



SUMMARY OF THE MINUTES TOWN COUNCIL

Thursday, February 15, 2024 – Council Chambers – Afternoon Session

CALL TO ORDER

Mayor Jackson called the regular session of the Town Council to order at 12:05 p.m.

ROLL CALL

Councilmembers: Steve Hushebeck (Position No. 1), Richard Geffen (Position No. 2), Anna Maria de Freitas (Position No. 3), Mason Turnage (Position No. 4) and Barbara Starr (Position No. 5).

Mayor, Raymont Jackson; Town Administrator, Denice Kulseth; Finance Director, Bethany Berry and Clerk, Amy Taylor.

FLAG SALUTE

Mayor Jackson conducted the flag salute.

ANNOUNCEMENTS

Mayor Jackson requested that anyone wishing to speak regarding the Administrative Appeal for the Holliwalk Development hold their comments. All comments regarding the Appeal are required to be taken on the record as part of the Appeal. The scheduled discussion regarding the design variance request is a separate issue that may receive comments.

PUBLIC ACCESS TIME

Chief Noel Monin, Fire District 3, informed the Council that the Fire Commission approved a five-year employment agreement for the newly defined position and he was appointed Fire Chief. Chief Monin introduced current District Officers (key staff). The Council congratulated Chief Monin and invited him to participate in quarterly reports.

ACTION AND DISCUSSION ITEMS

Consent Agenda – February 15, 2024

Moved by Geffen, seconded by Hushebeck, to approve the Consent Agenda dated February 15, 2024 as follows.
Motion passed unanimously.

- Resolution No. 2838 – Approve a Task Order No. 2 with Brown & Caldwell for design of a 4th filter at Water Treatment Plant in an amount not to exceed \$700,975.
- Payment of Claims & Payroll
 - Claim warrants: #60583 to 60617; dated February 8, 2024; in the amount of \$80,632.83.
 - Payroll warrants: #20049 to 20056, including the employee direct deposit and ACH payments # 16 to 20; dated January 31, 2024, in the amount of \$388,573.45.

SJC Housing Advisory Committee

At 12:18 p.m., Mayor Ghatan invited Farhad Ghatan, SJC Housing Advisory Committee Member, to provide an update. Mr. Ghatan provided an overview on the structure, membership, duties, current workplan and status of the "Home Fund" real estate excise tax.

45 Discussion followed regarding allocation of past and future Home Funds and the percentage of funds distributed
46 between the Town/San Juan, Orcas and Lopez Islands. Ryan Page, SJC Housing Coordinator, stated that Home Funds
47 are not structured to be earmarked per Island. Mr. Page emphasized that all eligible agencies for projects within
48 the County may submit an application for funding consideration and clarified that it is difficult to demonstrate
49 parody with the distribution of funds because the Home Fund is allocated based on approved funding requests.
50 The County considers all viable applications on a first come first served basis. For example, the County has not
51 distributed an “equitable” share to Town/San Juan Island compared to Orcas and Lopez Islands. Nor has it received
52 any fundable project applications to date for Town/San Juan Island. The County anticipates consideration of future
53 projects such as the proposed Argyle Malcom Development. “Earmarking” funds would be inappropriate with their
54 current processes until an application is submitted and approved.

55
56 Discussion followed regarding the proposed Malcom Argyle Project. Mr. Ghatan and Page expressed that the
57 County will continue to apply for all available grants for the project.

58
59 The Council thanked Mr. Ghatan and Page for the information. No action was taken.

60
61 Public Works Update

62 At 12:57 p.m., Mayor Jackson introduced the public works update. Public Works Director Jesse Douglas-Seitz
63 updated the Council on upcoming capital projects, new assets and facility maintenance and daily operations. No
64 action was taken.

65
66 Marguerite Place Improvement Project

67 At 1:02 p.m., Mayor Jackson introduced discussion of the Marguerite Place Improvement Project. Public Works
68 Director Jesse Douglas-Seitz presented preliminary designs (30% design review) and asked the Council’s preference
69 on various sidewalk curb cuts and other issues. Discussion followed regarding whether to allow certain parcels with
70 adequate frontage two curb cuts.

71
72 **Moved by Starr, seconded by de Freitas, to approve the preliminary (30%) designs to date for the Marguerite Place
73 Improvement Project. Motion passed unanimously.**

74
75 2024 Comprehensive Plan Docket

76 At 1:17 p.m., Mayor Jackson introduced discussion concerning docketing for the 2024 Town Comprehensive Plan
77 Updates. Community Development Director Ryan Ericson explained the docketing process and that Town received
78 two applications for land use redesignations. Mr. Ericson described both applications.

79
80 **Moved by de Freitas, seconded by Hushebeck, to docket all items, including the two land use redesignation
81 requests, for the comprehensive plan review process. Motion passed unanimously.**

82
83 Recess

84 At 1:30 p.m., Mayor Jackson recessed the session until 1:43 p.m.

85
86 Design Variance Request – Holliwalk Development

87 At 1:43 p.m., Mayor Jackson introduced discussion of the design variance request for the Holliwalk Development.
88 Community Development Director Ryan Ericson explained that the Town and SJC Home Trust have been working
89 together to establish a viable design variance to address the frontage issues for Permit Nos. BP15-22, BP16-22,
90 BP17-22, and BP18-22. Mr. Ericson presented a preliminary staff report to determine which items, if any, the
91 Council was willing to grant.

92
93 James Goetz, SJC Home Trust Representative, explained that the SJC Home Trust agreed with the majority of staff’s
94 recommendations, with the exception of named frontage improvements to the northern boundary and all frontage
95 improvements to the eastern boundary.

96
97 At 1:58 p.m., Mayor Jackson opened the discussion to Council comments.
98
99 Councilmember Turnage emphasized that he would not support any design variance that compromised adequate
100 safety, accessibility and other basic right-of-way frontage improvements. Mr. Turnage used the Rose Lane
101 neighborhood as an example of compromising on established right-of-way design standards (lack of adequate curb,
102 gutter, sidewalk, stormwater and lighting) and stated that all developers have an obligation to mitigate impacts to
103 the current neighborhood and soon to be homeowners, including affordable housing. The Council concurred.
104 Amanda Lynn, SJC Home Trust Executive Director, stated that it was a value of the Home Trust, but unfortunately
105 not designed as part of the project.
106
107 At 2:30 p.m., the Council reviewed each of the preliminary recommendations listed in the staff report dated
108 February 11, 2024. Council gave direction as follows:
109
110 Lighting:
111 **Motion No. 1 – Moved by Hushebeck, seconded by Starr to approve the staff preliminary response dated February
112 11, 2024 [EDS 8.12(A)(1) & EDS 8.12(B)(3)] to only require illumination at the intersection of Price Street and Holi
113 Place. Motion failed 2-3 with Geffen, Turnage and de Freitas opposed.**
114
115 **Motion No. 2 – Moved by de Freitas, seconded by Turnage, to approve the staff preliminary response dated
116 February 11, 2024 [EDS 8.12(A)(1) & EDS 8.12(B)(3)] and include in the design variance a requirement to install one
117 street standard (acceptable illumination) at the intersection of Price Street and Holi Place; and require installation
118 of alternate pedestrian safety lighting along the north and east portion of the parcel abutting Holi Place right-of-
119 way. Alternate pedestrian safety lighting may take the form of landscape or other “low to the ground” lighting, to
120 be agreed upon by Staff and Home Trust. Motion passed 5-0.**
121
122 Curb, Gutter and Sidewalk:
123 **Motion No. 3 – Moved by Hushebeck, seconded by de Freitas, to approve the staff preliminary response dated February
124 11, 2024 [EDS 8.6(A)(1) & EDS 8.6(C)(1)] regarding sidewalk, curb & gutter requirements. Motion passed
125 5-0.**
126
127 Street Storm Drainage:
128 **Motion No. 4 – Moved by Hushebeck, seconded by Starr, to approve the staff preliminary response dated February
129 11, 2024 [EDS 6.1(F)] regarding street storm drainage requirements. Motion passed 5-0.**
130
131 Utilities:
132 **No action requested from Council.**
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134 Landscaping:
135 **Motion No. 5 – Moved by Hushebeck, seconded by de Freitas, to approve the staff preliminary response dated
136 February 11, 2024 [EDS Table 8-1 & FHMC 17.68.070(4)(a)(viii)] regarding landscaping requirements. Motion passed
137 5-0.**
138
139 Irrigation:
140 **No action requested from Council.**
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142 Street Width:
143 **No action requested from Council.**
144
145 Performance Bond:

146 Discussion followed with Mr. Goetz and Ms. Lynn regarding an acceptable amount of time to accomplish the
147 required improvements.

148
149 **Council consensus to modify the two-year performance bond recommendation to four years or other mutually
150 acceptable timeframe to both the SJCHT & Town.** (SJCHT requests adequate time to generate revenue for needed
151 improvements. The final staff response shall reflect extension of performance bond.)

152
153 **Moved by Hushebeck, seconded by Geffen, to revise the performance bond to four years or sooner. Motion passed
154 5-0.**

155
156 **Moved by de Freitas, seconded by Starr, to direct staff to prepare Findings of Fact for review. Motion passed 5-0.**

157
158 Mr. Goetz requested that the Council clarify if the east boundary of the parcel required improvements. Staff
159 answered in the affirmative as the Development will be mitigating stormwater from the east boundary of the parcel.

160
161 Ms. Lynn thanked the Council for allowing certain design variances and invited the Council to attend the Home
162 Trust workshop at the SJI Grange on February 20, 2024 for the Malcom Argyle Development. No further action was
163 taken.

164
165 **ADMINISTRATOR'S REPORT**

166 At 3:00 p.m., Administrator Kulseth reported on the following:

- 167 • New Employee – Town hired Nathan Slaughter as a Utility Worker 2 for Water Distribution.
- 168 • Water Meters – The Finance Office is working to integrate software updates to allow customers to view
169 radio water meters readings.
- 170 • Employee Certification – Employee Chuck Berry passed his WTPO2 (wastewater management) certification
171 exam.
- 172 • Notice of Violation – Town expects a response from the County in March to appeal the Town’s
173 determination regarding use of water at the Fairgrounds.
- 174 • SJC Wildfire Plan – Town is participating in updates to a county-wide wildfire plan update.
- 175 • Wastewater Treatment Plant – Town is working with USDA to fund additional designs for the wastewater
176 treatment plant.
- 177 • Spring Banners – Town will refresh certain street banners for Spring 2024.
- 178 • Generators – Staff recommends allocation of funding for new generators.

179
180 **FUTURE AND NON-AGENDA ITEMS**

181 Ryan Ericson noted that detached ADUs and food trucks are still slated as future agenda items for next time Council
182 is available for a work session.

183
184 **CITIZEN RESPONSE**

185 Ryan Ericson clarified that the current nomenclature used for “tiny home” is broad and isn’t necessarily compatible
186 with Town code. Tiny homes, as they currently defined by industry standards, are classified as recreational vehicles.
187 Recreational vehicles are not currently allowed for permanent residences outside of mobile parks.

188
189 **EXECUTIVE SESSION**

190 At 3:13 p.m., Mayor Jackson announced an executive session pursuant to RCW 42.30.110(1)(f) concerning charges
191 brought against a public officer. Session was estimated to last 10 minutes. The public was properly notified of an
192 extension. Executive session ended at 3:50 p.m. for an actual session time of 37 minutes. No action was taken.

193
194 **ADJOURNMENT** – Hearing no further business and no objection, Mayor Jackson adjourned the meeting at 3:50
195 p.m. The next regular meeting is scheduled for Thursday, March 7, 2024 at 12:00 p.m.

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198 These minutes were approved by motion of the Town Council. The original document is retained by the Clerk in
199 the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk