

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JUNE 03, 2010

MEMBERS PRESENT:

Lon Kellstrom Mayor
Bill Merrill Council President
Sharlene Weed Councilor
Pat Thompson Councilor
Jerry Bogart Councilor

GUESTS:

Adam Sussman GSI Water Solutions
Danielle MacBain GSI Water Solutions

STAFF PRESENT:

Eileen Stein City Manager
Eric Porter Community Devel Director
Brad Grimm PW Director
Laura Lehman Associate Planner
Paul Bertagna PW Project Coordinator
Lynne Fujita-Conrads Acct. Analyst
Kathy Nelson City Recorder

ABSENT:

Lisa Young Finance Director

The meeting was called to order by Mayor Kellstrom at 8:00 a.m.

1. Whychus Creek Restoration and Management Plan: Comprehensive Plan Amendment

Associate Planner Laura Lehman provided background information on how the creation of the Whychus Creek Restoration and Management (WCRM) Plan began with the partnership of the City and Upper Deschutes Watershed Council (UDWC). She reported the plan was completed in June 2009 with an overall objective to develop restoration, management and policy-level actions to protect properties all the while restoring the proper functioning of the creek. She stated that running parallel to the creation of the plan, the Central Oregon Intergovernmental Council (COIC) contracted with ICF Jones and Stokes to perform an Endangered Species Act (ESA) risk assessment to evaluate the City's liability under the ESA as a result of the reintroduction of steelhead. She stated both the risk assessment and WCRM Plan recommend amendments to the Comprehensive Plan and Development Code. She explained that amending the Comprehensive Plan would be the first step toward future Development Code amendments.

Councilor Thompson voiced his concern with unintended consequences if the WCRM Plan was adopted in whole without the Council reviewing it in its entirety. **Community Development Director Porter** explained that a lot of the plan was written to protect the City from liability. **Planner Lehman** added that the City already follows many of the recommendations from the plan but noted there are legal advantages to having an adopted plan. She stated the plan is only 60 pages and would be easy for the Council to review. **Councilor Thompson** asked if the plan was written just for the city of Sisters and **Planner Lehman** replied it was written for a four mile stretch of Whychus Creek that runs through the center of the city as well as either side of the city.

Manager Stein explained UDWC looked to where the City of Sisters might put in some type of project to mitigate for where the constrained areas of the creek are, identifying that portion that runs through Creekside Park and the Overnight Park as a possible location. **Manager Stein** stated

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adoption of the Plan and Comprehensive Plan amendments would set Council policy regarding protection of the creek and Planner Lehman added it suggests the Council will take action in the future.

Councilor Merrill stated the Comprehensive Plan is a 20 year plan and adopting the WCRM Plan does not mean the City will need to take immediate steps. He stated he was comfortable adopting the Plan as a first step. **Manager Stein** stated adoption of the Plan would be the logical next step consistent with the investment the City has made so far. **Planner Lehman** explained that staff was merely looking for the direction the Council would like to take in what is presented to the Planning Commission. She stated any decisions on the Plan would come back to the Council. **Director Porter** added the matter would also be presented in a workshop after the Planning Commission made recommendations before any final decision on whether to adopt the Plan was made by the Council.

Councilor Thompson stated in his opinion UDWC's contracting practices were a roadblock and he would not want to partner with the organization. **Director Porter** stated it was UDWC intent to act as a neutral partner with the City.

The **Council** and staff discussed the potential for the City to be held liable under ESA and litigation that could occur if the City is perceived as not addressing its responsibilities. The **Council** directed staff to move forward with adoption of the Plan that will provide goals and objectives for the management and restoration of the Whychus Creek corridor but will not require any new development standards for landowners or the City. After examination by the Planning Commission the Plan would come to the Council for review. **Planner Lehman** noted any changes to the Development Code would require public input and that there would be several opportunities in the process to do so.

2. 2010 Water Management Conservation Plan

Manager Stein acknowledged the excellent work by Public Works Project Coordinator Paul Bertagna and Accounting Analyst Lynne Fujita-Conrads in providing the data necessary to prepare the 2010 Water Management and Conservation Plan (WMCP).

Manager Stein introduced Adam Sussman and Danielle MacBain of GSI Water Solutions, Inc., the City's water rights consultants. Mr. Sussman began his presentation by explaining the City's requirement to develop a WMCP was a regulatory requirement in 1999 for the water rights associated with Well #2 and half of Well #1. He stated it demonstrates to the State that water is being used wisely and demonstrates the City's need for new water rights. He described how the plan was created by building upon the existing plan. He stated the plans are required to be updated every ten years and the City's plan must be submitted by July 2010 after the City received a one year extension in 2009.

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Ms. MacBain provided information on water use characteristics comparing residential use in Sisters to surrounding cities, by customer category, and by seasonal consumption and indoor versus outdoor consumption for customer categories. She noted that Sisters' typically larger lot sizes than surrounding communities and seasonal residents all affect water use. She reported that 61% of the city's annual demand occurs between June and September with the remaining 39% demand spread over the other eight months.

Mr. Sussman stated that conservation programs are required by the State for all municipalities and come with a very prescriptive list of rules. He detailed the compulsory conservation programs noting that Sisters employs many conservation measures already. He discussed conservation measures the City could target as a five year benchmark. He stated a tiered water utility rate structure will help emphasize water use to residents and allows for each individual to make a choice relative to water use.

Mr. Sussman summarized the four stages of the curtailment plan and the actions associated with each stage. **Manager Stein** suggested the Council adopt the four stages by ordinance to provide the City the ability to enforce measures as needed. **Mr. Sussman** discussed the next steps in the process explaining a copy of the draft WMCP would be submitted to Deschutes County for comment. He stated the City would then address any relevant comments from Deschutes County before submitting the final draft to the Oregon Water Resources Department (OWRD). He stated addressing any concerns raised by the OWRD would be the final step prior to Council adoption by of the plan.

Councilor Bogart asked whether the City had ever reached its 80% of authorized use in the past. **Project Coordinator Bertagna** replied it had occurred one July a few years ago when one of the city wells went down.

Mayor Kellstrom thanked Mr. Sussman and Ms. MacBain for attending the workshop.

3. Preview 06/10/10 Meeting Agenda

Manager Stein provided an overview of the upcoming workshop and regular Council meeting. She suggested moving some of the resolutions related to the budget to the consent agenda portion of the meeting. She added that some liquor license endorsements could also be moved to the consent agenda, noting that if there was an issue such as an applications not being recommended by the Sheriff's Department after a background check, that item would be moved to council business. The **Council** agreed to the change

4. City Manager Update

Manager Stein stated a summary sheet of community grants the Council has awarded from the previous four years was included in the meeting packet as well as the community grant criteria the

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Council adopted in February. She explained she had included the information after the discussion at the last regular meeting concerning a request from Habitat for Humanity for \$500 towards a 4th of July community picnic.

Councilor Weed stated she would not participate in the discussion due to a direct conflict of interest.

Councilor Merrill stated he had requested the information be included in the packet after a conversation he'd had with Cindy Rainey, a Habitat for Humanity volunteer heading up the 4th of July event. He suggested the Council waive the \$150 special event fees that would normally be charged and award a \$350 community grant. He stated the City should not be a sponsor as that would add a different implication to the grant award. **Councilor Thompson** stated he agreed that the City should not be a sponsor and **Councilor Bogart** offered the opinion that the City should help sponsor the event as it will hopefully become an annual community occurrence. **Mayor Kellstrom** stated it appeared there was sufficient information for the Council to make its decision regarding the request at the June 10th meeting.

Manager Stein reported she had discussed the possibility of a summer recess for the Council with Mayor Kellstrom and Council President Merrill. She stated they had a favorable response to the idea and she was interested in how other Council members felt about the possibility. **Manager Stein** stated the agenda calendar could be managed to accommodate such a recess and it would provide the Council with a break from meetings while affording staff an opportunity to catch up on other projects. She explained that in other cities where a recess is taken, the Council gives the City Manager the authority to conduct business on behalf of the City such as approving invoices. Alternatively, a short Council meeting could be scheduled the beginning of August for the purpose of approving invoices. She recommended a break between July 29th (a fifth Thursday) and August 26th with the first meeting after the recess being September 2nd. The **Council** discussed the options and agreed to the recess, without any workshops or meetings unless such a need arose.

Manager Stein distributed a handout from the League of Oregon Cities (LOC) on legislative priorities for the 2011 session. She reported the LOC is requesting that each member city identify its three top legislative priorities from a list of several created by policy committees that met earlier in the year. She invited the councilors to participate by indicating their priorities and stated the information would be compiled by staff and a consolidated 'vote' forwarded to the LOC.

Manager Stein reported on her recent conversation with County Administrator Dave Kanner who informed her that the County plans to continue staffing the Sisters Recycling Center after all. She stated the county budget does not contain funds for hauling the material. She will follow up with the County to explore the options for continuing to operate the facility in some manner.

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Councilor Weed asked for clarification on what types of fireworks products are allowed within city limits. **Manager Stein** replied she would speak with City Attorney Bryant to get clarification on the City's ordinance regarding what types of fireworks would be legal.

Councilor Weed suggested the City conduct a community meeting for citizens interested in running for City Council in the November election. She stated current council members could answer questions and provide insight to allow potential candidates know what is involved. **Manager Stein** stated staff would schedule the informational meeting when election materials become available.

The meeting was adjourned at 9:47 a.m.

Respectfully submitted,

Kathy Nelson, City Recorder

Lon Kellstrom, Mayor