

City Council Minutes – March 5, 2018

At 6:00 p.m. Mayor Laurie Gere called to order the regular Anacortes City Council meeting of March 5, 2018. Councilmembers Eric Johnson, Anthony Young, Ryan Walters (via telephone), Brad Adams and Bruce McDougall were present. Councilmembers Matt Miller and Liz Lovelett were absent. The assembly joined in the Pledge of Allegiance.

Mr. Young moved, seconded by Mr. Johnson, to excuse the absence of Ms. Lovelett who was ill. The motion carried unanimously by voice vote.

Announcements and Committee Reports

Housing Affordability and Community Services Committee: Mr. Johnson reported that the Accessible Communities Advisory Committee met the prior week to begin developing a work plan.

Public Works Committee: Mr. Adams reported that the committee meeting scheduled for earlier in the evening had been cancelled.

Mayor Gere removed Item 7d, City Hall Seismic Update, from the agenda pending further information.

Public Comment

Carolyn Moulton, 1514 14th Street, co-owner of Bike Spot at 210 Commercial Avenue, reported that her retail shop shares the block with four other local businesses including Classic Upholstery, the Business, Marine Documentation, and Alley Cat/Marine Supply and Hardware. Ms. Moulton noted the width and breadth of the demographic served by the businesses on the block which between them have something to attract nearly every resident and visitor. She said the five thriving anchor businesses had just found out the prior Friday that the Port of Anacortes, which bought the block in 2014, was considering evicting all of those tenants by winter. Ms. Moulton said the businesses felt they could work cooperatively to find someone to purchase the block and relieve the Port of liability for the structures. She asked the city to help the tenant businesses get time to find a solution. Mayor Gere clarified that the Port Commission was discussing the Olson Building only. She said that topic was an agenda item for the regular Port/City Liaison meeting the following day and that City staff would begin the discussion. Mr. Young reported that many constituents were expressing interest in the buildings, both from a business and a historic preservation standpoint. Mr. Johnson reported that the Port/City Liaison Committee had been exploring alternative uses for the Olson Building, possibly following the model of the New Wilson Hotel, and expressed some surprise at the turn of events. Mr. McDougall voiced support for the amazing local businesses in the block that were managing to thrive in the challenging retail environment.

Consent Agenda

Mr. Johnson moved, seconded by Mr. Adams, to approve the following Consent Agenda items. The motion carried unanimously by voice vote.

- a. Minutes of February 26, 2018
- b. Approval of Claims in the amount of: \$296,359.55

The following vouchers/checks were approved for payment:
EFT numbers: 88277 through 88312, total \$46,265.49
Check numbers: 88313 through 88347, total \$246,347.61
Wire transfer numbers: 228372 through 229124, total \$8,612.09

(Mr. Walters participated via telephone until approximately 6:10 p.m. at which point he disconnected from the duration of the meeting. The four remaining councilmembers present constituted a quorum.)

PUBLIC HEARINGS

Closed Record Decision Hearing: Anacortes School District 5,000 Square Foot Building, Conditional Use Permit CUP-2018-0001

Associate Planner Kevin Cricchio presented an application from Anacortes School District #103 for a conditional use permit to permit the construction of a 5,000 square foot building to be used for classrooms just west of the Anacortes Middle School located at 2202 "M" Avenue and just north of the existing maintenance facility located at 1402 24th Street. Mr. Cricchio's slide presentation was added to the packet materials for the meeting. Mr. Cricchio summarized the project purpose and location, the project zoning and surrounding zoning and land uses, background of the project and the CUP application, public and agency comments, noticing of the application and the public hearing, critical areas review, SEPA, and relevant zoning ordinance/code. He reported that the Planning Commission conducted a pre-decision open-record public hearing on February 14, 2018, following an afternoon site visit, and that following public testimony and deliberation on the matter, the Planning Commission voted 5-0 in favor of recommending approval to City Council subject to recommended conditions. Mr. Cricchio displayed site plans and aerial photos.

Mr. Adams asked about the landscaping plan. Marc Estvold, 3302 Oakes Avenue, project architect, explained that kinnikinnick and mature rhododendrons salvaged from the high school renovation would be planted along the parking lot to screen the building on its north and west sides. Mr. Adams noted the standard conditions limiting hours of construction to 7 a.m. to 10 p.m. Sunday through Saturday. He asked if it wouldn't be more likely that the contractor would conclude work by 7 p.m. Mr. Cricchio said the standard condition was directly from the Municipal Code.

Mr. Johnson moved, seconded by Mr. Young, to approve Conditional Use Permit CUP-2018-0001 subject to the Planning Commission's recommended conditions of approval. Vote: Ayes – Young, Adams, McDougall and Johnson. Motion carried.

OTHER BUSINESS

Contract Award: WTP Chlorine Conversion Project 18-036-WTR-001

Public Works Director Fred Buckenmeyer and Water Treatment Plant Manager Jeff Marris reported that following a recent visit from Washington State Department of Labor and Industries, staff was pursuing a change in the disinfection method used at the plant from gaseous chlorine to bulk sodium hypochlorite solution. Their slide presentation was added to the packet materials for the meeting. Mr. Marris advised that the new method was now common in the industry and that Anacortes was one of only two plants along the I5 corridor still using the chlorine gas method. He advised that the change would eliminate the potential health and safety risks associated with unintended releases of chlorine gas and that Washington State Department of Labor and Industries' Process Safety Management requirements with a hypochlorite solution were less stringent than with gaseous chlorine.

Mr. Marris summarized the current gaseous chlorine system and the configuration of the new system which would fit into the footprint of the existing gaseous chlorine system and could be in use by the end of 2018. He outlined the tasks for the first phase of system design and recommended contracting with HDR for that phase given their familiarity with the plant. He said that the entire project, design and construction, was estimated to cost approximately \$700K and that Water Fund regional capital reserves were sufficient to pay for the project. Mr. Marris requested Council approval to award a design contract to HDR for the first of three phases, including design and planning, for a not-to-exceed cost of \$35,535.33.

Mr. Young asked if the technology change would affect the great taste of Anacortes water. Mr. Marris said it would not. Mayor Gere asked why HDR hadn't designed the new water treatment plant to use the new disinfection method in 2010. Mr. Buckenmeyer replied that at that time neither staff nor HDR anticipated the level of scrutiny the plant was now receiving from L&I and the increased process safety management that would be imposed. Mr. Adams asked why the design contract had not been competitively bid. Mr. Marris referenced the different procurement processes for A/E and construction contracts and advised that the construction portion of the project would be competitively bid. Mr. McDougall asked how much additional staff time it would take to maintain the current gaseous chlorine system. Mr. Buckenmeyer reported that the city would likely have to hire an additional full time health and safety officer. Mr. Marris briefly discussed the alternative technologies considered and why they were not recommended. Mr. McDougall asked the expected lifespan of the new sodium hypochlorite system. Mr. Marris estimated 20 years.

Johnny Chase, 4211 Glasgow Way, asked if this would be a firm fixed price contract. He also asked why the city wouldn't just hire someone to serve as health and safety officer instead of changing the disinfection technology. Mr. Chase offered to fill such a position if created. Mr. Buckenmeyer explained that the subject contract was for the first phase of a T&M NTE contract and that there would be two additional phases for HDR, then a bid for a construction contractor.

Mr. Adams moved, seconded by Mr. Johnson, to award a contract not to exceed \$35,535.33 to HDR Engineering, Inc to perform Phase 1 of the WTP Chlorine Conversion Project.

Ward McKenzie, 1402 7th Street, said he was convinced about the change in systems but asked about the process for contracting for design. He suggested that other firms with prior experience designing sodium hypochlorite systems might be competitive with HDR. Mr. Buckenmeyer said staff chose HDR because they originally created and already had the drawings for the water treatment plant whereas a new firm would have to as built the existing system. He added that HDR had designed similar conversions at other plants. Mr. Adams asked if regional water customers had been alerted to the project. Mr. Buckenmeyer said staff would communicate with regional customers if Council voted to proceed with the project.

Vote: Ayes – Adams, McDougall, Johnson and Young. Motion carried.

Contract Modification: Blue Heron Reservoir 16-039-WTR-004

Mr. Buckenmeyer and Mr. Marris presented a minor contract modification for Council approval but took the opportunity to report on the status of the Blue Heron Circle Reservoir Project. Their slide presentation was added to the packet materials for the meeting. Mr. Marris summarized the history of the existing 3MG reservoir constructed in the 1970s, the decision to replace it with two 1.5MG tanks to provide redundancy in the system while also avoiding rehabilitation of the aging tank, and award of a construction contract to Stellar J in 2017. He explained the history of the funding for the project through a USEPA Drinking Water State Revolving Fund loan awarded in 2016 and finally funded by the legislature in January 2018. Mr. Buckenmeyer reminded that the water rate increases over the past two years were intended to and in fact had funded debt service on the project. Mr. Marris shared photos illustrating the construction of the first new 1.5MG tank. He said that tank was undergoing final water quality testing and was expected to be put into service within a week. Then the existing 3MG reservoir would be drawn down and demolished, the second 1.5MG tank would be constructed, and landscaping and site restoration would commence.

Mr. Buckenmeyer advised that a second, redundant storage tank designed into the new water treatment plant would likely be constructed within five years. Mr. Johnson asked if either of the downstream reservoirs on Fidalgo Island would need replacement in the foreseeable future. Mr. Buckenmeyer said those tanks were constructed in the same era as the Blue Heron 3MG tank and that their replacement schedule would be discussed as part of the 2019/2020 budget.

Mr. Marrs then described the four change orders making up proposed Modification 3 to the Stellar J contract. He requested Council approval of the modification adding \$5,985.81 and 4 days to the contract. He pointed out that total modifications on the contract were at 0.88% and that the project was over half complete. Mr. Buckenmeyer noted that these were value added, not corrective, change orders.

Mr. Adams moved, seconded by Mr. Johnson, to approve Contract Modification 3 to the Blue Heron Circle reservoir project 16-039-WTR-004. Vote: Ayes – McDougall, Johnson, Young and Adams. Motion carried.

Contract Award: 2018 Asphalt Overlay - Utility and Pedestrian Improvements Project 18-001-TRN-001 [M Avenue/Fir Crest Boulevard]

Mr. Buckenmeyer began with a slide presentation describing the pavement management program and the 2018 project along M Avenue including utility, sidewalk and pedestrian safety work along the overlay corridor. He reminded that waterlines and sewer manholes in the corridor had been replaced under separate contract the prior year. He then showed photographs illustrating the pavement condition on M Avenue and the sidewalk ramps, alley entrances, storm drainage and pedestrian safety improvements that formed the scope of work for proposed contract 18-001-TRN-001. He displayed the pavement condition ratings (PCI) for the M Avenue segments that would be overlaid under separate contract later in the summer.

Mr. Buckenmeyer then requested Council approval to award a contract in the amount of \$358,399.25 to Trinity Contractors, Inc to perform the 2018 Asphalt Overlay - Utility and Pedestrian Improvements Project which provides for the Storm Drainage and Pedestrian Improvements within the right-of-way of M Avenue and Fir Crest Boulevard, including but not limited to Storm Drainage collection and conveyance, Roadway Excavation and Haul, Cement Concrete Traffic Curb and Gutter, Cement Concrete Sidewalk, Cement Concrete Curb Ramps, Cement Concrete Driveway and Alley Approaches, Detectable Warning Surfaces, Asphalt Patching and other work. He reported that six bids were received with the low bid from Trinity. Mr. Buckenmeyer recommended awarding the contract to Trinity Contractors.

Mr. Johnson asked if the city could save redundant remobilization/demobilization costs by bidding the utility work and asphalt overlay as a single contract rather than separately. Mr. Buckenmeyer explained that if the contracts were combined the low bidder would likely be an asphalt company which would then mark up a subcontractor to perform the utility work, resulting in higher overall cost to the city. Mr. Adams described dual speed bumps in school zones that he observed during a recent trip out of the country and praised the speed hump planned in front of Whitney School on M Avenue. Mr. Johnson noted the deteriorated condition of M Avenue north of 12th Street and asked if anything more could be done to address neighborhood complaints of continued heavy truck traffic on that street. Mr. Buckenmeyer and Mayor Gere advised that the city had tried all manner of means to redirect heavy haulers to the designated truck route but the some small number of independent truckers still found themselves on M Avenue, usually due to GPS navigation.

Mr. Johnson moved, seconded by Mr. Young, to authorize the Mayor to sign a contract 18-001-TRN-001 with Trinity Contractors, Inc. in the amount of \$358,399.25 to perform the 2018 Asphalt Overlay - Utility and Pedestrian Improvements Project. Vote: Ayes – Johnson, Young, Adams and McDougall. Motion carried.

There being no further business, at approximately 7:30 p.m. the Anacortes City Council meeting of March 5, 2018 was adjourned.