

**CITY COUNCIL MEETING  
Port Angeles, Washington  
December 15, 2009**

**CALL TO ORDER-  
REGULAR MEETING:**

Mayor Braun called the regular meeting of the Port Angeles City Council to order at 6:00 p.m.

**ROLL CALL:**

*Members Present*

Mayor Braun, Deputy Mayor Wharton, and Councilmembers Di Guilio, Kidd, Perry, Rogers, and Williams.

*Members Absent:*

None.

*Staff Present*

Manager Myers, Attorney Bloor, Clerk Hurd, G. Cutler, T. Gallagher, D. McKeen, N. West, Y. Ziomkowski, R. Bonine, L. Dunbar, L. Gunderson, C. Hagar, P. Lusk, T. Pierce, and S. Roberds.

*Public Present*

B. Upton, L. Beil, T. Beil, B. Nelson, D. Gase, A. Barnard, G. Thompson, D. Holiday, M. Rauch, G. Braun, R. Headrick, P. Downie, V. Rudin, and V. Sanstrom. All others present in the audience failed to sign the roster

**PLEDGE OF  
ALLEGIANCE:**

The Pledge of Allegiance to the Flag was led by Councilmember Kidd.

**PUBLIC CEREMONIES/  
PRESENTATIONS &  
EMPLOYEE  
RECOGNITIONS:**

1. Public Safety Meritorious Service Award.

Public Safety Meritorious  
Service Award

Mayor Braun, Manager Myers, Fire Chief McKeen, and Police Chief Gallagher presented a proclamation recognizing meritorious service to the community to Leonard Beil. Mayor Braun read the proclamation, and thanked Mr. Beil and his family. Mr. Beil thanked the City, Fire Chief McKeen, Police Chief Gallagher, and the City Council for all their hard work.

Port Angeles HarborWorks  
Development Authority

2. Port Angeles HarborWorks Development Authority

Jeff Lincoln, Executive Director of the Port Angeles HarborWorks Development Authority, used PowerPoint slides to present an update on the PDA. He described their mission statement, the project's status, explained challenges, and described the preliminary market analysis. He stated that there would be a public meeting on January 11, 2010, at 6:00 p.m. in the Clallam County Commissioner's room at the Courthouse.

Manager Myers mentioned to Council that staff would be providing Mr. Lincoln with comments before the January meeting, and that Council could add their comments to this list.

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**PUBLIC CEREMONIES/  
PRESENTATIONS &  
EMPLOYEE  
RECOGNITIONS:**  
(Cont'd)

Public Service Recognition  
of Mayor Braun, Deputy  
Mayor Wharton, and  
Councilmembers Rogers  
and Williams

Break

**PUBLIC COMMENT:**

**ORDINANCES NOT  
REQUIRING PUBLIC  
HEARINGS:**  
Municipal Code  
Amendment MCA 09-02

**PUBLIC HEARINGS-  
OTHER:**

Public Utilities Regulatory  
Policies Act (PURPA)  
Mandatory Standards  
Determination

**Resolution No. 28-09**

3. Public Service Recognition of Mayor Braun, Deputy Mayor Wharton, and Councilmembers Rogers and Williams.

Manager Myers presented Public Service Recognitions to each of the departing Councilmembers. He explained what an honor it was to present the recognitions, and stated that the four Councilmembers had forty years of combined service to the City. He thanked them for the dedication and hard work. Mayor Braun thanked the public, and his wife, and stated that the new Council would be great. Councilmember Rogers thanked the City Staff, the elected officials, and described what a pleasure it was to serve. Deputy Mayor Wharton thanked the community, staff, and explained what an honor it was to serve the community. Councilmember Williams explained that he wanted to echo what had already been spoken. Councilmember Perry thanked the departing Councilmembers, and presented each of them with a bottle of wine.

Mayor Braun recessed the meeting for a break at 6:41 p.m. The meeting reconvened at 7:05 p.m.

Francis Charles, chair of the Lower Elwha Klallam Tribe, expressed her gratitude for the departing Councilmembers. She thanked them all for their hard work, leadership, and their contributions to the community and the Lower Elwha Klallam Tribe. She welcomed the new Councilmembers to the Council.

1. Municipal Code Amendment MCA 09-02

This item was removed from the agenda.

1. Public Utilities Regulatory Policies Act (PURPA) Mandatory Standards Determination

Public Works Director Cutler introduced Phil Lusk, Power Systems Manager, who used PowerPoint slides to give a brief presentation of PURPA. Manager Lusk described the four standards that must be considered under the Energy Independence Security Act of 2007. He explained that staff did not recommend adopting any of the four recommendations at this time. Brief discussion ensued regarding retail rate adjustments.

Mayor Braun continued the public hearing at 7:19 p.m. There being no public comment, Mayor Braun closed the public hearing at 7:19 p.m.

Mayor Braun read the Resolution by title, entitled

**RESOLUTION NO. 28-09**

A RESOLUTION of the City Council of the City of Port Angeles, Washington, adopting Findings and Conclusions relating to the Public Utility Regulatory Policies Act (PURPA).

**Councilmember Rogers moved to pass the Resolution as read by title, and Councilmember Perry seconded the motion. A vote was taken on the motion, which carried unanimously.**

**PUBLIC HEARINGS-  
OTHER:**  
(Cont'd)Wildwood Terrace –  
Project Performance for  
CDBG Grant

## 2. Wildwood Terrace – Project Performance for CDBG Grant

Economic and Community Development Director West explained that there was a requirement to hold a public hearing on the project's performance prior to closing the final report. Mayor Braun opened the public hearing at 7:22 p.m. There being no public comment, Mayor Braun closed the public hearing at 7:22 p.m.

**Councilmember Di Giulio moved to authorize the CDBG Chief Administrative Official to sign and close out the report. Councilmember Kidd seconded the motion. A vote was taken on the motion, which carried unanimously.**

**OTHER  
CONSIDERATIONS:**Dry Creek Water  
Association Special  
Services Agreement

## 1. Dry Creek Water Association Special Services Agreement

Director Cutler provided staff and Council with a modification to the existing agreement included in the packet. He explained that the City annexed a portion of the Western Urban Growth Area (WUGA) in 2005, and entered into agreements with service providers in that area including the Dry Creek Water Association (DCWA). He stated that the agreement authorized entry into special service agreements. He explained that the City had been working with the DCWA over the past four years on a special services agreement, and it was now ready for consideration. He provided a map of the affected areas, described the terms of the agreement, and outlined the costs of the project. Brief discussion ensued regarding maintenance costs, service complaints, and billing questions.

**Councilmember Perry moved to approve and authorize the Mayor to sign a Special Service Agreement with the Dry Creek Water Association, and authorize the City Manager to make minor modifications to the agreement, if necessary. Councilmember Rogers seconded the motion. Councilmember Kidd recused herself because she owns a business with a share in the DCWA. A vote was taken on the motion, which carried 6-0, with Councilmember Kidd abstaining.**

Clallam County Shared  
Resource Conservation  
Manager Program

## 2. Clallam County Shared Resource Conservation Manager Program

Director Cutler introduced Manager Lusk, who explained that the State Department of Commerce was sponsoring a new program to assist cities and counties in establishing and implementing long-term energy efficiency strategies. He stated that Washington State University's Extension Energy Program would administer the program. He explained that Clallam County was planning on submitting an initial partnership proposal that included the City of Port Angeles, City of Sequim, Olympic Medical Center, Clallam Transit, and Clallam County. He stated that if the proposal were accepted, staff would bring an Interlocal Agreement to Council for consideration. He mentioned that cost savings could total up to \$150,000 per year. Brief discussion ensued regarding circuit riders, and discussion of the program at the last Utility Advisory Committee. Councilmember Williams recused himself.

**Councilmember Di Giulio moved to support Clallam County's initial proposal under the Shared Resource Conservation Manager Program. Councilmember Perry seconded the motion. A vote was taken on the motion, which carried 6-0, with Councilmember Williams abstaining.**

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**CITY COUNCIL  
COMMITTEE  
REPORTS:**

Councilmember Rogers explained that she would continue her legislative work, statewide, for all cities. She stated she is still working to secure money for PenPly

**LATE ITEMS TO BE  
PLACED ON THIS OR  
FUTURE AGENDAS:**

Councilmember Williams stated that he wanted to add three items including, modification of Council compensation, designating City Council Position #1 as the Mayor, and repealing City Council term limits.

**FINANCE:**

- 1 Energy Northwest Interlocal Agreement – Morse Creek Hydroelectric Project
- 2 Interagency Agreement for Performance Based Contracting, Amendment No 2
3. Lodging Tax Advisory Committee – 2010 Capital Projects Funding Recommendations
4. Consultant Agreement with Hammond, Collier, Wade & Livingston (HCWL) for Disaster Events on November 16 & 17, 2009

**Councilmember Rogers moved to add the Finance items to the Consent Agenda. The motion was seconded by Councilmember Williams. A vote was taken on the motion, which carried unanimously.**

**CONSENT AGENDA:**

**Resolution No. 29-09**

**Mayor Braun read the consent agenda to include: 1.) Energy Northwest Interlocal Agreement – Morse Creek Hydroelectric Project; 2.) Interagency Agreement for Performance Based Contracting, Amendment No 2, 3 ) Lodging Tax Advisory Committee – 2010 Capital Projects Funding Recommendations; 4 ) Consultant Agreement with Hammond, Collier, Wade & Livingston (HCWL) for Disaster Events on November 16 & 17, 2009; 5 ) City Council Meeting Minutes of December 1, 2009, 6 ) Expenditure Approval List from 11/21/09 to 12/3/09 for \$3,069,327 44, 7 ) Materials Purchase Electrical Transformer, Contract PW-09-026, 8.) Lipman – Stone, Resolution No 29-09 to set Public Hearing; 9 ) Enron Settlement Agreement; 10 ) Façade Improvement Program Grant Awards & Contracts. Councilmember Di Giulio moved to accept the consent agenda as read. The motion was seconded by Councilmember Kidd. A vote was taken on the motion, which carried unanimously.**

**INFORMATION:**

Manager Myers discussed the Building and Finance reports. He discussed the Lodging Tax Advisory Committee recommendations, including four projects for a total of \$250,000 in capital improvements. He discussed the Façade Improvement Program, which included a total of four projects. He stated that the City was continuing to work with PenPly, and that they would hopefully begin operations in January or February of 2010. He mentioned that he would be on vacation for the rest of the week and that Attorney Bloor would be the acting City Manager.

**ADJOURN TO  
EXECUTIVE SESSION:**

Council adjourned to Executive Session for approximately 15 minutes under the authority of RCW 42 30 110(1)(g), to review performance of a public employee. The Executive Session convened at 7:51 p.m., and at 8:10 p.m., the Executive Session was extended for an additional 10 minutes by announcement of the Mayor. The Council was joined by Manager Myers.

**RETURN TO OPEN  
SESSION:**

The Executive Session concluded at 8:21 p.m., and the Council convened in regular open session.

**Councilmember Rogers moved to authorize the Mayor to sign an amendment to the City Manager's employment contract to adjust the City Manager's compensation to include a 2% cost of living adjustment and 3% merit increase. The motion was seconded by Councilmember Perry. A vote was taken on the motion, which carried unanimously.**

**ADJOURNMENT:**

The meeting was adjourned at 8.22 p.m.

  
Dan Di Giulio, Mayor

  
Janessa Hurd, City Clerk