



**Regular Council Meeting -7:00 p.m.
January 7, 2008**

CALL TO ORDER: Mayor Paul Dennis presided.

FLAG SALUTE:

COUNCIL:

Present: Anderson, Dietzman, Gerde, and Higgins.

Excused: Hogan and Smith.

STAFF MEMBERS: Berquist, Bourquin, Brachmann, Durgin, Halverson, Knapp, and Lackey.

PRESS: Heather Acheson - Camas Washougal Post Record

CONSENT AGENDA:

It was moved by Council member Gerde, seconded by Council member Anderson to approve the Consent Agenda of January 7, 2008. The motion carried unanimously.

- a. Approve minutes of the December 17, 2007, Camas City Council Meeting and the work session minutes of December 17, 2007.
- b. Approve claim checks numbered 5316-5530 in the amount of \$51,344.32 as approved by the Finance Committee.
- c. Authorize Professional Services Agreement with Carlson Testing, Inc. for materials testing and special inspections required for WS-582A Washougal River Utility Bridge to OTAK, Inc. in an amount not to exceed (\$18,314) eighteen thousand three hundred fourteen dollars.
- d. Award Project WS-671, 2008 STEP/STEF Tank Pumping, to the low bidder, AAA Septic Service, Inc. in the amount of (\$66,607.11) sixty-six thousand six hundred seven dollars and eleven cents.
- e. Authorize Pay Estimate #2 (Final) for WS-662, Raw Waterline Customer Removal, to Mather & Sons Pump Service, Inc. in the amount of (\$16,626.55) sixteen thousand six hundred twenty-six dollars and fifty-five cents, and accept project as complete.

- f. Declare as surplus (2) two Medtronic LifePak 12 monitor/defibrillators. These items were replaced by a generous donation from Mr. Ray Hickey and are therefore no longer necessary for our operations.
- g. Authorize Mayor to sign General Services Contract with Pacific Groundwater Group (PGG).
- h. Authorize Mayor to sign Change Order #2, Project #WS-631A NW 6th Avenue Sewer Rehabilitation for Haag & Shaw, Inc. to reduce the amount of the contract by (\$20,600.48) twenty thousand six hundred dollars and forty-eight cents.
- i. Authorize the release of retainage for Project WS-631, NW Ivy Sanitary Sewer Rehabilitation to K & R Plumbing Construction, Inc.
- j. Authorize Pay Estimate #5 for Project WS-631A, NW 6th Avenue Sanitary Sewer Rehabilitation, to Haag & Shaw, Inc. in the amount of (\$5,901.80) five thousand nine hundred one dollar and eighty cents.
- k. Authorize the Mayor to sign a Professional Services Agreement with PGP Valuations for an appraisal.

NON-AGENDA ITEMS:

Public:

Joseph Brie Fugate, 13204 37th Ave., NE Seattle, WA:
Fugate distributed a handout entitled, “The Homeowners and Bank Protection Act of 2007” which he would like Council to endorse individually or collectively.

Stewart Battle, 14712 Bothaway NE, Seattle, WA:
Battle read the essential features of the Homeowners and Bank Protection Act of 2007 as written in the handout. Battle and Fugate were at the meeting to answer questions and referred to the website www.larouchepac.com. Battle encouraged Council to endorse this legislation.

John Nohr, 3518 NW Maple St., Camas, WA:
Nohr encouraged Council and the Mayor to join other local and regional jurisdictions in banning fireworks on Dec. 31st and the early morning of Jan. 1st.

Mayor responded that the Camas Youth Council is working on a fireworks ordinance and asked for Nohr’s address so he may be kept apprised of these proceedings.

Staff:

Lloyd Halverson, City Administrator, noted that the City has received correspondence from the Government Finance Officers Association (GFOA) notifying the City that our annual comprehensive financial report for the most recent fiscal year has qualified for a *Certificate of Achievement in Excellence for Financial Reporting*. This certificate is the highest form of recognition in governmental accounting and

financial reporting. Halverson acknowledged Joan Durgin, Finance Director, for her department's conscientious and diligent work for the last 19 years.

Council: No comments.

MAYOR:

Appointments: Mayor will wait to make the appointments until a meeting when all Council members are present.

COMMUNITY DEVELOPMENT:

Meeting to Consider 10% Annexation Petitions: Phil Bourquin, Community Development Director, displayed a map of the current annexation requests that have come into the City. Each request will be considered separately for action. Bourquin will give staff's recommendation separately.

Loyal Lands (07-07): Staff has no objections to this request.

CJ Denz (07-04): Staff recommends that the geographic boundaries of this request be modified to include the Wildlife League property.

Lacamas North Shore (07-05): Staff has worked with this request for the purpose of creating employment.

Rose (07-08): Lacamas North Shore agrees with having the Rose property incorporated into the geographic boundary of their annexation request. Staff also recommends that the Rose property be incorporated into Lacamas North Shore petition.

Pacific Lifestyle (07-09): Bourquin described the location and stated that he had met with Pacific Lifestyle.

Green Mountain (07-06): A letter has been received and presented to Council with a request from Elder Chow, adjacent property owner, to geographically modify this area to be included in this annexation request.

Bourquin said there are also areas on the NE side of Ingle Road that are white in color on the map. They are not under the same ownership but they have some commonalities with the remainder of the property. Also, the small properties north of NE 28th and adjacent to the Chow property should be considered for inclusion.

James Howsley, Miller-Nash, 500 East Broadway, Ste. 400, Vancouver, WA - Attorney for Loyal Land Co., LLC:

Howsley stated this request will help facilitate some of the obligations that Loyal Land has and will provide them the ability to loop the water system from Crown Road to Gregg Reservoir. Howsley solicited support from Council. There were no questions.

Howsley also represents Lacamas North Shore. Howsley submitted a letter from Mr. Wolf that indicated that the Rose property would like to join the Lacamas North Shore request and asks that Council support the requests.

Karyn Criswell, 1111 Main Street, Ste. 300, Vancouver, WA representing GM Camas LLC:

Criswell stated that they had no objections to the three additional parcels being included in the annexation.

Howsley referred to the triangle piece owned by Ron Warman and stated that Warman also supports annexation at this time.

Todd Johnson, Group McKenzie, 601 Main Street, Ste. 101, Vancouver, WA - representing the CJ Denz Annexation:

Johnson said that they had conversed with representatives from the gun club (Wildlife League), who are not opposed to annexation and would have no objection to including them in our annexation.

Johnson indicated that Mr. Oliver (along SE Everett) is not interested in pursuing annexation, and is not part of the request, so he was excluded.

Matt Lewis, Pacific Lifestyle Homes, 11815 NE 99th St., Ste. 1200, Vancouver, WA - representing the landowners south of Green Mountain Golf Course:

Lewis asked for Council's support for the request and said that several properties to the west are listed for sale. If Council wanted to block that off, there would be support from some of those property owners.

Mayor said there is not a boundary review board so that would negate it.

Council:

Anderson discussed and then distributed a written list of the following concerns to Mayor and Council dated 1/6/2008. Anderson is not opposed to the annexation but has some concerns about timing.

- The Clark County Comprehensive Plan is still under legal review, so he is hesitant to make any formal process moves while there may be legal issues that apply to the City that have not yet been decided, which may likely not be until June.
- The current Shoreline Master Plan does not incorporate the north shore, so a decision has not been made about protections for this area. It will likely take 12 to 18 months to update the plan.
- The Transportation Plan is still incomplete.
- The Water and Sewer Plans are not to the point where we know how the City is going to pay for them or have water source capacity to serve the area.
- The planned tree conservation update is moving slowly and some of these areas are heavily forested. Anderson said he is not opposed to development and cutting trees where trees are needed to be cut, but protection of the green areas where the City can and should protect is important for tomorrow's citizens.
- The protection by Fire and Emergency Medical Services to this area as it becomes urbanized and what the additional urbanization will do to the tax base of East County Fire and Rescue without having a transition plan in place. Also includes police protection in conjunction with the Sheriff's office.
- The Stormwater Management Plan has not been detailed for this area. Anderson questioned what the cost would be and how the City will fund it.

Timing and cost to serve are Anderson's principle concerns. He wants to be able to afford the annexation and serve its citizens in the same way Camas has been served historically. Anderson would like to know the cost to the citizen. He requested a review of the cost-to-serve study/estimates done for the Lacamas Heights annexation a few years ago, and to compare with actual cost to serve now. Anderson asked that the proposed development and phasing master plan be discussed along with the annexation, so that informed, long-range decisions can be made.

Mayor asked and Bourquin responded that this step will confirm whether Council wants to accept the 10% petition and prepare an annexation request for the 60% petition. This does not mean that Council will support the annexation—there is still a hearing on the 60% petition.

Bourquin commented that there are tools and methods available to look at what needs to happen before going forward with the annexation. Bourquin listed some of these tools.

Mayor said that he would like to begin the process and take the opportunity to look at what the costs will be to serve this area. By accepting the 10% petition, Council is not obligating themselves to annexing.

Bourquin said he would like to map out a process and the tools needed to direct them how to proceed in the near future. The 60% petition triggers a time clock.

Gerde is concerned about the timing issue and commented that Anderson's points are legitimate. She is not opposed to accepting the 10% petitions as long as it does not precipitate a time crunch, because it will mean a lot of work for staff.

Higgins said that the 10% petitions decision is similar to the Urban Growth Boundary decision, further defining the area Camas intends to grow.

Bourquin said that he would commit to a follow-up discussion regarding tools at the next work session and it may also be included in the planning conference.

Loyal Lands (07-07): It was moved by Higgins, seconded by Gerde to accept the Loyal Lands 10% annexation petition (file # Annex 07-07) with the current noted geographical area requiring a determination for a comprehensive plan and zoning designation simultaneous with annexation; require assessment and taxation of all property at the same rate and at the same basis as within the City of Camas; require the area, if it is annexed, to assume the existing City indebtedness; and allow circulation of the petition. There will also be a pre-annexation agreement required. The motion carried unanimously.

CJ Denz (07-04): It was moved by Gerde, seconded by Dietzman to accept the CJ Denz 10% annexation petition (file #Annex 07-04) with the Wildlife League property included within the current noted geographical area of the petition, the Oliver property excluded, and requiring a determination for a comprehensive plan and zoning designation simultaneous with annexation; require assessment and taxation of all property at the same rate and at the same basis as within the City of Camas; and require the area to assume the existing City indebtedness. There will also be a pre-annexation agreement submitted concurrent with the filing of a 60% petition. The motion carried unanimously.

Lacamas North Shore (07-05):

It was moved by Higgins, seconded by Gerde to accept the Lacamas North Shore 10% annexation petition (file #Annex 07-05) with the noted geographical area to be modified to include the Rose property, (reference Annex 07-08), and requiring a determination for a comprehensive plan and zoning designation simultaneous with annexation; require assessment and taxation of all property at the same rate and at the same basis as within the City of Camas; and require the area to assume the existing City indebtedness. There will also be a pre-annexation agreement submitted concurrent with the filing of a 60% petition. The motion carried unanimously.

Pacific Lifestyle (07-09): It was moved by Dietzman, seconded by Higgins to accept the Pacific Lifestyle 10% annexation petition (file #Annex 07-09) to allow the 60% to move forward and include the noted geographic area proposed for annexation without modification and requiring a determination for a comprehensive plan and zoning designation simultaneous with annexation; require assessment and taxation of all property at the same rate and at the same basis as within the City of Camas; and require the area to assume the existing City indebtedness. There will also be a pre-annexation agreement submitted concurrent with the filing of a 60% petition. The motion carried unanimously.

Green Mountain (07-06): It was moved by Gerde, seconded by Dietzman to accept the Green Mountain 10% annexation petition (file #Annex 07-06) to allow the 60% to move forward and to geographically modify the petition to include the triangle and rectangle just north of Ingle Road known as the Warman pieces, the property owned by Chow represented by hash marks on the exhibit, as well as the two smaller rectangle properties located just south and west of Chow's property identified in white, excluding the subdivision on the far east border of Chow's property, along with the noted geographic area proposed for not to include the subdivision on the far east border of that area and requiring a determination for a comprehensive plan and zoning designation simultaneous with annexation; require assessment and taxation of all property at the same rate and at the same basis as within the City of Camas; and require the area to assume the existing City indebtedness. There will also be a pre-annexation agreement submitted concurrent with the filing of a 60% petition. The motion carried unanimously.

Break:

8:00 p.m. to 8:03 p.m.

Bourquin summarized the history of the Pre-annexation Development Agreement between the City of Camas and Grass Valley Holdings, LLC. Mayor highlighted the changes that were not discussed in

workshop that had been made to the document. The current draft was distributed to the public. The following changes were noted:

Section 4.1 Vesting: A phrase was added specifying that the vestment was specific to the current code, and it was for a period of 10 years. It was also agreed that this agreement could change with the mutual consent of both parties at any time.

Section 4.2 Fees and Charges: The developer agrees that they will be responsible to pay the increased System Development Charge (SDC) that will be in effect on September 15, 2008. Once the fees are adopted, the developer agrees to pay the appropriate fee.

Throughout the agreement, there are triggers that will encourage the City to make certain investments. Mayor confirmed with Bourquin that there are balances built into Sections 6, 6.1, 6.2 and 6.3 that ties the developer's investment to a trigger for the construction of City infrastructure.

Section 5 38th Avenue: This section states that if the developer owns property on both sides of the centerline, the developer shall dedicate thirty feet on each side of the centerline. If he owns property on just one side, then just thirty feet shall be dedicated. Mayor also noted that this is not Transportation Impact Fee (TIF) credit eligible.

Public Hearing Pre-

Annexation Development

Agreement (Grass Valley John Cantrell, 19829 SE Bybee Road, Camas, WA:

Holdings/Eiford/Bybee):

Mayor opened the public hearing at 8:13 p.m.

Cantrell states that through the annexation proposal, his property is being annexed into the City as a taxpayer but yet by the zoning, his house and property are commercial. Cantrell said that he is not being recognized as a resident, which he considers a conflict.

Mayor responded that Cantrell is a resident, and according to the zoning map, the property's zone would be RC (Regional Commercial).

Cantrell commented that the current and future resident property owners should be Council's priority.

Cantrell acknowledged that the comprehensive plan designation decision has already been made, but encourages the City to take further action to balance priorities.

Cantrell stated his recommendations based on the proposal he has seen and his concern with small property owners having to pay for the development of other properties.

Roberta Criado, 1806 SE 202nd Ave., Camas, WA:

Criado expressed disappointment in the decision that was made about the two pieces of property to the northeast side of Bybee Road. Criado would like the record to show that she expects to be involved in the process to determine the design plan for setbacks, landscaping, lighting, etc. because that will impact her in a significant way. She would like to be part of the forward process.

Criado inquired as to whether two pieces of property designated residential could be turned into a small park, and the Fisher Swale area turned into trailheads, a green space or open space. This would be property that all could take advantage of.

Mayor asked and Bourquin responded that through design review and design criteria there is a process for dealing with buffering.

Halverson said that the Fisher Swale has the character of open space and it is recognized in the City's Park and Openspace Comprehensive Plan as a ribbon of open space. Within the Park Plan there is a small neighborhood park on the west side, though the plan is not intended to be site and parcel specific. There are plans for the City to locate parks and trails in this part of the City.

Raymond W. Scharpf, 20119 SE 20th Street, Camas, WA:

A letter dated January 7th addressed to Ms. Durgin and City Council was distributed. Scharpf would like to be involved with the setbacks process related to any wetlands or development plan.

Mayor confirmed with Bourquin that the parcels within the development agreement have been further delineated and there has been a field check by the Corps of Engineers. Mayor asked and Bourquin responded that areas designated as wetlands can be developed subject to code. Anything above ½ acre goes through a lengthy process with the Corps of Engineers.

Randy Printz, 805 Broadway, Vancouver, WA:

Printz said that this agreement does not specify underlying zoning other than what is consistent with the Comprehensive Plan that has been adopted and the Comprehensive plan would have to be amended to change the zoning. The primary purpose of the agreement is to

provide predictability for this area. This area has been identified by the City as the primary area for future employment and tax base of the City. Printz further explained the provisions of the agreement.

Kevin Bahr, 1617 SE 199th Ave., Camas, WA 98607:

Bahr's property is Lot 2 in Country Ridge and he asked what the north line of the annexation is and whether it includes the easement between Lot 1 and Lot 2. Printz explained the annexation line and easement. Mayor responded that the County has jurisdiction over County property.

Bahr questioned the change in zoning of the two lots along Bybee at the December 3rd meeting and asked if someone could comment on how this happened when there was so much planning and discussion prior to the change.

Bourquin explained the process and that ultimately City Council determined it was in the best interest of the City to zone these lots Community Commercial (CC).

Bahr stated that he supports a community park in this area and does not believe that there will be a buffer between a CC zone and the one house per acre residential in Country Ridge.

John Visser 1800 SE 202nd Ave., Camas, WA:

Visser stated that he owns the lot north of the Criado's and had questioned the County regarding the 80' easement. He was informed that the 80' easement did belong to Bahr and that the City is not supposed to annex a portion of an easement that belongs to someone in the County. He questioned if the easement is going to be split and if the City is allowed to take ½ of the easement that belongs to the Department of Transportation where the County has the other half. Mayor responded that the Department of Transportation could maintain ownership of the easement and relayed that the easement is not part of this development agreement. The annexation does cover that property, but it is not specified under the development agreement.

The Mayor closed the public hearing at 8:58 p.m.

Bourquin said that it is staff's recommendation that the Pre-annexation Development Agreement be approved in its current form to include Exhibits A through E, with a note that Exhibit E includes Camas Municipal Code 16, 17, and 18, effective October 2007.

It was moved by Dietzman, seconded by Higgins to approve the Pre-annexation Development Agreement (file #DA 07-01) including all of the exhibits with Grass Valley Affiliated Entities and Eiford Properties, LLC. The motion carried unanimously.

Resolution 1122:

It was moved by Gerde, seconded by Anderson that Resolution No. 1122, approving a development agreement between the City of Camas and Grass Valley Holdings, LLC; APC Sunrise Summit LLC; Skola, LLC, and Eiford Properties, LLC for real property to be annexed to the City of Camas be read by title only. The motion carried unanimously.

It was moved by Gerde, a seconded by Dietzman that Resolution No. 1122 be adopted. The motion carried unanimously.

Public Hearing-60%
Annexation Petition and
Zoning (Grass Valley
Holdings/Bybee):

Bourquin recommended that public testimony be taken and consideration be made in order to be consistent with the development agreement agreed upon and to move forward with the recommendation of annexation and zoning which is consistent with the zoning described in the development agreement.

Mayor opened and then closed the public hearing at 9:02 p.m. as there was no public testimony.

It was moved by Gerde, seconded by Higgins to approve the 60% annexation petition and the zoning as designated under Exhibit C for Grass Valley Holdings (File # ANX 07-02).

Ordinance 2504:

It was moved by Gerde, seconded by Anderson that Ordinance No. 2504 annexing real property to the City of Camas be read by title only. The motion carried unanimously.

It was moved by Gerde, seconded by Higgins that Ordinance No. 2504 be adopted and published according to law. The motion carried unanimously.

FINANCE:

Resolution No. 1120:

Durgin explained the purpose of the resolution.

It was moved by Dietzman, seconded by Gerde that Resolution No. 1120 adopting a schedule of fees for cemetery services and supplies, be read by title only. The motion carried unanimously.

It was moved by Dietzman, seconded by Higgins that Resolution No. 1120 be adopted. The motion carried unanimously.

ADMINISTRATION:

Resolution No. 1121:

Halverson explained the purpose for this resolution.

It was moved by Gerde, seconded by Anderson that Resolution No. 1121 revising the salary scale for the Police Chief, and providing for said revisions to be effective January 1, 2008, be read by title only. The motion carried unanimously.

It was moved by Gerde, seconded by Dietzman that Resolution No. 1121 be adopted. The motion carried unanimously.

Mayor thanked staff for all their hard work especially over the holiday season and the weekend.

ADJOURNMENT:

The meeting adjourned at 9:07 p.m.

Mayor

City Clerk