City of Oak Harbor City Council Meeting Agenda

for

February 7, 2012
6:00 p.m.

Oak Harbor City Council
REGULAR MEETING
Tuesday, February 7, 2012, 6:00 p.m.

Welcome to the Oak Harbor City Council Meeting

*As a courtesy to Council and the audience, **PLEASE TURN YOUR CELL PHONES OFF** before the meeting begins. During the meeting's Public Comments section, Council will listen to your input regarding subjects of concern or interest that are not on the agenda. For scheduled public hearings, please sign your name to the sign up sheet, located in the Council Chambers if you wish to speak. The Council will take all information under advisement, but generally will not take any action during the meeting. To ensure your comments are recorded properly, state your name and address clearly into the microphone. Please limit your comments to three minutes in order that other citizens have sufficient time to speak. **Thank you for participating in your City Government!***

CALL TO ORDER

INVOCATION

ROLL CALL

MINUTES 1/3/2012 Regular Meeting, 1/23/2012 Special Meeting

NON-ACTION COUNCIL ITEMS:

1. Employee Recognition – Tim Shelley – 25 Years, Public Works.
2. Proclamation – Modern Day Slavery and Human Trafficking Prevention Month.
3. Proclamation – Big Brothers Big Sisters of Island County Mentor Appreciation Month.
4. Public Comments.

COUNCIL CONSIDERATION AND ACTION ON THE FOLLOWING MATTERS:

5. Consent Agenda:

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   a. Island Transit Board Appointment – Jim Campbell.

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   b. Resolution – Petty Cash.
   c. Approval of Accounts Payable Vouchers (Pay Bills).

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6. Special Benefit Analysis – Dillard's Addition Sewer LID.

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7. Resolution – Wastewater Facility Plan.

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8. City Council Vacancy.

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9. By Motion from 1/23/12 Special Meeting – Costs of Staffing Changes.

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10. Island County Joint Tourism Contribution.

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11. Adopt A Street Program.

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12. Future City Council Pending Items.
13. City Administrator's Comments.
14. Council Members' Comments.
    - Standing Committee Reports
15. Mayor's Comments.

ADJOURN

If you have a disability and are in need of assistance, please contact the City Clerk at (360) 279-4539 at least two days before the meeting.

Life is like a ten-speed bicycle. Most of us have gears we never use. ~ Charles Schulz

City Council Regular Meeting
Tuesday, January 3, 2012, 6:00 p.m.
City Hall – Council Chambers

CALL TO ORDER Mayor Dudley called the meeting to order at 6:00 p.m.

OATH OF OFFICE Mayor Scott Dudley, Councilmember Tara Hizon, and Councilmember Beth Munns.

Mayor Dudley and Councilmembers Hizon and Munns had also taken the Oath of Office(s) on December 28, 2011 along with Councilmember Rick Almberg who was absent this evening.

INVOCATION Pastor Russ Schlecht, Living Word Fellowship

ROLL CALL

Mayor Scott Dudley
Five Members of the Council,
- Jim Campbell
- Tara Hizon
- Beth Munns
- Danny Paggao
- Beth Severns

Paul Schmidt, City Administrator
Margery Hite, City Attorney
Bill Hawkins, Assistant City Attorney
Doug Merriman, Finance Director
Steve Powers, Development Services Director
Cathy Rosen, Public Works Director
Eric Johnston, City Engineer
Rick Wallace, Chief of Police
Mark Soptich, Fire Chief
Karen Crouch, Executive Assistant to the City Administrator

Councilmember Rick Almberg was was absent and formally excused from this meeting.

MINUTES

MOTION: **Councilmember Paggao moved to approve the minutes of the 12/20/11 regular meeting. The motion was seconded by Councilmember Campbell.**

VOTE ON THE MOTION: **Councilmembers Campbell, Munns, Paggao, and Severns voted in favor of the motion. Councilmember Hizon abstained. The motion carried.**

NON-ACTION COUNCIL ITEMS

Employee Recognition – Eric Johnston, City Engineer, Ten Years of Service

Public Works Director Cathy Rosen introduced Mr. Johnston who began his employment with the City of Oak Harbor on January 8, 2002 as a Civil Engineer. He was promoted to City Engineer in September 2006. Originally from Lacey, Eric graduated from Washington State University with a Bachelor of Science Degree in Civil Engineering in 1999. "Go Cougs!" He is a registered professional engineer in the State of Washington, an associate member of the American Society of Civil Engineers, and a member of the American Public Works Association. Mr. Johnston's responsibilities include leadership and management of the Engineering Division and planning, organizing and directing the day-to-day activities of the division. He oversees major utility studies; serves as the responsible engineer for the design, preparation of plans and specifications and construction of capital improvement projects; supervises site development plan reviews and construction inspections; ensures compliance with City codes, ordinances, and engineering practices and standards; administers consultant contracts; coordinates policy issues through the Public Works Director and supervises seven assigned personnel. Eric, his wife Linda and four children have lived in Oak Harbor since 2002. He is very involved with his church activities as well as his childrens' youth soccer and Little League baseball teams. An Eagle Scout, Eric continues to be involved with the Boy Scout and Cub Scout programs. He is an avid outdoorsman and enjoys rock climbing, cycling, backpacking and triathlons. Mr. Johnston introduced his wife Linda and children Jared, Alex, Tyler, and Elizabeth and thanked Mayor Dudley and Council for this recognition; specifically saying it was a privilege to be Mayor Dudley's first agenda bill presentation. Mr. Johnston also talked about his first days with the City and seeing a woman in a wheelchair who used the street rather than a sidewalk. One of his first projects was a sidewalk project which helped improve this much-needed accessibility. Mr. Johnston is a valuable asset to the City of Oak Harbor.

Break

Mayor Dudley called for a break at 6:15 p.m. and the meeting reconvened at 6:25 p.m.

Public Comments

Shane Hoffmire, Oak Harbor. This is a bright day for Oak Harbor. The citizens of Oak Harbor have made a difference. This room is beaming with hope and so is the entire City – campaign promises, open government, fiscal responsibility, a willingness to hear what citizens have to say – they all fill us with great hope. Please don't let us down. Good luck and congratulations to all. Succeed in bringing change and fulfilling promises.

Gerry Oliver, 740 SE Pioneer Way, Oak Harbor. I am concerned about the intersection of Pioneer Way and Dock Street – the four-way stop. Cars continually run the stop sign. Could you add blinking lights or some other way to draw drivers' attention to the stop signs.

Paul Brewer, 225 NE Ernst, Oak Harbor. Congratulations to Mayor Dudley, Councilmember Hizon and Councilmember Munns. I am proud of everyone and what they have done: Mayor Dudley's fantastic campaign, Councilmember Hizon's youthful outlook (and expertise), and congratulations again to Councilmember Munns on her re-election. I agree with Mr. Hoffmire about accountability

Mel Vance, P.O. Box 2882, Oak Harbor. Mr. Vance expressed his sympathy to Chief Wallace and the law enforcement community over the loss of National Park Ranger Margaret Anderson who was killed at Mt. Rainier National Park. I appreciate what law enforcement does every day and my thoughts are with you. Also, to Mayor Dudley and Councilmember Hizon, welcome to the "hot seat;" it is good to have you aboard and I look forward to your tenure in office. Mr. Vance also asked about providing addresses during public comments and, if it is not required, could this be dropped for future meetings.

Cathy Harbour, 651 SE Bayshore, Oak Harbor. Congratulations to all and thank you for serving our City. Please don't put the waste water treatment facility in Windjammer Park. Even though it could be a state-of-the-art plant, I don't want the park's wide open space taken away. Bayshore Drive will eventually be connected, the east side over to Whidbey Island Bank, and would take more property away from the park. Please take this into consideration.

Mayor Dudley talked about the waste water treatment facility agenda bill that will come forward for Council's January 17th meeting along with future workshops regarding the facility plan.

Richard Everett, Bayshore Drive, Oak Harbor. Congratulations to the Council Members and Mayor Dudley. I am pleased that Mr. Dudley has been elected to this important position and I would like to volunteer my time in any way possible. I would like to bring information forward on the dark skies movement and ways to protect evening skies in our communities from light pollution. (Clerk's note: see www.darksky.org for more information on night sky conservation). The City's projects could impact this; it would be nice to see the Milky Way again.

Kelly Beedle, Oak Harbor Tavern, Pioneer Way, Oak Harbor. Thank you for my street and sidewalks.

With no other comments coming forth, Mayor Dudley closed the public comments section of the meeting.

COUNCIL CONSIDERATION AND ACTION ON THE FOLLOWING MATTERS

Consent Agenda

A. Youth Services Advisory Board City Council Appointment – Tara Hizon
B. Approval of Accounts Payable Vouchers

MOTION: **Councilmember Campbell moved to approve Consent Agenda Items A and B with Item B paying Accounts Payable check numbers 148473 – 148474 in the amount of $5,678.60 (Check number 148475 was a test check with no amount), Accounts Payable check numbers 148476 – 148607 in the amount of $174,891.55, Payroll check numbers 95222 – 95250 in the amount of $610,100.26, and Payroll check numbers 95251 – 95273 in the amount of $84,650.65. The motion was seconded by Councilmember Severns and carried unanimously.**

Selection of Mayor Pro Tempore
City Administrator Paul Schmidt presented this agenda bill. Traditionally, the City Council has selected a Mayor Pro Tempore at the first meeting of even numbered years. The City Council, at their discretion, may postpone the selection of a Mayor Pro Tempore until such time of the Mayor's absence. Selection this evening will require a majority vote of the Council.

Mayor Dudley called for public comments.

Mel Vance, P.O. Box 2882, Oak Harbor. Danny Paggao has done an excellent job as Mayor Pro Tempore for a number of years and he should continue in this capacity.

There were no other public comments.

MOTION: **Councilmember Munns moved to nominate Councilmember Danny Paggao as Mayor Pro Tempore for the term of 2012 and 2013. The motion was seconded by Councilmember Campbell and carried unanimously.**

Councilmember Paggao thanked the Council for their vote of confidence. Mayor Dudley noted that Mr. Paggao is extremely active in the Fil-Am Association of Oak Harbor and is an elected official of Washington State's Commission on Asian Pacific American Affairs (CAPAA). Councilmember Paggao took his first oath of office in 1994 and has been the Mayor Pro Tempore since 2002.

Council Attendance – National League of Cities Conference in March
Finance Director Doug Merriman presented this agenda bill asking Council to select the 2012 National League of Cities Congressional City Conference attendees. The 2012 Conference schedule is:

- March 10-11 – Pre-Conference Activities, including Leadership Training Institute Seminars
- March 12-13 – Main Conference Events
- March 14 – Capitol Hill Visits

Mayor Dudley called for public comments.

Larry Eaton, 429 SW Dyer Street, Oak Harbor. I have attended in the past and my recommendation is to allow our newly-elected Council Member, Tara Hizon, to attend so she can benefit from this national organization.

There were no other public comments.

Council Discussion

Discussion followed about the $7,000 out-of-state travel line item (this amount is for the whole Council, not an individual amount), how much the $7,000 could actually cover, and that registration costs are charged to a different line item than travel costs. Mr. Merriman also noted that air fares have dropped which could also offer a travel savings. Discussion continued regarding the number of attendees – three Council Members and Mayor Dudley, the opportunity to have Councilmember Munns also attend, either for the full conference or for those days visiting the Pentagon with Ms. Munns' connections at the Pentagon on behalf of NASWI. Councilmember Munns noted that she also serves on a Federal legislative committee on behalf of the Association of Washington Cities (AWC) and that there may be an opportunity for her travel to be paid by AWC. Mr. Merriman added that it might be possible to shift some in-state travel funds to help keep Council's travel expenses within budget.

MOTION: **Councilmember Munns moved to approve NLC Congressional City Conference attendance for Councilmember Severns, Councilmember Campbell, and Councilmember Hizon. The motion was seconded by Councilmember Hizon and carried unanimously.**

Resolution – Standing Committee Assignments

City Administrator Paul Schmidt presented this agenda bill requesting adoption of Resolution 12-01 to establish standing committee membership from January 2012 through December 2013. As noted by Mr. Schmidt, Mayor Dudley also talked about the revision to committee meeting times, dates, and video-taping of standing committee meetings following establishment of standing committee assignments.

Mayor Dudley called for public comments.

Paul Brewer, 225 NE Ernst, Oak Harbor. Take a look at having them (the standing committee meetings) here at City Hall then the meetings can be recorded for more transparent government. Set a time when the public can attend; most citizens cannot make the (existing) meeting times. Thanks for this consideration.

Mel Vance, P.O. Box 2882, Oak Harbor. I agree with comments about changing the meetings' times for more public attendance. I have heard Council Members ask for more public participation. Make these meetings more conducive for the public to be here and stream them online.

Cecil Pierce, 871 NW Hazlo Place, Oak Harbor. Moving the meetings' times would be great. You will not be able to get everyone to show up but streaming the meetings through the City's website would make for a better-informed public.

There were no other public comments.

Mayor Dudley queried the Council about adjusting locations and times. City Attorney Hite also noted that a change to locations and times would require an ordinance since this is part of the City's code (ordinance introduction and final consideration) with direction from the City Council on how Council would like to proceed. Mayor Dudley asked Council to consider the presented resolution at this point.

Council Discussion

Discussion followed regarding Council Member assignments to standing committees: Councilmember Severns would like to join the Public Works Standing Committee and remove his membership from the Public Safety Standing Committee

MOTION ONE:

Councilmember Campbell moved to amend the resolution (Exhibit A to the resolution) to show Councilmember Severns as a member of the Public Works Standing Committee and remove Mr. Severns from the Public Safety Standing Committee. The motion was seconded by Councilmember Munns and carried unanimously.

MOTION TWO:

Councilmember Hizon moved to have Councilmember Munns chair the Public Safety Standing Committee. The motion was seconded by Councilmember Campbell and carried unanimously.

MOTION THREE:

Councilmember Munns moved to have the Councilmember-to-be-named position added to the Public Safety Standing Committee. The motion was seconded by Councilmember Severns and carried unanimously.

MOTION FOUR:

Councilmember Campbell moved to take the Councilmember-to-be-named position off of the Public Works Standing Committee. The motion was seconded by Councilmember Munns and carried unanimously.

MOTION FIVE:

Councilmember Munns moved to adopt Resolution 12-01 with Exhibit A's amendments. The motion was seconded by Councilmember Campbell and carried unanimously.

This is the membership now shown in Exhibit A:

Public Works

Chair: Danny Paggao
Members: Rick Almberg
Bob Severns

Governmental Services

Chair: Jim Campbell
Members: Tara Hizon
Councilmember to be named

Finance

Chair: Rick Almberg
Members: Beth Munns
Bob Severns

Public Safety

Chair: Beth Munns
Members: Tara Hizon
Councilmember to be named

Council Discussion Continued

Discussion followed regarding times and locations of standing committee meetings, that times and locations were originally established by each individual committee, that past Councils had a regularly-scheduled special meeting (this was set by ordinance and has since been rescinded) that could again accommodate standing committee discussions. Discussion continued about the length of time needed for standing committee discussions, how to consolidate four meetings into one if that is Council's choice, staff and Council time needed if four individual standing committees move to evening times, and the use of streaming video. Discussion continued about the existing locations which allow staff to remain in their respective departments for standing committee meetings and attend these work sessions before the business day begins, taping of existing meetings, and the need to keep these meetings publicly-accessible.

Mayor Dudley asked when an ordinance could come before Council and City Attorney Hite noted the requirement for an introductory reading and second meeting for final consideration which will be dependent on what Council wants. Discussion continued about video equipment in Council Chambers along with mobile taping equipment (also available), costs, video streaming, and how it would be hosted. Mr. Schmidt noted that the original intent of these standing committees was to provide face time between staff and City Council so Council could be more prepared. This was a better fit than use of ad hoc committees or infrequent workshops. Other cities use standing committees,

agenda-setting workshops, or additional evening meetings (for Oak Harbor, combining two standing committees for each remaining Tuesday evening); there are a number of ways to approach the use of committees.

City Attorney Hite asked which options should be drafted, and these three alternatives were given:

1. Dissolution of standing committees and creation of a workshop
2. Consolidation of four standing committees into two committees
3. Keep the four standing committees but reschedule them

Council talked about the March target date, the need to have Councilmember Almberg back and involved with this discussion, and discussion with staff since Council and staff are a team. Council would like to talk with staff (within the currently-scheduled standing committees) and have feedback soon in order to then move forward to the full Council.

MOTION: **Councilmember Campbell moved to have staff return in the first week of February with the three options discussed this evening so each City Council group on the standing committees can receive staff input. The motion was seconded by Councilmember Paggao and carried unanimously.**

Mayor Dudley noted that he feels the standing committees are a good thing, the two hours scheduled for each committee are well-used and he does not want to see them abandoned, and the standing committee meetings should be brought into Council Chambers.

Process for Council Vacancy

City Administrator Paul Schmidt presented the agenda bill and information regarding this City Council vacancy. Mr. Schmidt noted the RCW language: RCW 42.12.070 states in part: "where one position is vacant, the remaining members of the governing body shall appoint a qualified person to fill the vacant position." It also states "if a governing body fails to appoint a qualified person to fill a vacancy within 90 days....the county legislative authority .....shall appoint a qualified person to fill the vacancy." Mayor Dudley also recommended a special meeting on 1/23/12 to stay within the 90-day timeline. A City Council vacancy application was attached to the agenda bill which could be utilized for advertising the vacancy. An advertisement will include the minimum qualifications that should be followed in accordance to RCW 35A.12.030 which require a one year proof of residency and that a candidate must be a registered voter in Island County, City of Oak Harbor. The City Council may also require additional qualifications. The application asks for a letter of interest, résumé, and basic information such as background and any issues of interest. Assuming there might be numerous applicants, City Council is advised to shortlist the candidates to three or four applicants for interview purposes. All interviews and selection of the appointed City Council vacancy shall be in an open public meeting. However, RCW 42.30.110 (1)(h) provides that a City Council or Committee thereof may go into executive session to evaluate qualifications of

candidates for the City Council vacancy, but can make no decisions except in an open public meeting. To undertake a selection process to fill the vacant City Council position, the City Council may do so as the full City Council or appoint a City Council committee to review and recommend a shortlist of qualified candidates. In 2008, the City Council authorized the Mayor to appoint a committee of City Council members and Mayor Slowik selected the Governmental Services Standing Committee to bring a recommendation of qualified candidates for full City Council consideration. The full City Council can then conduct interviews and make the selection of a successful City Council candidate in an open public meeting.

Mayor Dudley called for public comments.

Shane Hoffmire, Oak Harbor. The appointee should be an independent free thinker, should not kowtow, and use a fair and civil process. There is hope and not a division in our community.

There were no other public comments.

Council Discussion

Discussion followed about the options for a recommended action, the public process, an appropriate shortlist number, and concern with the suggested timeline not allowing enough time for this selection process. Council also suggested meeting on 1/23/12 or the morning of 1/24/12 to strategize this process and change the shortlist due date to 2/1/12 instead of 1/27/12, reaffirmation that interviews cannot be conducted in executive session and must remain in open session, and if the committee can allow citizens to ask questions (need to remain uniform for all candidates). With concern about use of a standing committee and minimal public attendance at standing committees (if a standing committee is used for applicant review), Council discussed use of the full Council for all parts of this process.

MOTION: **Councilmember Munns moved that the City Council directly review all City Council vacancy applications in accordance to the proposed schedule, with a schedule amendment that February 1, 2012 be used as the due date for a short list, and select no more than four qualified candidates for full City Council consideration on February 7, 2012, and selection of the most qualified City Council vacancy candidate on February 21, 2012. The motion was seconded by Councilmember Severns.**

Mayor Dudley asked if, during a special meeting on 1/23/12 and/or 1/30/12, the Council can ask questions of the applicants (yes, as long as this is done in an open meeting).

VOTE ON THE MOTION: **Councilmembers Hizon, Palmer, Paggao, Munns, and Severns voted in favor of the motion. Councilmember Campbell opposed. The motion carried.**

Executive Session

Assistant City Attorney Bill Hawkins talked about open public meetings and executive sessions for these two purposes:

1. RCW 42.30.110(1)(i)):
   The city council will hold an executive session to discuss pending litigation with legal counsel representing the city because public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the city.
2. RCW 42.30.110(1) (b):
   To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price.

And finally Mr. Hawkins talked about:

RCW 42.30.110(2):

Before convening in executive session, the presiding officer of a governing body shall publicly announce the purpose for excluding the public from the meeting place, and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the presiding officer.

Mayor Dudley convened the Executive Session at 8:00 p.m. with the Executive Session to conclude at 8:30 p.m. At 8:30 p.m., City Administrator Schmidt announced that the Executive Session would continue until 8:50 p.m. Mayor Dudley reconvened the meeting at 8:50 p.m.

MOTION: **Councilmember Munns moved to authorize the Mayor to appeal the decision of the Western Washington Growth Management Hearing Board. The motion was seconded by Councilmember Hizon and carried unanimously.**

City Administrator's Comments

Mr. Schmidt talked about a new all-day Council Retreat date for March 3, 2012, beginning at 8:30 a.m., Skagit Valley College, Room 306.

Council Members' Comments
Councilmember Paggao talked about the 1/5/12 Public Works Standing Committee that only he is able to attend, and City Attorney Hite clarified what would be needed if other Council Members wish to attend in lieu of absent committee members (notify the Clerk and then post a special meeting notice).

Mayor's Comments
Mayor Dudley talked about the art work on display which was done by Anita Johnston. Mr. Dudley also thanked Council for his first meeting, is looking forward to Councilmember Hizon's membership on the Youth Services Advisory Committee, and talked about adding pending Council items to the next meeting's agenda.

ADJOURN
With no other business coming before the Council, Mayor Dudley adjourned the meeting at 9:00 p.m.

_____
Connie T. Wheeler
City Clerk

City Council Special Meeting
Monday, January 23, 2012, 6:00 p.m.
City Hall – Council Chambers

CALL TO ORDER Mayor Dudley called the meeting to order at 6:00 p.m.

ROLL CALL

Mayor Scott Dudley
Six Members of the Council,
Rick Almberg
Jim Campbell
Tara Hizon
Beth Munns
Danny Paggao
Beth Severns

Steve Powers, Interim City Administrator
Bill Hawkins, City Attorney
Doug Merriman, Finance Director
Cathy Rosen, Public Works Director
Eric Johnston, City Engineer
Larry Cort, Project Manager
Mark Soptich, Fire Chief
Renée Recker, Executive Assistant to the Mayor
Karen Crouch, Executive Assistant to the City Administrator

COUNCIL CONSIDERATION AND ACTION ON THE FOLLOWING MATTERS
Contract Revision – Strider Construction
Project Manager Larry Cort presented this agenda bill leading off with a PowerPoint presentation which showed the authorized budget, expenditures to date, and estimates to finish with regard to the Pioneer Way Reconstruction Project (attached as Exhibit A to these minutes). The second line of the spreadsheet represents Strider Construction. A contract revision is sought to increase the contract amount by $150,000 to account for cost increases attributable to the discovery of Native American human remains.
Dr. Cort drew attention to Perteet's line item which has been reduced, and that figures for archaeology – have not been determined since contractor selection is underway. Figures are also not in place for reburial as the City continues working with the Tribes on site selection and acquisition. In short, the $7,840,562 does not include Pit Road archaeological work or reburial.

<u>Council Questions with answers from Dr. Cort</u>
The City's share of PSE/Frontier Undergrounding - authorization and estimate to finish at $630,000 – does the City anticipate spending this amount?
Dr. Cort: The City is expecting to spend about that much considering night work, stronger vaults, and other expenditures.
When will underground and overhead conversions take place?
Dr. Cort: We want to see completion by February 6th, but PSE has been busy in the last weeks because of the weather. Poles are expected to come down as soon as possible and will take a week.

Dr. Cort talked about the agenda bill's outline of prior City Council action and key dates with respect to the City's contract with Strider Construction. He noted the November 4, 2011 date for project suspension which allowed archaeological investigations in Phase 4 to be completed. During this second suspension, the City revised the design for the northern parking spaces to eliminate the need for costly and time-consuming hand excavation in this area. The City applied for a revision to its Archaeological Excavation Permit to accommodate the revised design on November 15, 2011. Strider Construction returned to work on November 28, 2011. In common with the first suspension, Strider incurred costs associated with remobilizing equipment, personnel and subcontractors and site production and overhead inefficiencies as a result of the ongoing archaeological work and the revised design. On December 14, 2011, the City received approval for a revision to its Archaeological Excavation Permit that approved the revised design and authorized that last section of hand excavation within the southern sidewalk area. The sidewalk hand excavation was accomplished that same day, effectively completing the archaeological fieldwork. On December 28, 2011, the City Engineer approved Change Order 8 to account for Phase 4 remobilization costs and site production inefficiencies caused by the ongoing archaeological work and for added bid items resulting from the revised design. The net $9,345.05 reduction in the overall contract amount was the result of factoring in $172,865.00 worth of deductive changes from Strider's original bid on items where the projected final quantities were substantially less than the original estimate.

Looking ahead to the completion of the project, and in light of the second work stoppage precipitated by the ongoing archaeological excavation work, it is clear that Strider Construction has incurred additional costs due to the scheduling changes caused by working around the archaeological work and accommodating the revised design. In addition, there will be some remobilization costs in connection with utility pole removal and the need to patch sidewalks once the poles are out of the ground. The following summarizes the contract changes negotiated between the contractor, KBA as the City's construction manager and City staff as approved in Change Order 8:

Description	Change Order Amount
Additional work related to archaeology	$35,463.56
Revised plans and added bid items	42,019.56
Phase 4 remobilization	71,345.83
Utility pole removal/ repair remobilization	14,500.00
Subtotal	$163,328.95
Deductions to estimated quantities	-$172,865.00
Net Total for Change Order	-9,536.05

Staff requested that KBA work with the contractor to prepare a detailed estimate of the cost of all work remaining on the project. KBA's estimate in the amount of $112,588.45 was attached to the agenda bill. As several of the line items in KBA's spreadsheet represent estimated rather than known amounts, staff recommends that the contract amount with Strider Construction be increased by $150,000.00 to be able to respond to potential minor increases in costs. If approved, this increase would bring the revised maximum amount of the City's contract with Strider to $4,496,098.46.

Mayor Dudley called for public comments on this item.

Gerry Oliver, 740 SE Pioneer Way, Oak Harbor. The four-way stop; a lot of people are still missing those stop signs. Please think about adding blinking lights to bring drivers' attention to these signs.

There were no other public comments.

Council Discussion

Discussion followed regarding these amounts:

- Change Order 8's deducted $172,865.00
- KBA's $112, 588.45 estimation of remaining work costs
- Request to increase Strider's contract amount by $150,000.00.

Dr. Cort noted that the $172,865.00 represented Change Order No. 8's amount (additional archaeology work, revised plans and added bid items, Phase 4 remobilization, utility pole removal/repair remobilization, and a net positive of $9,536.05 from this change order) and that this amount is not directly relatable to KBA's $112, 588.45 estimate for remaining work costs. The $163,328.95 subtotal within Change Order No. 8 has paid for items that are not part of KBA's estimate. Asking for $150,000 allows for an amount that can respond to potential minor cost increases.

Council asked about the $37,411.55 difference between KBA's $112, 588.45 estimate and the requested $150,000 and who would have the authority to spend that difference (City Engineer). Dr. Cort noted that this is the best possible estimate right now and the City wants to be cautious as we approach the wrap-up stages on this project.

MOTION: **Councilmember Campbell moved to increase the contract amount with Strider Construction by $150,000. The motion was seconded by Councilmember Munns.**

Council discussion continued about increasing the contract amount or using authorization language instead of the recommended action as stated in the motion. Council also noted that the $150,000 is a not-to-exceed amount paid as Strider invoices the City. Dr. Cort added that it is important to recognize the distinction between the authorized amount and the contract amount. The contract includes unit prices; this is an increase in the authorization.

MOTION WAS WITHDRAWN:

Councilmember Campbell withdrew his motion and restated it.

MOTION: **Councilmember Campbell moved to increase the authorized contract amount with Strider Construction by $150,000. The motion was seconded by Councilmember Almberg and carried unanimously.**

Contract Amendment – SWCA Environmental Consultants

Project Manager Larry Cort presented this agenda bill and noted that SWCA Archaeologist Chris Miss was also in attendance to answer questions. The purpose of this agenda bill was to authorize the Mayor to sign Contract Amendment No. 2 to the professional services agreement with SWCA Environmental Consultants for archaeology services. Work under this agreement is pursuant to Archaeological Excavation Permit No. 2011-33 issued by the Washington State Department of Archaeology and Historic Preservation on July 28, 2011, and amended on October 3, 2011 and December 14, 2011. The amendment proposes to increase the contract amount from $290,000 to $465,000. Under the terms of the Time and Materials contract, SWCA is entitled to be compensated for the work performed so long as it is part of the Scope of Services outlined in the contract. All work performed to date is contained in the approved Scope of Services. Total compensation requested by SWCA is $125,560.13 more than the Council has authorized to date. In addition to the fieldwork requirements contained within the City's Archaeological Excavation Permit No. 2011-33 (which covers only the Pioneer Way location - not Pit Road), there are several other aspects of the permit that relate to faunal analysis, report preparation and plan preparation. Staff requested that SWCA submit an estimate of costs associated with these remaining permit requirements. These costs were contained in a memo to Larry Cort from Chris Miss dated December 28, 2011 which was part of the agenda bill's attachments. The vast majority of this contract increase is for work already performed by SWCA. It is attributable to the degree of field work needed to complete the work on Pioneer Way.

Ms. Miss talked to Council about the increase, completed and remaining work, faunal analysis, and the report and plan preparation which is part of the archaeological permit.

Mayor Dudley called for public comments.

Mel Vance, P.O. Box 2882, Oak Harbor. Mr. Vance asked for clarification: None of this covers any work on Pit Road, it is still all on Pioneer Way. Dr. Cort noted that this is correct, and that a separate contract will come before Council for Pit Road.

There were no other public comments.

Council Discussion

Council discussion followed about the requested amendment exceeding the original contract estimate, how to ensure this request will meet remaining costs, and if Council could receive weekly amount updates in conjunction with actual costs. It was noted that the amount of work would not change and Council discussion continued that any contract tracking system will not catch up with the amounts recognizing that the numbers presented would not be current numbers the next day.

Discussion ran to how contract estimates are reached (assumption of major or minor discovery) and that a major discovery would complicate and change an estimate. Ms. Miss talked about not having to dig beyond the level of disturbance, the good relationship with and cooperation of the Swinomish Tribe, how remains are stored, the number of intact remains, the location of remains, and how faunal analysis is used by the Tribes and as scientific information to help establish a base line for habitat.

Council discussion continued regarding SWCA's scope of work, the burial plan and cultural resources plan, and why the City is engaging in contract selection for archaeology on Pit Road (SWCA is also being considered). Selection would come back to Council.

In response to a Council question regarding Dr. Cort's statement in the agenda presentation – "if we had done things differently…" – Dr. Cort talked about the amount of work necessary to meet the state permit (the amount was not known until the work happened), that handling of the intact burials took a great deal of time, and how excavation work was based on the amount of materials.

Ms. Miss talked about the additional hours of monitoring work, but other than that, remaining tasks are straightforward. Ms. Miss also noted that SWCA began monitoring immediately without a contract in place as Council followed their process to approve the contract.

MOTION: **Councilmember Munns moved to authorize the Mayor to sign Contract Amendment No. 2 with SWCA to cover the last of the fieldwork and remaining permit work on SE Pioneer Way, increasing the not-to-exceed total compensation from $290,000 to $465,000. The motion was seconded by Councilmember Campbell and carried unanimously.**

FIRST REVIEW OF APPLICATIONS FOR CITY COUNCIL POSITION NO. 5
Interim City Administrator Steve Powers led this discussion and agenda bill for applications received regarding vacant City Council Position No. 5. Mr. Powers first reviewed the RCW language regarding City Council vacancies noting the importance of executive session use only for evaluation of candidate qualifications (see h below).

RCW 42.12.070
Filling nonpartisan vacancies.
RCW 42.12.070 states in part:

> "Where one position is vacant, the remaining members of the governing body shall appoint a qualified person to fill the vacant position." It also states "if a governing body fails to appoint a qualified person to fill a vacancy within 90 days....the county legislative authority .....shall appoint a qualified person to fill the vacancy."

RCW 42.30.110
Executive sessions.
RCW 42.30.110 (1)(h) states:

(1) "Nothing contained in this chapter may be construed to prevent a governing body from holding an executive session during a regular or special meeting:

(h) To evaluate the qualifications of a candidate for appointment to elective office. However, any interview of such candidate and final action appointing a candidate to elective office shall be in a meeting open to the public."

As of January 1, 2012, Mayor Scott Dudley's previous City Council position (No. 5) is vacant. Council Position No. 5 needs the remaining term of office filled and served until a person is elected and sworn in immediately after certification of the regular election sometime in November of 2013. By Council motion on January 3, 2012, the full Council has chosen to review all applications in accordance with the timeline (as amended on January 3, 2012) to create a short list of no more than four candidates by February 1, 2012. The short list will be presented during City Council's regular February 7, 2012 meeting and short-listed candidates will be interviewed during City Council's February 21, 2012 meeting. A candidate will be selected at the February 21st meeting.

Council may meet in executive session to discuss applicant qualifications, but all interviews and the final appointment to fill this vacancy are conducted in an open public meeting. It was recommended that public comment not be taken with regard to candidate applications to allow Council review of the submitted written applications only.

Mayor Dudley called for Council Discussion.
Councilmember Almberg talked about the candidate address sheet which had been distributed to Council before the meeting and noted that two candidates did not live within the City limits and could be removed from the list. Council discussion followed about the use of an executive session to discuss qualifications, running through the candidates one-by-one in the open meeting and dropping candidates, that going down the list in this fashion with "yea or nay" seemed arbitrary, using a 1 through 10 numbering system and using this rating process in the opening meeting to reduce candidates, and a return to preference for an executive session to discuss qualifications with concern that those who are not selected may be embarrassed by the suggested ways to consider candidates' qualifications. Discussion continued about the amount of candidates for a short list – four or three.

Executive Session

MOTION: **Councilmember Almberg moved to go into executive session to whittle the list down to four candidates. Councilmember Severns seconded the motion.**

Councilmember Almberg had noted that a group of three had merit but preferred to stay with the original number for a candidate shortlist.

Mayor Dudley announced that by general consensus, the Council would go into executive session at 7:00 p.m. for 30 minutes and announce a time extension at 7:30 p.m. if needed.

The executive session ended at 7:28 p.m. and the meeting reconvened at that time.

The following text is verbatim:

Mayor Dudley
We did go into executive session, City Council went into executive session, to possibly come up with a short list of possible candidates for filling the vacant Council seat. If I can go ahead and turn to our Mayor Pro Tem Danny Paggao, did you come up with a short list, and if so, do you want to go ahead and announce those candidates?

Mayor Pro Tem Paggao
Thank you your honor. The Council has made a unanimous decision for the short list of four candidates for position no. 5 in the City Council. The names are: Richard Devlin, James Reynolds, Joel Servatius, and Jeffery Wallin. These four short list (candidates) will be interviewed by the Council and an announcement will be made when the interview will be made.

Mayor Dudley
Thank you. We appreciate it. We appreciate all those who did submit their names and there are many ways of giving back so don't be surprised if we call upon you for other special roles as well. At this time, that was our last active business.

Council Motion for an Agenda Item on February 7, 2012
Councilmember Severns introduced an item which required a second from another Council member to add an agenda item to be set over to a full Council meeting for consideration and possible action.

MOTION: **Councilmember Severns moved that this agenda item be placed on the regular Council agenda for the meeting of 2/7/2012. Specifically, I would like to have the Council discuss the direct and indirect costs in connection with the Mayor's recent decisions to terminate the employment of Paul Schmidt, Margery Hite, Chief Mark Soptich, and Chief Rick Wallace. To prepare for this discussion, I am requesting that our Finance Director Doug Merriman give this Council an accounting to include the following:**

- **All known costs of severance, including but not limited to, all benefits, costs of transition, and cost related to interim appointments and training, if any.**
- **Costs for release of liability from said terminated employees if anticipated.**
- **Anticipated sources of funds for the above costs if more than one source exists.**
- **An illustration of how these expenses will affect our existing budget.**

This motion was seconded by Councilmember Munns. A vote is not needed to place an item on a future agenda.

Council Remarks
Councilmember Almberg wanted to thank the four (Mr. Schmidt, Ms. Hite, Chief Soptich, and Chief Wallace) for their service: In my experience with each of them, particularly Mr. Schmidt, he will be missed by this Council member. He is well-regarded throughout the state and I will miss him. We will still be a functioning well-operating City, but I will miss all of them. Councilmember Severns held the same sentiments.

ADJOURN
With no other business coming before the Council, Mayor Dudley adjourned the meeting at 7:25 p.m.

_____
Connie T. Wheeler
City Clerk

Exhibit A

	Total to Date	Auth/Budget		Estimate to Finish	
Pre-Construction Costs	$ 1,004,592	$ 1,004,592	1	$ 1,004,592	
Roadway/City Utilities/Parking Alternate	$ 4,345,934	$ 4,346,098		$ 4,496,098	3
City Share of PSE/Frontier Undergrounding	$ 70,600	$ 630,000		$ 630,000	
Inspection / Testing	$ 21,200	$ 23,012		$ 23,012	
Surveyor	$ 111,598	$ 147,385		$ 147,385	
Construction Management	$ 300,280	$ 398,975		$ 398,975	
Other	$ 87,609	$ 185,000		$ 140,000	
Public Art (1% of project)	$ 19,804	$ 98,000	2	$ 98,000	
Construction Mitigation Outreach	$ 125,890	$ 167,500		$ 167,500	
Archaeology – Pioneer Way	$ 519,550	$ 520,000		$ 695,000	4
Archaeology – Pit Road	Contractor Selection Underway				
Project Engineering – Perteet/HBB	$ 35,338	$ 50,000		$ 40,000	
Reburial	Working with Tribes on Site Selection and Acquisition				
Total Project Cost	***$ 6,642,395***	***$ 7,570,562***		***$ 7,840,562***	
Original Budget Resolution				***$ 8,350,000***	

1 – Expended Substantially in the 2009-2010 biennium
2 – Expenditures funded from separate source
3 – Estimate includes recommended $150,000 contract increase
4 – Estimate includes recommended $175,000 contract increase

City of Oak Harbor
City Council Agenda Bill

Bill No. 1
Date: February 7, 2012
Subject: Employee Recognition – Tim Shelley

FROM: **Scott Dudley**
Mayor

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

RSP Steve Powers, Interim City Administrator
DM Doug Merriman, Finance Director
Bill Hawkins, City Attorney, as to form

PURPOSE

To recognize City employees for 10 years, or more, of service.

AUTHORITY

It is the practice of the City to recognize dedicated employees who have completed 10 years, and then every five years thereafter, of service.

FISCAL IMPACT DESCRIPTION

Funds Required: $0.00
Appropriation Source: n/a

SUMMARY STATEMENT

The Mayor and City Council will recognize Tim Shelley for 25 years of service with the City.

STANDING COMMITTEE REPORT

None.

RECOMMENDED ACTION

Congratulate Mr. Shelley for his 25 years of service.

ATTACHMENTS

None.

City of Oak Harbor

OFFICE OF THE MAYOR
SCOTT DUDLEY
MAYOR

PROCLAMATION IN RECOGNITION OF

MODERN DAY SLAVERY AND HUMAN TRAFFICKING PREVENTION MONTH

JANUARY 2012

WHEREAS, Human trafficking is a world-wide phenomenon that refers to inducing a person to perform labor or a commercial sex act through force, fraud or coercion, with annual global profits estimated by the International Labor Organization at $44.3 billion; and,

WHEREAS, the U.S. Government estimates that between 14,500 to 17,500 victims are trafficked into the United States annually and that there are currently 200,000 people in this country who have been trafficked, with a large proportion of the victims being women and children; and,

WHEREAS, Washington State possesses many of the underlying conditions to support human trafficking as we have an international border and seaports, a market for the industry and the I-5 corridor is often used as a conduit to move men, women and children; and,

WHEREAS, President Barrack Obama proclaimed January 2012 as National Slavery and Human Trafficking Prevention Month and the United Nations designated January 11th as Stop Human Trafficking Day; and,

WHEREAS, we applaud Soroptimist International of Oak Harbor in their efforts to build public awareness and educate the community about this modern day slavery issue.

NOW, THEREFORE, WE, Scott Dudley, Mayor, and Councilmembers of the City of Oak Harbor do hereby recognize **January 2012** as **Modern Day Slavery and Human Trafficking Prevention Month**.

Signed this 17th day of January, 2012

Scott Dudley, Mayor

City of Oak Harbor

OFFICE OF THE MAYOR
SCOTT DUDLEY
MAYOR

PROCLAMATION IN RECOGNITION OF

BIG BROTHERS BIG SISTERS OF ISLAND COUNTY MENTOR APPRECIATION MONTH
JANUARY 2012

WHEREAS, During National Mentor Appreciation Month, we recognize the individuals who dedicate themselves to making a difference in the lives of young Oak Harbor residents; and,

WHEREAS, we underscore our commitment to supporting these dedicated community members; and,

WHEREAS, every day, these volunteers from many different backgrounds work to inspire our next generation by sharing their time and experiences with students in our Oak Harbor schools and the community; and,

WHEREAS, mentors help instill important values that encourage our youth to set high goals and achieve their dreams; and,

WHEREAS, mentors demonstrate that the strength of our community lies in the hearts and souls of our residents and that a positive influence in someone's life helps them secure a more hopeful future.

NOW, THEREFORE, WE, Scott Dudley, Mayor, and Councilmembers of the City of Oak Harbor do hereby proclaim **January 2012** as **Big Brothers Big Sisters of Island County Mentor Appreciation Month** and call upon the people of Oak Harbor to recognize the importance of mentoring and to look for opportunities to serve as mentors in their communities.

Signed this 17th day of January, 2012

Scott Dudley, Mayor

City of Oak Harbor
City Council Agenda Bill

Bill No. 4

Date: FEBRUARY 7, 2012

Subject: **PUBLIC COMMENTS**

FROM: **Scott Dudley, Mayor**

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

Scott Dudley, Mayor
Paul Schmidt, City Administrator
Doug Merriman, Finance Director
Margery Hite, City Attorney

SUMMARY STATEMENT

City Council will accept public comments for items not otherwise on the agenda for the first 15 minutes of the Council meeting. You may also speak to any of the consent agenda items.

City of Oak Harbor
City Council Agenda Bill

Bill No. C/A 5A
Date: February 7, 2012 (1/17/12 meeting was cancelled due to weath
Subject: Island Transit Board City Appointment

FROM: **Scott Dudley, Mayor** SD

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:
PS Paul Schmidt, City Administrator
DM Doug Merriman, Finance Director
MH Margery Hite, City Attorney, as to form

PURPOSE

The purpose of this agenda bill is for the Council to select a member of the City Council to the Island County Public Transportation Benefit Area Corporation (aka Island Transit) Board of Directors.

AUTHORITY

According to Article II, The Governing Body – Board Composition, Section 2.1 of the Island County Public Transportation Benefit Area Corporation Bylaws:
The governing body of the Corporation shall consist of a Board of five (5) members, all of who shall be elected officials selected by and serving at the pleasure of the governing bodies of the component cities within the area and the County Commissioner in the area. The membership of the Board shall be determined on the following basis:

a. Two (2) members who are elected officials of the governing body of the County.
b. The cities of Oak Harbor, Coupeville and Langley shall each have one (1) member on the Board.

FISCAL IMPACT DESCRIPTION

None

SUMMARY STATEMENT

Mayor Dudley recommends that Councilmember Jim Campbell be appointed as the City of Oak Harbor's member on the Board.

STANDING COMMITTEE REPORT

None.

RECOMMENDED ACTION

Approve the recommendation to appoint Councilmember Jim Campbell to the Island Transit Board of Directors for a term of one year beginning January 1, 2012 and terminating December 31, 2012.

ATTACHMENTS

None.

City of Oak Harbor
City Council Agenda Bill

Bill No. N/A 5B
Date: February 7, 2012
Subject: Petty Cash Resolution

FROM: **Doug Merriman, Finance Director**

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:
Scott Dudley, Mayor
Paul Schmidt, City Administrator
Bill Hawkins, City Attorney, as to form

PURPOSE

A resolution to eliminate the Municipal Court change fund.

AUTHORITY

Under RCW 35A.11.020, The legislative body of each code city shall have power to organize and regulate its internal affairs within the provisions of this title and its charter, if any; and to define the functions, powers, and duties of its officers and employees;

FISCAL IMPACT DESCRIPTION

There is no direct fiscal impact of eliminating the municipal court change fund.

Funds Required: $ 0

Appropriation Source: Not Applicable

SUMMARY STATEMENT

The City's maintains an authorized listing of Petty Cash and Change Funds to be used by departments for various purchases requiring small incidental amounts of cash on hand. In addition, some funds are maintained in the Police Department for varying investigative needs. The City authorizes this list through a resolution that sets the location and dollar amount of each fund in the City. This resolution also assists Finance in ensuring that cash controls are maintained at appropriate levels. The municipal court change fund has experienced minimal activity over several years and, accordingly, should be eliminated.

STANDING COMMITTEE REPORT

The Finance Standing Committee reviewed this item at their December 14, 2011 meeting.

RECOMMENDED ACTION

1. Approve resolution eliminating the municipal court change fund.

ATTACHMENTS

1. Draft resolution.

RESOLUTION NO._____

RESOLUTION ELIMINATING THE MUNICIPAL COURT CHANGE FUND.

WHEREAS, the minimal use of the municipal court change fund has shown that the change fund is no longer necessary.

BE IT RESOLVED by the City Council of the City of Oak Harbor as follows:

1. There is hereby established the following Change and Petty Cash Funds in the amounts indicated:

Change Fund (Marina)	$400.00
Change Fund (Police Department)	250.00
Change Fund (Finance Department)	600.00
Petty Cash (Police Department)	200.00
Chief of Police (Investigative)	5,000.00
Change Fund (Senior Center)	75.00
Petty Cash (Senior Center)	300.00
Petty Cash (Finance Department)	300.00
Petty Cash (Fire Department)	200.00
Change Fund (Library)	34.00

Investigative Fund excepted, change and petty cash funds may not be used for personal cash advances even if secured by check or other IOU's. Any person making a purchase with money from said funds shall obtain a receipt therefore evidencing the transaction. At least once monthly or when withdrawals exceed 75% of the authorized amount of said fund, the fund custodian shall account to and request reimbursement to the fund from the Accounts Payable Clerk by submission of a claim voucher supported by the appropriated receipts. The funds so received shall be used to replenish the petty cash fund. Cash on hand and receipts for purchases shall at all times equal the amount of the petty cash authorized by this Resolution.

The Finance Director is authorized to transfer additional funds as may be necessary to bring the petty cash funds up to the amounts indicated above and to establish the investigative fund and change fund.

Passed by the City Council this 7th day of February, 2012.

Approved by the Mayor this _____ day of February, 2012.

THE CITY OF OAK HARBOR

_____ Mayor

Attest:

_____

City Clerk

Approved as to Form:

_____

City Attorney

Published: _____

City of Oak Harbor
City Council Agenda Bill

Bill No. 6
Date: February 7, 2012
Subject: Special Benefit Analysis- Dillard's Addition Sewer LID

FROM: Cathy Rosen, Public Works Director
Eric Johnston, City Engineer

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

___ Scott Dudley, Mayor
RSP Steve Powers, Interim City Administrator
___ Doug Merriman, Finance Director
___ Bill Hawkins, City Attorney, as to form

PURPOSE

This agenda bill presents, for Council discussion, a proposal submitted by Macaulay & Associates to perform a special benefit analysis for the proposed Dillard's Addition Sewer LID Special Benefit Analysis.

AUTHORITY

The City has authority under RCW 35A.11.020 to render governmental services including operating and supplying of utilities and municipal services commonly or conveniently rendered by cities or towns. The authority to provide sewer services is found in RCW 35.21.210 and 35.67.010 et seq.

FISCAL IMPACT DESCRIPTION

Funds Required: $ 0

Appropriation Source: _____

SUMMARY STATEMENT

In 2011, City Council has had several opportunities to discuss and take action on a proposed local improvement district for sewers in the Driftwood Beach/Dillard's neighborhood. The following timeline provides dates with Council action in 2011:

- 03/01/2011 – Council presented with a petition for a gravity sewer L.I.D. for the Driftwood Addition and surrounding sewer basin during Public Comments of the Council meeting. Motion carried to bring an update on where Dillard is today before Council on April 5, 2011.
- 04/05/2011 – Council discussion of petition and motion carried for Resolution to explore cost benefit analysis for an L.I.D. and cap money spent by staff at $25,000.
- 05/03/2011 – Motion carried to remand the resolution back to staff to include both the gravity and low pressure sewage systems in the resolution.
- 6/28/2011 – Motion carried for the City to proceed with the development of a preliminary special benefit report in phases - Phase 1: An RFQ to identify qualified firms. Phase 2: A Request for Proposals for Council consideration and award of contract.
- 11/15/2011 – Adopted Resolution 11-17 proceed with RFP for Special Benefit Analysis.

On November 15, 2011, the Council directed that a request for proposals (RFP) from qualified appraisers for a special benefit analysis be published. The RFP was published for the first time on December 1, 2011 in the Daily Journal of Commerce, and again on December 3 and 10, 2011 in the Whidbey News Times. The deadline for submittals was December 30, 2012.

The one and only proposal received, submitted by Macaulay & Associates, has been attached to this agenda bill. The proposal meets the requirements set forth in the RFP issued by the City. Macaulay & Associates has an extensive résumé with this type of work, is well qualified, and has previously completed work for the City of Oak Harbor on a similar project. In 2003, Macaulay completed a special benefit analysis for the Scenic Heights Sewer Local Improvement District (LID). While the Scenic Heights LID ultimately was not formed, the information provided by Macaulay was timely and well prepared. Macaulay is also listed as a contributor to the 6th edition of the Local Improvement District manual published by the Washington Municipal Research Service Center (MRSC) further demonstrating their qualifications for this type of work.

This proposal is presented for Council discussion without a staff recommendation, other than to discuss the proposal. In discussing this proposal Council may wish to consider City wide policies related to sewer connections. The wastewater facility plan scope of work includes tasks to evaluate feasibility of providing sewer connections to unsewered areas within the City sewer service area. This work includes engineering recommendations on efficient methods of providing service and also a financial analysis of costs and rate impacts.

Macaulay's proposal lists the cost for the work outline in the RFP at $31,500. Previous Council action authorized $25,000 for work on the formation of a local improvement district. As of January 20, 2012, $21,062 has been expended. In order to pay for the special benefit study, a budget amendment adding funding to the current wastewater operating budget would be required. Funds would come from the wastewater reserve funds.

STANDING COMMITTEE REPORT

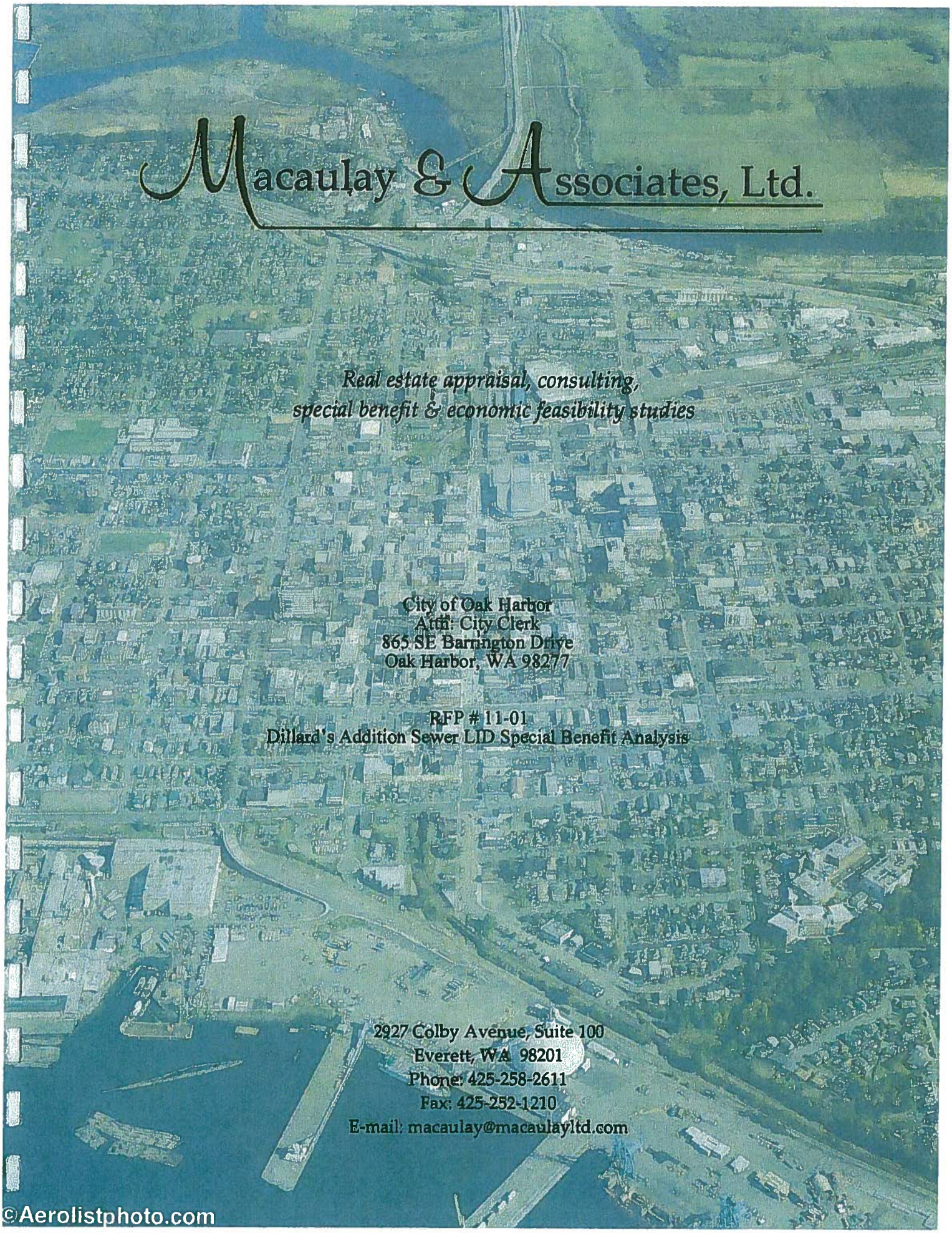
This item was presented to the Public Works committee on February 2, 2012 and the Government Services committee on January 10, 2012.

RECOMMENDED ACTION

Council discussion of the Macaulay proposal

ATTACHMENTS

Proposal



Macaulay & Associates, Ltd.

Real estate appraisal, consulting,
special benefit & economic feasibility studies

City of Oak Harbor
Attn: City Clerk
865 SE Barrington Drive
Oak Harbor, WA 98277

RFP # 11-01
Dillard's Addition Sewer LID Special Benefit Analysis

2927 Colby Avenue, Suite 100
Everett, WA 98201
Phone: 425-258-2611
Fax: 425-252-1210
E-mail: macaulay@macaulayltd.com

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Macaulay & Associates, Ltd. Real Estate Appraisers & Consultants
2927 Colby Avenue, Suite 100 • Everett, WA 98201
Everett 425-258-2611 • Seattle 206-382-9711 • Fax 425-252-1210

December 21, 2011

City of Oak Harbor
Attn: City Clerk
865 SE Barrington Drive
Oak Harbor, WA 98277

RE: RFP # ENG 11-01 – Submittal requirements regarding Special Benefit Analysis – Dillard's Sewers, City of Oak Harbor, WA.

Dear City Clerk:

I am very interested in performing the work described in your RFP # ENG 11-01 and welcome the opportunity to introduce myself and our company to the City of Oak Harbor. I have over 25 years of appraisal expertise devoted to analyzing LID projects and appraising residential and commercial properties. Contracts with multiple governmental agencies and cities have been successfully completed and were on time. In addition, I have extensive court testimony experience and hold the MAI designation awarded from the Appraisal Institute.

The Dillard's Sewers LID special benefit study looks interesting and challenging. We appreciate your consideration of our proposal. Please call if you have further questions.

Respectfully submitted,
MACAULAY & ASSOCIATES, LTD.

Robert J. Macaulay, MAI
WA State Certified - General Appraiser No. 1100517

Description of Vendor's Experience

Our company's has been in business 50± years. Since 1979, we have performed well over 100 special benefit/proportionate assessment studies and feasibility studies for cities, counties and utility districts throughout the state. Recent projects include a $30 million road LID for the City of Ocean Shores involving 10,000+ parcels. We also did a sewer LID for the city in the late 1990s that included over 8,000 parcels. In 2010 we completed a large $21 million sewer LID for the City of Edgewood in Pierce County involving 150± parcels with a wide variety of land uses consisting of single family, multifamily, industrial and commercial. We also have extensive appraisal experience with residential and multifamily land both for financial institutions and for LIDs where it is common to have large multi parcel projects with various zoning designations.

Please refer to the attachments for a larger sample of work regarding special benefit studies completed by our firm over the last 10± years. Also, attached are my qualifications along with my associate, Kelly Hao, who would be assisting me on this project.

Scope of Work

The scope of the assignment will involve completion of a preliminary special benefit/proportionate assessment study and preparation of a report summarizing our findings. This report will consider physical and economic characteristics of each affected parcel. A base study will be undertaken, to consist of the assemblage of pertinent market data and investigation of the environmental, economic, governmental and social forces influencing the subject area. Consideration will be given to current zoning, land use trends, building improvements, wetland areas, highest and best use and other factors influencing market value for each property type or ownership, without and with the amenity of the LID sewer project, as outlined in the RFP.

The increase in probable market value adhering to each parcel due to the LID project is the measure of special benefit. The total assessment to be levied will be obtained from the municipal LID coordinator. The sum total of special benefit estimated for each parcel is the aggregate special benefit attributable to assessable property within the proposed LID; this total divided into the total LID assessment provides the assessment ratio or the LID assessment per dollar of special benefit. The special benefit to each parcel times the cost/benefit ratio results in the individual assessment recommended to that parcel.

The recommended assessments will meet the following two criteria:

a) Each recommended assessment is equal to or less than the special benefit accruing to that particular parcel.

b) Each recommended assessment is fair and in proportion to the special benefit derived by that parcel and all other parcels due to the LID project.

Completion of our work, as the assignment is described herein, will result in a preliminary formation special benefit study report which provides a narrative summary of the study and tabulation of recommended assessments for all assessable parcels specially benefitted by the project. Due to the size of the project and number of parcels, individual appraisal reports on each are not prepared. Limited assignment appraisal techniques are utilized and a spreadsheet summarizing our value conclusions without and with the LID assumed completed is prepared. Based on the above scope of work, our time and fee estimate is summarized below:

Time and Fee

Appraiser	Task	Est. Hours	Hourly Rate	Total
Robert Macaulay, MAI	Per RFP scope of services – Analysis, property inspections, LID boundary review, meetings/ consultation and report preparation	100	$225	$22,500
Kelly Hao, Senior Associate	Analysis/report preparation assistance, property inspections.	90	$100	$9,000
Total Proposed Fee				**$31,500**

Above fee includes two meetings with property owners, together with two city council/public meetings to provide information on our analysis and respond to questions as outlined in the RFP. Additional work for court testimony, trial preparation or individual report preparation would be billed separately at the hourly rates summarized above. Assuming that we have your authorization to proceed by late February, our completion time will be approximately 10 to 12 weeks from that date.

The city Professional Services Agreement is acceptable to us with billing on a monthly basis as outlined in the RFP.

References

References			
Client	**Company**	**Phone Number**	**Email**
Gary Bourne, P.E., President	BHC Consultants 1601 Fifth Avenue, #500 Seattle, WA 98101	(206) 505-3400	gary.bourne@bhcconsultants.com
Nancy Nerras, Attorney	Foster Pepper 1111 Third Avenue, #3400 Seattle, WA 98101	(206) 447-6277	neran@foster.com
Jeff Elekes, City Engineer	City of Lynnwood 19100 44th Avenue W Lynnwood, WA 98036	(425) 670-5205	jelekes@ci.lynnwood.wa.us

ROBERT J. MACAULAY, MAI
Washington State License No. 1100517

EDUCATION

1983	B.A. Economics, Washington State University
2011	USPAP National Course; Appraising National Land Seminar
2009-2010	Over 100 hours of classes and seminars sponsored by the Appraisal Institute, including Uniform Appraisal Standards for Federal Land Acquisitions, Evaluating Commercial Construction, Real Estate Finance Statistics and Valuation Modeling (complete list available upon request).
2007	USPAP National Course
2006	Eminent Domain and Condemnation
2005	Subdivision Valuation, Appraisal Institute Special Purpose Properties, Appraisal Institute
2004	Real Estate Finance, Value and Investment Performance, Appraisal Institute Appraisal Consulting, Appraisal Institute
1986 to 2003	USPAP - Courses 400 & 420; Environmental & Property Dangers, Appraisal Institute & Center for Advanced Property Economics; Real Estate Appraisal Principles 1A-1; Basic Valuation Procedures 1A-2; Capitalization Theory & Techniques 1B-A; Capitalization Theory & Techniques 1B-B; Case Studies in Real Estate Valuation 2-1; Standards of Professional Practice - SPP; Report Writing and Valuation Analysis 2-2; Standards of Professional Practice, Module A; Advanced Applications; Standards of Professional Practice, Module B; Comprehensive Appraisal Workshop; Advanced Sales Comparison and Cost Approach Analysis; Partial Interest Valuation - Undivided; Case Studies in Commercial Highest and Best Use; Standards of Professional Practice, Part C (430).

EXPERIENCE

10/89 to present	Macaulay & Associates, Ltd.
2/86 to 10/89	Schueler, McKown & Keenan, Inc., Seattle, WA.
8/84 to 1/86	Underwriter/Secondary Market Analyst, Weyerhaeuser Mortgage Co., Los Angeles, CA.

Appraisal assignments include a wide variety of commercial, industrial and residential properties for financial institutions, governmental entities, law firms, corporations and private individuals. Examples include office buildings, retail shopping centers, multi-family residential complexes, industrial warehouses, restaurants, retail stores, mobile home parks, service stations, single family subdivisions and special purpose properties. Other valuation assignments cover rental valuations, partial interest studies (leasehold/leased fee estates), waterfront commercial and industrial properties for various port authorities, together with remote large acreage agricultural and forest land. Also, experience with real estate counseling for private individuals.

Local improvement district (LID) special benefit and feasibility study experience includes a variety of road improvement, utility and other infrastructure projects. Local improvement district (LID) special benefit and feasibility study experience includes a variety of road improvement, utility and other infrastructure projects. The firm's extensive experience with these projects dates back to 1975. Recent right-of-way projects include easement analysis for the United States Navy and analysis of 70+ parcels for the City of Renton for acquisition and easement purposes. Numerous appraisals were also prepared for a large trunk water line easement extending under the Snohomish River to the Tulalip Tribes and City of Marysville for the City of Everett. Similar to right-of-way work, special benefit and economic feasibility studies have been completed for the cities of Bellevue, Burien, Ferndale, Freeland, Kent, Lynnwood, Ocean Shores, and Yelm (2006 to 2010). Consultation work on a road improvement district (RID) project for unincorporated Clallam County was performed in 2010. Other current or recently completed projects (2010-2011) include special benefit and feasibility studies for the cities of Bellevue, Edgewood, Freeland, Lynnwood and Tacoma. In addition to over 30 other feasibility and special benefit studies completed over prior years, approximately a dozen major assignments were completed for projects costing from $1.5 to $82 million. Clients included the cities of Bothell, Issaquah, Lacey, Lake Stevens, Lynnwood, Ocean Shores, Redmond and Spokane.

EXPERIENCE (con't.)

A wide variety of multi-parcel right-of-way acquisition appraisals have been completed, such as riverbank protection easements for the City of Tukwila, right-of-way acquisition for road widening for the City of Bellingham and utility line easements, road widening and other public improvement projects for the City of Everett in prior years. A large right-of-way project for the Montana Department of Highways near Kalispell, Montana was completed as well as eminent domain appraisals for the Washington State Department of Transportation (WSDOT) and Burlington Northern Santa Fe Railroad in Wenatchee and Tacoma. Other special purpose assignments are 6,000 acres on the Tulalip Indian Reservation for the Tulalip Tribes, 80 acres on Burrows Island in Skagit County, 900 acres in Skagit County for Skagit County Parks and Recreation Department, and the Eagle Harbor ferry maintenance site on Bainbridge Island for WSDOT. Various reports on mineral rights have been completed, including an 80-acre operating quarry in Bremerton, WA.

BUSINESS AND PROFESSIONAL AFFILIATIONS

Macaulay & Associates, Ltd., Real Estate Appraisers and Consultants Everett, WA.
MAI designation, Appraisal Institute (Member No. 10,712)
Certified Real Estate Appraiser - General Classification, State of Washington (License No. 1100517)
Approved Appraiser and Review Appraiser, Washington State Department of Transportation
Member International Right-of-Way Association
Board of Trustees - Washington Center for Real Estate Research, Washington State University, Pullman, WA.

COURT AND HEARING TESTIMONY

Testified in various cases in King, Snohomish and Skagit counties, together with presentations at LID hearings on preliminary and final assessment rolls. Qualified as expert witness in the states of Washington and Montana.

SUMMARY OF APPRAISAL CLIENTS

Financial Institutions	Private Corporations
AEGON Realty Advisors	Weyerhaeuser Company
Northwest Life Assurance Co. of Canada	The Boeing Company
US Bank of Washington	Coates Field Service, Inc.
First Interstate Bank of Washington	Pharos Corporation
Evertrust Bank	Universal Field Service
First Heritage Bank	Gray & Osborne, Inc.
American First National Bank	Earth Tech
Frontier Bank	Anderson Hunter
Commerce Bank	Foster Pepper Shefelman
Coastal Community Bank	Burgess, Fitzer, Leighton & Phillips
Prime Pacific Bank	Inslee, Best & Dozier
Horizon Bank	Perteet Engineering
North County Bank	Preston, Gates & Ellis

GOVERNMENTAL AGENCIES

City of Everett	National Park Service
City of Lynnwood	US Navy
City of Issaquah	University of Washington
City of Mount Vernon	Everett School District
City of Bellingham	Mukilteo School District
City of Edmonds	Monroe School District
City of Mukilteo	Lake Stevens School District
City of Spokane	Tulalip Tribes of Washington
City of Pacific	Washington State Dept. of Transportation
City of Port Angeles	Montana Department of Highways
City of Stanwood	Snohomish County
City of Washougal	King County
Port of Everett	Island County
Port of Anacortes	Skagit County PUD
City of Bellevue	Skagit County Parks & Recreation Department
Clallam County	Snohomish County PUD No. 1
US Army Corps of Engineers	City of Edgewood

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KELLY R. HAO, SENIOR ASSOCIATE APPRAISER

Washington State License No. 1101618

EDUCATION

2011	General Appraiser Report Writing and Case Studies, Appraisal Institute
2010	Advanced Concepts & Case Studies, Appraisal Institute
2010	Appraisal of Partial Acquisitions, International Right of Way Association
2009	General Appraiser Sales Comparison Approach, Appraisal Institute
2007	National USPAP update, Appraisal Institute
2007	Uniform Appraisal Standards for Federal Land Acquisitions, Appraisal Institute
2006	Highest and Best Use and Market Analysis, Appraisal Institute
2005	National USPAP update, Appraisal Institute
2004	Advanced Income Capitalization, Appraisal Institute
2002	General Applications, Appraisal Institute
	Standards of Professional Appraisal Practice: Part A, Appraisal Institute
	Standards of Professional Appraisal Practice: Part A, Appraisal Institute
2001	Basic Income Capitalization, Appraisal Institute
2000	Appraisal Procedures, Appraisal Institute
	Appraisal Principles, Appraisal Institute

WORK EXPERIENCE

5/04 to present	Washington State - Certified General Real Estate Appraiser Macaulay & Associates, Ltd., Everett, WA. Property types include single family residential land and improvements, professional and medical offices, commercial buildings, mixed-use properties, special purpose buildings, industrial properties and vacant land. Assignments including valuation of existing properties, renovation and proposed construction, right-of-way acquisition valuation and special benefit/proportionate assessment studies for local improvement districts. Self-contained appraisal assignments completed for the U.S. Department of the Interior - Office of the Special Trustee for American Indians (OST) complying with guidelines of the federal government as published in the "Uniform Appraisal Standards for Federal Land Acquisitions" (UASFLA) as well as numerous assignments for the Tulalip Tribes of Washington involving long-term leases of tribal land. Approved appraiser on the Washington State Department of Transportation (WSDOT) list.
6/01 to 5/04	Macaulay & Associates, Ltd., Everett, WA. Appraiser Trainee
5/96 to 6/01	Macaulay & Associates, Ltd., Everett, WA. Administrative/Research Assistant
5/93 to 4/96	Providence General Medical Center, Everett, WA. Research Analyst, Safety Dept.

BUSINESS AND PROFESSIONAL AFFILIATIONS

Appraiser, Macaulay & Associates, Ltd., Real Estate Appraisers and Consultants
Certified Real Estate Appraiser - General Classification, State of Washington (No. 1101618)
Associate Member, Appraisal Institute
Member International Right-of-Way Association

APPRAISAL CLIENTS SERVED	
Financial Institutions	**Corporations**
Bank of America	American Property Analysts, Inc.
Business Bank of Washington	Anderson Hunter Law Firm
Cascade Bank	Bargreen Coffee Company
City Bank	Bell & Ingram
Coastal Community Bank	BHC Consultants
EverTrust Bank	Everett Symphony
First Heritage Bank	Habitat for Humanity of Snohomish Co.
Fortune Bank	Pacific Coca-Cola Bottling Co.
Foundation Bank	Pharos Corporation
Frontier Bank	Providence Everett Medical Center
Horizon Bank	Skillings Connolly
Mountain Pacific Bank	State Farm Insurance
Peoples Bank	The Salvation Army
The Bank of Washington	Vulcan Inc.
Washington Federal Bank	Weed, Graafstra and Benson, Inc.
	YWCA
GOVERNMENTAL AGENCIES	
City of Bellingham	City of Tukwila
City of Bellevue	Kitsap County Public Works
City of Edmonds	Nat'l Park Service, Dept. of Interior
City of Edgewood	Everett School District
City of Everett	Port of Everett
City of Lake Stevens	Snohomish County
City of Lynnwood	Snohomish County Public Hospital Dist. #3
City of Marysville	South Snohomish County PFD
City of Monroe	Swinomish Indian Tribal Community
City of Mukilteo	Tulalip Tribes of Washington
City of Kent	US Army Corps of Engineers
City of Sumner	US Dept. Of the Interior, OST
City of Tacoma	

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Special Benefit Studies	
MACAULAY & ASSOCIATES was formed in 1962 and incorporated as MACAULAY & ASSOCIATES, LTD. in 1969 as a real estate appraisal and consulting firm. Charles R. Macaulay, MAI, is the Vice President and his son, Robert J. Macaulay, MAI, is the President of the corporation; they jointly own and operate the company. The following LID special benefit studies, feasibility studies and consultation assignments illustrate experience with a wide variety of property types and project improvements.	
Year	**Experience**
2011	Formation special benefit study for proposed sanitary sewer system for Whidbey Island community of Freeland; Freeland Water and Sewer District
2010-2011	Formation special benefit study for sewer infrastructure along Meridian Avenue; City of Edgewood
2010	Final special benefit study for road improvements throughout the entire city; City of Ocean Shores
2010	Formation special benefit study for proposed NE 4th Street improvements; City of Bellevue
2010	Special benefit study for construction of a roundabout; City of Issaquah
2009	Feasibility study for proposed NE 4th Street improvements; City of Bellevue
2009	Feasibility study for proposed light rail tunnel; City of Bellevue
2009	Formation special benefit study for road improvements in the Valentine Avenue /136th Avenue corridor in the cities of Pacific and Sumner; City of Pacific
2006, 2007 & 2009	Feasibility and formation special benefit study for road improvements near the Westfield Southcenter regional shopping mall; City of Tukwila
2009	Formation special benefit study for proposed I-5 overpass; City of Marysville
2009	Feasibility study and boundary recommendation for NE 4th Street improvements; City of Bellevue
2008	Formation special benefit study for the Oyehut area of Grays Harbor County; City of Ocean Shores
2008	Feasibility study for hypothetical subdivision of city-owned golf course; City of Maple Valley
2008	Feasibility study and boundary recommendation for 204th Street SW improvements; City of Lynnwood
2008	Feasibility study for possible ULID formation; Valley View Sewer District
2008	Feasibility study and boundary recommendation for 1st Ave. So. improvements; City of Burien
2008	Samish River Park, formation special benefit study; Skagit Co. PUD No. 1
2008	Marblemount LUD final special benefit study; Skagit Co. PUD No. 1
2008	Feasibility study for Valentine Avenue improvements; City of Pacific
2007	Draft feasibility study for road improvements; City of Port Townsend
2007	Feasibility study for road improvements; City of Ferndale
2007	Feasibility study for sanitary sewer system for community of Freeland on Whidbey Island; Freeland Water and Sewer District
2007	Feasibility study for road improvements; City of Kent
2007	Feasibility study for new downtown center; City of Lynnwood
2007	Formation special benefit study for the prior project; City of Ocean Shores
2006	Feasibility study for road improvements throughout the entire city; City of Ocean Shores
2006	Feasibility study for road improvements; City of Lynnwood
2006	Feasibility study for road improvements and utilities; City of Ferndale
2006	Proposed Killion Road LID; City of Yelm
2005	Feasibility study for road improvements; City of Tukwila
2005	Final special benefit study for ULID No. 13; Lake Stevens Sewer District
2005	Feasibility study for proposed road improvement LID project; City of Covington
2004	106th Street SE road improvement LID; City of Everett
2004	Preliminary ULID special benefit study; City of Lake Stevens
2004	Feasibility study for proposed road improvement LID; City of Port Townsend
2004	Feasibility study for proposed St Helens area road improvement LID; City of Tacoma
2004	Feasibility study for proposed sewer line extension project in Gorst; Kitsap County Public Works
2003	Feasibility study for water service improvements on Marrowstone Island; Jefferson County PUD No. 1
2003	Scenic Heights sewer LID; City of Oak Harbor
2003	Underground wiring LID project; City of Clyde Hill
2003	Road improvement LID project; City of Burien
2003	Road improvement project; City of Covington

Year	Experience cont.
2002-2004	SR-167 freeway interchange and arterial road improvement project; City of Sumner
2002	Hunts Point special benefit study; City of Hunts Point
2002	Road improvement project; City of Fife
2002	Feasibility/economic enhancement study for proposed South Island Sewer District ULID, Bainbridge Island; Berryman & Henigar
2002	Sewer ULID economic enhancement study; Lake Stevens Sewer District
2002	Update of Grand Mound sewer ULID; Thurston County Public Works
2002	Utilities to serve residential property around Lake Arrowhead; Mason Co. PUD
2001	North Bayview Edison Road LUD; Skagit County PUD No. 1
2001	Marblemount LUD preliminary special benefit study; Skagit County PUD No. 1
2001	Sewer ULID; City of University Place
2001	Burlington Drainage District; Port of Skagit County
2001	Sewer extension LID; City of Sultan
2001	SW 152nd Street road improvement feasibility study; City of Burien
2001	164th Street improvement project; Snohomish County
1999-2001	Vashon Island sewer ULID projects; Preston, Gates and Ellis
1999-2001	LIDs to improve various portions of Evergreen Way; City of Everett
1999	Proposed Marblemount LUD; Skagit County PUD No. 1
1999	Proposed east-west roadway improvement project; City of Gig Harbor
1999	Road improvement LID No. 351; City of Kent
1997-1998	Wastewater collection system LID involving 9,000± parcels (two-thirds of city); City of Ocean Shores
1997	Proposed LID for drainage basin area east of Interstate 5 in Burlington, WA; Port of Skagit County
1997	Utility line extension LID impacting the eastern industrial/commercial area of the city; City of Sultan
1997	Three special benefit studies for proposed sewer line extension LID projects; City of Washougal
1997	Feasibility studies for proposed water line extension; Skagit County, WA.
1996/1997	Interchange improvement project at I-5 and Marvin Road which included two large master planned communities and an unimproved freeway commercial area; City of Lacey
1996	Bakerview Road improvement project; City of Bellingham
1996	Special benefit study for widening of Highway 99 in Lynnwood and Snohomish Co.; Entranco Engineers
1996	Feasibility study for improvements to the downtown area; City of Puyallup
1996/1998	LID for water lines at Hunts Point; King County Water District No. 17
1995	LID No. 3 for sewers; City of Pacific
1995/1998	Road improvement LID; City of Shelton
1995	NE 4th Street LID reassessment study; City of Bellevue
1995	Protest analysis for parcels within City of Bainbridge Island LID No. 13
1994-1995	Lake Stevens Sewer District ULID No. 11, sewer interceptor line; Lake Stevens Sewer District
1994-1995	Mt. Vernon proposed Francis Road LID; City of Mt. Vernon
1994-1995	Mt. Vernon proposed Continental Place LID; City of Mt. Vernon
1994-1999	Evergreen Way Gateway LIDs; several road improvement projects for segments of Evergreen Way in south Everett; City of Everett
1994/1998	LID for 195th St./I-405 interchange; City of Bothell
1994/1998	ULID for sewers; City of Bothell Public Works Department
1993-1995	Skagit County PUD No. 1; 2 waterline LID feasibility studies
1993/1996/1999	Grand Mound sewer ULID; Thurston County Public Works
1993/1998/1999	I-5/196th Street SW interchange LID ($82± million project cost); City of Lynnwood
1993	Holmes Harbor sewer LID; Holmes Harbor Water District, Whidbey Island
1993-1994	Lake Stevens Sewer District ULID Nos. 8, 9 and 10, sewer interceptor lines; Lake Stevens Sewer District
1992-1995	Newport Way/Maple Street LID; City of Issaquah
1992	Proposed North Bay LID (Mason County) consultation; Gray & Osborne Engineers
1992	Proposed South Bend LID (Pacific County) consultation; Gray & Osborne Engineers
1992	Port Drive LID; City of Burlington
1992	ULID consultation; Spokane County Prosecuting Attorney's Office

Year	Experience cont.
1991	LID 19, special benefit review: City of Issaquah
1989	7th Avenue SE sewer LID feasibility study; City of Everett
1989	West Interchange LID; City of Prosser
1989-1994	Northpointe LID; City of Spokane
1989-1994	Barkley Blvd. proposed LID; City of Bellingham
1989	Hillcrest ULID; Spokane County
1988-1989	Consultation for 148th Avenue NW final assessment roll hearing; City of Redmond
1988-1989	Consultation and special benefit studies; City of Everett
1988	Leary Way proposed LID; City of Redmond
1988	204th St. LID, street, sewer and water; City of Arlington
1988	Sewer treatment plant connection, as a consultant to City of Mukilteo
1988	Clearwater Avenue LID; City of Kennewick
1988	Sprague Avenue ULID, as a consultant to Spokane County
1987-1988	Dupont - Steilacoom Hwy., Center Dr. and utilities; City of Dupont
1986-1987	S.W. Blaine sewer & water LID; City of Blaine
1986-1987	Evergreen Gateway LID, street improvements; City of Everett
1986-1987	Representing a bank in protesting a City of Poulsbo assessment (10th St. LID)
1986-1987	Columbia Center Blvd. LID; City of Kennewick
1985-1986	112th Street SW sewer LID; City of Everett
1985	Downtown Seattle proposed LID transit tunnel and trolley; as a consultant to METRO
1985	Avenue D LID, arterial improvements; City of Snohomish
1985	Merrill Creek Parkway LID, street, sewer and water; City of Everett
	4th Avenue NE LID; City of Poulsbo
1984-1988	Silver Lake Sewer LID; City of Everett
1984	Review of special benefit studies; City of Bellevue
1984	Proposed Main Street LID; City of Bellevue
1984	Hylebos Creek ULID and Cirque Drive ULID final assessment roll review, feasibility and hearing presentation;
1983-1985	Pierce County
	Southpoint LIDs, arterial streets, sewer and water; City of Everett
1982-1983	Proposed Smith Island LID feasibility study; City of Everett
1982	Koll-Quadrant Business Park Reimbursement District; City of Bothell
1981	Proposed Bremerton Central Business District LID; City of Bremerton
1981	Evergreen Highlands LID Phases I & II; City of Redmond (same neighborhood as proposed Evergreen East LID with
1981	changed zoning, comprehensive plan and municipal boundaries)
1980	SW Everett Sewer Interceptor ULID; City of Everett
1980-1984	Shine/Termination Point proposed LID; Jefferson Co. PUD No. 1
1980	Tukwila LID special benefit feasibility study; City of Tukwila
1979-1982	Representing four property owners in protesting City of Puyallup LID assessments
1977-1979	Chambers Creek/Clover Creek ULID consultation; Pierce County

Seminars and Workshops

Speeches describing special benefit/proportionate assessment studies and clinics explaining their use have been presented to various AWC, APWA and Washington State Association of Sewer Districts conferences in Spokane, Yakima, Everett, Vancouver, Seattle, Port Townsend and Centralia. Participated in preparation of APWA LID-RID Procedure Manual and subsequent revisions. Published an article in the Appraisal Journal (January 1997) entitled, "Special Benefit/Proportionate Assessment: Funding for Public Improvements".

SummaryThe firm has done LID special benefit/proportionate assessment studies for projects which ranged in total cost from approximately $500,000 to over $60,000,000. LID feasibility and consultation work has been completed on projects ranging in cost from $500,000 to over $400,000,000. Special benefit analyses on individual parcels to provide documentation for appeals by property owners who contend that special benefits were less than proposed LID assessments.

The diverse scope of work has included an LID encompassing the Alderwood Mall shopping center, together with residential, light industrial, commercial, public use land, special purpose property and investment acreage; an LID feasibility study for the Southcenter regional shopping center, as well as a commercial and light industrial complex; a ULID project for construction of a $21,000,000 sewer main extension (without connections extending to the area specially benefitted); an LID which included Special Design District zoning for research and development parks which was reflected in the special benefits; consultation on the Metro Tunnel LID for rapid transit to serve Seattle's Central Business District; a $40± million wastewater collection system for 9,000± parcels (approximately 2/3 of the City of Ocean Shores). an $82± million freeway interchange improvement project affecting 3,000± acres of mostly undeveloped land, including two master planned communities; a $39.000,000 city-wide road improvement project (City of Ocean Shores); a $21,000,000 sewer infrastructure project and a proposed sanitary sewer project (on Whidbey Island) with estimated cost of $35,000,000 to $40,000,000.

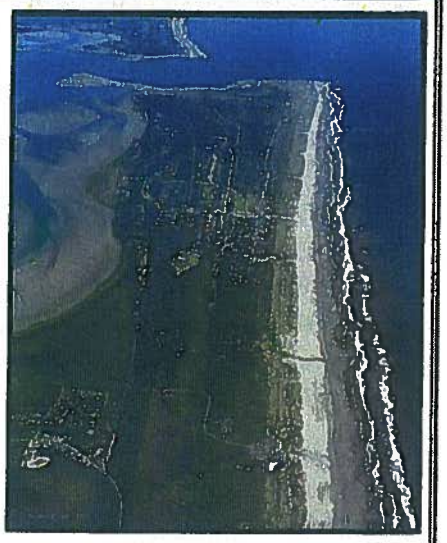
The projects have provided a wide variety of experience in working with city and county officials, LID administrators, engineers, property owners and citizens advisory committees, as well as financial consultants and bond counsel.

A Sample of Completed Projects

❖ *SPECIAL BENEFIT STUDIES FOR LOCAL IMPROVEMENT DISTRICTS (LIDs)* ❖

$40± Million Wastewater Collection System LID/$32± Million Road Improvement LID, Ocean Shores, Washington

Affecting all 13,000± parcels of land in the city, this oceanfront resort community completed a citywide road improvement project in 2010. Macaulay & Associates, Ltd. (M&A Ltd.) prepared a feasibility study for the proposed project in 2006, followed by a formation special benefit study in 2007 and a final special benefit study in 2010. Several years prior, M&A, Ltd. completed a special benefit/proportionate assessment study for a wastewater collection system project which provided sanitary sewer service to about two-thirds of the city. A new wastewater treatment plant was also constructed. Real estate sales and development activity increased significantly throughout the city upon completion of this earlier much-needed infrastructure project.

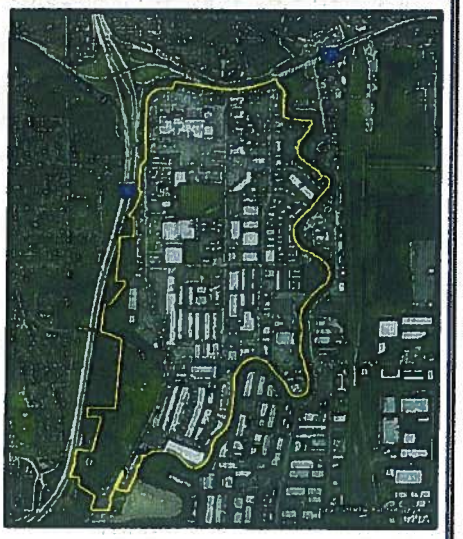


$37± Million State Route 167 Interchange LID, Sumner, Washington

Improvements completed in addition to construction of a new interchange included realignment and widening of a number of collector arterials north of downtown and construction of a 200± foot long bridge over the White River. There were over 350 affected parcels encompassing a wide variety of land uses; property owners funded approximately one-third of the total project cost through an LID. The firm's client was the City of Sumner. Major industrial properties include Valley South Corporate Park (home of Costco Corporation's 94-acre regional distribution site), Rainier Park of Industry, Sumner Corporate Park (phased development on 140 acres) and the 492,000 SF Summit Building.

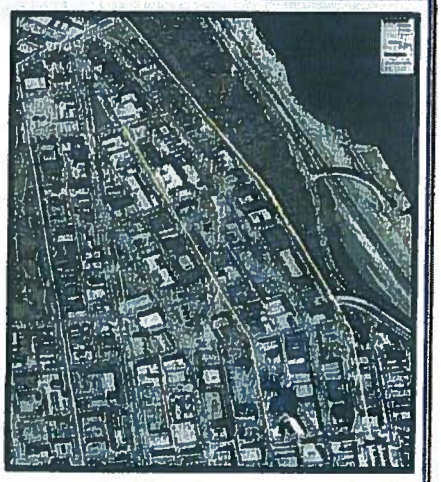
$20± Million Klickitat/Southcenter Access Improvement LID, Tukwila, Washington

In the vicinity of the expanded Westfield Shopping Town at Southcenter, access road improvements as well as Interstate Highway 5 off-ramps adjacent to the large regional shopping mall were improved to alleviate growing traffic congestion. An LID partially funded the project, which encompassed over 250 ownerships. Most of the LID area is zoned "TUC", Tukwila Urban Center, featuring a variety of retail commercial, office and industrial properties including Costco, Legacy Southcenter Place, Andover Park West, Southcenter West Business Park, Andover Executive Park, Southcenter Corporate Square and Segale Business Park. The expansion of Westfield Shopping Town featured 400,000 SF of additional retail space (75 new specialty stores), a 3-story atrium, six major restaurants, covered parking structures and a state-of-the-art 16-screen AMC Theatre. The road construction project was completed in 2011.



Proposed $25± Million Revitalization Project for the St. Helens Area, Tacoma, Washington

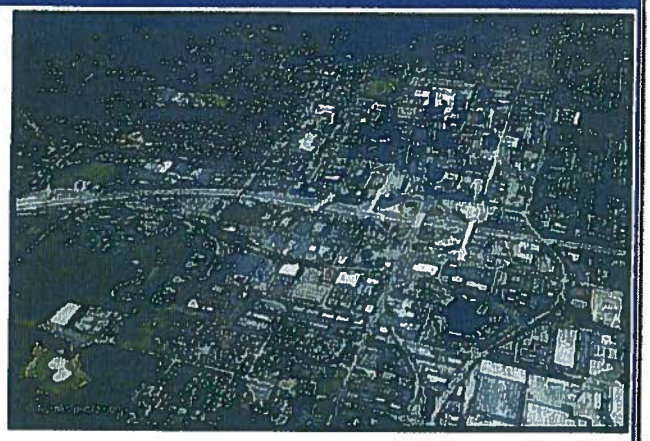
With the City of Tacoma as the client, an economic feasibility study examined current infrastructure improvement and mitigation requirements for new development in the part of Tacoma's downtown historic district known as the St. Helens neighborhood. The vicinity is in a process of revitalization and issues such as approaching capacity limits for roads and utilities presented challenges in the analysis. Highest and best use determinations took into account competing opportunities for new commercial structures and other redevelopment as well as the city's goal of encouraging high density residential housing while preserving historic buildings.



$80± Million Interstate Highway 5/196th St. SW Interchange LID, Lynnwood, Washington

For over five years, M&A, Ltd. worked with city officials and consultants as various phases of design and engineering evolved into the final project. With the City of Lynnwood as the client, an economic feasibility analysis was conducted in 1993, followed by preliminary and final special benefit studies encompassing over 300 affected parcels. Approximately one-fourth of the total project cost was funded by the owners of property within the LID and construction was completed in 1997. In the planning stages is an ambitious LID project which would dramatically alter the landscape of downtown Lynnwood. Near city hall and the new convention center, infrastructure improvements and revised land use regulations would encourage the construction of high-rise buildings, create a pedestrian-friendly neighborhood and provide a new identity and focus for the city. Macaulay & Associates, Ltd. has been involved in preliminary market analysis and conducted an economic feasibility study for the proposed project.

$47 Million Wilburton Connections LID, Bellevue, Washington



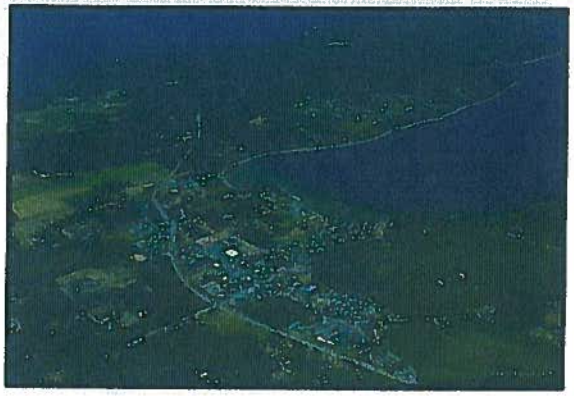
The company completed a feasibility study followed by a formation special benefit study for proposed improvements to NE 4th Street and 120th Ave NE just east of downtown Bellevue. Although another connecting arterial between Interstate 405 and the "Bel-Red" area in the northern part of the city would have benefitted property in the immediate vicinity and greatly improved traffic flow (as well as vehicular and pedestrian safety and wait times at major intersections), protests by a majority of the affected property owners have prevented the city from moving ahead with the project.

$21± Million Meridian Avenue Sewer Infrastructure LID, Edgewood, Washington

Changes in zoning by the city to facilitate highest and best use development were contingent on construction of a sanitary sewer system along the Meridian Avenue corridor, the main commercial area in this modest-sized (just under 10,000 residents) northern Pierce County city. Macaulay and Associates completed a final special benefit/proportionate assessment study for the project in early 2011.

$40± Million Proposed Freeland Comprehensive Sewer Plan LID, Freeland Water and Sewer District, Whidbey Island, Washington

In 2007, M&A, Ltd. completed a feasibility study for a more limited version of this project. Due in part to the findings of a number of studies pertaining to water quality degradation (in surface runoff and the waters of Holmes Harbor), the scope of the project was expanded. It was subsequently proposed to construct a water reuse and recycling facility which would provide sewer service to almost 500 parcels in the vicinity of the small south Whidbey Island community of Freeland. The company's formation special benefit study for the larger project was completed in mid-2011.



❖ MULTI-PARCEL RIGHT-OF-WAY ACQUISITION ASSIGNMENTS ❖

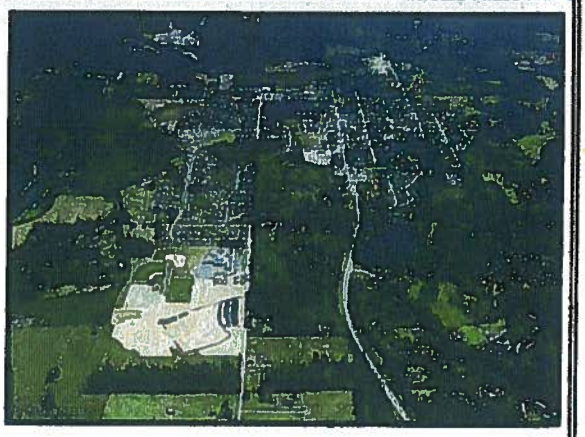
East Marine View Drive Road Improvement Project, Everett, Washington

The client (City of Everett) realigned a major traffic corridor in the northern portion of the city to accommodate much more vehicular capacity. The project was completed in late 2008. Partial acquisition appraisals in a "before and after" format and total property appraisals were prepared on more than 40 properties. Predominant property types were older single family residences interspersed with retail, office and warehouse uses.

112th Street SE Road Improvement Project, Everett, Washington

Appraisals were prepared for approximately thirty ownerships from which additional right-of-way was needed. Improvements included additional travel lanes, a center turn lane and landscaping. A component of this project was the acquisition of more than 1,000 LF of frontage and landscaping from an operating mobile home park, the appraisal of which entailed research into the possible effects of the project on operation of the property. Elsewhere in the project area, proximity issues relating to the impact of the proposed right-of-way boundary on adjacent single family residences were analyzed.

International Boundary Road Improvement Project, Blaine Washington



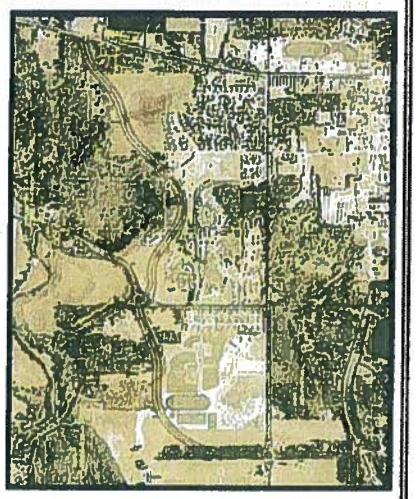
The firm's clients were Pharos Corporation and the Washington State Department of Transportation. The project involved partial and total acquisitions from eleven properties for new street rights-of-way. Improvements were made to the international border crossing at Blaine, which processes high volumes of international freight moving by truck. Many of the properties in the project vicinity were customs brokers (businesses which provide necessary services for moving products and materials across international borders). The acquisitions resulted in damages to two brokerage houses and the total acquisition of another, requiring relocation of the business operation. Two entire properties, each improved with a single family residence, also had to be acquired.

State Route 527 Road Improvement Project, Snohomish County, Washington

This project, a joint endeavor between Snohomish County and the City of Everett, involved the widening of a 2-lane highway adjacent to Silver Lake, adding additional travel lanes, a center turn lane, sidewalks, bicycle lanes, landscaping, stormwater detention and traffic signalization. The firm prepared "before and after" right-of-way acquisition appraisals for more than 100 ownerships and several more for the acquisition of entire parcels. The wide variety of affected property types included vacant commercial land and sites improved with office buildings, medical clinics, gas station/convenience stores, shopping centers and restaurants, together with single and multiple family residential tracts. Major valuation issues successfully addressed included impacts due to changes in road elevation, access, lake views and proximity to project improvements.

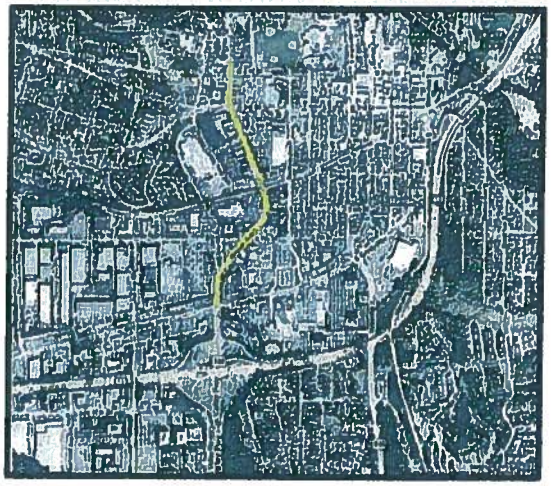
Granite Falls Alternate Route Project, Granite Falls, Washington

With the Snohomish County Public Works Department as their client, M&A Ltd. completed partial acquisition appraisals of over 40 properties in a "before and after" format. The project constructed a new 3± mile long truck route by-passing the city, which included the installation of three roundabouts. Primarily residential in nature, affected properties encompassed rural residential acreage, potential residential subdivision land and two developed school sites. The assignment included the total acquisition of two residences and, in other cases, damages to remainder property for the loss of development potential and proximity to existing structures.



Rainier Avenue S. from Grady Way to S. 2nd Street Improvement Project, Renton, Washington

The project featured 5,600± LF of improvements to Rainier Avenue S. in an area north of I-405 and south of the Renton Municipal Airport. The project improved transit mobility and pedestrian safety. Improvements included road widening, adding turn lanes, sidewalks, buffer strips, center median and marked crosswalks. The 56-parcel project required appraisals of 38 properties containing commercial improvements. The right of way boundary was situated near several buildings for which costs to cure proximity damages were needed. Two occupied retail structures were acquired, together with access to a fast food restaurant's drive-through window.



112th Street SE between 3rd Avenue SE & SR 527 Improvement Project, Everett, Washington	
The project featured 1,500± LF of improvements and required acquisitions from 22 parcels. Properties were a mix of commercial, multi-family residential and single family residential land uses. Project improvements included road widening, adding turn lanes, sidewalks and bike paths. Proximity damage issues affected three residential and two commercial tracts.	

Company Introduction

Macaulay and Associates, Ltd. is a real estate appraisal and consulting firm established in Everett in 1962 and incorporated in 1969. Mr. Charles Macaulay, MAI, is the Vice President and co-owner of the company with his son Robert Macaulay, MAI, who is the President and has been with the company since 1989, managing the business operations since 1991. Although the firm's permanent base has always been in Everett, the county seat of Snohomish County, field offices have at times been set up in other locations to complete large multi-parcel projects in the most expeditious manner. Appraisal assignments are diverse in both character and location; although most projects are within Washington State, the firm has worked in Oregon, California, Idaho, Alaska and extensively throughout Montana. The firm's client base is made up of three main sectors:

1. Governmental and Public Agencies

Most assignments completed for this type of client are for entities undertaking infrastructure improvement projects. Usually involving many different property ownerships, and often widely different types of land use, the work typically falls into one of the following categories:

- Special benefit/proportionate assessment studies for local improvement districts (LIDs) or road improvement districts (RIDs).
- Appraisal for right-of-way acquisition in connection with projects such as road widening, utility extensions and easement rights.
- Expert witness testimony.

2. Financial Institutions/Pension Funds

Appraisals for mortgage lending or refinancing purposes make up a significant portion of the company's work. Clients include many of the major financial institutions in the Puget Sound region, as well as elsewhere in the country. Property types routinely appraised for financial institutions include:

- Offices
- Warehouse/industrial facilities
- Retail businesses
- Restaurants
- Strip malls/shopping centers
- Service stations
- Mini-storage facilities
- Other commercial ventures

3. Corporations, Developers, Institutional Investors, Individuals and Non-Profit Organizations

Property falling into the more traditional classes described above is also often appraised for private or public corporations, attorneys, developers, individual property owners and others with connections to the real estate field. For their various clients, the company provides a wide range of real estate appraisal and consultation services. In addition to appraising the conventional types of commercial, residential and industrial property previously listed, Macaulay and Associates has extensive experience with more unique assignments. In general, the company's work can be broken down into the following categories:

1) Special benefit/proportionate assessment studies
2) Multi-parcel projects involving right-of-way acquisition (both fee simple interests and easements)
3) Special projects such as the sites for Naval Station Everett on Port Gardner Bay, the Everett Transit Center and Everett Events Center in downtown Everett, property needed for the Sound Transit commuter rail system, and consultation on the Seattle Metro bus tunnel
4) Subdivision analysis (large tracts suitable for subdivision into single family residential lots in various configurations including zero lot lines and "open air" condominiums)
5) Rental studies
6) Street vacations
7) Lastly, "special purpose" is another classification of property with which Macaulay and Associates Ltd. has many years of experience. Below are examples of special purpose property types appraised.

- Easements, leasehold and partial interests
- Cellular communication tower sites
- Fire stations
- Parking garages
- Historic structures
- Lumberyards
- Stables and equestrian arenas
- Farms and commercial forestland
- Airports and airstrips
- Industrial and commercial condos
- Gravel pits
- Marinas
- Churches
- Golf courses
- Wetlands
- Shopping malls
- Game farms
- Islands
- Dams and reservoirs
- Mining claims
- Landlocked tracts
- Remote recreational property

Currently staffed by four full-time licensed commercial appraisers, one part-time consultant (Charles Macaulay, company founder and co-owner), one appraiser trainee, one editor/researcher and one office manager, Macaulay and Associates, Ltd. provides comprehensive real estate appraisal and consultation services. Following is a brief introduction to each appraiser, including their areas of emphasis in the appraisal field. Complete resumes are also included in this packet.

- ***Chuck Macaulay, company founder and co-owner,*** concentrates largely on special benefit studies - typically complex projects involving mass appraisal techniques - as well as a diverse mix of other assignments, including expert witness testimony. Prior to forming Macaulay and Associates, Chuck was responsible for extensive negotiations associated with pipeline right-of-way acquisition and much of his appraisal work in the early years of the firm was in connection with the US interstate highway system, both in Washington and Montana. He also provides consultation and review functions for both staff members and clients.

- ***Bob Macaulay, co-owner,*** received the MAI designation from the Appraisal Institute in 1995 and has been with the firm since 1989. Bob is involved with most of the large road and utility infrastructure projects and feasibility studies and also has primary responsibility for managing the business, together with reviewing the associates' work products. His extensive appraisal experience includes an emphasis on special benefit/proportionate assessment studies in connection with local improvement districts for a wide range

of municipal clients. Presenting testimony at quasi-judicial public hearings on these projects is also part of his expertise.

- ***Paul Bird, senior associate,*** has been with Macaulay and Associates since 1991. Emphasizing a variety of commercial projects such as shopping centers, office complexes and industrial tracts, Paul is proficient in all aspects of estimating market value of income-producing property. Paul has been an important contributor to some of the firm's biggest projects and maintains a large client base of individual developers, banks and government agencies.

- ***Jim Dodge, senior associate,*** joined the company in 1986 and has been appraising real estate since 1979. His focus has been on right-of-way acquisition appraisals for a variety of government agencies in Washington and Montana. He has also completed numerous special benefit studies and feasibility analyses for local improvement and local utility district projects. Additionally, Jim has performed commercial and agricultural estate appraisals for local attorneys, ranging from a single parcel to an ownership in ten separate locations. Jim has testified in superior court, at board of equalization hearings and at public meetings for the formation or final closing of assessment rolls for a number of local utility district projects.

- ***Kelly Hao, senior associate,*** has been appraising with the company since 2000 and became state-certified in 2004. She has developed expertise with industrial, retail and other types of commercial property, including the valuation of existing improvements as well as renovations and proposed construction. Ms. Hao also assists with analysis for special benefit/proportionate assessment studies and has completed numerous assignments for the Tulalip Tribes of Washington involving long-term leases of tribal land.

- ***Yvonne Alexander-Smith, editor/researcher,*** with the company since 1983, does research for large projects such as special benefit studies, coordinates complex assignments, conducts market analysis and authors project reports for multi-parcel appraisal assignments. She also utilizes an English background in her capacity as quality control reviewer and report editor.

- ***Ashley Zacharia, Appraiser Trainee,*** began as a research assistant and administrative intern with the company in 2003. After completing a bachelor's degree in real estate analysis in 2008, Ashley now works with senior appraisers on a variety of commercial, residential and industrial appraisal assignments. Besides these more conventional appraisals, her training includes assisting with research, analysis and report preparation for local improvement district special benefit/proportionate assessment studies (large multi-parcel assignments).

- ***Gregory Muller, associate,*** has been an associate with the firm since 1997. Greg works primarily with governmental agencies such as cities, counties, school and utility districts, etc. He has appraised a wide variety of property types including vacant and improved commercial, industrial, residential, and special purpose property. He specializes in governmental acquisitions and sales, leasing, and completing special benefit and economic enhancement studies related to public improvement projects. He has also worked extensively for lenders, developers and attorneys with a focus on appraisals and appraisal reviews for right of way acquisitions in conformance with the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA or the "Yellow Book").

Following is a summary of the staff's professional affiliations, designations and licenses.

Name	Professional Designation	Year Awarded	Type of Washington State License	Current Status
Charles Macaulay, MAI	MAI, SR/WA,SRA	1965, 1969, 1959	General	Active
Robert Macaulay, MAI	MAI	1995	General	Active
Paul Bird, senior associate	None	–	General	Active
Jim Dodge, senior associate	None	–	General	Active
Kelly Hao, senior associate	None	–	General	Active
Yvonne Alexander-Smith, editor/researcher	None	–	None	N/A
Ashley Zacharia, appraiser trainee	None	–	Trainee	Active
Greg Muller, associate	None	–	General	Active

Throughout its history, the company has remained located in downtown Everett and an established network of local clients and data sources enables the staff to keep abreast of the many factors affecting the local and regional real estate markets. At the same time, the firm's wider-based clientele provides broad experience and exposure within the Puget Sound region and the state. The knowledgeable appraisers and office staff are always available to assist our established and new clients by providing timely analysis and conclusions relating to real estate asset valuation issues.

Macaulay & Associates, Ltd.

Special Benefits — What's Involved

Often abbreviated "special benefit study", a special benefit/proportionate assessment study is a method of allocating local improvement district assessments, or other municipal assessments for public improvements, to the properties specially benefitted, in proportion to the special benefit derived by each property from the project. LIDs provide a method for owners or developers to finance public improvements by the sale of tax-exempt bonds.

Special benefit is a specific, measurable increase in value of certain real estate in excess of the enhancement to the general area - and benefitting the public at large - brought about by a public improvement project. It is the difference in the market value of a given property at its highest and best use without and with the installation of project improvements.

Special benefit studies for municipal clients typically consist of two separate contracts or assignments, both of which may utilize mass appraisal techniques. The first assignment is an LID formation study and the second is a final assessment roll study. In the initial stage of an LID formation study, a preliminary investigation is made of the proposed improvements and the area in which they are to be constructed, together with an analysis of the extent and intensity of influence of the proposed project on market value of affected real estate. This investigation provides the appraiser/special benefit analyst with a grasp of the scope and complexity of the proposed LID project.

Utilizing ownership maps and other data provided by the client or their representatives, a base study is prepared wherein pertinent market data is assembled and the environmental, economic, governmental and social forces influencing the subject area are investigated. General consideration is given to current zoning, land use trends, building improvements, highest and best use and other factors influencing market value for each property type or ownership, without and with the amenity of the LID project.

Depending on the scope of a particular assignment, a preliminary economic feasibility study may be completed wherein initial indications of the magnitude of special benefit accruing to affected property due to the project is compared to the total project cost. When the probable range of increase in market value derived from this preliminary analysis is greater than the proposed assessment, the LID project is concluded to be feasible without modification. At this point, general findings pertaining to economic feasibility can usually be provided by the analyst to the municipality considering the improvements.

Once the area of measurable influence on market value due to the project is established, the analyst can then, if requested, make an LID boundary recommendation to the client. An ownership map and preliminary spreadsheet aid in establishing the extent of special benefit and are part of the basis for boundary recommendations.

Plans and descriptions of the proposed LID project improvements (provided by the client) are examined. All tracts within the designated boundary are outlined on a map, with each tract's owner of record noted. If county records do not show accurate land areas or if right-of-way acquisition for proposed improvements results in changes, the client or the client's consultant (engineer or surveyor) will provide land areas for each ownership to be utilized for the study. The LID parcel map takes into consideration unity of ownership, contiguity of the tracts and unity of use.

The substantive portion of the formation special benefit study usually results in three major conclusions; a recommendation as to location of the LID boundary, an indication of economic feasibility of the proposed project, and recommended preliminary assessments to all affected parcels. Following is a brief discussion of the formation special benefit portion of the study which generates these results.

Formation Special Benefit Study

After exterior inspection of each parcel within the LID, the economic base study of the neighborhood is utilized to prepare estimates of highest and best use and probable market value for each parcel within the LID boundary without the proposed improvements.

The base study is then expanded to include study of market data with elements of similarity to the subject parcels, assuming completion of the project. This expanded base study, relating to the LID under the assumption that the project is completed, is utilized to prepare estimates of highest and best use and probable market value for each parcel assuming completion of the proposed improvements.

The increase in probable market value adhering to each parcel is the measure of special benefit due to the LID project. At this point, the total assessment proposed to be levied is obtained from the municipal LID administrator. This figure is not always the total project cost, as there may be additional funding sources for the project. The sum of special benefits estimated for each parcel is the total special benefit attaching to assessable property within the proposed LID boundary; this total divided into the total LID assessment provides the assessment ratio, or the LID cost per dollar of special benefit. The special benefit to each parcel times the cost/benefit ratio results in the individual assessment recommended to that parcel.

Completion of the first assignment, the LID formation study, results in a report which outlines the recommended LID boundary and provides a narrative summary of the study and tabulation of recommended assessments for all assessable parcels specially benefitted by the project. The analyst can then be engaged to make a presentation at the LID formation roll hearing. If requested, the special benefit analyst's presentation at the formation hearing outlines: (1) basis for location of the LID boundary, (2) economic feasibility of the project and (3) general description of the assumptions, data, analysis and techniques utilized. The purpose of this hearing is to establish the LID within the designated boundaries, taking into consideration proposed improvements, aggregate special benefits and total amount of proposed assessment. The various recommendations are presented to the municipality for use in their decision on

LID formation. If the LID is formed, the analyst may be retained for a final assessment roll special benefit study. This second assignment could be completed before or after construction of the LID improvements.

Final Assessment Roll Special Benefit Study

The second assignment, a special benefit study for the final assessment roll hearing, may occur shortly after or quite some time after the formation study. An update is made of relevant market data, the base studies are reviewed and current trends resulting in indicated market value for each parcel are analyzed. Available records are again verified to research and document any changes in ownership of all or portions of the subject parcels. The impacts of ownership changes, subdivision activity, and trends affecting highest and best use and market value of each parcel are analyzed.

Presentations are made at informational hearings or meetings with individual property owners, when requested by the municipal authority, prior to the final assessment roll hearing. Pertinent information provided by property owners is also noted and considered. Any discrepancies in factual data, such as usable land areas, are researched and resolved.

The probable market value of each parcel without and with enhancement resulting from the LID project is estimated (typically as of the date of the final assessment roll hearing) in order to arrive at an estimate of special benefit to each parcel. Again, special benefits are totaled and divided into the final LID cost to obtain the cost/benefit ratio, which is in turn multiplied by the special benefit to each parcel to arrive at recommended assessments to each parcel.

The special benefit method of assessment is used because assessments levied on a formula basis (such as zone and termini, per square foot or per front foot), or on the basis of cost of those LID improvements installed adjacent to the ownership, may result in assessment amounts that are not fair and proportionate between ownerships within the overall LID. They may also exceed the special benefit adhering to the property as a result of the project.

Completion of the second assignment results in a narrative report as part of the final assessment roll special benefit study, outlining assumptions and techniques used. This narrative supplements and provides documentation for the accompanying final assessment roll tabulation, which is similar in format to the formation assessment roll.

The recommended final assessments meet the following two criteria:

a) Each recommended assessment is equal to or less than the special benefit accruing to that particular parcel;
b) Each recommended assessment is in proportion to the special benefit derived by that parcel and all other parcels due to the LID project.

The special benefit analyst is again prepared, if requested, to make a presentation at the final assessment roll hearing explaining techniques used, assumptions made, the basis of special benefit estimates and the resulting recommended assessment to each parcel. Response is given to questions or contradictory testimony in order to provide unbiased information to the hearing authority and to aid in establishing a record to substantiate and preserve the amount of an assessment in the event of an appeal to superior court.

Additional information on the special benefit/proportionate assessment process can be found in the enclosed article by Charles Macaulay, MAI. It appeared in the January 1997 issue of the Appraisal Institute's publication *The Appraisal Journal* and is entitled, "Special Benefit/Proportionate Assessment: Funding for Public Improvements." Additional bound copies are available upon request.

Macaulay & Associates, Ltd.

Special Benefit/Proportionate Assessment Studies for Major Projects

Macaulay and Associates, Ltd. is a real estate appraisal and consulting firm established in Everett in 1962 and incorporated in 1969. Mr. Charles Macaulay, MAI, is the Vice President and co-owner of the company, which has a diverse client base consisting of financial institutions, governmental agencies, private companies and individuals. Robert Macaulay, MAI, President and co-owner, has been with the company since 1989 and manages daily operations. Both are principal appraisers/analysts in the company's work relating to local improvement districts and other special assessment districts.

Since 1975, the firm has prepared numerous special benefit/proportionate assessment studies for cities, counties and sewer districts ranging from the City of Blaine to the City of Spokane and Spokane County; from the City of Ocean Shores to the City of Kennewick. Other clients include Thurston County, Pierce County, Municipality of Metropolitan Seattle (METRO), and the cities of Bellevue, Covington, Everett, Issaquah, Lynnwood, Marysville, Pacific, Poulsbo, Redmond, Seattle, Shelton, Sumner, Washougal and various utility districts. Most projects involve local improvement districts (LIDs), utility local improvement districts (ULIDs) or road improvement districts (RIDs). Projects of widely varying sizes and costs have included parcels ranging in number from 10 to over 1,000 different ownerships.

In 1997, Chuck Macaulay authored an article on this topic which appeared in the January issue of the Appraisal Institute's publication *The Appraisal Journal* entitled "Special Benefit/Proportionate Assessment: Funding for Public Improvements." The partial list of LID/ULID projects on the following pages, completed since 1986, involved street system improvements, sewer and water service, and some dealt with interesting and unusual problems such as landslides and development moratoriums. A complete list of projects of this type, numbering over 100, is also available.

Macaulay & Associates, Ltd.

Special Benefit/ Proportionate Assessment: Funding for Public Improvements

Opportunities in special benefit/proportionate assessment studies are opening up for appraisers with the requisite background and expertise. As governmental funding sources become scarce, more public improvements, such as roads, utilities, and other infrastructure, will be funded wholly or in part by property owners who benefit from the improvements. Based on special benefit studies and consultation assignments completed since 1975, this article outlines related procedures and techniques and discusses solutions to potential problems in regard to assessment recommendations.

The demand for consultation and appraisal services emanates from many sources. Among the services needed is one in which an appraiser appraises a wide variety of property classes and participates in the public hearing process by undertaking a special benefit/proportionate assessment study for a local improvement district (LID) or other special assessment districts, such as utility local improvement districts (ULIDs), local utility districts (LUDs), and road improvement districts (RIDs). Hereafter, this discussion will refer to LIDs since the appraisal principles are the same. LIDs provide a method for owners or developers to finance public improvements by the sale of tax-exempt bonds. Special benefit is a specific, measurable increase in value of certain real estate in excess of the enhancement to the general area—and benefitting the public at large—brought about by a public improvement project. It is the difference in the market value of a given property at its highest and best use before and after the installation of project improvements.

Such an assignment may include advising the client on actions and assumptions that improve the foundation for special benefits, as well as participation in public hearings to explain, summarize, document, and defend the basis for establishing the appraisal problem and the valuation opinions developed in a special benefit study. Although written primarily from the view of the local government, city, or district forming a local improvement district as the client, an appraiser may also be engaged by a property owner, group of owners, or their representatives. As in the field of eminent domain, there may be a significant difference of opinion concerning the property rights underlying the "before and after" relationship of the subject properties to market value.

Charles R. Macaulay, MAI, SRA, is owner and president of Macaulay and Associates, Ltd., Everett, Washington. He received a BS in agriculture from Washington State University, Pullman.

WHAT IS A SPECIAL BENEFIT/ PROPORTIONATE ASSESSMENT STUDY?

Often abbreviated "special benefit study," a special benefit/proportionate assessment study is a method of allocating local improvement district assessments, or other municipal assessments for public improvements, to the properties specially benefitted, in proportion to the special benefit derived by each property from the project. The total of the amount of special benefit derived by each property is divided into the total assessment to obtain the assessment ratio. This ratio times the estimated special benefit for each property yields the recommended assessment.

VALUATION PROBLEMS

Both appraisals of each parcel affected by the LID project are of the fee simple interest, subject to property rights and regulations applicable with and without the LID, as of the date of valuation. For example, development of a tract of land may require provision of sanitary sewer service to meet health department regulations. Approval of a permit to develop may also include off-site transportation mitigation requirements, including street improvements. The result could be that development of the property without an LID is not feasible for the typical investor in the marketplace.

Construction of required infrastructure by an LID project funded by the property owners who specially benefit may meet some or all requirements for obtaining permits to develop. In this instance, without anticipation of the LID, a particular property has a different highest and best use—and value—than that same property, as of the same date, with LID improvements in place. Other factors, such as improved relative location, may also influence market value. The difference between the two market value estimates is the special benefit attributable to the LID project. The special benefit appraiser must explain and document the differences in assumptions used and property rights considered between the two scenarios, just as he or she uses pertinent valuation techniques and comparative analysis to arrive at estimates of market value under each scenario. It is important that the special benefit appraiser is competent in all aspects of the assignment, or that he or she associate with firms which can meet the varied needs related to the valuation aspects of the LID process. The character trait that is most important for the special benefit appraiser is integrity, regardless of whether the client is a municipality or an individual property owner.

LOCAL IMPROVEMENT DISTRICTS

An LID is created by the state; it is authorized solely by state statute. Enabling legislation has existed in a majority of the states for over 100 years. There are many appellate court cases holding essentially that the applicable state statutes must be strictly followed, and that those statutes are valid and constitutional. The following explanation and discussion are based on Washington state statutes and applicable case law; however, the relationship between LID assessments and special benefit is similar in other jurisdictions, and is subject to the Fifth and Fourteenth amendments to the U.S. Constitution. Nearly a century ago, the United States Supreme Court recognized in the case of *Norwood* v. *Baker* that the principle underlying special assessments to meet the costs of public improvements is that "the property upon which they are imposed is peculiarly benefitted, and therefore, the owners do not, in fact, pay anything in excess of what they receive by reason of such improvement."[1]

Although the availability of funding from alternative sources (state and federal grants, etc.) has spiraled downward over the past 10 or more years, the costs of infrastructure projects have increased. With little or no funding participation from outside sources, some projects are no longer feasible solely on an assessment/special benefit basis wherein the owners of benefitted real estate bear the entire cost burden.

Changes in regulations and technological knowledge, for example, have resulted in cost escalations for public improvements, such as sewage treatment plants. Improved design standards for streets and boulevards also usually translate into higher project costs, while land use regulations tend to limit increases in potential intensity of use and special benefit for properties to be assessed for these improvements. Permits for devel-

1. *Norwood* v. *Baker*, 172 U.S. 269, 43L. Ed 443, 19 S. Ct. 187 (1898).

opment of private property may include design standards that accommodate citywide or countywide traffic generation criteria without commensurate contribution of general tax funding for the increased costs. An assessment allocated in proportion to special benefit provides a significant safeguard for property owners; assessments for an LID project to be legally levied against assessable real estate are limited by the special benefit derived from the project.[2]

FORMATION AND FINAL

Special benefit/proportionate assessment studies are typically done for municipal clients and usually consist of two separate contracts or assignments, both of which use limited assignment appraisal techniques. Ideally, the first assignment is an LID formation study, and the second is a final assessment roll study. However, it is not unusual for the client to request a special benefit study relating only to the final assessment roll upon recognition of the possible consequences of assessment problems that have arisen.

After reviewing plans for LID improvements and exterior inspection of each parcel within the proposed or established LID, an economic base study of the neighborhood and similar areas, if necessary, is used to prepare estimates of highest and best use and probable market value for each parcel within the LID boundary without influence of the proposed LID improvements. The base study is then expanded to include a study of market data with elements of similarity to the subject parcels, assuming timely completion of the project. This expanded base study, conducted under the assumption that the project is completed as scheduled, is used to prepare an estimate of highest and best use and probable market value for each parcel by considering the influence of the LID project. If the initial study responded to LID formation, a similar or updated economic base study is also used in conjunction with the final assessment roll.

The formation special benefit study provides an opinion of project feasibility and indicates the magnitude of assessment to each parcel. It is typically used by the municipality in deciding whether to form an LID. The study can also be used by affected property owners as information supporting or opposing the formation of an LID.

Pertinent issues at the formation hearing are location of the proposed boundaries, project feasibility, and the property owners' decision regarding LID formation. The estimated assessment per parcel is informative but it is neither an issue requiring agreement by owners or a commitment by the municipality regarding the magnitude of the final assessment that will be levied against each affected parcel by the LID. If requested, an appraiser may attend the formation hearing to explain and document opinions and recommendations resulting from the study.

The formation special benefit study supplies the client with a narrative summary, such as the following:

- A recommendation on LID boundary location, encompassing all property specially benefitted.
- Opinion on the feasibility of the proposed LID project. This may include preliminary assessment/benefit analysis prepared in conjunction with a project engineer, testing the viability of specific project phases or segments.
- Preliminary allocation of the recommended assessment to each parcel in proportion to the estimated special benefit.

The LID formation process, including boundary location, is a legislative action.[3] If the municipality's LID administrator establishes a boundary that does not include all specially benefitted property, an appraiser must ensure that the special benefit study does not mistakenly infer that all specially benefitted property is included within the LID. Formation of the LID may be protested on the basis that it does not include all specially benefitted property, which also reflects a lack of proportionality.

The final assessment roll special benefit study typically, but not always, occurs after construction of the LID-funded improvements. The study must lead to two conclusions:

1. The recommended assessment to each parcel does not materially exceed the

Special benefit studies are typically done for municipal clients and usually consist of two separate contracts or assignments, both of which use limited assignment appraisal techniques.

2. Eugene McQuillin, Municipal Corporations, 3d ed., sec. 38.05 (1987): 14.
3. Philip A. Trautman, "Assessments in Washington," *Washington Law Review*, v. 40 (1965): 100.

special benefit that the parcel derives from the LID project. (If the proposed total assessment exceeded the total special benefit, the individual recommended assessments would equal the special benefit each parcel derived. The municipality would be responsible for providing additional funding, the amount of which is the difference between total special benefit and total project cost.)

2. The recommended assessments are proportional to the special benefit each parcel derives. Proportionality may be a significant issue if assessments are based on zone and termini, lineal footage, square footage, or other mathematical formula methods, and the LID affects properties with varying intensities of use, physical characteristics, etc.

The "with or after LID" value reflects anticipation of highest and best use and value indicated by comparative analysis in the marketplace, including existing LID project enhancement. Many parallels exist between eminent domain appraisal practices and special benefit studies. An example is a taking of property for right-of-way which, after the taking, results in a change in highest and best use of the remaining property from agricultural to commercial in close proximity to a freeway interchange, with market recognition of its significantly greater intensity of use. As with a special benefit study, the "after taking" valuation recognizes this change in relative location and demand, resulting in greater intensity of use and value due to the project.

Significant differences may exist between the property rights appraised without and with an LID project. The "with" value is the market value as of the date of valuation, taking into consideration, if necessary, increased time and risk associated with the change in the use of a particular parcel, not the anticipated value when developed to its potential highest and best use. The increase in each parcel's market value due to the LID project is the measure of special benefit.

TYPICAL SEQUENCE AND TECHNIQUES

Although the client's use of a formation special benefit study, as opposed to a final special benefit study, is separate and distinct, the appraisal problems, techniques used and report format are similar for both. After the preliminary research is done, the work evolves in three phases which, to an extent, are concurrent. The following outlines the sequence used in preparing a special benefit/proportionate assessment study.

First, a preliminary investigation is made of the proposed improvements and the area in which they are to be constructed. Also conducted is an analysis of the extent and intensity of influence of the proposed project on land use regulations and a study of the market value of affected real estate. This investigation reveals the scope and complexity of the proposed LID project and is the basis for providing the client with a time and fee estimate. This is also a good time to explain to a client the reasonable and defensible assumptions that may form part of the foundation for property valuation. Depending on an appraiser's main areas of experience and the types of property located within an LID boundary, consultation with one or more other appraisers who have recently appraised properties with similar characteristics may be most efficient for the client, especially if the LID project is large or if time constraints present potential problems.

After the preliminary investigation, the first phase begins with initial market data research in the subject area and similar, competing locales. Also, a property ownership tabulation and map are prepared, outlining the general area of measurable positive influence on market value. The ownership map helps establish the extent of the special benefit and is part of the basis for the recommended boundary for a proposed LID.

Phase two begins with an investigation of each parcel's physical and economic characteristics. A base study is conducted to gather pertinent market data and investigate the environmental, economic, governmental, and social forces influencing the subject area. Consideration is given to current zoning, land use trends, building improvements, highest and best use, and other factors influencing market value for each property class or ownership, with and without the amenity of the LID project. When the probable range of increase in market value derived from this preliminary analysis is greater than the proposed assessment, the LID project is concluded to be feasible without modification. At this point, general indications pertaining to economic feasibility can usually be provided to the local government agency considering the improvements.

Assuming that the project is feasible, phase three proceeds. Plans and descriptions of the proposed LID project improvements provided by the client are examined. All tracts within the designated LID boundary are outlined on a map, with each tract's owner of record noted. If county records do not show accurate land areas, or if the right-of-way acquisition for proposed improvements results in changes, the client or the client's surveyor will need to provide the land areas for each ownership. Taking into consideration unity of ownership, continuity of the tracts, and unity of use, an appraiser then prepares an LID parcel map.

Phase three is the substantive portion of the special benefit study and results in the following major items:

- Location of the LID boundary, if requested by the client (in a formation study).
- Opinion of economic feasibility of the proposed project or segments, if requested.
- Recommendation of assessments (preliminary or final) to each assessable entity within the LID boundary. The assessments are proportional to the special benefit derived by each economic entity from the LID project.

Valid recommended assessments from a special benefit study prepared for a final assessment roll meet the following two criteria:

- They are equal to or less than the special benefit accruing to that particular parcel.
- They are fair and in proportion to the special benefit derived by that parcel and all other parcels due to the LID project.

Allocating assessments to individual parcels using a special benefit study is derived as follows. The total assessment to be levied for project funding is obtained from the municipal LID coordinator. The sum of individual special benefits estimated for each parcel is the total special benefit attributable to assessable property within the LID. This total, divided into the total LID assessment, provides the assessment ratio or the LID cost per dollar of special benefit. The special benefit to each parcel times the cost/benefit ratio results in the individual assessment recommended to that parcel.

Significant variance in the assessment per square foot or per front foot is sometimes noted on adjacent properties. This can result from the influence of factors including, but not limited to, existing building improvements, differences in zoning or projected intensity of use, corner influence, terrain, ratio of frontage to area, or changes in access characteristics. Because the special benefit for adjacent properties is measured by the special benefit analysis, the method results in a fair and equitable allocation of assessment to each ownership in proportion to the individual special benefit.

As outlined in the following example, spreadsheet applications are very useful for the special benefit analysis. Depending on the complexity of the project, additional analysis can be performed, using spreadsheets to reflect adjustments made to the various sale transactions and rental information as the market data is directly compared with each parcel (see Table 1).

USPAP

Special benefit studies typically range from 50 to 300 separate ownerships. Property characteristics may vary from hundreds of similar single-family residences to commercial property subject to highest and best use changes brought about by the project.

The special benefit studies prepared for LID formation and final assessment roll hearings are typically mass appraisal assignments in accordance with Standard 6 of the *Uniform Standards of Professional Appraisal Practice* (USPAP) because this technique relates to numerous parcels exhibiting reasonably uniform characteristics. Appraisal reports may also be prepared on more dissimilar individual parcels in the same special benefit study under the Departure Provision of USPAP, either as limited appraisal assignments in a summary appraisal format or complete, self-contained, narrative appraisal reports.

USING THE STUDIES

During the time period in which the special benefit study is being done, an appraiser may explain valuation techniques at informational meetings with individual property owners when requested by the municipal authority. These meetings take place before the final assessment roll hearing and also offer a chance to gather pertinent information from property owners. Any discrepan-

cies in factual data, such as usable land areas, are researched and resolved.

After completing the assignment, an appraiser usually makes a presentation at the LID formation hearing.[4] If requested, the presentation would outline the basis for location of the LID boundary based on special benefit, the economic feasibility of the project, and the general description of the assumptions, data, analysis, and techniques. The purpose of this formation hearing is to establish the LID within the designated boundaries, taking into consideration proposed improvements, aggregate special benefits, and total amount of proposed assessment. The various recommendations are presented to the municipality and affected property owners for use in their decision on LID formation.

The final assessment roll hearing is a quasi-judicial proceeding to a designated hearing officer, or the municipal governing council or board which holds the power to levy assessments. At the hearing, an appraiser would explain the techniques and assumptions, document recommendations, and respond to objections. Questions and contradictory testimony are addressed and the responses documented.

Although the client is typically a municipality or other governmental agency (such as a city or a water or sewer district), an individual property owner or a group of owners could hire the appraiser. Depending on the client, the work involved may consist of a complete special benefit study or an examination of individual parcels. In the latter case, the issue of proportionality among all affected parcels would not necessarily be addressed. When the municipality forming the LID is the client, an appraiser's presentation at the final assessment roll hearing usually includes responding to protests by property owners. If the client is a property owner or a group of owners, participation in a valid protest includes documenting the record in the event that the protest does not prevail and the client wishes to appeal the decision to superior court. Judicial review is based on the record made before the municipal-governing body and does not usually permit evidence presented for the first time in court.

Public infrastructure projects are commonly funded by levying assessments on specially benefitted properties to repay the tax-exempt bonds used to finance the project. However, the amount levied against each property is typically established by a variety of formulas rather than a special benefit study.

Assessments made on a formula basis (such as zone and termini, per square foot, or per front foot), those based on use (trip generation or water/sewer volume), or the cost of LID improvements installed adjacent to each ownership result in assessments that may not be fair and equitable between ownerships within the overall LID.[5] They may also exceed the special benefit adhering to the property as a result of the project. In any case, assessments that are out of proportion or in excess of special benefit to the property are subject to a legal challenge on appeal. Courts uniformly hold that an LID assessment of greater magnitude than the special benefit derived from the project is a taking of property and, therefore, unlawful. If objection to such an assessment is supported by convincing evidence that did not prevail at a final assessment roll hearing, the assessment will not be upheld upon timely appeal to superior court.

Although an LID assessment carries with it the presumption of adequate special benefit to sustain the assessment, this presumption is lost if the hearing's transcript reveals competent, unrebutted appraisal testimony to the contrary by the appellant. Completion of a special benefit study before the final assessment roll hearing assures proportionality and proposed assessments limited by the magnitude of the special benefit. In the event of protest, further documentation of value in the form of a self-contained narrative appraisal report on the appellant's property may be required.

Cities and districts enjoy many presumptions in assessment proceedings, including the concepts of special benefit and proportional assessments. However, appraisal testimony for a property owner must be countered by competent appraisal evidence on behalf of the local government. One judicial decision states:

> A presumption is not evidence and its efficacy is lost when the other party adduces credible evidence to the contrary. . . Presumptions are the bats of the law, flitting in the twilight but disappearing in the sunshine of actual facts.[6]

Public infrastructure projects are commonly funded by levying assessments on specially benefitted properties to repay the tax-exempt bonds used to finance the project.

4. An excellent discussion of the purposes of the two hearings is found in Trautman, 111-412.
5. Eugene C. Yokley, Municipal Corporations, sec. 337 (1956): 2.
6. *In re Indian Trail Trunk Sewer Sys.*, 25 Wn. App. 840, 843, 670 P. 2d 675 (1983).

TABLE 1 Spreadsheet Application for Special Benefit Analysis

Example parcel data				WITHOUT						WITH								
Date of Value: May 1997	GROSS	DEVELO-	PARCEL		LAND		TOTAL	LIND-UP PROPERTY	PARCEL		LAND		TOTAL	LIND-UP PROPERTY	PARCEL	SPECIAL	ASSESSMENT	
OWNER OF RECORD	AREA S.F.	ABLE S.F.	NO.	H.&B.U.	SIZE	VALUE	E.C.V.	VALUE	NO.	H.&B.U.	SIZE	VALUE	E.C.V.	VALUE	NO.	BENEFIT	TOTAL	PER S.F.
Crest Side Village, Inc.	252,699	252,699	1	Potential M.R.	$7.00	$1,767,893	$0	$1,767,893	1	M.R.	$7.50	$1,895,243	$0	$1,895,243	1	$92,520	$92,645	$0.36
City of Bloomfield Park	20,121	20,121	2	Park M.R. supplement	$5.00	$100,726	$0	$100,726	2	M.R. supplement	$6.50	$130,787	$0	$130,787	2	$14,061	$14,061	$0.70
City of Bloomfield City Hall	61,119	20,512	3	Office use supplement	$22.00	$342,144	$1,000,000	$1,342,144	3	Office use supplement	$23.50	$394,972	$1,000,000	$1,394,972	3	$42,828	$42,828	$0.70
Bank Savings, Inc.	117,672	117,672	4	*Office & storage	$8.50	$1,000,212	$100,000	$1,100,212	4	Retail Core	$14.00	$1,647,408	$0	$1,647,408	4	$547,196	$547,197	$4.65
Alameda Investors, Ltd Part	34,350	34,350	5	*Potential Office	$8.00	$274,800	$30,000	$304,800	5	Office Site	$11.00	$378,750	$0	$378,750	5	$73,950	$73,950	$2.15
Sales & Service, Inc.	33,577	33,577	6	**Retail & Repair	$12.25	$411,310	$70,000	$481,310	6	Retail	$13.00	$436,451	$70,000	$506,451	6	$25,137	$25,141	$0.74
Fine Profit Corp., Inc.	192,000	192,453	7	Potential Office	$11.00	$2,116,403	$0	$2,116,403	7	Office Site	$13.00	$2,502,913	$0	$2,502,913	7	$386,510	$386,510	$2.01
Big Ranch Center	1,000,000	2,701,101	8	Pot.M.R. Site	$8.00	$19,508,509	$0	$19,508,509	8	M.R. Site	$7.50	$18,758,253	$0	$18,758,253	8	$1,249,744	$1,249,744	$1.31
Totals		2,701,101 S.F.				$14,631,450		$19,331,450				$23,237,977		$28,237,977		$4,134,277	$3,958,977	

TOTAL LID ASSESSMENT	$3,958,900
TOTAL SPECIAL BENEFIT	$4,134,277
TOTAL ASSESSMENT / TOTAL SPECIAL BENEFIT	[illegible]
ASSESSMENT/SPECIAL BENEFIT RATIO	95.9%

(Special benefit per parcel from "PARCEL" to assessment amount)

DATE 3/1/97
TIME 15:07:57
Date & time of Time calculation

DEFINITIONS:
GROSS AREA: Total area of contiguous ownership in parcel.
DEVELOPABLE AREA: Usable area remaining after conforming to wetland and other land use regulations.
H.&B.U.: Highest and best use.
PARCEL: A contiguous entity with unity of use and ownership.
S.F.: Square foot.
E.C.V.: Estimated constitution value.
IMPR.: Improvements.
M.R.: Multiple Residential.

The following conclusions were drawn from the market analysis section of the special benefit study.

* Parcels 4 & 5: Net income from building improvements was in excess of implementation of land without LID, but did not exceed implementation of land with LID.

** Parcel 6: Net income from building improvements is in excess of implementation of land, both without and with the LID project.

Lower proportionate income is realized over the increase in land value; therefore, E.C.V. of building improvements is less with the LID project.

A special benefit/proportionate assessment study may not be needed if:

- There is little doubt as to the feasibility of the project and attendant financial responsibility and resources of the forming municipality for project cost in excess of special benefit.
- The LID parcels have relatively similar intensity of use without and with the LID project.
- Soil, drainage, topography, and other significant physical characteristics of the parcels are similar.
- The ownership pattern is reasonably uniform, i.e., lots or acreage parcels are fairly homogeneous in size and ratio of frontage to depth.
- There is little probability of documented protests to assessments and appeals to superior courts.

Zone and termini, square footage, front footage, lineal feet of street or utility improvements, volume of flow and combinations of these, and other mathematical formulas have long been used by engineers and LID administrators seeking an acceptable formula for allocating portions of the total assessment to each property within the LID boundary. In some instances, a formula provides a fair, proportional and legal allocation of the total LID assessment to each property.

CONCLUSION

Reputable professional appraisers have been at odds with both administrators of LID projects and attorneys representing property owners. Special benefit study assignments often include a wide variety of property classes, land use regulations, and legal assumptions. Potential clients often perceive appraisers as unwilling to explore the issues unique to special benefit analysis and lacking expertise in this area of real estate appraisal.

A growing market for appraisal services exists in this field of special benefit assessments. Appraisers who enjoy variety in their work and the opportunity to increase their knowledge of various aspects of real property rights, pertinent state statutes, and case law will find this area of professional appraisal practice both rewarding and challenging.

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Ruther, James L. "Estimation of Sewer Assessments," *The Real Estate Appraiser and Analyst* (January–February 1979): 35–38.

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REAL ESTATE APPRAISALS, CONSULTATIONS, ECONOMIC FEASABILITY & SPECIAL BENEFIT STUDIES

Macaulay & Associates, Ltd.

Real Estate Appraisers & Consultants

City of Oak Harbor
City Council Agenda Bill

Bill No. 7
Date: February 7, 2012 (1/17/12 meeting was cancelled due to weather)
Subject: Resolution- Wastewater Facility Plan

FROM: Cathy Rosen, Public Works Director
Eric Johnston, City Engineer

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

Scott Dudley, Mayor
Paul Schmidt, City Administrator
Doug Merriman, Finance Director
Margery Hite, City Attorney, as to form

PURPOSE

This agenda bill proposes adoption of a resolution related to candidate sites for a new wastewater treatment facility.

On September 20th, 2011 the agenda bill was moved to the November 15th, 2011 Council meeting by Council motion. On November 1st, 2011, recognizing that two council members had requested excused absences from the November 15th Council meeting, Council motioned for a special meeting on November 28th, 2011. This item was moved to the November 28th special Council meeting.

At the November 28th special council meeting a motion was made to delay further discussion to the January 17, 2012 regular council meeting

AUTHORITY

The City has authority under RCW 35A.11.020 to render governmental services including operating and supplying of utilities and municipal services commonly or conveniently rendered by cities or towns. The authority to provide sewer services is found in RCW 35.21.210 Chapter 35.67. Planning for those services as may be required under WAC 173-240 is included in this authority.

FISCAL IMPACT DESCRIPTION

Funds Required: $ none

Appropriation Source: n/a

SUMMARY STATEMENT

On July 27, 2011, a workshop with the City Council was held to present and discuss the status of the wastewater facility planning process and to present three sites for further consideration. As discussed during the workshop, a resolution would be presented for consideration and adoption by the Council. The resolution considered authorizing and directing the project team to proceed with the three candidate sites. A public forum was subsequently held on August 24, 2011 at which the information presented at the Council workshop was presented and public input was sought.

Information presented at both the public forum and Council workshop was made available to the public via the

project website. Videos of both the forum and the workshop were broadcast on Channel 10.

Following the August public forum the resolution for the short list three sites was then discussed at City Council meeting on September 20, November 1 and November 28, 2012. This topic was also discussed at multiple city council committee meetings during the same time period. During the same time period, several Council members were able to participate in educational tours of wastewater facilities in Blaine, Carnation and King County.

In contrast to the resolutions presented at previous council meetings to narrow the number of sites, this resolution proposes to add a new area for consideration. If the resolution is adopted a new sixth site will be analyzed to the same level of detail and vetted through the public process in the same fashion as the previous 5 sites.

This sixth site is generally north of Crescent Harbor Road and east of Regatta Drive. In preparation for this meeting a letter from the Mayor was mailed to property owners in this area notifying them that the Council would consider this area at tonight's meeting. A figure showing the potentially affected properties and ownerships to whom letters were sent is attached to this agenda bill. Note the resolution is not explicitly limited to the area in this figure and that if additional areas warrant investigation that notification will be provided to the affected property owners.

In addition, more detailed cost information will be provided by the project team. This cost information is expected to address cost responsibility between the City and Navy, cost impacts resulting from the phasing of improvements and specific impacts to rate payers in comparison to the 2010 rate study.

Following the analysis and public process it is expected that the Council will discuss another resolution to narrow the candidate sites to a short list of 2 or 3 final sites.

STANDING COMMITTEE REPORT

This item was presented to the Public Works committee on January 5, 2012 and the Government Services committee on January 10, 2012

RECOMMENDED ACTION

A motion adopting Resolution 12-05

ATTACHMENTS

Resolution 12-05
Figure

RESOLUTION NO. 12-05

A RESOLUTION OF THE CITY OF OAK HARBOR DIRECTING THE EVALUATION OF POTENTIAL SITES FOR A FUTURE WASTEWATER TREATMENT FACILITY.

WHEREAS, the 2008 City of Oak Harbor Comprehensive Sewer Plan identifies the need for a new wastewater treatment facility to meet future growth needs and to replace aging and at-risk infrastructure; and

WHEREAS, recognizing that the City of Oak Harbor is connected to the pristine waters of Puget Sound, specifically Oak Harbor Bay and Crescent Harbor Bay, the City's goal is to obtain the highest level of water quality practical while recognizing the limitations of the rate payers of the City to fund the improvements; and

WHEREAS, the City of Oak Harbor Capital Improvement Plan of 2010-2015 specifically lists the Wastewater Treatment Plant Facilities Plan as a prioritized public project to be undertaken within the capital improvement plan time period; and

WHEREAS, on August 4, 2010 the City Council authorized the Mayor to enter into a contract with Carollo, Inc. for development of the aforementioned Facilities Plan required by RCW 90.48.110 and Chapter 173-240 WAC for a new wastewater treatment facility; and

WHEREAS, public input was sought, received and considered on potential wastewater treatment plant locations resulting in the identification of 13 potential locations; and

WHEREAS, input from the U.S. NAVY was sought, received and considered on potential wastewater treatment plant locations; and

WHEREAS, public input was sought, received and considered on the evaluation criteria to be used; and

WHEREAS, input from various stakeholder groups including the U.S. Navy, the Washington State Department of Ecology, Washington State Department of Health, was sought and incorporated into the evaluation criteria; and

WHEREAS, based on input from the public, various stakeholder groups, technical staff, engineering professionals and City staff, four equally weighted categories, being Social, Technical, Environmental and Financial, were developed for the evaluation of all potential site locations, and

WHEREAS, the Social criteria are as follows: 1) Protect Public Health and Safety, 2) Preserve/Enhance Public Amenities, and 3) Minimize Neighborhood Impacts; and

WHEREAS, the Environmental criteria are as follows: 1) Produce Best Water Quality, 2) Protect Environmental Sensitive Areas, and 3) Minimize Carbon Footprint; and

WHEREAS, the Technical criteria are as follows: 1) Reliable Performance, 2) Ease of Construction, and 3) Overall System Efficiency; and

WHEREAS, the Financial criteria are as follows: 1) Low Capital Cost, 2) Low Life Cycle Cost, and 3) Protect Assets for Future Development; and

WHEREAS, as directed by City Council Resolution 11-07, the 13 candidate sites were narrowed to 5 candidate sites; and

WHEREAS, Carollo, Inc., provided a report to the Council, on July 27, 2011 comparing the 5 candidate sites being Windjammer Park, Marina/Seaplane Base, Old City Shops Beachview Farm and Crescent Harbor; and

WHEREAS, public input has been sought, received and incorporated in the analysis of the aforementioned 5 sites; and

WHEREAS, the City Council has asked for additional and more detailed information on the cost of developing a new wastewater treatment plant than was provided during the analysis of the 5 sites in order to make a more informed decision, specifically as to the effect on the typical sewer customer rate and phasing opportunities; and

WHEREAS, the contract with Carollo includes scope of work elements sufficient to provide the detailed cost information desired; and

WHEREAS, the City Council has asked for evaluation of an additional candidate site generally located north of Crescent Harbor Road, east of Regatta drive and south of the intersection of Torpedo Road and Regatta Drive; and

WHERAS, evaluation of an additional candidate site is consistent with Resolution 11-07, and

WHEREAS, to protect the integrity of the public process it is appropriate to evaluate any additional site to the same level of detail as all candidate sites so that all may be considered on a equal basis using the selection criteria and public process set forth by the City Council; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oak Harbor as follows:

1. That Carollo, Inc., acting on behalf of the City and under the management of the City Engineer, is directed to further evaluate six locations for further consideration as part of the wastewater treatment facility planning process.
2. That the six locations to be evaluated further are generally shown on Exhibit A and are referred to as:
    a. Windjammer Park
    b. Marina/Seaplane Base
    c. Old City Shops
    d. Beachview Farm
    e. Crescent Harbor
    f. Crescent Harbor North
3. That Carollo is directed to provide additional cost information to assist in the decision making process

4. That both Membrane Bioreactor (MBR) and Activate Sludge treatment processes will be considered at all sites except for Windjammer Park where only MBR technology will be considered.
5. That an effluent outfall to Oak Harbor Bay will be considered for all sites.
6. That an effluent outfall to West Beach for the Beachview Farm site will be considered in addition to an Oak Harbor Bay outfall
7. That additional public input will be sought and incorporated in the analysis and development of all 6 alternative sites.
8. That a report will be provided to the City Council comparing the six candidate sites together with a recommendation for further consideration of at least two, but not more than three, candidate sites.
9. That, as appropriate, additional candidate sites, outfall locations and processes may be considered as may be directed by the City.

PASSED and approved by the City Council this 17th day of January, 2012.

THE CITY OF OAK HARBOR

_____, Mayor

Attest:

_____
City Clerk
Approved as to Form:

_____
City Attorney

Map No.	Parcel Number	Property Owner	Area (Sq. Ft.)	Acres	Assessed Value
1	R13336-443-1500	Robert J. Wojciechowski	44322.4764	1.02	$ 157,323.00
2	R13336-442-1690	Cascade Natural Gas	1182.6667	0.03	$ 19,189.00
3	R13336-480-1540	Rosewood Investments LLC	235297.7301	5.40	$ 85,000.00
			280802.8732	6.45	

Map No.	Parcel Number	Property Owner	Area (Sq. Ft.)	Acres	Assessed Value
4	R13336-435-1860	Russell H. Hartley	90476.9404	2.08	$ 221,564.00
5	R13336-450-2200	Susan E. Bridgeford	82084.4663	1.88	$ 80,000.00
6	R13336-467-1820	Emory W. Bridgeford, Jr.	100454.3112	2.31	$ 225,551.00
7	R13336-465-2400	Susan Bridgeford	212953.6652	4.89	$ 284,868.00
8	R13336-500-2250	Susan Bridgeford	82084.4663	1.88	$ 117,000.00
9	R13336-466-2620	Emory W. Bridgeford, Jr.	212637.3204	4.88	$ 117,000.00
			780691.1698	17.92	

City of Oak Harbor
City Council Agenda Bill

Bill No. 8
Date: February 7, 2012
Subject: City Council Vacancy

FROM: William H. Hawkins, City Attorney

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

____ Scott Dudley, Mayor
SP Steve Powers, Interim City Administrator
____ Doug Merriman, Finance Director

PURPOSE

This agenda bill presents the applications received by the City from citizens interested in filling the vacant City Council Position No. 5.

AUTHORITY

The filling of nonpartisan vacancies is governed by RCW 42.12.070. RCW 42.12.070(1) provides that "Where one position is vacant, the remaining members of the governing body shall appoint a qualified person to fill the vacant position.''

FISCAL IMPACT DESCRIPTION

Funds Required: $ N/A

Appropriation Source: N/A

SUMMARY STATEMENT

The City received applications from ten (10) citizens interested in filling the vacant City Council Position No. 5. This information was previously provided to the City Council at a special meeting held on January 23, 2012. A copy of the agenda bill, attachments, and draft minutes from that meeting are attached to this agenda bill as Attachment 1.

During the January 23rd meeting, the Council adjourned to executive session as permitted by RCW 42.30.110(1) (h) to discuss the qualifications of the candidates. Returning to open session, the City Council announced they had selected four (4) candidates to move forward in the process. Staff's review of this matter concludes that the Council's discussion did go beyond that permitted by section 42.30.110 (1) (h) of the Open Public Meetings Act. While it is clear that the discussion went outside of the permitted boundaries, it is also clear that this was an inadvertent error and not an intentional act.

Actions taken in at a meeting failing to comply with the open meeting requirements are null and void. RCW 42.60.060 (1). The statute does not, however, require that subsequent actions taken in compliance with the Act are also invalidated. Consequently, staff recommends the City Council take independent final action to evaluate the qualifications of all ten applicants and that the Council do so in open public session.

Specifically, staff recommends that Council determine by motion to begin the process by considering all ten applications. As before, **it is recommended that public comment not be taken with regard to candidate applications.** This will allow Council review of the materials and information submitted by the applicants only and ensure compliance with Public Disclosure laws restricting use of public funds to promote a particular political campaign.

BACKGROUND

Ten citizens submitted applications expressing their interest in filling the vacant City Council seat (Position No. 5). Through a previous action the City Council decided that the full City Council would review the qualifications of all of the applicants, for the purpose of developing a short list of no more than four candidates.

The application process required the candidates to provide a one page cover letter indicating their interest and general qualifications for the position. They were also to have provided a resume and to answer seven supplemental questions.

In addition to completing the application, the candidates must meet the minimum eligibility requirements. In order to be a City Council Member, an individual must have continuously resided within Oak Harbor's city limits for a minimum of one year prior to being appointed to the City Council. They must also be a registered voter in Island County, City of Oak Harbor.

DISCUSSION

A review of the ten applications against the minimum eligibility requirements finds that two of the candidates (Ms. Michelle Mae Dowell and Ms. Raynette Parks) reside outside of the city limits (Please see Attachment 2). Therefore, these two candidates should be eliminated from further consideration. Staff suggests that the Council make this the second action as part of these proceedings.

There are several different approaches that the Council could adopt to evaluate the qualifications of the remaining candidates. For instance, the Council could choose to simply discuss the candidates' stated qualifications and through a consensus process develop the short list. Or, the Council could choose to formally rank the candidates using a point system. Regardless of the process, staff suggests that the starting point for the conversation be the following:

1. The qualifications as stated in their letter of interest
2. The experience as contained in their resumes
3. The strength of their answers to the supplemental questions

Per the previously approved schedule, the City Council should develop and announce the shortlist at this meeting. Interviews of the selected candidates are still scheduled to occur at the February 21, 2012 meeting.

STANDING COMMITTEE REPORT

N/A

RECOMMENDED ACTIONS

1. Evaluate the qualifications of all ten applicants and that the Council do so in open public session.
2. Eliminate the two candidates who reside outside of the City limits from further consideration (Ms. Michelle Mae Dowell and Ms. Raynette Parks).
3. Develop a short list of no more than four candidates, with these candidates to be interviewed on February 21, 2012.

ATTACHMENTS

Attachment 1: January 23, 2012 agenda bill with exhibits
Attachment 2: List of applicants verifying residency within City limits

Attachment 1

City of Oak Harbor
City Council Agenda Bill

Bill No. 3
Date: January 23, 2012
Subject: City Council Vacancy

FROM: **Paul Schmidt, City Administrator**

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

Scott Dudley, Mayor
Doug Merriman, Finance Director
Bill Hawkins, City Attorney, approved as to form

PURPOSE

This agenda bill presents applications for City Council Position No. 5.

AUTHORITY

RCW 42.12.070
Filling nonpartisan vacancies.
RCW 42.12.070 states in part:

> "Where one position is vacant, the remaining members of the governing body shall appoint a qualified person to fill the vacant position." It also states "if a governing body fails to appoint a qualified person to fill a vacancy within 90 days….the county legislative authority …..shall appoint a qualified person to fill the vacancy."

RCW 42.30.110
Executive sessions.
RCW 42.30.110 (1)(h) states:

(1) "Nothing contained in this chapter may be construed to prevent a governing body from holding an executive session during a regular or special meeting:

(h) To evaluate the qualifications of a candidate for appointment to elective office. However, any interview of such candidate and final action appointing a candidate to elective office shall be in a meeting open to the public."

FISCAL IMPACT DESCRIPTION

Funds Required: N/A

Appropriation Source: N/A

City of Oak Harbor
City Council Agenda Bill

SUMMARY STATEMENT

As of January 1, 2012, Mayor Scott Dudley's previous City Council position (no. 5) is vacant. RCW 42.12.070 provides that the City Council appoint a qualified person to fill the vacancy within 90 days of the vacancy. Council position no. 5 needs the remaining term of office filled and served until a person is elected and sworn in immediately after certification of the regular election sometime in November of 2013.

By Council motion on January 3, 2012, the full Council has chosen to review all applications in accordance with the timeline (as amended on January 3, 2012) to create a short list of no more than four candidates by February 1, 2012. The short list will be presented during City Council's regular February 7, 2012 meeting and shortlisted candidates will be interviewed during City Council's February 21, 2012 meeting. A candidate will be selected at the February 21st meeting. Council may meet in executive session to discuss applicant qualifications, but all interviews and the final appointment to fill this vacancy are conducted in an open public meeting. It is recommended that **public comment not be taken with regard to candidate applications.** This will allow Council review of the submitted written applications only.

STANDING COMMITTEE REPORT

N/A

RECOMMENDED ACTION

Create an applicant shortlist for City Council Position No. 5.

ATTACHMENTS

Exhibit A – RCW 42.12.070 – Filling nonpartisan vacancies.
Exhibit B – RCW 42.30.110 – Executive sessions
Exhibit C – Schedule for filling City Council vacancy
Exhibit D – Applications for City Council Position No. 5

RCW 42.12.070
Filling nonpartisan vacancies.

A vacancy on an elected nonpartisan governing body of a special purpose district where property ownership is not a qualification to vote, a town, or a city other than a first-class city or a charter code city, shall be filled as follows unless the provisions of law relating to the special district, town, or city provide otherwise:

(1) Where one position is vacant, the remaining members of the governing body shall appoint a qualified person to fill the vacant position.

(2) Where two or more positions are vacant and two or more members of the governing body remain in office, the remaining members of the governing body shall appoint a qualified person to fill one of the vacant positions, the remaining members of the governing body and the newly appointed person shall appoint another qualified person to fill another vacant position, and so on until each of the vacant positions is filled with each of the new appointees participating in each appointment that is made after his or her appointment.

(3) If less than two members of a governing body remain in office, the county legislative authority of the county in which all or the largest geographic portion of the city, town, or special district is located shall appoint a qualified person or persons to the governing body until the governing body has two members.

(4) If a governing body fails to appoint a qualified person to fill a vacancy within ninety days of the occurrence of the vacancy, the authority of the governing body to fill the vacancy shall cease and the county legislative authority of the county in which all or the largest geographic portion of the city, town, or special district is located shall appoint a qualified person to fill the vacancy.

(5) If the county legislative authority of the county fails to appoint a qualified person within one hundred eighty days of the occurrence of the vacancy, the county legislative authority or the remaining members of the governing body of the city, town, or special district may petition the governor to appoint a qualified person to fill the vacancy. The governor may appoint a qualified person to fill the vacancy after being petitioned if at the time the governor fills the vacancy the county legislative authority has not appointed a qualified person to fill the vacancy.

(6) As provided in chapter 29A.24 RCW, each person who is appointed shall serve until a qualified person is elected at the next election at which a member of the governing body normally would be elected. If needed, special filing periods shall be authorized as provided in chapter 29A.24 RCW for qualified persons to file for the vacant office. A primary shall be held to qualify candidates if sufficient time exists to hold a primary and more than two candidates file for the vacant office. Otherwise, a primary shall not be held and the person receiving the greatest number of votes shall be elected. The person elected shall take office immediately and serve the remainder of the unexpired term.

If an election for the position that became vacant would otherwise have been held at this general election date, only one election to fill the position shall be held and the person elected to fill the succeeding term for that position shall take office immediately when qualified as defined in RCW 29A.04.133 and shall service both the remainder of the unexpired term and the succeeding term.

[2011 c 349 § 28; 1994 c 223 § 1.]

NOTES:

Exhibit B

RCW 42.30.110
Executive sessions.

(1) Nothing contained in this chapter may be construed to prevent a governing body from holding an executive session during a regular or special meeting:

(a) To consider matters affecting national security;

(b) To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price;

(c) To consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. However, final action selling or leasing public property shall be taken in a meeting open to the public;

(d) To review negotiations on the performance of publicly bid contracts when public knowledge regarding such consideration would cause a likelihood of increased costs;

(e) To consider, in the case of an export trading company, financial and commercial information supplied by private persons to the export trading company;

(f) To receive and evaluate complaints or charges brought against a public officer or employee. However, upon the request of such officer or employee, a public hearing or a meeting open to the public shall be conducted upon such complaint or charge;

(g) To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW 42.30.140(4), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public;

(h) To evaluate the qualifications of a candidate for appointment to elective office. However, any interview of such candidate and final action appointing a candidate to elective office shall be in a meeting open to the public;

(i) To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

This subsection (1)(i) does not permit a governing body to hold an executive session solely because an attorney representing the agency is present. For purposes of this subsection (1)(i), "potential litigation" means matters protected by RPC 1.6 or RCW 5.60.060(2)(a) concerning:

(i) Litigation that has been specifically threatened to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party;

(ii) Litigation that the agency reasonably believes may be commenced by or against the agency, the governing body, or a member acting in an official capacity; or

(iii) Litigation or legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risks is likely to result in an adverse legal or financial consequence to the agency;

(j) To consider, in the case of the state library commission or its advisory bodies, western library network prices, products, equipment, and services, when such discussion would be likely to adversely affect the network's ability to conduct business in a competitive economic climate. However, final action on these matters shall be taken in a meeting open to the public;

(k) To consider, in the case of the state investment board, financial and commercial information when the information relates to the investment of public trust or retirement funds and when public knowledge regarding the discussion would result in loss to such funds or in private loss to the providers of this information;

(l) To consider proprietary or confidential nonpublished information related to the development, acquisition, or implementation of state purchased health care services as provided in RCW 41.05.026;

(m) To consider in the case of the life sciences discovery fund authority, the substance of grant applications and grant awards when public knowledge regarding the discussion would reasonably be expected to result in private loss to the providers of this information;

(n) To consider in the case of a health sciences and services authority, the substance of grant applications and grant awards when public knowledge regarding the discussion would reasonably be expected to result in private loss to the providers of this information;

(o) To consider in the case of innovate Washington, the substance of grant or loan applications and grant or loan awards if public knowledge regarding the discussion would reasonably be expected to result in private loss to the providers of this information.

(2) Before convening in executive session, the presiding officer of a governing body shall publicly announce the purpose for excluding the public from the meeting place, and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the presiding officer.

[2011 1st sp.s. c 14 § 14; 2010 1st sp.s. c 33 § 5; 2005 c 424 § 13; 2003 c 277 § 1; 2001 c 216 § 1; 1989 c 238 § 2; 1987 c 389 § 3; 1986 c 276 § 8; 1985 c 366 § 2; 1983 c 155 § 3; 1979 c 42 § 1; 1973 c 66 § 2; 1971 ex.s. c 250 § 11.]

NOTES:

Effective date -- 2011 1st sp.s. c 14: See RCW 43.333.901.

Captions not law -- Liberal construction -- Severability -- Effective dates -- 2005 c 424: See RCW 43.350.900 through 43.350.903.

Severability -- Effective date -- 1987 c 389: See notes following RCW 41.06.070.

Severability -- 1986 c 276: See RCW 53.31.901.

Schedule for filling City Council Vacancy

January 3, 2012	Approve the procedure for filling the City Council vacancy, Council position no. 5
January 7 and 14, 2012	Advertise the vacancy in the legal section of the Whidbey News Times
January 20, 2012	Deadline for application submittal to the City Clerk
January 23, 2012	Special City Council Meeting to review applications
February 1, 2012	Shortlist is due
February 7, 2012	Announce the shortlist
February 21, 2012	Interview the shortlisted candidates and select a candidate for appointment

Exhibit D

Applications

for

City Council Vacancy

Council Position No. 5

Michelle Mae Dowell

Application received 1/9/12

Attachment 1

received
1-9-12

APPLICATION FOR APPOINTMENT TO OAK HARBOR CITY COUNCIL POSITION NO. 5

Applicant Information

(Please type or print)

Applicant Name Michelle Mae Dowell

Residence Address 936 Donald Ave

Home Phone 3606322941 Work Phone _____ Other _____

E-Mail killjoy66_66@hotmail.com

Cover Letter and Resume

Please attach a one-page cover letter and a résumé of no more than two pages to this application.

Supplemental Questions

Please respond to the following questions regarding your interest in the position of Council Member for the City of Oak Harbor on separate pages using no more than three pages total:

1. Why are you interested in serving as an Oak Harbor City Council Member?
2. What strength would you bring to the Council?
3. What are the three highest priorities and/or issues you believe the City needs to address? How would you propose to address these issues?
4. Explain your current and past community involvement and/or service on City, non-profit, or public boards, committees, task forces, or commissions and how this has contributed to the Oak Harbor community. Address its relevance to the position of Oak Harbor City Council Member.
5. What do you wish to accomplish during this appointed term as an Oak Harbor City Council Member?
6. What is your vision for our City and community?
7. Is there anything else that you may wish to add that would help us get to know you a little better?

Please return this form, your cover letter, résumé, and answers to the supplemental questions to the City Clerk at Oak Harbor City Hall, 865 SE Barrington Drive, Oak Harbor, WA 98277 no later than 5:00 p.m. on Friday, January 20, 2012. Applications received after 5:00 p.m. will not be accepted.

The application and any correspondence should be addressed to:

Connie Wheeler, City Clerk
Re: Council Member Recruitment
City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

[redacted]

Sincerely : Michelle M Dowell

936 Donald ave
Oak Harbor, Wa 98277
360-632-2941(mesg)

Connie Wheeler, City Clerk

Attention: Connie Wheeler
City of Oak Harbor
865 Se Barrington Drive
Oak Harbor ,Wa 98277

1/9/2012

Position: City Council

I am a resident of Oak Harbor and have been for a continuous three years. I am a registered voter here in Island County, city of Oak Harbor. I have not participated in any contracts with Oak Harbor but do believe that I am the best candidate and can open doors for myself with a new change and opportunity.

This position requires a person to have a knowledge and understanding of what Oak Harbor needs as a community. Knowing these things is vital so we can be strong and have good relations with all people we meet

My strongest asset is I am approachable and known to have a positive attitude even in trying times. I use communication and time management skills every day. Being connected to the community is important to me. Utilizing my skills to do so with my opinions and words is my new found strength.

In closing I would like to thank you for considering my resume and cover letter for this position.

Sincerely : Michelle M Dowell
Connie Wheeler, City Clerk

Michelle M Dowell
936 Donald Avenue
Oak harbor, Washington 98277
(360)-200-5272

My goal: To better understand a business and apply my skills
Skills: Persistent, Confident, works well under pressure, team leader

Certifications:

- Microsoft and Word 2011
- Blood Borne Pathogens 2011
- CPR and First Aid 2011
- Food Handlers 2011

Education:

- High school Graduate 1999
- Skagit Valley College 2011

Relevant work experience:

- DSHS : Greeter/ intern , help clients with questions and have super customer service, maintain a professional attitude at all times Nov/Dec 2011
- Waif Intern: Retail and self-management July201Nov2011
- Avon and Mary K: Sales representative –sold product and managed money and made sure customers were pleased with their inner and outer beauty. Feb2004-current
- Butchart Gardens: Server, busser, hostess helped with tasks so that tourists' experiences were exceptional that they would come back for a future visit. June1999-Aug1999

Supplemental Questions:

1. Why are you interested in serving as an Oak Harbor City Council member?

I want to serve on the City Council because it's a position in which I will be able to make decisions that are close to heart and community and the power to change or have an opinion on issues or necessary regulations that the public has interest in.

2. What strength would you bring to the Council?

I bring to the Council my ability to speak my mind. I have skills to talk to anybody. I find the opening and take it when it arises. I have an artistic ability that can help if needed a creative idea.

3. Issues that have highest priority that Council needs to address?

I believe that education is important and how it is not being done enough for our kids, the budget cuts to programs that benefit low income families. After school programs .Human service issues that have the interest of the seniors and what funding is there for the programs needed for them. Keeping our community clean is huge. I am impressed and how the streets are so clean and the adopt to clean program.

4. Current or past community involvement?

My involvement in the community is with my son's Boy Scout troop in 2010. I volunteered with his Den with meetings and camp. I found myself doing good works. I helped with lessons and growth in the troop. I gave them helpful hints to better themselves with confidence to be a better member of the community themselves. I always felt rewarded to help each boy with every issue or challenge they needed to meet.

5. What do I want to accomplish during this appointed term as Oak Harbor City Council?

I want to accomplish to be a part of something bigger then myself. To have a voice for others in the community who need to be heard.

6. What is your vision for the City and Community?

My vision of this city I call home is to be strong with job opportunities' for all with training and more help to find jobs.

7. Is there anything that you may wish to add that would help us get to know you a little better?

I enjoy meeting new people. I am capable open minded and ready for anything that comes my way. Oak harbor has been my home for three years and I enjoy this place. I like how there is so much to do and the scenery of mountains and clean streets is a wonder to me.

Larry William Eaton

❖❖❖

Application received 1/17/12

Attachment 1

received
1-17-12 cld

APPLICATION FOR APPOINTMENT TO OAK HARBOR CITY COUNCIL POSITION NO. 5

Applicant Information

(Please type or print)

Applicant Name LARRY William Eaton

Residence Address 429 S. W. Dyer Street

Home Phone 3606753507 Work Phone N/A Other N/A

E-Mail LARRYWMEATON@comcast.net

Cover Letter and Résumé

Please attach a one-page cover letter and a résumé of no more than two pages to this application.

Supplemental Questions

Please respond to the following questions regarding your interest in the position of Council Member for the City of Oak Harbor on separate pages using no more than three pages total:

1. Why are you interested in serving as an Oak Harbor City Council Member?
2. What strength would you bring to the Council?
3. What are the three highest priorities and/or issues you believe the City needs to address? How would you propose to address these issues?
4. Explain your current and past community involvement and/or service on City, non-profit, or public boards, committees, task forces, or commissions and how this has contributed to the Oak Harbor community. Address its relevance to the position of Oak Harbor City Council Member.
5. What do you wish to accomplish during this appointed term as an Oak Harbor City Council Member?
6. What is your vision for our City and community?
7. Is there anything else that you may wish to add that would help us get to know you a little better?

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The application and any correspondence should be addressed to:

Connie Wheeler, City Clerk
Re: Council Member Recruitment
City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

January 17, 2012

The Honorable Devere Scott Dudley
Mayor of Oak Harbor
Oak Harbor, Washington 98277

Sir:

The following is to inform you that I wish to apply for the vacant city council position, #5, made vacant as a result of your election to mayor of the city Of Oak Harbor, following the November elections of 2011.

As you may know, I was elected in November, 1993, to serve on Oak Harbor City Council, position #6, and served from 1994-1997. After an absence of six years, I was again elected to serve on council during the years of 2004-2007, position #3. During those two terms on council, I worked with three administrations: The Honorable Al Koetje, 1994-1996; The Honorable Steve Dernbach, 1996-1997; The Honorable Patty Cohen, 2004-2007. It follows that during these two terms on council, I had the opportunity to work with three separate and different administrations, along with the very many department heads and city employees during the terms of office of each of these mayors.

As to my qualification to serve on council, may I offer the following: I have the experience of what is necessary to be an active and contributing member of Oak Harbor City Council, this, having been entrusted to do so twice before by the citizens of Oak Harbor. I am prepared to serve on council NOW with "boots hitting the ground."

Additionally, since moving to Oak Harbor in 1969, I have raised a family and been gainfully employed since that time. I was employed by the Oak Harbor School District, 1969-2010, as a teacher at Oak Harbor Senior High School and, until recently, as a substitute-teacher. By any standard of measurement, my professionalism as a teacher for over forty years and my accompanying academic background and my election to public office demonstrate, to my mind, competency and involvement and commitment to my community. As my resume will attest to, I have served my country while in the United States Air Force during the Vietnam Era, and I have served my community in a variety of volunteer activities, having listed only the more recent ones in my resume.

On a personal note, I would characterize my strengths to be analytical, evaluative, intellectual, and honest. During the last election, albeit, I lost to Mrs. Beth Munns, I conducted myself very intentionally with an attitude of civility towards her. She and I made the agreement to disagree beforehand. If selected to sit on council, I will conduct myself similarly with other members of the sitting council, and mayor.

Sincerely,

Larry William Eaton

Larry William Eaton

429 SW Dyer Street
Oak Harbor, Washington 98277
Email: larrywmeaton@comcast.net
Telephone: 360-675-3507

Objective: To be given the opportunity and to be empowered by this sitting Council as an integral, working partner in the direction and growth of the City of Oak Harbor through appointment to Oak Harbor City Council Position #5.

- **Qualifications: Having been elected and successfully served on Oak Harbor City Council twice before, demonstrates a knowledgeable and working understanding of the processes of city government, as well as the confidence and trust of the electorate.**

- **1994-1997, elected to Oak Harbor City Council, position #6**
- **2004-2007, elected to Oak Harbor City Council, position #3**

Experience:

- **Served with three Oak Harbor City Administrations: Honorable Al Koetje, Honorable Steve Dernbach, Honorable Patricia Cohen, and staffs, respectively.**
- **Worked alongside and interacted with enumerable Oak Harbor city staff, department heads, and other city employees.**
- **Chaired and participated in standing-committees and ad-hoc committees to include, but not limited to:**
    1. **1994-1997: Oak Harbor Senior Center; Oak Harbor Finance Committee; Oak Harbor Police/City of Oak Harbor Contract Negotiations. Oak Harbor Farmer's Market.**
    2. **2004-2007: Windjammer Economic Development Committee (Chaired); WAIF/Animal Shelter; Whidbey Island Transit; Dillard Sewer (Chaired); Waste-Water Treatment Committee.**
- **Attended many teaching and conference programs offered by the National League of Cities and Association of Washington Cities for elected officials through the years 1994-'97, 2004-'07.**

Work History: Washington State Certified K-12 Public Schools Teacher, 1969-1999.

- **Oak Harbor Senior High, 1969-1999.**
- **Substitute teacher, 2007-2011.**
- **Annunciation Elementary, Denver, Colorado, 1969-'69**
- **United States Air Force, 1961-1965.**

Education: Courses of study were many at universities and colleges through 1963-2000; to include, but not limited to: College of Great Falls, Great Falls, Montana; Regis University of Denver, Colorado; University of Northern Colorado, Greeley, Colorado; Western Washington University, Bellingham, Washington, and Skagit Valley College, Mt. Vernon and Oak Harbor, Washington.

- **University of Regis, Denver, Colorado, Bachelor of Arts, 1969.**
- **Master's program: University of Northern Colorado, Greeley, Colorado, 1972-73.**
- **Fifth-Year Teaching Certificate, University of Western Washington, Bellingham, Washington, 1974-1975.**

Accomplishments in Education: Having been a public servant for the last forty years, primarily as a high school teacher, the following are my proudest moments:

- **The development and addition of several courses of instruction to the high school curriculum to include the very first Advanced Placement course of instruction.**
- **Advanced Placement United States History, 1989**
- **Introduction to Anthropology, 1970.**
- **Special United States History, 1975.**
- **Oak Harbor Education Association President, 1980-1981.**

Accomplishments while on Oak Harbor City Council during two terms in office are:

- **Collaboratively moved through council the recording and televising of Oak Harbor City Council Meetings, 1994.**
- **Having been instrumentally involved as vendor/councilperson in the creation and establishment of a viable Farmer's Market in 1997; from 9 vendors in 1997 to 70+ vendors in 2011.**
- **Collaboratively involved as member of WAIF committee that was instrumental in contracting with WAIF to improve a more humane treatment of animals, as well as preparations for a new animal shelter.**
- **Chairing the Windjammer Committee, 2004-07. Members of this committee were largely responsible for the earliest efforts that bore fruit four years later with the completion of Pioneer Way Street Improvement.**

Volunteerism:

- **HOPE (Equestrian therapy for the physically and mentally disabled), 2010-2011;**
- **Skagit /Islands Head Start Policy Council, 2011-2012;**
- **Oak Harbor School District Parent Advisory Committee (DPAC), 2011-2012;**
- **Island County Interagency Coordinating Council, 2011-2012.**

Supplemental Questions:

As addendum to Application for Appointment to Oak Harbor City Council Position No. 5,
by Larry William Eaton

1. Why are you interested in serving as an Oak Harbor City Council Member? My interest is to be a member of Oak Harbor City Council and ensure the proper functioning and transparency of city government, this, in collaboration with other council members. Additionally, I have dedicated most of my life in the service of others, to wit: in the service of my country while in the United States Air Force, and to my community as a teacher and volunteer, as well as two terms on city council. As a member of council, I would have the opportunity to continue this tradition.

2. What strength(s) would you bring to the Council? Having served on council twice before, I have direct, "hands-on" experience with the office of councilman. I consider myself knowledgeable, rational, honest, amicable and tolerant. While working with the public, I work best with individuals who bring issues with different and opposing viewpoints before city council and look for direction from council members to resolve their issues with reasoned and balanced judgments.

3. What are the priorities and/or issues I believe the city needs to address? Many of us have been living in economically depressed times since 2008. Since then, our national, state and local governments have had an urgent task to grow our economies through the creation of jobs. Oak Harbor city government should work in partnerships with other community entities such as our business and education communities, and to ensure quality environments in the conduct and success of these enterprises. As an example, the business community, particularly that of construction, has particular concerns in the areas of regulatory inspections and code enforcements. City government should be an instrument of positive assistance in expediting builder's needs. The principal focus for the business community and city government should be in the area of job creation.

Secondly, as the best science is now telling us about global warming and the degradation of environmental systems, there is a pressing concern of enormous proportions to conduct city affairs with a view to environmental sustainability and environmental protection of our areas resources, as well as using caution with physical growth. As an integral part to this, we must look for more in-depth methods to facilitate the city's recycling efforts of solid waste products generated by our citizens. We must make every effort to address the city's sewage and storm-water issues with the view to incorporating the best science and technology and environmental considerations in our decision-making and actions.

Third, in 2006, Council made the decision to explore building an animal shelter, given that the Navy was no longer desirous of the city using their facilities to shelter animals, namely dogs and cats. It is incumbent upon the city to provide for adequate animal-shelter and animal care. The Navy has been pressing in more recent times for the city to vacate facilities presently in use for this purpose

4. Past and Current involvements Supportive of the Oak Harbor community: I have enunciated and enumerated all of my activities in my resume. Briefly, I will state the following: I am a resident of Oak Harbor since 1969 and well known by many residents. I know all of the nuances of the community and the community knows me. I have received favorable comments from various community groups over the years including comments from past students. I am proud to say that I was a favored teacher and helpful in the lives of young people during their attendance at Oak Harbor High School. I am forthright when I say that former students have credited me with helping them to think for themselves and to see issues objectively. I have saved some of their comments written to me expressing their gratitude, including from those with whom I had differences. It is my view that this is just one indicator that demonstrates my ability to deal with a wide range of differences among a wide variety of personalities and agendas. I know that this is a very useful trait to have in dealing with diverse personalities that come before city council.

5. What I would like to accomplish during this appointed term on City Council:

- To see city codes and policies that reflect environmentally sound and environmentally sustainable considerations, whether in building a waste water treatment plant or a storm water drainage system or urban expansion.
- As a renewed effort, encourage the city to take up the need for a new animal shelter, either in partnership with the county, or, itself.
- To see the city make progress for a new sewage-treatment plant and storm-water infra-structure and their appropriate siting.
- To enhance the city's local economy with the introduction of new businesses to our community, so as to prevent economic "bleed-off" from the island to surrounding cities
- To see the city televise its council meetings LIVE, as well as the continuation of broadcasting over channel 10; to see committee meetings recorded and broadcast on regularly scheduled programming on channel 10. This should include a greater frequency of scheduling as well.
- To see the mayor and council working collaboratively to promote economic policies that will bring in additional businesses, but at a pace that ensures planned and environmentally sound growth. "Outward Reach" is the slogan I would adopt in reaching out to draw new businesses to our city.
- To see that the City of Oak Harbor ensures the maintenance and adequacy of its first responders, police and fireman and EMTs for the continued protection of its citizens.
- To enjoin the Oak Harbor School District in dialogue with the Oak Harbor City Council to energize student interest and participation in the processes of local government, and to find creative ways to enfranchise the many in the function of participatory democracy.

6. My vision for the City of Oak Harbor and community: Oak Harbor is a city on an island that does not have to deal with the crowding of people and automobile congestion that some of our neighboring cities must deal with. It behooves us to keep it this way. This means that very creative ways must be engineered to provide the services of shopping and recreating that offers our citizens a viable alternative to leaving our community for other destinations. Data suggest that over four million automobiles pass through Oak Harbor annually. It would be beneficial to capitalize, in a good way, on this source of potential customers/tourists.

It is my sincere desire to work with other members of Oak Harbor City Council in a respectful, energetic and creative way to achieve the goals that I have set for Oak Harbor, and to be considerate and open to the goals that other council members have set as their vision for the city as well.

Richard W. Devlin

❖❖❖

Application received 1/17/12

Attachment 1

received
1-17-12 cln

APPLICATION FOR APPOINTMENT TO OAK HARBOR CITY COUNCIL POSITION NO. 5

Applicant Information

(Please type or print)

Applicant Name RICHARD W. DEVLIN

Residence Address 1174 SW KALAMA LOOP

Home Phone 360-929-4451 Work Phone none Other cell 360-929-4451

E-Mail ddevlin@comcast.net

Cover Letter and Résumé

Please attach a one-page cover letter and a résumé of no more than two pages to this application.

Supplemental Questions

Please respond to the following questions regarding your interest in the position of Council Member for the City of Oak Harbor on separate pages using no more than three pages total:

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4. Explain your current and past community involvement and/or service on City, non-profit, or public boards, committees, task forces, or commissions and how this has contributed to the Oak Harbor community. Address its relevance to the position of Oak Harbor City Council Member.
5. What do you wish to accomplish during this appointed term as an Oak Harbor City Council Member?
6. What is your vision for our City and community?
7. Is there anything else that you may wish to add that would help us get to know you a little better?

Please return this form, your cover letter, résumé, and answers to the supplemental questions to the City Clerk at Oak Harbor City Hall, 865 SE Barrington Drive, Oak Harbor, WA 98277 no later than 5:00 p.m. on Friday, January 20, 2012. Applications received after 5:00 p.m. will not be accepted.

The application and any correspondence should be addressed to:

Connie Wheeler, City Clerk
Re: Council Member Recruitment
City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

Attachment 1

RICHARD W. DEVLIN

January 17, 2012

Connie Wheeler, City Clerk
Re: Council Member Recruitment
City of Oak Harbor
865 SE Barrington Dr
Oak Harbor WA 98277

Dear Ms. Wheeler,
Several citizens have suggested that I consider applying for selection to conclude the City Council Position 5 term that Mayor DeVere Scott Dudley held. Following contemplation of those suggestions, I hereby announce my candidacy for said position in the City selection process. The following information is submitted to support my candidacy.

- President of the Oak Harbor Area Council, Navy League of the United States
- National Director, Navy League of the United States
- Chairperson of the Public Affairs and Education Committee, Navy League of the United States
- Member of the Board of Directors, Rotary Club of Oak Harbor
- Served on the City of Oak Harbor Salary Committee at the request of Mayor Patty Cohen
- 30 years as a high school principal
- Oak Harbor High School Principal
  - Created Comprehensive Advanced Placement Program,
  - Led the effort for accreditation of Oak Harbor High School by the Northwest Accreditation Association,
  - Worked to improve parent involvement in school decision making,
  - Did extensive planning development for Oak Harbor High School remodel project,
  - Worked with Rotary Stadium Committee.
- United States Naval Reserve
  - 23-year Navy career – active duty and reserve,
  - Served as senior enlisted advisor in two commands,
  - Training officer in a third command.
- Sumner High School Principal
  - Accepted Certificate of Distinguished Facility citing Sumner High School as one of six unusually successful high school programs in Washington State.
- Riverton High School Principal (Wyoming)
  - Worked with superintendent, school board members and high school department chairs to visualize, design, and build a new Riverton High School facility.
- Green River High School Principal (Wyoming)
  - Oversaw development and construction on a new Green River High School facility.
- Laramie High School Classroom Teacher (Wyoming)
  - Social Studies Department Chairperson,
  - Consultant to Wyoming Needs Assessment Project for Social Studies,
  - Consultant to the Northcentral Accreditation Association Chair,
  - Presented Northcentral Accreditation Association workshops based on the model that I developed at the University of Wyoming.
- B.A. and M.A. degrees from the University of Wyoming

I believe the above data indicate my efficiency in project planning, budget management, personnel decisions, and leadership responsibilities that would support my candidacy for selection as a City of Oak Harbor council member.

Respectfully,

Richard W. Devlin

Richard W. Devlin

phone: 360.929.4451 | 1174 SW Kalama Loop, Oak Harbor WA 98277 | dddevlin@comcast.net

RICHARD DEVLIN

1174 SW Kalama Loop, Oak Harbor WA 98277
360.929.4451 • dddevlin@comcast.net

CITY COUNCIL MEMBER, POSITION 5

Professional Summary

Extensive experience and efficiency in project planning, budget management, personnel decisions, and leadership responsibilities,
President of the Oak Harbor Area Council, Navy League of the United States,
National Director, Navy League of the United States,
Chairperson of the Navy League of the United States Public Affairs and Education Committee,
Member of the Board of Directors, Rotary Club of Oak Harbor; 30-year Rotarian,
Served on the City of Oak Harbor Salary Committee at the request of Mayor Patty Cohen,
Served on the City of Oak Harbor committee to hire city lawyer at the request of Mayor Jim Slowik,
30 years as a high school principal; 13 years as principal of Oak Harbor High School.

PROFESSIONAL EXPERIENCE

Washington Governors University, 2009 to present
- Clinical supervisor for student teachers at area schools.

Oak Harbor School District • Oak Harbor WA 98277• 1991-2004
- Oak Harbor High School Principal
  - Created Comprehensive Advanced Placement Program,
  - Led the effort for accreditation of Oak Harbor High School by the Northwest Accreditation Association,
  - Worked to improve parent involvement in school decision making,
  - Did extensive planning development for Oak Harbor High School remodel project,
  - Worked with Rotary Stadium Committee.

United States Navy • Active Duty and Reserve
- Retired 1993
  - Served as senior enlisted advisor in two commands,
  - Training officer in a third command.

Sumner School District • Sumner WA 98390 • 1981-1991
- Sumner High School Principal
  - Accepted Certificate of Distinguished Facility citing Sumner High School as one of six unusually successful high school programs in Washington State,
  - Started and completed a 26-room addition to the high school,
  - Served on Superintendent of Public Instruction's Diversified Occupations Standards and Guidelines Committee,
  - Served as a district negotiator with teacher's union.

Fremont County School District #25 • Riverton WY 82501 • 1978-1981
- Riverton High School
  - Worked with superintendent, school board members and high school department chairs to visualize, design, and build a new Riverton High School facility.

Niobrara County School District #1 • Lusk WY 82225 • 1976-1978
- Niobrara County High School
  - Began creating awareness to undertake extensive look and review of academic and vocational curricula

Sweetwater County School District #02 • Green River WY 82935 • 1974-1976

- Green River High School Principal
  - Oversaw development and construction on a new Green River High School facility.

Albany County School District One • Laramie WY 82070 • 1967-1974

- Laramie High School Classroom Teacher
  - Social Studies Department Chairperson,
  - Consultant to Wyoming Needs Assessment Project for Social Studies,
  - Consultant to the Northcentral Accreditation Association Chair,
  - Presented Northcentral Association workshops based on the model I developed at the University of Wyoming.

EDUCATION

Masters Degree, Education Administration, University of Wyoming, Laramie, Wyoming

Bachelor of Arts Degree, Secondary Education, University of Wyoming, Laramie, Wyoming

SUPPLEMENTAL QUESTIONS

1. **Why are you interested in serving as an Oak Harbor City Council Member?**

   My interest in city council service is driven by 20 years experience living in Oak Harbor. During that time, I have seen what I believe was exemplary city council service to citizens resulting in enhanced quality of life. I have also seen dysfunctional service that detracted from the city's image. My service would be aimed at working with the current council and continuing the exemplary high quality service they have and are providing.

2. **What strength would you bring to the Council?**

   My strengths include a diverse experience background and extensive work in community service areas. I have held several leadership positions and consider myself an excellent team player.

3. **What are the three highest priorities and/or issues you believe the City needs to address? How would you propose to address these issues?**

   Highest priorities: public safety; maintain quality city infrastructure; continue defining the vision of the future of Oak Harbor.
   I would address these issues as remaining vigilante to all aspects of public safety; staying alert to infrastructure issues; and dedicating effort to vision development and commitment to proceed in a positive direction.

4. **Explain your current and past community involvement and/or service on City, non-profit, or public boards, committees, task forces, or commissions and how this has contributed to the Oak Harbor community. Address its relevance to the position of Oak Harbor City Council Member.**

   Currently I am finishing a second term as president of the Oak Harbor Area Council of the Navy League of the United States. As a past president I, with Beth Munns, also a former president, agreed to the board's request that we fill the term Tom Tack was elected to when employment needs took him from our community. During my role in the president's chair, the OHAC achieved a national meritorious council award in 2008 and 2009. The work done in the council provides services meeting the needs of the men and women of the maritime services and their families on Whidbey Island.
   I am in my second term as a member of the board of directors of the Rotary Club of Oak Harbor. This organization is productive in community service over a wide variety of areas ranging from awarding scholarships to deserving students to leading the initiative to build Wildcat Stadium.
   I utilize the experience resulting from seven years as a classroom teacher and 30 years as a high school principal by sharing that expertise in cooperation with universities to develop excellent new teachers for our schools.
   The body of work described here has relevance to city council member work in areas of planning, budget management, personnel decisions, and leadership responsibilities.

5. **What do you wish to accomplish during this appointed term as an Oak Harbor City Council Member?**

   During the remaining two years in Position 5, my intent is to accomplish integration seamlessly with the current council and become an asset to that group.

6. **What is your vision for our City and community?**

   My belief is that Oak Harbor currently is a wonderful place to live and to raise families. My vision is to ensure that Oak Harbor remains as described when I leave office.

7. **Is there anything else that you may wish to add that would help us get to know you a little better?**

   Married to Diane Lucia (Barnes) Devlin for 44 years this August. One surviving son, Kelly, who is a Paramedic/firefighter for the City of Bellingham.

Ron Apgar

❖❖❖

Application received 1/19/12

Attachment 1

RECEIVED
1-19-12 ch

APPLICATION FOR APPOINTMENT TO OAK HARBOR CITY COUNCIL POSITION NO. 5

Applicant Information

(Please type or print)

Applicant Name Ron Apgar

Residence Address 1085 SE. Regatta Wy # B201

Home Phone 360 682-6502 Work Phone 360 679-4115 Other 360 969-0087

E-Mail rlapgar@aol.com

Cover Letter and Resumé

Please attach a one-page cover letter and a résumé of no more than two pages to this application.

Supplemental Questions

Please respond to the following questions regarding your interest in the position of Council Member for the City of Oak Harbor on separate pages using no more than three pages total:

1. Why are you interested in serving as an Oak Harbor City Council Member?
2. What strength would you bring to the Council?
3. What are the three highest priorities and/or issues you believe the City needs to address? How would you propose to address these issues?
4. Explain your current and past community involvement and/or service on City, non-profit, or public boards, committees, task forces, or commissions and how this has contributed to the Oak Harbor community. Address its relevance to the position of Oak Harbor City Council Member.
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The application and any correspondence should be addressed to:

Connie Wheeler, City Clerk
Re: Council Member Recruitment
City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

Ron Apgar

1085 se Regatta dr.
Oak Harbor, WA.

Phone 360.679.4115
E-mail PYW32@aol.com

Oak Harbor City Council,

My name is Ron Apgar. I am filling for the vacant position #5 on the Oak Harbor City Council. I have lived in Oak Harbor for 8 years, and currently own a business downtown. I am the President of the Oak Harbor Downtown Merchants Association. Since becoming President, in March 2011, I have been instrumental in taking our membership from a few to 47 paying members. I look forward to the opportunity of representing the small business owners of Oak Harbor.

After I opened Paint Your World, 17 years ago, in the Napa Valley, I was actively involved in the political process of that community. After my wife and I bought our shop here, 8 years ago, it was my pleasure to become involved in starting the new Downtown Merchant Association. I have spent 2 years on the Island county 2% Tourism Board. Volunteering for these boards is a great experience and is the impetus to get even more involved.

Thank you for this opportunity and consideration.

Sincerely,

Ron Apgar

Ron Apgar

1085 SE Regatta Dr.
Oak Harbor, WA

Phone: 360.679.4115
E-mail: PYW32@aol.com

Objective Represent the Small Businesses of Oak Harbor

Work experience

1996 – Present **Paint Your Art Out/Paint Your World** Oak Harbor. WA
Owner

- Manage all aspects of business
- Built the Business from the ground up, designed the look, and created the procedures, hands on in the day to day running of the studio
  - Sales
  - Customer service
  - Technical- operation of glazing and firing process of all items and the upkeep of 4 kilns
  - Personnel director

1984-1995 **Meadowood Resort Hotel** St. Helena, CA
Chief Engineer

- Manager- complete oversight of all aspects of 101 bed, 200 acre resort hotel complex
- Responsibilities:
  - Budget
  - Operated wastewater plants x2,
  - Maintenance engineer- roads, and pools x2
  - Safety officer- 200 employees
  - Maintenance and repair of hotel 200-acre property, buildings x30, restaurants x3
  - Executive committee member, plan and execute daily operation of Hotel

Hobbies Golf, Bowling, community outreach, creative art work

References

Joan Smith	707.484.5626
Judy Salinas	425.673.5474
Lydia Sykes	360.279.2572

Education: **Sonoma Unified High School**
Santa Rosa Community College
State of California, wastewater operation license

Co-Founder and President of the Oak Harbor Downtown Merchants Association
CCSA co-founding member
Pig Committee

Ron Apgar

1085 SE Regatta Dr.
Oak Harbor, WA.

Phone 360.679.4115
E-mail PYW32@aol.com

1. I am interested in severing as an Oak Harbor City Council member to bring my successful business experience into play to support and build an active community.

2. My strongest strength is demonstrated by serving the downtown merchants this year through the reconstruction project. I strive to be fair and will be a strong advocate for the downtown merchants and all local small business owners.

3. My three priorities will be bringing more business and people to Oak Harbor, Waste Water Plant relocation, and to make sure our relationship with the Navy remains strong and continues to be a high priority. To address these three issues I believe in open communication and community involvement.

4. I am currently the President of the Downtown Merchant Association. As President, I preside over the meetings and manage our downtown events. I'm part of the executive board for the Fidalgo Ave. Pig Roast and Barbeque, overseeing all aspects of the annual pig roast. Also, I'm active in raising funds for the Help House and other local charities and past board member of Island County Tourism board, where we oversaw 2% funds spending.

Ron Apgar

1085 SE Regatta Dr.
Oak Harbor, WA.

Phone 360.679.4115
E-mail PYW32@aol.com

5. Keeping the feeling of a small town community and bringing growth to our city, while helping divergent ideas thrive will be the major accomplishments I hope to achieve.

6. My vision for Oak Harbor is to achieve fairness and to have open communication within our community and also include community involvement within all aspects of government, all the while growing our economics base.

7. I believe I will be an asset to the Oak Harbor City Council. With my experiences from running my own business and working with the downtown merchants, to managing business, Hotels, Waste Water plants in California make me a good fit to help grow Oak Harbor.

Ron Apgar

Ron Apgar

James C. Reynolds

❖❖❖

Application received 1/19/12

Attachment 1

received 1-19-12 CW

APPLICATION FOR APPOINTMENT TO OAK HARBOR CITY COUNCIL POSITION NO. 5

Applicant Information

(Please type or print)

Applicant Name James C. Reynolds

Residence Address 1270 SW Ingleside CT, Oak Harbor, WA 98277

Home Phone (360) 929-4331 Work Phone (360) 257-8053 Other

E-Mail ironjacket@comcast.net

Cover Letter and Résumé

Please attach a one-page cover letter and a résumé of no more than two pages to this application.

Supplemental Questions

Please respond to the following questions regarding your interest in the position of Council Member for the City of Oak Harbor on separate pages using no more than three pages total:

1. Why are you interested in serving as an Oak Harbor City Council Member?
2. What strength would you bring to the Council?
3. What are the three highest priorities and/or issues you believe the City needs to address? How would you propose to address these issues?
4. Explain your current and past community involvement and/or service on City, non-profit, or public boards, committees, task forces, or commissions and how this has contributed to the Oak Harbor community. Address its relevance to the position of Oak Harbor City Council Member.
5. What do you wish to accomplish during this appointed term as an Oak Harbor City Council Member?
6. What is your vision for our City and community?
7. Is there anything else that you may wish to add that would help us get to know you a little better?

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The application and any correspondence should be addressed to:

Connie Wheeler, City Clerk
Re: Council Member Recruitment
City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

Attachment 1

1270 SW Ingleside Ct
Oak Harbor, WA 98277
(360) 929-4331
ironjacket@comcast.net

JAMES C. REYNOLDS

January 16, 2012

Connie Wheeler, City Clerk
RE: Council Member Recruitment
City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

Dear City Council,

I am applying for appointment to the Oak Harbor City Council Position No. 5. This vacancy announcement comes on the heels of a great deal of consideration on my part and encouragement on the part of fellow citizens who are close to me.

As you will notice in my resume, I have extensive experience and skills that are relevant to this position. I hold a Master's Degree in Organizational Leadership, I am certified in Human Resources Management, and I have recently completed a thirty-year career in the US Navy, leading large organizations. I have lived in Oak Harbor continuously for fifteen years. During my residence here, I have very much enjoyed witnessing a close partnership between the city government, the Navy, and the private citizens - making Oak Harbor a rare gem among many.

I have gained an understanding and appreciation for the delicate balance that must be maintained between municipal progress and preserving "small town" charm. Oak Harbor has some challenges ahead as it funds and chooses a site for a modern clean water facility; as it finds innovative ways to attract business in a sagging economy; and as it leans forward to making this city the safest, most ecologically conscientious, and most desirable city to live in the state of Washington. I look forward to sharing my insight and abilities to help the city realize these goals.

Thank you for your time and consideration. I look forward to working with the City Council and the fine people of Oak Harbor.

Sincerely,

James C. Reynolds

Enclosures: resume, answers to supplementary questions

Attachment 1

1270 SW Ingleside Ct
Oak Harbor, WA 98277
(360) 929-4331
ironjacket@comcast.net

JAMES C. REYNOLDS

OBJECTIVE: Selection as Council Member, No. 5 in Oak Harbor, WA City Council

HIGHLIGHTS OF QUALIFICATIONS

- ✓ Over 20 years experience leading large organizations and program management
- ✓ Resident of and active in the community of Oak Harbor since 1997
- ✓ Highly developed interpersonal skills
- ✓ Seeks to collaborate for sound and lasting solutions using superior communication skills
- ✓ Continuously focuses on process improvement
- ✓ Extensive experience in organizational development and production planning

PROFESSIONAL EXPERIENCE

Organization and Administration

- Managed a $1.2 million travel and training budget.
- Administered programs concerning work-force qualifications, career development, and employee satisfaction measures.
- Directed teaching and learning activities for 63 faculty members.
- Supervised the implementation and maintenance of 95 adult education courses, which included 24 course curriculum revisions and managed 9,000 students.
- Provided assistance to active duty, retirees, and family members through the Family Employment Readiness Program and Transition Assistance Program.
- Collaborated in planning personnel movement, budgets, supplies, equipment, vehicles, and other administrative needs necessary to conduct deployment overseas and stateside detachments for an organization of 364 employees.
- Ensured policies, plans, and procedures for budget formulations and execution, financial reporting and administrative accounting were in accordance with local and federal directives.
- Assessed and realigned departmental leaders to draft and implement processes and policy necessary to effectively lead a work force of 186 employees.

Project Management

- Participated in Operation Tomodachi as Crisis Response Case Manager, assisting the effort to receive and repatriate over 2,000 family members at SEATAC International Airport; providing assessments, information and referral services, and logistics for food and shelter.
- Re-established organizational function and control through department collaboration to provide training, awareness, redefinition of duties, and the redistribution of talent.
- Led a revitalization of 54 maintenance safety programs and processes, dramatically influencing efficiency and adherence - resulting in high praise by senior echelon inspectors.
- Developed and execute plans, policies, and processes that led to the enhancement of organizational climate and the achievement of strategic goals through a partnership with senior leadership, peers, and direct reports.
- Assisted Navy leadership through support services including Deployment Readiness, Crisis Response, Life Skills Education, Ombudsman Support, Family Readiness Group support, Community Outreach Services, Financial Management, Transition Assistance, Relocation Assistance, and Family Employment Readiness.

- Disseminated resources and promotional materials that provided information, improved competencies and coping skills and dramatically increased domestic and combat readiness for over 13,000 citizens.

Leadership in the Navy and Oak Harbor Communities

- Implemented and maintained successful collaboration between multiple military departments, law-enforcement agencies, and civilian support organizations.
- Served as President of the NAS Whidbey Chief Petty Officers' Association, overseeing community service projects and the administration of scholarships.
- Recognized by the Navy League (twice) for superior community service to Boy Scouts of America, US Navy Sea Cadets, Oak Harbor Youth Soccer, Whidbey Help House, and the Oak Harbor School District.
- Actively build sets and performs for the Whidbey Playhouse.
- Current Vice-President of the Carlton Heights Homeowners Association.

EMPLOYMENT HISTORY

Work and Family Life Consultant	US Navy	Oak Harbor, WA	02/2011-Present
Executive Advisor	US Navy	Oak Harbor, WA	05/2007-11/2010
Senior Maintenance Manager	US Navy	Oak Harbor, WA	05/2003-05/2007
Curriculum Development Supervisor	US Navy	Oak Harbor, WA	04/2000-05/2003

EDUCATION

M.A. Organizational Leadership
Chapman University, 2004

B.S. Applied Sciences and Technology
Thomas Edison State College, 2000

RELEVANT PROFESSIONAL TRAINING AND CERTIFICATIONS

Certificate of Human Resources Management	Chapman University	2004
Master Trainer	United States Navy	2002

Attachment 1

1270 SW Ingleside Ct
Oak Harbor, WA 98277
(360) 929-4331
ironjacket@comcast.net

JAMES C. REYNOLDS

1. Why are you interested in serving as an Oak Harbor City Council Member?

My family and I first came to Oak Harbor in 1991. We left the area for another assignment in 1994, but managed to return in 1997. I have been a continuous resident of this city since then. I am originally from California and my family and I have lived overseas and in virtually every part of the contiguous United States, but we call Oak Harbor, WA our home. I have always been active in our community in one way or another and have had enjoyed a close connection with the citizens of the city during most of my thirty year career in the US Navy. Now that I have completed that very busy and fulfilling career, I wish to use my education, training and experience to do more for a community that I have learned to love so well. I want to help in a dramatic way to help the City of Oak Harbor to be even more appealing. I believe taking up a post in the City Council will provide me that opportunity.

2. What strength would you bring to the Council?

I have long been known as a person that serves his people well. I believe this is in large part because I have the ability to engage with people and help them realize potential beyond the pre-conceived vision of themselves. Serving many years in the Navy and working with people from every sort of persuasion, background and motive has lead me to the conclusion that all citizens want to be valued, have something to contribute and want to be safe and prosperous. Through traditional and non-traditional means, I have been well educated in the business of running large organizations, managing budgets and bringing to bear challenging issues – all with determination and passion. I seek to collaborate at every opportunity and work projects to conclusion, despite sometimes horrendous challenges. I bring enthusiasm. I find a way to get "it" done.

3. What are the three highest priorities and/or issues you believe the City needs to address? How would you propose to address these issues?

Shortly after I moved here in 1991, a reporter from the Whidbey News Times approached me and asked me a similar question. I told her that I thought the City should make revitalizing the city's water front property the highest priority. Storefronts needed to be repaired and remodeled to present an old-town feel and vacant lots needed be developed to provide citizens with a place to eat, shop, rest, play, and reminisce. The sentiment seemed to be wide spread at the time as it was reflected by comments in meeting minutes and newspaper articles. The City Council at the time appeared to be on-board and ready to go to action.

Although the city planners have gotten us off on a good start, it has taken us nearly twenty years to finally decide upon and execute a plan. We still have a ways to go. In my opinion, the number one issue that needs to be addressed is procrastination. The Mayor, the Council and its committees need to embody a sense of urgency when it deals in the future of this city.

Priority two is putting forth the hard work necessary to find a site for, fund and build a new clean water facility. The current facility is aged and has outlasted its usefulness. We also need to be aggressive about finding a site for a water storage facility that will serve the city for a reasonable amount of time should our primary water source be cut off.

Our third concern should be focusing our need versus desire to expand our city's limits. People who live here (purposely) *love* Oak Harbor because it is a rural community with many conveniences. We don't want to be a Burlington and we don't want to be a Coupeville. Although I believe a city government should have the flexibility to adequately plan for an increase in population, and a private citizen should never be told he or she must build on his or her property, a city should, however, require that we make good use of the resources we have available inside the established city boundaries before petitioning the county for more land. Instead of running the risk of urban sprawl, we should focus on developing the land we do have so we can enhance the city's charm and safety and attract industry, bringing jobs and prosperity. Although we are still better off than the national average, we need to concentrate on getting vacant business buildings and private homes occupied and off the market. Healthy expansion will come if we plan well and prepare well. The county and state will look upon our progress with favor in due time and grant area to expand - if necessary.

4. **Explain your current and past community involvement and/or service on City, non-profit, or public boards, communities, task forces, or commissions and how this has contributed to the Oak Harbor community. Address its relevance to the position of Oak Harbor City Council Members.**

Immediately upon arriving here in the early nineties, I saw the opportunity to work with groups that served the youth, developing them athletically, morally and academically. I began my community service in Oak Harbor as an Assistant Scout Master for Scout Troop 59; a natural choice, as I am an Eagle Scout and a Vigil Honor member of the Order of the Arrow from youth. I continued this sort of service with the Sea Cadets and Cub Scouts in Virginia, but also began volunteering as a tutor and mentor for inner-city children in Washington DC. Upon my return to Whidbey Island, I volunteered my time as a Youth Soccer coach and worked with elementary children in developing reading skills. In addition, I coordinated efforts to raise funds for the Whidbey Help House and Relay for Life. I am active in my church, Family Bible Church; serving as leader for a men's study group, small study group leader at youth retreats, and coordinator of an ambitious grounds landscaping project.

In the past year I have become a volunteer set builder and actor at the Whidbey Playhouse and am the Vice President of the Carlton Heights Homeowner's Association. Although it is expected as part of my new career as a Work and Family Life Consultant for the Navy, I am a coordinator for a community out-reach program designed to help school age children and spouses to become more resilient during military deployments.

My experiences in the community have provided me with an insight that spans relationships with the Navy, residential living and family readiness.

5. **What do you wish to accomplish during this appointed term as an Oak Harbor City Council Member?**

During my appointment as City Council Member, I intend to do my best to enhance unity and collaboration between the concerned citizens of this city and the members of the Council. I intend to help the Council determine the best site and design to replace Oak Harbor's clean water facility. This effort will require much research and determination to adequately secure the needed federal, state and local funding to build this city's sorely

needed facility. Finally, as chairman of the Public Safety standing committee, I plan to strengthen the partnership between the new Department Heads and the members of our community to ensure public appreciation for our men and women in the service of our city and more than adequate response and safety for our citizens.

6. What is your vision for our City and community?

My vision for our City is for it to be well known for its beauty, safety and energy. This vision will require a strong coalition between government officials, business owners, the US Navy, and private citizens. The result will develop healthy business and infrastructure and will manage the balance of improvement and the conservation of the area's natural attributes.

7. Is there anything else that you may wish to add that would help us get to know you a little better?

I have been married to the same wonderful woman for thirty years. Together, we have raised a son and a daughter. Our son is a senior at Western Washington University and is applying for grad schools. Our daughter is a former Marine and is currently a civil servant for the Marine Corps and a grad student at Northeastern University.

I am avid about physical fitness and enjoy the great outdoors – yoga, kayaking, hiking, backpacking and running help to keep me active and happy.

My personality is one of genuine concern for the people I am responsible for. This often requires me to be frank and honest to ensure clarity of issues. If selected for the post of Seat 5, I will do the best of my abilities to establish forward and timely progress, and help the citizens of our city to feel confident that the Council has their best interests at heart. If my application is merely fodder for increasing completion among the applicants, I will consider my effort in this process completely worth the while.

The city has some serious issues looming ahead and needs to have a forward-thinking and cohesive Council leading the way to resolving these issues and developing a bright future for Oak Harbor. I hope to serve as an integral partner in realizing that future.

William A. Pohtilla

❖❖❖

Application received 1/20/12

Attachment 1

1/20/12 Ctrl

APPLICATION FOR APPOINTMENT TO OAK HARBOR CITY COUNCIL POSITION NO. 5

Applicant Information

(Please type or print)

Applicant Name William A. Pohtilla

Residence Address 1091 SE Ireland Street, Oak Harbor, WA 98277

Home Phone 360 675-0880 Work Phone _____ Other cell: 360 969-2002

E-Mail skip@pohtilla.com

Cover Letter and Résumé

Please attach a one-page cover letter and a résumé of no more than two pages to this application.

Supplemental Questions

Please respond to the following questions regarding your interest in the position of Council Member for the City of Oak Harbor on separate pages using no more than three pages total:

1. Why are you interested in serving as an Oak Harbor City Council Member?
2. What strength would you bring to the Council?
3. What are the three highest priorities and/or issues you believe the City needs to address? How would you propose to address these issues?
4. Explain your current and past community involvement and/or service on City, non-profit, or public boards, committees, task forces, or commissions and how this has contributed to the Oak Harbor community. Address its relevance to the position of Oak Harbor City Council Member.
5. What do you wish to accomplish during this appointed term as an Oak Harbor City Council Member?
6. What is your vision for our City and community?
7. Is there anything else that you may wish to add that would help us get to know you a little better?

Please return this form, your cover letter, résumé, and answers to the supplemental questions to the City Clerk at Oak Harbor City Hall, 865 SE Barrington Drive, Oak Harbor, WA 98277 no later than 5:00 p.m. on Friday, January 20, 2012. Applications received after 5:00 p.m. will not be accepted.

The application and any correspondence should be addressed to:

Connie Wheeler, City Clerk
Re: Council Member Recruitment
City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

Attachment 1

received 1/20/12 CW

William A. Pohtilla
1091 SE Ireland Street
Oak Harbor, WA 98277
Ph: 360 675-0880
e-mail: skip@pohtilla.com

January 19, 2012

Connie Wheeler, City Clerk
Re: Council Member Recruitment
City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

Re: Application for Appointment to Oak Harbor City Council Position No. 5

Dear Ms. Wheeler and Members of the Oak Harbor City Council:

I saw the advertisement for the Oak Harbor City Council Position No. 5 that was vacated when Mayor Scott Dudley was sworn in and I am very interested in filling that position. I have more than 30 years of experience as a leader in both the U.S. Navy and civilian sectors, have accepted the challenges of each position enthusiastically, and in each case made improvements to the organizations of which I was associated. My academic background includes a Master of Arts degree in Management with emphasis on operations efficiency and my undergraduate degree is in Economics/Business. I feel my combination of education and experience will be unique amongst the candidates and will make me eminently qualified for the position. Enclosed are the application page 4, a copy of my resume, and my responses to the questions posed in the application packet for your consideration.

The assorted positions that I have held have required a strong reliance on working with people, conducting research on a wide range of subject areas, and ensuring the desired results are achieved. My experience working with the Navy provided opportunities to prepare executive level summaries and briefings and to provide oral presentations to all levels of the command structure. My experience since the Navy includes a wide range of tasks covering a broad spectrum of areas of expertise. I have worked with various Federal, State, County and City Officials to include the WA State Utilities and Transportation Commission, Army Corps of Engineers, WA State Fish & Wildlife, as well as a number of County and City jurisdictions throughout Western Washington. I am a problem solver, good with numbers, and able to learn and understand the intricacies of a wide range of projects and subject matter.

I look forward to further discussing my qualifications and strongly desire the opportunity to become a leader in the community by your favorable consideration of my qualifications and desire to serve as an Oak Harbor City Councilman filling position number 5. If you need additional information feel free to contact me.

Sincerely,

William A. Pohtilla

Attachment 1

WILLIAM A. POHTILLA

1091 SE Ireland Street
Oak Harbor, WA 98277
Ph: (360) 675-0880 ♦ E-mail: skip@pohtilla.com

ACCOMPLISHMENTS

- Performed code compliance inspections of commercial and residential construction projects. Provided construction crews with advice regarding code issues. Inspections reduced the number of code issues written up by 95%.
- Owner's representative for a major repair of a seawall along the Puget Sound seashore. Reviewed plans, prepared permit applications and worked with City, State and US Government agencies to complete the process. Provided on-site inspections and problem solving recommendations to facilitate installation of the vinyl sheet pile wall and ensured all safety measures were being followed.
- Orchestrated sale of four (4) apartment complexes that were in the USDA RD tax credit low income housing programs. This required researching the applicable Government directives and working closely with USDA-RD officials, partners and Buyers.
- Manage a water company serving 191 connections with 3 wells and covering an area of 2.87 sq miles. Conducted inspection of installations of all new water main extensions and service connections to ensure they complied with the Company's construction specifications and applicable WA DOH regulations.
- Owner's representative for a major renovation of the Manresa Castle in Port Townsend, WA. Saved roughly $20,000.00 by reviewing invoices and working with the contractors.
- Facilitated the "Team Management" approach to coordinate the activities of 10 personnel in the management, maintenance, and operation of 42 commercial and residential properties. Reassigned responsibilities to streamline operations and reduce areas of redundancy.
- Implemented procedures to track tenants that were in arrears on payment of rent, taxes, utilities and maintenance cost. The balance outstanding was reduced by 67% with the remainder being collected through payment plans.
- Reviewed the cost coding used for tracking income and expenses and to bill out expenses. Reduced the number of cost codes used and established clear guidelines identifying when to use each code. This standardized the coding of each expense and eliminated areas of ambiguity and confusion.
- Developed spreadsheets to handle the functions and calculations being performed by hand. This included calculation of suite and building area, tracking of property expenses, and refined the spreadsheets used for account billing and line item expenses for each commercial tenant.
- Prepared Power Point presentations for Owner/Developer.
- Was designated to handle the most difficult tenant relation situations and interactions with various governmental agencies.
- Worked closely with new tenants to design and build their new suites or buildings. Ensured contractor compliance and quality control in the construction process and billing of costs.
- Administered Instructor and synthetic flight trainer maintenance contracts providing 95% equipment availability during a major building renovation. Identified potential shortfalls and initiated actions to correct critical parts acquisition procedures that ensured high availability with no loss of training to student aviators.
- Performed daily back up of AS/400 computer and provided initial troubleshooting of problems.
- Identified need and implemented use of MS Excel to prepare and print audit reports, which increased accuracy and significantly reduced audit and report preparation time.
- Streamlined the daily audit process, eliminated unnecessary steps, ensured only required reports were prepared and developed a checklist and training plan that reduced the time to train new audit personnel.
- Managed operation of coffee/retail shop. Hired, trained and supervised 10 employees. Procedures I established eliminated losses previously incurred and increased sales.
- Executive consultant to Battle Group Commanders and other senior executives, both U.S. and Allied, providing advice on NATO policies, procedures, and regional combat capabilities during multi-national operations. This raised awareness of capabilities and inter-operability with allied NATO armed forces.
- Planned and coordinated tactical employment and training exercises for multi-national aircraft units and aircraft carrier battle groups. Negotiated with multi-national representatives for use of airspace and training facilities in politically sensitive areas. Prepared operational and training instructions and evaluated and initiated procedures that improved effectiveness of complex joint coordinated air operations.

William A. Pohtilla, continued

- Developed, coordinated, and implemented comprehensive safety program that resulted in -0- mishaps and no major injuries. Identified, researched and initiated corrective actions for three major safety hazards affecting all aircraft carrier aviators. Provided safety and shipboard maintenance training, which resulted in highest inspection score (99.2%) achieved by any Pacific Fleet Aviation Squadron.
- Flight leader of multiple aircraft coordinated missions. Cited for meticulous attention to detail in planning, mission briefings and execution. Selected to research, plan, author, and brief military contingency plans.
- Revised procedures to receive, route, store, and handle classified materials. Resulted in grades of outstanding from the security inspection teams.
- Developed and implemented improved Quality Assurance Audit and Monitoring systems for validating critical maintenance actions. Programs improved availability and reduced the down time for each aircraft.
- Set up and managed a 500 man camp for care of Vietnamese "Boat People" awaiting transfer from U.S. Navy ships to the United Nations camps in Manila. Coordinated and recruited interpreters, arranged transportation, relief supplies and diplomatic clearance to transfer "Boat People" from rescue vessels to the U.N. camps. Produced comprehensive instruction and procedures to follow during and after rescue of "Boat People". This reduced the transfer time from 2-3 days to less than10 hours following arrival in port.

EXPERIENCE

2007 – PresentRetired/Property Manager and House Renovation/Restoration, Oak Harbor, WA

2003 – 2007	Project Coordinator, Island Property Management, Oak Harbor, WA
2001 – 2003	Self-employed, House Renovation/Restoration, Oak Harbor, WA
1998-2001	Operations Director/Project Coordinator, Island Property Management, Oak Harbor, WA
1996-1998	Night Manager/Auditor, Olympia Park Hotel, Park City, UT
1996-1997	Group Lesson Sales, Park City Ski Area, Park City, UT
1996	Manager, Bad Ass Coffee Company, Park City, UT
1995	Guest Relations/Driver, Park City Transit, Park City, UT
1994-1995	Self-employed, House Renovation/Restoration, Oak Harbor, WA
1975-1994	U.S. Navy, Officer and Bombardier/Navigator - NATO Executive Staff Air Operations and Plans Manager and Nuclear Weapons Consultant, Naples, Italy. Director, Safety Department/Security Manager/Air Wing Mission Commander/Director, Administration and Personnel Departments/ Assistant Maintenance Manager/Director, Quality Assurance Division, VA-145, NAS Whidbey Island, WA. Director, Training Department/Budget and Logistics Manager/Automated Data Processing Coordinator, NAS Corpus Christi, TX. Manager, Aircraft Landing Equipment and Flight Deck Operations Filming Equipment Divisions, USS Midway, Yokosuka, Japan. Executive Staff Maritime Operations and Plans Manager/Assistant Director, Physical Security, Subic Bay, Republic of the Philippines. Maintenance Branch Officer and Personnel Manager, Yokosuka, Japan. Student Naval Flight Officer, NAS Whidbey Island, WA and NAS Pensacola FL.

EDUCATION AND PROFESSIONAL TRAINING

- M. A., Management, (GPA 3.75), Webster University, St. Louis, MO 1985
- B. A., Economics/Business, Gustavus Adolphus College, St. Peter, MN 1975
- Human Resources Development Seminar, Whidbey Island, WA 1988
- Academic Instructors Training Course, Pensacola, FL 1986
- Aviation Safety Officer/Accident Investigation curricula, Naval Post Graduate School, Monterey, CA, Certificate of Completion (GPA 3.75) 1988
- Naval Flight Officer Training, Pensacola, FL 1975

ADDITIONAL SKILLS AND EXPERIENCE

- Lived more than 12 years in the Far East and Europe, extensive international travel experience and knowledge of working within other cultures.
- Working Knowledge of Computers - Windows/95/98/ME/XP/7, MS Office 2003/2007 suite Word/excel/ Power Point/Outlook, WordPerfect, and use of the Internet and various hardware requirements.
- Enjoy working with and managing personnel from a wide range of economic and cultural backgrounds.

William A. (Skip) Pohtilla
Oak Harbor City Council Position NO. 5 Application Questions

My interest in serving as a member of the Oak Harbor City Council comes largely from the same reasons I opted to serve my country as an Officer in the U.S. Navy: service; commitment; and the desire to make a positive impact on our community as a leader and role model. I feel it is important to be actively involved in the community in order to ensure Oak Harbor continues to be a safe, friendly community in which to live and a community that will be a destination for new businesses and tourist alike.

My academic background includes a B.A. in Economics and Business from Gustavus Adolphus College and a Master of Arts degree in Management from Webster University. More important than my academic accomplishments is the experience that I bring with me. I completed a career as a Navy Officer having served more than 12 years overseas and since retiring from the Navy have managed a coffee company, served as the Night Manager/Auditor for a major resort hotel in Park City, UT, worked for Island Property Management as the Operations Director and Project Coordinator and managed a Water Company. I am good working with numbers, have an analytical mind, am a problem solver, and made improvements to each organization with which I have been associated. Having lived and worked in a number of communities both in the United States and abroad I have observed how different communities and governments work. As a Project Coordinator I have prepared permit applications, conducted code inspections of new construction and renovations of residential and commercial property, and worked with State and local officials on a number of issues. I also possess the ability to learn and understand a wide range of topics and projects.

Among the issues that need to be addressed by the City are: a new waste water treatment plant and maintaining the City's infrastructure; supporting the police and fire departments to ensure Oak Harbor continues to be a friendly safe community to live in and/or visit; and working to attract new businesses to the community while at the same time supporting the businesses already established.

The first issue is already being worked on and options considered. Among the areas of concern are determining the best location for the new facility; evaluating the technology that is available in order to ensure the facility will be able to carry us through for many years; and that the costs associated with the new facility are fiscally responsible and economically feasible. There will be pros and cons for each location and option that will be presented. As a member of the council it will be our job to provide a wastewater treatment facility that will be the best fit for our community and that will serve our community for many years to come.

Oak Harbor is a great place to live due in part to the job being performed by our Police and Fire Departments. Oak Harbor is a small city with many of the problems and issues normally encountered in larger cities. This is partially due to the proximity of the base and the diversity of personnel assigned to the Commands aboard NAS Whidbey Island. The Officers, men and women who serve come from all walks of life and are a microcosm of the United States as a whole. As such those serving as well as their dependents come from diverse backgrounds and bring with them both the positive and negative aspects of many larger cities. Ensuring our Police and Fire Department personnel are provided the equipment and training necessary to hone their skills and be able to protect our citizens must be a high priority. As has been seen in recent events the men and women of the Police and Fire Departments are highly trained and extremely competent in the performance of their duties which is a testament to the support provided by the City Council and community. We need to continue to support these departments and look for ways to improve upon the way we do business in order to maintain and improve upon the service provided by our Police and Fire Departments. This is not to say we should write them a blank

check, but rather we need to ensure the leaders in these departments have the leadership skills and experience to guide their departments and personnel coupled with the knowledge to be able to responsibly operate within their budgets and when needed be able to provide factual and reliable advice to the staff and Council regarding additional support that may be needed from time to time.

The third issue is how do we attract new businesses to our community and how can we support those that are established. Oak Harbor is a city that has a highly skilled, talented, and educated workforce. There are also plenty of locations for new businesses as well. Oak Harbor needs to ensure these facts are highlighted while at the same time coming up with some incentives for businesses to relocate to Oak Harbor. We need to evaluate what other communities are offering as incentive packages and come up with some options of our own. One way to attract new businesses is to show that the existing businesses are successful. The Pioneer Way and Midway Blvd are the corridors that highlight the small town atmosphere with the businesses and attractive shops that draw citizens and tourists alike. Now that the Pioneer Way improvement project is nearing completion we need to find ways to help fill the empty spaces and look for opportunities to make Oak Harbor a destination rather than a city that tourists pass through to get to the communities south of us. Now is the time for everyone to pull together and ensure our newly revitalized Pioneer Way project succeeds.

I have been actively involved in a number of events within the community that have had very positive impacts on the community. I have been a member of the organizing committee for the North Whidbey Community Harvest (The free community Thanksgiving dinner held at the Elks Lodge) for eight (8) of the ten years the event has been held. This event is funded through donations and is free to everyone. I have also been a member of the organizing committee for the Fidalgo Avenue Free Block Party and Pig Roast since its inception. This event too is a free event for the entire community and it has grown in participation and popularity each year. I am a member of the Irish Wildlife Society, the organization that plans the St. Patrick's Day parade and festivities. I am the Co-Editor of the Navy League, Oak Harbor Area Council's newsletter and a member of the Oak Harbor Area Council's Executive Committee. I am a new member of the Oak Harbor Arts Commission. Prior to becoming a member I supported the activities of the Arts Commission from the time of it's inception since my wife, K.C., is one of the originally appointed Arts Commissioners. I helped prepare for and put on Driftwood Day since the first year of the event, helped prepare the annual budget for the Arts Commission, and assisted in the preparation of the applications for funding for Driftwood Day. During the early stages of the development for the waterfront boardwalk I played a key role in obtaining the final signatures from the property owners that allowed the project to proceed and helped prepare the final approved route for the boardwalk. Completion of this project provided access along the length of the Oak Harbor waterfront for the public to enjoy.

Each of the above listed activities demonstrates a desire to serve and to help make Oak Harbor a better place to live. Most are also as a member of the Executive Boards that coordinate the various activities.

During the appointed term as a member of the City Council I would like to ensure the new wastewater treatment facility is well on the way to being a reality; our infrastructure continues to be addressed for either repairs or renovation/replacement; our police and fire departments continue to receive the support and leadership they need; since the City Council acts as the stewards of the city coffers we need to allocate the resources wisely and in a fiscally responsible manner; and continue to support the citizens of Oak Harbor in making Oak Harbor to

William A. (Skip) Pohtilla continued

type of community that people are proud to say that they live in Oak Harbor. As a member of the City Council I would also ensure the issues that concern our citizens and those placed on the agenda are properly researched so well informed and responsible decisions continue to be made that are in the best interest of the future of our community.

Oak Harbor is a wonderful community in which to live with many assets that other communities only dream of. The relationship with NAS Whidbey Island and the associated commands onboard is like no other and we need to continue to press to ensure the future of NAS Whidbey Island is assured for many years to come. Our school system has many state of the art facilities, provides a quality education and the athletic programs are highly competitive. We also have a wonderful parks system, marina, and system of trails for the public to use and enjoy. These assets came about through hard work and the vision of our predecessors. We need to continue to support these programs while at the same time working to provide additional activities, such as the Whidbey Marathon and Race Week, to draw visitors and to make Oak Harbor a destination community.

As members of the Oak Harbor City Council we are charged with guiding the future of our community and ensure we are able to achieve our potential through: responsible development and expansion; continued support of our Police, Fire, Public Works and Parks Departments and youth programs; ensuring our school system continues to provide our youth with a quality education; and maintaining and improving upon the strong relationship with NAS Whidbey Island and the U.S. Navy.

If selected to serve as a member of the City Council I will serve with pride and distinction while continuing to uphold the high ideals and decorum of the office. I will do my best to be prepared for each challenge, actively involved, informed, and ready to fulfill the duties as a member of the Oak Harbor City Council.

Jeffery D. Wallin

❖❖❖

Application received 1/20/12

Attachment 1

Received 1/20/12 CTW

APPLICATION FOR APPOINTMENT TO OAK HARBOR CITY COUNCIL POSITION NO. 5

Applicant Information

(Please type or print)

Applicant Name Jeffery D. Wallin

Residence Address 1883 NE 11th Ave. Oak Harbor, WA 98277

Home Phone 360-679-1671 Work Phone 360-675-6674 Other 360-914-7482

E-Mail jeff@pnlgencon.com

Cover Letter and Résumé

Please attach a one-page cover letter and a résumé of no more than two pages to this application.

Supplemental Questions

Please respond to the following questions regarding your interest in the position of Council Member for the City of Oak Harbor on separate pages using no more than three pages total:

1. Why are you interested in serving as an Oak Harbor City Council Member?
2. What strength would you bring to the Council?
3. What are the three highest priorities and/or issues you believe the City needs to address? How would you propose to address these issues?
4. Explain your current and past community involvement and/or service on City, non-profit, or public boards, committees, task forces, or commissions and how this has contributed to the Oak Harbor community. Address its relevance to the position of Oak Harbor City Council Member.
5. What do you wish to accomplish during this appointed term as an Oak Harbor City Council Member?
6. What is your vision for our City and community?
7. Is there anything else that you may wish to add that would help us get to know you a little better?

Please return this form, your cover letter, résumé, and answers to the supplemental questions to the City Clerk at Oak Harbor City Hall, 865 SE Barrington Drive, Oak Harbor, WA 98277 no later than 5:00 p.m. on Friday, January 20, 2012. Applications received after 5:00 p.m. will not be accepted.

The application and any correspondence should be addressed to:

Connie Wheeler, City Clerk
Re: Council Member Recruitment
City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

Jeffery D. Wallin
1883 NE 11th Ave
Oak Harbor, WA 98277
360-679-1671
jeff@pnlgencon.com

January 20, 2012

Connie Wheeler, City Clerk
Re: Council Member Recruitment
City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

Mrs. Wheeler,

I am writing to apply for the appointment to Oak Harbor City Council Position No. 5. I believe my education, experience, and local ties make me an ideal candidate for the open position. I am a registered voter of Island County and have resided in Oak Harbor for the past 8 years.

Over the years I have gained extensive experience working with municipalities throughout the Northwest. I have a strong business background and regularly manage large Federal Public Works projects. I am involved with local civic groups and am currently a member of the Oak Harbor Planning Commission. I hold a Bachelor of Science degree in Business Administration as well as a Master of Business Administration.

I possess outstanding communications skills, a solid work ethic, proven management skills and a dynamic and committed approach to getting results. My strengths and skills make me the perfect fit for this position and I look forward to the opportunity to interview for the appointment.

Sincerely,

Jeffery D. Wallin

Enclosure: Application, Resume, Supplemental Questions

Attachment 1

Jeffery D. Wallin
1883 NE 11th Ave
Oak Harbor, WA 98277
(360) 679-1671
jeff@pnlgencon.com

QUALIFICATIONS SUMMARY

Throughout my varied professional and volunteer careers, I have continually focused on improving experiences, lives, and communities. Always driven by an entrepreneurial can-do attitude, I have consistently demonstrated a willingness to tackle challenges with great optimism and a commitment to excellence.

EDUCATION

Bachelor of Science, Business Administration, Central Washington University, 2002
MBA, University of Phoenix, 2005

PROFESSIONAL EXPERIENCE

6/1/90 – Present P&L General Contractors, Inc. Oak Harbor, WA
Vice President

Oversee operations including sales, marketing, finance, human resource management, operations management, facilities management, purchasing, and inventory management. Regularly participate in estimating and project management of multi-million dollar construction projects in the private and public works sectors.

1/5/98 – 12/21/03 Olympic Foundry, Inc. Seattle, WA
Branch Manager

Oversaw branch operations in Utah including sales, marketing, human resource management, operations management, purchasing, new product development, and inventory control. Opened new location in Denver, CO and managed Utah and Colorado facilities 1999-2003.

COMMUNITY INVOLVEMENT & ORGANIZATIONS

Current City of Oak Harbor Planning Commissioner
Former City of Oak Harbor Park Board Member
Oak Harbor Rotary Club Member (Past President-2010/2011)
Rotary Lagoon Improvements Committee Chairperson
Oak Harbor Highschool Stadium Committee
Washington States Parks Foundation
Trout Unlimited, Wild Steelhead Coalition, Coastal Conservation Association
Oak Harbor School District Facilities Advisory Committee
Oak Harbor Navy League

Supplemental Questions

1. ***Why are you interested in serving as an Oak Harbor City Council Member?***

I grew up in Oak Harbor, graduated from Oak Harbor High School, so I am invested in this community. I left the island to further my education, but always intended on returning some day. One of my goals upon returning was to get more involved in my community. I am involved with local civic groups, sat on the Oak Harbor Park Board, and am now a member of the Oak Harbor Planning Commission. It has always been goal to serve as an Oak Harbor City Council Member. I believe that being a Council Member provides the most effective avenue to serve the community. I want to be part of the decision making process that allows our community to grow and thrive. I want to help make Oak Harbor the best place to live for my family and generations of other families.

2. ***What strength would you bring to the Council?***

I come in with an open mind and a fresh perspective. I have a strong business background and have connections with several local businesses as well as businesses in other cities. Throughout my career I have had the opportunity to work with a number of municipalities throughout Washington State as well as cities in Utah, Idaho, Colorado, Nevada, Montana, and Oregon. I have a strong background in managing Federal Public Works projects as a General Contractor.

3. ***What are the three highest priorities and/or issues you believe the City needs to address? How would you propose to address these issues?***

   a. **Wastewater treatment plant and aging Infrastructure**

   The wastewater treatment plant is one of the highest priorities to the city. It is important that the city continue to educate the community on the pros and cons of each of the proposed locations. I believe it is important that the community understand that at the very least a pump station is required at the existing plant location. It will be important to take all factors into consideration when deciding on location including construction costs, maintenance costs, size requirements, and environmental impacts to name a few.

   The Pioneer Way project addressed an aging infrastructure as well as provided a cosmetic facelift to an important part of the city. It is imperative that the city continue updating other areas of the city. Improvements can be made at Midway Blvd. and Windjammer Park. It is also important to continue the pursuit of the Pier Project and work toward improving the Marina.

   b. **Economic Development**

   There are a number of opportunities for the city to improve the economic landscape. It is important that the city do what it can to entice companies like Nichols Bros., Fed Ex, and UPS to set up shop in Oak Harbor. If a new library is needed, we should entertain areas

along Pioneer way in order to draw the community to the down town area. We need to look at drawing other businesses to the waterfront area such as Anthony's. The city needs to look at expanding and improving the RV Park at city beach. The city needs to consider working with the school district to move the Bus Barn from its current location and possibly relocating the little league baseball fields from Windjammer Park to the existing bus barn location. The current location of the little league fields is an ideal location for a convention center.

c. **Growing Senior Population**
According to the 2010 census, 41% of the Island County population is over the age of 50 and by 2025 that number will be 54%. The average life expectancy is also increasing. The City of Oak Harbor must be prepared for the growing senior population because the demand for services will increase as the population increases. A new senior center will be needed to support the increased senior population. The city could entertain the idea of having a private developer provide the facilities and lease it back to the city.

4. *Explain your current and past community involvement and/or service on City, non-profit, or public boards, committees, task forces, or commissions and how this has contributed to the Oak Harbor community. Address its relevance to the position of Oak Harbor City Council.*

I am currently a member of the Oak Harbor Planning Commission and Oak Harbor Rotary Club. Prior to my appointment to the planning commission I served as a member of the Oak Harbor Park Board. Through the Rotary club I have worked on a number of committees directly involved in the community such as the high school football stadium committee, lagoon committee (chair), Fourth of July committee (chair), farmer's market committee, and the car show committee. My experience with Rotary has allowed me to interact with a number of local businesses and community groups. I am a member of the Navy League and was a member on the Oak Harbor School District Facilities Advisory Committee.

As a member of the Oak Harbor Planning Commission, I have gained valuable knowledge on the inner workings of the city. I have been able to interact with staff on a number of issues and have a good understanding of the processes and challenges that are involved in making decisions. I have also gained valuable experience in the legislative process.

5. *What do you wish to accomplish during this appointed term as an Oak Harbor City Council Member?*

I would like to see the Waste Water Treatment Plant Project started. I want to continue to look at ways to improve the city's infrastructure, parks, and marina. I want to help recruit businesses to the area and work towards long term economic growth. I would like to see a plan established to replace the senior center and possibly add a convention center. I would like to come up with a plan to invest in a new library, expand the RV park, and relocate the bus barn and little league baseball fields.

6. *What is your vision for our City and community?*

The City of Oak Harbor website slogan states "Whidbey Islands Premier Waterfront Community". I believe in this statement but I also believe we have the potential to be the premier waterfront community in Washington. I see a community that is inviting for citizens, tourists, and businesses. Oak Harbor should be a destination city, where people want to settle and businesses establish themselves.

7. *Is there anything else that you may wish to add that would help us get to know you a little better?*

I have a very supportive wife and two young children. Much of my immediate family is from Oak Harbor and many of them have remained in the city.

I am an avid fly fisherman and spend any spare time traveling to different locations throughout the Northwest. I am involved with conservation groups such as Trout Unlimited, The Wild Steelhead Coalition, Coastal Conservation Association, and The Henry's Fork Foundation. I am a partner at Trouttamer, LLC; an Oak Harbor based Fly Fishing Apparel Company and outfitter. I am a pretty good golfer and played at Oak Harbor High School and in college. I was a member of Boy Scout troop 59 and continue to support the local Boy Scout troops.

Raynette Parks

❖❖❖

Application received 1/20/12

Attachment 1

received
1-20-12

APPLICATION FOR APPOINTMENT TO OAK HARBOR CITY COUNCIL POSITION NO. 5

Applicant Information

(Please type or print)

Applicant Name Raynette Parks

Residence Address 1104 View Ridge Dr., Oak Harbor, WA 98277

Home Phone 3606756715 Work Phone 3606795303 Other 3606720075

E-Mail Raynette.Parks@hotmail.com

Cover Letter and Resume

Please attach a one-page cover letter and a résumé of no more than two pages to this application.

Supplemental Questions

Please respond to the following questions regarding your interest in the position of Council Member for the City of Oak Harbor on separate pages using no more than three pages total:

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Connie Wheeler, City Clerk
Re: Council Member Recruitment
City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

Attachment 1

Raynette Parks
1104 View Ridge Dr.
Oak Harbor, WA 98277
360.672.0075
Raynette.Parks@Skagit.edu

To whomever it concerns,

As you will see from the enclosed resume, I have more than 5 years of work experience in various work fields. My resume shows that I have been consistently rewarded for hard work in regards to volunteer service and leadership. This is the direct result of my commitment to personal and professional excellence.

If you have questions, or if you want to schedule an interview, please contact me at 360.672.0075. I look forward to meeting you to further discuss employment opportunities.

Sincerely,

Raynette Parks

Attachment 1

Raynette Parks

1104 View Ridge Dr • Oak Harbor, WA, 98277 • 360.672.0075 • Raynette.Parks@skagit.edu

Personal Profile

I am a motivated, personable business professional with college degree who demonstrates diplomatic and tactful actions towards resolving conflict situations.

Through previous jobs I have become accustomed to handling sensitive and confidential records.

I am a quick study and vigorous worker in any job delegated to myself, while being poised and competent.

I have demonstrated ability to easily transcend cultural differences while maintaining a strong leadership role.

I excel in deadline-driven environments and I am excellent with team-building skills and tasks.

Key Skills

- Receptionist and Office Experience
- Supervising Experience
- Event Planning
- Written Correspondence
- Basic Office Duties
- T.A. experience
- Leadership and Training
- Computer Savvy
- Customer Service
- Scheduling
- Marketing & Sales
- Microsoft Office
- Microsoft Excel
- Paperwork and Contracts
- Professional Presentations
- Professional Networking
- Managerial Experience

Experience

Skagit Valley College- Student Leadership
Assistant 10/2011- Present
Supervisor: Laura Martinez
1900 SE Pioneer Way, Oak Harbor, WA 98277
360.679.5391

Seattle Pacific University
Camp Casey Summer Temporary Staff 07/2011- Present
Supervisor: Darrell Jacobson
1124 Engle Road, Coupeville, WA 98239
360.678.5050

Skagit Valley College - Student Leadership
Office Assistant 01/2010-06/2010
Supervisor: Penny Perka
1900 SE Pioneer Way, Oak Harbor, WA 98277
360.679.5303

Seattle Pacific University
Camp Casey Summer Temporary Staff 06/2009 – 09/2009
Supervisor: Darrell Jacobson
1124 Engle Road, Coupeville, WA 98239
360.678.5050

Skagit Valley College- Student Leadership
Program Board Event Coordinator 09/2008- 06/2009
Supervisor: Penny Perka
1900 SE Pioneer Way, Oak Harbor, WA 98277
360.679.5303

Skagit Valley College- Bookstore
Bookstore Clerk 09/2008- 06/2009
Supervisor: Kim Hall
1900 SE Pioneer Way, Oak Harbor, WA 98277
360.679.5313

Skagit Valley College- Administration Office
Receptionist 06/2008 - 09/ 2008
Supervisor: Sherry Walker
1900 SE Pioneer Way, Oak Harbor, WA 98277
360.679.5331

Skagit Valley College- Registration Office
Part time Office Assistant 09/2007 - 06/2008
1900 SE Pioneer Way, Oak Harbor, WA 98277
Supervisor: Sue Jensen
360.679.5321

Internship:

Skagit Valley College- Student Leadership
Program Board Tutor 01/2010- 06/2010
Supervisor: Penny Perka
1900 SE Pioneer Way, Oak Harbor, WA 98277
360.679.5303

My duties as the Program Board Tutor were: manage student event coordinators in planning cultural, artistic, recreational, educational, social, and family events on campus. Other duties were organizing and maintaining a college budget for events, creating contracts, networking with entertainment agencies and performers, and heading weekly meetings.

Education

Ashford University – Clinton, IA
Master in Arts – Organizational Management Expected Year of Completion: 10/2012

University of Washington – Seattle, WA
Bachelors of Arts Year of Completion: 06/2011

Skagit Valley College – Mount Vernon, WA
Associate of Arts Degree Year of Completion: 03/2010

Oak Harbor High School – Oak Harbor, WA
High School Diploma Year of Completion: 06/2006

Educational Awards/Accomplishments:

- Recipient of Departmental Medal for Student Organizations 2009
- Yates Award Recipient from Skagit Valley College: 2008
- Pride Foundation Scholarship Recipient: 2008 - 2010
- Scholarship recipient from Skagit Valley College Golf hole fundraiser: 2008
- Recipient of VFW outstanding leadership and academic abilities awards in 2005 and 2006.
- Over 5 years of college student leadership involvement

Why are you interested in serving as an Oak Harbor City Council Member?

I would like to serve on the Oak Harbor City Council, Position No. 5, because I feel I can make reasonable and fair decisions that bring the best for the people of Oak Harbor. I have been a resident of Oak Harbor for over 10 years and I truly enjoy the wonderful community and people that reside in it. I feel that if given the opportunity, I can bring a fresh outlook to what individuals in my generation would like to see happen in their city limits. I feel the younger population have little to no interest at all in being involved with their community, and if selected one of my goals would be to encourage the youth participation in Oak Harbor and to let the younger generation have a say in changes they want to see take place within their community. I have lived in many places being military affiliated, but I always consider Oak Harbor my home. A person would not sit by and let their home change without any say, and I feel this is my time to have a say and have the ability to make substantial changes for the good of all citizens of Oak Harbor.

What strength would you bring to the Council?

My education and youth I feel are two strengths I can bring to the Oak Harbor City Council. Three experiences that I feel will highlight my ability to be an effective leader and city council member is my ability to be a successful and active student leader. I graduated from Oak Harbor High School and Skagit Valley College I then went on to obtain my bachelors at the University of Washington and I am currently residing once again in Oak Harbor while working on my Masters in Organizational Leadership and Management and working at Skagit Valley College in the Student Activities Department. I have always been active in student leadership and it has broadened my knowledge of what it takes to be an effective leader and I feel those are strengths that I can bring to the council.

What are the three highest priorities and/or issues you believe the City needs to address? How would you propose to address these issues?

Promotion of Pioneer Way: I would propose holding functions along Pioneer Way in order to gain support. I feel this is an issue that splits Oak Harbor into three categories: 1. People Against the change, 2. People for the change, and 3. People who do not care. I want to bridge this gap and find a productive way to promote the change as a good one and encourage citizens to be more actively involved if they want a say in the change that takes place in their community.

Business development in Oak Harbor: I value that Oak Harbor is limited in who is allowed to build within the city limits, but I feel more companies should be allowed to make bids and be given the ability to build within the city limits. We need more variety in Oak Harbor and it should not be such a closed door process.

Recreation: There needs to be more for the youth. I feel this is number one priority for Oak Harbor, the youth have very little to nothing to do. The movie theater is outdated and small, the parks are great for younger children but limited to older ones, and there is no place for the youth to socialize. A great example of what would be desired would be something like the Convergence Zone which is located on the Whidbey Island Naval Base. The Convergence Zone offers bowling, gaming, food, and other activities for a wide range of youth.

Explain your current and past community involvement and/or service on City, non-profit, or public boards, committees, task forces, or commissions and how this has contributed to the Oak Harbor community. Address its relevance to the position of Oak Harbor City Council Member.

I have no public service or involvement that I can relate to the City Council Position No.5. I feel my involvement as a student leader in college best relates to the question being asked. While at Skagit I served as a student leader in both Student Government and Program Board. I sat on many committees and dealt with large budgets, financial decisions, and policy changes. The purpose of Student Government is to make the best decisions possible as representatives of the student body. The board's decisions are not always going to be accepted by students however a select group must do it. I feel this relates to the City Council position and I feel if put in a situation of making a hard decision I would feel comfortable doing it and understand I am acting on behalf of my fellow citizens.

What do you wish to accomplish during this appointed term as an Oak Harbor City Council Member?

If selected I would like to devote any time necessary to work with the youth services and parks and recreation. I have worked at Camp Casey Conference Center as a temporary employee and I have always enjoyed the beauty and preservation that it has maintained. I would like to see the same thing happen to Oak Harbor, I would like to see the same beauty and preservation to our city parks and increase the amount of extracurricular activities available to the public and youth. The fortunate thing of being younger and wanting to participate on the city council is I do have a fresh view of what the youth want. I also have many more connections with the youth then someone who is older and with a biased focus. I may not have the experience as a city council member or the life experience, but I do feel I can achieve great things and assist the council due to my eagerness to learn and make grand changes.

What is your vision for our City and community?

I want Oak Harbor to be a place that people want to call home. I see more and more often people wanting to leave Oak Harbor because there is nothing here for them, there is nothing to do after 9pm, and they have no sense of ownership in building their town. I want people to be more involved, I want to have a safe nightlife for the younger generation, and I want Oak Harbor to be an attractive place to live while embracing the traditions it is founded on. I know this is a broad vision but I feel it can be accomplished, maybe not tomorrow or in one year, but I can help make a start and see significant changes made in our community.

Is there anything else that you may wish to add that would help us get to know you a little better?

There is an old saying that I have heard my whole life, "If you never try, you'll never know." My parents raised me to always be better than what I thought I could be, if I thought I was going to fail they always told me to do it the best I could. I do not know what exactly I can do to make Oak Harbor a better place, but I know I can try to be the best representative and advocate I can be. I may not have years of experience, but I know I do have the enthusiasm to learn and do the best job asked of me.

Joel Servatius

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Application received 1/20/12

Attachment 1

1-20-12

APPLICATION FOR APPOINTMENT TO OAK HARBOR CITY COUNCIL POSITION NO. 5

Applicant Information

(Please type or print)

Applicant Name Joel A. Servatius

Residence Address 2371 SW Freund St., Oak Harbor, WA 98277

Home Phone 360 240-0244 Work Phone 360 240-9100 Other 253 377-2595

E-Mail servatius@mac.com

Cover Letter and Résumé

Please attach a one-page cover letter and a résumé of no more than two pages to this application.

Supplemental Questions

Please respond to the following questions regarding your interest in the position of Council Member for the City of Oak Harbor on separate pages using no more than three pages total:

1. Why are you interested in serving as an Oak Harbor City Council Member?
2. What strength would you bring to the Council?
3. What are the three highest priorities and/or issues you believe the City needs to address? How would you propose to address these issues?
4. Explain your current and past community involvement and/or service on City, non-profit, or public boards, committees, task forces, or commissions and how this has contributed to the Oak Harbor community. Address its relevance to the position of Oak Harbor City Council Member.
5. What do you wish to accomplish during this appointed term as an Oak Harbor City Council Member?
6. What is your vision for our City and community?
7. Is there anything else that you may wish to add that would help us get to know you a little better?

Please return this form, your cover letter, résumé, and answers to the supplemental questions to the City Clerk at Oak Harbor City Hall, 865 SE Barrington Drive, Oak Harbor, WA 98277 no later than 5:00 p.m. on Friday, January 20, 2012. Applications received after 5:00 p.m. will not be accepted.

The application and any correspondence should be addressed to:

Connie Wheeler, City Clerk
Re: Council Member Recruitment
City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

From the desk of Joel A. Servatius

2371 SW Freund St.
Oak Harbor, WA 98277
Phone: 360 240-0244 Fax: 360 240-0622
E-Mail: servatius@mac.com

1/16/2012

ATTN: Connie Wheeler
City Clerk, City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

To Whom It May Concern:

I am writing this letter to indicate my interest in the currently vacant City Council position.

As a graduate from the University of Puget Sound's Business Leadership Program, I have always had an interest in business and civic leadership.

My wife and I have lived in Oak Harbor since April of 1997. During that time we have been very active in the community. I currently serve as a Board Member for the Greater Oak Harbor Chamber of Commerce, and also as the President and a coach on the Whidbey Wildcat Wrestling Club.

Being self-employed for the last 16 years I am keenly aware of the challenges that businesses face, especially small business. In my capacity as a financial advisor, I spend a lot of "one-on-one" time with individuals and families. Through these interactions I have gained an appreciation for what people value in our community, and this has also allowed me to understand some of their challenges and concerns.

I look forward to serving our community as a Council Member for the City of Oak Harbor.

Sincerely,

Joel Servatius

Attachment 1

Joel Servatius

2371 SW Freund St. • Oak Harbor, Washington 98277 • 360 240-0244 • servatius@mac.com

PROFESSIONAL HISTORY

Financial Advisor, April 1995 - Present.
Transamerica Financial Group / Transamerica Financial Advisors; Oak Harbor, Washington.
Owner and branch manager of the local TFG/TFA (formerly World Financial Group/World Group Securities / Investment Advisors International) office. Educate clients on how to save and invest for retirement, using both equity and insurance products. Was responsible for supervising 32 registered representatives. Currently working as an independent contractor and possess FINRA Series 6, 63 and 65 securities licenses as well as Life, Health and Disability insurance licenses.

Board Member, Oak Harbor Chamber of Commerce, July 2001 - Present.
Greater Oak Harbor Chamber of Commerce; Oak Harbor, Washington.
Served in various capacities on both the Board and Executive Board over the past 10 years. Chaired the "Signage Committee" which laid the foundation for the current signage in Oak Harbor based on recommendations by Roger Brooks.

Director, Sales and Marketing, July 1995 - June 1997.
SporTrak Software; Gaithersburg, Maryland.
Oversaw all areas of marketing and sales for a start-up software firm specializing in health club management and EFT transaction processing via the banking system's ACH processes. During that time our company grew by over 200% with our software in over 80 clubs in the DC Metro area.

Assistant Project Manager, September 1993 - July 1994.
Weinhard Hotel; Dayton, Washington.
Worked with civic leaders in the re-building of downtown Dayton. Managed and administered programs to successfully maintain a $750,000 budget for the restoration of a public building into a Victorian hotel. Coordinated scheduling and acquisition of sub-contractors to ensure that time and budget demands were efficiently met as established by the general contractor. Oversaw and influenced accounting, budgeting, marketing, payroll and public relations.

Owner, June 1992 - June 1995.
Fifth Dimension Designs; Tacoma, Washington.
Owned and operated a successful t-shirt designing business specializing in marine life and scuba designs. Oversaw all areas of management including design, ordering, bookkeeping and marketing. Solicited all contracts and sales including one international account.

EDUCATION

University of Puget Sound, Tacoma, Washington, May 1993.
Bachelor of Arts degree in Business Administration in the Business Leadership Program.
Emphasis in English, with a strong interest in art and design. GPA 3.52.

RELATED SKILLS

- Skilled in managerial, motivational and public speaking techniques, as well as demonstrated skills in human resource management. Numerous courses in public speaking and sales training.
- Competent and applied knowledge in the use of Macintosh computers and Windows systems.
- Background in design, layout and screen printing techniques. Also skilled in black and white photography and darkroom techniques.

SELECTED ACCOMPLISHMENTS

- Registered Representative / Investment Advisory Representative with Financial Industry Regulatory Authority (FINRA)
- University of Puget Sound Trustee Scholar
- Business Leadership Program, enhanced and accelerated curriculum for business majors
- Board Member, Greater Oak Harbor Chamber of Commerce
- President and coach of the Whidbey Wildcat Wrestling Club
- Volunteer at Oak Harbor Elementary School

Why are you interested in serving as an Oak Harbor City Council Member?

I feel that this is a critical time for the continued growth of Oak Harbor. I have seen tremendous change in this community since moving here in 1997. At that time, we did not have children, but we took a keen interest in supporting the community. An example of this was voting affirmatively for school levies. At that time, many of my peers wondered why I would voluntarily elect to possibly increase my tax bill. I realized though that an investment in our schools is an investment in our community and our youth—which are our future. A value instilled by my parents was, "always leave it better than you found it." This applied whether we were cleaning up a campsite, or borrowing a tool. I believe it's important to take an active leadership role in your community, so that it continues to be an even "better place" than when I moved here.

What strength would you bring to the Council?

I am an avid learner and an optimist. I believe that the day we stop learning is the day we start dying. I feel this love for knowledge has made me a very level-headed and logical decision maker. I believe there are two sides to every story, and it's important to try to empathetically listen. I listen, try to understand to the best of my ability, and then make a decision. I do not dwell on the "what-if's" of the past, but on the "what next" of the future.

What are the three highest priorities and/or issues you believe the City needs to address? How would you propose to address these issues?

1) Balance the diverse needs of different populations within our community. Serving on the Greater Oak Harbor Chamber of Commerce has given me a unique perspective on the wants and needs of our community. When I hear people from "off-island" describe Whidbey, they often talk about the retired population base, and a "sleepy" community. Yet when I go to a festival, be it Holland Happening, the Fourth of July, or No Tricks Safe Treats, I see an entirely different perspective. These folks are looking for more to do locally and want the resources locally so they don't have to go "off island." These same people are the pre-dominant wage earners and will spend their dollars on Whidbey Island if we have the capacity to serve them. I would work to create even more synergy between the City, the Chamber of Commerce and the local business leaders to build this capacity.

2) Relocating the sewer plant from our waterfront park. Not just for tourism, but for those who call Oak Harbor home. Our waterfront is our jewel and it needs to be protected and nourished. Having a sewer treatment facility located between your little league fields and the primary shelters available for families to rent in our esteemed park is not acceptable. I would aggressively get up-to-speed on this issue and help research available solutions.

3) Keeping our community vibrant. By this I mean making Oak Harbor a place that people want to visit and live. This involves creating jobs, having clean and safe parks, and a variety of shopping. In the same vein, this message needs to be communicated not just to potential visitors, but also to the people who already live and work in Oak Harbor. I think there are definite marketing/informational possibilities that are underutilized, such as the monthly utility bill residents receive. I would provide a balanced and realistic voice and encourage fresh ideas to not only attract new visitors, but to further brand the beauty of Oak Harbor.

Explain your current and past community involvement and/or service on City, non-profit, or public boards, committees, task forces, or commissions and how this has contributed to the Oak Harbor community. Address its relevance to the position of Oak Harbor City Council Member.

Shortly after moving to Oak Harbor I became involved as a board member on the Chamber of Commerce. Over the years I have served in several capacities on that Board. At one point during my Board tenure the Chamber formed a "Signage Committee" to implement some of the changes proposed in the Windjammer Plan by Roger Brooks. I agreed to Chair the committee realizing that it takes time for projects to develop, even something as seemingly simple as getting new signs. This project taught me patience and perseverance are key in getting a project completed.

I have always loved sports and some of my best mentors were coaches. To give back, I became involved with youth wrestling. As the president and a coach of the local youth wrestling club I constantly interact with individuals in our community and from surrounding cities. Once again this gives me great insight as how people see our community, and what areas they would like to see improved.

What do you wish to accomplish during this appointed term as an Oak Harbor City Council Member?

One area of focus would be the fiscal stability of the City. Whether an individual, corporation or municipality, all work better when financially solvent. From there I want to continue to develop infrastructure to attract businesses. While some would argue against the inclusion of large stores like Walmart and Home Depot you cannot deny that they have brought jobs, variety and tax dollars to our city. Oak Harbor is the economic hub of Whidbey Island and we must continue to ensure that it can serve in that capacity.

What is your vision for our City and community?

I would like Oak Harbor to be continually recognized as a premier family and business destination. My wife and I fell in love with Whidbey Island the second we drove onto it. I would like to continue to ensure that Oak Harbor is not only a great place to raise a family, but also a great place to be in business. I feel we need to continue to support the small businesses, but also provide the infrastructure needed to bring larger companies to the island. I feel we need to continue to ensure our community remains a vibrant and engaging city for those who live here and those who visit.

Is there anything else that you may wish to add that would help us get to know you a little better?

As a parent of young children, I want to be involved in shaping the future of Oak Harbor. I come from a "glass half full" paradigm. I describe this positive outlook as an "abundance mentality." I feel too often people operate from a scarcity mentality, and this serves no one. By scarcity mentality I mean "I can only win if you lose." In my experience, after critical thinking and hard work, it is often possible to come up with a "win-win" situation. The goal is to produce a solution that creates "more" to solve a problem, rather than just taking away. Being a financial advisor, I have a long-term approach to planning and investing in what makes Oak Harbor great—not just now, but for generations to come.

Ana Maria Schlecht

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Application received 1/20/12

Attachment 1

Received 1-20-12 cw

APPLICATION FOR APPOINTMENT TO OAK HARBOR CITY COUNCIL POSITION NO. 5

Applicant Information

(Please type or print)

Applicant Name Ana Maria Schlecht

Residence Address 1615 SW 17th Avenue.

Home Phone — Work Phone — Other 360-969-4332

E-Mail patinc@post.harvard.edu

Cover Letter and Résumé

Please attach a one-page cover letter and a résumé of no more than two pages to this application.

Supplemental Questions

Please respond to the following questions regarding your interest in the position of Council Member for the City of Oak Harbor on separate pages using no more than three pages total:

1. Why are you interested in serving as an Oak Harbor City Council Member?
2. What strength would you bring to the Council?
3. What are the three highest priorities and/or issues you believe the City needs to address? How would you propose to address these issues?
4. Explain your current and past community involvement and/or service on City, non-profit, or public boards, committees, task forces, or commissions and how this has contributed to the Oak Harbor community. Address its relevance to the position of Oak Harbor City Council Member.
5. What do you wish to accomplish during this appointed term as an Oak Harbor City Council Member?
6. What is your vision for our City and community?
7. Is there anything else that you may wish to add that would help us get to know you a little better?

Please return this form, your cover letter, résumé, and answers to the supplemental questions to the City Clerk at Oak Harbor City Hall, 865 SE Barrington Drive, Oak Harbor, WA 98277 no later than 5:00 p.m. on Friday, January 20, 2012. Applications received after 5:00 p.m. will not be accepted.

The application and any correspondence should be addressed to:

Connie Wheeler, City Clerk
Re: Council Member Recruitment
City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

Ana Maria Schlecht
1615 SW 17 Avenue
Oak Harbor, WA 98277

Connie Wheeler
City Clerk Re: Council Member Recruitment City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

January 16, 2012

Dear City Council Selection Committee,

It is with great honor that I submit this application to be considered for appointment to the Oak Harbor City Council Position #5. The prospect of serving my neighbors in this way is very exciting to me.

During the time I have lived in Oak Harbor, I have actively sought to learn the culture and get to know the people that live here. I love this town. Though I have not served on many boards since living in Oak Harbor the last two years, I do have experience participating in different governing bodies both professionally and volunteering.

I served on the Hugh O'Brien Youth Foundation for over 5 years coordinating volunteers and students, mentors, and events. At World Education Inc, I helped run the financial side of their Africa division- setting a $20 million budget, maintaining accountability, and sustaining continuous funding for their projects. With the Veritas Forum, I planned and oversaw many forums at the colleges and universities of the Northeast while sitting on the executive committee to chart the vision and course for that non-profit organization. If given the privilege to be on the City Council, I will bring these experiences and more to benefit the people of Oak Harbor.

Public service in government has always been of great interest to me; from a young age, I attended City Council meetings in my home city representing my school or troop. In college, I focused on studying the process, history, and policies of governing bodies. Local government appeals to me because it can be effective and has immediate interaction with its constituents. I love Oak Harbor and the community here and would be honored to serve them on the City Council.

Thank you for your consideration,

Ana Maria Schlecht

Attachment 1

Ana Maria Schlecht

1615 SW 17th Ave.
Oak Harbor, WA 98277

360-969-4332
patino@post.harvard.edu

EDUCATION

HARVARD GRADUATE SCHOOL OF EDUCATION — **Cambridge, MA**
Master of Education '03, concentration in International Education. Compared educational systems around the world, studied bilingual and multi-cultural programs, and researched second language acquisition.

HARVARD UNIVERSITY — **Cambridge, MA**
B.A.'02 in Government with focus on International Relations. Additional Coursework: Sociology, Literature, History, Astronomy and Biology. Coca Cola Scholarship, Tylenol Scholarship, AROTC Cadet Scholar.

WESTMINSTER CHRISTIAN SCHOOL — **Miami, FL**
1999 Valedictorian. Girl Scout Gold Award. Japan-US Senate Youth Exchange program. FL Girls State Governor.

WORK EXPERIENCE

AMS EDIT – *October '09- current* — **International and Seattle, WA**
- Developed and led semi-private workshops to aide students in brainstorming and writing the first drafts of their college application essays. Writing coach for research and position papers, SAT prep, and college admissions counselor.
- Consulted and copy-edited final works for publication, job and university applications, and grant submission.

THE VERITAS FORUM – *March '06 – February '09* — **Cambridge, MA**
- Served as the Northeast Regional Director coordinating and overseeing forums discussing philosophical questions on university campuses and supervised their planning teams.
- Processed finances, managed donor relations, and planned fundraising events .

WORLD EDUCATION, INC. - Africa Division *April '05- June '06* — **Boston, MA**
- Financial Staff Associate for non-profit organization that addresses development needs in communities through education. Support the Finance Director in the management of a $20 million division budget.
- Assisted with the preparation and compilation of cost proposals, grants, and budget reports.
- Advised on and maintain deliverables and deadlines for multiple projects.

KAPLAN INC. *January'04-December'04* — **Miami, FL, Cambridge, MA**
- Piloted Conversation English Class for the International Program – assembling useful curriculum and engaging activities.
- Taught SAT, TOEFL, and ACT preparatory courses to adults and international high school students.

DADE COUNTY PUBLIC SCHOOLS *January '04-May '04* — **Miami, FL**
- Permanent Substitute at Dr. Carlos Finlay Elementary, a bilingual and professional development school.
- Taught and designed curriculum for kindergarten Spanish class and English Mathematics class.

YOUTH WITH A MISSION *July '03-December '03* — **Switzerland, South Africa, Mozambique**
- Participated in 3-month training course exploring theological and faith-related topics.
- Volunteered in informal settlements and townships throughout Southern Africa.
- Developed and assisted with programs addressing faith, poverty, and AIDS awareness.

SUMMERBRIDGE TEAM LEADER and TEACHER *Summer '01* — **Miami, FL**
- Taught inner-city middle school students: 2 courses in writing and 1 in Japanese culture and language.
- Coordinated a team of teachers to develop curriculum that motivated and engaged students.
- Served as a mentor to students struggling with personal difficulties and academic challenges.

LANGUAGES: Fully bilingual Spanish-English, proficiency in French, basic Japanese
COMPUTER: Microsoft Windows, Microsoft Office, Adobe Photoshop and iPhoto, Quickbooks, Mac OS

Please respond to the following questions regarding your interest in the position of Council Member for the City of Oak Harbor on separate pages using no more than three pages total:

1. Why are you interested in serving as an Oak Harbor City Council Member?

I love living in Oak Harbor. I moved here with my family 2.5 years ago and I truly enjoy the many facets of this town. Serving as a City Council Member would allow me to help maintain this town's safety and efficiency. I also want to contribute to the beautification and betterment of our municipality while fostering economic growth.

2. What strength would you bring to the Council?

The strength I would bring to the council is a traditional yet fresh perspective backed by a passion and energy to serve the people of our community. This, coupled with exposure to other ideas and solutions as well as a unique background, makes me an enthusiastic team player, willing to learn from the many years of experience that the council already has.

3. What are the three highest priorities and/or issues you believe the City needs to address?
How would you propose to address these issues?

A. Continuing the efforts to develop downtown and foster business for local merchants.

Fostering local business is of great importance to me, particularly during this economic downturn. I love the One-way on Pioneer changes and would continue to support the beautification of that area as well as projects geared at increasing pedestrian traffic. Art shows (particularly from students, but also professionals), parades, and other city-sponsored events would all be ways to increase traffic and potentially business for our local merchants. Furthermore, they give our citizens more opportunities to get involved and participate in enjoyable recreational activities.

B. Maintaining a balanced budget while providing excellent services (safety, public works) to our citizens.

During these days of budget cuts and limited funds, I think focusing on the city's primary responsibilities is essential. Maintaining a city that runs well is important and trimming unessential spending is imperative. This will undoubtedly cut funding for some events and projects; but I believe that with proper communication and collaboration many of these events could continue to be hosted by volunteers and through partnerships.

C. Strengthened community partnerships between the city and non-profit organizations to meet the needs of the most affected in our community.

I would like to see the city focus its efforts on coordinating aid for the elderly, immigrants, and low-income families. I know there are many organizations that are already meeting some of these needs and I believe that as budgets are cut, we can coordinate with local organizations, NGO's, and religious groups to fulfill these needs in our community. Facilitating discussions between business leaders, those operating NGOs and religious leaders to engage our town's greatest needs would serve as a strong starting point. I believe this could build on the community pride that our town already has and foster more participation.

4. Explain your current and past community involvement and/or service on City, non-profit, or public boards, committees, task forces, or commissions and how this has contributed to the Oak Harbor community. Address its relevance to the position of Oak Harbor City Council Member.

During my time in Oak Harbor, I have served actively in my church, Living Word Fellowship. Through the opportunities there, I have helped plan outreaches to women and mothers in the community. I have also been a part of a number of events for the greater Oak Harbor community including Trunk or Treat and the church's annual Christmas outreach to nursing homes and families in need. Lastly, I have facilitated marriage courses to strengthen this core relationship in the families of our community in order to solidify these units and make them healthy and thriving environments for children. I attend staff meetings and participate in the financial council discussions. I am also now continuing my involvement in Girl Scouts by assisting with my daughter's troop and taking pride in participating in Oak Harbor events such as the parades and supporting local business.

My involvement in these organizations has allowed me to meet and get to know many of the residents of Oak Harbor. I have also exercised my leadership, planning, and problem solving skills. As a City Council Member I would keep the people of Oak Harbor first and foremost and provide them with leadership and representation as legislative decisions are discussed and made.

5. What do you wish to accomplish during this appointed term as an Oak Harbor City Council Member?

During this term, I would like to see the downtown of Oak Harbor finished and transformed into a bustling area for people of all ages to come spend time and enjoy the local venues and shops. I would also like to see the highest possible level of service extended by the city to its residents as it maintains safety and provides essential services. Personally, I would like to learn as much as possible during this term while still contributing to the Council and the City.

6. What is your vision for our City and community?

I would like Oak Harbor to be a **thriving community** at every level. Taking care of essentials is important but being able to serve the community with excellence is ideal. I would like to see our safety departments, our utilities, our schools, and our public service programs succeeding greatly. I believe Oak Harbor is an amazing and unique place to call home and I am proud to raise my family here. I want the residents of Oak Harbor to see its beauty and be proud to participate with and be served by their City Council.

7. Is there anything else that you may wish to add that would help us get to know you a little better?

I take great pride in Oak Harbor and love having the privilege to raise my three children here. Though my husband and I have lived here for just 2.5 years, we are invested in this community and want to see it thrive and contribute to its success. I enjoy learning, traveling, and playing outdoors- camping, hiking, fishing- you name it!

I grew up in the Miami-Dade area of Florida. During my time there, I saw how a local government could disserve a community. The situation got so bad that the area where we lived incorporated and became the Village of Pinecrest. I have seen the power of that new small, local government as it transformed the streets and restored safety and pride to that community. I hope that if given the honor of serving on this City Council, I will be able to contribute to Oak Harbor much like that governing body did to that small village.

Applicants' Residency Requirement – Within City Limits

1. Michelle Mae Dowell
   936 Donald Avenue
   Is NOT within the City Limits (Rolling Hills)

2. Larry William Eaton
   429 SW Dyer Street
   Within the City Limits

3. Richard W. Devlin
   1174 SW Kalama Loop
   Within the City Limits

4. Ron Apgar
   1085 SE Regatta Way, #B201
   Within the City Limits

5. James C. Reynolds
   1270 SW Ingleside Court
   Within the City Limits

6. William A. Pohtilla
   1091 SE Ireland Street
   Within the City Limits

7. Jeffery Wallin
   1883 NE 11th Avenue
   Within the City Limits

8. Raynette Parks
   1104 View Ridge Drive
   Is NOT within the City Limits (West Beach)

9. Joel Servatius
   2371 SW Freund Street
   Within the City Limits

10. Ana Maria Schlecht
    1615 SW 17th Street
    Within the City Limits

City of Oak Harbor
City Council Agenda Bill

Bill No. 9
Date: February 7, 2012
Subject: Costs of Staffing Changes

FROM: Doug Merriman, Finance Director

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

Scott Dudley, Mayor
Steve Powers, Interim City Administrator
Bill Hawkins, City Attorney, as to form

PURPOSE

During the January 23, 2012 City Council meeting, a request was made to add an agenda item to the February 7, 2012 City Council meeting for the purpose of discussing the direct and indirect costs in connection staffing changes for the positions of City Administrator, City Attorney, Fire Chief, and Police Chief.

AUTHORITY

Under RCW 35A.11.020, The legislative body of each code city shall have power to organize and regulate its internal affairs within the provisions of this title and its charter, if any; and to define the functions, powers, and duties of its officers and employees

SUMMARY STATEMENT

The attached documents present the following information:

1) All known costs of severance, including but not limited to, all benefits, costs of transition, and costs related to interim appointments and training, if any;
2) Costs for release of liability from said terminated employees if anticipated;
3) Anticipated sources of funds for the above costs if more than one source exists;
4) An illustration of how these expenses will affect our existing budget.

STANDING COMMITTEE REPORT

This agenda bill has not been discussed at the standing committee level.

RECOMMENDED ACTION

1. The requested information is presented herein. No recommended action.

ATTACHMENTS

1. Summary costs of employment changes.
2. Summary of severance costs.
3. Summary of transitional/interim costs
4. Recruiting budget estimates – all positions.

MAYOR'S COMMENTS

Motion during Special Meeting of Oak harbor City Council held January 23, 2012

I'd like to introduce a matter which I believe requires a second from another council member to add an agenda item to be set over to a full council meeting for consideration and possible action.

I move that this agenda item be placed on the regular council agenda for the meeting of 2/7/2012, specifically I would like to have the council discuss the direct and indirect costs in connection with the Mayor's recent decisions to terminate the employment of Paul Schmidt, Marjorie Hite, Chief Mark Soptich, and Chief Rick Wallace. To prepare for this discussion, I am requesting that our Finance Director Doug Merriman give this council an accounting to include the following:

)All known costs of severance, including but not limited to, all benefits, costs of transition, and costs related to interim appointments and training, if any.
)Costs for release of liability from said terminated employees if anticipated.
)Anticipated sources of funds for the above costs if more than one source exists.
)An illustration of how these expenses will affect our existing budget.

City of Oak Harbor
Summary - Costs of Employment Changes
2/7/2012

1) All known costs of severance, including but not limited to, all benefits, costs of transition, and costs related to interim appointments and training, if any;

Estimated Severance costs (including related benefits):	$414,161.16
Estimated Costs of transition (hiring, recruitment, training):	$46,006.76
Estimated Costs of interim appointments	$20,307.66
	$480,475.58

2) Costs for release of liability from said terminated employees if anticipated

No costs of release of liability are anticipated at this time.

3) Anticipated sources of funds for the above costs if more than one source exists

Funding Source	
Acc Vacation/Sick Leave Reserve	$189,170.61
Covered under existing budget	$16,363.18
General Fund Reserves	$274,941.78
	$480,475.58

4) An Illustration of how these expenses will effect our existing budget.

1) Reserves Impact - Reduction in Projected Reserve from 30.33% to 28.11%

Pre-change Reserve Status

General Fund Reserves (12/31/2011)	$3,762,751.00
2012 Adopted budget net of Beginning Fund Balance	$12,407,826.00
1/1/2012 Reserve Balance Percentage	30.33%

Post-change Reserve Status

General Fund Reserves (12/31/2011) less:	$3,487,809.22
2012 adopted budget net of Beginning Fund Balance	$12,407,826.00
1/1/2012 Reserve Balance Percentage	28.11%

2) Residual Impacts

Will require a replenishment of the Acc Vacation/Sick Leave Reserve

Estimated Severance Costs

City Administrator

	Months	Monthly Salary	Total
Severance	8	$11,552.68	$92,421.44
	Hours	Hourly Pay Rate	
Vacation	202	$66.65	$13,463.32
Employer Shares		SS and PERS II	
Taxes and Retirement		(7.65% + 7.25%)	$15,776.83
Total Payout			**$121,661.59**

Fire Chief

	Months	Monthly Salary	Total
Severance	3	$8,694.00	$26,082.00
Medical[1]	Months	Monthly Prem	
	6	$686.35	$4,118.10
Vacation	Hours	Hourly pay rate	
	354.48	$50.16	$17,779.90
Sick Leave[2]	Hours	Hourly pay rate	
	968.625	$50.16	$48,586.23
Employer Shares		SS and LEOFF II	
Taxes and Retirement		(7.65% + 5.24%)	$12,447.39
Total Payout			**$109,013.62**

City Attorney

	Months	Monthly Salary	Total
Severance[3]	6	$9,224.00	$55,344.00
Vacation	Hours	Hourly Pay rate	
	146.5	$53.22	$7,796.06
Employer Shares		SS and PERS I	
Taxes and Retirement		(7.65% + 7.25%)	$9,407.87
Total Payout			**$72,547.92**

Police Chief

	Hours	Hourly Pay rate	Total
Vacation	392.5	$51.02	$20,025.35
Sick Leave[4]	Hours	Hourly Pay rate	
	1597.8	$51.02	$81,519.76
Employer Shares Taxes and Retirement		SSN and LEOFF I (7.65% + .16%)	$9,392.92
Total Payout			**$110,938.03**
Total Separation Payments			$414,161.16

1 - Fire Chief contract has a provision for 6 months of medical until re-employed and covered under the new employers' medical plan.

2 - Fire Chief was hired before Oct 20, 1998 and at this time has 24 years of serivce. Eligible for a buyout of 45% of total accumulated Sick leave.

3 - City Attorney severance is to be paid monthly rather than in a lump sum per contract

4 - Police Chief was hired before Oct 20, 1998 and at this time has over 30 years of service. Eligible for a buyout of 60% of total accumulated sick leave.

Funding

Comp Absences Reserve	$189,170.61
Existing Budget	$4,118.10
General Fund Reserves	$220,872.45
	$414,161.16

Transitional/Interim Costs

City Administrator - Transition

	Months		
Compensation	3	$357.00	$1,071.00
SS and Retirement	3	53.193	$159.58
			$1,230.58

City Attorney - Transition

	Months		
Compensation	3	$5,534.40	$16,603.20
SS and Retirement	3	824.6256	$2,473.88
			$19,077.08

Fire Chief - Transition

No requirement at this time.

Police Chief - Transition

No requirement at this time.

Funding

Existing Budget	$1,230.58
General Fund Reserves	$19,077.08
	$20,307.66

Recruiting Budget Estimate

City Administrator

HR Only - Estimate does not include hiring department time.

Depending on length of advertisting, re-posting and number of candidates, all numbers will fluctuate. Below numbers are the average.

Pre-Hire	Process	Hours or # of Items	Cost	Total
Staff Time:				
HR Analyst		40	$26.00	$1,040.00
HR Manager		10	$36.00	$360.00
Advertising				
Print	Sat/Wed Ad	1	$120.00	$120.00
Trade	Online/Newsletter	1	$1,100.00	$1,100.00
Printing - b/w	per page (in-house)	640	$0.01	$6.40
Postage	mailing packets	4	$0.45	$1.80
Vendor	background check	1	$98.00	$98.00
Interview travel costs:	per candidate			
Travel - Airfare to SeaTac	round-trip (average)	1	$375.00	$375.00
Travel - Lodging (local)	overnight stay	2	$90.00	$180.00
			Total	**$3,281.20**

Post-Hire		Hours or # of Items	Cost	Total
Staff Time:				
HR Analyst		8	$26.00	$208.00
HR Manager		4	$36.00	$144.00
Payroll/Benefits		1	$25.00	$25.00
Accountant-Auditor		0.5	$31.00	$15.50
Printing - color	per page (in-house)	24	$0.03	$0.72
Printing - b/w	per page (in-house)	10	$0.01	$0.10
Postage	mailing letters	12	$0.45	$5.40
Membership/Dues				
	Washington City/County Mgmt Association (WCMA)	1	$161.00	$161.00
Training/Conference	WCMA	1	$150.00	$150.00
Travel - Lodging	overnight stay	2	$154.00	$308.00
Travel - Per diem (meals)	at 3 meals per day	3	$61.00	$183.00
Training/Conference	City Legislative Action Conf	1	$135.00	$135.00
Travel - Lodging	overnight stay	2	$106.00	$212.00
Travel - Per diem (meals)	at 3 meals per day	3	$61.00	$183.00

City Administrator

Training/Conference	Labor Relations Institute	1	$185.00	$185.00
Travel - Lodging	overnight stay	2	$100.00	$200.00
Travel - Per diem (meals)	at 3 meals per day	3	$61.00	$183.00
Training/Conference	AWC Conference	1	$300.00	$300.00
Travel - Lodging	overnight stay	3	$125.00	$375.00
Travel - Per diem (meals)	at 3 meals per day	4	$61.00	$244.00
			Total	**$3,217.72**
			Totals Combined	**$6,498.92**

Other Possible Costs		Hours or # of Items	Cost	Total
Relocation	amount up to	1	$10,000.00	$10,000.00
		Total Costs		$16,498.92

Note: Contracting costs

Contracting outside recruiting agency	*Approximate cost for service up to Pre-hire Interview stage.*	*1*	*$20,000.00*	***$20,000.00***

Funding

Existing Budget	$4,611.50
General Fund Reserves	$11,887.42
	$16,498.92

Recruiting Budget Estimate

Fire Chief

HR Only - Estimate does not include hiring department time.

Depending on length of advertisting, re-posting and number of candidates, all numbers will fluctuate. Below numbers are the average.

Pre-Hire	Process	Hours or # of Items	Cost	Total
Staff Time:				
HR Analyst		40	$26.00	$1,040.00
HR Manager		10	$36.00	$360.00
Advertising				
Print	Sat/Wed Ad	1	$120.00	$120.00
Trade	Online/Newsletter	1	$500.00	$500.00
Printing - b/w	per page (in-house)	640	$0.01	$6.40
Postage	mailing packets	4	$0.45	$1.80
Vendor	background check	1	$98.00	$98.00
Interview travel costs:	per candidate			
Travel - Airfare to SeaTac	round-trip (average)	1	$375.00	$375.00
Travel - Lodging (local)	overnight stay	2	$90.00	$180.00
			Total	**$2,681.20**

Post-Hire		Hours or # of Items	Cost	Total
Staff Time:				
HR Analyst		8	$26.00	$208.00
HR Manager		4	$36.00	$144.00
Payroll/Benefits		1	$25.00	$25.00
Accountant-Auditor		0.5	$31.00	$15.50
Printing - color	per page (in-house)	24	$0.03	$0.72
Printing - b/w	per page (in-house)	10	$0.01	$0.10
Postage	mailing letters	12	$0.45	$5.40
Membership/Dues	Washington Fire Chiefs Association	1	$100.00	$100.00
Training	Labor Relations Institute	1	$185.00	$185.00
Travel - Lodging	overnight stay	2	$100.00	$200.00
Travel - Per diem (meals)	at 3 meals per day	3	$61.00	$183.00
			Total	**$1,066.72**
		Totals	**Combined**	**$3,747.92**

Fire Chief

Other Possible Costs		Hours or # of Items	Cost	Total
Relocation	amount up to	1	$10,000.00	$10,000.00
			Including relocation	**$13,747.92**
Contracting outside recruiting agency	*Approximate cost for service up to Pre-hire Interview stage.*	*1*	*$20,000.00*	***$20,000.00***

Funding

Existing Budget	$2,460.50
General Fund Reserves	$11,287.42
	$13,747.92

Recruiting Budget Estimate

Police Chief

HR Only - Estimate does not include hiring department time.

Depending on length of advertisting, re-posting and number of candidates, all numbers will fluctuate. Below numbers are the average.

Pre-Hire	Process	Hours or # of Items	Cost	Total
Staff Time:				
HR Analyst		40	$26.00	$1,040.00
HR Manager		10	$36.00	$360.00
Advertising				
Print	Sat/Wed Ad	1	$120.00	$120.00
Trade	Online/Newsletter	1	$1,030.00	$1,030.00
Printing - b/w	per page (in-house)	640	$0.01	$6.40
Postage	mailing packets	4	$0.45	$1.80
Vendor	background check	1	$98.00	$98.00
Interview travel costs:	per candidate			
Travel - Airfare to SeaTac	round-trip (average)	1	$375.00	$375.00
Travel - Lodging (local)	overnight stay	2	$90.00	$180.00
			Total	**$3,211.20**

Post-Hire		Hours or # of Items	Cost	Total
Staff Time:				
HR Analyst		8	$26.00	$208.00
HR Manager		4	$36.00	$144.00
Payroll/Benefits		1	$25.00	$25.00
Accountant-Auditor		0.5	$31.00	$15.50
Printing - color	per page (in-house)	24	$0.03	$0.72
Printing - b/w	per page (in-house)	10	$0.01	$0.10
Postage	mailing letters	12	$0.45	$5.40
Membership/Dues	International Assoc of Chiefs of Police (IACP)	1	$120.00	$120.00
	Washington Assoc of Sheriffs & Police Chiefs (WASPC)	1	$305.00	$305.00
Training/Conference	WASPC Conference (spring/fall)	2	$300.00	$600.00
Travel - Lodging	overnight stay	6	$77.00	$462.00
Travel - Per diem (meals)	at 3 meals per day	8	$61.00	$488.00
Bonding		1	$175.00	$175.00
			Total	**$2,548.72**

Police Chief

		Totals	**Combined**	**$5,759.92**

Other Possible Costs		Hours or # of Items	Cost	Total
Relocation	amount up to	1	$10,000.00	$10,000.00
			Including relocation	**$15,759.92**

Note: Contracting costs

Contracting outside recruiting agency	*Approximate cost for service up to Pre-hire Interview stage.*	*1*	*$20,000.00*	***$20,000.00***

Funding

Existing Budget	$3,942.50
General Fund Reserves	$11,817.42
	$15,759.92

City of Oak Harbor
City Council Agenda Bill

Bill No. 10
Date: February 7, 2012 (1/17/12 meeting was cancelled due to weather)
Subject: Island County Joint Tourism Contribution

FROM: **Paul Schmidt**
City Administrator

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:
Scott Dudley, Mayor
Doug Merriman, Finance Director
Margery Hite, City Attorney, as to form

PURPOSE
This agenda bill arises from a motion by Councilmember Campbell, and a second by then-Councilmember Dudley, to have a discussion at the second meeting in January regarding the City's contribution to the Island County Joint Tourism effort ($20,000 versus 1%).

AUTHORITY
OHMC 1.04.020(3)
Public Notice for full council agenda – Introduction of action.

(3) Matters introduced by a councilmember which are seconded by another councilmember and not on the agenda shall be set over to another full council meeting for consideration and action, if any. Every councilmember-initiated agenda item shall be stated by the initiating councilmember for the agenda in the form of a proposed action item such as council discussion, a motion, resolution or ordinance. As an exception to the provision of this subsection, the following matters after motion and second may be considered and acted upon during the same meeting they are introduced:

(a) Matters declared an emergency;
(b) Directions to staff to prepare documents or reports or both for consideration; or
(c) Scheduling of meetings. (Ord. 1578 § 4, 2010; Ord. 1115 § 1, 1997; Ord. 1031 § 1, 1996; Ord. 817 § 1, 1988.

FISCAL IMPACT DESCRIPTION
Funds Required: The City of Oak Harbor presently contributes $20,000 annually to the Island County Joint Tourism effort. Any increase in that contribution would of course increase the funding required to meet the obligation.

Appropriation Source: Additional 2% hotel/motel tax

SUMMARY STATEMENT
At the November 15, 2011 City Council meeting, the City Council approved various amendments to the Island County Joint Tourism Agreement to which the City is a party. At the conclusion of that discussion and action,

Councilmember Campbell moved "to have a full discussion about the $20,000 versus 1% at the second meeting in January. The motion was seconded by then-Councilmember Dudley.

The City Council last took action on contribution amount on June 16, 2009 when the City Council decided to set the maximum contribution rate at $20,000. A copy of the agenda bill and minutes from that meeting is attached for reference. Also attached for reference is summary of the income and expenditure projections for the 2% funds.

STANDING COMMITTEE REPORT
N/A

RECOMMENDED ACTION
None

ATTACHMENTS
Attachment 1: June 16, 2009 agenda bill with attachments
Attachment 2: 2% Fund Projections for 2012

City of Oak Harbor
City Council Agenda Bill

Bill No._____
Date: June 16, 2009
Subject: Island County Tourism Agreement

FROM: **Paul Schmidt**
City Administrator

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:
Jim Slowik, Mayor
Doug Merriman, Finance Director
Margery Hite, City Attorney, as to form

PURPOSE

The purpose of this agenda bill is to propose reducing the City of Oak Harbor contribution to the Island County Joint Tourism Agreement effort.

AUTHORITY

Pursuant to RCW Chapter 39.34 the City Council of Oak Harbor is authorized to allow the Mayor to enter into cooperative agreements with other public agencies to jointly provide public services. Conversely, these agreements also allow the City Council to contemplate amendments, modifications or outright termination.

The Island County Joint Tourism Agreement effort is funded with 2% hotel/motel tax proceeds. RCW 67.28 and Oak Harbor Municipal Code Section 2.66.040(4), require the City Council to submit to the City's Lodging Tax Advisory Committee, for its review and comment, any proposals to; "change [in] the use of the revenue received from such a tax".

On May 6, 2009, the Oak Harbor Lodging Tax Advisory Committee made recommendation to decrease the City of Oak Harbor's current contribution of 1% (approximately $40,000) of the total hotel/motel tax to the Island County Joint Tourism Agreement effort down to a set annual amount of $20,000.

SUMMARY STATEMENT

The original Island County Joint Tourism agreement was executed by the City of Oak Harbor on September 5, 2000, between Island County, the City of Langley and the Town of Coupeville. This agreement came on the heels of the above noted entities approving imposition of the additional 2% hotel/motel tax authorized by the State Legislature in 1998. This newly authorized amount allowed the County, Cities and Town to impose a total of 4% hotel/motel tax if they wished. The intent of the Joint Tourism Interlocal was to impose the additional 2% and pool the funds for the dedicated purpose of a county wide tourism promotion effort. The annual hotel/motel tax generated by the 2% contribution from the City of Oak Harbor ranged from $73,391 in 2001 to $72,013 in 2004 (see Exhibit A). The amendment to the Interlocal Agreement in 2005 decreased the City's contribution to the County/Cities/Town Tourism Fund from the lodging tax from 2% to 1% resulted in a City contribution of $40,894 in 2005 (see Exhibit A).

It is noted that the savings from the decreased contribution to Island County Joint Tourism have since been dedicated to the purpose of promoting Windjammer Park.

Recent discussions within the City of Oak Harbor on how to best utilize the limited funds for tourism promotion have once again prompted a proposal to limit the contributions to the Island County-wide tourism effort in favor of providing more funds for direct local promotions. For example, it has been suggested that possibly a new banner program could be initiated for tourism promotion in the City or to further enhance events in Oak Harbor, such as the Whidbey Marathon. Furthermore, it has been suggested that maybe Oak Harbor's contribution to the Island County Joint Tourism effort need not be any more than that of the other city on Whidbey Island which is Langley. The question is if there is any measurable increase in tourism to the City of Oak Harbor commensurate with the greater contribution the City is making to the Island County Joint Tourism effort?

For these reasons, staff recommends that the City Council consider reducing the City's contribution to the County/Cities/Town Tourism Fund so that the City's share of the hotel/motel tax may be more productively used. However, this will require an amendment to the Interlocal Agreements. In order to initiate an amendment to the original Island County Tourism Promotion Agreement, at least a six month notice, prior to the end of the calendar year, must be given to the Joint Board and to each of the Legislative authorities of the Joint Board (see Exhibit B).

In addition, the original agreement requires a minimum of a one year notice before terminating participation in the Island County Joint Tourism Promotion Agreement. It might behoove the City Council to also give notice of intent to terminate participation in the event approval of the amendment to decrease the City's contribution from 1% to $20,000 is denied by the Joint Board. In that case, the City would save six months of contributions if termination notice was given concurrently with the notice of amendment. In the event the amendment is granted by the Joint Board, the City would have the option of then withdrawing the termination notice well before the effective date.

STANDING COMMITTEE REPORT

This item came in front of the entire City Council on March 24, 2009, to have the City Council submit the issue to the Lodging Tax Advisory Committee for their recommendation. In addition, this item was introduced to the Government Service Standing Committee on March 9, 2009 and further discussed on June 8, 2009.

RECOMMENDED ACTION

Authorize the Mayor to give notice to the Joint Board and the Legislative authorities of Island County, the City of Langley and the Town of Coupeville to amend the Interlocal Tourism Promotion Agreement to decrease the City of Oak Harbor's annual contribution to a set amount of $20,000, and to concurrently submit a notice of intent to terminate the City's participation in the Interlocal Tourism Agreement in the event the City's requested amendment is not granted.

ATTACHMENTS

Exhibit A
Exhibit B
Proposed Notice

MAYOR'S COMMENTS

Exhibit A

Island County Joint Tourism Board
Treasurer's Report
As of 11/01/07

www.dor.wa.gov
Statistical Reports - Tax Collections/Distributions
Local Sales and Use Tax Distr - View 2007

Tax Revenues as reported by State
As of 10/31/07

	2000	2001	2002	2003	2004	2005	2006	2007	
Island Count	$54,837.10	$77,351.72	$80,408.00	$79,776.75	$81,460.00	$91,419.11	$98,336.91	$82,993.69	$646,583.28
Coupeville	$10,690.44	$12,295.29	$11,639.00	$10,419.17	$12,601.00	$15,195.08	$14,485.32	$12,712.36	$100,037.66
Langley**	$17,890.18	$21,156.32	$20,756.00	$20,853.85	$23,297.00	$23,650.95	$23,943.00	$19,590.81	$171,138.11
Oak Harbor*	$65,669.53	$73,391.19	$76,804.00	$69,496.77	$72,013.00	$40,894.30	$41,980.00	$35,404.68	$475,653.47
Total Income	$149,087.25	$184,194.52	$189,607.00	$180,546.54	$189,371.00	$171,159.44	$178,745.23	$150,701.54	$1,393,412.52

Tax Revenues as reported by County
As of 10/31/07

	2000	2001	2002	2003	2004	2005	2006	2007	Interest	
Island Count	$54,837.10	$77,351.72	$80,407.63	$79,776.75	$81,460.06	$91,419.11	$98,176.19	$70,806.21	$49,105.99	$683,340.76
Coupeville	$10,561.98	$12,857.94	$13,119.07	$13,478.06	$14,230.29	$15,195.08	$15,764.39	$3,569.28	$0.00	$98,776.09
Langley**	$17,292.18	$21,200.36	$20,756.03	$21,059.90	$23,371.47	$23,784.46	$24,173.41	$4,647.37	$1,290.16	$157,575.34
Oak Harbor	$65,649.53	$73,391.19	$76,803.88	$69,496.77	$72,013.38	$40,894.29	$41,980.71	$29,517.74	$4,461.30	$474,208.79
Grant from 2% Hotel/Motel Tax (Part 1)										$5,000.00
Total Income	$148,340.79	$184,801.21	$191,086.61	$183,811.48	$191,075.20	$171,292.94	$180,094.70	$108,540.60	$54,857.45	$1,418,900.98

	Inv Amount
Payments	
Total 2002 Vouchers	($214,077.79)
Total 2003 Vouchers	($295,119.50)
Total 2004 Vouchers	($184,550.56)
Total 2005 Vouchers	($122,150.63)
Total 2006 Vouchers	($146,350.84)
YTD 2007 Vouchers (see Budget report for details)	($143,140.35)
Income less Expenses (Balance in Acct. 146 000 57391 14440)	$313,511.31

**Langley and O.H. (as of 1/05) are represented by 1% contribution only.

Comparison of Income YTD Oct 2006 vs 2007

	2006	2007	Change
Island County	$ 67,869.96	$ 82,993.69	22.3%
Coupeville	$ 10,539.80	$ 12,712.36	20.6%
Langley**	$ 27,687.89	$ 19,590.81	-29.2%
Oak Harbor**	$ 27,687.89	$ 35,404.68	27.9%
Totals	$ 133,785.54	$150,701.54	12.6%

ATTACHMENT 1

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04/27/2005 02:03P
ISLAND COUNTY AUDITOR RMD

AMENDMENT NO. 1
ISLAND COUNTY, OAK HARBOR, LANGLEY AND COUPEVILLE
TOURISM PROMOTION AGREEMENT

THIS AGREEMENT AMENDMENT NO. 1 is made and entered into this 6th day of April, 2005, by and between Island County, a political subdivision of the State of Washington, hereinafter called the "County," the City of Oak Harbor, a municipal corporation of the State of Washington, hereinafter called "Oak Harbor," the City of Langley, a municipal corporation of the State of Washington, hereinafter called "Langley," and the Town of Coupeville, a municipal corporation of the State of Washington, hereinafter called "Coupeville," to amend the original Island County, Oak Harbor, Langley and Coupeville Tourism Promotion Agreement entered into on September 5, 2000.

The following sections shall substitute for the sections of like number/letter of the original agreement.

II. GENERAL PROVISIONS

B. Pooled fund. **Except for Langley and Oak Harbor, after adoption of the new two-percent (2%) lodging tax the revenues collected for all the parties, plus accrued interest from such tax revenues, shall be pooled in a fund held by the Island County Treasurer to be known as the "County-Cities/Town Tourism Fund." Because Langley has already committed a one-percent (1%) additional lodging tax for new public tourist restroom facilities, Langley will only contribute one-percent of the new lodging tax to the pooled fund. Beginning January 1, 2005, Oak Harbor will only contribute one-percent of the new lodging tax to the pooled fund.**

D. Basic two-percent lodging tax not covered. **This agreement does not cover the use of the basic two-percent (2%) lodging tax authorized by RCW 67.28.180 or the one-percent (1%) of the new lodging tax retained by Langley and Oak Harbor. The parties will continue to use those funds outside of the terms of this Agreement and any committee, board or other entity whose primary purpose is to promote economic development shall not be involved in any manner with the new fund referenced herein.**

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04/27/2005 02:03P
ISLAND COUNTY AUDITOR AMD

V. MISCELLANEOUS PROVISIONS

E. Amendment. The provisions of this agreement may be amended by written agreement of all the parties. A party that wishes to negotiate an amendment to the Agreement shall give notice of the proposed amendment at least six (6) months prior to the end of a calendar year to the Joint Board and the legislative authority of each party.

The following section is added to V. MISCELLANEOUS PROVISIONS:

F. Annual Review. The Joint Board shall make an annual review and report on the countywide tourism program funded by this Agreement and the Joint Board shall submit the annual review report to the legislative authority of each party to this Agreement by May 1st of each year.

All other terms of the original Agreement not amended above remain in full force and effect. This Amendment is effective January 1, 2005.

ISLAND COUNTY

By: _____ Date: 4-25-05
Chairman
Board of County Commissioners

Attest: Elaine Marlow
Clerk of the Board

CITY OF OAK HARBOR

By: _____ Date: 4-6-05
Mayor

Attest: _____
City Clerk

CITY OF LANGLEY

By: _____ Date: 4-15-05
Mayor

Attest: Marlyn Ray
City Clerk

TOWN OF COUPEVILLE

By: _____ Date: 4/4/05
Mayor

Attest: Linda Marsh
Town Clerk

MOTION: **COUNCILMEMBER MUNNS MOVED TO APPROVE THE PROPOSAL TO OFFER A PILOT ENVIRONMENTAL EDUCATION PROGRAM FOR YOUTH IN CITY PARKS AND AUTHORIZE THE MAYOR TO SIGN RESOLUTION 09-15. THE MOTION WAS SECONDED BY COUNCILMEMBER PALMER AND CARRIED UNANIMOUSLY.**

Island County Joint Tourism Agreement
City Administrator Paul Schmidt presented this agenda bill and noted that a resolution was not meant to be included as stated on the agenda. The Island County Joint Tourism Agreement program is funded with 2% hotel/motel tax proceeds. RCW 67.28 and Oak Harbor Municipal Code Section 2.66.040(4), require the City Council to submit to the City's Lodging Tax Advisory Committee, for its review and comment, any proposals to "change [in] the use of the revenue received from such a tax." On May 6, 2009, the Oak Harbor Lodging Tax Advisory Committee made recommendation to decrease the City of Oak Harbor's current contribution of 1% (approximately $40,000) of the total hotel/motel tax to the Island County Joint Tourism Agreement effort down to a set annual amount of $20,000.

The original Island County Joint Tourism agreement was executed by the City of Oak Harbor on September 5, 2000, between Island County, the City of Langley and the Town of Coupeville. Island County, Oak Harbor, Langley, and Coupeville also approved the imposition of the additional 2% hotel/motel tax authorized by the State Legislature in 1998. That amount allowed the County, two Cities and Town to impose a total of 4% hotel/motel tax. The intent of the Joint Tourism Interlocal Agreement was to impose the additional 2% and pool the funds for county-wide tourism promotion. The annual hotel/motel tax generated by the 2% contribution from the City of Oak Harbor ranged from $73,391 in 2001 to $72,013 in 2004. The amendment in 2005 to decrease the contribution from the lodging tax from 2% to 1% resulted in a contribution of $40,894 in 2005. The savings from the decreased contribution to Island County Joint Tourism have since been dedicated to Oak Harbor's promotion of Windjammer Park. Recent Oak Harbor discussions on how to better utilize limited funds for tourism promotion has again prompted a proposal to limit the contribution to the county-wide tourism effort in favor of providing more funds directly toward local promotions such as a new banner program or to further enhance events in Oak Harbor like the Whidbey Island Marathon. It has also been suggested that Oak Harbor's contribution need not be more than that of the other city on Whidbey Island, the City of Langley. Is there a measurable increase in Oak Harbor's tourism proportional to Oak Harbor's larger contribution to the Island County Joint Tourism program? To initiate an amendment to the original Island County Tourism Promotion Agreement, at least a six-month notice, prior to the end of the calendar year, needs to be given to the Joint Board and to each legislative authority of the Joint Board. In addition, the original agreement requires a minimum one-year notice in which to terminate Oak Harbor's participation in the Island County Joint Tourism Promotion Agreement. Council could concurrently give notice of full termination in the event approval of the amendment to decrease the City's contribution from 1% to $20,000 is denied by the Joint Board. The City would save six months of contributions if

termination notice was given concurrently with the notice of amendment. In the event the amendment is granted by the Joint Board, the City would have the option of then withdrawing the termination notice well before the effective date.

Council Discussion
The new agreement with the Greater Oak Harbor Chamber of Commerce was noted. Jill Johnson, Executive Director of the Greater Oak Harbor Chamber of Commerce and member of the Island County Tourism Committee supported the reduction but felt there is value in county-wide marketing. Council discussion followed about the choice of $20,000 as a flat contribution, the City's Lodging Tax Advisory Committee's support of this participation amount, and if Oak Harbor is receiving the same tourism benefit as the City of Langley. It was noted that that any reduction of this flat contribution would not have to be re-reviewed by the City's Lodging Tax Advisory Committee. Specific events, such as the Tour de Whidbey, Whidbey Island Marathon, and the City's banner program were also discussed. The bulk of Oak Harbor's lodging is made up of business room rentals instead of tourism room rentals. The Chamber has been filling rooms through its sports program; other Oak Harbor events also fill rooms. The updated tourism website is a great tool for storylines, video, and overall presentation of Whidbey Island. Discussion continued about the Island County Joint Tourism Treasurer's Report and whether some of the numbers represented a partial year in 2007, if other agencies were contributing 1% or 2%, and if Oak Harbor's proposed reduction and annual participation amount would trigger the same approach from the other agencies and jeopardize the joint program.

MOTION: **COUNCILMEMBER GERBER MOVED TO AUTHORIZE THE MAYOR TO GIVE NOTICE TO THE JOINT BOARD AND THE LEGISLATIVE AUTHORITIES OF ISLAND COUNTY, THE CITY OF LANGLEY, AND THE TOWN OF COUPEVILLE TO AMEND THE INTERLOCAL TOURISM PROMOTION AGREEMENT TO DECREASE THE CITY OF OAK HARBOR'S ANNUAL CONTRIBUTION TO A SET AMOUNT OF $20,000, AND TO CONCURRENTLY SUBMIT A NOTICE OF INTENT TO TERMINATE THE CITY'S PARTICIPATION IN THE INTERLOCAL TOURISM AGREEMENT IN THE EVENT THE CITY'S REQUESTED AMENDMENT IS NOT GRANTED. THE MOTION WAS SECONDED BY COUNCILMEMBER SEVERNS AND CARRIED UNANIMOUSLY.**

City Administrator's Comments
Mr. Schmidt talked about upcoming standing committee meetings and the special meeting of the Government Services Standing Committee on June 19th. Mr. Schmidt also talked about the Annual AWC Conference in Spokane, June 23 – 26, 2009, and who will be attending. The Office of Financial Management shows Oak Harbor's population at 23,360 now. Mr. Schmidt also brought attention to the artist's rendering on display in Council Chambers that shows the reservoir mural as recommended by Oak Harbor's Arts Commission. Public Works Director Cathy Rosen noted that the City has been awarded $37,500 in grant funding for the school zone flashing lights to be

City of Oak Harbor
Sources and Uses of 2% Funds
Projections for 2012

2012 Income Projection:	
Basic 2% Lodging Tax Revenue	$84,500
Additional 2% Lodging Tax Revenue	84,500
Total Revenues	$169,000

2012 Expenditure Projection:	
Island Wide Marketing Effort - County level	$20,000
Chamber of Commerce Tourism Support Agreement	80,000
Lodging Tax Grant Program	16,000
Whidbey Marathon	12,000
Windjammer Park	24,000
Banner Program	17,000
Total Expenditures	$169,000

City of Oak Harbor
City Council Agenda Bill

Bill No. 11
Date: February 7, 2012 (1/17/12 meeting was cancelled due to weather
Subject: Adopt-A-Street Program

FROM: **Cathy Rosen**
Public Works Director

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:
Scott Dudley, Mayor
Paul Schmidt, City Administrator
Doug Merriman, Finance Director
Margery Hite, City Attorney, as to form

PURPOSE
The proposed Adopt-A-Street Program will help beautify the community and reduce pollution along City streets and waterways, as well as minimize the human health risk associated with litter. It will involve Oak Harbor citizens in maintaining a clean community that can foster a sense of ownership and pride.

AUTHORITY
An Adopt-A-Street Program will reinforce the City of Oak Harbor Municipal Codes by "reducing potential health risks associated with litter" (Chapter 15.16.010), "mitigate or prevent adverse environmental impacts" (RCW 43.21C.010 and 43.21C.020) and reduce pollution, as cited in the Oak Harbor Municipal Storm Water Code (Chapter 12.50) and the Federal Clean Water Act (33 USC 1251 et seq.).

FISCAL IMPACT DESCRIPTION

Funds Required: $50 per sign (approximately)

Appropriation Source: Solid Waste Utility Rates

SUMMARY STATEMENT
The Adopt-A-Street Program is for any individual volunteer or group willing to make a two year commitment to keeping a specific segment of a City street cleaned up at least quarterly. Safety is the highest priority. The minimum allowable age will be 15 years old and anyone under 18 will require adult supervision. The volunteer(s) will receive safety training, bright vests, hard hats, gloves and traffic caution signs to be posted while they work. The City Solid Waste Division will provide litter bags and will pick up the garbage and recyclables and dispose of them properly. Any hazardous items or anything too heavy or bulky for the group will be picked up by the City crew. The City will post a temporary sign on the day the volunteers clean up the segment of street, giving them credit for their efforts.

STANDING COMMITTEE REPORT
The Adopt-A-Street Program was reviewed by the Public Works Standing Committee on December 1, 2011.

RECOMMENDED ACTION
Adopt Resolution #12-02

ATTACHMENTS
- Resolution #12-02
- Adopt-A-Street Agreement
- Volunteer Group Informed Consent/Release
- Safety Sheet
- Volunteer Group Roster
- Incident Report

RESOLUTION NO. 12-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAK HARBOR, WASHINGTON, ESTABLISHING POLICIES AND PROCEDURES RELATING TO AN ADOPT-A-STREET PROGRAM.

WHEREAS, the City of Oak Harbor aims to have litter free streets to enhance the appearance of our community; and

WHEREAS, litter can pollute our streets and waterways; and

WHEREAS, litter is a potential human health hazard; and

WHEREAS, the community has many willing volunteers who can help; and

WHEREAS, participation from local citizens will encourage a sense of pride and ownership; and

WHEREAS, the City makes safety a priority providing training and equipment to do the job safely;

NOW THEREFORE, it is hereby resolved by the City Council of Oak Harbor, Washington, that an Adopt-A-Street Program will be established.

PASSED and approved by the City Council this _____ day of _____, 2012.

CITY OF OAK HARBOR

_____
Scott Dudley, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

CITY OF
Oak Harbor
WHIDBEY ISLAND, WASHINGTON

ADOPT-A-STREET
Volunteer Agreement and Code of Conduct

The City of Oak Harbor Public Works Department, Solid Waste Division, herein after called the "Division" and _____, called the "Volunteer Group", are entering into this Agreement to permit the Volunteer Group to contribute toward the effort to control litter and enhance the appearance of City streets and neighborhoods. The Division does hereby authorize the Volunteer Group to participate in the Adopt-A-Street Program by picking up litter along the assigned segment of street. By signature below, the Volunteer Group Leader acknowledges awareness that the safety of the volunteers is of primary importance and agrees to the following terms.

The Volunteer Group does hereby agree to:

1. Pick up litter at least 4 times per year, for at least 2 consecutive years. Additional clean-ups should be done as necessary to maintain a neat appearance. The recommended interval is every 1-4 months. A spring clean-up is recommended.

2. Reserve clean up equipment from the Public Work Department at least 2 weeks in advance. Pick up equipment from the Public Works Shop and return equipment in good condition during business hours within 2 days of the clean up date.

3. Assign a Volunteer Group Leader or contact person to make sure each participant signs the Roster form before each clean-up, keep a copy of this agreement and roster form at the clean-up site. Make sure there are not more than 15 volunteers on each clean-up crew.

4. Be safety conscious. Designate a Volunteer Group Leader to watch the safety video and review the safety tips with the group before the clean-up begins. It is recommended that the Volunteer Group bring a first aid kit and cell phone to the clean-up site and that at least one member of the crew has a valid first aid card.

5. Provide the Solid Waste Division with a roster of all participants and their signed registration forms within 7 calendar days of each clean-up event.

6. Shall not allow participation by anyone less than 15 years of age. Provide supervision by one or more adults for every 8 minors. Supervisors shall be at least 18 years of age.

7. Report any injuries that occurred during the clean-up and turn in a completed Incident Report to the Division immediately.

8. Tie full litter bags closed and leave together by the street, well out of the traffic lanes. The Volunteer Group should call the Division for pick-up with the specific location after each clean-up (360-279-4766).

9. Leave syringes, hypodermic needles, hazardous/toxic materials or exceptionally large, heavy items, but report them to the Division as soon as possible for proper disposal by calling 360-279-4766.

10. Make an effort to recycle all recyclable materials including aluminum, tin, plastic bottles and jugs. Glass should be kept whole and separate. These bags should be marked RECYCLE.

11. The Division has the authority to suspend this agreement temporarily if maintenance or construction is required within the designated area. Once these areas have been completed, the Agreement will be restored and the Volunteer Group notified.

12. Will not accept tips, meals, gifts or any other form of payment for their efforts.

13. Treat each member of the clean-up crew, the public and City employees with respect and dignity and adhere to all federal, state and local laws.

14. The Agreement is not assignable or transferrable, either in whole or in part.

15. The terms of the Agreement commence on: _____ (date) and shall be renewed every 2 years unless terminated by either party.

16. The Volunteer Group has agreed to adopt (designated street segment below):

_____

Name of Volunteer Group: _____

Contact Person: _____

Phone - Cell: _____ Home: _____ Work: _____

Email: _____

Average number in group: _____

<u>Fill Out Below for Persons Under Age 18</u>

Number of persons under age 18: _____

If persons are under 18, is supervision available: Yes _____ No _____

How much supervision will be accompanying the group: _____
(We suggest 1 adult per 8 minors.)

Signature _____ Date _____

If, in the sole judgment of the Solid Waste Division, the Volunteer Group is not meeting the terms and conditions of this agreement the Division may immediately terminate the adoption agreement.

The Solid Waste Division does hereby agree to:

1. Provide a safety training video and a list of safety tips to the Volunteer Group Leader prior to the first clean-up.
2. Furnish the Volunteer Group with safety equipment, caution signs, and trash bags for the clean-up activities.
3. Remove the filled trash bags once the clean-up is done.
4. Assist the Volunteer Group in cleaning up litter and/or debris when large, heavy, or hazardous items are found.
5. Furnish a temporary Adopt-A-Street sign with the Volunteer Group name or acronym displayed at the assigned area during clean-up activities.
6. Recognize the Volunteer Group on the City's web site and in local papers.

The Volunteer Group has agreed to adopt (designated street segment below):

_____

Name of Solid Waste Division Contact: _____

Phone - Work: _____ Cell: _____

Email: _____

Signature _____ Date _____

City of Oak Harbor
ADOPT-A-STREET
Volunteer Informed Consent/Release

Please read the terms and conditions for participation and review the Adopt-A-Street safety training video, and sign below indicating agreement and acknowledgement of the following:

1. Volunteers under this program are under the control and supervision of the group and not the City of Oak Harbor. The organization will evaluate all Volunteers to determine that they are suitably responsible individuals who will abide by the Adopt-A-Street Safety guidelines and use due care and caution while participating in clean-up activities.
2. Volunteers will be instructed in the Adopt-A-Street safety rules prior to participation in the program.
3. The Volunteer Group Leader will conduct a safety briefing for all volunteers prior to each clean-up event.
4. Volunteers agree to perform only those duties assigned to them by the Division, and agree that they are capable of performing the duties as assigned to them by the Division, with or without accommodation.

   Accommodation requested: Yes _____ No _____
5. Volunteers are not to participate in the program under the influence of any drugs or alcohol, or in any physical or mental condition that may impair their ability to safely complete the assigned tasks.
6. Volunteers recognize that this program will expose them to traffic along streets, as well as other potential hazards. It is the Volunteer Group's responsibility to provide the Division with a copy of the Adopt-A-Street Volunteer Informed Consent/Release and Roster forms with names and signatures of individual Volunteers within 7 days following each clean-up event.
7. Volunteers agree to hold harmless the City of Oak Harbor, its past and present council members, elected officials, managers, employees, agents, affiliates, assigns and successors, and any person acting on its behalf, from any and all claims that may be brought by or on behalf of the Volunteer, their descendants, ancestors, dependents, heirs, executors, administrators, assigns, and successors, or each of them, that arise from the performance of the Volunteers participation in this program, except for those claims for injuries or damages by third parties or caused by the sole negligence, gross negligence, recklessness or intentional acts of the City of Oak Harbor.

I certify that I am authorized to sign this agreement in my individual capacity as a Volunteer.

_____	_____
Volunteer's Name (please print)	**Division Contact (please print)**
_____	_____
Volunteer's Signature (date)	Division Contact's Signature (date)
_____	_____
Parent Printed Name (if under of 18)	Parent's Signature (if under 18) (date)

To reserve equipment, ask for full litter bags to be picked-up or for more information, please contact the City of Oak Harbor Solid Waste Division at 360-279-4766.

Thank you for your service to the community!

City of Oak Harbor
ADOPT-A-STREET
Volunteer Consent for Medical Treatment

- In the event I develop a medical or dental problem, I authorize the medical or dental facility or provider to which I am referred to evaluate and treat as indicated.
- I further authorize the medical or dental facility, the medical or dental provider, to release such information as may be needed for the completion of hospital claims.
- I also agree to be financially responsible for any and all medical and dental care, including prescriptions that may be necessary for my care.
- Emergency medical care will be provided at Whidbey General Hospital in Coupeville or NAS Whidbey Island if I have military hospital privileges.

My family physician is _____, his/her phone number is _____
And, if possible, should be notified in order to provide emergency and continuing care for me.

This authorization is valid from the date of this authorization until I have concluded all volunteer activities with the City of Oak Harbor.

I do hereby give my consent for emergency medical or dental care:

_____
Participant Printed Name Participant Signature Date

_____(____)_____
Address Phone

If the volunteer is under the age of 18:

_____
Parent Printed Name Parent Signature Date

If DSHS medical coupons, please give PIC Number _____

(If possible, please attach a photocopy of the coupon or the insurance card.)

Safety First

While volunteer help is greatly appreciated, safety is our number one concern. All groups are required to watch a safety video (http://www.wsdot.wa.gov/Operations/adoptahwy/video.htm) and read through the following safety tips before picking up litter. In addition, all groups are loaned safety equipment for use while picking up litter. The City provides bright vests, hard hats, gloves and traffic signs.

Tips for volunteer groups include:

- Park in a nearby lot and walk to the adopted section. If a car is needed with the group, use as few as possible and pull vehicles as far off the side of the road as possible.
- Have a first aid kit on hand and a person who has a first aid certification card.
- Do not pick up heavy or hazardous materials - call the City Solid Waste Division at 360-279-4766 for a crew to dispose of the objects.

Safety Tips

Wear appropriate clothing during cleanup
It is important to make yourself visible to the traveling public and protect yourself from weather conditions or possible injury. Be sure everyone in the group wears the following items:

- Safety hat and vest
- Gloves
- Long pants and a long sleeve shirt
- Thick-soled boots or shoes

Preparing for litter cleanup
Before litter pick up begins, always set up a temporary "Volunteer Litter Crew Ahead" sign. Conduct a refresher safety review for crew members. You will need to have an adult supervisor for every eight minor crew members - those between 15 and 18 years of age. We recommend you take a first-aid kit, the Volunteer Group Informed Consent/Release, Group Roster and Incident Report forms. At least one person should have a valid first-aid card. In case of emergency, first dial 911.

While picking up litter
Be safe and use caution at all times:

- Watch your footing, stay off rocky, steep or unstable slopes.
- Avoid poison ivy, poison oak, blackberries and other thorny or stinging plants.
- Watch for stinging insects.
- Walk single file across bridges.
- Carry a box for broken glass and other sharp objects.
- Avoid over exertion, rest when needed.
- Drink plenty of water and use sun screen.
- *RECYCLE! Recycle all acceptable materials found during your litter control effort.*

Don't forget the paperwork
Injuries must be reported to the City immediately and an Incident Report form must be completed. In the event of any emergency or accident call 911, then report to the City by calling Human Resources at 360-279-4509, Risk Management at 360-279-4544 and the Solid Waste Division at 360-279-4766.

For your safety

- Don't use headsets or any personal listening device which interfere with hearing and warnings.
- Don't engage in horseplay or pranks endangering the safety of yourself, fellow crew members or the traveling public.
- Don't cross the roadway on foot. Get in a vehicle and get out on the same side as the pick up will take place. No U-turns at intersections and interchanges. Don't pick up litter on the roadway itself.
- Don't pick up litter on bridges, tunnels or overpasses.
- Don't compact trash bags - injuries from sharp or broken objects may result, or the bag may burst.
- Don't pick up syringes or hypodermic needles.
- Don't carry knives, machetes, axes, etc.
- Never pick up extremely heavy or unyielding objects, dead animals, or suspected toxic or hazardous materials. Mark the location of these items and notify the City for pick up.

If your group has any further questions regarding safety tips or litter control, please contact the Solid Waste Division at 360-279-4766.

CITY OF
Oak Harbor
WHIDBEY ISLAND, WASHINGTON

Adopt-A-Street Volunteer Group Roster

Name of Volunteer Group: _____

Volunteer Group Leader: _____ (Cell) Phone: _____

Street Segment: _____ Date of Litter Clean-up: _____

Please list all volunteer participants, their phone numbers and emergency contact information. Add comments on the back (hours worked, hazardous materials found, any concerns, etc.).

Name	Phone	Emergency Contact Phone

All volunteers must be 15 years of age or older. Any volunteers under age 18 shall be supervised by an adult (18 or older). There must be at least one adult per 8 minors. There should not be more than 15 volunteers participating in any clean-up event.

This roster must be provided to the City of Oak Harbor Solid Waste Division within 7 calendar days after each litter clean-up event.

Thank you for your service to the community!

City of Oak Harbor
INCIDENT REPORT
Volunteer Group

In the event of an emergency or accident first call 911, then call City of Oak Harbor Human Resources at 360-279-4509, Risk Management at 360-279-4544 and the Solid Waste Division at 360-279-4766.

The person who was present or discovered the incident shall complete this report. Information is to be recorded immediately and the form forwarded to the City's Risk Management Office. Please take pictures of the scene, note license plate numbers, driver's license information, and get the contact information of any witnesses.

Volunteer Group: _____ Today's Date: _____

Injured Volunteer's Name: _____ Phone: _____

Address: _____ Email: _____

Emergency Contact: _____ Phone: _____

Date and time incident occurred: _____

Location where incident occurred: _____

Describe all acts and resulting conditions in detail, including unsafe condition, equipment or hazard (please be specific).

_____

_____

_____

What actions or assistance (if any) did Volunteer Group take and what could have been done to avoid this incident?

_____

_____

_____

Name of witness (1): _____ Phone: _____

Name of witness (2): _____ Phone: _____

Name of person filing report: _____ Phone: _____

Volunteer's Signature: _____ Date: _____

Date the City received report: _____

City of Oak Harbor
City Council Agenda Bill

Bill No. 12
Date: February 7, 2012
Subject: Pending Items for Future City Council Meetings

FROM: **Scott Dudley**
Mayor

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

Steve Powers, Interim City Administrator
Doug Merriman, Finance Director
Bill Hawkins, City Attorney, as to form

SUMMARY STATEMENT

The attached list of pending items is meant to be an organizational tool and not a definitive list of what will come before the Council for a given meeting's date. As a tentative list, it is subject to frequent, if not daily changes.

Pending Items As of: February 1, 2012

This list is subject to change.

If a row is highlighted in blue, it has been reviewed by the Law Department and in packet.
If a row is highlighted in orange, the City Administrator is moving this item to the next (or later) Council meeting.

Targeted Meeting Date	Agenda Bills ARE DUE	Public Hearing Notice Date (if needed)	Consent Agenda	Subject	Department
2/21/12	2/1/12			Final Consideration and Appointment – City Council Position No. 5	Admin
2/21/12	2/1/12 To Legal 1/23/12		✓	Appointment – Youth Services Advisory Board, Lynn Goebel	Admin
2/21/12	2/1/12		✓	Contract Position, Part-time – Civil Service Board Secretary	HR
2/21/12	2/1/12			Resolution – Adopt the Medical Expenses Reimbursement Program (MERP) for Fire Fighters	HR
2/21/12	2/1/12 To Legal 1/10/12, Back to Doug 1/17/12			(Since the Finance Standing Committee meeting was cancelled, and there is no opportunity to re-schedule it before Council's 2/7/12 meeting, this item has been moved to 2/21/12) Approval of 2% Grant Awards	Finance
2/21/12	2/1/12 To Legal 1/27/12			Trailhead Park Naming	P.Works
2/21/12	2/1/12			Contract Award – Safe Routes to School	P.Works
2/21/12	2/1/12			Standing Committee Discussion – location, times, restructure	Admin
2/21/12	--			Future City Council Pending Items	Admin

3/20/12	2/29/12			Authorization to Advertise for Bids – Gun Club Road Water Main	P.Works
March				2012 Comprehensive Plan Amendment Docket	Dev Srv
March				Marina Fuel Pricing Policy	Dev Srv
TBD				Public Hearing – Zoning Agreement Amendment, Oak Tree Village	Dev Srv
				Automated Pay Station for Staysail RV Park	P.Works
				Asset Transfer to Water Utility – Reservoir	P.Works
				Easement Agreement – Navy Fuel Line	P.Works
				Interlocal Agreement – Island County Housing Authority, Oak Harbor, Coupeville, and Langley for Affordable Housing. Recording surcharge funds to fund housing programs.	Admin
				Interlocal Agreement – With Oak Harbor School District, Memorial Stadium Maintenance	P.Works
				Appointment – Lodging Tax Advisory Committee	Admin and Finance
				Introduction – Personnel Code Update and Handbook	Admin
				Final Consideration – Personnel Code Update and Handbook	HR
				Introduction – Arts Commission Ordinance	Admin

				Final Consideration – Arts Commission Ordinance	Admin
				Resolution – Marina, Facility Use Fee	Dev Srv
				Council Rule Change – Public Forum	Legal
				Channel 10 Rules	Admin and Legal
				Art Funding	Admin, Finance
				Recommendations from HDR – System Development Fees (future workshop)	P.Works
				Impact Fees – under review for deferral at closing	Dev Srv / P.Works
				Contract Award – Gun Club Road Water Main	P. Works
				Mutual Aid Agreement with Navy	FD
				Navy Waste Water Treatment Rate	Finance / P.Works
				Public Hearing – Binding Site Plan Code Amendment	Dev Srv
				Authorization to Solicit Bids – Rescue Unit	Fire
				Marin Annexation	Dev Srv
				Utilities Office, City Council Chambers, Law Department Remodels	Finance, Dev Srv

STANDING COMMITTEES and other meetings and activities

Date	Subject	Dept.
2/6/12	MARINA COMMITTEE, 7:00 p.m., at City Hall	Committee Members
2/8/12	FINANCE STANDING COMMITTEE, 3:30 p.m., at City Hall	Committee Members
2/8/12	YOUTH SERVICES ADVISORY BOARD, 5:15 p.m., at Police Department	Board Members
2/13/12	ARTS COMMISSION, 6:00 p.m., at City Hall	Commission Members
2/14/12	GOVERNMENTAL SERVICES STANDING COMMITTEE, 8:00 a.m., at City Hall	Committee Members
2/16/12	PUBLIC SAFETY STANDING COMMITTEE, 7:00 a.m., at Public Works	Committee Members
3/3/12	SPECIAL MEETING, All-Day City Council Retreat, beginning at 8:30 a.m., Skagit Valley College, Room 306	Council and Admin