



Mission Statement: Meeting the challenge of protecting the environment and providing quality sewer service to the community.

**MINUTES OF SPECIAL
COMMISSIONERS MEETING ON
March 9, 2021**

Location: by Remote Participation via Zoom at a City Council Regular Meeting

Attendees: By Remote Participation via GoToMeeting Commissioners Dan Lorentzen, Jennifer Stevenson and Kevin Kosche. District Staff: Mariah Low.

1. CALL TO ORDER – Commissioner Lorentzen called the meeting to order at 6:04 PM.

2. AGENDA ITEMS:

A. Public Hearing – Brett Gailey conducted business for the City's regular business and moved into the public hearing.

Mayor Brett Gailey welcomed those present. He noted this is regarding City Ordinance No. 1112, Lake Stevens Sewer District Resolution No. 996 and Snohomish County Ordinance No. 21-005 Southeast Interlocal Annexation and opened the joint public hearing at 6:19 PM. This is to consider an interlocal agreement for the City to annex what is known as the Southeast interlocal annexation (ILA) area, both the City and County are required to hold public hearings and have agreed to hold a joint hearing. The Sewer District Board has been invited as a party to the ILA. The County did a roll call for all five Councilmembers present. Commissioner Lorentzen conducted a roll call and all three Commissioners are present. The City and County gave a presentation, then opened it up for questions for staff from Commissioners and Councilmembers.

Mayor Gailey then opened it up for public comment only. City Clerk Kelly Chelin noted the five emailed comments to make them part of the record; Bruce and Janice Thompson, Charles and Uma Neilson, James and Angela Monroe, Michael and Lisa Jones and Janice Huxford. Sally Jo Seabring voiced her concern about some information not being accurate which brings some concern on the numbers of police listed. Tom Matlack asked for a list of attendees for public records request, wanted to know how the Sewer is going to do a separate annexation and would like everyone to read the annexation report that was referenced but not in the slideshow. He believes it shows that annexations are a severe net loss on street and police funds. Kate Makenzie noted she is in favor of this annexation, as she would like to have a vote on what's happening in her community. Mike Jones noted he provided a written comment, he believes this is a bad deal for everyone in this area with increased taxes, no road improvements, public facilities or recreation areas planned for the area. The zoning is going from 7200 to 6000, City regulations say one parking spot per five houses. The roads will be inundated with no places for the additional cars with land and tax grab from the City. Garrett Welch commented he is against the agreement because it doesn't give the residents a vote in this annexation and believes they should have a say after the Rhodora Heights annexation was a mess. Janice Huxford asked that both city and county

councils look at this for transparency and believes many of the citizens don't know about this and asks for this be slowed down and make it something that can be discussed as a community and wants it to be good for all. Mayor Gailey closed the public comment portion of the public hearing. David Levitan noted the Sewer District annexation is in another section of the RCW and asked Police Chief Dwyer for a clearer assessment of services and police areas. Chief Dwyer noted the east precinct is the County. The Lake Stevens Police currently has 20 officers with two more if the annexation goes through and four detectives and one supervisor. Discussion ensued regarding police coverage and the public comments. Russ Wright commented on the FCS Report noting three scenarios and the City council went with options one and two. The deficit happens in street funds with any annexation. Councilmember Anji Jorstad asked staff about citizens knowing about the annexation. David replied mailings have gone out to owners in the annexation area twice regarding public meetings and again for this public hearing. A website has been maintained, talking to citizens and various social media sites have had posts. Councilmember Mary Dickinson asked about the population of this area that would be annexed. David replied approximately 3000 people and public comments around 50 total. Councilmember Gary Petershagen asked about the needs from public works. He noted in the ILA the County has not identified any plans for capital improvements or roads, other existing transportation infrastructure or surface water. Russ added Sunset Park would be transferred to the City and has been added to the city's Capital Improvement projects. County Councilmember Stephanie Wright asked about the different methods of annexation and inquired why they did not use the advisory vote method to get a better understanding on how the people feel. Mayor Gailey replied this was an area of his own personal contention in not taking this to a vote and realize this area on the east side of the lake uses a lot of the resources of the city; parks, roads, Lake Stevens Police would be closest in the event of an emergency. Councilmember Wright responded with wouldn't an advisory vote get a better a feeling of how the constituents feel about this annexation especially during a pandemic. She voiced her concern noting this method is more efficient than getting the fiscal analysis after the fact. City Attorney Greg Rubstello added one of the reasons the ILA process was adopted by the legislature was to further the process of growth management. In this process there has been public participation and planning, this was a means for a more efficient process for those areas that has occurred and has been occurring for a number of years regarding legislation. Councilmember Wright noted she would hate to put efficiencies above public outreach. Councilmember Dunn commented on the concern raised on the process, this is ignoring the ability for the people on the lake to give input which impacts a lot of people living on the lake as they essentially own part of the lake. She agrees its more efficient but feels looking at it as a whole it would be good to have an advisory vote to include the lake front properties. The lake management would change and quality cost sharing, she would like staff to go over lake management and how that would be changing. Eric Durpos stated that is correct the City and County currently have an ILA where the City pays 90% and the County 10%, this agreement expires at the end of the year and currently the City does contract some of the lake maintenance with the County's stormwater division. Giving time to get the City's staff trained to take this on. Commissioner Lorentzen noted he thinks a lot of people in this area have concerns. He believes Mr. Rubastello's comments on this efficient way is tone deaf to the people that live within the area of this annexation. Annexations in the Lake Stevens area have always been a hot topic, he has attended both public meeting that were done very well but it does not give face to face time to the citizens when they truly want to give input. As a District there is a unification agreement, we will follow but will have more

discussion on that. Being sensitive to the citizens who have a voice, making a decision can be difficult but it is a public lake and with all the people who flock to the lake to utilize it and need to be cognoscente of all those in Snohomish county that come. Respect needs to be given to the citizens even if by advisory vote, especially during a pandemic would give a sense of direction and believes it's a good idea. David noted they have heard from some of the constituents, the City has a marine patrol that monitors the lake and the only county park left on the lake is Sunset Park. Councilmember Jorstad asked if the City moves towards an advisory vote what would that look like and what is the timing. Russ Wright didn't know what it would look like and would need to get back with the answer. Councilmember Wright asked if it was chosen to pause the process to get an advisory vote then coming back to this process. Getting on the August primary ballot. Greg noted from a legal standpoint that is doable. Mayor Gailey moved into deliberation. Councilmember Sam Low read a disclosure stating, "In 2016 as council president of the Lake Stevens City Council I voted in favor of the annexation plan as referenced tonight in ordinance 2016-021 in addition in previous county votes I have consistently abstained in issues concerning the Lake Stevens Sewer District where my wife is the General Manager. In appearance in fairness to my constituents and potential conflicts of interest I will be abstaining from the vote tonight and any deliberations on this manner." Councilmember Wright noted her personal preference would be an advisory vote, especially during a pandemic. Commissioner Lorentzen noted he would also be in favor in being transparent with the citizens is to call for an advisory vote. With his contact with citizens it seems to be a concern. Councilmember Mary Dickinson noted her concern with transparency and is in support of an advisory vote. Councilmember Dunn clarified she thinks an advisory vote if it moves forward should include all the residents of Lake Stevens for the simple fact there has been multiple annexations and this involves the lake with many residents around the lake, especially during the pandemic. Councilmember Petershagen asked for clarification from Commissioner Lorentzen. It was his understanding the Sewer District must be a part of this annexation process. Commissioner Lorentzen noted the ILA between the City and District states the District would not oppose any annexation that comes from the City. Commissioner Lorentzen noted his statement was based on his opinion only and doesn't understand the rush. Commissioner Stevenson asked if there can be a delay on the vote to consider everything. Councilmember Tageant asked when everyone uses the word transparency who needs to be more transparent as the City has went above the requirement. Commissioner Lorentzen noted this is his opinion as a citizen. He is hearing from other citizens voicing their concerns and opinions. Commissioner Kosche from a personal standpoint an advisory vote would be a wise thing to do to get feedback from citizens, from a Commissioner of the Sewer District we have a contractual obligation in our Unification Agreement to support the annexation; we follow our contractual agreements. Councilmember Jorstad noted this path made the most sense and are now in a position allowed to make decisions for constituents, but these are not constituents that voted for these councilmembers. She is disappointed in the people that didn't step up and feels nervous about how little has been heard from the people living in that area. Revisiting it after hearing from the people that live in that area is important. Councilmember Shawn Fredrick commented a big part of him feels there is value in a chosen path. Hearing all the comments he believes there is a challenge in moving forward and sees value in continuing conversation before moving forward on action items. Mayor Gailey seeing no more comments closed the public hearing.

Mayor Gailey asked for the City Council's direction. Councilmember Petershagen stated he believes its apparent there needs to be an advisory vote and thinks most would be comfortable with that and continue dialog with the public. His general feeling is the reason they are not hearing from the citizens is because they are in support. Greg Rubstello noted this area is outside the City so he isn't sure the City can call for a vote, but certainly the County could call for an advisory vote. Mayor Gailey would like to stay the action of the City Council and listen to the Action of the County Council. Council President Stephanie Wright deferred to the County Council on their thoughts. Councilmembers Mead and Nearing agreed on an advisory vote. Councilmember Dunn asked if a future hearing date might be available. County Clerk noted this can be put on hold for now, when there is a hearing date it can be done at that time. County Clerk Debbie Eco read the Ordinance for record. They will take action after the City takes action. The City passed their motion to work alongside County Council to pursue an advisory vote for the August 2021 primary election on the proposed annexation and receive legal counsel on how best to proceed. Snohomish County Council passed their motion to move their ordinance 2021-005 to a Council committee of the whole to consider a future hearing date. Commissioner Lorentzen called for a motion on tabling Resolution No. 996. Commissioner Kosche moved to approve to continue deliberations on Resolution No. 996 to coincide with the City and County partners. Commissioner Stevenson seconded the Motion. The Motion passed unanimously. Mayor Gailey noted the public hearing is complete and welcomed the discussion and thoughts put into this process.

3. CONCLUDE – Commissioner Lorentzen concluded the meeting at 8:18 PM with no action taken.

Signed in a regular open public meeting this 25th day of March 2021





Dan Lorentzen, President and Commissioner



Jennifer Stevenson, Commissioner



Kevin Kosche, Secretary and Commissioner

LAKE STEVENS SEWER DISTRICT

MEETING DATE: 3-9-21

TYPE: Culley Council Mtg.

VISITOR SIGN-IN

If you would like to address the Board of Commissioners, it will be necessary for you to sign in. Thank you.

Print Name	Signature	Address	Phone	Purpose