

GOVERNMENTAL SERVICES STANDING COMMITTEE

Regular Meeting
City Hall Conference Room
July 13, 2010

ATTENDANCE

The meeting began at 8:00 a.m. with the following in attendance: Council members Campbell, AlMBERG and Palmer.

Staff present: City Administrator, Paul Schmidt; Senior Planner, Cac Kamak; Building Official David Anderson; Senior Services Director, Mike McIntyre; and Harbormaster, Mack Funk.

PUBLIC COMMENT

None present for comment.

REVIEW OF JUNE 8, 2010 MEETING NOTES

No questions or comments.

MARINA

Phase 2 Dredging

Mr. Schmidt reported that during the July 6th City Council meeting Council authorized staff to advertise the Marina Redevelopment Phase 2, Dredging, Base Bid and Bid Additive 1 for competitive bidding.

Discussion

Committee noted the following:

- Marina Committee and the Marina tenants have asked the City to reevaluate the fee schedule and compare it more closely with Anacortes in order to finance more revenue bond. Having more revenue would allow more dredging.
- -10 feet or shallower is considered near shore. Docks A, B and part of C fall into that category. It is likely that the City won't be able to get permits to dredge in those areas in the future. If those critical areas are not dredged now and can't be dredged in the future the area will be unusable and the revenue stream would be compromised. There is also a balance as to how much the tenants can be charged without driving them elsewhere. It was also noted that the public uses the facility and the Marina is part of the public parks system, as such, it is incumbent for the public to pay for part of the costs and the City should consider bonding for part of the dredging of the nearshore area.

Race Week

Mr. Funk reported that the preparation for Race Week is going smoothly. The event is about the same size as last year, about 90 boats are participating.

ADMINISTRATION

2011 Legislative Priority Issues

Mr. Schmidt provided a handout (Attachment 1) with last year's legislative priorities. Mr. Schmidt explained that he had crossed out the priorities that are not pertinent this year. The first four are specific to Oak Harbor and the rest follow AWC's list. Mr. Schmidt asked members to let him know if there are any other issues to add to the list. A draft will come back to the Committee for further discussion.

Committee Discussion

- Committee members asked why ESHB 1614 was removed. Mr. Schmidt indicated that the bill had died. But NPDES City's received a grant which was about \$132,000 for NPDES programs. The City is also submitting an application for the 42-inch outfall.
- A high priority should be to lobby the legislature to include the cost of moving the waterline with the roadwork at Miller Road and Gibraltar Road since the city cannot afford to move that waterline.
- Add funding support for the Wastewater Treatment Plant to the list.

PLANNING

Building Code Amendments

Mr. Anderson touched on the following changes to the 2009 Building Codes:

2009 International Building Code

- A minimum of one fire service access elevator is required in high-rise buildings more than 120 feet in height.
- Includes new requirements for storm shelters, based on the new ICC 500-2008 Standard for the Design and Construction of Storm Shelters.

2009 International Residential Code

- Requires automatic fire sprinklers in new townhouses beginning in 2009, and in one- and two-family dwellings beginning in 2011. Cities and Counties have been given the option as to whether or not to adopt this change. The City has chosen not to adopt this change due to the economic climate.
- Carbon monoxide alarms are now required in new construction dwelling units with fuel-fired appliances, and in existing homes where interior alterations include fuel-fired appliance replacements or attached garages.
- Provides new guidelines for the design and construction of homes in high wind regions, based on ICC 600 Standard for Residential Construction in High Wind Regions.
- Includes new guidelines for the design and construction of storm shelters, based on the new ICC 500-2008 Standard for the Design and Construction of Storm Shelters.

2009 INTERNATIONAL FIRE CODE

- All non-sprinklered hospitals, nursing homes and other Group I-2 occupancies, including existing buildings, retroactively require automatic sprinkler protection.
- Contains new requirements for the fire protection of marinas.

2009 INTERNATIONAL MECHANICAL CODE

- Increases the maximum length of clothes dryer duct from 25 feet to 35 feet to provide more flexibility in the location of clothes dryers in a building.

2009 INTERNATIONAL PLUMBING CODE

- Directional signage is required for the route to public toilet facilities.

2009 WASHINGTON STATE ENERGY CODE

Duct Testing

- Ducts located outside the conditioned space must be tested
- Maximum leakage rates specified in RS-33

Ceilings: Two Types

- Attics (R-38 ADV framed or R-49) – Including Standard and Scissor Trusses
- Single Rafter Joist (R-38)

Mr. Anderson indicated that the duct testing is a controversial issued and the BIAW has filed a lawsuit. The Governor has sent out a letter asking the State Building Code to not adopt the Washington State Energy Code until April 2011 therefore the City will not adopt the Energy Code until April 1, 2011.

Shoreline Plan Consultant Contract Approval

Mr. Kamak provided a handout (Attachment 2). Mr. Kamak reported that the City obtained a grant from DOE to update the Shoreline Master Program (SMP). A selection committee interviewed three consultants and selected AHBL. The contract with AHBL is similar to the contract that the City has with DOE. The five phases shown in the handout is a template that all cities use with the same contract with DOE. There is a lot of inventory and scientific analysis that needs to be converted into policy and the consultants are have the tools and experience necessary to complete the update within the time given. Mr. AlMBERG added that the consultant has guaranteed that the update will get through DOE and that they will stay with it until it goes through with no further charges.

Committee Discussion

Mayor commented that the State grants money to the City to pay for a consultant because the State wants a technical and scientific analysis and that outside consultants are necessary to do that work. This is an example of when it is necessary for the City to hire a consultant.

There was some discussion as to whether it was necessary for the City to update its SMP every 10 years because our shoreline doesn't change that much. Mr. Kamak stated that he believed that the State uses the updates for more requirements on mitigation. That is one of the changes that we will see with this plan which is how much more mitigation will be required as part of any shoreline permits or plan to restore shoreline.

UGA Capacity Analysis – Data Collection Information

Mr. Kamak reported that the UGA capacity analysis was presented to the Planning Commission in April and May. Mr. Kamak explained that this analysis looks at whether we have capacity based on our current land use distribution. This year as part of the Comprehensive Plan amendment staff is collecting data and looking at what the data tells us. The graphs are based on historical information collected so far.

Historical Data

Mr. Kamak reported that historical trend seems to show that most of the growth that Island County, as a whole, is experiencing is in the unincorporated areas (Unincorporated – Average Growth 67%, Incorporated – Average Growth 33% and Oak Harbor Average Growth – 22%). Over the last 10 years the population projection from Office of Financial Management (OFM) shows that as well. The general public seems to think that Oak Harbor is growing faster but the data does not show that. The County has grown at a higher rate than Oak Harbor. Mayor Slowik added that the County hasn't acted on the City's 2005 UGA expansion request and the growth has been in the County. The City is better equipped to accommodate the growth on City water and sewer. Mr. Kamak noted that the City is keeping the County up-to-date on the analysis that the City is doing because eventually the County will make a UGA decision and we want to be sure that we provide all the information to them on how we are doing the analysis. The County can raise issues of concern now during the analysis so that we can change course if we need to. We haven't received any feedback yet.

Committee Discussion

Committee members asked if the County provides a map that shows where the concentration of the population occurs and if it differentiates between permanent and second homes. Mr. Kamak said that he didn't know if the County had that information but we can request it. Mr. Kamak stated

that the OFM uses data from cities, counties and the Department of Licensing and they also look at the Navy population.

Projections

Mr. Kamak explained that OFM provides three ranges of population projects for cities and counties (low, medium and high). In 2005 the City of Oak Harbor chose the medium/high range population projection to plan for the next 20 years. The medium/high range was an increase of 9,735 which is a 28.9% increase. The 2010 Census numbers won't be available until 2012. If the Census shows lower growth, the population projection can be adjusted but this year we may move forward just to identify what population we need to plan for.

Committee Discussion

Committee members asked if it was a State requirement to use a certain projection. Mr. Kamak indicated that cities and counties had use to use between the low, medium, or high OFM projection.

Committee members indicated that one of the significant details is that the County hasn't acted on the 2005 UGA expansion so there isn't enough inventory to accommodate the population growth.

Mr. Kamak noted that he had read somewhere in the County's Comprehensive Plan that the County wants to plan for 50% of Island County's growth to be in urban areas and 50% in rural areas. If the County wants to achieve that goal, they need to talk to the City about how to achieve that. If the City needs to plan for more than 30% additional growth, that is more population that we have account for and that would mean changing a lot of policies and how the County addresses their codes and how they direct more growth toward cities as opposed to rural areas. It could become a bigger policy discussion as to we actually do that. This is a great opportunity for the County and City to work together to accomplish those goals. Otherwise, the City will plan for the historical trend of 30% growth.

Mr. Kamak reported that there was public testimony taken at the Planning Commission meetings and there were questions raised about building permits and density. So staff looked at those numbers for trends. In the 80's there were less single-family units and higher multi-family units and then there is a reversal in the 90's 2000 which could be based on Federal policy and homeownership programs. Committee members noted that there could be a shift in the building permits going back to the multi-family units as the population ages and down sizes and move out of the rural areas to urban areas.

Mr. Kamak stated that staff looked to see if there was any correlation between building permits and population but there was no real trend between the two so this is not a good tool for planning for population.

Land Use Distribution

Mr. Kamak noted that the land use distribution within the city limits indicates mostly low density residential parcels/acreage and all the other land uses fall behind that. This is a good distribution for general cities. When looking at the UGA land distribution you can see where there are shortages of certain types of land uses such as medium density and high density land uses. This is something to keep in mind as we move forward and either add to the UGA or make changes in the UGA to accommodate population growth in the UGA, the City may want to think about land use changes.

Mr. Kamak also noted that during the Planning Commission meeting there were some comments that were made indicating that Oak Harbor is getting less and less dense. Staff looked at the numbers to see if that was accurate. Staff found that the population density of Oak Harbor is actually increasing.

Methodologies

Mr. Kamak talked about the data sources that were used and the three types of methodologies that are used throughout the country. The three methodologies are: (1) Density ratio which works best for smaller areas i.e. downtown, (2) Improvement to Land Ration (ILR) which is the ratio between the land and the improvements and (3) Land to Total Value Ratio (LTR) which is the ratio between total assessed value and land value. Staff will be using the ILR and the LTR methods to determine what lands are developable in the next 20 years.

Committee Discussion

Committee members commented part of the growth is driven by the income stream of the population which also determines the types of housing and this aspect doesn't seem to be taken into account. Mr. Kamak stated staff is using current land use and population to determine whether Oak Harbor can accommodate the population at the general level. The population can be broken down by income levels or housing types next year to see how the housing land uses should be broken down and strategize for that.

SENIOR SERVICES - General Update

Mr. McIntyre reported:

- Passport as of July 12, 2010 handout provided (Attachment 3). Increase passport fees went into effect today. The City of Oak Harbor is not collecting any additional money; it is a State Department increase.
- There will be a meeting of the Foundation and the Advisory Board between now and the next Governmental Services Standing Committee meeting. Mr. McIntyre will brief the Committee at the August 10th meeting.

Development Services Director's Comments - none

NEXT MEETING: August 10, 2010

MEETING ADJOURNED - 9:32 a.m.

RESOLUTION NO. 09-25

A RESOLUTION BY THE CITY OF OAK HARBOR IDENTIFYING 2010 LEGISLATIVE PRIORITY ISSUES

WHEREAS, the City of Oak Harbor has a keen interest on how the Washington State Legislature actions can and do impact the City; and

WHEREAS, it is the City's intention to work with the governor's Office and Leadership throughout the Senate and House with specific help from the City's 10th District Legislator's, and

WHEREAS, the City of Oak Harbor has a good positive working relationship with the current 10th District Legislators; and

WHEREAS, this positive working relationship does depend upon the frequent and ongoing exchange of information where the specific needs and priorities of the City of Oak Harbor are clearly expressed to our 10th District Legislators; and

WHEREAS, it is by the attached Exhibit "A" that the City of Oak Harbor wishes to extend to Washington State Senator Haugen, Representative Smith and Representative Bailey as the City of Oak Harbor's 2010 Legislative Priority Issues.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Oak Harbor, Washington, that the attached Exhibit "A" is hereby adopted as the 2010 Legislative Priority Issues of the City of Oak Harbor.

PASSED by the City Council of the City of Oak Harbor and approved by its Mayor this 17th Day of November, 2009.

CITY OF OAK HARBOR

MAYOR

ATTEST:

Approved as to Form:

City Clerk

City Attorney

EXHIBIT "A"
CITY OF OAK HARBOR 2010 LEGISLATIVE PRIORITY
ISSUES

1. **Retain** CAPRON Transportation funding as a critical resource for Whidbey Island surface transportation needs.
2. **Restore** funding for the Public Works Trust Fund Program which was eliminated by the Legislature in 2009.
3. **Refrain** from supporting any Legislative proposals that would establish a mandate upon local government without providing the necessary funds to fully support the mandate.
4. **Support** City of Oak Harbor affordable housing project effort.
5. ~~**Support** enhanced funding for emergency 911 dispatch communication such as HB 2351.~~
6. ~~**Support** NPDES II Storm Water funding assistance such as ESHB 1614 which would establish a fee and grant program for NPDES II permit cities.~~
7. **Support** a Legislative effort to establish a municipal street utility as a new local option to help fund transportation.
8. **Support** a Legislative effort to provide more fiscal flexibility for cities to optimize use of existing fund resources such as eliminating non-supplant language for public safety sales tax use.
9. **Support** a Legislative effort to allow the same list of type projects for the 2nd REET tax as is for the 1st REET tax.
10. **Support** a Legislative effort to expand the use of gambling tax revenue for general public safety purposes.
11. **Support** a Legislative effort to allow greater flexibility for the use of 2% lodging tax proceeds.
12. ~~**Support** a Legislative effort to extend the period of time when GMA impact fees can be spent.~~

13. **Support** a Legislative effort to limit local government liability and financial burdens caused by spurious public records requests which now includes the exposure of private electronic social networks.

Shoreline Master Program Consultant Contract w/ AHBL

Background

- \$125,000 grant from DOE to update Shoreline Master Program (SMP).
- Council authorized staff to pursue grant in April. Also authorized consultant selection.
- Selection committee interviewed 3 consultants on June 4. Selected AHBL.
- Staff have been negotiating contract for \$120k – all state money. Contract will be presented at August 4, council meeting.

Basics of Contract

Phase	Description	Scheduled Completion	Proposed Budget
Ongoing	<ul style="list-style-type: none"> • Project Coordination 	Ongoing	\$6,632
Ongoing	<ul style="list-style-type: none"> • Public Participation 	Ongoing	\$10,308
Phase 1	<ul style="list-style-type: none"> • Identify Preliminary Shoreline Jurisdiction • Create Public Involvement Plan 	September 30, 2010	\$4,284
Phase 2	<ul style="list-style-type: none"> • Shoreline Inventory and Characterization 	June 30, 2011	\$43,723
Phase 3	<ul style="list-style-type: none"> • Draft SMP Goals, Policies, Regulations • Preliminary Cumulative Impacts Analysis 	November 30, 2011	\$32,911
Phase 4	<ul style="list-style-type: none"> • Restoration Planning • Revisit Phase 3 Products 	November 30, 2011	\$19,882
Phase 5	<ul style="list-style-type: none"> • Local Adoption Process 	June 30, 2012	\$2,180

- Budget and schedule may undergo minor adjustments.
- Same 5 phases for all jurisdictions. Follows DOE standard contract.
- Project pulls on different experts in different fields, environmental science and shoreline planning.
- Value added - team we hired has completed or is in the process of creating 12 shoreline plans. Very efficient at taking findings from scientific studies and turning those into policy.

**OH Senior Services Passports
(as of 12 July 2010)**

