

**City of Oak Harbor
City Council Meeting
Agenda for**

October 2, 2012

6:00 p.m.

Oak Harbor City Council
REGULAR MEETING
6:00 p.m.
Tuesday, October 2, 2012

*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

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

MINUTES of the Regular Council Meeting held September 4, 2012, September 18, 2012 and the Special Meeting held September 19, 2012

PROCLAMATIONS

Day of the Girl

PRESENTATIONS OF OTHER NON-ACTION COUNCIL ITEMS

CITIZEN COMMENTS PERIOD

CONSENT AGENDA

- a. **Approval of Accounts Payable Vouchers Claims Vouchers 151413 - 151432** in the amount of \$1,710.61 and Claims Vouchers 151433 – 151600 in the amount of \$740,440.63
- b. **Introduction of Ordinance No. 1635** – for Fire Department changes amending OHMC Chapter 2.24 entitled “Volunteer Firemen’s State Relief”, Chapter 2.28 Entitled “Firemen’s Relief and Compensation Fund Trustees”, Chapter 2.44 entitled “Fire Chief”, and Chapter 8.12 entitled “Alarm Systems” and adopting this Ordinance at the Council’s Regular meeting to be held October 16, 2012.
- c. **Set a Public Hearing for October 16, 2012** for surplus and disposition of Utility Surplus list items.

HEARINGS AND ORDINANCES

2. Public Hearing Marin Annexation and Adoption of Ordinance 1634 annexing certain real property and County right-of-way to the City of Oak Harbor, assessing all property within the annexation area at the same rate and basis as other property within the City, requiring the subject properties to assume their proportionate share of City indebtedness and assigning zoning for the annexed property consistent with the Oak Harbor Comprehensive Plan.

RESOLUTIONS

OTHER BUSINESS

3. Special Benefit Analysis – Driftwood Beach Addition (Dillard’s)

Adoption of Resolution 12-22 regarding Local Improvement District financing for sewer improvements in the Driftwood Beach area.

4. Presentation of Surplus List - approve the surplus list and authorize the disposal of non-utilities obsolete equipment.

FUTURE CITY COUNCIL PENDING ITEMS

CITY ADMINISTRATOR COMMENTS

COUNCILMEMBER’S COMMENTS

MAYOR’S COMMENTS

EXECUTIVE SESSION Pursuant to RCW 42.30.110(1)(i): Discussion of Property Issue

ADJOURNMENT

*Determine the thing that can and shall be done and
then we shall find the way.
Abraham Lincoln*

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.

**City Council Regular Meeting
Tuesday, September 4, 2012, 6:00 p.m.
City Hall – Council Chambers**

CALL TO ORDER Mayor Dudley called the regular meeting of the Oak Harbor City Council to order at 6:00 p.m.

INVOCATION Councilmember Joel Servatius

ROLL CALL

Mayor Scott Dudley	Larry Cort, Interim City Administrator
Five Members of the Council,	Cathy Rosen, Public Works Director
Rick Almberg	Steve Powers, Development Services Director
Tara Hizon	Renée Recker, Executive Assistant to the Mayor
Joel Servatius	Nacelle Heuslein, Interim City Clerk
Bob Severns	Grant Weed, Interim City Attorney
Danny Paggao	Ray Merrill, Fire Chief
	Doug Merriman, Finance Director

Excused Absences

Beth Munns
Jim Campbell

AGENDA CHANGES

Mayor Dudley stated the Fairview Point PRD ADU Amendment and the EMS Agreement with the Whidbey General Hospital will be brought back on the September 18, 2012 Council agenda.

Motion: Mayor Pro Tempore Paggao moved to add item 16 to hold an Executive Session prior to adjournment to discuss pending litigation and litigation. Councilmember Severns seconded the motion and the motion carried.

ROLL CALL

Mayor Dudley stated all were present except Councilmember Campbell and Councilmember Munns.

Motion: Councilmember Servatius moved to grant an excused absence to Councilmember Campbell for the 9/4/12. Councilmember Almberg seconded the motion and the motion carried.

MINUTES

Mayor Dudley presented the 7/31/12 Special Meeting Minutes, the 8/8/12 Regular Meeting Minutes and the 8/14/12 Special Meeting Minutes for Council approval. Councilmember Hizon recused herself from the vote on the 7/31/12 minutes as she was not in attendance.

Motion: Councilmember Almberg moved to accept the Special Meeting minutes of 7/31/12, the Regular Meeting Minutes of 8/8/12 and the Special Meeting Minutes of 8/14/12. Councilmember Severns seconded the motion and the motion carried with an abstention from Councilmember Paggao for all three meetings.

NON ACTION COUNCIL ITEMS

Introduction of New Employees

Fire Chief Ray Merrill introduced new Fire Department Staff, Angela Braunstein and Lt. Don Baer both with years of experience. Ms. Braunstein and Lt. Baer thanked the Mayor and Councilmembers for the opportunity to be of service to the city.

Employee Recognition

Dina Nichols was recognized for her 10 years of service to the city. Dina is helpful to all and has worn many hats since 2002. She is currently a member of the Safety Committee, chair of the Wellness Committee and has been involved in the website redevelopment. The City has won the AWC Well City award seven times and she has saved the city over \$65,000 in reimbursements from AWC.

PUBLIC COMMENTS

Mayor Dudley called for Public Comments from the audience.

Terry Lacey of the VFW Post 7392 stated the Veterans Day parade will be held November 10, 2012. He encouraged maximum participation. The Elks Club will be providing a reception for the veterans and their families. Mr. Lacey asked for help in getting the word out and thanked the city for letting them put this together. Mayor Dudley thanked him for doing all the work on this event.

Paul Bovey shared the Four –Way Test of Rotarians.

1. Is it the Truth?
2. Is it Fair to all concerned?
3. Will it build Goodwill and Better Relations?
4. Will it be Beneficial to all concerned?

Helen Chatfield-Weeks commented how wonderful the Jazz Festival was this past weekend and for the people who didn't make it they really missed a great event. She recommended citizens watch Channel 10 to keep up with what is going on in Oak Harbor. Ms. Chatfield-Weeks thanked Councilmember Severns and his wife, Rhonda for getting the event started.

Ronald Lawler a member of the Oak Harbor Youth Commission appointed by the Mayor and Council encourages the community to "catch" our youth doing something right and submitting a nomination for the "Caught in the Act" Award. Completed nominations can be given to Councilmember Hizon.

Mel Vance invited Council to the Kite Festival Event to be held September 22 and 23, 2012 from 9 – 5 each day at Fort Casey. It is free and the event is for kids and the whole family.

With no other citizens coming forth, the public comments were closed.

COUNCIL CONSIDERATION AND ACTION ON THE FOLLOWING MATTERS:

Consent Agenda:

- a. Noise Permit – Homecoming Parade Dwight Lundstrom of Oak Harbor High School submitted a Noise Permit request for marching bands and amplified sound associated with announcements for the Homecoming Parade.
- b. Noise Permit – Veteran’s Day Parade submitted by Terry Lacey of the VFW Post 7392 requesting a permit for marching bands and amplified sound associated with announcements for the Veterans Day Parade.
- c. Referral of Change in the Use of Lodging Taxes to the Lodging Tax Advisory Committee. Request to refer potential changes in the use of 2% funds to the Lodging Tax Advisory Committee for review and comment.
- d. Approval of Accounts Payable Vouchers including Claims and Payroll

Payroll Check Approval 8/15/12	#95752 – 95765	\$444,062.35
Accounts Payable Check Approval 8/15/12	#150971 - 151133	\$421,397.86
Payroll Check Approval 8/31/12	#95766 – 95797	\$566,462.28
Accounts Payable Check Approval 8/29/12	#151134 – 151257	\$795,403.40
Payroll Check Approval 8/31/12	#95798 – 95821	\$ 56,140.44

Motion: It was moved by Councilmember Servatius and seconded by Councilmember Hizon to pull Item c., under the Consent Agenda, for separate discussion. Motion carried unanimously.

Motion: Moved by Councilmember Severns and seconded by Councilmember AlMBERG to approve the Consent Agenda as presented less Item c. Motion carried unanimously.

Finance Director Doug Merriman explained any changes in the Hotel-Motel Use Lodging Tax needed to be sent to the Lodging Tax Advisory Committee at least 45 days prior to the Council taking final action. The committee will bring back its recommendations to the Council.

Motion: Councilmember Servatius moved to approve Item c on the Consent Agenda. The motion was seconded by Councilmember Severns and the motion carried unanimously.

Public Hearing and Final Consideration – Ordinance No. 1632, Credit Card Fees.

Public Hearing

The Mayor declared the public hearing opened at 6:35 p.m. When there were no public comments he closed the public hearing.

Ordinance No. 1632

An Ordinance authorizing the City to absorb the transaction cost/fees associated with payment made with credit and debit cards and amending the OHMC Chapter 3.68.

Finance Director Merriman stated in an effort to streamline the payment process and to reduce costs to the City in terms of administrative processing and staff time, the City has offered its

residents the ability to pay bills through the use of a credit or debit card. Providing customers with the ability to make such payments has resulted in a cost savings to the City and has resulted in increased convenience to the City's customers. There are certain transactional costs associated with the use of credit and debit cards to purchase goods and services and the cost savings to the City outweighs any associated transactional costs.

Motion: Councilmember Severns moved to adopt Ordinance No. 1632 approving the absorption of credit card fees. The motion was seconded by Councilmember Almberg and it carried unanimously.

Public Hearing and Final Consideration – Ordinance No. 1633 Amending the OHMC Section 6.56.030 (2)(a) to give administrative authority to the Mayor, or the Mayor's designee, to grant a noise permit.

The Mayor opened the public hearing at 6:39 p.m.

Mel Vance agreed with the concept but was concerned neighbors wouldn't have an opportunity to come before Council and say they were against the noise permit if there was to be a large party in someone's backyard.

When there were no further comments Mayor Dudley closed the public hearing at 6:40 p.m.

Finance Director Doug Merriman stated for the last several months the City has received numerous applications for noise permits. At times the city council agenda packet would include several applications for noise permits which are typically assigned to the consent portion of the agenda. The preparation of these bills takes considerable staff time and effort. It is recommended the Council give the Mayor or the Mayor's designee the authority to issue these noise permits.

Motion: Councilmember Almberg moved to approve Ordinance No. 1633 amending the OHMC 6.56.030(2) (a) to give administrative approval authority for noise permits to the Mayor or the Mayor's designee. Councilmember Hizon seconded the motion and the motion carried.

Public Hearing and Final Consideration – Ordinance No. 1631 an ordinance amending OHMC Sections 2.29.010 entitled "Creation of Arts Commission" Section 2.29.040 entitled "Membership of Commission" and Section 2.29.050 entitled "Term of Office of Members"

Interim City Administrator Cort stated at the time of creation, membership on the Arts Commission was established at eleven. Through the years, it has become apparent that maintaining an eleven-member Commission is impractical. In order to reach a quorum six (6) members have to be present. The ordinance reduces the number from 11 to 7 thus a total of 4 would be necessary to meet quorum requirements.

The Mayor opened the public hearing at 6:45 p.m. It was closed when there were no public comments

Motion: Mayor Pro Tempore Paggao moved to approve Ordinance No. 1631 amending the OHMC Title 2 Chapter 2.29 Oak Harbor Arts Commission. Councilmember Servatius seconded the motion and the motion carried unanimously.

Site Plan Extension – Franklin Manor.

Resolution 12-20 approving a single two-year extension to the approved site plan pursuant to OHMC 19.48.120 for the Franklin Manor PRD

Director of Development Services Steve Powers informed Council this was a request by Windmill Court LLC represented by Developer Nat Franklin to approve a single two-year extension to the Franklin Manor Planned Residential Development (PRD) Site Plan approved by Council on October 19, 2010. This is a quasi-judicial action.

City Attorney Grant Weed asked the following questions of the Council:

1. Do any of the Councilmembers have any interest in the property or application?
Council answered no.
2. Does any Councilmember own property within 300 feet of the subject property?
Council answered no.
3. Do any of the Councilmembers stand to gain or lose any financial benefits as a result of the outcome of the hearing?
Council answered no.
4. Does any Councilmember have any personal, family or other connection to any party such that their ability to be impartial might be called into question?
Council answered no.
5. Can each Councilmember hear and consider the application in a fair and objective manner?
Council answered yes.

Councilmember Severns disclosed he is a Board of Director of the Whidbey Island Bank.

City Attorney Weed asked if any member of the audience had any objection to any of the Councilmembers participating and deciding this matter. There were no audience objections. He further state, thereafter any future objections will be waived. He also noted there will be no public comments on this matter as this was a closed record review.

Director Powers stated this is an approved PRD to construct 158 multi-family apartment units in four buildings on 5.57 acres. The city's municipal code allows for a single two-year extension for good cause. In the developer's extension letter he cites the economic downturn as the reason for not pursuing implementation of the project. The developer noted he intends to make the units more marketable by reconfiguring the size of the units.

On August 10, 2012 a citizen commented in writing he was in support of the project, but it should be contingent on demolishing and removing the existing trailers before the end of the original expiration date of October 19, 2012 due to aesthetic and health concerns. The developer informed City staff that some demolishing has already occurred and it is anticipated to be complete by mid-September.

Based on a question about septic tanks and wells, Mr. Powers pointed to Hearing Examiner's #6 of the Findings of Fact that read: All septic systems must be removed or terminated according to Island County Department of Health Standards. If a well is to be abandoned, it must be done per State Department of Ecology requirements. If it is not abandoned, well setback radii need to be observed. Councilmember Alberg was concerned about the developer selling the land and project. Mr. Powers stated the new owner would be responsible for this site plan or would have to come back to the city for appropriate review processes with the city.

Based on additional concerns regarding grading depressions left by the removal of trailers and septic tanks depression, Dr. Cort recommended adding the phrase "so as not to create a public nuisance" at the end of #2 of the resolution.

Councilmember Paggao inquired if the developer were to make the units smaller could he build more units. Director Powers said the unit cap has been set by the City Council and he cannot build any more units, he could build them smaller, but must come back for a process from City Council if he chooses to build more. At this time the developer only wants a two year extension and the city will consider the changes if he requests them.

Councilmember Servatius stated there seemed to be a pause in the demolition process and he would like to see it expedited if they only have until October 19th to finish the destruction.

Resolution 12-20 approving a single two-year extension to the approved site plan pursuant to OHMC 19.48.120 for Franklin Manor PRD.

Motion: Councilmember Alberg moved to approve Resolution No.12-20 with a modification to paragraph #2 in the resolution to read as one of the conditions a single two year extension to the approved site plan for Franklin Manor is hereby approved on the condition that all existing mobile homes and structures on the property are demolished and removed from the property so as to not create a public nuisance by October 19, 2012. Councilmember Servatius seconded the motion and the motion carried unanimously.

Council Rules Amendments

Interim City Administrator Cort stated there were a number of potential amendments to the document entitled *Administration and Personnel Council Rules*, first adopted on March 2, 2004 and last amended on March 20, 2012.

Mayor Dudley asked for public comments.

Mel Vance requested the number of Councilmembers needed to call a special meeting remain at 4. The Mayor can still call a special meeting and it should be retained as is.

The Mayor closed public comments.

Rule No. 1: Purpose – Scope:

No Changes

Rule No. 2: Special Meetings:

Motion: Councilmember Hizon moved to insert “ email” in (2) last sentence, *Councilmembers may consent to personal written notice being place in Councilmember’s mailbox at City Hall; provided, further, in such cases a telephonic, email or personal notice shall be given to each Councilmember.* Councilmember Servatius seconded the motion and the motion carried unanimously.

Motion to Amend: Councilmember Almberg moved to amend the motion by making the first sentence *read Special meetings may be called by the Mayor or by a majority of the Council by written notice, as further described below, to each Councilmember and the Mayor at least twenty-four hours prior to the time set for the meeting as specified in the notice.* Councilmember Hizon seconded the motion and the amendment carried. The original motion as amended was voted upon and carried.

Motion: Councilmember Servatius moved and Councilmember Severns seconded the motion to approve Rule No. 2 as amended. The motion passed unanimously.

Rule No. 3: Meetings public – Executive Sessions.

No changes

Recess:

The Mayor recessed the meeting at 7:26 p.m.

Reconvene:

The Mayor reconvened the meeting at 7:31 p.m.

Rule No. 4: Quorum – Absent Councilmembers.

Motion: Councilmember Servatius moved to strike the words *(Fourth Edition)* from subsection (1) last sentence and insert the words *of the most current edition* after Chapter 15 of “THE STANDARD CODE OF PARLIAMENTARY PROCEDURE”. Seconded by Councilmember Hizon. Motion carried.

Motion: Moved by Councilmember Servatius to amend Rule No. 4, Subsection 2 striking A at the beginning of the second sentence and replacing it with Each and placing a “ after the word year at the end of the sentence and adding the words with no more than one councilmember participating electronically at a time. Seconded by Councilmember Severns. Motion carried unanimously.

Motion: Councilmember Servatius moved to approve Rule No 4 as amended. Councilmember Almberg seconded the motion & motion unanimously.

Rule No. 5: Presiding officer – Mayor, Clerk pro tempore

No changes.

Rule No. 6: Agenda

Motion: Councilmember Hizon moved to revise Subsection (3) (e) to extend the citizen comment period from 15 to 30 minutes. Motion failed from lack of a second. Rule 6 remains the same.

Rule No. 7: Public hearing notices and notice of preliminary Council agenda.

No changes.

Rule No. 8: Minutes (City Clerk)

No changes.

Rule No. 9: Public Discussion

Dr. Cort stated staff added under Subsection (1) last sentence after presiding officer, or (a majority of) Council. There was concurrence by the council.

Rule No. 10: Presiding officer's duties.

No changes.

Rule No. 11: Debate/Discussion

Motion: Councilmember Almberg moved under Subsection (3) that it remain the same and not be changed. Mayor Pro Tempore Paggao seconded the motion and the motion carried with Councilmember Hizon voting no.

Motion: Councilmember Severns moved to add under Rule No. 11, at the end of Subsection (1) to add Each councilmember shall be given an opportunity to speak once before anyone may speak a second time with the Mayor calling on the councilmembers around the table in turn. Councilmember Hizon seconded the motion.

Discussion ensued. Motion carried unanimously.

Motion: Councilmember Servatius moved to strike the amendment to Subsection (8) and keep it like it is. Councilmember Hizon seconded the motion. Upon a vote, the motion failed with Councilmember Servatius voting yes and Councilmembers Hizon, Almberg, Severns and Mayor Pro Tempore Paggao voting no.

Motion: Councilmember Almberg moved to adopt Rule No. 11 as amended in Subsection (1) and (3) and Subsection (6) as proposed by staff and Subsection (8) as proposed by staff. Councilmember Severns seconded motion and the motion carried unanimously.

Rule No. 12: Motion in writing - When

No changes.

Rule No. 13: Motions - Priority

Motion: Councilmember Servatius moved to take out the words (Fourth Edition) from Subsection (4) and insert the words after Chapter 5 of the most current edition. Councilmember Severns seconded the motion. Discussion followed. Councilmember Servatius amended the motion to strike the words Chapter 5 of Subsection (4). The amendment was seconded by

Councilmember Hizon. The amendment carried unanimously. The original motion as amended carried unanimously as well.

Motion: Councilmember AlMBERG moved and Councilmember SEVERNS seconded to adopt Rule No. 14 as amended. The motion carried unanimously.

Rule No. 15: Motions.

No Changes

Rule No 16: Motions – 2/3's vote required

No changes.

Rule No 17: Voting

Council concurred with the change: *Shall include a show of hands.*

Rule No 18: Adopted Rules of Order

Motion: Councilmember SERVATIUS moved to add after Chapters 15 the most current edition and strike (Fourth Edition) from the first paragraph. Councilmember SEVERNS seconded the motion and the motion carried.

Motion: Councilmember SERVATIUS moved to accept Rule No. 18 as amended. Councilmember ALMBERG seconded the motion and the motion carried unanimously.

Rule No 19: Quasi-judicial matters – Site Visits

No change.

Rule No 19A: Quasi-judicial Procedure – Appearance of Fairness

No change.

Rule No 19B: Quasi-judicial Procedure – Ex Parte Contacts

No change.

Rule No 19C: Quasi-judicial Procedure – Testimony

No change.

Rule No 19D: Quasi-judicial Procedure – Advocacy

No change.

Rule No. 20: Requests for additional public hearings.

No change.

Rule No. 21: Written materials submitted subsequent to public hearings.

No change.

Rule No. 22: Reconsideration of quasi-judicial actions.

No change.

Rule No 23: Reconsideration of actions which are not quasi-judicial.

No change.

Rule No 24: Ratification

No change.

Rule No 25: Failure to follow rules.

No change.

Rule No 26: Interpretation.

No change.

Rule No 27: Standing Committees.

No change.

Rule No 28: Standing Committee Procedures

No change.

A clarification was made for Councilmember Hizon under Rule 17 Subsection (1) all Councilmembers present must vote on all questions put to the Council.

Councilmember AlMBERG asked if a councilmember had to state a reason for an abstention.

City Attorney Weed stated although he could not state a law that governed this, it was the council's prerogative to request a reason.

Councilmember Hizon and Severn disagreed with giving a reason for abstention. Councilmembers AlMBERG, Servatius and Mayor Pro Tempore Paggao would support providing a reason for abstention.

Motion: Councilmember AlMBERG moved to insert a sentence under Rule 17 (1) after the third sentence ending in "or abstention." *Reasons for abstentions shall be explained to the Council.* Councilmember Servatius seconded the motion. Motion carried with Councilmember Severns and Hizon voting nay.

Motion: It was moved by Councilmember AlMBERG to accept Rule No. 17 as amended. Councilmember Servatius seconded the motion and the motion carried.

Motion: Councilmember Hizon moved to approve the **Administrative and Personnel Council Rules** as amended. Councilmember Severns seconded the motion and the motion carried.

Revised Navy Jet Fuel Pipeline Easement

Director Powers stated the agenda bill presents a revised easement with the United States of America and the Department of the Navy for the Council's consideration as well as a proposed purchase and sale agreement as a companion document to the easement. The Council, on June 18, 2012, had approved the granting of an easement to the United States of America and the Department of the Navy for the purpose of constructing a new jet fuel pipeline within the Regatta Avenue right-of-way. The easement includes a portion of the WSDOT right-of-way for SR-20. By state law, the City has authority and jurisdiction over the construction, use and maintenance of any portion of SR 20 in the city limits, with the concurrence of WSDOT.

RCW 47.24.020 also directs the revenue derived from the sale, vacation, rental or any non-transportation use of such rights-of-way shall be shared by the city and the state in the same proportion as the purchase costs were shared. The value of this portion of the easement was established at \$1,000.00 during the appraisal process.

Since the June 18th meeting the Navy, WSDOT staff and the City agreed the revisions would be addressed by revising certain portions of the easement with the city as follows:

- The revised easement clearly states in appropriate places that WSDOT's concurrence is required for the granting of the easement.
- The total compensation for the easement (\$9,125.00) had not changed. However, the new easement deletes reference to the fact that this payment is to be made to the city and is not to be interpreted as meaning solely to the city. This simple change will allow the Navy to directly pay both the city and WSDOT the respective shares of the total compensation (\$8,125.00 and \$1,000.00 respectively.)

The final proposed amendment addresses the topic of "as-built" drawings. Due to security reasons, the Navy prefers that "as-built" drawings remain on file in their offices and not be provided to the city for storage in our offices. The city has no objection to this restriction.

Director Powers did inform the Council there may be the possibility of one additional change to the agreement for a slight lengthening of the easement area the city is granting. This request will come back to the Council if necessary.

Mayor Dudley asked for public comments. There were none.

Motion: Councilmember Hizon moved the City Council rescind prior action approving the easement and adopt the revised easement as proposed. Councilmember Almberg seconded the motion and the motion carried unanimously.

Motion: Councilmember Hizon moved the City Council adopt the purchase and sale agreement. Councilmember Almberg seconded the motion and the motion carried.

Bid Award – Rescue Unit.

Fire Chief Ray Merrill presented Agenda Bill 11. It recommended awarding a contract for the purchase of a rescue unit to North Star/Braun in the amount of \$131,288. 53.

Mel Lance supports a purchase of a vehicle, but wants it clearly specified in the motion that the bid was awarded to the second lowest bidder because the low bidder did not meet the bid specifications.

Ron Hancock encouraged the Council to provide a rescue unit the firefighters deserve.

The Mayor closed the public comments on this item.

Lengthy discussion ensued. There was concern about the age of the truck, where the monies would come from in the budget, waiting 240 days until one was built, the location of a repair shop within 300 miles of the Fire Department, possibly waiting until union negotiations with the fire department had concluded, revenue challenges with a reduction of sales tax not being received, not choosing the lowest bidder, waiting until the budget is approved, providing tools to the fire department in order to respond to emergencies, would it be money better spent to purchase a newer vehicle, bonds could be used to purchase big ticket items, a test drive of both the old and new vehicle definitely shows the need for a new vehicle and the current vehicle needs about \$10,000 worth of repairs.

Extension of Meeting

Motion: Councilmember Servatius moved to extend the meeting until 9:30 p.m. Councilmember AlMBERG seconded the motion. Motion carried.

Bid Award – Rescue Unit Continued

Motion: Councilmember AlMBERG moved to defer this decision until after the City Council has completed their budget for 2013-2014 and the city has resolution with the firefighter’s union. Councilmember Servatius seconded the motion. Upon vote, Councilmembers Severn, AlMBERG and Servatius voted to postpone the decision and Mayor Pro Tempore Paggao and Councilmember Hizon voted no. The motion carried 3-2.

Mayor Dudley recessed the meeting for 5 minutes and reconvened it at 9:23 p.m.

Future City Council Pending Items.

This calendar has been placed in the agenda Packet.

City Administrator’s Comments.

The City is introducing the three finalists for Police Chief at a Meet and Greet this week at the Fire Department and following up with an interview panel consisting of three Councilmembers, two citizens, an outside law enforcement official from Whatcom County and two police department personnel.

Initial recruitment for an HR Director had been completed. There were three candidates, two were not suited and one withdrew. The city has repackaged and re-advertised. The position closes on Friday. He hopes for a good pool of candidates.

The City Attorney position closes on Friday. The city has received several of applications and he hopes for a good pool of candidates as well.

The City Engineer & City Clerk position announcements are being put together by the HR staff.

Dr. Cort gave a big thank you to all of the staff including the street department, solid waste, police and fire, public safety and Renee Recker who kept the administrative side of the Jazz Festival going. He also thanked Rhonda Severns for her great devotion to the work in putting the Festival together. He further acknowledged Michael John Paperalla, Margaret Livermore and Lyn Goebel for working day by day to get the event going and a boatload of volunteers and community members.

Extension of Meeting

Councilmember Servatius moved to extend the meeting until 10:30 p.m. Mayor Pro Tempore Paggao seconded the motion and the motion carried.

Councilmember Comments

Mayor Pro Tempore Paggao stated a Public Works Standing Committee meeting was not held last month, but has been scheduled for Thursday September 6, 2012 at 3:30 p.m.

Councilmember Alberg stated the next Finance Committee meeting will be held September 18th at 3:30 p.m.

Councilmember Severns informed council there was an Economic Development lunch on the 19th that he will try to attend on behalf of the council. He stated he was very proud of Rhonda and her great work on the Festival.

Councilmember Hizon echoed the same sentiments and was so impressed with the Festival and the fact it was put together in less than 8 weeks. She had the privilege of being MC and she was looking forward to next year as well. A United Way fund raiser at the Elks Lodge, this Saturday there is the Military Appreciation Picnic at Windjammer Park.

Councilmember Alberg shared that Councilmember Hizon has a beautiful voice. She sang the star spangled banner.

Councilmember Servatius wanted to thank, in no particular order or degree of merit, John Dyer, Karen Crouch, Connie Wheeler and Eric Johnston for supporting him as a new councilmember. With those employees leaving the city, there was 56 years of accumulated experience going someplace else and he was sorry to see that.

Mayor's Comments

The Mayor stated on the wall behind him the city was featuring a new artist, Kit Christopherson, the Oak Harbor High School Arts Instruction who has served on the Arts Commission for four years. Each piece displayed poses some element of movement, progression or structure left evident or exposed.

The next city council meeting is September 18th and a special meeting is scheduled for September 19th where the Mayor will be providing his state of the city/future vision message. He will be speaking about his priorities as Mayor.

The Mayor expressed his disappointment in the decision of the Council in not going forward with the purchase of a rescue aid vehicle for the fire department. Based on the city's current financial position it would have been a good, necessary and needed purchase. A stabilization ordinance is in place if the council is concerned about the reserves. He doesn't understand the need to postpone this action. The safety of the public is his concern. He feels the citizens will scratch their heads concerning the decision of the council.

The Mayor has received several positive comments about the music and jazz festival. Hats off to the volunteers. Citizens couldn't stop raving about what a wonderful event it was.

A few months ago the Mayor formed an Economic Development Committee to stimulate the economy by making the City more business friendly and by attracting more businesses, as well as a Sister City's Committee looking at having a sister city for cultural education and an Events and Activity Committee where Michael Johnson suggested doing a jazz festival. Thanks to the sponsors that supported the event.

Executive Session

At 9:50 p.m. council adjourned to an Executive session concerning pending litigation and potential litigation.

Councilmember Alberg recused himself from the executive session at 10:06 p.m. because of a conflict with the potential litigation.

At 10:10 p.m. the mayor declared the executive session would last until 10:15 p.m.

The Executive Session concluded at 10:13 p.m.

The Mayor reconvened the regular meeting.

Adjournment

Councilmember Severns moved to adjourn and Mayor Pro Tempore Paggao seconded the motion, the motion carried unanimously and the meeting adjourned at 10:13p.m.

City Council Regular Meeting
Tuesday, September 18, 2012, 6:00 p.m.
City Hall – Council Chambers

CALL TO ORDER:

The regular City Council meeting was called to order by Mayor Scott Dudley.

PLEDGE OF ALLEGIANCE

Mayor Dudley led the Council, staff and audience in the Pledge of Allegiance.

INVOCATION:

The invocation was given by Councilmember Tara Hizon.

ROLL CALL:

The Clerk called the roll with all members present.

Present:

Mayor Scott Dudley
Mayor Pro Tempore Danny Paggao
Councilmember Tara Hizon
Councilmember Bob Severns
Councilmember Rick Almberg
Councilmember Jim Campbell
Councilmember Beth Munns
Councilmember Joel Servatius

Staff Present:

Interim City Administrator Larry Cort
Finance Director Doug Merriman
Public Works Director Cathy Rosen
Finance Director Doug Merriman
Interim City Clerk Nacelle Heuslein
Renee Recker, Exec. Assist. To the Mayor

AGENDA MODIFICATIONS:

Councilmember Almberg moved to pull *Item 3b* from the consent agenda for discussion. The motion was seconded by Councilmember Campbell and the motion carried unanimously.

Councilmember Hizon moved to pull consent agenda *Items 3a and 3c*. Councilmember Servatius seconded the motion carried unanimously.

When there were no more modifications to the agenda, the Mayor approved the agenda as presented.

MINUTES:

There were no minutes presented for approval. The Mayor stated the regular Council meeting minutes of 9.4.12 and 9.18.12 will be presented on the 10.2.12 Council agenda.

NON-ACTION COUNCIL ITEMS:

Employee Recognition – Aldon Boon

Public Works Director Cathy Rosen stated she was extremely happy to recognize Aldon Boon for his 10 years of service to the city. He has worked in the Solid Waste Department since 2002 and was promoted in 2004. Aldon is well liked by his co-workers; is hard working, consistent, thorough and accurate in his work. He is productive, dependable and is very valuable to the city.

Aldon Boon thanked Director Rosen and the Council saying the City of Oak Harbor was a great employer and he was very happy he works here.

PUBLIC COMMENTS:

Martha Yount a resident of Oak Harbor shared when she filed for public office awhile back her focus of her campaign was public safety. She expected the Mayor would also speak of public safety at his meeting on the 19th of September 2012 she encouraged him to be honest in his seat as Mayor and his own actions. She also announced that September was suicide prevention month.

Mel Vance announced the Kite Festival to be held September 22nd and 23rd from 9-5 each day, at Fort Casey and encouraged all to attend.

The Mayor closed public comments when there were no further comments.

COUNCIL CONSIDERATION AND ACTION ON THE FOLLOWING MATTERS:

Consent Agenda

3 d. Approval of Accounts Payable Vouchers Claims Vouchers 151258 -151412 in the amount of \$429,879.31.

Motion: Councilmember Campbell moved and Councilmember Munns seconded the motion to approve Consent Agenda *Item 3 d.* payment of Claims Vouchers 151258 -151412 in the amount of \$429,879.31. Motion carried unanimously.

3 a. Noise Permit – Downtown Merchants Association. Review and approval of a Noise Permit request received from the Downtown Merchants Association for use of amplified sound associated with the street fair and salmon BBQ on October 6, 2012 on Pioneer Way, starting at SE City Beach Street and ending at SE Midway Boulevard.

Upon a question by Councilmember Hizon, Interim City Administrator Cort stated this particular Noise Permit had been received prior to the council approving Ordinance 1633 making them a Mayor's administrative function.

Motion: Councilmember Hizon moved to approve Consent Agenda *Item 3 a.,* providing a noise permit to the Downtown Merchants Association. Councilmember Severns seconded the motion and the motion carried.

3 b. Excused Absence Request – Present and approve Councilmember Rick Alberg's excused absence request for the September 19, 2012 Special Meeting and October 16, 2012 regular City Council Meeting.

Motion: Councilmember Alberg moved to amend his request and delete the September 19, 2012 excused absence. Councilmember Campbell seconded the motion and the motion carried.

Motion: Councilmember Munns moved to accept *Item 3 b*, a request for absence from Councilmember Almberg, on the Consent Agenda for the October 16, 2012 meeting as it was amended. The motion was seconded by Councilmember Campbell and the motion carried unanimously.

3 c. Council confirmation of Mayor Dudley's recommendation to appoint Ed Johnson to the Community Police Advisory Board.

Upon a question by Councilmember Hizon, Mayor Dudley stated the Community Police Advisory Board was established in 1991. The board consists of nine members, not less than five of the members are city residents; at least two members are owners or managers of businesses located within the city; and one member will be a currently enrolled high school student. Their duties are to advise and make recommendations to the mayor, city council and the chief of police concerning the provision of police protection and services within the city; to enhance police-community relations; to promote public awareness of the city's police services and programs, including, but not limited to, crime prevention and D.A.R.E.; to hold public meetings from time to time to solicit public input regarding police services and programs; to serve as liaison between the police department and the community; to apprise the mayor, city council and the chief of police of the community's needs for police services; and to review and make recommendations when matters are referred to the board, by the mayor, city council or the chief of police. The board will hold their meetings at least once per quarter and provide the Council with an annual report.

Motion: Councilmember Munns moved to accept consent agenda *Item 3 c.*, appointing Ed Johnson to the Community Police Advisory Board. Councilmember Campbell seconded the motion and the motion carried unanimously.

4. Agreement for Street Lighting Improvements with PSE.

Public Works Director Cathy Rosen stated this agenda bill recommends entering into an agreement, not to exceed \$20,000, with Puget Sound Energy to install street lighting at the following seven locations:

1. NE Goldie Street and NE Halyard Lane
2. NE Goldie Street and NE 16th Avenue
3. SW Loerland Drive and SW Roeder Drive
4. W Whidbey Avenue and Fairhaven Drive
5. E Whidbey Avenue and NE Izett Street
6. E Whidbey Avenue and SE Regatta Drive
7. NE Regatta Drive and NE 5th Avenue

The Street Fund Budget includes funding to install new street lights to improve safety at various locations in the City. All of these lights are on arterial or collector streets and will enhance the safety of crosswalks and intersections during hours of darkness.

New solar activated in-pavement crosswalk lighting was installed at five of these locations, under the recently completed Safe Routes to Schools Project, which was funded by a grant and arterial street funds. Because all of the lighting associated with the in-pavement warning light systems is solar powered and does not require electrical service, it is more cost effective to have the new overhead lighting installed by Puget Sound Energy under their current schedules. The City plans to have the lighting installed on existing Puget Sound Energy power poles, if available, or new installed wood or concrete poles with overhead and/or on-site underground wiring. If approved, the City will have the lighting installed as soon as possible to provide lighting for the upcoming school year.

Funding for this project is from the Public Utilities Services of the Public Works Street Division Fund (101). This expenditure line item is budgeted for monthly energy and facility charges by Puget Sound Energy for all street lighting in the City of Oak Harbor. Currently, the expenditures for this line item are at 56 percent used, as of August 2012. Actual expenditures are less than the budgeted amount due to fewer street lights being added to the grid because development has not occurred at the projected rate. There is adequate funding for the installation and monthly costs for this project.

Director Rosen further stated the street lighting improvements had been discussed at the Public Works Standing Committee meeting on September 6, 2012.

Citizen Comments Period

Mel Vance stated he was not opposed to these installations. He encouraged Council to look at solar paneling. On Pioneer, LED lighting had been installed and it would be great to have LED lighting installed throughout the City. He was concerned over the City paying almost a ½ million dollars to PSE this month.

The Mayor closed public comments.

Upon a question by Councilmember Hizon, Director Rosen stated it would not be realistic at this time to ask PSE to put solar panels in because these are owned and operated by PSE and currently, they do not offer this option to communities. However, the City could look into having LED lights, but she didn't know the cost of these since PSE just began offering this option.

Upon a question from Councilmember Almberg, Director Rosen stated the undergrounding for the Pioneer project could have been included. Finance Director Merriman said the claims voucher for power within the packet was for all electricity for all purposes including city buildings and that the annual budget for street lighting in the Street Fund was \$193,000.

Councilmember Servatius was in favor of using solar panels, however the City needed to be green and the paneling was very expensive.

Motion: Councilmember Munns moved to authorize Mayor Dudley to sign contracts authorizing Puget Sound Energy to install street lighting at the seven locations identified in an amount not to exceed \$20,000. The motion was seconded by Councilmember AlMBERG and the motion carried unanimously.

5. Approve Security Services Northwest, Inc. – Invoice in the amount of \$770.40.

Public Works Director Cathy Rosen stated on August 16, 2011, the City Council approved the contract with Security Services Northwest, Inc for site security for SE Pioneer Way's archaeological site in an amount not to exceed \$50,000.00.

Director Rosen further stated that Northwest Security Services provided a uniformed security guard at the enclosed archeological site on SE Pioneer Way between Ireland Street and Ilwaco Street from 5:00 p.m. to 8:00 a.m. Monday through Sunday and from 8:00 a.m. to 5:00 p.m. on Saturday, Sunday and Holidays. The security service provided by this agreement began June 29, 2011 and was completed on August 31, 2011. The proposed hourly rate for these services was \$45.00/hour with a not to exceed limit of \$50,000.00.

To ensure the site was secured until the next contractor took over, additional hours were necessary to complete the job. In addition, in the final week of this contract, City staff asked the contractor to remain on the site until the morning of September 1 to insure no gap in coverage. Therefore, after thorough review of Northwest Security Services, Inc's work log it has been determined that the City is obligated to pay an additional \$770.40 for services rendered.

The Public Works Standing Committee reviewed this item at their meeting on September 6, 2012.

Public Comments

There was no public comment on this item.

Motion: Councilmember Hizon moved to pay Security Services Northwest, Inc. the final amount of \$770.40 for site security services. Councilmember Campbell seconded the motion and the motion carried.

6. Future City Council Pending items was included in the packet.

7. City Administrator Comments.

On July 3rd of this year, council asked to see a rough draft of the 2013-14 Biennium Budget by September 18, 2012.

Finance Director Merriman stated the budget process incorporates a "laddered" approach to its development. It has reached the second step at this point. The department heads, supervisors and managers have prepared their budget requests. This first run goes to the Finance Director.

The City Administrator and the Mayor are the third and fourth steps for review. In the past, the City Council has not seen the working document until after the mayoral review. At this first managerial level review, the General Fund has historically been out of balance anywhere from \$1.0 million to \$1.8 million dollars. This year is no exception. In a memo prepared for the Council he has concerns for seven funds that will require more work with council direction, creativity and resourcefulness to make the funds balance. The net effect of inflationary changes to operations within the Current Expense Fund is 3 - 3 1/2% and will take some work with the Council and staff being creative with cuts or other strategies since there are no new revenues to replace them. There will also be a reduction in sales tax revenues of \$200,000 in both 2013 and 2014, as well as a reduction in liquor taxes. The two most stressed funds are the Arterial Street Fund and Storm Drain Fund both being affected by the continuation of archeological recovery work for the Pioneer Way project and those unknown costs. Other funds he is concerned about are the Street, Senior Center, Water and Marina Funds.

He requested that Council make available to him, dates when they can meet with Department Directors, to review individual department budget requests. He anticipated having the official preliminary budget out by the middle of October, 2012.

Interim City Administrator Cort stated he will have the amended Council Rules to the Council by next week.

He concluded by adding he would not be having any information coming forward about staffing since the Mayor would be addressing this issue in his State of the City/Vision Meeting the next evening.

8. Councilmember's Comments

Mayor Pro Tempore Paggao stated the Public Works Standing Committee was televised on September 6, 2012.

Councilmember Campbell – no comments

Councilmember Almborg stated the Finance Committee met September 18, 2012 and Finance Director Merriman covered the items in his recent budget comments.

Councilmember Munns stated the Public Safety Standing Committee will be meeting Thursday, September 20, 2012 at 3:30 p.m. in the Council Chambers. Kudos to the Island County Joint Tourism, our Arts Commission and the Greater Chamber of Commerce in having Channel 5's, Evening Magazine featuring the City on the 14th of September, 2012.

Councilmember Severns stated he would be attending the Economic Development luncheon on September 19th in Coupeville at 11:30 a.m.

Councilmember Hizon stated the Oak Harbor Youth Commission will be meeting at the United Way office at 5:15 p.m. tomorrow evening. She Praised the Arts Commission on the Driftwood Days event held on Saturday. It was great to see the creativity with driftwood. In conclusion, she announced there would a candidate's forum at the Chamber of Commerce luncheon on Thursday

Upon a question by Councilmember Servatius, Finance Director Merriman stated the inflationary affect on the general fund increasing 3 – 3 ½ % and revenues only increasing by 1% did create a problem for balancing the budget and eventually the City will not be able to make those cuts.

Mayor's Comments

The Anacortes Water Treatment Plant will have a temporary, but complete shutdown of the drinking water treatment plant and the supply of water to the City of Oak Harbor's transmission system on Friday, September 28, 2012 from 7:30 a.m. to 5:30 p.m. Puget Sound Energy will be shutting down all electrical power service to the water plant to perform maintenance.

On September 29, 2012 from 10 a.m. to 2 p.m. at the Island County Sheriff's Office, Coupeville Marshal's Office and the Oak Harbor Police Department along with representatives from the Drug Enforcement Administration (DEA) will give the public another opportunity to prevent pill abuse and theft by ridding their homes of potentially dangerous expired, unused and unwanted prescription drugs. The service is free and no questions are asked.

On October 6th the Downtown Merchants Association and the Swinomish Indian Tribal Community members will once again host a Salmon Barbeque on Pioneer Way at which time the newest art arrivals, the *Stumbling Ducklings* will be dedicated. He was sure they would be dressed for the occasion.

He stated a belated Happy Birthday to Councilmember Munns and concluded by wishing Councilmember Campbell Happy Birthday wishes as well.

Adjournment

Councilmember Hizon moved for adjournment at 6:54 p.m. The motion was seconded by Councilmember Munns and the motion carried unanimously.

**City Council Special Meeting
Wednesday, September 19, 2012, 6:00 p.m.
City Hall – Council Chambers**

CALL TO ORDER:

The Special City Council meeting for the purpose of the Mayor providing his State of the City/Vision for the future of Oak Harbor was called to order by Mayor Scott Dudley at 6:00 p.m. He declared his message would include all that was currently happening in the city, as well as what the city anticipated for changes for the future. He welcomed the Council, audience and the Channel 10 viewers. The Power Point Presentation is included as an attachment to these minutes.

Present:

Mayor Scott Dudley
Mayor Pro Tempore Danny Paggao
Councilmember Tara Hizon
Councilmember Bob Severns
Councilmember Rick Almberg
Councilmember Jim Campbell
Councilmember Joel Servatius

Staff Present:

Interim City Administrator Larry Cort
Finance Director Doug Merriman
Public Works Director Cathy Rosen
Finance Director Doug Merriman
Interim City Clerk Nacelle Heuslein
Renee Recker, Exec. Assist. To the Mayor

Excused Absence:

Councilmember Beth Munns

Motion: Councilmember Almberg moved the council allow the public and councilmembers to comment and/or ask questions at the end of the meeting. Councilmember Servatius seconded the motion. Discussion ensued. Interim City Administrator Cort did say the meeting had been noticed as a Special Meeting of the Council and therefore, public comments could be allowed at the end of the meeting.

Amendment to the Motion: Councilmember Hizon moved to amend the motion, if time allows to have public comment at the end of his presentation, but to forgo the comments from the Council until a later date. The amendment was seconded by Councilmember Almberg. The amendment failed with Councilmembers Severn, Almberg, Campbell, Mayor Pro Tempore Paggao and Councilmember Servatius voting no and Councilmember Hizon voting aye. The original motion passed with Councilmember Campbell voting no.

Mayor's State of the City/Vision is following as an insert into these minutes.

State of the City Address



Mayor Scott Dudley

Vision Statement

Oak Harbor...a vibrant Whidbey Island waterfront community where everyone is welcome and encouraged to thrive.

Mission Statement

The City of Oak Harbor is committed to creating a vibrant community by delivering quality services, enhancing the quality of life, and fostering economic opportunities.

Goals

- Promote a healthy and growing business community.
- Improve the appearance and livability of the community.
- Encourage a safe community.
- Build and enhance community partnerships.
- Deliver superior quality service to our customers.
- Protect and enhance capital investment in the City.
- Promote a healthy work environment and employee excellence.

Fire Department

Staff:
 10 Full Time Staff
 26 Paid on Call Firefighters

Changes:
 Possible replacement of Rescue Unit
 Upgrade from a Code 4 City to a Code 3 City

Fire Department

January – July 2012 Points of Interest

Responded to 653 calls, including...

- 42 Fire Calls
- 357 Emergency Medical Calls
- 115 False Calls

\$113,075 in Fire Loss this year so far

Average Response Time:
 4 minutes, 24 seconds

Police Department

Staff:
 37 Commissioned and Non-Commissioned
 Administrative Division
 Special Operations Division
 Support Services
 Investigations
 Jail
 Patrol Division
 Animal Control

Changes:
 Foot Patrol Officer
 Oak Harbor High School Resource Officer
 Neighborhood Watch Program revival

Police Department

January – July 2012 Points of Interest

- 7,217 Calls for Police Service
 A decrease of 223 (-3%) from Jan-Jul 2011
- 2,221 criminal offenses reported
 A decrease of 155 (-6%) from Jan-Jul 2011
- 3,307 Traffic Stops
 A decrease of 1,427 (-30%) from Jan-Jul 2011
- 117 Reportable Collisions
 An increase of 6 (+5%) from Jan-Jul 2011

Finance Department

Staff:
 10 Full Time Employees
 Accountants
 Internal Auditor
 Accounts Payable/Payroll
 Utilities Cashiers
 City Clerk
 Receptionist

Utility Customers:
 6,027

Budget – 1st Half 2012 Report

- Total General Fund revenue receipts are 1.28% below budgeted projections.
- Sales Tax Revenues:
 - Receipts are 8% behind the same period during the previous year
 - If trend continues for the remainder of 2012, sales tax receipts will be down \$210,000.
- Total General Fund Reserves as of July 31st are \$3,354,766 or 26.65%.

Law Department

Staff: 2 Full Time

Criminal Cases: 174

14 Civil Cases are currently being worked on by Weed, Graafstra and Benson

Contracts for:

- City Attorney
- Prosecuting Attorney
- Chief Public Defender
- Assistant Public Defender
- Public Defense Administrator

Public Works

Staff: 46

- Administrative
- Engineering
- Environmental Educator
- Equipment Rental
- Facilities
- Purchasing

Public Works: Water

Staff: 5

103.14 miles of Water Lines

For 2011, total water usage was:
745, 600,058 gallons

Changes:
Radio meter reading
North Water Reservoir

Public Works: Solid Waste

Staff: 6

January through July 2012, 4,335 tons of garbage has been collected and transported to Coupeville for processing.

During that same timeframe, 666 tons of recyclables were transported to Waste Connections in Coupeville for recycling.

On the average, 6 trips are made to Coupeville daily...reinforcing the need of a transfer station in Oak Harbor.

**Public Works: Stormwater/
Wastewater Collections**

Staff: 6

Storm Drains/Ditches: 49.19 miles
Sewer Collection Lines: 69.81 miles

Changes:
42" Outfall need

Public Works: Wastewater Treatment

Staff: 5

Treat 1.62 million gallons of wastewater daily

Changes:
Council approved new WWT Plant and Improvements

Public Works: Streets

Staff: 4

Streets: 68.74 miles

Funded almost entirely by gas taxes and CAPRON Funds:
electricity for street lights
signage
snow/ice removal

Pavement management program deferred.

Public Works: Parks

Staff: 6

Number of Parks: 30

Number of acres: 150

Changes:
on-line reservation system
automated pay station at RV Park

Development Services

Staff: 8

New Permits January – July 2012:

Single Family Residential	20
Commercial	1

Business Licenses: 1,629
112 new licenses issued in 2012

Marina

Staff: 4

Improvements:

- Marina Dredging
- New gangplank
- C Dock Electrical Work

August 2012 Occupancy Rate: 70%
+2% compared to July 2012
-1% compared to August 2011

Human Resources

Staff: 1.5

Unions:

Current:

- Police Commissioned
- Police Non-Commissioned
- Fire Department

Pending first agreements:

- Teamsters (Public Works)
- Teamsters (Marina)

Number of Vacancies: 25

Senior Services

Staff: 3

Number of Members: 1,200

The Bridge Circulation: 7,000/month

Passports processed: 700

Population

2010 Census Population:
22,075

2012 Population Estimate:
22,200

CITY OF
Oak Harbor

Council Retreat Review

Top 6 Projects or Concepts compiled by Council during retreat in March:

- Roundabouts at SR20
- Dredge the Marina Channel
- Amphitheater/Lagoon
- Guest Moorage at end of Dock Street
- Oak Harbor as a premier family and business destination
- Sound Fiscal Policy / AAA Rating

Upcoming Projects		
Project	Budget	Funding Status
Gun Club Road Water Mains	\$1,500,000	Secured and under construction
North Water Reservoir	\$6,000,000	Secured with plans 90% complete
Wastewater Treatment Plant & associated improvements	\$93,500,000	In Progress
42" Stormwater Outfall Repair	\$2,000,000	Secured with \$1.6 million from PW Trust Fund Loan
North Booster Pump Station	\$1,500,000	In Progress
SE 7 th Ave Improvement	\$3,500,000	In Progress. Grant funding possible up to \$2.3 million
Total	\$108,000,000	

- ### Priorities
1. Public Safety
 2. Economic Development
 3. Transparency
 4. Communication / Customer Service
 5. Financial Soundness / AAA Rating

Citizen Committees & Boards	
Committee	Number of Members
Arts Commission	7
Civil Service Commission	3
Community Police Advisory Board	9
LEOFF 1 Board	5
Library Board	5
Lodging Tax Advisory Board	5
Maina Advisory Board	5
Park Board	5
Personnel Appeals Board	3
Planning Commission	7
Senior Services Advisory Board	11
Youth Commission	12

Ad Hoc Committees

1. Sister Cities
2. Oak Harbor Economic Development
3. Activities and Special Events



City Blight



Mission Statement

The City of Oak Harbor is committed to creating a vibrant community by delivering quality services, enhancing the quality of life, and fostering economic opportunities.

Contact Information

Mayor Scott Dudley
360-279-4503
mayor@oakharbor.org

Council Comments

At the end of the Mayor's presentation he opened it up to Council comments. Councilmember Severns stated he has been attending the Economic Development Committee meetings the Mayor had set up and commented he thought they would be productive.

The Mayor opened the meeting up for public comments.

Upon a question by Sandi Peterson, an Oak Harbor resident Mayor Dudley stated that by the time his term ended, he will have contributed back to the city treasury \$40,000 of his salary.

Helen Chatfield Weeks, resident and official City of Oak Harbor cheerleader was happy the Mayor mentioned guest moorage at the end of Dock Street and reminded Council of Mr. Doug Francis, Chairman of the Pier Committee who worked tirelessly for the city prior to his passing.

Jim Reynolds, Oak Harbor thanked the Mayor for his priorities and vision for the city. He was concerned about the recent firings and the distrust and strife the community feels over so many positions that are vacant thus taking away the citizen's confidence in their government. He hoped the Council could collaborate more and give one another more respect as they move forward.

Mayor Dudley responded that the changes in staff were intended to promote improvements that will be measured in major efficiencies and successes in city departments. He wished those well that had left the city. He was sure the citizens would be pleased with the end results.

Paul Brewer, Oak Harbor encouraged council to work with the Mayor and not against him.

Cyril Pierce, Oak Harbor was encouraged by what he had heard in the Mayor's speech. He also encouraged the council to practice respect.

Martha Yount stated if you lead with truth, honesty & ethics it doesn't take long for the troops to fall in behind the leader. She also reminded the council of whose money they were spending and managing.

Marshall Goldberg, resident of the County was concerned about the City's legacy. He liked the volunteerism and many pieces of the vision statement. He hoped the council could look to the community for fund raising for projects such as a new dock. The recognition in some form, such as bricks with their names on them, for monetary contributions by the community, could be a lasting legacy.

When there were no further Public Comments, the Mayor turned to the Councilmembers for their comments.

Councilmember Campbell asked if the Mayor had inquired whether the City of Oak Harbor, Ohio would consider being our sister city. The Mayor informed Council the Sister City's Committee is working on getting their bylaws in order and developing what they wish to accomplish. The criteria for a sister city could be domestic or international; there could also be youth exchanges and/or cultural educational trips. He anticipated by the first or second quarter of 2013 the committee would be coming forth with more information.

Councilmember Almberg stated he thought the Mayor's presentation was informative and he was glad the public was allowed to ask questions and make comments at the end. He further stated there are challenges and differences among the Council, but felt that most of the time they were respectful of one another on the dais and off. The Council has a fiduciary responsibility to hold each branch of government; the Executive and the Legislative, accountable and to be prepared at all times, to challenge one another and politely disagree.

Councilmember Hizon posed questions to the Mayor regarding the Fire response time, a Code 3 city fire rating, when the Police Chief interviews were scheduled for and she gave another vote for Oak Harbor, Ohio as a sister city pick. She also stated the City of Auburn had a *wall of shame* on their website where they would show unkempt property and its owner's information. Often it was cleaned up within a few days. In response, the Mayor stated the fire response time has been reduced to 4 minutes 24 seconds from 4 minutes 41 seconds; the city is not yet rated at Code 3, but hoped it would be by the beginning of next year and the Police Chief interviews will be held the second week of October.

Upon a question by Councilmember Severns, the Mayor did say there were three Police Chief applicants and he would be interviewing at least the top two.

Mayor Pro Tempore Paggao looked forward to a report back from the Economic Development Committee with their suggestions and recommendations.

Councilmember Campbell encouraged the citizens of Oak Harbor to volunteer for events and sign up to serve on committees.

Upon a question by Councilmember Servatius, the Mayor stated that most of the non-department head positions should be filled by November 1st. On the October 16th Council agenda, discussion will ensue as to whether to use a search firm to find a City Attorney. The City Clerk position closes on October 5th, the City Engineer position will be posted within 48 to 72 hours and at the moment, he is not considering searching for a City Administrator because of other priorities.

ADJOURNMENT

Motion: Councilmember Hizon moved for adjournment. Councilmember Campbell seconded the motion and the motion carried unanimously.

City of Oak Harbor

OFFICE OF THE MAYOR
SCOTT DUDLEY
MAYOR



PROCLAMATION IN RECOGNITION OF DAY OF THE GIRL OCTOBER 11, 2012

WHEREAS, Gender equality is a fundamental right for all people, and research supports that investing in girls can create a ripple effect that not only improves the lives of girls, but also benefits the economic growth and the health and well-being of communities, and

WHEREAS, in the United States, one in four girls does not finish high school, and the dropout rate is even higher for minorities, and

WHEREAS, in the United States more than half (54%) of all rapes of females happen before age 18, and one in three adolescent girls is a victim of physical, emotional or verbal abuse from a dating partner, and

WHEREAS, more than half (54%) of 3rd to 5th grade girls worry about their appearance and 37% worry about their weight, and

WHEREAS, Soroptimist International of Oak Harbor joins with other local, state and national organizations to advocate for gender equality for girls, domestically and internationally, by improving girls' lives through educational opportunities, supporting anti-bullying and dating violence initiatives, and programs that help girls develop independence, self-esteem, respect for others and leadership skills, and

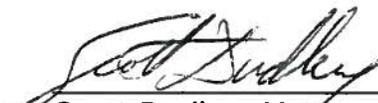
WHEREAS, the United Nations has declared October 11th as International Day of the Girl Child, and

WHEREAS, the Day of the Girl is dedicated to education about the importance of girls to speak out against the injustices they endure, to advocate for their equality wherever they live in the world, celebrating all girls' potential and speaking out against gender-based injustices to encourage girls to live their dreams, and

WHEREAS, the City of Oak Harbor joins Soroptimist International of Oak Harbor and other organizations, and supports increasing girls' participation in sports, science and math-related activities, high school graduation rates, and providing equal opportunities for all girls by speaking out against gender-based injustices, celebrating all girls' potential, and encouraging all girls to live their dreams.

NOW, THEREFORE, WE, Scott Dudley, Mayor, and Councilmembers of the City of Oak Harbor do hereby proclaim **October 11, 2012** as **Day of the Girl** in the City of Oak Harbor.

Signed this 2nd day of October, 2012



Scott Dudley, Mayor

**City of Oak Harbor
City Council Agenda Bill**

Bill No. _____

Date: _____

Subject: **PUBLIC COMMENTS**

FROM: **Scott Dudley, Mayor** *SD*

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

LC Larry Cort, Interim City Administrator

DM Doug Merriman, Finance Director

GW Grant Weed, Interim 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.

THE UNIVERSITY OF CHICAGO
LIBRARY

**City of Oak Harbor
City Council Agenda Bill**

Bill No. 1a.

Date: _____

Subject: Approval of Accounts Payable
Vouchers

FROM: Doug Merriman, Finance Director 

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

 Scott Dudley, Mayor
 Larry Cort, Interim City Administrator
 Grant Weed, Interim City Attorney

SUMMARY

Oak Harbor Municipal Code Chapter 3.72 establishes procedures for claims (vouchers) payment. The documentation that regularly supports the signature cover sheets is included in this agenda packet. Claim cover sheets will continue to be on hand prior to the City Council meeting for City Council signatures.

AUTHORITY

Oak Harbor Municipal Code Chapter 3.72.

RECOMMENDED ACTION

Approve accounts payable vouchers.

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151413	9/18/2012	0001799 ACORN PROPERTY MANAGEMENT	Ref000198787 Ref000198788 Ref000198794 Ref000198796 Ref000198798 Ref000198800		UB Refund Cst #00121041 UB Refund Cst #00123066 UB Refund Cst #00125820 UB Refund Cst #00127398 UB Refund Cst #00148803 UB Refund Cst #00153580	18.58 26.28 17.85 4.70 259.40 24.11
			Total :			350.92
151414	9/18/2012	0006875 BROCKWAY, DEBORAH	Ref000198801		UB Refund Cst #00154479	84.50
			Total :			84.50
151415	9/18/2012	0006878 CHURCH, CLINT	Ref000198804		UB Refund Cst #00158621	70.00
			Total :			70.00
151416	9/18/2012	0006882 FLEMING, JESSICA	Ref000198812		UB Refund Cst #00159887	1.00
			Total :			1.00
151417	9/18/2012	0002596 HABITAT FOR HUMANITY	Ref000198805		UB Refund Cst #00159079	78.45
			Total :			78.45
151418	9/18/2012	0006871 HAMMONS, DAVID OR MELANIE	Ref000198789		UB Refund Cst #00123768	122.96
			Total :			122.96
151419	9/18/2012	0006880 LAURIN, SHERYL	Ref000198809		UB Refund Cst #00159555	22.11
			Total :			22.11
151420	9/18/2012	0004738 LIGHTBOURNE, MICHAEL	Ref000198793		UB Refund Cst #00124771	94.50
			Total :			94.50
151421	9/18/2012	0006876 MCCANN, DEAN	Ref000198802		UB Refund Cst #00154941	5.78
			Total :			5.78
151422	9/18/2012	0006872 NILES, DANIEL OR CLARA	Ref000198791 Ref000198792		UB Refund Cst #00124196 UB Refund Cst #00124196	47.32 36.12
			Total :			83.44
151423	9/18/2012	0006879 RAYE, MARK	Ref000198806		UB Refund Cst #00159371	17.73

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151423	9/18/2012	0006879 RAYE, MARK	(Continued)			17.73
					UB Refund Cst #00123800	274.86
					Total :	274.86
151424	9/18/2012	0006870 RIVERA, PETE	Ref000198790			
					UB Refund Cst #00159491	65.33
					UB Refund Cst #00159492	77.16
					Total :	142.49
151425	9/18/2012	0006088 SEATTLE PACIFIC HOMES	Ref000198807			
			Ref000198808			
					UB Refund Cst #00126165	96.60
					Total :	96.60
151426	9/18/2012	0006873 STAAF FAMILY LLC	Ref000198795			
					UB Refund Cst #00152450	110.06
					Total :	110.06
151427	9/18/2012	0006874 THOMPSON, SEAN OR JANIEL	Ref000198799			
					UB Refund Cst #00153867	9.36
					Total :	9.36
151428	9/18/2012	0006883 VONKRUEGER, KRIS OR AARON	Ref000198813			
					UB Refund Cst #00159673	79.70
					Total :	79.70
151429	9/18/2012	0000973 WALDRON CONSTRUCTION	Ref000198811			
					UB Refund Cst #00159629	14.56
					Total :	14.56
151430	9/18/2012	0006881 WALLACE, KENDRA	Ref000198810			
					UB Refund Cst #00157312	44.72
					Total :	44.72
151431	9/18/2012	0006877 WILLETT, ERIC	Ref000198803			
					UB Refund Cst #00145659	6.87
					Total :	6.87
151432	9/18/2012	0001391 WINDERMERE	Ref000198797			
					Bank total :	1,710.61
					Total vouchers :	1,710.61

20 Vouchers for bank code : bank
20 Vouchers in this report

vchlist
09/18/2012 1:56:45PM

Voucher List
City of Oak Harbor

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
---------	------	--------	---------	------	---------------------	--------

Vchlist
09/26/2012 4:29:24PM

Voucher List
City of Oak Harbor

Page: 1

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151433	9/18/2012	0000036 AMERICAN PUBLIC WORKS	091712		REGISTRATION/PETERSCHMIDT/S	64.00
					Total :	64.00
151434	9/21/2012	0000960 REVENUE, WASHINGTON STATE DEPT	091812		AUG 2012/SALES/USE TAX	52,815.93
					Total :	52,815.93
151435	9/21/2012	0003010 PERMIT TECHNICIANS, WASHINGTON	091812		REGISTRATION/ANDERSON	125.00
					Total :	125.00
151436	9/21/2012	0000037 AMERICAN WATER WORKS	091912		REGISTRATION/BIDDLE	75.00
					Total :	75.00
151437	9/21/2012	0006485 SECURITY SERVICES NW, INC	75982		SITE SECURITY	770.40
					Total :	770.40
151438	9/21/2012	0003093 SUMMIT LODGE	092112		HOTEL ACCOMMODATIONS/KLASZ	587.40
					Total :	587.40
151439	9/26/2012	0006845 48 NORTH	31983		ADVERTISING	328.00
					Total :	328.00
151440	9/26/2012	0005094 AAQUATOOLS, INC	31763		O RINGS/SHAFT/SEAL/DESCALE U	418.36
					Total :	418.36
151441	9/26/2012	0000020 AERVVOE INDUSTRIES	744921		CHALK	312.96
					Total :	312.96
151442	9/26/2012	0006157 AHBL, INC	86776		PROF SVC/OAK HARBOR SMP	4,874.50
					Total :	4,874.50
151443	9/26/2012	0000424 ALL BATTERY SALES AND SERVICE	50198185		BATTERIES	92.34
					Total :	92.34
151444	9/26/2012	0000028 ALL ISLAND LOCK & KEY	21230		KEYS	14.67
					Total :	14.67
151445	9/26/2012	0000029 ALL PHASE ELECTRIC SUPPLY	0962-625768		CONTRACTOR	39.25

Page: 1

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151445	9/26/2012	0000029	0000029 ALL PHASE ELECTRIC SUPPLY (Continued)			Total : 39.25
151446	9/26/2012	0000712	AMERIGAS		PROPANE/DOG POUND	Total : 93.95
151447	9/26/2012	0002044	ANACORTES.NET/HOW IT WORKS		SEP 2012WEB HOSTING	Total : 75.00
					WEBPAGE SERVICES	Total : 25.00
151448	9/26/2012	0005004	ANDERSON, DAVID		TRAVEL ADVANCE	Total : 107.50
151449	9/26/2012	0000050	ARAMARK		UNIFORM ITEMS	Total : 481.48
151450	9/26/2012	0004019	ASSOCIATED PETROLEUM PRODUCTS 0339110-IN 0345820-IN		FUEL	Total : 30,752.43
					FUEL	Total : 5,293.73
151451	9/26/2012	0000065	AVOCET ENVIRONMENTAL TESTING		TESTING	Total : 36,046.16
151452	9/26/2012	0000075	BANK OF NEW YORK		OAKWAT04/ADMINISTRATIVE FEE	Total : 100.00
151453	9/26/2012	0000078	BARNETT IMPLEMENT COMPANY		WATER PUMP	Total : 301.75
					PILLOW B	Total : 573.41
151454	9/26/2012	0004733	BARRON HEATING & AIR COND, INC		COMPRESSOR LIQUID	Total : 212.07
151455	9/26/2012	0000082	BAYSHORE OFFICE PRODUCTS, INC		PAPER	Total : 785.48
151456	9/26/2012	0005045	BAYVIEW EMBROIDERY 'N PRINT		TEES	Total : 2,304.44
						Total : 16.25
						Total : 684.81
						Total : 684.81

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151457	9/26/2012	0000083 BAZA, ALVIN	091112		WELLNESS INCENTIVE	20.00
					Total :	20.00
151458	9/26/2012	0003097 BOYER, TALLIE	091112		WELLNESS INCENTIVE	20.00
					TRAVEL REIMB	648.28
					Total :	668.28
151459	9/26/2012	0006769 BRAUN CONSULTING GROUP	1566		AUG 2012/RETAINER	2,650.00
					Total :	2,650.00
151460	9/26/2012	0000137 BRIM TRACTOR COMPANY	IM60586		CUTTERBAR	277.16
					Total :	277.16
151461	9/26/2012	0002644 C JOHNSON CONSTRUCTION, INC	3483		MATERIAL COLLECTED	2,402.27
			3487		SWEEPER WASTE	1,002.45
					Total :	3,404.72
151462	9/26/2012	0005251 CARROTHERS, COOKIE	1		TRAVEL REFUND	9.00
					Total :	9.00
151463	9/26/2012	0005208 CARTER, SERLOYD			TRAVEL REIMB	106.50
					TRAVEL REIMB	108.11
					Total :	214.61
151464	9/26/2012	0000150 CASCADE NATURAL GAS			NATURAL GAS/POLICE STATION	21.22
					NATURAL GAS/TREATMENT PLANT	10.00
					NATURAL GAS/FIRE STATION	88.48
					NATURAL GAS/CITY HALL	118.11
					LONG DISTANCE	36.91
					NATURAL GAS/CITY SHOP	143.73
					NATURAL GAS/ANNEX	23.61
					NATURAL GAS/ADULT CARE CENTI	23.61
					Total :	465.67
151465	9/26/2012	0000179 CLERKS PETTY CASH	092412		PETTY CASH	100.64
					Total :	100.64
151466	9/26/2012	0000197 CONCRETE NORWEST	828529		CHIPS	300.94

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151466	9/26/2012	0000197 0000197 CONCRETE NORWEST	(Continued)			300.94
151467	9/26/2012	0000202 COREY OIL COMPANY	25971		FUEL	12.68
					Total :	12.68
151468	9/26/2012	0006204 CRA PAYMENT CENTER	IB50229 IB50329		YOKE/CROSS KIT DRIVELINE	87.41 289.45
					Total :	376.86
151469	9/26/2012	0005029 GRANDSELL, MARIBETH	TRAVEL ADVANCE		TRAVEL ADVANCE	20.50
					Total :	20.50
151470	9/26/2012	0000220 CUMMINS NORTHWEST, INC	001-21575 001-26700		VALVES SCREWS/GASKETS	-135.88 291.19
					Total :	155.31
151471	9/26/2012	0000247 DIAMOND RENTALS	504393		PORTABLES	99.90
					Total :	99.90
151472	9/26/2012	0000175 DUNN-TERRY, ROXANN	EXP REIMB EXP REIMB		EXP REIMB EXP REIMB	783.20 4,113.90
					Total :	4,897.10
151473	9/26/2012	0000967 ECOLOGY, WASHINGTON STATE DEPT 2013-WAR045554			STORMWATER PERMIT	3,006.58
					Total :	3,006.58
151474	9/26/2012	0000273 EDGE ANALYTICAL, INC	12-15679		TESTING SERVICES	260.00
					Total :	260.00
151475	9/26/2012	0005842 EMERY, DEANNA	EXP REIMB		EXP REIMB	45.91
					Total :	45.91
151476	9/26/2012	0000251 ENTERPRISE SERVICES, WASHINGTON 2012080041			TECHNOLOGY BROKERING SERVI	7,820.39
					Total :	7,820.39
151477	9/26/2012	0006389 EQ HARBOR SERVICE, INC	720		ENGINE REPAIR	414.04
					Total :	414.04

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151478	9/26/2012	0006747	EQUINOX RESEARCH & CONSULTING	11-413-6	PROF SVC/PIT ROAD	126,852.71
					Total :	126,852.71
151479	9/26/2012	0005224	EXCAL		STORMWATER POLLUTION PREVE	609.75
					Total :	609.75
151480	9/26/2012	0002900	FASTENAL		9X3 PH/SQ T17 EXT WS/9"LENOX L	58.86
					IC WB FLO RED	32.44
					Total :	91.30
151481	9/26/2012	0000309	FERGUSON, LARRY		WELLNESS INCENTIVE	20.00
					Total :	20.00
151482	9/26/2012	0003413	FIRE SERVICE BOOKSTORE		STANDARD FOR PROFESSIONAL C	230.20
					Total :	230.20
151483	9/26/2012	0000314	FISHERIES SUPPLY COMPANY		BATTERY CHARGER	91.85
					Total :	91.85
151484	9/26/2012	0006889	FOSTER, ALBERT		MOORAGE REFUND	255.09
					Total :	255.09
151485	9/26/2012	0000355	FRONTIER		CURRENT PHONE CHARGES	282.32
					CURRENT PHONE CHARGES	89.56
					CURRENT PHONE CHARGES	68.03
					CURRENT PHONE CHARGES	58.93
					CURRENT PHONE CHARGES	58.74
					CURRENT PHONE CHARGES	59.17
					CURRENT PHONE CHARGES	53.41
					CURRENT PHONE CHARGES	40.71
					CURRENT PHONE CHARGES	54.52
					CURRENT PHONE CHARGES	58.76
					CURRENT PHONE CHARGES	50.55
					CURRENT PHONE CHARGES	87.11
					CURRENT PHONE CHARGES	54.61
					CURRENT PHONE CHARGES	187.35
					CURRENT PHONE CHARGES	57.26
					CURRENT PHONE CHARGES	40.11

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151485	9/26/2012	0000355 FRONTIER	(Continued) 770-2715		CURRENT PHONE CHARGES	31.50
					Total :	1,332.64
151486	9/26/2012	0000326 FRONTIER BUILDING SUPPLY			JAMB LEG	26.36
					TIE ADHESIVE	17.65
					WOOD	363.49
					Total :	407.50
151487	9/26/2012	0000325 FRONTIER FORD			JEWELS	14.37
					DOOR PANEL REPAIR	194.98
					Total :	209.35
151488	9/26/2012	0000329 GALLS			BOOTS/MCCALMONT	134.99
					Total :	134.99
151489	9/26/2012	0001706 GARDNER, PAT			EXP REIMB	480.00
					EXP REIMB	281.69
					EXP REIMB	1,030.00
					Total :	1,791.69
151490	9/26/2012	0006854 GEARIETY LAW OFFICE, PLLC			PROF SVC/HUMAN RESOURCES LI	5,000.00
					Total :	5,000.00
151491	9/26/2012	0000340 GIFFORD, KATHY			WELLNESS INCENTIVE	20.00
					Total :	20.00
151492	9/26/2012	0000349 GRAINGER			BLOWER	427.20
					Total :	427.20
151493	9/26/2012	0000999 GRCCMW			REGISTRATION/SHELLEY	179.00
					Total :	179.00
151494	9/26/2012	0006590 HAFNER, OTTO			WELLNESS INCENTIVE	20.00
					Total :	20.00
151495	9/26/2012	0000323 HD FOWLER COMPANY			ELBOWS/ADAPTERS	21.93
					Total :	21.93

vchlist
09/26/2012 4:29:24PM

Voucher List
City of Oak Harbor

Page: 7

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151495	9/26/2012	0000323 HD FOWLER COMPANY	(Continued)			
151496	9/26/2012	0006365 HEDEEN & CADITZ, PLLC	7099		PROF SVC/NORTH RESERVOIR	Total : 21.93 8,056.88
151497	9/26/2012	0001251 HEWLETT-PACKARD COMPANY	51781998		COMPUTER	Total : 8,056.88 857.64
151498	9/26/2012	0006885 HIGGINS, THELMA	091812		KEY DEPOSIT REFUND	Total : 857.64 5.00
151499	9/26/2012	0006452 HOAGLAND, JAMES	TRAVEL ADVANCE		TRAVEL ADVANCE	Total : 5.00 104.75
151500	9/26/2012	0003202 HOMICIDE INVESTIGATORS, WASHING	043012		REGISTRATION/GARDNER/HOFKAP	Total : 104.75 250.00
151501	9/26/2012	0005250 HONEYMOON BAY COFFEE ROASTER	464872		COFFEE SUPPLIES	Total : 250.00 186.44
151502	9/26/2012	0006520 HOPKINS, CAMERON	091112		WELLNESS INCENTIVE	Total : 186.44 20.00
151503	9/26/2012	0000392 HUBBARD, SCOTT	091112		WELLNESS INCENTIVE	Total : 20.00 20.00
151504	9/26/2012	0000396 I-COM	12-UFQ4-51		4TH QTR 2012/USER FEES	Total : 20.00 89,654.00
151505	9/26/2012	0005872 IMPAIRED DRIVING IMPACT PANEL	090112		DUI/UNDERAGE DRIVING PREVEN	Total : 89,654.00 200.00
151506	9/26/2012	0000417 INDUSTRIAL BOLT & SUPPLY	518182-1		UNIONS/CONNECTORS/O-RINGS/S	Total : 200.00 138.19
151507	9/26/2012	0001469 INTERNATIONAL CODE COUNCIL	2913940		MEMBERSHIP RENEWAL	Total : 138.19 100.00
151508	9/26/2012	0000410 ISLAND COUNTY SOLID WASTE	1007995		DISPOSAL CHARGES	Total : 100.00 50.00

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151508	9/26/2012	0000410	0000410 ISLAND COUNTY SOLID WASTE		(Continued)	50.00
151509	9/26/2012	0000415	ISLAND DISPOSAL		AUG 2012/COLLECTION CHARGES	11,875.98
					RECYCLING	41.00
						Total : 11,916.98
151510	9/26/2012	0000433	ISLAND DRUG		INMATE MEDS	18.00
						Total : 18.00
151511	9/26/2012	0000441	ISLAND SYSTEMS		WATER/MARINA	17.70
					WATER/MARINA	11.80
					WATER/MARINA	11.80
						Total : 41.30
151512	9/26/2012	0002770	JOHN DEERE GOVERNMENT		ROTARY CUTTER	3,225.34
						Total : 3,225.34
151513	9/26/2012	0004007	KAMAK, RAJESH		TRAVEL ADVANCE	91.50
						Total : 91.50
151514	9/26/2012	0006362	KBA, INC		PROF SVC/GUN CLUB ROAD WATE	5,262.14
						Total : 5,262.14
151515	9/26/2012	0005628	KESSLER, ROSE		TRAVEL REFUND	152.00
						Total : 152.00
151516	9/26/2012	0000494	LAKE SIDE INDUSTRIES		ASPHALT	308.28
						Total : 308.28
151517	9/26/2012	0000979	LES SCHWAB		THRUST ANGLE ALIGNMENT	61.14
						Total : 61.14
151518	9/26/2012	0001909	LONG, JAY		DRIVING SERVICES	129.00
						Total : 129.00
151519	9/26/2012	0004127	LOUNSBERRY, NORIKO		TRAVEL REFUND	9.00
						Total : 9.00

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151520	9/26/2012	0000522 LUEHR, TOM	1		DRIVING SERVICES	150.00
			2		DRIVING SERVICES	96.00
					Total :	246.00
151521	9/26/2012	0000524 LYNDENICE			ICE CREDIT	148.00
						-11.60
					Total :	136.40
151522	9/26/2012	0000660 MARKET PLACE FOOD & DRUG			GROCERIES	443.79
					GROCERIES	348.91
					Total :	792.70
151523	9/26/2012	0004006 MCINTYRE, MICHAEL			EXP REIMB	699.12
					Total :	699.12
151524	9/26/2012	0005445 MONTONA, MATTHEW J	80		SEP 2012/PUBLIC DEFENSE	5,500.00
					Total :	5,500.00
151525	9/26/2012	0004423 MUNICIPAL EMERGENCY SERVICES	00340677_SNV		HUD DRIV MOD/DUST CAP	1,274.73
					Total :	1,274.73
151526	9/26/2012	0000608 NC MACHINERY COMPANY	MVCS0216824		EDGES/BOLTS/NUTS/WASHERS/PA	959.12
					Total :	959.12
151527	9/26/2012	0000612 NELSON PETROLEUM	0482119-IN		FUEL	85.50
					Total :	85.50
151528	9/26/2012	0002633 NEXXPOST LLC	194948		MAIL MACHINE RENTAL	1,200.05
					Total :	1,200.05
151529	9/26/2012	0000621 NIIRO, CEDRIC	091112		WELLNESS INCENTIVE	20.00
					Total :	20.00
151530	9/26/2012	0006888 NOLAN, BILL	6747		MOORAGE REFUND	131.72
					Total :	131.72
151531	9/26/2012	0000610 NORTH CENTRAL LABORATORIES	310029		NITRIFICATION INHIBITOR/SEED/FI	1,156.03
					Total :	1,156.03

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151531	9/26/2012	0000610	0000610 NORTH CENTRAL LABORATORIES (Continued)			
					CREDIT	-15.00
					ADVERTISING	432.00
					Total :	417.00
151532	9/26/2012	0006855	NORTHWEST YACHTING MAGAZINE			
					EXP REIMB	61.00
					Total :	61.00
151533	9/26/2012	0000654	NYDAM, HENRY			
					WOOD SEAT/FASTENERS	180.63
					WOOD SEAT/FASTENERS	-180.63
					FREIGHT	12.98
					CAP	2.15
					FASTENERS	9.78
					PAINT	60.85
					PIPE/UNION/COUPLE/ELBOWS/CEI	45.24
					CHISEL SET	24.99
					FILLER	10.86
					DRILL HEAD	13.46
					BALL VALVE/BUSHINGS COUPLES/	54.59
					CEMENT/PRIMER/CLEANER	20.62
					ADAPTERS	15.82
					ADAPTER/COUPLER	3.01
					ROLLER/LINER	9.73
					SPINDLE LOCKWHEEL GRIND/CLA	27.24
					FASTENERS	1.55
					PUTTY KNIFE/CAULK	4.43
					O-RING	1.60
					WAX/TUBE/ELECTRIC TAPE/UNION	28.11
					FASTENERS/BOLTS	11.50
					COUPLES	8.67
					ROOF COATING/HAMMERITE/SEAL	73.09
					CLEANER	15.29
					CLEANER/SPRAY/SMART STRAW	24.73
					PIVOTS	15.07
					FASTENERS/COVER	23.36
					FASTENERS	25.76

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151534	9/26/2012	0000672 OAK HARBOR ACE	(Continued) 210121 210138 210140		FLAG/BITS/FASTENERS TAP TORCH KIT	36.62 4.66 51.37
					Total :	637.13
151535	9/26/2012	0000668 OAK HARBOR AUTO CENTER	001-142432 001-142579 001-142592 001-142598 001-142648 001-142822 001-142898 001-143220 001-143225 001-143249 001-143333 001-143405 001-143472 001-144030 001-144083 001-144084		3 PRONG R134A POWER STEERING FLUID WATER PUMP HOSE MINI LAMP UNIVERSAL JAW WIPERS FILTERS MINI LAMPS/CAPSULE ROUGH SRYC PRIME EXT LIFE PRIME EXT LIFE ALTERNATOR FILTERS FILTERS	87.17 207.79 14.68 62.81 7.70 21.59 -8.24 46.01 9.07 23.38 8.70 61.96 61.96 103.25 82.47 14.65
					Total :	804.95
151536	9/26/2012	0000669 OAK HARBOR FIRE DEPARTMENT	092112		PETTY CASH	32.00
					Total :	32.00
151537	9/26/2012	0000681 OAK HARBOR SCHOOL DISTRICT	0000120012		SEP 2012/COMPUTER NETWORK S	6,708.33
					Total :	6,708.33
151538	9/26/2012	0001377 ORCA INFORMATION	303331 305363		PRE-EMPLOYMENT SERVICES PRE-EMPLOYMENT SERVICES	75.00 75.00
					Total :	150.00
151539	9/26/2012	0000698 P & L GENERAL CONTRACTORS	2713		RENTAL	217.40
					Total :	217.40

vchlist
09/26/2012 4:29:24PM

Voucher List
City of Oak Harbor

Bank code : bank

Voucher 151547 Date 9/26/2012 Vendor 0000743 PUGET SOUND ENERGY

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
			(Continued)			
			2149541001		ELECTRICITY/945 E WHIDBEY AVEI	17.00
			2438649366		ELECTRICITY/NW CROSBY AVENUJ	83.35
			2668731009		ELECTRICITY/SENIOR CENTER	590.61
			2728350006		ELECTRICITY/ANNEX	17.00
			2972721001		ELECTRICITY/2081 NE 9TH AVENUI	10.94
			3004881003		ELECTRICITY/HELLER RD AND 700	54.60
			3069491003		ELECTRICITY/1678 SW 8TH AVENU	9.66
			3223642657		ELECTRICITY/SAB 4993 SR 20 E SII	209.54
			3415305956		ELECTRICITY/626 N CHRISTIAN RC	9.66
			3460950003		ELECTRICITY/MIDWAY & SE 8TH S	101.34
			3997850007		ELECTRICITY/SEWAGE LIFT PMP 9	9.74
			4249160005		LIFT STATION E PION	102.50
			4763991009		ELECTRICITY/SMITH PARK	9.66
			4980671004		ELECTRICITY/1019 W SWANTOWN	91.53
			5039160006		ELECTRICITY/1137 NW KATHLEEN	48.39
			5145502000		ELECTRICITY/90 SE PIONEER WAY	48.17
			5315850007		ELECTRICITY/700 AV W & MIDWAY	142.69
			5410100654		ELECTRICITY/1957 SW FORT NUGI	188.34
			5462650002		ELECTRICITY/HELLER ROAD TELEI	331.27
			5839160008		ELECTRICITY/DISPOSAL PLANT	2,935.94
			5848181003		ELECTRICITY/FIDALGO & HATHAW,	19.74
			6012561814		ELECTRICITY/3300 OLD GOLDIE R	63.06
			6012568561		ELECTRICITY/SWANTOWN RIDGE	154.02
			6160160005		ELECTRICITY/1285 NE TAFTSON S	32.44
			6240913613		ELECTRICITY/2075 SW FT NUGENI	375.76
			6258350005		ELECTRICITY/TRAILER PK S END	24.46
			6768202001		ELECTRICITY/PARKS	24.29
			6847901524		ELECTRICITY/PARKS	57.51
			6847904155		ELECTRICITY/1948 NW CROSBY AV	90.57
			6847904528		ELECTRICITY/1661 NE 16TH AVENI	19.10
			6847906499		ELECTRICITY/STREET LIGHTS	216.96
			6847906598		ELECTRICITY/651 SE BAYSHORE D	71.11
			6847908149		ELECTRICITY/CITY BEACH PARK	13.78
			6847908198		ELECTRICITY/SE PIONEER WAY &	171.95
			6847908362		ELECTRICITY/1300 NE BIG BERRY	9.66
			6847909006		ELECTRICITY/SE PIONEER WAY &	128.86

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151547	9/26/2012	0000743 PUGET SOUND ENERGY	(Continued)			
			6847909394		ELECTRICITY/MIDWAY & SE 4TH S	139.81
			6847909501		ELECTRICITY/SE PIONEER WAY &	83.94
			6902550000		ELECTRICITY/MCCROHAN & BARR	32.72
			6969160008		ELECTRICITY/PUMP STA AULT FLD	597.52
			7195081000		ELECTRICITY/600 NE 7TH AVENUE	93.31
			7258350003		ELECTRICITY/CITY BCH-COMFRT S	229.74
			7479771003		ELECTRICITY/552 NW CLIPPER STI	9.66
			7647999403		ELECTRICITY/SE CITY BEACH ST E	38.61
			7848350000		ELECTRICITY/75 SE JEROME STRE	9.66
			79444581003		ELECTRICITY/5941 STATE ROUTE ;	12.71
			8191791048		ELECTRICITY/ADULT CARE CENTE	10.41
			8258350001		ELECTRICITY/RESTROOM KITCHEN	99.33
			8291970286		ELECTRICITY/2330 SW ROSARIO P	37.33
			8382791005		ELECTRICITY/FABER ST & HARVES	9.66
			8549402009		ELECTRICITY/2075 SW FT NUGENT	72.00
			8848350008		ELECTRICITY/CITY BCH PARK	25.68
			8922751006		ELECTRICITY/128 E WHIDBEY AVEI	9.66
			8926771000		ELECTRICITY/PIONEER PARK	16.55
			9045851004		ELECTRICITY/1370 SE DOCK STRE	71.56
			9049160006		ELECTRICITY/CITY HALL	981.94
			9142061002		ELECTRICITY/SR 20 & 650 AV W	911.92
			9173951006		ELECTRICITY/287 SE CABOT DRIVF	62.15
			9269160009		ELECTRICITY/MARINA	1,716.90
			9374761006		ELECTRICITY/TREATMENT PLANT	2,528.59
			9406881004		ELECTRICITY/CITY SHOP	1,851.61
			9640160009		ELECTRICITY/VALVE PIT E SIDE RE	17.19
			9816271002		ELECTRICITY/FIRE STATION	1,300.91
			9848350006		ELECTRICITY/BATHHOUSE EAST BE	152.34
					Total :	252,069.39
151548	9/26/2012	0006762 RAINIER ENVIRONMENTAL	1055		TESTING SERVICES	600.00
					Total :	600.00
151549	9/26/2012	0006884 REINHARDT, ANDREW	EXP REIMB		INTERVIEW EXPENSE REIMBURSE	500.00
					Total :	500.00

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151550	9/26/2012	0000965 REVENUE, WASHINGTON STATE DEPT	092412		UNCLAIMED PROPERTY	251.80
					Total :	251.80
151551	9/26/2012	0006887 REYES, ALVARO	092412		MOORAGE REFUND	240.12
					Total :	240.12
151552	9/26/2012	0002508 RINEY PRODUCTION SERVICES	10-869		TAPING SERVICES	2,250.89
					Total :	2,250.89
151553	9/26/2012	0006281 SAFFORD, MARYANN	1		TRAVEL REFUND	18.00
					Total :	18.00
151554	9/26/2012	0005038 SAFFORD, TOM	3108		MOORAGE REFUND	48.06
					Total :	48.06
151555	9/26/2012	0002602 SCHULTZ, EDNA	1		TRAVEL REFUND	9.00
					Total :	9.00
151556	9/26/2012	0005967 SEATTLE AUTOMOTIVE DIST	06-784244 06-784477		RESISTOR/CONNECTOR PUMP ASY	36.32 86.84
					Total :	123.16
151557	9/26/2012	0000811 SETON IDENTIFICATION PRODUCTS	9319143417		ID TAGS W/BAR CODE	908.45
					Total :	908.45
151558	9/26/2012	0000719 SEVERNS, RHONDA	091112		WELLNESS INCENTIVE	20.00
					Total :	20.00
151559	9/26/2012	0003782 SHARP ELECTRONICS CORPORATION	C756662-701		AUG 2012/MAINTENANCE CONTRA	28.93
					Total :	28.93
151560	9/26/2012	0000816 SHELL FLEET PLUS	065163545209		FUEL	74.55
					Total :	74.55
151561	9/26/2012	0000817 SHELLEY, TIM			TRAVEL ADVANCE	106.50
					Total :	106.50
151562	9/26/2012	0005444 SIERRA, GEORGINA D	092012		SEP 2012/PUBLIC DEFENSE	2,500.00
					Total :	2,500.00

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151562	9/26/2012	0005444	0005444 SIERRA, GEORGINA D		(Continued)	Total : 2,500.00
151563	9/26/2012	0000831	SIX ROBBLEES, INC		CROSS CHAIN	825.03
					SWITCH	9.16
					GLOVES	144.46
					SUPER Z-6 PASSENGER	110.04
					Total :	1,088.69
151564	9/26/2012	0000814	SKAGIT FARMERS SUPPLY		PROPANE TANK CERTIFICATION/PI	76.70
					CHEM CLASS ACT	43.47
					Total :	120.17
151565	9/26/2012	0000833	SKAGIT HYDRAULICS		WIRE	142.36
					Total :	142.36
151566	9/26/2012	0001668	SLOWIK, ANTHONY		WELLNESS INCENTIVE	20.00
					Total :	20.00
151567	9/26/2012	0000846	SOUND PUBLISHING		AUG 2012/PUBLICATIONS-ACCT#8	3,142.81
					NOA 12.03	49.84
					PC 9-25-12B	56.07
					Total :	3,248.72
151568	9/26/2012	0005488	SPOO, ETHAN		WELLNESS INCENTIVE	20.00
					TRAVEL ADVANCE	91.50
					Total :	111.50
151569	9/26/2012	0000851	SPRINT		CURRENT CELL CHARGES	839.86
					Total :	839.86
151570	9/26/2012	0000851	SPRINT		AUG SEP LAPTOPS	514.09
					Total :	514.09
151571	9/26/2012	0000851	SPRINT		LONG DISTANCE	5.66
					Total :	5.66
151572	9/26/2012	0003883	STAPLES BUSINESS ADVANTAGE		MARKERS/PENS	74.66
					CALCULATOR/ROLLS	133.43

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151572	9/26/2012	0003883 STAPLES BUSINESS ADVANTAGE	(Continued)			
			3180687567		ORG BOARD/RIBBON	28.57
			3180687570		POCKET TT/FILES/NOTEPADS/PEN	413.77
			3180687571		LABELS	36.74
			3180687572		FOLDERS/ADD ROLL	12.92
			3181396108		TONER	927.13
			3181396109		BATTERIES	14.13
			3181692734		TONER	125.83
			3181692735		INK	733.50
			3181692736		INK	153.96
151573	9/26/2012	0006460 STATEWIDE RENT-A-FENCE, INC	24872		PANEL RENTAL	Total : 2,654.64
151574	9/26/2012	0000863 STERKEL, TIMOTHY	EXP REIMB		EXP REIMB	Total : 545.38
151575	9/26/2012	0006190 STOWELL, JOSEPH	TRAVEL ADVANCE TRAVEL REIMB TRAVEL REIMB		TRAVEL ADVANCE TRAVEL REIMB TRAVEL REIMB	Total : 73.00
151576	9/26/2012	0003749 STUMP, PATRICK L	1		DRIVING SERVICES	Total : 132.00
151577	9/26/2012	0006673 SUMMIT SAFETY SHOES	103777		BOOTS	Total : 132.00
151578	9/26/2012	0000874 SURETY PEST CONTROL	334735 335963 336626 337141		PEST EXTERMINATION PEST EXTERMINATION PEST EXTERMINATION PEST EXTERMINATION	Total : 591.26
151579	9/26/2012	0006540 SWCA ENVIRONMENTAL CONSULTANT 13853			PROF SVC/PIONEER WAY ARCHAE	Total : 4,549.79
						Total : 4,549.79

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151580	9/26/2012	0006730 SWINOMISH INDIAN TRIBAL	091212		OAK HARBOR SITE SERVICES	42,162.44
					Total :	42,162.44
151581	9/26/2012	0005227 TANKERSLY, MICHAEL	1		TRAVEL REFUND	18.00
					Total :	18.00
151582	9/26/2012	0006729 TREE SOLUTIONS, INC			TREE TESTING	2,450.00
					Total :	2,450.00
151583	9/26/2012	0000918 UNITED FIRE SERVICE	28805		PACKING KIT	328.37
					Total :	328.37
151584	9/26/2012	0000923 UNITED PARCEL SERVICE	0000A0182W362 0000A0182W372		SHIPPING SHIPPING	64.07 108.38
					Total :	172.45
151585	9/26/2012	0000926 USABLUEBOOK	759041 762780 766449		GASKET MATERIAL ANTI-SEIZE/HOSE CHART PAPER/PENS	124.48 244.97 347.72
					Total :	717.17
151586	9/26/2012	0000934 UTILITIES UNDERGROUND LOCATION	2080160		AUG 2012/LOCATES	92.80
					Total :	92.80
151587	9/26/2012	0003917 WALTON, DAVID			TRAVEL ADVANCE	115.00
					Total :	115.00
151588	9/26/2012	0003897 WELSHANS, KINDLE			EXP REIMB	97.31
					Total :	97.31
151589	9/26/2012	0000996 WEST PUBLISHING COMPANY	6081697375 825587648		WA PRACTICE V11B CRIMINAL JUR AUG 2012WEST INFORMATION CH	218.49 627.12
					Total :	845.61
151590	9/26/2012	0006886 WEST, PAT	1		TRAVEL REFUND	9.00
					Total :	9.00
151591	9/26/2012	0006267 WESTERN REFUSE & RECYCLING	129021		PROXIMITY SWITCH	379.11

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
151591	9/26/2012	0006267	0006267 WESTERN REFUSE & RECYCLING (Continued)			
151592	9/26/2012	0005064	WHATCOM COUNTY AS FINANCE		3RD QTR 2012/NW MINI CHAIN	379.11
			17925			444.75
151593	9/26/2012	0001000	WHIDBEY AUTO PARTS, INC.		BEARINGS	444.75
			151950		BRACKLE	57.60
			151962		FILTERS	9.52
			152057			80.89
151594	9/26/2012	0001005	WHIDBEY GENERAL HOSPITAL		INMATE SERVICES	148.01
			1222500013			21.25
151595	9/26/2012	0001017	WHIDBEY PRINTERS		BUSINESS CARDS	21.25
			45661		BUSINESS CARDS/SUBLET	2,901.16
			45696		WINDOW/ENVELOPES	77.72
			45697		ENVELOPES	233.71
			45745			240.99
151596	9/26/2012	0001010	WHIDBEY TELECOM		CURRENT NET SERVICES	3,453.58
			3475530			41.45
151597	9/26/2012	0001014	WHITNEY EQUIPMENT COMPANY, INC		SALT	41.45
			70841		SALT	918.07
			71655			983.23
151598	9/26/2012	0003776	WWCCPP GROUP		GROUP DUES	1,901.30
			092412			10.00
151599	9/26/2012	0001061	XEROX CORPORATION		JUL 2012/COPIER RENTAL	10.00
			701557978			4,562.98
151600	9/26/2012	0001068	ZUMAR INDUSTRIES, INC		STENCIL COAT	4,562.98
			0157861		BLANKS	166.20
			0157869			61.64
					Total :	227.84
					Bank total :	740,440.63

168 Vouchers for bank code : bank

Voucher List
City of Oak Harbor

Bank code : bank

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
168						
Total vouchers :						740,440.63

Total vouchers : 740,440.63

**City of Oak Harbor
City Council Agenda Bill**

Bill No. 16.
Date: October 2, 2012
Subject: Fire-Related Code Amendments

FROM: Ray Merrill, Fire Chief

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

SD Scott Dudley, Mayor
LC Larry Cort, Interim City Administrator
DM Doug Merriman, Finance Director
GW Grant Weed, Interim City Attorney, as to form

PURPOSE

Introduction of a draft ordinance proposing several housekeeping amendments to bring the Oak Harbor Municipal Code into compliance with current RCWs and WACs as they pertain to the Fire Chief, the Volunteer Fireman's State Relief, the Fireman's Relief and Compensation Fund Trust and Fire Alarms.

AUTHORITY

RCW 35A.11.020

Powers vested in legislative bodies of noncharter and charter code cities.

Such body may adopt and enforce ordinances of all kinds relating to and regulating its local or municipal affairs and appropriate to the good government of the city, and may impose penalties of fine not exceeding five thousand dollars or imprisonment for any term not exceeding one year, or both, for the violation of such ordinances, constituting a misdemeanor or gross misdemeanor as provided therein. However, the punishment for any criminal ordinance shall be the same as the punishment provided in state law for the same crime. Such a body alternatively may provide that violation of such ordinances constitutes a civil violation subject to monetary penalty, but no act which is a state crime may be made a civil violation.

FISCAL IMPACT DESCRIPTION

Funds Required: \$0

Appropriation Source: NA

SUMMARY STATEMENT

There are four (4) sections of the Oak Harbor Municipal Code relating to the Fire Chief, the Volunteer Fireman's State Relief, the Fireman's Relief and Compensation Fund Trust and Fire Alarms that are either outdated, have been affected by a change in state law, or there has been a change in governing bodies. In order to bring these sections current they need to be revised. In each section a single line through the wording denotes a section to be removed; ~~italics~~ underline denote the recommended replacement wording.

City of Oak Harbor City Council Agenda Bill

STANDING COMMITTEE REPORT

These items were presented at the Standing Committee meeting on September 20, 2012.

RECOMMENDED ACTION

Set October 16, 2012 as the public hearing date to consider amending certain sections of the Oak Harbor Municipal Code as it relates to the Fire Chief, the Volunteer Fireman's State Relief, the Fireman's Relief and Compensation Fund Trust and Fire Alarms.

ATTACHMENTS

Draft Ordinance No. 1635

ORDINANCE NO. 1635

AN ORDINANCE OF THE CITY OF OAK HARBOR AMENDING OAK HARBOR MUNICIPAL CODE CHAPTER 2.24 ENTITLED "VOLUNTEER FIREMEN'S STATE RELIEF", CHAPTER 2.28 ENTITLED "FIREMEN'S RELIEF AND COMPENSATION FUND TRUSTEES", CHAPTER 2.44 ENTITLED "FIRE CHIEF", AND CHAPTER 8.12 ENTITLED "ALARM SYSTEMS".

THE CITY COUNCIL OF THE CITY OF OAK HARBOR do ordain as follows:

Section One. Oak Harbor Municipal Code Chapter 2.24 entitled "Volunteer Firemen's State Relief", adopted by Ordinance No. 83 in 1953, is hereby amended to read as follows:

**CHAPTER 2.24
VOLUNTEER FIREMEN'S STATE RELIEF**

Sections:

- 2.24.010 Fire department membership.
- 2.24.020 Enrollment in relief and pension fund.
- 2.24.030 Enrollment in pension provisions.
- 2.24.040 Annual fee payment.
- 2.24.050 Pension or retirement annual fee.
- 2.24.060 Adoption of act – Filing of copies.

2.24.010 Fire department membership. ~~The volunteer fire department of the city of Oak Harbor shall not exceed 25 firemen for each 1,000 population or fraction thereof, and in no event shall the membership be limited to less than 15 firemen.~~ Oak Harbor Fire Department's Paid-on-Call staffing shall not exceed forty-two (42) members.

2.24.020 Enrollment in relief and pension fund. All of the members of the ~~volunteer fire department of the city of Oak Harbor~~ Oak Harbor Fire Department's Paid-on-Call staff are hereby enrolled under the provisions of the ~~volunteer firemen's relief and pension fund~~ volunteer firefighter's and reserve officers' relief and pension principal fund for the purpose of providing protection for the ~~firemen~~ firefighters and their families from death or disability arising in the performance of their duties as ~~firemen~~ firefighters.

2.24.030 Enrollment in pension provisions. Any member of the ~~volunteer fire department of the city of~~ Oak Harbor Fire Department's Paid-on-Call staff may enroll under the pension provisions of Chapter 41.24 RCW, for the purpose of enabling any such ~~firemen~~ firefighter to avail himself/herself of the retirement provisions of Chapter 41.24 RCW.

2.24.040 Annual fee payment. An annual fee of ~~\$3.00~~ as established by RCW 41.24.030 for each member of the fire department shall be paid by the city of Oak Harbor for the purpose of affording the members of the department protection from death or disability as provided in the ~~Volunteer Firemen's Relief and Pension Act.~~ volunteer firefighters' and reserve officers' relief and pension principal fund.

2.24.050 Pension or retirement annual fee. An annual fee of \$25.00 as established by RCW 41.24.030 shall be collected and paid for each ~~fireman~~ firefighter electing to enroll under the pension or retirement provisions of Chapter 41.24 RCW, ~~\$13.00 of which shall be paid by the city of Oak Harbor, and \$12.00 of which shall be paid by the fireman so enrolling.~~ In accordance with resolution 96-05 the City of Oak Harbor will pay the full amount.

2.24.060 Adoption of act – Filing of copies. The city of Oak Harbor does hereby adopt the provisions of Chapter 41.24 RCW, and amendments thereto, which may hereafter be made by the legislature. The city clerk is instructed to maintain on file in his/her office three copies of such legislation.

Section Two. Oak Harbor Municipal Code Chapter 2.28 entitled "Firemen's Relief and Compensation Fund Trustees", adopted by Ordinance No. 38 in 1936, is hereby amended to read as follows:

CHAPTER 2.28 FIREMEN'S RELIEF AND COMPENSATION FUND TRUSTEES

Sections:

- 2.28.010 Creation of board of trustees.
- 2.28.020 Duties of board.

2.28.010 Creation of board of trustees. ~~There is hereby created and established, pursuant to law, a board of trustees of the volunteer firemen's relief and compensation fund to be known as the board of trustees of the volunteer firemen's relief and compensation fund, which board shall consist of the mayor; city clerk treasurer; one duly elected, qualified and acting councilman, to be chosen by the mayor and approved by the council; the chief of the fire department; and one member of the fire department elected by the members of the department for a term of one year and annually thereafter, and when so chosen by the department, notice of such election and choice shall be filed with the city clerk treasurer.~~ A firefighter board of trustees is created and established to administer this chapter in every municipal corporation maintaining a regularly organized fire department. A firefighter board of trustees shall consist of the mayor, city clerk or comptroller, and one councilmember of such municipality, the chief of the fire department, and one (1) member of the fire department to be elected by the members of such fire department for a term of one (1) year and annually thereafter. Where a municipality is governed by a board, the chair, one member of the board, and the secretary or clerk thereof shall serve as members of the firefighter board of trustees in lieu of the mayor, clerk or comptroller, and councilmember. RCW 41.21.060.

2.28.020 Duties of board. When established and organized as provided in OHMC 2.28.010, the board of trustees shall perform all duties prescribed by law.

Section Three. Oak Harbor Municipal Code Chapter 2.44 entitled "Fire Chief", last amended by Ordinance No. 1628 in 2012, is hereby amended to read as follows:

**CHAPTER 2.44
FIRE CHIEF**

Sections:

- 2.44.010 Appointment.
- ~~2.44.020 Salary grade.~~
- 2.44.030~~020~~ Duties.

2.44.010 Appointment. The fire chief shall be appointed by the mayor and confirmed by the city council. The fire chief shall serve at the pleasure of the mayor pursuant to an employment contract proposed by the mayor and approved by the city council.

~~**2.44.020 Salary grade.**~~

~~The fire chief shall have an initial salary grade of 20. This may be adjusted from time to time by resolution.~~

2.44.030~~020~~ **Duties.** The fire chief shall be responsible for those duties set forth in the ~~Uniform Fire Code~~ International Fire Code and the ordinances of the city. He shall be responsible for the direction of all of the activities of the fire department, including firefighting, employee training, fire prevention, and the repair and maintenance of property, equipment, and apparatus. His further administrative duties shall include the preparation of the annual budget estimates, the recruitment of personnel and the carrying out of the programs of the department, and such further duties as may be prescribed by ordinance.

Section Four. Oak Harbor Municipal Code Chapter 8.12 entitled "Alarm Systems", last amended by Ordinance No. 1516 in 2007, is hereby amended to read as follows:

**CHAPTER 8.12
ALARM SYSTEMS**

Sections:

- 8.12.010 Purpose.
- 8.12.020 Definitions.
- 8.12.030 Duty to maintain system.
- 8.12.040 Permit – Required.
- 8.12.050 Right of inspection.
- 8.12.060 False alarms – Civil Infraction – Penalty.
- 8.12.070 False alarms – Unintentional – Not a defense.
- 8.12.080 Permit – Revocation notification – Permittee’s right to be heard.
- 8.12.090 Permit – Revocation – Effect on occupancy permits.
- 8.12.100 Appeals.
- 8.12.110 Severability.

8.12.010 Purpose. The ordinance codified in this chapter is an exercise of police power and promulgated to increase safety and to lower the cost of vital city services by reducing the frequency of false alarms and nothing in this chapter shall be construed as creating a duty or liability by the city to any particular person or persons, corporation, partnership or association.

8.12.020 Definitions.

(1) "Alarm system" means any mechanism, equipment or device which is designed to operate automatically through the use of public facilities or radio to transmit a signal, message or warning ~~either to the fire or police department of Oak Harbor.~~ to a U.L. listed and approved monitoring station.

(2) "Person" is any person, partnership, association, corporation or other entity which installs, maintains, operates or uses an alarm system terminating at ~~either the Oak Harbor police or fire department~~ a U.L. listed and approved monitoring station.

8.12.030 Duty to maintain system.

(1) It is the duty of every person who operates, uses or maintains an alarm system to assure that the system is maintained in a satisfactory operating condition such that it will generate alarms when it is supposed to and will not generate false alarms. Intentional or knowing failure to meet this duty is a misdemeanor. The maximum penalty for each violation shall be a fine of Two Hundred Fifty Dollars (\$250.00). Each day of failure to comply with this section is a separate violation.

(2) It is a defense to a criminal charge under this section that a user defendant has no right, privilege or power to effect a repair to the system.

8.12.040 Permit – Required. It is unlawful for any person to install, operate, maintain or use an alarm system which automatically transmits a signal, message or warning ~~to the city police or fire departments,~~ to a U.L. listed and approved monitoring station unless that person has been issued a permit under the provisions of this chapter. ~~The yearly fee for obtaining a permit hereunder shall be \$10.00.~~

8.12.050 Right of inspection. The chief of the concerned department, either police or fire, shall have the right to inspect any alarm system on the premises where it is intended to function prior to issuance of any permit for its operation, and he may cause an inspection of such system to be made at any time after issuance of a permit to determine whether it is being used in conformity with the terms of the permit and the provisions of this chapter.

8.12.060 False alarms – Civil infraction – Penalty.

(1) If an alarm or alarm system generates and transmits more than one false alarm to which either city fire department or police has responded in any 180-day period, the owner or other persons in control of the premises shall be liable for a civil penalty not to exceed Two Hundred Fifty Dollars (\$250.00). A minimum penalty shall be Fifty Dollars (\$50.00).

(2) If an alarm or alarm system generates and transmits more than two false alarms to which either city fire department or police has responded in any 180-day period, the owner or other

persons in control of the premises shall be liable for a civil penalty not to exceed Two Hundred Fifty Dollars (\$250.00). A minimum penalty shall be One Hundred Dollars (\$100.00).

(3) If an alarm or alarm system generates and transmits more than three false alarms to which either city fire department or police has responded in any 180-day period, the owner or other persons in control of the premises shall be liable for a civil penalty not to exceed Two Hundred Fifty Dollars (\$250.00). A minimum penalty shall be One Hundred Fifty Dollars (\$150.00).

8.12.070 False alarms – Unintentional – Not a defense. It shall not be a defense to a claim for penalty that the permit holder did not knowingly or intentionally cause the false alarm or that the holder did not negligently nor recklessly cause the false alarm.

8.12.080 Permit – Revocation notification – Permittee’s right to be heard. The chief of the concerned department may revoke any permit issued pursuant to the provisions of this chapter after giving written notice to the permit holder and an opportunity for the permit holder to be heard, if he determines that the alarm system installed pursuant to the permit has been installed, maintained or operated in violation of the provisions of this chapter, or of any term or condition of the permit, or for failure to pay the costs assessed pursuant in OHMC 8.12.040.

8.12.090 Permit – Revocation – Effect on occupancy permits. If a person loses a permit specified in this chapter, and by OHMC 8.05.070, such person is required to provide monitoring of automatic fire detection system for a building or for use in a building, by a U.L.-approved monitoring station. If no alternative monitoring system is obtained, the occupancy permit is revoked.

8.12.100 Appeals. Whenever the chief of the relevant department shall disapprove an application for a license or revoke a license already issued, or when it is claimed that these provisions do not apply or that the true intent and meaning of these provisions have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the fire chief or the police chief to the board of appeals established under the building code within thirty (30) days of the date of the decision to be appealed. This provision shall not apply to criminal penalties under OHMC 8.12.030.

8.12.110 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

Section Five. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.

//

//

//

Section Six. Effective Date. This Ordinance shall be in full force and effect five days after publication.

PASSED by the City Council this _____ day of _____, 2012.

THE CITY OF OAK HARBOR

Veto ()
Approve ()

Mayor

Date

Attest:

City Clerk

Approved as to Form:

City Attorney

Introduction: _____

Passed: _____

Published: _____

**City of Oak Harbor
City Council Agenda Bill**

Bill No. 1C
Date: October 2, 2012
Subject: Public Hearing-Surplus List

FROM: Cathy Rosen, Public Works Director

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

 Scott Dudley, Mayor
 Larry Cort, Interim City Administrator
____ Doug Merriman, Finance Director
____ Legal Council, City Attorney, as to form

PURPOSE

The purpose of this agenda bill is to set a Public Hearing date of October 16, 2012 to adopt Resolution 12-23 declaring property acquired by the utility funds to be surplus property.

AUTHORITY

RCW 35.94.040

Lease or sale of land or property originally acquired for public utility purposes.

Whenever a city shall determine, by resolution of its legislative authority, that any lands, property, or equipment originally acquired for public utility purposes is surplus to the city's needs and is not required for providing continued public utility service, then such legislative authority by resolution and after a public hearing may cause such lands, property, or equipment to be leased, sold, or conveyed. Such resolution shall state the fair market value or the rent or consideration to be paid and such other terms and conditions for such disposition as the legislative authority deems to be in the best public interest.

FISCAL IMPACT DESCRIPTION

Funds Required: _____

Appropriation Source: _____

SUMMARY STATEMENT

Per RCW 35.94.040, a public hearing is required adopt Resolution 12-23 in order to surplus city property acquired by the utility funds. A list of the surplus items has been attached for your review.

STANDING COMMITTEE REPORT

This item has not been reviewed by any of the standing committees.

RECOMMENDED ACTION

A motion to set a Public Hearing date of October 16, 2012 to adopt Resolution 12-23.

**City of Oak Harbor
City Council Agenda Bill**

ATTACHMENTS

Surplus List 2012-Utility Funds

RESOLUTION NO. 12-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAK HARBOR, WASHINGTON DECLARING CERTAIN CITY PROPERTY OF THE WATER AND/OR SEWER UTILITY TO BE SURPLUS PROPERTY

WHEREAS, it has been determined that the City has no further use of certain items of personal property; and

WHEREAS, the City Council has determined that these items are surplus property is no longer needed for public use; and

WHEREAS, the fair market value, if any, is determined for the surplus property and its disposal will be for the common benefit; and

WHEREAS, at time of sale of surplus items, moneys, if any, will be allocated back to the appropriate utility fund; and

WHEREAS, RCW 35.94.040 requires that action taken to surplus utility property may only occur by resolution and after a public hearing, which was held October 16, 2012; and

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

- 1) Based upon the findings and the recommendations of the City, the items of property belonging to said City, as shown in Exhibit A attached hereto, are declared to be surplus to the foreseeable needs of the City.
- 2) That it is deemed to be for the common benefit of the residents of said City to dispose of said property.
- 3) That the Mayor or his designee is authorized to dispose of items listed in Exhibit A, attached hereto, in a manner that will be to the best advantage and in a manner which will net the greatest amount to the City of Oak Harbor.

PASSED and approved by the City Council this 16th day of October, 2012.

THE CITY OF OAK HARBOR

Mayor

Attest:

Interim City Clerk

Resolution 12.23
Surplus of Utilities Property
Page 1 of 2

Approved as to Form:

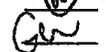
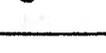
City Attorney

**City of Oak Harbor
City Council Agenda Bill**

Bill No. 2
Date: October 2, 2012
Subject: Marin Property Annexation

FROM: Steve Powers, Development Services Director

**INITIALED AS APPROVED FOR
SUBMITTAL TO THE COUNCIL BY:**

 Scott Dudley, Mayor
 Larry Cort, Interim City Administrator
 Doug Merriman, Finance Director
 Grant Weed, Interim City Attorney, as to form

PURPOSE

This agenda bill presents the proposed Marin annexation to City Council for their consideration.

AUTHORITY

The authority for annexation is established by RCW 35A.14.010.

FISCAL IMPACT DESCRIPTION

Funds Required: \$ 0

Appropriation Source: Not applicable

This annexation has been determined to have a positive fiscal impact by City staff. Please see discussion of fiscal impacts under the section "Comprehensive Plan Consistency" of this agenda bill.

BACKGROUND

On September 21, 2010 Mr. Richard Marin submitted a notice on behalf of the Marin family of their intent to commence annexation proceedings for their property. The property is located at 1292 SW Swantown Road, approximately 0.85 miles west from the SW Swantown Avenue and Fort Nugent Avenue intersection. The property is directly across the road from Fairway Lane Mr. Marin is one of multiple family members who jointly own the parcel, which totals 10.43 acres in size. The proposed annexation area is located within the Oak Harbor Urban Growth Area (UGA) and is designated Low Density Residential on the City's Future Land Use Designation Map (please see Attachment 1). If the property is annexed, it would be assigned R-1-Single Family Residential zoning per the City's Comprehensive Plan.

Consistent with state law (RCW 35A.14.120), City Council held a meeting on November 16, 2010 (Please see Attachment 2) within 60 days after Mr. Marin submitted his initial letter to the City. The agenda bill of that date noted that the proposed annexation would create an

Marin Property Annexation
City Council Meeting of October 2, 2012
P:\CC\12\10-2-12\Marin Annexation\Marin Annexation 10_02_12.docx

unincorporated county enclave, which the Comprehensive Plan discourages (see Urban Growth Element, Policy 4.b). After hearing from the applicant and staff, City Council expanded the annexation to include the unincorporated enclave area to the east and authorized the applicant to circulate the “60% annexation petition.”

Following the November, 2010 meeting, the applicant approached all of the property owners within the proposed annexation area. The applicant obtained signatures of only five additional property owners within the enclave area. This number of signatures did not meet the 60% minimum assessed value threshold required by state law to annex the Marin Property and all of the enclave.

Because the minimum threshold for annexation of the enclave area was not met, staff sought Council’s input on alternative annexation scenarios at the August 8, 2012 regular Council meeting. Council chose to further consider annexing only the Marin Property (see Attachment 3). This agenda bill and attachments presents the Marin Property to the City Council for their consideration with the required signatures of property owners representing at least 60% of the assessed value, legal description, and determination of sufficiency as required by State law. Council must conduct a public hearing prior to taking action on this item.

DISCUSSION

Comprehensive Plan Consistency

The goals and policies related to annexation are found within the Urban Growth Area Element of the City’s Comprehensive Plan (see Attachment 4). The introduction to this element states, in part,

“The Urban Growth Area (UGA) plays a significant role in planning for Oak Harbor’s future. Oak Harbor’s UGA also assists the City in meeting State planning Goals; such as encouraging development in urban areas where public facilities and services exist or can be provided in an efficient manner, reducing the inappropriate conversion of undeveloped land into sprawling low density developments, and protecting the environment and enhancing the state’s high quality of life.”

Goals 4 and 5 of the Urban Growth Element, and their respective policies, specifically address the subject of annexation. These goals and policies focus primarily on assuring that City services are available to annexed areas, or can be provided after annexation, and that the annexation does not degrade the City’s existing level of service.

Policy 4.b, however, advises against the creation of unincorporated enclaves within the UGA as the result of annexation decisions.¹ The ‘discussion’ text associated with the policy notes that the City may make exceptions to this policy in cases where the potential enclave is already characterized by urban density, after encouraging the petitioner to work with property owners from within the enclave, and if the annexation furthers other goals and is otherwise consistent with annexation policies. In the case of this annexation, the areas to both the east and the west of

¹ “The City should avoid annexations that would result in unincorporated enclaves within the UGA.”

Marin Property Annexation

City Council Meeting of October 2, 2012

P:\CC\12\10-2-12\Marin Annexation\Marin Annexation 10_02_12.docx

the Marin property, both of which are within the UGA, are already developed as single-family neighborhoods. The annexation is consistent with Policy 1.c² and it is consistent with other annexation policies.

The other annexation goals and policies pertain primarily to provision of services to the annexed area and the impact of annexations on existing residents within the City. The following bullets summarize the public facilities and service capacities for the Marin property as reviewed against the Comprehensive Plan policies pertaining to annexation:

- **Police protection.** The Police Department reports that there will be a negligible impact to level of service as a result of annexation and that the additional residents within this area can be provided police protection within existing budget and staff levels.
- **Fire protection.** The Fire Department reports that the inclusion of this annexation area may place the fire department outside of its target response times, however many recent annexations have done the same. The city's fire insurance rating, currently rated a 4 by the Washington Survey and Rating Bureau, may be negatively impacted by adding too much growth without adding adequate services. The installation of fire hydrants will increase the required work load for the fire department. All hydrants must be inspected annually. The additional homes may result in an increase for calls for service. These services could include emergency medical calls and/or fire incidents.

In discussions with the Fire Department, they expressed concern about the cumulative impact of annexations overtime on the department's level of service. The level of service impacts for a given annexation may be small or negligible, but considered in the aggregate for multiple annexations over many years, these impacts gradually reduce the service level it is able to provide Oak Harbor citizens.

Urban Growth Area policy 4(e) requires that existing buildings within annexation areas to meet the City's fire and safety requirements within two years. The Fire Department reports that there is one existing building within the annexation area, which is a single-family house accessed off of Swantown Road. Single-family homes are not required to have fire sprinkler suppression systems, so no upgrades to this house would be required post annexation. Additionally, adequate fire access is provided to the property from SW Swantown Road which is within 150 feet from the house.

- **Streets.** All necessary street improvements will be completed at the time the property is developed. Necessary improvements include dedication of property along SW Swantown Road and installation of improvements to meet the Minor Arterial street section in the City's 2007 Transportation Element of the Comprehensive Plan. An internal network of local residential streets would be provided within the boundaries of the property at the time that property is developed. A road connection to Swantown Road aligning with Fairway Lane would be required to serve any future development. The expense for all necessary street improvements both onsite and offsite will be the responsibility of the applicant/developer at the time development occurs on the property. Public streets will be dedicated by the applicant/developer and maintained by the City. Private streets, if

² "The City shall seek to eliminate unincorporated enclaves in order to provide for the most efficient provision of urban services within the UGA."

Marin Property Annexation

City Council Meeting of October 2, 2012

P:\CC\12\10-2-12\Marin Annexation\Marin Annexation 10_02_12.docx

proposed, would be maintained by a homeowners association.

- **Sewer and Water.** 8-inch sewer and water stubs to the property in SW Putnam Drive and SW Robertson Drive. There is an 8-inch gravity main sewer in SW Swantown Road which ends at the southeastern edge of the property. At the time the property is developed, the applicant/developer will be required to extend sewer and water facilities in Swantown Road to the western edge of the Marin Property. Sewer from the property would gravity flow to the 8-inch main in Swantown Road and flow to the golf course pump station. Alternatively, a new gravity main could be placed in Swantown Road and flow directly southeast of the property. All sewer and water utilities necessary for the property would be installed by and paid for by the applicant/developer concurrent with development. If any oversizing of sewer and water utilities is required to meet the utility needs of the surrounding area, the City typically reimburses the developer for those additional costs associated with the oversizing. A preliminary investigation of sewer capacity by the Engineering Division indicates that there is sufficient capacity in the system to accommodate the increased demand from the development of the property. The sewer and water system will be publicly dedicated and maintained by the City after construction is complete.
- **Stormwater.** The applicant/developer will be required to install adequate stormwater infrastructure to serve any development on the property. The stormwater facilities will be required to meet all applicable local and state standards for stormwater control, treatment, and detention. All expenses for stormwater infrastructure installation required to serve the property would be paid for by the applicant/developer. Portions of the stormwater system within public rights-of-way will be publicly dedicated and maintained by the City after construction is complete with the exception of certain LID stormwater facilities, if any are proposed. Stormwater facilities on private property, such as ponds, would be privately owned and maintained.
- **Solid waste.** Island Disposal will continue to provide solid waste pick up services to the property after annexation until such a time as the City assumes services under a franchise agreement negotiated with Island Disposal. Typically, Island Disposal provides solid waste pick up for 7-10 years after annexation, at which point the City assumes responsibility for this service. Solid waste services are considered to be an enterprise fund whose expenses are covered by service fees.
- **Parks.** The Parks, Open Space, and Recreation Plan does not call for construction of a new park within the boundaries of the property. Capital facilities needs for the new residents will be supported by park impact fees. The Parks Division anticipates only a negligible impact from this annexation and has indicated that the addition of new residents and land to the City resulting from this annexation can be accommodated within existing budget and staff levels.
- **Development Services.** Development Services reports that the annexation of the property is anticipated to result in increased development review activity in the form of processing future land use applications, building permits, and other permits. However, the increased activity can be accommodated with existing staff and budget levels without negatively impacting service levels.

Marin Property Annexation

City Council Meeting of October 2, 2012

P:\CC\12\10-2-12\Marin Annexation\Marin Annexation 10_02_12.docx

- **Animal Control.** Animal control reports that the addition of the property to the City and subsequent development of 35 units would have a negligible effect on the level of service the division provides. The addition of the 35 units will be accommodated with existing staff and budget resources.
- **Senior Services.** Senior Services anticipates no or negligible impact from this annexation. The addition of the property and subsequent development of 35 units could be accommodated with existing staff and budget resources.

Policy 4.j of the Urban Growth Element says that “the City may require the preparation of a fiscal impact study which addresses long and short-term economic impacts to the City.” In this case, such a study was prepared by the applicant at the request of staff. Staff also prepared its own fiscal impact analysis. Those studies both showed that annexing the property, under certain assumptions about future development, results in a net surplus of revenue to the City. For further discussion of this topic, please see the August 8, 2012 agenda bill contained in Attachment 3.

STANDING COMMITTEE REPORT

This item was discussed with the Governmental Services Standing Committee at their September 11, 2012 meeting.

RECOMMENDED ACTION

Because this annexation petition (Attachment 5) meets all of the policies contained in the Comprehensive Plan regarding annexation (Attachment 4), has been determined to be sufficient by the Island County Assessor (See Attachment 6), staff recommends that City Council approve the annexation ordinance (Attachment 7) annexing the area described in the attached legal description (Attachment 7). Staff recommends that City Council move to do the following:

1. Conduct a public hearing
2. Adopt Ordinance (Attachment 7) approving the Marin annexation as described in the legal description (Attachment 7).

ATTACHMENTS:

1. Future Land Use Map
2. November 16, 2010 City Council agenda bill (w/o attachments) and meeting minutes
3. August 8, 2012 City Council agenda bill (w/o attachments) and meeting minutes
4. Annexation Goals and Policies from the Urban Growth Element of the Comprehensive Plan
5. Annexation petition
6. Island County Determination of Sufficiency
7. Annexation ordinance and legal description

MAYOR'S COMMENTS:

City of Oak Harbor
City Council Agenda Bill

Bill No. 7
Date: November 16, 2010
Subject: Marin Property – Intent to Annex

FROM: Steve Powers *SP*
Development Services Director

**INITIALED AS APPROVED FOR
SUBMITTAL TO THE COUNCIL BY:**

[Signature] Jim Slowik, Mayor
[Signature] Paul Schmidt, City Administrator
[Signature] Doug Merriman, Finance Director

• Budgeted Item:	Yes	No	N/A
• Budget Adjustment Required:	Yes	No	N/A
• Funds Available for Appropriation:	Yes	No	N/A
• Budget Strategy Approved:	Yes	No	N/A

UH Margery Hite, City Attorney

PURPOSE

This agenda bill presents the notice of intent to commence annexation proceedings for the Marin property presented by property owners seeking annexation into the City of Oak Harbor. In considering this notice, the City Council needs to decide: (1) whether it will accept, reject, or geographically modify the proposed annexation, (2) whether it will require adoption of zoning simultaneously with annexation, and (3) whether it will require annexed properties to share City indebtedness.

AUTHORITY

RCW 35A.14.010 gives cities the authority to annex properties which are contiguous to their boundary.

BACKGROUND

On September 21, 2010 Mr. Richard Marin submitted a notice on behalf of the Marin family of their intent to commence annexation proceedings (Attachment 1). The property is located at 1292 SW Swantown Road, approximately 0.85 miles west from the SW Swantown Avenue and Fort Nugent Avenue intersection. The property is directly across the road from Fairway Lane (Attachment 2). Mr. Marin is one of six family members who jointly own the parcel, which totals approximately 10 acres in size. The proposed annexation area is located within the Oak Harbor Urban Growth Area (UGA) and is designated Low Density Residential on the City's Future Land Use Designation Map (see Attachment 3). If the property is annexed, it would be assigned R-1-Single Family Residential zoning per the City's Comprehensive Plan.

SLB

The proponents have submitted a letter of intent to annex, identifying each owner of the parcel. As the owners, they represent 100% of the acreage of the annexation area and also represent the entire portion of the assessed valuation of the area (far in excess of the minimum 10% valuation required to initiate an annexation). Attached to their letter of intent is a conceptual plan for development of the property. City staff and the applicant discussed the conceptual plan with the intention of identifying major development issues before proceeding with the annexation process. The City Council must conduct a meeting with the initiating party within 60 days after the filing of their notice. The meeting scheduled for November 16th meets this requirement. At the meeting the Council must determine three things:

1. Whether to accept the annexation as proposed; reject the annexation; or geographically modify the proposed annexation;
2. Whether it will require the simultaneous adoption of proposed zoning, and
3. Whether it will require the assumption of all or any portion of existing city indebtedness by property owners within the area to be annexed.

The decision of the Council whether to move forward with the proposed annexation is entirely within its discretion. By accepting a proposed annexation petition, the Council is not committing itself to ultimately annexing the territory proposed. The decision to accept at this stage merely allows the annexation petition to go forward procedurally. If the Council rejects the proposed annexation at this stage, the initiating parties have no right of appeal.

If the Council accepts the annexation, then the proponent will be authorized to circulate the 60% petition. After submittal of a valid 60% petition, all appropriate fees and a metes and bounds legal description, the Council will conduct a public hearing to decide whether to approve the annexation.

DISCUSSION

1. WHETHER TO ACCEPT THE ANNEXATION AS PROPOSED; REJECT THE ANNEXATION; OR GEOGRAPHICALLY MODIFY THE PROPOSED ANNEXATION.

Staff has identified several policies and serviceability issues pertaining to the Council's decision to accept, reject, or geographically modify the annexation. These are discussed below.

Annexation Geography

Parcel R13204-459-4200 is approximately 10 acres in size. The proposed annexation area is located west along Swantown Road, in the unincorporated portion of the UGA but contiguous to City limits. If the annexation is approved as proposed, an area of existing single-family homes within unincorporated Island County will be completely surrounded by properties within the Oak Harbor city limits. This area of unincorporated property completely surrounded by incorporate property is referred to as an "enclave."

The Comprehensive Plan Urban Growth Area Element, Policy 4.b, states: "The City should avoid annexations that would result in unincorporated enclaves within the UGA." The policy continues with the following discussion:

"An unincorporated enclave is an area completely surrounded by incorporated parts of the city. However, the City may make exceptions to this policy in cases where the potential enclave is already characterized by urban density. In such cases, the City should first encourage petitioners to work with property owners inside the potential enclave to include them in the annexation area. Failing this preferred option, only then should the City consider whether the annexation would further other Comprehensive Plan goals, such as economic development and otherwise be consistent with annexation policies." (emphasis added)

The clear policy direction is for the City not to create enclaves and to have property owners actively take steps to try to incorporate adjacent properties as necessary to satisfy this policy.

For requests where the boundaries of a proposed annexation are expanded, property owner concurrence and assessed valuation are often factors in determining whether the petition requirements (at least 60% of assessed valuation) can be met. In this case there are 32 homes within the enclave and the assessed valuation of all of the properties within the enclave is \$8,399,492. In comparison, the total valuation for the Marin property and the enclave is \$9,374,259. The enclave comprises approximately 90% of the total assessed valuation of both areas. Assessed valuation of applicant proposed annexation area versus the assessed valuation of the possible enclave area will be factor in determining what properties may be included in an annexation petition.

A review for consistency with all of the applicable Comprehensive Plan goals and policies will occur in preparation for the necessary public hearing, should the City Council authorize the annexation to proceed. In the meantime, the applicable Comprehensive Plan policies are attached to this agenda bill as Attachment 4 as information for the City Council.

City Services

The following service and utility information is being provided to guide Council's decision as to whether to accept, reject, or geographically modify the proposed annexation.

- **Public Works.** Public Works has concerns regarding the enclave area containing infrastructure that is not up to city standards and the long-term maintenance costs for this infrastructure. However Public Works recommends allowing the 60% petition to go forward at this time. The following is a summary of the concerns regarding infrastructure on the subject properties.

Water

Water is available in SW Swantown Avenue. For the Marin property, water mains should be extended the full frontage of the property at the time of connection and adequate water pressure shall be provided. The water main in Swantown will be subject to over-sizing

reimbursement. Any capital facilities will be new and installed by proponents per city requirements.

In the enclave, water is currently supplied by a well system with the exception of one home. Public Works expressed concern over the existing private well system in the enclave, its eventual conversion to a public system, and financial impacts this will create for property owners and the City.

Sewer

For the Marin property, city sewer is available in Putnam Drive and Swantown Road. Putnam Drive sewer is a gravity sewer. The Swantown Road sewer drains to the Swantown Lift Station (aka the Whidbey Golf and Country Club Lift Station) and any connection shall be subject verification of capacity. This lift station is included in Sewer Extension Agreement No 01-02 (latecomer's agreement). This agreement expires in October 2011; connection to the station prior to that time may require payment of the appropriate latecomer's fee.

In the enclave, the existing homes are on septic systems. This area is also within the design service area of the Whidbey Golf and Country Club lift station. In the enclave, water is currently supplied by a well system with the exception of one home. Public Works expressed concern over the existing private septic system in the enclave, its eventual conversion to a public system and financial impacts this will create for property owners and the City.

Streets

The Marin property has frontage on Swantown Road. SW Putnam and SW Robertson Drives dead end at the eastern property boundary. The City boundary currently includes the SW Swantown Avenue right-of-way up to Fairway Lane. The entire length of the property's frontage should consist of city right-of-way and be included in the city boundary. A road connection to Swantown Road aligning with Fairway Lane would be required to serve any future development on the property. Street improvements will be required within and adjacent to the property to serve any future development. All necessary capital improvements will be provided by the applicant at the time of development. Requirements such as half street improvements along with any intersection improvements will be a condition of any development of the proposed annexation area. Street improvements along Swantown will need to be provided consistent with the City's new minor arterial street section in the 2007 Transportation Plan.

Within the enclave, there are two private drives (Aviator Lane and Bernard Way) and one public street (SW Thornberry Drive) with two cul-de-sacs (W. Cashmere Place and Fairvue Place), none of which meet city street width and improvement standards.

Stormwater

There are no stormwater facilities serving the Marin property. Future development of the parcel will require stormwater facilities to be built in accordance with all stormwater policies and regulations in effect at the time of development. The developer will be

responsible for all improvements. A thorough investigation of existing and proposed stormwater facilities is warranted for the Marin property prior to development. The extent and timing of the investigation of stormwater facilities shall be determined in an annexation agreement, if the Council ultimately decides to annex the proposed property.

The enclave has swales and culverts adjacent to the road for storm drainage; what isn't treated by those facilities flows to the existing drainage system downstream of the golf course, crossing private property and terminating in Swantown Lake. Once annexed, all properties are subject to City stormwater fees even if they are not connected to City water or sewer.

City Development Standards

The properties within the enclave developed in Island County under county standards and consequently do not meet City standards for utilities and streets. There are no municipal code regulations requiring existing development to connect to city water and upgrade streets and stormwater subsequent to annexation. City regulations do require a connection to city sewer if a property's (annexed after January 1, 2001) septic system fails and cannot be repaired.

- **Fire.** The Fire Department said that the inclusion of this annexation area may place the department outside of its target response times, however many recent annexations have done the same. In addition, the City's fire insurance rating, currently rated a 4 by the Washington Surveying and Rating Bureau may be negatively impacted by adding too much growth without adding adequate services. The rating affects all citizens of Oak Harbor as everyone pays when insurance rates go up. This wouldn't occur until the next time the City is rated by the Bureau; the date of which is undetermined at this time. The addition of more hydrants and more people also results in additional workload in hydrant inspections and fire/medical rescues for the Fire Department.
- **Development Services.** Development Services notes that while the annexation may mean a minor increase in services for the department, the impacts or concerns may be negligible and they do not have any issues which would prevent this application from moving forward as submitted or geographically modified. Development Services recommends modifying the geography of the annexation area to include the enclave consistent with Urban Growth Area Element Policy 4.b.
- **Police.** Police reported that while the annexation may mean an increased area to cover, the impacts or concerns may be negligible. Police also mentioned that the annexation may provide for quicker jurisdictional determination when calls come in.
- **Finance.** Finance reported that they do not have any issues which would prevent this application from moving forward as submitted or geographically modified.

- Animal Control. Animal Control reported that while the annexation may mean an increased area to cover, they do not have any issues which would prevent this application from moving forward as submitted or geographically modified.
- Code Enforcement. Code Enforcement stated that while the annexation may mean a minor increase in services, the impacts or concerns may be negligible and they do not have any issues which would prevent this application from moving forward as submitted or geographically modified.
- Parks. Parks reported that they do not have any issues which would prevent this application from moving forward as submitted or geographically modified.
- Senior Services. Senior Services reported that they do not have any issues which would prevent this application from moving forward as submitted or geographically modified.

Recommendation

Council may accept the annexation as proposed; reject the annexation; or geographically modify the proposed annexation. In accordance with the Comprehensive Plan policies staff recommends that Council geographically modify the proposed annexation to include the unincorporated enclave. In keeping with the policy discussion statement the applicant should attempt to include other properties in their proposed annexation. If the effort to include other properties proves unsuccessful, the City Council can determine whether or not to approve an annexation petition for a smaller geographic area.

2. **WHETHER IT WILL REQUIRE THE SIMULTANEOUS ADOPTION OF PROPOSED ZONING.**
The adoption of the Interlocal Agreement between Island County and the City of Oak Harbor on January 14, 2002 provides for the implementation of City zoning for areas of land contained within the UGA. The City of Oak Harbor's Comprehensive Plan defines the range and location of future land uses that will occur within the City and its UGA. The Comprehensive Plan indicates that both the proposed annexation area and the enclave are designated as Low Density Residential land use equating to R-1 zoning for the subject properties.

Recommendation

Staff recommends that Council require the simultaneous adoption of R-1 zoning if the property is approved for annexation at a later date.

3. **WHETHER IT WILL REQUIRE THE ASSUMPTION OF ALL OR ANY PORTION OF EXISTING CITY INDEBTEDNESS BY PROPERTY OWNERS WITHIN THE AREA TO BE ANNEXED.**
The City only has one outstanding general obligation bond, the *Oak Go 96* for fire and public safety; this obligation will be satisfied in December of 2010. Although only one outstanding bond remains, it is possible that new bonds may be undertaken by the City in the future and as such, it is logical to have new citizens of the city assume a portion of the indebtedness.

Recommendation

Staff recommends that the property owners within the area to be annexed assume a portion of city indebtedness.

CONCLUSION

Consistent with the Comprehensive Plan, staff recommends that Council accept the proposed annexation, but geographically modify the boundary to include the enclave area. Staff also recommends that Council require the simultaneous adoption of proposed zoning regulations and that the property owners within the annexation area assume a portion of the City's indebtedness upon annexation. Infrastructure issues such as how the applicant's property will be served with stormwater facilities and how public utilities may be provided to existing developed properties warrant the drafting of an annexation agreement. Given the uncertainty as to which properties might ultimately be included in the annexation petition staff believes it best to begin drafting that agreement after receipt of the petition.

STAFF RECOMMENDATION

In light of findings in this report, staff recommends that the City Council do the following:

1. Accept but geographically modify the annexation to include the enclave area as shown on Attachment 2.
2. Require the simultaneous adoption of proposed zoning regulations with annexation.
3. Require the property owners within the annexation area to assume a portion of the City's indebtedness.
4. Authorize staff to begin preparing an annexation agreement in consultation with the applicant and subsequent to applicant's submittal of a complete 60% petition.

ATTACHMENTS:

1. Letter to commence Annexation
2. Annexation Aerial Map with Staff Recommendations
3. Zoning Map & Land Use Map for Proposed Annexation Area
4. Annexation Policies

MAYOR'S COMMENTS:

addresses authorization to pursue a call for public art proposals and is not approval of the amount of funds to be spent on Pioneer Way's public art. Discussion continued about grant funds with sustainability, the size, theme, and look of the art and integration into the proposed sites.

MOTION: Councilmember Munns moved to authorize the Mayor to proceed with the advertisement of the Call for Public Art Proposals for the SE Pioneer Way Improvement Project. The motion was seconded by Councilmember Palmer.

Continued Discussion

Discussion continued about the submittal timeline for Greenroads™ (at the end of the project; striving for basic level of certification), the timing of arts proposals now rather than later in the Pioneer Way Project, and the overall project schedule.

VOTE ON THE

MOTION: Councilmembers Almberg, Campbell, Paggao, Palmer, Munns, and Severns voted in favor of the motion. Councilmember Dudley opposed. The motion carried.

Break

Mayor Slowik called for a short break at 8:10 p.m. and the meeting reconvened at 8:15 p.m.

Marin Annexation

Senior Planner Ethan Spoo led the presentation for the notice of intent to commence annexation proceedings for the Marin property presented by property owners seeking annexation into the City of Oak Harbor. In considering this notice, the City Council needs to decide: (1) whether it will accept, reject, or geographically modify the proposed annexation, (2) whether it will require adoption of zoning simultaneously with annexation, and (3) whether it will require annexed properties to share City indebtedness. The Marin family attended this Council meeting. The proponents have submitted a letter of intent to annex, identifying each owner of the parcel. As the owners, they represent 100% of the acreage of the annexation area and also represent the entire portion of the assessed valuation of the area (far in excess of the minimum 10% valuation required to initiate an annexation). Attached to their letter of intent is a conceptual plan for development of the property. City staff and the applicant discussed the conceptual plan with the intention of identifying major development issues before proceeding with the annexation process. The City Council must conduct a meeting with the initiating party within 60 days after the filing of their notice and this evening's meeting meets this requirement.

Mayor Slowik called for public comments.

Richard Marin, The Marin Group, Edmonds, WA. Mr. Marin spoke on behalf of the six siblings who own this property all of whom graduated from Oak Harbor High School. The family wants to keep the land treed as much as possible and have worked closely

with staff. Mr. Marin also noted that he has been an Edmonds City Council member for two terms and has enjoyed working with Oak Harbor's staff and agrees with all four of staff's recommendations. Creating an annexation agreement will allow success for everybody even though current market conditions are difficult for development. Mr. Marin also talked about the enclave that would be created and the Marin Group has written to everyone within 300 feet of the property and within the enclave. There have been only two responses: one negative, one positive. The property's value could garner a more valuable taxable base for the City and Mr. Marin urged approval of all four recommendations.

There were no other public comments.

Council Discussion

Discussion followed regarding the annexation process, impact, if any, on the present and future wastewater treatment facility (no), and problems with enclaves if they are not included. Discussion continued about the annexation's size and that Council can consider a reduced annexation at a future date, that the developer would be required to install waterlines and that sewer, water, and roads are required by state law for new development. Discussion continued about enclaves and hookups if there is septic failure, the City's indebtedness – outstanding bonds which is only the fire station now and it will be paid off soon, and how the 60% of assessed value relates to the number of petition signatures. Discussion followed about Swantown Road (already in City limits), Putnam Drive and gravity sewer, and hook up fees if there is a septic failure.

MOTION: Councilmember Almberg moved to:

1. **Accept but geographically modify the annexation to include the enclave area.**
2. **Require the simultaneous adoption of proposed zoning regulations with annexation.**
3. **Require the property owners within the annexation area to assume a portion of the City's indebtedness.**
4. **Authorize staff to begin preparing an annexation agreement in consultation with the applicant and subsequent to applicant's submittal of a complete 60% petition.**

The motion was seconded by Councilmember Severns and carried unanimously.

City Administrator's Comments

Mr. Schmidt talked about the Wastewater Facilities Planning Open House scheduled for December 6, 2010, 6:00 p.m. at Hayes Hall, Skagit Valley College and that it will be posted as a special meeting in case a quorum of Council members attend. Mr. Schmidt also talked about emergency preparations for inclement weather. Mr. Schmidt noted that the Lonely Planet website named the Whidbey Island Marathon as one of the top ten marathons in the world.

City of Oak Harbor
City Council Agenda Bill

Bill No. 9
Date: August 8, 2012
Subject: Marin Property Annexation

FROM: Steve Powers, Development Services Director *SP*

**INITIALED AS APPROVED FOR
SUBMITTAL TO THE COUNCIL BY:**

SD Scott Dudley, Mayor
LC Larry Cort, Interim City Administrator
DM Doug Merriman, Finance Director
GW Grant Weed, Interim City Attorney

PURPOSE

This agenda bill presents information regarding the proposed Marin annexation and the potential for annexing additional properties near to it. The purpose of the agenda bill is to obtain City Council input on what area, among the options outlined herein, City Council wishes to consider for annexation.

AUTHORITY

RCW 35A.14.010 gives cities the authority to annex properties which are contiguous to their boundary. That same chapter of State law discusses the procedures for an annexation. However, because annexations are considered a discretionary matter for cities, state law primarily addresses the procedures for annexation and not the factors to consider in annexation. With this in mind, it is appropriate to look to the City's Comprehensive Plan to provide policy guidance on when and under what circumstances annexations should be approved (please see Attachment 1). Specifically, Goals 4 and 5 of the Urban Growth Area Element provide guidance on annexation decisions. Please see the 'Comprehensive Plan Annexation Policies' section for additional discussion.

FISCAL IMPACT DESCRIPTION

Funds Required: \$ 0

Appropriation Source: Not applicable

This agenda bill includes a summary discussion of the fiscal impacts of this proposed annexation. Please note that the fiscal impacts discussed in this agenda bill are projections based on assumptions about what type and amount of development will occur in the future. If these assumptions change or reality brings a different result, the actual fiscal impacts may vary from what are projected here. Please see discussion of the 'Fiscal Impacts Analysis' section of this agenda bill.

Marin Property Annexation
City Council Meeting of August 8, 2012
P:\CC\12\8-8-12\Marin Annexation 08_08_12 (rev1).docx

BACKGROUND

On September 21, 2010 Mr. Richard Marin submitted a notice on behalf of the Marin family of their intent to commence annexation proceedings for their property. The property is located at 1292 SW Swantown Road, approximately 0.85 miles west from the SW Swantown Avenue and Fort Nugent Avenue intersection. The property is directly across the road from Fairway Lane. Mr. Marin is one of five family members who jointly own the parcel, which totals 10.43 acres in size. The proposed annexation area is located within the Oak Harbor Urban Growth Area (UGA) and is designated Low Density Residential on the City's Future Land Use Designation Map (please see Attachment 2). If the property is annexed, it would be assigned R-1-Single Family Residential zoning per the City's Comprehensive Plan.

Consistent with state law (RCW 35A.14.120), City Council held a meeting on November 16, 2010 within 60 days after Mr. Marin submitted his initial letter to the City. Please see Attachment 3 for the City Council agenda bill of that date. The agenda bill noted that the proposed annexation would create an unincorporated county enclave and the Comprehensive Plan discourages their creation (see Urban Growth Element, Policy 4.b). After hearing from the applicant and staff, City Council took the following actions:

- They expanded ("geographically modified") the proposed annexation from just the Marin property to also include the island "enclave" area to the east. Please see Attachment 4 for a map of the annexation area authorized by Council on November 16, 2010.
- Council authorized the applicant to circulate the petition and to pursue obtaining signatures for property owners representing 60% of the assessed value of this proposed area.
- They required the simultaneous adoption of R-1 zoning for the subject properties consistent with the City's Comprehensive Plan, when and if annexation is completed. Adoption of simultaneous zoning is a typical requirement of annexations.
- They required that the area to be annexed assume a portion of the City's indebtedness meaning that the newly annexed properties will pay City taxes, when and if annexed. Assumption of a portion of the city's indebtedness is a common requirement of annexations.
- Council authorized staff to begin preparing an annexation agreement in consultation with the applicant and subsequent to applicant's submittal of a complete 60% petition. However, after further review staff has determined that an agreement is not necessary. This is due to the fact that all anticipated development issues may be addressed through the City's existing municipal code standards.

Following the meeting, the applicant approached all of the property owners within the proposed annexation area. The applicant obtained signatures of only five additional property owners within the enclave area. Those five property owners plus the Marin's represent 26% of the annexation area (not assessed valuation) authorized by City Council. Please see Attachment 5 for a map of properties for which signatures were obtained. Simultaneously, the applicant began working on a fiscal impact analysis for the proposed annexation; the goal of this study is to weigh the budget impacts to the City from annexation. Staff provided feedback on the analysis

Marin Property Annexation
City Council Meeting of August 8, 2012
P:\CC\12\8-8-12\Marin Annexation 08_08_12 (rev1).docx

to the applicant during this process. The applicant submitted the final version of the fiscal impact analysis on June 15, 2012.

DISCUSSION

Comprehensive Plan Annexation Policies

The goals and policies related to annexation are found within the Urban Growth Area Element of the City's Comprehensive Plan. The introduction to this element states, in part,

“The Urban Growth Area (UGA) plays a significant role in planning for Oak Harbor's future. Oak Harbor's UGA also assists the City in meeting State planning Goals; such as encouraging development in urban areas where public facilities and services exist or can be provided in an efficient manner, reducing the inappropriate conversion of undeveloped land into sprawling low density developments, and protecting the environment and enhancing the state's high quality of life.”

As was previously noted, Goals 4 and 5, and their respective policies, specifically address the subject of annexation. These goals and policies focus primarily on assuring that City services are available to annexed areas, or can be provided after annexation, and that the annexation does not degrade the City's existing level of service.

Policy 4.b, however, advises against the creation of unincorporated enclaves within the UGA as the result of annexation decisions.¹ The 'discussion' text associated with the policy notes that the City may make exceptions to this policy in cases where the potential enclave is already characterized by urban density, after encouraging the petitioner to work with property owners from within the enclave, and if the annexation furthers other goals and is otherwise consistent with annexation policies. In the case of this annexation, the areas to both the east and the west of the Marin property, both of which are within the UGA, are already developed as single-family neighborhoods. The annexation is consistent do a degree with Policy 1.c² and it is consistent with other annexation policies. The issue of gathering signatures from within the expanded annexation area is addressed below.

Sixty percent threshold not achieved

The applicant was not able to obtain signatures representing 60% of assessed valuation for the area authorized by City Council on November 16, 2010 (please see Attachment 6 for copies of the signed petitions). Because the 60% threshold was not achieved, the City Council cannot consider annexing the entirety of the initially authorized area. However, the Council may choose to annex a smaller area within the originally authorized annexation area such that the property owners who have signed will represent 60% or more of the smaller area. Likewise, Council may choose not to consider a smaller area for annexation.

Staff presents the following three options for the Council's consideration:

¹ “The City should avoid annexations that would result in unincorporated enclaves within the UGA.”

² “The City shall seek to eliminate unincorporated enclaves in order to provide for the most efficient provision of urban services within the UGA.”

Marin Property Annexation

City Council Meeting of August 8, 2012

P:\CC\12\8-8-12\Marin Annexation 08_08_12 (rev1).docx

- Option 1: Annex only the Marin property; or
- Option 2: Annex the Marin property plus six additional properties; or
- Option 3: Do not consider annexation of a smaller area.

At this point in the process, staff is seeking guidance from City Council on what option they would like to consider. Each of these options is described further below.

Option 1: Annex only the Marin Property

Option 1 involves annexing the Marin property only (see purple highlighted property in Attachment 4) totaling 10.43 acres in size. Approving this annexation will create an island “enclave” to the east of the Marin property. All capital facilities for the property, including water, sewer, stormwater, and streets would be provided by the applicant at their expense when the Marin property is developed. These capital facilities would be publicly dedicated and maintained by the City after construction. Other City services would also be required to serve the property such as fire and police protection.

The following bullets summarize the public facilities and service capacities for the Marin property as reviewed against the Comprehensive Plan policies pertaining to annexation:

- **Police protection.** The Police Department reports that there will be a negligible impact to level of service as a result of the Option 1 annexation and that the additional residents within this area can be provided police protection within existing budget and staff levels.
- **Fire protection.** The Fire Department reports that the inclusion of this annexation area may place the fire department outside of its target response times, however many recent annexations have done the same. The city’s fire insurance rating, currently rated a 4 by the Washington Survey and Rating Bureau, may be negatively impacted by adding too much growth without adding adequate services. The installation of fire hydrants will increase the required work load for the fire department. All hydrants must be inspected annually. The additional homes may result in an increase for calls for service. These services could include emergency medical calls and/or fire incidents.

In discussions with the Fire Department, they expressed concern about the cumulative impact of annexations overtime on the department’s level of service. The level of service impacts for a given annexation may be small or negligible, but considered in the aggregate for multiple annexations over many years, these impacts gradually reduce the service level it is able to provide Oak Harbor citizens.

Urban Growth Area policy 4(e) requires that existing buildings within annexation areas to meet the City’s fire and safety requirements within two years. The Fire Department reports that there is one existing building within the Option 1 annexation area, which is a single-family house accessed off of Swantown Road. Single-family homes are not required to have fire sprinkler suppression systems, so no upgrades to this house would be required post annexation. Additionally, adequate fire access is provided to the property from SW Swantown Road which is within 150 feet from the house.

- **Streets.** All necessary street improvements will be completed at the time the property is developed. Necessary improvements include dedication of property along SW Swantown

Marin Property Annexation
 City Council Meeting of August 8, 2012
 P:\CC\12\8-8-12\Marin Annexation 08_08_12 (rev1).docx

Road and installation of improvements to meet the Minor Arterial street section in the City's 2007 Transportation Element of the Comprehensive Plan. An internal network of local residential streets would be provided within the boundaries of the property at the time that property is developed. A road connection to Swantown Road aligning with Fairway Lane would be required to serve any future development. The expense for all necessary street improvements both onsite and offsite will be the responsibility of the applicant/developer at the time development occurs on the property. Public streets will be dedicated by the applicant/developer and maintained by the City. Private streets, if proposed, would be maintained by a homeowners association.

- **Sewer and Water.** 8-inch sewer and water stubs to the property in SW Putnam Drive and SW Robertson Drive. There is an 8-inch gravity main sewer in SW Swantown Road which ends at the southeastern edge of the property. At the time the property is developed, the applicant/developer will be required to extend sewer and water facilities in Swantown Road to the western edge of the Marin Property. Sewer from the property would gravity flow to the 8-inch main in Swantown Road and flow to the golf course pump station. Alternatively, a new gravity main could be placed in Swantown Road and flow directly southeast of the property. All sewer and water utilities necessary for the property would be installed by and paid for by the applicant/developer concurrent with development. If any oversizing of sewer and water utilities is required to meet the utility needs of the surrounding area, the City typically reimburses the developer for those additional costs associated with the oversizing. A preliminary investigation of sewer capacity by the Engineering Division indicates that there is sufficient capacity in the system to accommodate the increased demand from the development of the property. The sewer and water system will be publicly dedicated and maintained by the City after construction is complete.
- **Stormwater.** The applicant/developer will be required to install adequate stormwater infrastructure to serve any development on the property. The stormwater facilities will be required to meet all applicable local and state standards for stormwater control, treatment, and detention. All expenses for stormwater infrastructure installation required to serve the property would be paid for by the applicant/developer. Portions of the stormwater system within public rights-of-way will be publicly dedicated and maintained by the City after construction is complete with the exception of certain LID stormwater facilities, if proposed. Stormwater facilities on private property, such as ponds, would be privately owned and maintained.
- **Solid waste.** Island Disposal will continue to provide solid waste pick up services to the property after annexation until such a time as a franchise agreement can be negotiated and approved by the City Council. Typically, Island Disposal provides solid waste pick up for 7-10 years after annexation, at which point the City assumes responsibility for this service. Solid waste services are considered to be an enterprise fund whose expenses are covered by service fees.
- **Parks.** The Parks, Open Space, and Recreation Plan does not call for construction of a new park within the boundaries of the property. Capital facilities needs for the new residents will be supported by park impact fees. The Parks Division anticipates only a

negligible impact from this annexation and has indicated that the addition of new residents and land to the City resulting from this annexation can be accommodated within existing budget and staff levels.

- **Development Services.** Development Services reports that the annexation of the property is anticipated to result in increased development review activity in the form of processing future land use applications, building permits, and other permits. However, the increased activity can be accommodated with existing staff and budget levels without negatively impacting service levels.
- **Animal Control.** Animal control reports that the addition of the property to the City and subsequent development of 35 units would have a negligible effect on the level of service the division provides. The addition of the 35 units will be accommodated with existing staff and budget resources.
- **Senior Services.** Senior Services anticipates no or negligible impact from this annexation. The addition of the property and subsequent development of 35 units could be accommodated with existing staff and budget resources.

If the Council chooses Option 1, staff will forward the required petitions to the Island County Assessor for a determination of sufficiency. Once the City has received the determination, a public hearing before the City Council will be scheduled. At that time, the Council will be asked to make a final decision on the annexation.

Option 2: Annex the Marin property plus six additional properties

Attachment 7 shows the Option 2 annexation area which totals 13.34 acres in size, 10.43 acres which is the Marin property. This area represents four property owners who have signed petitions agreeing to be annexed plus two other properties immediately adjacent to these properties who have not signed petitions. Properties for which owners have signed petitions represent 75% of the total assessed value of the properties within Option 2, exceeding the minimum 60% necessary. All properties are accessed via Swantown Road (public) or from Bernard Way (private). As was previously discussed, the Comprehensive Plan policies focus on adequacy of public services for proposed annexation areas and the effect on the citywide service level. The following discussion summarizes service availability and impacts to service levels to guide the City Council in their consideration of Option 2.

- **Police protection.** The Police Department reports that there will be a negligible impact to level of service as a result of the Option 2 annexation and that the additional residents within this area can be provided police protection within existing budget and staff levels.
- **Fire protection.** Same comments as Option 1, with the following additional comment:
The multifamily building located at 2150 SW Swantown Road will be required to install sprinklers at the time of remodel, modification, or has an occupancy reclassification per policy 4(e) of the Urban Growth Element of the Comprehensive Plan, if such sprinklers are not already in place.
- **Streets.** Same comments as Option 1, with the following additional comment:

Four of the properties to the east of the Marin property which would be annexed with Option 2 are served by Bernard Way. SW Swantown Road serves the other two properties. Bernard Way is a private access drive that does not meet City standards. City code (OHMC 21.60.120) requires access drives serving four units be 20 feet in width. Nevertheless, the Fire Department has indicated that it can provide adequate fire suppression to the properties accessed from Bernard Way. The City would not require that the access road, although substandard, be upgraded after annexation unless development were to occur on one or more of the properties accessing Bernard Way necessitating a new access drive.

- **Sewer and Water.** Same as Option 1 with the following additional comments:

A preliminary investigation of sewer capacity by the Engineering Division indicates that there is sufficient capacity in the system to accommodate the increased demand from the development of the Marin property and the adjacent six properties.

The presence of an existing sewer line will facilitate providing sewer service to the additional properties included in Option 2. An 8-inch sewer line is located in an easement running along the western edge of 2285 Bernard Way (see Attachment 7). This sewer line could serve the four properties abutting it, which include 2150 SW Swantown Road, 2293 Bernard Way, and 2285 Bernard Way (two properties for this address). Property owners surrounding this sewer line would be required to connect at the time their septic systems fail (per OHMC 14.03.060) and would be responsible for costs of these side sewer connections. Additional easements may be required since the sewer line runs across private property. The sewer line in the easement is already publicly owned and maintained. The installation cost of individual sewer connections to this line would be required to be maintained by property owners as is the case with all side sewer connections. Because the sewer is already in place and already being maintained by the City, staff do not anticipate any additional sewer costs if these properties are annexed.

The same easement previously mentioned also allows placement of a waterline. However, due to the location of the existing sewer line in this easement and the requirement for water and sewer lines to be separated by at least 10 feet, this easement would not likely have adequate width for the placement of a waterline. Notwithstanding these facts, there is no requirement to switch to City water services after annexation, as there is with sewer when septic systems fail. Therefore, the properties accessed from Bernard Way could continue to be served by a private well with no additional capital or maintenance expenses to the City anticipated for annexing this area.

- **Stormwater.** Same as Option 1 with the following additional comments:

The properties to the east of the Marin property which take access from Bernard Way do not currently have storm facilities which meet City standards. If these properties to the east of the Marin Property are annexed, Bernard Way could remain a private street, and thus new stormwater infrastructure would not be required. If new units were added which access Bernard Way or the residents proposed to upgrade the access, then stormwater infrastructure would be required at that time.

- **Solid waste.** Same as Option 1

Marin Property Annexation
City Council Meeting of August 8, 2012
P:\CC\12\8-8-12\Marin Annexation 08_08_12 (rev1).docx

- **Parks.** Same as Option 1
- **Development Services.** Same as Option 1.
- **Animal Control.** Same as Option 1.
- **Senior Services.** Same as Option 1

If the Council chooses Option 2, staff will forward the required petitions to the Island County Assessor for a determination of sufficiency. Once the City has received the determination, a public hearing before the City Council will be scheduled. At that time, the Council will be asked to make a final decision on the annexation.

Option 3: Do not consider a smaller area for annexation than initially authorized

The City Council is not required to consider a different annexation area than that which it originally authorized. The City Council could direct the applicant to further pursue signatures for the island enclave area and indicate to the applicant that the Council would only consider annexation for the originally authorized area, rather than a smaller area within it. However, given the enclave property owners' lack of interest in participating in the annexation it is unlikely that adequate signatures would be obtained in the near future.³

Fiscal impact analysis

Fiscal impacts are the changes in costs and revenues that the City can expect from a certain action, in this case annexation. As part of the annexation process, Policy 4(j) of the Urban Growth Element of the Comprehensive Plan says that "the City may require the preparation of a fiscal impact study...." Citing this policy, staff requested that the applicant prepare a fiscal impact analysis, because it is not uncommon that residential annexations can lead to negative fiscal impacts for a city. This is because residential uses generally require a high level of services from the City and produce less revenue than commercial or industrial uses.

In response to staff's request, the applicant commissioned a fiscal impact analysis which was prepared by Mr. F.R. Rick Duran of the Archinomics Group, Inc. (please see Attachment 8). The fiscal impact analysis examined the impacts to the City from the annexation of the Marin property and the adjoining properties. The study estimated that there would be recurring revenues to the City of \$291,461 and recurring costs of \$65,000 per year. In other words, after the Marin property is developed, and residents have moved into the units, the proposed annexation would generate net revenues to the City of \$226,461 per year.

After reviewing the applicant's study, City staff conclude that the study over estimates revenues and costs significantly. For example, it appears that the applicant overestimated annual property tax revenues. Costs were probably also over estimated because the study used the average costs

³ However, this does not mean that annexation of this area cannot take place at some point in the future. The City has the authority to annex islands of territory under RCW 35.13.182 by resolution at a later date. Council might pursue annexation by resolution if they felt it was critical to annex all of the enclave area to avoid the creation of an island. However, this option is subject to a referendum election by those annexed in a general election after the resolution has been passed.

per household in the City for each department in the City. In reality, many of the City departments for which costs were projected (i.e. law, judicial, city administrator, human resources) will not likely be required to serve the annexed area once the Marin property is developed and houses are filled.

In an effort to provide the City Council additional information staff created its own abbreviated fiscal impact analysis, which is shown here in tables on the next page. The fiscal analysis shows the typical operating costs and revenues to the City after the Marin property is developed and the houses within it are occupied. This analysis does not look at one-time construction revenues and costs, but, rather looks at the operating costs and revenues once the Marin property is developed and houses are occupied.

What the following fiscal analysis shows is that there is likely a small, positive fiscal benefit to annexation in either Options 1 or 2. The benefit is much smaller than that identified by the applicant's fiscal study, but it is nonetheless positive.

STANDING COMMITTEE REPORT

This item was discussed with the Governmental Services Standing Committee at their July 10, 2012 meeting.

Staff Fiscal Impact Analysis

Table 1. Projected Operating Revenues to the City for Options 1 and 2

Revenues	Option 1	Option 2
Property Taxes	\$ 21,539	\$ 24,657
Sales Taxes	\$ 10,647	\$ 11,863
REET	\$ 2,385	\$ 2,657
Total	\$ 34,570	\$ 39,178

Table 2. Project Operating Costs to the City for Options 1 and 2

Costs	Option 1	Option 2
Police Protection	\$ 12,432	\$ 13,853
Fire Protection	\$ 7,065	\$ 7,872
Street Maintenance	\$ 5,454	\$ 5,454
Animal Services	\$ 645	\$ 719
Code Enforcement	\$ 66	\$ 73
Parks	\$ 3,345	\$ 3,727
Total	\$ 29,006	\$ 31,698

(Deficit)/Surplus \$ 5,564 \$ 7,480

Notes: The following assumptions were made in the above projections:

1. Water, sewer, storm, and solid waste are enterprise accounts and are therefore a net zero fiscal impact
2. Property tax rate is \$2.285329566/\$1,000 of assessed value
3. Sales tax receipts for OH in 2011 were \$2,669,142 or approximately \$120 per person
4. The City's population in 2011 and 2012 was 22,000
5. Marin property will contain 35 housing units as estimated by applicant
6. Marin property + adjacent 6 properties is 39 housing units
7. Average household size is 2.53 persons in OH
8. The 2011-12 budget is as follows for the following departments: Fire - \$1,937,933; Streets - \$899,712; Animal services - \$177,064; Code Enforcement - \$17,991; Parks Budget - \$917,472
9. Acres of Parks = 215.1
10. Miles of Streets in Oak Harbor = 68.74 miles
11. Annual Code Enforcement Complaints = 100
12. Miles of Streets within Marin Property = 0.417
13. Miles of Street in Marin + Adjacent = 0.417
14. Number of Households in OH = 9,601 according to OFM
15. Animals Impounded Per Year = 250

CONCLUSION

In the November 16, 2010 agenda bill staff noted that the City's Comprehensive Plan, in Policy 4.b, discourages the creation of unincorporated county enclaves. Based on the aforementioned policy, Council chose to expand the annexation from just the Marin Property to include the entire county enclave area to the east and authorized the applicant to pursue signatures for the expanded area. The applicant was unable to obtain sufficient signatures to constitute 60% of the assessed value of the expanded area. Given this fact, staff believes Council now has three options from which to choose.

With the exception of fully satisfying Policy 4.b, both Options 1 (Annex Marin Property only) and Option 2 (Annex Marin Property and adjacent properties) are consistent with the policies for annexation outlined in the Comprehensive Plan, Urban Growth Area Element. In Option 1, all capital facilities and services would be provided subsequent to the development of the Marin Property and would meet all relevant City standards at the time that property is developed. City departments report that the area in Option 1 could be served under existing budgets and staff levels. Option 2 annexes the Marin Property, plus six additional properties, resulting in the annexation of an additional 2.91 acres. City departments also report that the area in Option 2 could be served under existing budgets and staff levels.

From a fiscal standpoint, Options 1 and 2 are largely the same; in each option the City will likely realize a small, but positive fiscal impact, although the impact will likely be slightly larger in Option 2 due to the additional tax revenues. Capital facilities in Option 2 for the enclave area, although not meeting City standards in some cases (i.e. roads, water, and stormwater), are not required to be upgraded after annexation and do not create safety or service issues. A sewer line is available for future connection for residents in the enclave area.

The applicant has secured the necessary signatures on the annexation petition to pursue either Option 1 or 2. Should the City Council select either of these options, effectively accepting the petitions as submitted, staff would submit the appropriate petition to Island County for their determination of sufficiency as required by RCW.

While the land area in either Option 1 or 2 can be effectively served by the City, the Council need not consider an area smaller than that authorized at the November 16, 2010 meeting. The decision to not do so, Option 3, likely means that adequate signatures could not be obtained for this area in the near future.

With the above considerations in mind, staff recommend that Council consider Option 2 for annexation. Annexing this area incorporates more territory in City boundaries and reduces the size of the resultant unincorporated enclave. It should also result in more positive fiscal impacts than Option 1. Staff have not identified any problematic service provision issues in this scenario. Should the Council concur with this recommendation, a public hearing would be scheduled for some time after the Island County Assessor has issued her determination of sufficiency for the petition.

RECOMMENDED ACTION

Staff recommends that City Council consider the Marin Annexation as outlined in Option 2.

Should the Council concur with this recommendation, the following motions would be appropriate:

1. Move to consider Option 2 for the Marin annexation at a City Council meeting and public hearing, the date to be determined by staff.
2. Move to accept the submitted annexation petitions and direct staff to forward these petitions to the Island County Assessor for a determination of sufficiency.

ATTACHMENTS:

1. Annexation Goals and Policies from the Urban Growth Element of the Comprehensive Plan
2. Land Use Map
3. November 16, 2010 City Council agenda bill (w/o attachments) and minutes
4. Marin Property Annexation Map and Island Enclave Area
5. Map showing properties for which there are signatures
6. Submitted petitions
7. Option 2 Annexation Area/Sewer Map
8. Marin Woods Fiscal Impact Study for the City of Oak Harbor

MAYOR'S COMMENTS:

Mayor Dudley called for public comments but there were none.

Council Discussion

Discussion followed about costs, property acquisition, property adequacy to handle the volume of material, how material will be placed, permit conditions, and Tribal agreements.

MOTION: Councilmember AlMBERG moved to authorize the Mayor to sign Amendment No. 2 to the Professional Services Agreement with Equinox Research and Consulting International (ERCI) to expand the scope of services to include Phase Three of the Archaeological Recovery Project and increasing the not-to-exceed amount by \$352,476.52, from \$318,758.25 to \$671,234.50. The motion was seconded by Councilmember Campbell and carried unanimously.

BREAK

Mayor Dudley called for a break at 8:30 p.m. and the meeting reconvened at 8:35 p.m.

Mutual Aid Agreement with the Naval Air Station Whidbey Island

Fire Chief Ray Merrill presented this agenda bill and talked about the history of this agreement, which began in the 1980s, and the revisions to the proposed agreement which include not only fire responses but hazardous materials, basic and advanced medical life support, and technical search and rescue incidents.

Mayor Dudley called for public comments but there were none.

Council Discussion

Discussion followed about the language of the agreement.

MOTION: Councilmember Severns moved to authorize the Mayor to sign the Mutual Aid Agreement, the motion was seconded by Councilmember Hizon and carried unanimously.

Marin Property Annexation

Senior Planner Ethan Spoo gave a PowerPoint presentation and led discussion regarding the proposed Marin annexation and its history and the potential for annexing additional properties near it. The purpose was to obtain City Council input on what area, among the options presented, the Council wished to consider for annexation:

- Option One: Annex only the Marin property.
- Option Two: Annex the Marin property plus six additional properties.
- Option Three: Do not consider annexation of a smaller area.

Mayor Dudley called for public comments.

Tom Ford, Oak Harbor. Mr. Ford lives in Fairway Estates and spoke with concern about costs, water system upgrades and hook up to water, sewer, and gas, sidewalk and street expenses, and the cost of rubbish disposal. Mr. Ford asked for a City point of contact regarding new estimates on these costs.

Larry Larson, Oak Harbor. Mr. Larson spoke with concern about costs and the six properties in the second option four of which are on a well he maintains and the remaining two are on a separate well. Mr. Larson was also concerned about trash service and the time it will take to receive City service while still paying City taxes. Mr. Larson preferred Option One - annex only the Marin property.

Jeffrey Adams, Oak Harbor. Mr. Adams resides in the enclave, and spoke with concern about benefits versus profits that the Marins will receive.

Mel Vance, Oak Harbor. Mr. Vance spoke with concern about costs in light of the City's declaration of a fiscal emergency, the number of enclaves in the City, emergency response to enclaves, and an "all or nothing" approach to this annexation.

Brett Butler, Oak Harbor. Mr. Butler lives in Fairway Estates and spoke about the 60% State requirement and that they would not be forced into an annexation unless the majority rules.

Angie Homola, Island County Commissioner. Ms. Homola spoke with concern regarding the heavily-treed area with watershed and her familiarity with Putnam Drive. The County is currently looking at two culverts in that area and would like to work with the City to address tree retention, returning water to the site, the need for a cost benefit analysis, impact fees and development, and how this annexation will progress when it comes to a Council public hearing.

There were no other public comments.

Council Discussion

Discussion followed about the Urban Growth Area (UGA), concern with creating another enclave, suggestions about subdividing to leave a County connection, and the existing interlocal agreement with the County that if an applicant seeks to short plat they must come to the City and discuss annexation.

MEETING TIME EXTENSION

Motion: Councilmember Servatius moved to extend the meeting to 10:15 p.m. The motion was seconded by Councilmember Almberg and carried unanimously.

Discussion Continued

Discussion continued about the development process with regard to Mr. Vance's concerns: When a development application is presented to the County which is contiguous to City limits, the County tells the developer that they must first come to the City and discuss annexation. The Marins have done this. The City would then find a way to release the obligation and would not be in disagreement with processing a short plat. Even with a smaller enclaved piece, it would be difficult to avoid the enclave issue.

Mr. Powers was confident the City can work with the County on this issue but would want to avoid a platting problem that does not leave a good neighborhood. With three options, Development Services wanted to present more than an all or nothing approach.

Richard Marin was invited to speak: As a past City Council member in Edmonds for two terms, he has experienced annexations and understands the oddities in building standards including enclaves. Mr. Marin talked about the property's location, his family's history with the property, and how a development is envisioned which would connect the two dead ends, connect to Swantown, and remedy water leaving the property. The developer bears the full cost and the City gains all of the infrastructure at current standards.

Discussion Continued

Discussion followed with continued concern about denying an annexation because of an enclave.

Joe McMillan also commented with concern about the long-term cost of Option Two. Mr. McMillan's property has City sewer and water lines running through his property. Mr. McMillan also talked about those who signed the petition (two are selling their property; one wished to withdraw from the petition).

Council asked about the franchise agreements with Island Disposal (ten year franchise agreements) with a comment from Mayor Dudley that those customers do not receive a bill from the City for collection. Discussion followed about benefit to the property owners, achieving 60%, the Comp Plan goal of not having enclaves which is not a mandated goal, and the time limit for hooking up (only when a septic system fails). Mr. Powers noted that as part of WWTP planning, staff and the tech team have been asked about how to address enclaves; the City is working toward policy on how to provide sewer to these areas. Discussion returned to the impact on the Marins, that change in how to separate the property would create difficulties in providing City services, and that this property already meets an urban density.

Motion: Councilmember Hizon made a motion to consider Option One for the Marin Annexation at a City Council meeting and public hearing, the date to be determined by staff. The motion was seconded by Councilmember Severns. Councilmembers Campbell, Hizon, Servatius, and Severns voted in favor of the motion. Councilmember Almberg opposed. The motion carried.

Motion: Councilmember Hizon made a motion to accept the submitted annexation petitions and direct staff to forward these petitions to the Island County Assessor for a determination of sufficiency. The motion was seconded by Councilmember Severns. Councilmembers Campbell, Hizon, Servatius, and Severns voted in favor of the motion. Councilmember Almberg opposed. The motion carried.

**Attachment 4: Comprehensive Plan Policies
Urban Growth Area Element**

Goal 4 - Annexations to the City will occur in compliance with the Washington State Growth Management Act and the following policies.

Policy: 4.a Land to be annexed should include only areas seen as logical extensions of the City, located adjacent to existing urban development.

Discussion:

This policy is to be used solely as a guide to prevent leap-frogging and not as a means of preventing growth.

4.b The City should avoid annexations that would result in unincorporated enclaves within the UGA.

Discussion:

An unincorporated enclave is an area completely surrounded by incorporated parts of the city. However, the City may make exceptions to this policy in cases where the potential enclave is already characterized by urban density. In such cases, the City should first encourage petitioners to work with property owners inside the potential enclave to include them in the annexation area. Failing this preferred option, only then should the City consider whether the annexation would further other Comprehensive Plan goals, such as economic development, and otherwise be consistent with annexation policies.

4.b Annexations to the City should be based on evidence that public facilities and service capacities already exist or are planned for and can be efficiently, economically, and practically provided by either public or private sources.

4.c Annexations should not diminish the present LOS or create an excessive financial burden to existing and prospective property owners in the City.

4.d Ensure property owners within an annexing area are aware of foreseeable obligations or requirements that may be imposed upon them by the City at the time of annexation.

Discussion:

Provide foreseeable cost estimates where possible.

4.e Require existing buildings, within annexed areas, to meet the City's fire and safety requirements.

Discussion:

Public safety shall be ensured by the following:

- * An inspection will be conducted of all properties within the proposed annexation area. The Fire Department will identify deficiencies of fire and life safety codes to property owners and City Council. Actions for addressing the deficiencies within specified time frames as recommended by the Fire Department and subject to approval by City Council, will be in the annexation agreement.
 - * Upon annexation, existing buildings will be required to have minimum fire-flow within three years for mobile home parks, and two years for all other buildings, or by annexation agreement. Smaller, individually developed properties should not be burdened by excessive costs of utility improvements beyond their normal proportional share of costs. Costs should be proportionate to benefit.
 - * Existing buildings not conforming to the City's requirement for fire sprinkler systems, will not be subject to retrofitting until the building is remodeled, modified or has an occupancy reclassification. Occupancies or portions thereof classified as hazardous and/or required to have fire suppression systems in accordance with the Uniform Building Code will be required to install an approved system within one year.
- 4.f Assure that the City's fire rating is not reduced because of annexation.

Discussion

The intent is to preserve the City's current fire rating and LOS and protect public welfare by providing a water supply of sufficient quantity and pressure for fire protection. In all instances, areas to be annexed should be analyzed for their potential effect on the City's fire rating. Programs should be established to assure improvements are made in the annexed area or to correct identified deficiencies made elsewhere in the City to balance rating deficiencies in the annexed area. Property owners in the annexing area may be required to pay all or a portion of the cost to correct the deficiencies in their area.

- 4.g Maintain the existing level of police service when annexing new areas.

Discussion

The intent is to protect the residents of the City from a reduced level of police services due to annexation. In all instances the areas to be annexed should be analyzed for their potential effect on the City's current level of police protection. Increases in police personnel may be necessary in order to remain at its present LOS. The City should have a method for analyzing the fiscal impacts of annexation on police services.

- 4.h Annexation proposals should describe the method and level of funding for capital facilities needed to serve the annexed area.
- 4.i Proponents of annexation in developed or partially developed areas should pay their fair share of the costs of urban services and public improvements required to meet the City's LOS standards.

Discussion

This commitment to meet the City's LOS standards should be identified by all annexation agreements, including pre-annexation agreements.

- 4.j The City may require the preparation of a fiscal impact study which addresses long and short-term economic impacts to the City.
- 4.k Annex, when possible, areas of sufficient size that square off City boundaries and enhance circulation.

Discussion

This policy makes subarea planning for local roads and utilities more efficient.

- 4.l Proposed annexations shall not result in the long-term reduction of the City's established LOS standards.

Goal 5 - New neighborhoods annexed into the City should contribute in a positive manner to sustain and enhance the quality of life for all Whidbey Island citizens while promoting a strong sense of place for Oak Harbor.

- Policy:**
- 5.a Annexation agreements should include a preliminary plan for a transportation network that emphasizes connections to existing neighborhoods, streets and pedestrian facilities.
 - 5.b Where topography allows, new annexation areas should develop in the traditional lot and block grid pattern that typified early Oak Harbor development and enhances the provision of public facilities and services.
 - 5.c The City should consider the desirability of acquiring potential new public facilities, such as trails, parks or open space lands, during the annexation review process with the cooperation of the petitioners.
 - 5.d In annexation requests where the surrounding land uses could be significantly affected by the potential land uses in the annexing area, the City should require a greenbelt designation of an appropriate width to ameliorate the negative impacts.

Discussion: This policy would apply to the annexation of new industrial lands that abut properties that have historically been used for residential purposes.

5.e The City should adopt standards that support the Comprehensive Plan annexation policies.

IRREVOCABLE

PETITION FOR ANNEXATION

RECEIVED

JUL 12 2012

CITY OF OAK HARBOR
Development Services Department

TO: The Mayor and City Council
Of the City of Oak Harbor, Washington

We the undersigned being owners of not less than 60 percent in value of the real property herein described and lying contiguous to the City of Oak Harbor, Washington do hereby petition that such territory be annexed to and made a part of the City of Oak Harbor under the provisions of RCW 35A.14 (1981) and any amendments thereto of the laws of the State of Washington.

The territory proposed to be annexed is within Island County, Washington and the boundaries are outlined on the map attached to this petition. (See Exhibit "A" hereto attached and by this reference made a part hereof.) The property is described as follows:

(legal description in Exhibit B)

The City Council of the City of Oak Harbor met with the initiating parties at a regular Council meeting on the 16th day of November, 2010, and after the said meeting having been closed at the 16th day of November, 2010, the City Council indicated that it would accept a proposed annexation. At the 16th day of November, 2010, meeting, the City Council did also determine as follows:

1. It would require simultaneous adoption of zoning for the proposed area to be annexed as R1 Single Family Residential, based upon the proposed Comprehensive Plan Land Use Map adopted on December 20, 2011.
2. It would require the assumption of existing City indebtedness by the area proposed to be annexed.

Wherefore, the undersigned petition the Honorable City Council and ask:

- (a) That appropriate action be taken to entertain this petition fixing a date of public hearing, causing notice to be published and posted specifying the time and place of such hearing and inviting all persons interested to appear and voice approval or disapproval of such annexation; and,
- (b) That following said hearing the City Council determine by ordinance that such annexation shall be made annexing the above described territory and declaring the date that such annexation shall be effective. That property so annexed shall become a part of the City of Oak Harbor, Washington subject to it's laws and ordinances then and thereafter in force.
- (c) That the proposed zoning as adopted for the area as above indicated, shall be effective zoning for the proposed annexation area and shall not be modified for eighteen (18) months after annexation.
- (d) The petitioners subscribing hereto agree that all property within the territory hereby sought to be annexed shall be assessed and taxed at the same rate and on

the same basis as other property within the City of Oak Harbor including assessments of taxes and payment of any bonds issued or debts contracted prior to or existing at the date of the annexation.

- (e) That every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

Property Owner Name	Site Address/Mailing Address	Parcel Number(s)
Sheila Ann Duran	1292 Swantown Road Oak Harbor, WA	R 13204-459-4200

The undersigned has read the above text and consents to the filing of other pages hereof to be considered as part of this petition.

Dated this 18 day of June, 2012

Sheila Ann Duran
(Print Name) Sheila Ann Duran

STATE OF ILLINOIS

COUNTY OF COOK

On this day personally appeared before me Sheila Ann Duran, to me known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and seal of office this 18 day of June, 2012.

Carol J Smith

Notary Public residing at 618 Judson Ave # 3, Evanston IL 60202

Printed Name: CAROL J. SMITH

My Commission Expires:

11-28-2015



IRREVOCABLE

PETITION FOR ANNEXATION

RECEIVED

JUL 12 2012

CITY OF OAK HARBOR
Development Services Department

TO: The Mayor and City Council
Of the City of Oak Harbor, Washington

We the undersigned being owners of not less than 60 percent in value of the real property herein described and lying contiguous to the City of Oak Harbor, Washington do hereby petition that such territory be annexed to and made a part of the City of Oak Harbor under the provisions of RCW 35A.14 (1981) and any amendments thereto of the laws of the State of Washington.

The territory proposed to be annexed is within Island County, Washington and the boundaries are outlined on the map attached to this petition. (See Exhibit "A" hereto attached and by this reference made a part hereof.) The property is described as follows:

(legal description in Exhibit B)

The City Council of the City of Oak Harbor met with the initiating parties at a regular Council meeting on the 16th day of November, 2010 and after the said meeting having been closed at the 16th day of November, 2010, the City Council indicated that it would accept a proposed annexation. At the 16th day of November, 2010 meeting, the City Council did also determine as follows:

1. It would require simultaneous adoption of zoning for the proposed area to be annexed as R1 Single Family Residential, based upon the proposed Comprehensive Plan Land Use Map adopted on December 20, 2011.
2. It would require the assumption of existing City indebtedness by the area proposed to be annexed.

Wherefore, the undersigned petition the Honorable City Council and ask:

- (a) That appropriate action be taken to entertain this petition fixing a date of public hearing, causing notice to be published and posted specifying the time and place of such hearing and inviting all persons interested to appear and voice approval or disapproval of such annexation; and,
- (b) That following said hearing the City Council determine by ordinance that such annexation shall be made annexing the above described territory and declaring the date that such annexation shall be effective. That property so annexed shall become a part of the City of Oak Harbor, Washington subject to it's laws and ordinances then and thereafter in force.
- (c) That the proposed zoning as adopted for the area as above indicated, shall be effective zoning for the proposed annexation area and shall not be modified for eighteen (18) months after annexation.
- (d) The petitioners subscribing hereto agree that all property within the territory hereby sought to be annexed shall be assessed and taxed at the same rate and on

the same basis as other property within the City of Oak Harbor including assessments of taxes and payment of any bonds issued or debts contracted prior to or existing at the date of the annexation.

- (e) That every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

Property Owner Name(s)	Site Address/Mailing Address	Parcel Number(s)
John Robert Marin	1292 Swantown Road Oak Harbor, WA	R 13204-459-4200

The undersigned has read the above text and consents to the filing of other pages hereof to be considered as part of this petition.

Dated this 13 day of June, 2012



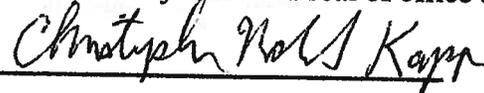
(Print Name) John Robert Marin

STATE OF CALIFORNIA

COUNTY OF Los Angeles

On this day personally appeared before me John Robert Marin, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and seal of office this 13 day of June, 2012

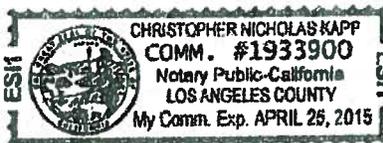


Notary Public residing at POMONA, CALIFORNIA

Printed Name: CHRISTOPHER NICHOLAS KAPP

My Commission Expires:

APRIL 25, 2015



IRREVOCABLE

PETITION FOR ANNEXATION

RECEIVED

JUL 02 2012

CITY OF OAK HARBOR
Development Services Department

TO: The Mayor and City Council
Of the City of Oak Harbor, Washington

We the undersigned being owners of not less than 60 percent in value of the real property herein described and lying contiguous to the City of Oak Harbor, Washington do hereby petition that such territory be annexed to and made a part of the City of Oak Harbor under the provisions of RCW 35A.14 (1981) and any amendments thereto of the laws of the State of Washington.

The territory proposed to be annexed is within Island County, Washington and the boundaries are outlined on the map attached to this petition. (See Exhibit "A" hereto attached and by this reference made a part hereof.) The property is described as follows:

(legal description in Exhibit B)

The City Council of the City of Oak Harbor met with the initiating parties at a regular Council meeting on the 16th day of November, 2010 and after the said meeting having been closed at the 16th day of November, 2010, the City Council indicated that it would accept a proposed annexation. At the 16th day of November, 2010 meeting, the City Council did also determine as follows:

1. It would require simultaneous adoption of zoning for the proposed area to be annexed as R1 Single Family Residential, based upon the proposed Comprehensive Plan Land Use Map adopted on December 20, 2011.
2. It would require the assumption of existing City indebtedness by the area proposed to be annexed.

Wherefore, the undersigned petition the Honorable City Council and ask:

- (a) That appropriate action be taken to entertain this petition fixing a date of public hearing, causing notice to be published and posted specifying the time and place of such hearing and inviting all persons interested to appear and voice approval or disapproval of such annexation; and,
- (b) That following said hearing the City Council determine by ordinance that such annexation shall be made annexing the above described territory and declaring the date that such annexation shall be effective. That property so annexed shall become a part of the City of Oak Harbor, Washington subject to it's laws and ordinances then and thereafter in force.
- (c) That the proposed zoning as adopted for the area as above indicated, shall be effective zoning for the proposed annexation area and shall not be modified for eighteen (18) months after annexation.
- (d) The petitioners subscribing hereto agree that all property within the territory hereby sought to be annexed shall be assessed and taxed at the same rate and on

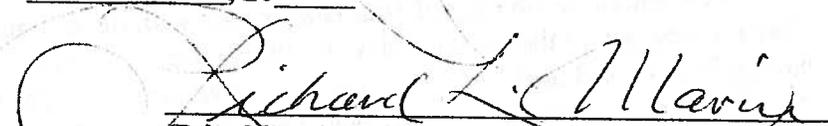
the same basis as other property within the City of Oak Harbor including assessments of taxes and payment of any bonds issued or debts contracted prior to or existing at the date of the annexation.

- (e) That every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

Property Owner Name(s)	Site Address/Mailing Address	Parcel Number(s)
Richard Louis Marin	1292 Swantown Road, Oak Harbor WA	R 13204-459-4200

The undersigned has read the above text and consents to the filing of other pages hereof to be considered as part of this petition.

Dated this 13 day of JUNE, 2012

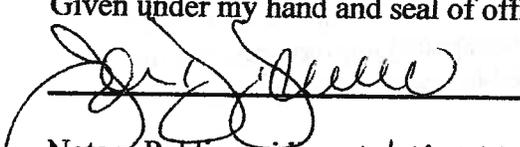

(Print Name) RICHARD L. MARIN

STATE OF WASHINGTON

COUNTY OF Snohomish

On this day personally appeared before me Richard L. Marin, to me known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

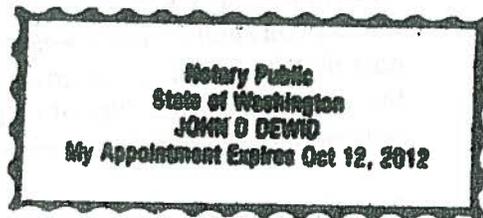
Given under my hand and seal of office this 13 day of JUNE, 2012.


Notary Public residing at LYANWOOD, WA

Printed Name: JOHN D. DEWID

My Commission Expires:

10/12/12



IRREVOCABLE

PETITION FOR ANNEXATION

RECEIVED

JUN 13 2012

CITY OF OAK HARBOR
Development Services Department

TO: The Mayor and City Council
Of the City of Oak Harbor, Washington

We the undersigned being owners of not less than 60 percent in value of the real property herein described and lying contiguous to the City of Oak Harbor, Washington do hereby petition that such territory be annexed to and made a part of the City of Oak Harbor under the provisions of RCW 35A.14 (1981) and any amendments thereto of the laws of the State of Washington.

The territory proposed to be annexed is within Island County, Washington and the boundaries are outlined on the map attached to this petition. (See Exhibit "A" hereto attached and by this reference made a part hereof.) The property is described as follows:

(legal description in Exhibit B)

The City Council of the City of Oak Harbor met with the initiating parties at a regular Council meeting on the 16th day of November, 2010 and after the said meeting having been closed at the 16th day of November, 2010, the City Council indicated that it would accept a proposed annexation. At the 16th day of November, 2010 meeting, the City Council did also determine as follows:

1. It would require simultaneous adoption of zoning for the proposed area to be annexed as R1 Single Family Residential, based upon the proposed Comprehensive Plan Land Use Map adopted on December 20, 2011.
2. It would require the assumption of existing City indebtedness by the area proposed to be annexed.

Wherefore, the undersigned petition the Honorable City Council and ask:

- (a) That appropriate action be taken to entertain this petition fixing a date of public hearing, causing notice to be published and posted specifying the time and place of such hearing and inviting all persons interested to appear and voice approval or disapproval of such annexation; and,
- (b) That following said hearing the City Council determine by ordinance that such annexation shall be made annexing the above described territory and declaring the date that such annexation shall be effective. That property so annexed shall become a part of the City of Oak Harbor, Washington subject to its laws and ordinances then and thereafter in force.
- (c) That the proposed zoning as adopted for the area as above indicated, shall be effective zoning for the proposed annexation area and shall not be modified for eighteen (18) months after annexation.
- (d) The petitioners subscribing hereto agree that all property within the territory hereby sought to be annexed shall be assessed and taxed at the same rate and on

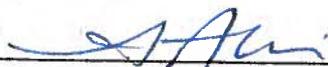
the same basis as other property within the City of Oak Harbor including assessments of taxes and payment of any bonds issued or debts contracted prior to or existing at the date of the annexation.

- (e) That every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

Property Owner Name(s)	Site Address/Mailing Address	Parcel Number(s)
George A. Marin	1292 Swantown Road Oak Harbor, WA 98277	R 13204-459-4200

The undersigned has read the above text and consents to the filing of other pages hereof to be considered as part of this petition.

Dated this 13th day of JUNE, 2012

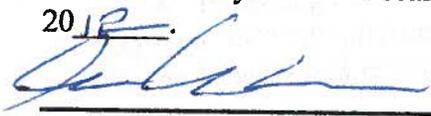

(Print Name) GEORGE A. MARIN

STATE OF WASHINGTON

COUNTY OF ISLAND

On this day personally appeared before me GEORGE A. MARIN, to me known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed, for the uses and purposes therein mentioned.

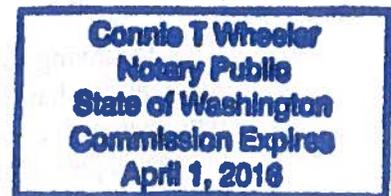
Given under my hand and seal of office this 13th day of JUNE, 2012.


Notary Public residing at COPYVILLE, WA

Printed Name: CONNIE WHEELER

My Commission Expires:

APRIL 1, 2016



IRREVOCABLE

PETITION FOR ANNEXATION

RECEIVED

NOV 12 2012

CITY OF OAK HARBOR
Development Services Department

TO: The Mayor and City Council
Of the City of Oak Harbor, Washington

We the undersigned being owners of not less than 60 percent in value of the real property herein described and lying contiguous to the City of Oak Harbor, Washington do hereby petition that such territory be annexed to and made a part of the City of Oak Harbor under the provisions of RCW 35A.14 (1981) and any amendments thereto of the laws of the State of Washington.

The territory proposed to be annexed is within Island County, Washington and the boundaries are outlined on the map attached to this petition. (See Exhibit "A" hereto attached and by this reference made a part hereof.) The property is described as follows:

(legal description in Exhibit B)

The City Council of the City of Oak Harbor met with the initiating parties at a regular Council meeting on the 16th day of November, 2010 and after the said meeting having been closed at the 16th day of November, 2010, the City Council indicated that it would accept a proposed annexation. At the 16th day of November, 2010 meeting, the City Council did also determine as follows:

1. It would require simultaneous adoption of zoning for the proposed area to be annexed as R1 Single Family Residential, based upon the proposed Comprehensive Plan Land Use Map adopted on December 20, 2011.
2. It would require the assumption of existing City indebtedness by the area proposed to be annexed.

Wherefore, the undersigned petition the Honorable City Council and ask:

- (a) That appropriate action be taken to entertain this petition fixing a date of public hearing, causing notice to be published and posted specifying the time and place of such hearing and inviting all persons interested to appear and voice approval or disapproval of such annexation; and,
- (b) That following said hearing the City Council determine by ordinance that such annexation shall be made annexing the above described territory and declaring the date that such annexation shall be effective. That property so annexed shall become a part of the City of Oak Harbor, Washington subject to it's laws and ordinances then and thereafter in force.
- (c) That the proposed zoning as adopted for the area as above indicated, shall be effective zoning for the proposed annexation area and shall not be modified for eighteen (18) months after annexation.
- (d) The petitioners subscribing hereto agree that all property within the territory hereby sought to be annexed shall be assessed and taxed at the same rate and on

the same basis as other property within the City of Oak Harbor including assessments of taxes and payment of any bonds issued or debts contracted prior to or existing at the date of the annexation.

- (e) That every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor.

Property Owners Name(s)	Site Address/Mailing Address	Parcel Number(s)
Christine R. Marin	1292 Swantown Road Oak Harbor, WA	R 13204-459-4200

The undersigned has read the above text and consents to the filing of other pages hereof to be considered as part of this petition.

Dated this 18 day of June, 2012

Christine R. Marin

(Print Name) Christine R. Marin

STATE OF UTAH

COUNTY OF SALT LAKE

On this day personally appeared before me Christine R. Marin, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and seal of office this 18 day of June, 2012

Katty Belle Lopez

Notary Public residing at 143 E Social Hall Ave, DLC, UT 84111

Printed Name: Katty Belle Lopez

My Commission Expires:

May 5, 2013





ISLAND COUNTY ASSESSOR

Mary Engle

1 NE 7th St
P.O. Box 5000
Coupeville, WA 98239-5000
www.islandcounty.net

Coupeville: (360) 679-7303
So. Whidbey: (360) 321-5111
Camano Island: (360) 629-4522
Fax Number: (360) 240-5565

September 4, 2012

Ethan Spoo
Senior Planner- City of Oak Harbor
865 SE Barrington Drive
Oak Harbor WA 98277

RECEIVED

SEP 06 2012

CITY OF OAK HARBOR
Development Services Department

RE: Determination of Sufficiency for Marin Annexation

Dear Mr. Spoo,

This letter is in response to your letter dated August 10, 2012 per a request for Determination of Sufficiency for the Marin Annexation. Per RCW 35A.01.040 (4) we have researched the ownership information and find that the petition is sufficient for annexation.

Should you have further questions please do not hesitate to contact us.

Sincerely,

Mary Engle
Mary Engle
Island County Assessor



ORDINANCE NO. 1634

AN ORDINANCE OF THE CITY OF OAK HARBOR WASHINGTON ANNEXING CERTAIN REAL PROPERTY AND COUNTY RIGHT-OF-WAY TO THE CITY OF OAK HARBOR, ASSESSING ALL PROPERTY WITHIN THE ANNEXATION AREA AT THE SAME RATE AND BASIS AS OTHER PROPERTY WITHIN THE CITY, REQUIRING THE SUBJECT PROPERTIES TO ASSUME THEIR PROPORTIONATE SHARE OF CITY INDEBTEDNESS AND ASSIGNING ZONING FOR THE ANNEXED PROPERTY CONSISTENT WITH THE OAK HARBOR COMPREHENSIVE PLAN

WHEREAS, a property owner filed a petition on September 21, 2010 with the City of Oak Harbor requesting the annexation of a parcel of real property within the Oak Harbor Urban Growth Area and contiguous to the municipal boundary of the City of Oak Harbor, Island County, Washington, pursuant to RCW 35A.14.120 now in effect; and

WHEREAS, a public hearing was held before the City Council of Oak Harbor on October 2, 2012, notice of said hearing having been published as required by law; and

WHEREAS, the City Council of the City of Oak Harbor, following due deliberation and careful consideration of the public testimony and the issues germane to the annexation petition, finds that the proposal is consistent with state and local laws pertaining to the annexation of property to the City of Oak Harbor and with the Urban Growth Area goals and policies in the Oak Harbor Comprehensive Plan;

NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF OAK HARBOR do ordain as follows:

Section One. That the following described property, situated in the County of Island, State of Washington and contiguous to the City of Oak Harbor, is hereby annexed to and incorporated into the City of Oak Harbor, Washington:

See Exhibit A, attached

Situated in Island County, Washington

Section Two. All said real property in the annexed area described in Section 1 shall be assessed and taxed at the same rate and on the same basis as other property in the City of Oak Harbor is assessed and taxed, assume it's proportionate share of existing City indebtedness and shall be subject to the comprehensive plan as presently adopted or as hereafter amended.

Section Three. The annexed area described in Section 1 is hereby assigned zoning of R-1, Single-family Residential, consistent with the Oak Harbor Comprehensive Plan Future Land Use Map. The zoning provisions of the Oak Harbor Municipal Code shall be in full force and effect in the annexed area in accordance with this assignment.

Section Four. Severability and Savings Clause

- (1) If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances is not affected.
- (2) Deletion or amendment of provisions from the Oak Harbor Municipal Code shall not terminate any obligation to the City already vested or incurred thereunder.

Section Five. Effective Date. This Ordinance shall be in full force and effect (5) five days after its publication as required by law.

PASSED by the City Council this ___ day of _____ 2012.

CITY OF OAK HARBOR

Approved ()
Vetoed ()

Scott Dudley, Mayor

Date

ATTEST:

Approved as to Form:

Interim City Clerk

Interim City Attorney

Introduction: _____

Passed: _____

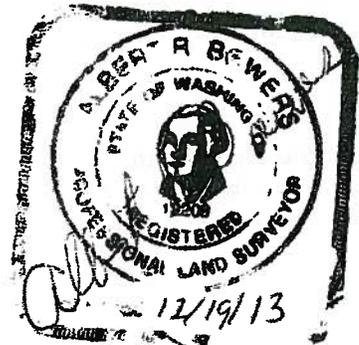
Published: _____

EXHIBIT A

LEGAL DESCRIPTION

THE WEST 440.00 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 4. TOWNSHIP 32 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN NORTH OF THE COUNTY ROAD EXCEPT BEGINNING 700.5 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 4; THENCE SOUTH 340.6 FEET TO THE NORTH SIDE OF THE COUNTY ROAD; THENCE S. 50° 38' E., 105.8 FEET; THENCE N. 39° 22' E., 262.4 FEET; THENCE N. 50° 26' W. 322.2 FEET TO THE T.P.B. TOGETHER WITH A PORTION OF THE FOLLOWING DESCRIBED TRACT LYING NORTHEAST OF COUNTY ROAD IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 4, BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 600.00 FEET; THENCE NORTHEASTERLY TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER 336.00 EAST OF THE T.P.O.B; THENCE WEST TO THE T.P.O.B.

TOGETHER WITH A PORTION OF THE COUNTY ROAD BEGINNING AT THE NORTH MARGIN OF THE COUNTY ROAD 105.8 FEET SOUTHEAST FROM THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 4. TOWNSHIP 32 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN NORTH OF THE COUNTY ROAD; THENCE AT RIGHT ANGLES TO THE SOUTH MARGIN OF SWANTOWN ROAD; THENCE SOUTHEASTERLY ALONG THE SOUTH MARGIN OF THE COUNTY ROAD TO A POINT WHERE IT INTERSECTS THE NORTH MARGIN OF FAIRWAY LANE; THENCE AT RIGHT ANGLES ACROSS THE COUNTY ROAD TO THE NORTH MARGIN OF THE COUNTY ROAD; THENCE NORTHWESTERLY ALONG THE NORTH MARGIN OF THE COUNTY ROAD T.P.B.



**City of Oak Harbor
City Council Agenda Bill**

Bill No. 3
Date: October 2, 2012
Subject: Driftwood Beach/Dillard's LID

FROM: Cathy Rosen, Public Works Director

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

 Scott Dudley, Mayor
 Larry Cort, Interim City Administrator
 Doug Merriman, Finance Director
 Grant Weed, Interim City Attorney, as to form

PURPOSE

The purpose of this agenda bill is to discuss and consider the conclusions of the final Special Benefit Study conducted by Macaulay and Associates, Ltd. as requested by the City Council.

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: None

Appropriation Source: NA

SUMMARY STATEMENT

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 Addition neighborhood. The following timeline provides dates with Council action in 2011 and 2012:

- 03/01/2011 – Council presented with a petition for a gravity sewer local improvement district (LID) for Driftwood Beach and surrounding sewer basin during Public Comments of the Council meeting. Motion carried to bring an update 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 LID 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; and 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.
- 02/07/2012 – Council direction to proceed with Special Benefit Analysis.

City of Oak Harbor City Council Agenda Bill

The purpose of conducting the special benefit analysis was to provide information to the City Council related to the feasibility of forming a local improvement district (LID). An LID is a financing method authorized under state law for property owners to pay for improvements benefiting their property. Sewers, water, streets, sidewalks and street lighting can be financed through the LID process. Engineering and construction are not part of the LID formation and financing process other than to supply the basis for the costs to be financed.

With an LID, the credit of the City is used to secure the sale of bonds. The revenue for repayment of the bonds issued by the City is derived from annual assessments levied as a lien against the properties. The LID project includes all costs associated with the LID formation including costs for the necessary attorneys, appraisers, bond counsel, borrowing costs, engineering and construction. All non-construction LID costs are normally included in the assessments levied against the property and can be hundreds of thousands of dollars. However, requisite to formation of any LID is the value of benefit derived from the improvements must exceed the assessment levied.

With this requirement in mind, Council action on February 7, 2012 directed that a Special Benefit Study be performed to provide information on the amount of special benefit that could be realized through additional sewer improvement. Questions related to engineering, development potential, types of improvement and constructability are beyond the scope of the Special Benefit Study. In assessing potential Special Benefit Study, the appraiser considered the following possible scenarios for an LID funded project:

With LID - Scenario 1 "Privately-Owned Low Pressure System"

The first scenario assumes that the City will extend the existing low pressure sewer system. Property owners are still responsible to install and maintain their grinder pumps on their private property.

With LID - Scenario 2 "City-Owned Low Pressure System"

The second proposed scenario assumes that the City will extend the existing low pressure sewer system as well as install and maintain all required grinder pumps. Grinder pumps will be placed in the City right-of-way.

With LID - Scenario 3 "City-Owned Gravity System"

The final scenario requires the City to replace the existing low pressure sewer system with a gravity system. Gravity mains and pump station will be maintained and operated by the City and gravity sewer stubs will be provided to each lot at the time of public main construction.

Consistent with Council direction, two open public meetings with the appraiser (Macaulay and Associates, Ltd.) and Steve Dijulio were held. In addition to the typical public notice, letters were mailed to the property owners, door hangers placed, paid advertising was published in the Whidbey News Times and an announcement was shown on Channel 10. The first meeting, on March 28, 2012, outlined the process of a Special Benefit Study and provided a forum for discussion on process and property specific input. The second meeting, on June 27, 2012, presented the draft study and requested input and feedback on both the assumptions and conclusions contained in the report. Public comment was sought and received on the draft report. All comments received were distributed to the Public

City of Oak Harbor City Council Agenda Bill

Works and Government Services Standing Committees in July and were sent to Macaulay for consideration. Macaulay considered the comments, revised the report and issued a final report. The draft report, public comments, response letter from Macaulay and final Special Benefit Report are available on the City Website (see link) but have not been attached to this agenda bill due to cost. http://www.oakharbor.org/uploads/documents/3633driftwood_beach_lid.pdf

Based on the Special Benefit Report, the following can be concluded:

- 1) From Scenario #3, the estimated cost of a gravity sewer construction project exceeds the special benefit and therefore cannot proceed as an LID project without significant contributions from the City. Without these contributions, this scenario fails to meet the fundamental pre-requisite that the value of benefit derived from the improvements exceed the assessment level;
- 2) From Scenario #1 and Scenario #2, the greatest benefit to the properties is when the City owns and operates the grinder pumps necessary to serve individual properties. Further, it is questionable that an LID financed project (including all necessary costs) could be developed that would be less than the estimated special benefit.

These conclusions support previous discussions that the City pursue a project to install, own and operate the grinder pumps. The pumps would be located within public right way. Private property owners would be responsible for onsite gravity side sewer connections from their homes to the grinder pump, septic system abandonment and property restoration.

However, while the general concept of such a project appears to make sense, there remain a number of questions and issues warranting resolution. Project specific issues include project scope, type of equipment to be used, priority of this project relative to other sewer capital projects and project financing. On a larger scale, there is the question of how the City will address septic to sewer issues City-wide; who will construct the public sewer lines, how will the construction be funded and when will the construction be scheduled. As part of the City's contract with Carollo Engineers, Carollo and their subconsultant, BHC Consultants, have been working a plan which will identify areas where sewers are needed, the most cost effective method to provide sewers to these areas and the estimated costs to construct them. This plan will be presented to City Council in December 2012.

As previously described, LID financing includes costs that would not typically be included in the cost of a public works project. Given the relatively low cost of a project for City owned pumps and the relatively high costs of LID formation in the Driftwood Beach/Dillard's Addition area, it is recommended that formation of a Local Improvement District no longer be considered for financing a sewer project.

Alternatives to LID financing may include special connection charges and/or special sewer rate surcharges that would apply only to this area and this project. These charges would be paid by the property owners, thereby holding to the concept of the LID wherein the property owners bear the cost of the improvements. Currently Oak Harbor Municipal Code (OHMC) 18.60 requires the payment of a system development fee for all sewer connections and OHMC 14.12 also requires the payment of the pro rata share of the actual cost of construction or unassessed frontage charges if the property owner did not directly contribute to the cost of construction. This unassessed frontage fee is determined by taking the actual cost of construction and dividing by the number of benefitting parcels.

City of Oak Harbor City Council Agenda Bill

STANDING COMMITTEE REPORT

This item was discussed at the September 6, 2012 Public Works Standing Committee and the September 11, 2012 Government Services Standing Committee meetings.

RECOMMENDED ACTIONS

1. Adopt Resolution 12-22 finding that the formation of a Local Improvement District for financing the installation of a gravity sewer system in the Driftwood Beach/Dillard's Addition area is not feasible based on the Summary of Preliminary Special Benefit/Proportionate Assessment Study dated July 25, 2012 by Macaulay and Associates, Ltd.;
2. Provide direction to staff whether the Driftwood Beach/Dillard's Addition project should be included in the 2013-2014 budget or if this project should be included in the overall City-wide plan for installing sewers in areas currently serviced by septic systems which will be presented for Council consideration in late 2012 and early 2013.

ATTACHMENTS

- Resolution 12-22
- Please refer to http://www.oakharbor.org/uploads/documents/3633driftwood_beach_lid.pdf for relevant documents.

RESOLUTION NO. 12-22

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAK HARBOR,
WASHINGTON, REGARDING LOCAL IMPROVEMENT DISTRICT FINANCING
FOR SEWER IMPROVEMENTS IN THE DRIFTWOOD BEACH AREA.**

WHEREAS, on February 7, 2012, City Council approved a contract with Macaulay and Associates, Ltd. for the preparation of a Special Benefits Analysis for the Driftwood Beach area related to a proposed gravity sewer local improvement district (LID);

WHEREAS, Macaulay and Associates, Ltd. considered the following possible scenarios for an LID funded project:

Scenario 1 "Privately-Owned Low Pressure System" where the City would extend the existing low pressure sewer system and property owners would install and maintain grinder pumps on their private property.

Scenario 2 "City-Owned Low Pressure System" where the City would extend the existing low pressure system and install and maintain all required grinder pumps. Grinder pumps would be placed in the City right-of-way.

Scenario 3 "City-Owned Gravity System" where the City would replace the existing low pressure sewer system with a gravity system which would be maintained and operated by the City. Gravity sewer stubs would be provided to each lot at the time of public main construction.

WHEREAS, a public meeting was held on March 28, 2012 in which the process of a Special Benefit Study was outlined;

WHEREAS, a public meeting was held on June 27, 2012 to present the draft Special Benefits Report and receive input and feedback on the assumptions and conclusion contained in the report;

WHEREAS, all comments received were sent to Macaulay and Associates, Ltd. for consideration;

WHEREAS, Macaulay and Associates, Ltd. considered the comments, revised the report and issued a final report entitled "Proposed Driftwood Beach Sewer Local Improvement Project, Summary of Preliminary Special Benefit/Proportionate Assessment Study" dated July 25, 2012;

WHEREAS, said final report concluded that, under Scenarios #1 and #2, the greatest benefit to the properties is when the City owns and operates the grinder pumps necessary to serve individual properties and that it is doubtful that an LID financed project which includes all necessary costs could be developed that would be less than the estimated special benefit and that, under Scenario #3, the estimated cost of a gravity sewer construction project exceeds the special benefit and therefore cannot proceed as an LID project without significant contributions from the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAK HARBOR, WASHINGTON, RESOLVES AS FOLLOWS:

A Local Improvement District to fund a gravity sewer system in the Driftwood Beach area is not feasible based on the Special Benefit/Proportionate Assessment Study prepared by Macaulay and Associates, Ltd., dated July 25, 2012.

PASSED and approved by the City Council this _____ day of _____, 2012

THE CITY OF OAK HARBOR

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

**City of Oak Harbor
City Council Agenda Bill**

Bill No. 4

Date: October 2, 2012

Subject: Surplus List 2012

FROM: Cathy Rosen, Public Works Director

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

 Scott Dudley, Mayor
 Larry Cort, Interim City Administrator
 Doug Merriman, Finance Director
 Legal Council, City Attorney, as to form

PURPOSE

The purpose of this agenda bill is to approve the surplus list and authorize the disposal of obsolete equipment.

AUTHORITY

RCW 35.22.280 Specific Powers Enumerated

(3)To control the finances and property of the corporation, and to acquire, by purchase or otherwise, such lands and other property as may be necessary for any part of the corporate uses provided for by its charter, and to dispose of any such property as the interests of the corporation may, from time to time, require;

FISCAL IMPACT DESCRIPTION

Funds Required: None

Appropriation Source: _____

SUMMARY STATEMENT

Each year the City Council declares a list of certain obsolete equipment items as surplus and approves the list for disposal, as the equipment has been determined to no longer be of practical use to the City. Attached is the list of items submitted by Department Heads for disposal. Authorization is requested to dispose of the items.

STANDING COMMITTEE REPORT

This item has not been reviewed by any of the standing committees.

RECOMMENDED ACTION

A motion to approve the surplus list and to authorize the disposal of obsolete equipment.

ATTACHMENTS

Surplus List

October 2, 2012 – Surplus List 2012

Surplus List 2012

Item	Quantity	Identifier	Division/Department	Condition
BROTHER fax machine FA #1085	1	960298D41477664	Administration	Broken
Pioneer PRV LXI	1	12021348	Administration	Broken
HP Deskjet 3745 FA#1346	1	CN4453Y097	Development Services	
File Cabinet	1		Development Services	
Standing File Rack	1		Development Services	
File Closet	1		Development Services	
Office Chairs	3		Development Services	
Monitor	1	ETL23020225030163EED31	Development Services	Damaged
Brother fax machine 4100	1	U60298D5J249998	Development Services	Broken
HP Laserjet 4100TN	1	USLN532317	Development Services	Broken
Monitor	1	ETL180903143700C81	Finance	Damaged
HP1600c color printer	1	B94C35640A	Finance	Broken
Monitor	1	117CG26PB279	Finance	Broken
Deskpro CPU	1	W110DYSZB933	Finance	Broken
Monitor	1	050GD43AD519	Finance	Broken
Epson Stylus CX5400 FA#1104	1		Finance	Broken
HP Deskjet 1220c	1		Finance	Broken
Fire Hose 2-1/2"	10 sections		Fire	
Fire Hose 1-3/4"	4 sections		Fire	
Hurst Tool	1		Fire	
32 Inch Spreader	1		Fire	
Spreader	2		Fire	
Mobile Radios	7		Fire	
Portable Radios	8		Fire	
Yellow Helmets Cairnes 660 Metro	12		Fire	Outdated
Chain Saw	1		Fire	Damaged
Welder Hobart Handler	1		Fire	
Bunker pants	1	01-341	Fire	poor
Bunker pants	1	00-379	Fire	poor
Bunker pants	1	03-313	Fire	poor
Bunker pants	1	03-317	Fire	poor
Bunker pants	1	97-332	Fire	poor
Bunker pants	1	97-321	Fire	poor
Bunker coat	1	00-270	Fire	poor

Bunker coat	1	99-269	Fire	poor
Bunker coat	1	00-275	Fire	poor
Bunker coat	1	92-246	Fire	poor
Bunker coat	1	99-267	Fire	poor
Bunker coat	1	01-241	Fire	poor
Bunker coat	1	96-217	Fire	poor
Bunker coat	1	96-218	Fire	poor
Bunker coat	1	97-207	Fire	poor
Bunker coat	1	00-224	Fire	poor
Bunker coat	1	97-209	Fire	poor
Bunker coat	1	97-230	Fire	poor
Bunker coat	1	97-215	Fire	poor
Bunker coat	1	97-226	Fire	poor
Bunker coat	1	97-222	Fire	poor
Bunker coat	1	97-223	Fire	poor
Bunker coat	1	99-270	Fire	poor
Bunker coat	1	98-265	Fire	poor
Bunker coat	1	95-213	Fire	poor
Bunker coat	1	96-211	Fire	poor
Monitor FA#1219	1	MYA36KA00718	Fire	Broken-recycled
Monitor FA#1214	1	938CD61SC267	Fire	Broken-recycled
Treadmill	1	TY0604905	Fire	Bad Motor
Craftsman drill press	1		Marina	
16 ton pipe bender w/attachments	1		Marina	
Craftsman 20 gallon 5.5 hp air compressor	1		Marina	
Electric ark welder	1		Marina	
Craftsman 3.5hp radial arm saw	1		Marina	
Electric diaphragm pump	1		Marina	
Manual hydraulic porta power	1		Marina	
Snow Shovels	6		Marina	
22' boat	1		Marina	
Evinrude Motor	1	4552620	Marina	Damaged
Evinrude Motor	1	4551871	Marina	Works fine
Exposed Aggregate Waste Cans	40		Parks	Outdated
Kifco Water Reel Model #3160	1	290106	Parks	
Water Tube Slide	1		Parks	
Misc Chain Link Fence	1		Parks	

Monitor	1	GS17H9NY52362300	Police	Damaged
Monitor	1	ETL180903143700C81PQ12	Police	Damaged
Monitor	1	A0D014610309	Police	Damaged
Monitor	1	A0D014610304	Police	Damaged
HP CPU FA#1055	1	U247KN8ZA881	Police	Broken
HP Laserjet 5L printer	1	JPBK011764	Police	Broken
HP CPU FA#1178	1	2UB348002L	Police	Broken
Hp Compaq DC7100	1	2UB44101XJ	Police	Outdated
Monitor	1	PSX061301570	Police	Broken
Compaq DC7100 C-102	1	2UB44702VG	Police	Outdated
Compaq DC7100	1	2UB44702VJ	Police	Outdated
Compaq DC7100	1	2UB44702VD	Police	Outdated
Compaq DC7100	1	2UB44702VH	Police	Outdated
Compaq DD530	1	2UB44101XL	Police	Outdated
Compaq DC7100	1	2UB44101XJ	Police	Outdated
Compaq DC530	1	2UB44101XG	Police	Outdated
Compaq DD530	1	2UB44101XH	Police	Outdated
Compaq DD530	1	2UB44101XK	Police	Outdated
Dell GX280	1	BSM5J61	Police	Outdated
HP ZE4400 laptop	1	CNF3252R68	Police	Outdated
HP Nx9500 laptop	1	CNF45001T	Police	Not Working
Compaq 2123EA	1	CN31250057	Police	Outdated
HP NC6230 laptop	1	CNU5392585	Police	Outdated
Gateway laptop	1	36370113	Police	Outdated
Compaq cpu	1	MXL151808LR	Police	Outdated
Compaq DC7100	1	2UB44101XJ	Police	Not Working
Alpine Refridgeration	1	0-8605R41	Senior Center	Broken
Alpine Refridgeration	1	C-8614R51	Senior Center	Broken
CPU	8	FA # 935,938,942,944,946,950,954,958	IT Department	Broken down for parts
Monitors	10	FA # 936,937,939,941,945,955,957,959,9	IT Department	Broken down for parts
Keyboards	8	61,111	IT Department	Broken
Computer Mice	6		IT Department	Broken
Hp G85 Copier	1		IT Department	Broken

**City of Oak Harbor
City Council Agenda Bill**

Bill No. _____
Date: _____
Subject: Pending Items for Future
City Council Meetings

FROM: Scott Dudley, Mayor *SD*

INITIALED AS APPROVED FOR SUBMITTAL TO THE COUNCIL BY:

- LC* Larry Cort, Interim City Administrator
- DM* Doug Merriman, Finance Director
- GW* Grant Weed, Interim City Attorney

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: September 25, 2012 **This list is subject to change.**

Council Absences: **Rick AlMBERG 10/16/12 Meeting**

Targeted Meeting Date	Agenda Bills ARE DUE	Public Hearing Notice Date (if needed)	Consent Agenda	Subject	Department
-----------------------	----------------------	--	----------------	---------	------------

10/2/12	9/12/12 From Legal	9/12/12		Public Hearing - Marin Annexation & adoption of ordinance No. 1634	Dev Srv
					HR
10/2/12	9/12/12			Municipal Code Clean Up - Fire Department "Housekeeping Items" Ordinance No. 1635	FD
10/2/12	9/12/12 To legal			Special Benefit Analysis - Driftwood Beach Addition (Dillard's)	P.Works
10/2/12	9/12/12			Surplus List	PWorks

10/16/12	9/26/12		X	Introduction of Sign Code under Consent Agenda	Dev Srv
10/16/12	9/26/12		X	Introduction - Ordinance, Property Tax Adjustment Ordinance No. 1636	Finance
10/16/12	9/26/12		X	Introduction of Ordinance on Utility Tax Adjustment (add to Arts Commission Agenda, Gov't Services Committee and Finance Committee Agenda Ordinance No. 1637	Finance
10/16/12	9/26/12			Agreement - Interim City Attorney Services with Weed, Graafstra, and Benson, Inc., P.S.	Admin
10/16/12	9/26/12			Adoption of Municipal Code Clean Up - Fire Department "Housekeeping Items" Ordinance No. 1635	FD
10/16/12	9/26/12			Authorization to Advertise for Proposals - Animal Shelter Services	PD/Admin/P. Works
10/16/12	9/26/12			Adopt Resolution No. 12-21 Changing Employee Handbook - Fire Department "Paid on Call" as a Distinct Class	Admin HR
10/16/12	9/26/12			Fairway Point PRD ADU Amendment	Dev Srv
10/16/12	9/26/12			Contract amendment for the Carollo Professional Services Contract for Additional Field Data for Treatment Plant site.	P. Works
10/16/12	9/26/12			Professional Services Agreement - Michelle Hull, Attorney for Tribal-Related Issues	Admin
10/16/12	9/26/12			Agreement - With Whidbey General Hospital for EMS Services	FD
10/16/12	9/26/12 still need agreement			Discussion using an executive search firm for a City Engineer & City Attorney	HR
10/16/12	9/26/12	Xtr agenda packet to Library		Proclamation Celebrating Sno-Isle Library's 50 th Anniversary	Admin
10/24/12	10/4/12			Special Workshop Changes to Shoreline Master Program	Dev. Servs.

November	Meeting will be held Wednesday to	accommodate Election Day				P. Works
11/7/12	10/18/12			Contract – Automated Pay Station for Staysail RV Park		P. Works
11/7/12	10/18/12			Short term extension agreement with WAIF		Adm
11/7/12	10/18/12	10/19/12		Shoreline Master Program: Public hearing required		
11/7/12	10/18/12	10/19/12		Sign Code: Public hearing required		
11/7/12	10/18/12			Binding Site Plan Code Amendment: No public hearing for this meeting, introduction only Consent Agenda		
11/7/12	10/18/12	10/19/12		Public Hearing - Ordinance, Property Tax Adjustment ordinance No. 1636		10/16/12
11/7/12	10/18/12	10/19/12		Public Hearing – Ordinance for Utility Tax Adjustment Ordinance No. 1637		10/16/12
11/7/12	10/18/12			Resolution – Overall phasing plan for WWTP and Transfer Station		P. Works
11/7/12	10/18/12			Interlocal Agreement – Island County Housing Authority, Oak Harbor, Coupeville, and Langley - Affordable Housing. Recording surcharge funds to fund housing programs.		Admin/Dev SV
11/7/12	10/18/12			Interlocal Agreement for Solid Waste Management - Oak Harbor, Coupeville, Langley, Island County		P. Works
11/20/12	10/31/12			Shoreline Master Program – Continued Public Hearing from Nov 7th		
11/20/12	10/31/12	10/31/12		Binding Site Plan Code Amendment: Public hearing required		
11/20/12	10/31/12	10/31/12 11/7/12 11/14/12		Final Budget Hearing & Adoption of Budget Advertised two consecutive weeks in a row 31st & 7th or 7th & 14th		
11/20/12	10/31/12			Approval of Employment Contracts Merriman & Recker		HR/ Admin
No later than December meetings				Public Defense Services Agreements: Chief Public Defender (Matt Montoya), Assistant Public Defender (Georgina Sierra), Public Defense Administrator (Jack Kerr). Present agreements expire December 31, 2012.		Admin
(tentative pending PWTF results at end of August)				Authorization to Advertise for Bids - Water Reservoir		P. Works
12/4/12	11/14/12			Adoption of GASB 54 Ordinance		Finance
12/4/12	11/14/12			Adoption of DOC Contract		Police
12/4/12	11/14/12			Council discussion of National League of Cities & Capitol Hill visit		Admin
12/18/12	11/28/12			Council Resolution to authorize submittal of the Wastewater Facility Plan to the Department of Ecology		P. Works
12/18/12	11/28/12			Authorization to begin negotiations with Carollo Engineers for engineering design of WWTP		P. Works

			Agreement Renewal - Puget Sound Energy Franchise Agreement	P.Works Admin Legal Finance
			Authorization to Advertise for Bids - Newspaper Advertisement Services	
			Authorization to Advertise for Bids - C-Dock Roof Repair	P.Works
			Authorization to Advertise for Bids - Online Payment Services	Finance
			Council Rule Change – Public Forum – Free Speech Channel 10 Rules	Legal
			Banner Program Guidelines	Admin/Legal
			Impact Fees – under review for deferral at closing	P.Works/ Dev Srv
			Legal Department Restructure	Dev Srv / P.Works
			Utilities Office, City Council Chambers, Law Department Remodels	Legal
			2012 Comp Plan	Finance, Dev Srv

STANDING COMMITTEES and other meetings and activities

Date	Subject	Dept.
10/4/12	PUBLIC WORKS STANDING COMMITTEE, 3:30 p.m., City Hall Council Chambers	Committee Members
10/8/12	ARTS COMMISSION, 3:30 p.m., City Hall Council Chambers	Committee Members
10/9/12	GOVERNMENTAL SERVICES STANDING COMMITTEE, City Hall Council Chambers	Committee Members
10/10/12	FINANCE STANDING COMMITTEE, City Hall Council Chambers	Committee Members
10/18/12	PUBLIC SAFETY STANDING COMMITTEE, 3:30 p.m., City Hall Council Chambers	Committee Members
Date TBD	CITY COUNCIL SPECIAL MEETING, Workshop on Recommendations from HDR - System Development Fees	Committee Members
12/8/12	CITY COUNCIL RETREAT – Review Goals set at March Retreat	P.Works and Finance Council