

Mayor Lee Webster called the Special Meeting to order at 12:00 p.m. Council Members present were John Scheller, Kris Dawson and Art Smyth. Council Member Fateley and Council Member Smith were absent. A quorum was present. Also present were City Clerk Misty Ruiz, Deputy Clerk Desha Dawson and Public Works Director JD Smith.

KING COUNTY BIOSOLIDS CONTRACT:

Public Works Director Smith presented the Council Members present with the King County Biosolids Contract for the City of Brewster. This contract was reviewed by City Attorneys at Ogden, Murphy, Wallace.

MOTION: Council Member Smyth made the motion to approve the King County Biosolids Contract. Council Member Scheller seconded the motion and the motion passed with all in favor.

DOE WATER RIGHTS:

Public Works Director Smith reviewed email correspondence between himself and Eiko Urmos-Berry of the WA Department of Ecology regarding the City of Brewster Water Rights application. Public Works Director Smith stated that based on Council's input, the City has not decided whether or not to pursue having our water rights application processed at this time. This would mean the City would "shelf" their allotted amount to be exercised at a later date. Public Works Director Smith stated that if we cannot show a demand, or cannot pay for any amount we request, we will need to shelve our application. It is his understanding, from the DOE, that we will be able to do so without losing our water rights or our "place in line" should the demand become available. Council Member Scheller asked if this was guaranteed. Public Works Director Smith stated he is not sure of the definite answer on that.

The issue is, if we request all of any of our water rights, we will need to show a demand for it and pay for what we have requested – ie: if we request 200 acre feet, we will pay \$40 per acre/ft with a total cost to the City being \$8000. If we don't request any – we don't pay for it and the application gets "shelved". However, the only problem with shelving them all means there is no guarantee it will be there when we need them, as Scheller questioned prior. Public Works Director Smith is concerned that if we request a portion of our water rights, are granted the request and we cannot show demand for it – we may be in trouble – particularly if we cannot pay for it.

The question was raised regarding the proposed Gamble Ranch Resort. If this development is to go in, and we agree to provide water to this development and we are not able to get it – what happens then? Dave Freels (Council Member Elect 2012) stated as he understands anyone with property/development outside the City limits will need to pay for the water rights if water service is requested. Mayor Webster stated that the City currently has an ordinance stating anyone requesting the City provide water for their project(s) or developments either has to bring water to the table, or pay for the rights. Public Works Director Smith stated this is correct.

Council Member Dawson is against "shelving" our water rights at this time. Public Works Director Smith asked how much she is thinking the City should request. Dawson was unsure of the amount. Mayor Webster stated he is not in favor of paying for "potential" use – as we have no firm indications that any developments – ie: Gamble Ranch Resort – will happen and when. Mayor Webster stated he would rather shelf our rights at this time and if a sudden demand for the water becomes an issue, we can buy them outright rather than pay \$40K a year for something we may not have an immediate demand for. Scheller stated at this point and time, as much as he does not want to do so, he believes it will be in the best interest of the City to shelve our current rights with the hope that the DOE keeps their word that they will be available at a later date and we will not lose our place in line (so to speak). Public

Works Director Smith stated he will contact Ms. Urmos-Berry to confirm this. It was also recommended that Council regularly review our water needs at 6 month intervals, or less.

MOTION: Council Member Scheller made the motion to “shelve” our 1,000 acre feet of Water Rights with the DOE with the hope that the DOE keeps their word that the current water rights will be available for our use in the future with bi-annual review of our water rights and water needs. Council Member Smyth seconded the motion and the motion passed with all in favor.

ADJOURNMENT

With there being no further business to come before the Council regarding the Special Meeting was adjourned at 12:32 p.m.

Mayor Lee Webster

ATTEST:

City Clerk/Treasurer Misty Ruiz