



**PUBLIC WORKS AND UTILITIES STANDING COMMITTEE**  
**Thursday, September 2, 2010, 7:00 a.m.**  
**Public Works Facility Conference Room**

**MEETING NOTES**

1. Danny Paggao called the meeting to order at 7:00 a.m. Public Works Standing Committee Members in attendance were Danny, Rick AlMBERG, and Scott Dudley. City staff in attendance was Mayor Slowik, Paul Schmidt, Steve Powers, Cathy Rosen, Eric Johnston, Steve BeBee, Hank Nydam, Mack Funk, and Kathy Wagoner. Also in attendance was Justin Burnett from the *Whidbey News-Times*.
2. **Review Meeting Notes – August 12, 2010** . Scott asked if there would be a dedicated left turn lane onto Columbia from Oak Harbor Street. Eric responded yes.
3. **Arts Commission Site Plan** . The Commission would like City Council buy-in. For the past year, the Arts Commissioners have held numerous thoughtful discussions regarding possible art locations throughout the City, as well as the types of art that may be appropriate. Site criteria included the need to locate art where people frequent and the importance of placing art within eyesight of SR 20. The sites chosen for the public art include the (number next to site is number shown on drawing): Farmer's Market area by the Chamber of Commerce (1), which is on school district property; Freund Marsh (3); Pioneer Way (4); the Freund Wall+(2), which is not on City property and refers to the large retaining wall on the corner of SR 20 and Erie; and, Pasek Park (5) on Pioneer Way. Should the sites not on City property be accepted, staff would prepare Agreements with the property owners. Paul discussed the public art sites recommended by the Oak Harbor Arts Commission. They are concentrating on Pioneer Way. Paul said the order they are hoping to have art put in is 4 and 3; then 2; and, 1 and 5 are a ways out.

Scott asked concerning site No. 1 that is City property, not school district property? Paul answered it is school district property; the City would take an interlocal agreement. Scott asked concerning site No. 2 discussed in the past the lighting of State Route 20, is that right at that location. Paul answered it was far enough back from the intersection is wouldn't be affected.

Danny asked if the recommended sites would be permanent sites and it would in addition to the existing pieces. Paul answered yes. A brochure of all the art in the City of Oak Harbor is being prepared.

4. **Scenic Heights Trailhead Project Bid** . Eric said this is the west end of the Waterfront Trail along Scenic Heights Street. C. Johnson Construction was the lowest bidder out of five sealed bids. Funding for the project is coming from RTPO and park impact fees for neighborhood parks. Completion is to be done in 75 working days from the start, weather permitting.

5. **West Meadows Easement Release** . Eric said on June 1, 2010, the City Council approved a reimbursement agreement with West Meadows Partners for offsite sewer improvements associated with the Plat of West Meadows. As City Engineer, Eric reviewed the easement and found no need for the City to retain an easement that has no value or use.

6. **Pioneer Way Update:**

**Eric Johnston (EJ):** In your packet I've got these a little bit out of order and I apologize for that. First of all is an Agenda Bill, but second of all is a memo from myself to the Committee that gives an update on the major elements of the project that is currently going on so if I could turn to that memo and take the highlights from that.

First of all there is the engineering design. We are on track and on schedule for that. Perteet having submitted to us in early August the 60% plan review set which was the technical review by the City Staff who met with Perteet who passed off several pages of input comments on some specific things and also some bigger picture items.

Under property acquisitions the court filings and arguments were completed last week. Have not got a decision back from the judge, but we anticipate having that in the future. Also at the last Council Meeting there was discussion about the increased cost of the attorneys and a request to go to Harmsen and ask for some in-kind services to compensate the City for the additional \$4,400 in fees that we incurred from the attorneys. We've done that. Harmsen, of course, said that they'd work with us on that so we are negotiating the scope with them to get some in-kind services to benefit the project. And what we are looking at is a topo and right-of-way mapping along City Beach Street south of Pioneer Way as it goes around the corner to Bayshore Drive and we are thinking about trying to make an improvement to that intersection then going into Windjammer Park to make it function better.

In terms of budget, we've got some preliminary numbers back from Perteet with the 60% plan set. Russ and I are working through those numbers right now, but we're not prepared to pass those out at this point. We're anticipating being able to do that by the 1<sup>st</sup> of October, but every indication is that we are coming in under the \$8.35 million budget cost. What we're trying to find is ways that we can report which will be phased into the project that would be of some value to benefit without expanding the scope for the projects specifically being some public art funding. What level can we fund that public art? What is a reasonable approach for that? We decided this area of alternate parking on the south side of the east end of the approach near Ireland and can we afford rather than thinking that an alternate to the project thinking that this is part of the project. That would mean additional right-of-way; purchase of a right-of-way area which we currently do not have and incorporating it into the bid specs as a part of the project rather than an alternative. So we anticipate coming back with a report on the project estimate and the funding plan in early October.

Also, the Agenda Bill which is in this packet is the Agenda Bill for September 7, which is Council approval for the agreement with Island County for the economic development grant that was previously approved by Council. This is the final approval of that and this is really administrative. The City approves it, then the County will approve it and that would be if it's paid for if it's necessary for the City to receive reimbursement for checks once we start the construction process early next year. It's essentially the same

agreement that was used for the Goldie Road Sewer grant, which is from the same source.

Staff are also working on an agreement with the Department of Ecology for the pass through grant for the storm water capacity grant - a \$132,000 pass through grant for the City of Oak Harbor. You'll be seeing that through Council probably in late September or early October for approval on that.

The project is on schedule, there's not much more to be said.

Utility conversion - we're on schedule with that. We're waiting to hear from PSE their design for relocation of the underground. That will then be followed by the Comcast and Verizon and the other franchise utilities.

Public involvement - We had feedback from the people who came were generally favorable. There are still questions, as you might expect, related to what happens on what day during the construction. To help answer those questions, we are working with EnviroIssues and the Chamber of Commerce more on construction outreach and a marketing plan. We are looking forward to getting that wrapped up for public presentation in early October.

Public Art, as Paul mentioned, we're working with the Arts Commission. On Monday the Arts Commission, in a special meeting, talked about art along Pioneer Way. There are four locations for physical pieces of art on the street. One at City Beach Street, one at Dock Street, one near Ireland Street, and then one over on Midway Boulevard; so four locations with pretty sizeable pieces of public art. The Arts Commission is looking into how can we work with that and relooked at this point to select a theme for that art and that theme being "Water+." Connecting the community to the water with the public art on Pioneer Way.

Under sustainability, this is the Greenroads Pilot Project. This is what elements are we going to do to ensure the project is sustainable. The important thing about the Greenroads is it is a metric measuring sustainability. Sustainability can mean lots of things to lots of different people. The Greenroads program says this is what we're defining to be sustainable and here is what you do to get credit for having it be sustainable. Many things that we do would be sustainable; many ways, but without having a gauge or a measuring standard to gauge that off of. The project's sustainability will be through, among other items, some warm asphalt technologies.

In permitting the applications for all the permits are in and the process, the noticing, and the comment periods are completed at this point. It was scheduled for public hearing before the Planning Commission in August, but due to the lack of anybody coming to that meeting we postponed until September which means that there'll be a planning commission recommendation in September before the full Council for their consideration and the shoreline permit in October... it's scheduled for October 19.

There are a couple of tentative dates for Council actions in September, October, and November. September 7 being the County Interlocal Agreement for the grant. In early October a presentation to the full Council on the budget and the schedule. I've got it there as October 5, but it might be October 19, the presentation of the construction outreach and marketing plan but we'll get that out for comment and discussion by the

Council in October. October 19 would be Council consideration of the shoreline permit. And, probably, late November, early December the authorization to advertise for competitive bids.

**Danny Paggao (DP):** Thank you, Mr. Johnston. Questions?

**Scott Dudley (SD):** Going back to the budget, will we see it at this standing committee meeting then prior to our Council meeting the Budget?

**EJ:** If we get to October 5 it would go to the full Council.

**SD:** On the budget issue, at our last meeting, it's not in our notes, but I asked of the additional parking and approaching the property, the property on the opposite side of WAIF, and we had not approached that property owner because of budget constraints. So based on your number crunching and do we anticipate being able to do that?

**EJ:** I think that the dollars are appearing that we have the money to do that. We had Council decision on whether they want to pursue that or not and we will not approach that property owner until the Council gives some indication they want to do that to spend those funds. So I think one of my tentatives is to note that here's the project update as currently scoped with the dollars that we have available. If that comes in lower than our \$8.3 million funding and we can say we want to add in the additional parking, that still comes in lower and we want to add some other funding for some other elements and there's still funds for it, if approved by the Council then that sends us in the direction to be able to pursue that as an option. But we'd wait until we get some input and approval or direction the Council.

**SD:** So do you see that as a separate agenda item/bill in front of the Council or Council Meeting in October at the same time that we're seeing the budget or is that going to come back to us then in November as a separate item or I'm just wondering?

**EJ:** I don't know yet.

**SD:** Why would you need?

**EJ:** Why we would need Council direction?

**SD:** Well, no, no the property acquisition. Does it look like that was all part of the plan, in fact it's still part of the plan?

**Paul Schmidt (PS):** One of the things, if I may, what we're looking at is if there is any kind of right-of-way acquisition we may not proceed with it at this time. And we're looking still, as far as the amount of parking that will be wise in relation to the cost, but, more importantly, that's probably going to be part of future development and that part may be, at that time may be the developer will be required to add that portion for the on-street parking. So we're still, with all these other things swirling around, we still have landed on that just yet.

**Mayor Slowik (MS):** If I could weigh in this is something that hasn't come to the City Hall Staff, this is something that's still in development and that Engineering is one point of view. There's the other point of view. That's something that we have to decide as an administration what we want to present to the Council. We're not prepared

to give you a time or a date, we're just telling you what we're thinking about trying to keep you informed on the progress of the project. And I think a lot depends on the bid and seeing the engineering estimates are one thing but your bids are the hardball and how much we pay is what the bid is and then we can come in and decide. Certainly we want Council to give us their advice and we'll ask you for that. It's premature to ask for that at this segment, but it should be and according to Engineering you've got a good engineer's plan here and it should be engineered into the project with the idea that it could be taken out if it's too expensive. And so that's what Eric's done.

**EJ:** That's what my goal is. Our intent is to get to the Council in total and say here's where we're at in terms of construction estimate, in terms of what's related to the previous estimate and the total funding plan and is there discussion about do we do some of the things or not and that's what we're trying to say here.

**SD:** Okay, but correct me if I'm wrong in going back to the premature comment, when we sold the public on this configuration it was based on parking and we took into account that potential parking spots and so if it's a possibility that when we end up doing the project we no longer have those parking spots and we end up possibly having a future developer who develops the property down the road, it would be nice to know that whether that's in October when we see the budget or it's November, whether it's December when we go out for bid it'd be great to find out sooner than later.

In the last meeting I asked about the marketing plan, it's not in the notes, but and what I was told because I was asking about what was being done in reference to the Marketing Plan from those at EnviroIssues. It sounded like EnviroIssues had a meeting but (*a name I cannot understand*) wasn't able to be there so EnviroIssues but the onus the Chamber of Commerce to come up with a Marketing Plan by the end of the month. And, since the end of the month has come and gone, do we know if the Marketing Plan has been submitted by the Chamber of Commerce to EnviroIssues?

**Steve Powers (SP):** It's not accurate to say, Mr. Dudley, that EnviroIssues put the onus on the Chamber. They've been coordinating all along and they did meet last Friday, I believe it was, Jill and Erin Taylor and (*a name I cannot understand*) from EnviroIssues. What they were doing was working individually up until that point on the things which they felt were best handled at the local level being the Chamber and those things which, perhaps, EnviroIssues could take a role in. So they had their meeting last week. They began that coordination of those local driven things we talked to the Council about and concerning the higher level overseeing EnviroIssues has talked about. Now, what they're going to be doing is combining those efforts and we're on track to meet with them, I think either next week or the following week, to talk about coordination of those two efforts; and, also to start talking about what is the City's level of interest in committing funding to implementing the marketing ideas the Chamber has come up with. So, that work is progressing and part of what Eric mentioned with, I think, early October it's our goal to have EnviroIssues come to the Council and talk to the full Council about where we are from just the general community outreach effort they've been engaged in; to bring you up to speed on some of things from the design drop-in workshops; but, then also talk about the coordination of the Marketing Plan with the Chamber. So that work is definitely in progressing.

**SD:** We should see some sort of a final plan then come October?

**MS:** Because this is another element that needs of City Hall Staff's approval. So I have a meeting today with Jill Johnson to talk about the Marketing Plan and the progress of it. And we've scheduled a meeting with Erin Taylor from EnviroIssues. We know that we've got specific requirements that we've asked of Erin Taylor prior to coming aboard. We want to make sure that they're hitting those and so we're definitely interested in it and don't think we would come forward to the Council presenting anything without vetting it through City Hall. So this is another one that isn't right quite yet. We tried to have a meeting last week and they were not ready for that and the earliest we could reschedule was today with just the Chamber. So that, again, is progressing.

**DP:** Do you think it would appropriate for Mr. Johnston to put this in an Agenda Bill under a Pioneer Way update on the Marketing Plan?

**EJ:** I'd rather see that in the October timeframe when it's ready to be rolled out. Not as a final plan, but as a plan that is ready for public input and Council discussion. But I would have been thinking it would be a specific full Council presentation, not any individual Committee - neither this Committee or the Government Services or another Committee. It would be a matter before the full Council for discussion and input from the public, as well as the Council, once the Staff and the Administration have developed the Plan that is worth presenting to the Council.

**DP:** So the October timeframe?

**EJ:** Whether it's October 5 or October 19, it will be sometime in October I think we will get something to the Council for discussion.

**DP:** Let me switch sides, we can get back to you.

**Rick Alberg (RA):** Have a question on the potential parking on the east end of Pioneer Way. Does the Staff need Council approval to approach the property owner about developing a memorandum of understanding about the potential strategies for dealing with property or acquiring it? Because once we have committed that there is money available for purchase, we really only have a negotiating position because why would they want to trade off future improvements by the private property owner versus having the City do something with them like that. Does that make sense?

**PS:** Yeah. No there's not a problem approaching the property owner for the potential granting of right-of-way.

**RA:** In other words, it's possible that they might say - and I'd put myself in the position of being the potential property owner - I know that the City has the authority to require me to do offsite improvements on the right of way; that's a given. And often for me to grant a right-of-way might be cheaper than me doing the improvements. Therefore, I would think that I would want the City to do the improvements in there. But if the City had \$150,000 to give to me to buy the right-of-way, I may be less inclined to say I want to do that.

**PS:** That is all understood. As the Mayor mentioned, there's been so many moving parts on this particular project, we have not got to all those. I've not seen that one as a priority as we have some of these other issues with this project. The other part of that, and I don't disagree that might be a preferred way to go if they'd just grant a right-of-way. We'd take a right-of-way all day long. That hasn't been quite the way it's happened

down on Pioneer Way with all the sidewalks but to that end, we just haven't got to that part because it isn't one of those inherent priority items for this particular project.

**RA:** It's in the design. I understand that it is in the design.

**PS:** As an add on.

**RA:** As additive to that and that totally makes sense to me. But then, at some time, the day of reckoning comes once you did the job and then you've got to move forward; you've got to fish or cut bait at that point.

**MS:** But we could. In the end the question is should we come get permission from the Council before we contact the property owner and I believe we can contact the property without discussing.

**RA:** Yeah, you're not making any commitments.

**MS:** And then come to the Council in an executive session and talk about property and then come back into regular session and get Council's desires and then move forward with the property owner.

**RA:** I would be more inclined to go that route than to have the money laying out there saying, well they don't go for it we've got a \$150,000 but we don't have the leverage for discussion.

**MS:** And then the other side of that is, I know you'd remember this especially, but this is additional parking on this side of the street was brought forward by a citizen who said here's an idea. It's just a good example of how the Pioneer Way Project has changed so many times; you know when you're talking about trees or bulkheads or sidewalks. So many things that have changed with Pioneer Way parking. This is another element that's been added on by coming from one of our citizens.

**RA:** I don't think that parking down in that area was in the original (*ruffling of papers ... couldn't understand what was said*).

**MS:** No it wasn't.

**RA:** This has been an increase.

**MS:** So, this one's always been kind of playing catch up. That's why I wanted to commend Eric in the engineering because it's really important that you don't play catch up on the engineering end, and with the possibility that you don't take it.

**RA:** But there's a potential bulkhead that has to go in along with the sidewalk and the railing and all that kind of stuff which is more than just sidewalk and more than acquisition so, perhaps, when the property owner looks at all of the potentials going in there it may be to their best interest to work with the City and that's all I have to say about that.

I do want to make one other, just from my own memory Steve and Eric and anybody here; I don't think we have discussed EnviroIssues in the Public Works Standing

Committee Meetings since we had the big layout of the Pioneer Way, have we? I don't think the EnviroIssues topic has been in this meeting since we had that update.

**EJ:** Maybe not in terms of EnviroIssues directly, but I think in terms of the work that they've done and the product they are producing for us has been. But the contract specifics and our issues, no. But the construction outreach, yes.

**RA:** But we haven't discussed their progress in this meeting.

**EJ:** But that's my point, their progress is not simply the construction outreach, their progress is also the public inputs and when we talk about the drop-in sessions. The design workshop in June, that's a work product from EnviroIssues. So giving credit where credit is due, the drop-in sessions in August, the design workshop, the results of the comments, we've been discussing work from it and deliverables produced by EnviroIssues, but we have not directly approached another element of their scope, which is the constructing marketing.

**RA:** Well, and I'm not picking on Scott on this thing but and I didn't mean the %but+ either, I'm not picking on Scott. I don't recall talking about this at the previous meetings and it was implied that something was left out of the minutes and Kathy does a pretty good job taking minutes in here. Did I miss something on all this? If we're not picking it up in the minutes, which we're supposed to, then we've got to take another look at that.

**SD:** Because at the last meeting I did ask about the Marketing Plan. It sounded like there was a meeting, Kathy. EnviroIssues wasn't able to be there and that's why it sounded like EnviroIssues has asked the Chamber of Commerce to come up with a Marketing Plan by the end of the month.

**SP:** To the best of my knowledge, the coordination between them is exactly what we told the Council. That it would be on evening that you awarded the additional work to EnviroIssues; the meeting that Jill Johnson spoke to the Council about that when the Chamber volunteered to assist with that marketing. That coordination, again, that work has gone on independently of each other. And they have had that contact meeting where they're now talking about how those efforts get melded together. And then the Mayor's right that obviously that needs to be reviewed at City Hall once we have a chance to see it. I don't think there's been any shifting of burden or any shifting of responsibility that wasn't already envisioned when we've talked about splitting up those goals in front of Council.

**SD:** No, but that conversation, does that ring a bell with anybody else.

**SP:** I haven't been to a lot of these meetings lately so

**EJ:** We haven't directly had an item that says here's EnviroIssues. There may have been a question, but I don't recall, Mr. Dudley, if there was a question related to that or not. So we can pull the recording out and check that and we will do that.

**DP:** Anyone else? We had presented to Council the scope from EnviroIssues and we really don't have any updates, and you said it would be coming out in October the EnviroIssues coordination with the Chamber of Commerce. Is that correctly put?

**EJ:** Part of the public rollout of the construction outreach/marketing plan.

**DP:** You wanted to continue?

**SD:** Just two things. Since we look forward to the budget come October, we really wouldn't know, EnviroIssues wouldn't know, the Chamber of Commerce wouldn't know the possibility of how much dollars the City would want to contribute to the Marketing Plan. Did you mention that?

**EJ:** Uh-uh.

**SD:** Okay, so we wouldn't know, they wouldn't know the dollar amount. Would the Marketing Plan basically then have a wish list. I don't know how you're trying to figure out what comes first, the chicken or the egg. Is it you come up with a budget? Come October we say yeah this looks good and then we'll have that information. We'll give that to EnviroIssues and the Chamber of Commerce says here's the dollar amount that the City is willing to contribute to the marketing side of this and then they run with it or not

**SP:** Actually I think it's more the other way around, Mr. Dudley. I think that what we see is these are the concepts and the ideas that they have joined together and created. It will have a range of things and in that internal review by the City Staff and the Administration we will try to determine, with the assistance of both Paul and the Mayor, what might we be able to tackle from the budget side. And then that would probably lead to a refinement of those concepts.

**SD:** And then the second question is in reference to the marketing. Are we going to involve at all or have we with the Downtown Merchants Association?

**SP:** Oh absolutely. So far with the initial efforts that EnviroIssues put out on the ground doing their walk through in the community, they asked those questions as a means to start to identify what do the businesses currently do; what are the things that they think have worked well for them. But I certainly don't imagine, not do I think anyone else on the Staff would, that this would be done in a vacuum. Obviously we need to include those folks this plan is intended to benefit.

**SD:** Are they going to be invited then to the joint meetings with EnviroIssues or not

**MS:** Could I interrupt here and just inject that we've been told by other members of the Harborside Merchants the fact that they've broken down as an Association and that they do not have meetings. And if they did have meetings that maybe they could, and I know that you're pretty close to that group Mr. Dudley, you might be able to get them to report on their meetings to the City so that the City knows that they actually exist. We've been told that they don't, they've broken down to one or two members, and the others dropped out. So we have been working with the Chamber of Commerce because that's the normally accepted group. We'd love to work, love to work with them, but we'd need them to be a viable membership like they used to be and if that's the case, we just need to see the fact that they have meetings, that they keep minutes, the fact that they have people that show up for meetings, and that it's not just one or two people. So we've been told that it is, and as a matter of fact, if you remember, I believe it was at the last Council meeting, Mr. Palmer said that in the Council meeting that they had broken down. So if you're talking about the Harborside Merchants when you've called it the Downtown Business Association, then that's our concern from the City Staff.

**DP:** Thank you, Mr. Mayor.

**RA:** If their organization does exist would it be possible to have a representative from that organization attend the meetings with EnviroIssues and the Chamber?

**MS:** You bet.

**RA:** I mean it's more effective if there's at least a representative rather than a whole committee.

**MS:** I know EnviroIssues would love to have their participation. They've had a hard time getting it.

**RA:** Also, let's find out if they really exist and it is a representative group and that we could get a representative from them.

**DP:** Is everyone done with this? Are there other questions, comments?

**SD:** When we look at the Agenda Bill and it talks about, "The City is required to report to Island County on an annual basis for a period of five years the beneficial effects of the project, in terms of jobs created and [sic] retained." Our starting point is, our base is going to be, upon completion of the project. Are we going to take a snapshot of it during construction, what's our baseline to show the increased number of jobs created? Do you understand?

**EJ:** I do.

**SP:** I think it's an excellent question. You know, and I think you could do it in a couple of different stages. Is a snapshot of at the beginning of the project necessarily representative of the beginning? I don't know. I think that's something we need to talk about at the Staff level; is it in the middle of the project, is it at the end of the project. You could make a case for probably either at the beginning or at the end easier than you can some arbitrary point in the middle of construction. Are you measuring occupied square feet? Are you measuring number of employees? Those might not necessarily be related to each other, although they could be. Is it the total square feet of a particular type of business? And I think there a couple of different ways that you could do benchmarks that you could identify that you would track over that five year period of time.

**RA:** Including the impact area. It's not just Pioneer Way that gets affected. There's off of the upper streets - Fidalgo and down below on Bayshore that's an impacted area that you want to look at.

**SP:** I think that's an excellent comment. What is the defined impact area or project area that we want to look at. I think those are all things that we need to decide and then put in place the necessary monitoring mechanism to make sure that we do that.

**EJ:** What the Agreement requires is in Section 9 of page 2, "The City shall file a report with the Board of County Commissioners by January 31<sup>st</sup> of the year succeeding completion of the Project, for 5 years+thereafter. It does not define when that base line is established or what that base line area is. It does not say whether it excludes construction related jobs or not. It is then by design somewhat loosely defined as to what the economic benefit is and it's pretty typical from what I've seen with other

economic development grants it's showing economic development and providing the basis for that but it's not defined as to when that's established or how it's established.

**SP:** In fact, you might even decide to just make your count, if you will, at two or three points during the life of the project. Then once it's in -- first of all, is there a difference between the points, and if so, is there one that is established as a better baseline.

**DP:** On this thing with the five year reporting period to Island County, what are going to be the beneficial facts; increased sales or traffic impact?

**EJ:** What the agreement specifically says is it wants -- it's looking for other related information reasonably required by the County to measure the economic impact of its financial assistance. So they're not saying if you don't create jobs you have to give the money back. What they're saying is we're producing a grant to provide partial funding assistance; that assistance for economic development. They want some reporting back on what that produced. It does not say that if you don't produce a job or if some jobs were lost the money goes back. What it's saying is that since you're taking economic developed funds in doing a project for economic development that will have benefits for the community, where are those benefits. It does not define necessarily what those benefits are or should be. It says you have to report on those, it doesn't say that you have show that you've created two jobs, or ten jobs, or 50 jobs -- it says you have to report on those benefits.

**SP:** From a funding prospective, I think that that information is not necessarily just tied to how a particular project performed. I mean it's still a relatively new program and in large part I would imagine they are just trying to build data information about the overall success of the Rural Economic Development Grant funding program to use, perhaps, in future project awards or for future conversations to basically build data. Are there some types of projects which turn out to be better than other types of projects? And I think back that the first award was maybe only in 2005 or 2006. So there's not a long history of this funding source being applied in Island County and in gathering data as to what impact it's had County wide. So I think it's probably both for the project itself and also to help build historical information for the program.

**DP:** Okay, thank you. Any further questions?

7. **RBC Wastewater Treatment Plant Outfall Update** . Steve Bebee presented a power point presentation on the RBS Outfall. Staff has been gathering information and talking with contractors who might have experience fixing outfalls in the City's condition. Four options were given along with the positives and negatives. Option 1 is do no nothing. Option 2 is a slip line with a 14+HDPE (run a bore down the pipe). Option 3 is directional drilling. This is nice but very expensive; could be up to \$1 million. Permitting is very high and would take up to a year to get. Directional drilling would be done if building a new plant. Option 4 is an above ground outfall. This would be an eyesore and would be a temporary outfall. Option 5 is to keep the RBC Plant Outfall flowing and divert flow to the lagoon. This is the option leaning towards. A year ago the City started the diversion pump system, which is now paying off. See Power Point Presentation attached.

Rick asked if the RBC Plant is shut down and you don't have any flow coming out of the outfall pipe, isn't there a greater chance of having sediment buildup in that, or are the pumps going to be jockeyed around to keep it flushed out. Eric answered it will continue

to fill full of sediment, but even if nothing is done the pipe is of no longer of value. Rick asked if there was any value for emergency or for a period of time until online with another system at least until a real plan is in place. Steve answered that if to a point where needed to use the RBC Outfall he could bring in a pump and put it in the affluent portion of the treatment plant and we could pump the flow out there and it would be discharged out. Rick asked even in the winter time and the heavy weather. Steve replied we have two pumps that would pump more than what was currently being put on the outfall right now.

The Mayor commented on the tour of the RBC and the lagoon given by Paul and himself to two of Senator Cantwell's staffers. When back in Washington, D.C., an extensive meeting was held with Senator Cantwell asking her help in the siting [sic] of the new plant on the Seaplane Base. So she did follow-up and sent her staffers over here. The Mayor thinks Senator Cantwell is monitoring the City's progress on this issue and they know the Outfall is broken.

8. **Marina Dredging Project Bid** . Steve Powers said the Agenda Bill provided is in draft form as it is still being refined at the Staff level. One significant change is the incorporation of a Resolution which the Committee does not have because the materials presented were given to Engineering before the Resolution. A Resolution will go before the Council because there are a number of items included in the action seen on the Agenda Bill. Staff is trying to make it easier for Council to adopt a Resolution to capture all of the aspects of the approval of the dredging contract. Steve then went over the purpose, authority, and summary statement on the Agenda Bill. He also went over the number of bids received, what those bids were, and very importantly what's included when the bids are talked about; the Base Bid (dredging of the landing float; A-dock, near shore area and fuel float plus environmental mitigation), Bid Additive 1 (dredging of F-dock/breakwater area), and Bid Additive 2 (limited dredging near the main walkway intersection with B, C, D and E docks). The bid totals include the Base Bid and Bid Additives 1 and 2. Staff is recommending a contract in the amount of \$1,893,794 be awarded to Northwest Marine. Funding will come from revenue bonds, supported by a dredging fee collected from each mortgage customer in addition to their regular mortgage fee.

9. **North Oak Harbor Street** (*not on agenda, requested to be added by Scott Dudley*)

**SD:** I wanted to know if we could get a status update because the last time we got together it was still being worked on and o

**EJ:** It's still being worked on. The contractor is still being (*unable to hear what said due to the rustling of papers*) the damages they did where they put the pavement down last week. And they're getting real close to getting the sidewalks done. And you'll see this next week or so striping should down. It was scheduled to go down this week but Tuesday's weather was a problem. The memo handed out is for informational purposes only o not an agenda item. Right now they're working on raising the ironwork so when they paved it, what we asked them to do in this case, is overlay the street and take the iron o the manholes and raise them up to grade with the water mounts so that's what they're doing right now; that's not a mistake, that's by design. They screwed up on their scheduling again and didn't have the permanent asphalt patch to be able to put down there and so they had to do it twice o that's their problem. They continue to be charged for the work they're being late on. They're getting close to being done, things to finish up now is just really getting down to the punch list. The major elements are complete; the

landscaping is in; the irrigation system has some tweaks to work out on it; finishing up some fencing; finishing up the striping; adjusting a catch basin; doing some clean-up; just getting wrapped up.

**SD:** Still about a couple weeks away?

**EJ:** I think you'll still see workmen out there the next two or three weeks at a minimum. They continue to struggle with thinking more a day ahead of schedule, which has been a problem since day one.

**SD:** The asphalt on the asphalt sidewalk on there's a part in front of Windhaven Apartments where it looks like they've blown it with the green grass stuff and there's a telephone pole. What eventually happens at that spot?

**EJ:** There's a telephone pole on there's a gap there.

**SD:** Right.

**EJ:** There's about 18 feet where the pathway stops. The utility companies have had a bit of communication issue and the center of it is as to who owns and has the responsibility for that pole. That pole needs to come out then the pathway will continue on through with the asphalt pathway. We can't touch that pole. It's their pole and they need to get to that pole before we can continue. We've taken about a month and a half now to decide who owns the pole so that the pole can be taken off line. It's not on PSE, it's Verizon/Comcast who has trouble saying whose pole it is.

**SD:** And what's the latest then?

**EJ:** I think Comcast has said it's theirs and now they need to take the wires down.

**SD:** And then once they do that we'll extend.

**EJ:** *(unable to hear answer)*.

**SD:** Are we going to when we do the striping, are we going to do painted crosswalks then?

**EJ:** Yes. There will be complicated crosswalks; there will be crosswalks parallel to Oak Harbor Street at 7<sup>th</sup> Avenue, so headed north/south; parallel to Oak Harbor Street at Crosby Avenue; perpendicular to Oak Harbor Street north of Crosby Avenue toward the end of that center median; perpendicular to Oak Harbor Street south of 7<sup>th</sup> Avenue, again in that median area; there will be a paved crosswalk parallel to the roadway at Columbia; a crosswalk perpendicular to the roadway at Whidbey Avenue.

**SD:** This Committee did we ever see plans, year to date, in reference to what was going to be done there?

**Unrecognizable voice:** I don't recall.

**SD:** At what point did we scrap the traffic light? I know we scrapped on I remember the talk and our conversation in reference to the round-about and the reason we had 52 different property owners. The work that that would take in at that point it sounded

like we going to remove the round-about and look at putting in a traffic light. At what point did we scrap the traffic light?

**EJ:** The discussions centered around the round-about over just a T-intersection. We did not, at that point, propose to install a traffic light; we said that could be a possibility some time in the future. But, it was not delete the round-about and install a traffic light; it was delete the round-about and make it a T-type intersection with stop control at 7<sup>th</sup> Avenue; build the intersection in such a manner we could put stop control on oak Harbor Street. But we did not replace the round-about with a traffic light.

**SJ:** The reason for all of this was because of safety and we had two-way traffic and those that were turning left onto 7<sup>th</sup> from Oak Harbor Street. We had the backup and people would get rear ended and that was the reason for the department. And with out left-hand turn lanes, if we have more than a couple vehicles, we're now still back to the same issue.

**EJ:** No, not directly. What we're trying to do is separate those movements. And what you were having is, you were having cars waiting to turn left, queuing up the through traffic on there. And typically what you have is the lower volume turning left and higher volume going through. And so do you have a potential for rear end collisions from those people waiting to turn left and that will always be there with a channelized intersection like that. But that risk is reduced from what it was before where all of the vehicles were sharing the same lane. So separating what turns those vehicles at the stop to make a left hand turn separating those from those vehicles going through that would be intended to resolve that. But that does not have the significant benefit of reducing those types of accidents then the next step is to put a 3-way stop in.

**SD:** Okay.

**EJ:** The next step beyond that is to analyze if it does meet warrants for a traffic signal, which it currently does not, and then go to that next step. The round-about would be also done that in a different way. This is channelizing it but the left turn channelization is another approach to doing that.

**SD:** The little triangle median that we have at the Crosby and Oak Harbor Street, what is that to do?

**EJ:** It's intended to again channelize the traffic. One of the biggest problems we've had at Crosby and Oak Harbor Street is people cutting that corner. People heading northbound on Oak Harbor Street making a left hand turn on to Crosby Avenue for years we've had complaints that people would cut corner. And so, to some extent, by putting that pork chop in there that helps reduce the people trying to cut that corner because it forces them the corner later rather than sooner. It's kind of counterintuitive because that's more of a right hand channelization control than a left hand channelization control but it does have some benefit to reducing that cutoff traffic. The other thing that it does is that it separates that right hand movement from the through movement, which is the majority of the people making that turn; coming off Crosby turning in to Oak Harbor Street.

**SD:** The knocking down of our medians so that now big vehicles, RV's, anyone pulling a trailer can now travel over then the median. Is that normally done?

**EJ:** It's not uncommon. It's very common with a round-about with a design for specific vehicles and the small percentages of larger vehicles need to have a larger apron to get to get on to. That's very common for us to do that. Those intersections are designed to accommodate vehicles with trailers and before the changes were made we could see both from the computer analysis design, as well as actually seeing vehicles making those corners that a guy pulling his Bayliner boat could make that corner without having knocked that down. This is intended to make it easier for those larger vehicles, but we didn't necessarily have to do it.

**SD:** The cost of installing a traffic light there at that location. You mentioned it was six figures.

**EJ:** Yes.

**SD:** What dollar amount?

**EJ:** I think 5 poles, controllers, cables would be easily \$150,000 to \$200,000.

**SD:** When we did the project it sounded like we ended up spending far less than what we originally anticipated.

**EJ:** Correct.

**SD:** What was the difference there?

**EJ:** I'm sorry, in terms of dollar amount or what 5

**SD:** Dollar amount:

**EJ:** We had budgeted, planned for this project around \$2.4 million. The construction bid came in at \$1.5 million; we add the engineering costs to that so we are several hundred thousand dollars below that \$2.4 million.

**SD:** We could have done a traffic light.

**EJ:** You could have afforded to have done a traffic light; however, the intersection does not meet the federal warrants installation of a traffic signal. So we don't have the types and severity of accidents; we don't have the volumes; we don't have the issues that would meet warrants that would justify installing a traffic signal. One of the attractions to doing the round-about is that it helped reduce the accident potential and increase the safety of pedestrians without having to go through the traffic signal warrant that's required to install traffic signals. At three-way intersections with stop control setup and pedestrian refuge island gets to the same intent by encouraging safety. We certainly would prefer putting a round-about in, but was certainly not in the cards. A traffic signal at 7<sup>th</sup> Avenue and Oak Harbor Street is not currently warranted and we couldn't recommend support because it doesn't meet signal warrants. That may change in the future, but currently where we are at it does not.

**SD:** You know, just a comment, I would ... it may 5 and maybe I'm the only one here that 5 it seems like things have transpired and that I was not aware of until after the fact. And whether it's the traffic light; whether it's the medians; knocking down of the medians; the sidewalks 5 I don't 5 I feel kind of in the dark in reference to what the plans were.

Like in this case, for the downtown Pioneer Way project you happen to have pictures left and right in reference to what that will – well, hopefully look like. But with Oak Harbor Street, at least I feel like I've been kind of surprised on that issue and I appreciate the update.

**DP:** I think this project was presented at the Public Works Standing Committee before – since the inception of plans to put a round-about there. And that didn't go through, of course, because of the potential property rights issues so it changed to a three-way stop. And reservations about the installation of the traffic lights also it's not because it's cost effective but there is congestion there only during rush hours. I have a question, though. On the sidewalks, what's the purpose of the design to put concrete on the east side and asphalt on the west side? Is that because of the pervious subtleties?

**EJ:** It's a little bit of both. The asphalt pathway on the west side is intended to be – to function as a multiuse bike lane/pedestrian pathway. So it needed to be significantly wider than the standard five or seven foot sidewalk. So it's 9-1/2 feet, roughly, in width. As we were going through the engineering process for this project several years ago, we were trying to find ways to bring the project into what we have requested. We started out if the present budget – if construction was around \$2 million and then the first go around which a standard sidewalk on that side had had us, with so many things in there, quite a bit higher than that. So going through that engineering process of the project incorporating different elements, by reducing the width of the street to some extent; by substituting the pedestrian pathway and getting some benefits of that way, it became a cost decision to use asphalt on that side versus concrete. At the same time what we're able to do as additional cost savings measures in terms of storm water controls (*unable to hear because something dropped*) a pervious asphalt pathway from Crosby down to roughly Columbia. So you've got two different types of asphalt on the west side, one being a pervious asphalt, one being a regular asphalt further to the south. And with Tuesday's rain, you could see water running off of the regular asphalt and no water running off the pervious asphalt. So it's probably a two-fold benefit to the City; one is it reduced the cost to the City; it reduced the stormwater runoff; and, then the third option is it gives us a multiuse pathway because we don't have designated striped bike lanes on Oak Harbor Street, we put them on the multiuse pathway on the west side. So the function and purpose is different; on the east side it's concrete sidewalk; on the west side it's the multiuse pathway. The reason why the pathway is on the west side versus the east side . there are more driveways on the east side than the west side so you get more change in variation of grade. That's easier to deal with with concrete sidewalks than it is with asphalt.

**MS:** If I could just ask Eric a question. If we – if the Council were to adopt low impact development procedures or practices would those new streets look somewhat like this street?

**EJ:** Very much so – very much so.

**SP:** In fact, if I may add to that, the subdivision code that the Council adopted last year included narrower street sections that look very much like the street sections you see now on Oak Harbor Road. So with that perspective it's an excellent project for us as a means to see what those narrower streets will look like; how they will function; how we intend to incorporate those pedestrian and bicycle facilities.

**EJ:** One other thing that I'd like to mention before we move off of this is there is concern about mailboxes. We've had at least one property owner get notice from the Post Office that they've stop deliveries until mailboxes get put back up. We're struggling with the contractor right now because it's their obligation. We paid them to deal with that particular issue and they're not stepping up to the plate with that. If we don't see some resolution on that mailbox issue today then our Staff is going to take it up and we'll deal with the contractor appropriately as far as our cost for that. We're not going to let that issue go on much longer. It's in the death throws. We're getting there.

**DP:** I think overall people are happy now traversing that road now that the dust has disappeared.

**RA:** Just a quick question here, Danny. So G & G is in \$3,000 a day right now in liquidated damages?

**EJ:** Yes. And they will be until we give them substantial completion. At this point substantial completion is being completion of the roadway; completion of the landscaping; completion of the sidewalks and pathways; and completion of the road, which includes striping.

**RA:** It starts making really good supervision look pretty cheap, doesn't it. Since what day?

**EJ:** Since the latter part of July so it's approaching 30 working days.

**DP:** Mr. Schmidt.

**PS:** Well, just as a comment, I know what Mr. Dudley's referring to. This was a TIB Project - Transportation Improvement Board - I think 54% of it was from their funds. This is what four or five years? The language with regard to the right-of-way took longer than that and then boom, we had to move very rapidly when we knew the right-of-way was not going to happen for the round-about in order to save those funds. And it is difficult to get all of the information out. The other side, it's a traffic engineering project as opposed to a downtown revitalization project where we have all these other things. But we understand a lot of these things were in place some time ago and it was the funding scenario that it had to come forward as fast as it did in order to get all that into place and receive that. But it looks good. And with regard to liquidated damages, it's just been my experience - you know there's a cost benefit of going after all those or hurry up and get this contractor - all the parts done and out of here as opposed to chasing collection thereof. We haven't even come to that.

**RA:** These plans were presented to this Committee when we switched from the round-about to this system. That's the first time I saw it and it was a surprise to me when I saw it. And that might have been before you came on, too, Scott. And there were open houses at the Trinity Lutheran Church where they had all exhibits up on the boards and the Engineering Staff down there explaining the plan. I'm not doubting that Scott didn't have the stuff, but I know it was put out there for the public and for the Council via a Staff presentation.

**EJ:** It's also fair to say that there's a much different level of *(something dropped, unable to hear part of what said)* - Pioneer Way's been going on for two years; Oak Harbor Street's been going on since the early 1990's.

10. **Public Works Director's Comments** . Cathy asked Eric to touch base on Regatta.
11. **Next Meeting** . October 7, 2010, 7:00 a.m.
12. **Meeting Adjourned** . 9:07 a.m.