vernon on the Skagit River. The primary transmission main is a 24" diameter water main that originates at Sharpes Corner. This water main was originally constructed in 1972. A secondary water main is operated by the City of Anacortes on Fidalgo Island and was originally constructed in 1942. The City of Oak Harbor is connected to this 10" diameter water main just north of Deception Pass bridge.

Technician Pollock reviewed the City's water consumption and noted under normal operating conditions, the City of Oak Harbor relies upon the connections to the City of Anacortes to provide an average of 469 million gallons of Water to the City each year The City maintains access to emergency water supply through well sites. The well sites that are active are located along Heller Rd; Well #8 at Springtree Park (produces 150 gallons per minute), Well #9 at Richard Kimball Park (currently offline due to well screen blockage), Well #11 at Ruth Cohen Park (produces 150 gallons per minute). Presently, the two operational emergency wells can produce 300 gallons a minute or 432,000 gallons per day, or roughly 18% of peak water demand.

In the event of an emergency that results in the loss of the transmission mains from the City of Anacortes, the Water System Emergency Plan will be activated, and one of those items to address is to start the emergency wells as soon as possible.

Staff recommends that; Well #9 be rehabilitated and restored to operation by allowing the contract with Pacific Groundwater Group to continue, continue supporting the replacement of aging and obsolete water mains, and including improvements identified in the Water System Plan be prioritized for in the Capital Budget, and where possible, obtain water rights as part of the annexation processes, and explore feasibility of acquiring and constructing additional water wells. This will be brought to the Council for consideration at a later date.

Councilmembers Evans, Hoffmire and Stucky provided their respective comments and questions.

Public Works Director Schuller reported he and City Engineer Warner had met with the Navy and others working on a joint submittal in 2023 for defense grants for the main that goes to Navy housing to the east and to the seaplane base.

c. Ordinance No. 1945: 2019 Department of Ecology (DOE) Stormwater Manual Adoption Discussion

City Engineer Warner explained the City owns and operates a Municipal Separate Storm Sewer System (MS4). In order to lawfully operate a MS4, the owner must be issued a permit. The permit is issued by WA Dept. of Ecology (DOE) by authority of the National Pollutant Discharge Elimination System (NPDES) as required in Chapter 173-220 WAC.

Ordinance No. 1945 pertains to updating the Oak Harbor Municipal Code in order to comply with the requirements of the NPDES Phase 2 Permit issued to the City by the Washington State Department of Ecology (DOE) as it relates to the operation of the City's Stormwater Infrastructure, and as it relates to applications for land development and redevelopment. The proposed amendments involve adopting the current edition of DOE's document, "Storm Water Management Manual for Western Washington" and revising current code language to ensure the current, and future editions of the manual are adopted as they are published.

The ordinance would amend Sections 12.30.310, 20.02.020, 21.10.070 and adopt Section 12.30.311, each of which was reviewed by Engineer Warner.

It is a requirement of the DOE NPDES Phase 2 Permit, issued in August of 2019, that the City adopt the 2019 DOE SWMMWW by June 30th, 2022. Staff anticipates that in the future, further revised editions of the manual will be issued and subsequently required to be adopted.

Staff met with Dept. of Ecology on April 15th, 2022 to review the draft of Ord. 1945, and DOE agreed that the simplest approach was to take a method of perpetual adoption of the latest manual, which would relieve local governments from needing to continuously update their specific Codes.

On May 24, 2022, Senior Planner Dennis Lefevre with Development Services presented Ordinance No. 1945 to the Planning Commission for a public hearing, with the Planning Commission recommending adoption. In order to continue to operate the Stormwater Infrastructure (MS4) in compliance with State Law, staff's recommendation is for Council to hold a public hearing for Ordinance No. 1945 at the June 7, 2022 Council Meeting with potential adoption.

Councilmembers Woessner, Evans and Hoffmire provided their respective comments and questions, as did Mayor Severns.

Following discussion, staff will continue to refine the proposed ordinance with legal counsel and will bring back the ordinance for Council consideration.

ADMINISTRATION

a. City Administrator Report

City Administrator Oborn provided a review of his report which was presented in a mixed narrative and metrics format. He thanked staff for their input and called attention to highlights from each operating area.

There were no questions or comments from the Council.

CITY COUNCIL

Councilmembers Stucky, Hoffmire and Hizon provided their respective comments and updates. Councilmember Stucky noted the upcoming Memorial Day Service of Remembrance at Maple Leaf Cemetery. Councilmember Hoffmire observed flags were at half-staff following the Texas elementary school shooting and asked that anyone having mental health issues to please reach out. Councilmember Hizon noted the former People's Bank building, was up for lease and suggested the City look into that location for a possible relocation of City Hall.

Mayor Severns announced Mount Vernon Mayor Jill Boudreau had extended an invitation to himself, the Council and to Chiefs Dresker Merrill to a program on mental health care, June 17, 2002 from 9:00 a.m. to 1:00 p.m. at McIntyre Hall on the Skagit Valley College Campus.

ADJOURN

There being no further reports or discussions, Mayor Severns thanked all for their participation and adjourned the workshop meeting at 4:33 p.m.

Certified by Julie Lindsey, City Clerk