

**Mount Vernon
City Council
Study Session Minutes
July 15, 2009**

The meeting was called to order by Mayor Norris at 7:00 p.m.

Present: Mayor Norris, Councilmembers Cheney, Combs, Fiedler, Lindquist, McMullen, Ragan and Urban

Staff Present: Human Resources Director Bartlett, Police Chief Bergsma, Community and Economic Development Director Hanson, City Attorney Rogerson, Special Projects Administrator Stendal

Citizens Present: 20

NEW BUSINESS

- A. Collective Bargaining Agreement: Ms. Bartlett presented Council with the proposed collective bargaining agreement for years 2009-2010 with the City of Mount Vernon Commissioned Police Officers.

Councilmember Cheney moved to authorize the Mayor to sign the collective bargaining agreement for the years 2009-2010 for the City of Mount Vernon's Commissioned Police Officers. Motion seconded by Councilmember Fiedler. Motion carried 7-0.

- B. Collective Bargaining Agreement: Ms. Bartlett also presented the proposed collective bargaining agreement for years 2009-2010 with the City of Mount Vernon Non-Commissioned Police Guild Employees.

Councilmember Cheney moved to authorize the Mayor to sign the collective bargaining agreement for the years 2009-2010 for the City of Mount Vernon's Non-Commissioned Police Guild Employees. Motion seconded by Councilmember McMullen. Motion carried 7-0.

- C. Discussion of FEMAS's Response to the City's Request for a Conditional Letter of Map Revision: Mayor Norris commented on the recent letter from FEMA rejecting the City's request for a technical review under the Federal Conditional Letter of Map Revision (CLOMR) process. The CLOMR is part of the process that is undertaken during a project in order to assure that a Letter of Map Revision (LOMR) would be issued following the completion of the construction of the flood protection measure. The LOMR would remove the downtown out of the 100-year flood plain. Every effort has been made to follow the FEMA application procedures. Mr. Rogerson commented on his written response to the rejection letter from FEMA. According to the rejection letter, during the planning process for a project the City is required to take steps that will address any cumulative effects of any other planned flood control projects. Furthermore FEMA stated that the Flood Insurance Study (FIS) and United States Army Corps of Engineers study that were both initiated in 1997 must be completed prior to their determination. Mr.

Rogerson wanted to emphasize that a CLOMR is not required to build a flood project, or required to obtain necessary permits and obtain funding. Its intended purpose is for project review before construction allowing FEMA the opportunity to indicate what influence it may have on Flood Insurance Rate Maps, which could lead to changes in design prior to construction. Skagit County, the Skagit County Flood Advisory Committee, Special Purpose Dike Districts 17, 12, 1 and 3, the Cities of Sedro-Woolley, Burlington and private interests have all given the City of Mount Vernon preliminary approval of this project. Harry Hosey, PI Engineers, added his support to Mr. Rogerson's response to FEMA and indicated that his company had successfully applied for other CLOMRs within the State of Washington. Mr. Albert Liou, PI Engineers, addressed some of the cumulative impact questions that were posed by FEMA stating that it is his opinion that the Burlington and Mount Vernon projects would not adversely affect locations downstream. Councilmember Ragan asked whether the City should continue with the planning and engineering phases of this project in light of this rejection. Mayor Norris stated his belief that this should be considered a viable and active project especially viewing the funding that has been contributed to the project to date. Mr. Hosey stated that the engineers certify the project and it will be submitted as an existing condition and FEMA would be required to find a fault with the project in order to deny the LOMR. The CLOMR rejection should not be considered a reason to stop moving forward with this project. Councilmember Fiedler reminded everyone that this project is basically a permanent replication of the temporary sand bag walls that have historically been erected during flood events.

- Dan O'Donnell from LaConner believes that the biggest issue is the hydrology and that this issue needs to be addressed and corrected. Mayor Norris responded that the City's project design has taken the Army Corps of Engineers hydrology study into consideration and meets or exceeds it.
- Jim Satcher, Eaglemont Homeowners' Association, supported Mr. Rogerson's contention that this is not a legal action on the part of FEMA and urged the City to continue with the project.
- Jason Easton, North Puget Sound Realtors Association, requested that Mr. Rogerson's power point be available on the web site.
- John Schultz, legal representative of Dike District 1 and 12, talked about the partnership that has developed between the Districts and the City. Stated his opinion that the denial truly affects all projects along the Skagit River and puts them all in jeopardy. The Dike Districts are supportive of the City and will contact their Congressional delegations to indicate their support.
- Al Lyon added his contention that the sand bag efforts that are normally undertaken during a flood event are a positive protection from the water, but they have negative impacts on businesses subsequent to the event as they take up parking spaces and impede access to businesses in the downtown corridor.
- Bob Helton commented on his contention that the seas are rising due to global warming and this project does not consider that potential.
- Jim Carter came forward to support the Council and the flood control project.
- Don Gordon added his support for this project.
- Chuck Bennett, Dike District 12, added his support to Mount Vernon's project.

Mayor Norris called a recess at 8:35 p.m.

The meeting was resumed at 8:45 p.m.

- D. Professional Services Agreement with Civic Partners: Ms. Hanson presented a request for Council to authorize the Mayor to enter into a professional services agreement with Civic Partners to develop an Implementation Plan for the Downtown Revitalization Program.

Councilmember Combs moved to authorize the Mayor to enter into an agreement with Civic Partners for professional services. Motion seconded by Councilmember Cheney. Motion carried 7-0.

- E. Professional Services Agreement with Van Scoyoc Associates: Ms. Hanson brought forth a request for Council authorization for the Mayor to enter into an agreement with Pete Evich of Van Scoyoc Associates for federal funding consulting purposes which will extend services from July 2009 through December 2009. This is a renewal of an expiring contract.

Councilmember Fiedler moved to authorize the Mayor to enter into an agreement with Van Scoyoc Associates for professional services. Motion seconded by Councilmember Urban. Motion carried 7-0.

- F. Resolution to Establish Ambulance Fees: Chief Hari provided Council with background information regarding the periodic transport of patients by the City Fire Department. At this time the City does not charge for these services and it is proposed that the City adopt the countywide transport fees used by Skagit County, Anacortes and Aero-Skagit. These rates are based on a regional prevailing rate. Billing will be contracted through a third party professional medical billing service.

Councilmember Cheney moved to approve Resolution 792 establishing ambulance transport rates. Motion seconded by Councilmember Lindquist. Motion carried 7-0.

There being no further business the meeting was adjourned at 9:02 p.m.

SUBMITTED BY:

Rebecca J. Wade, Recording Secretary

ATTEST:

Alicia D. Huschka, Finance Director

APPROVE:

Bud Norris, Mayor