

ITEMS DISCUSSED

1. EXECUTIVE SESSION: CURRENT LITIGATION (RCW 42.30.110(1)(i)), PROPERTY ACQUISITION (RCW 42.30.110(1)(b))
2. CALL TO ORDER/ROLL CALL/ PLEDGE OF ALLEGIANCE
3. ACCEPTANCE OR MODIFICATION OF AGENDA/CONFLICT OF INTEREST DISCLOSURE
4. PUBLIC COMMENT
5. CITY MANAGER'S REPORT
6. PRESENTATION
 - A. FRIENDS OF THE FARMS (CAPITAL/MANAGEMENT PLAN FOR CITY FARMLAND), AB 14-059 – EXECUTIVE
7. UNFINISHED BUSINESS
 - A. FLETCHER LANDING ROAD-END IMPROVEMENT DESIGN, PROFESSIONAL SERVICES AGREEMENT, AB 14-173 – PUBLIC WORKS
 - B. POTENTIAL AMENDMENT TO THE AQUACULTURE REGULATIONS OF THE SHORELINE MASTER PROGRAM [ADDED]
 - C. SOCIAL MEDIA ADMINISTRATIVE POLICY [ADDED]
8. CLOSED RECORD PUBLIC MEETING
 - A. RESOLUTION NO. 2014-24, GROW COMMUNITY PHASE II FINAL SUBDIVISION (SUB13551B), AB 12-125 – PLANNING
9. PUBLIC HEARINGS
 - A. RESOLUTION NO. 2014-25, GROW COMMUNITY PHASE I FINAL SUBDIVISION AMENDMENT II (SUBA13551B) AND BOUNDARY LINE ADJUSTMENT III (BLA13551C), AB 12-125 – PLANNING
 - B. ORDINANCE NO. 2014-38, MODIFYING BAINBRIDGE ISLAND MUNICIPAL CODE CHAPTER 15.18, LAND CLEARING, AB 14-143 – PLANNING
10. NEW BUSINESS
 - A. HARBOR COMMISSION APPOINTMENTS, AB 14-199 – MAYOR BLAIR
 - B. KITSAP REGIONAL COORDINATING COUNCIL (KRCC) TRANSPOL AND PUGET SOUND REGIONAL COUNCIL (PSRC) TRANSPORTATION POLICY BOARD APPOINTMENTS, AB 14-201 – MAYOR BLAIR
 - C. PROCESS FOR FILLING CITY COUNCIL POSITION #4, CENTRAL WARD VACANCY, AB 14-202
 - D. ELECTION OF DEPUTY MAYOR FOR JANUARY THROUGH MARCH, 2015 – CITY COUNCIL
11. CONSENT AGENDA
 - A. ACCOUNTS PAYABLE VOUCHERS AND PAYROLL APPROVAL
 - B. SPECIAL/REGULAR BUSINESS MEETING MINUTES, OCTOBER 28, 2014
 - C. SPECIAL/REGULAR STUDY SESSION MEETING MINUTES, NOVEMBER 4, 2014
 - D. RESCHEDULED SPECIAL/REGULAR BUSINESS MEETING MINUTES, NOVEMBER 10, 2014
 - E. SPECIAL/REGULAR STUDY SESSION MEETING MINUTES, NOVEMBER 18, 2014
 - F. SPECIAL MEETING MINUTES, NOVEMBER 22, 2014
 - G. ORDINANCE NO. 2014-42, RELATING TO SEWER CONNECTION REQUIREMENTS AND AMENDING BAINBRIDGE ISLAND MUNICIPAL CODE SECTION 13.12.010, AB 14-197 – PUBLIC WORKS
 - H. ORDINANCE NO. 2014-43, FINAL 2014 BUDGET ADJUSTMENTS, AB 14-064 – FINANCE
 - I. GENERAL SEWER PLAN, PROFESSIONAL SERVICES AGREEMENT AMENDMENT NO. 1 EXTENSION, AB 12-108 – PLANNING
 - J. HPO ORGANIZATIONAL LEADERSHIP STATEMENTS, AB 14-190 – EXECUTIVE
 - K. ANNUAL CONTRACT RENEWALS, AB 14-196 – EXECUTIVE
 1. KITSAP HUMANE SOCIETY INTERLOCAL AGREEMENT
 2. KITSAP COUNTY PROSECUTOR'S OFFICE PROFESSIONAL SERVICES AGREEMENT
 3. PUBLIC DEFENDER SERVICES CONTRACT, THOM ALPAUGH
 4. COMMUNITY SERVICES AGREEMENTS – HELPLINE HOUSE, BAINBRIDGE YOUTH SERVICES, HOUSING RESOURCES BOARD
 5. UDO WALK CONCESSION AGREEMENT
12. COMMITTEE REPORTS
13. REVIEW UPCOMING COUNCIL MEETING AGENDAS
14. FOR THE GOOD OF THE ORDER
15. ADJOURNMENT

1. EXECUTIVE SESSION: CURRENT AND POTENTIAL LITIGATION (RCW 42.30.110(1)(i)) 5:59 PM

At 5:59 PM, Mayor Blair recessed the December 9, 2014 meeting to an executive session with Councilmembers Blossom, Bonkowski, Roth, Tollefson, Townsend, and legal counsel to discuss current and potential litigation in the Planning Conference Room. The recording system was turned off and the door to Council Chambers was posted. No action was taken.

2. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE 6:59 PM

Mayor Blair called the meeting to order at 6:59 PM with aforementioned Councilmembers present. No action was taken during executive session. City Clerk Lassoff monitored the recording of the meeting and prepared the minutes. Everyone stood for the Pledge of Allegiance.

3. ACCEPTANCE OR MODIFICATION OF AGENDA/CONFLICT OF INTEREST DISCLOSURE 6:59 PM

Councilmember Tollefson requested a discussion concerning possible changes to the agricultural regulation portion of the Shoreline Master Program be added under unfinished business. The topic was added as Item 7B. Councilmember Blossom requested a brief discussion regarding social media administrative policies. The topic was added under unfinished business as item 7C. She also asked that Council discuss Tree Committee membership.

***MOTION:** I move to approve the agenda with the changes as prescribed – first a consideration of an amendment to the SMP and second administrative policies regarding social media.*

***ROTH/TOLLEFSON**– Motion carried 6-0.*

There were no conflicts of interest disclosed.

4. PUBLIC COMMENT 7:02 PM

No public comment was offered.

5. CITY MANAGER'S REPORT 7:03 PM

City Manager Schulze provided his weekly report.

6. PRESENTATION

**A. FRIENDS OF THE FARMS (CAPITAL/MANAGEMENT PLAN FOR CITY FARMLAND), AB 14-059
– EXECUTIVE 7:08 PM**

Deputy City Manager Smith gave a brief introduction. She clarified the only changes being proposed was to Exhibit D and that no changes were proposed for the master lease. Executive Director Tyner reviewed the current and proposed revisions to Exhibit D, which included the following capital projects and management tasks: Suyematsu Barn, Morales commercial greenhouse, farm structure maintenance and improvements as well as planning and legal issues (develop comprehensive farm plan for City-owned agricultural lands).

7. UNFINISHED BUSINESS

**A. FLETCHER LANDING ROAD-END IMPROVEMENT DESIGN, PROFESSIONAL SERVICES
AGREEMENT, AB 14-173 – PUBLIC WORKS 7:19 PM**

Deputy City Manager Smith explained staff spoke with Council in October about the project and received direction to proceed with some key features that the Road Ends Advisory Committee had worked on for a number of years. She noted the long history behind the project and explained staff was aiming to begin construction during next year's fish window which is somewhat of an aggressive timeline given permitting requirements. Project Manager Epstein explained that the timing of the project was critical and that staff hoped to complete construction during the applicable fish window this summer. He noted the four tasks associated with the agreement included additional survey, utility and geotechnical assessments, preparation of plans, specifications and estimates, site visits during construction and permit and environmental/habitat services as needed.

Councilmember Bonkowski understood the expected construction cost was \$70,000 so the total package would be approximately \$115,000 which was coming out of the \$150,000 budgeted for Road Ends. Mayor Blair was interested in their qualifications and whether there were many applicants to which Project Manager Epstein the City received one.

7:26 PM

***MOTION:** I move the City Council approve the Professional Services Agreement with AECOM Technical Services, Inc. in the amount of \$43,233.51 for the Fletcher Landing Road-End Improvement design and authorize the City Manager to execute the Agreement.*

***BONKOWSKI/BLOSSOM** – Motion carried, 6-0.*

B. POTENTIAL AMENDMENT TO THE AQUACULTURE REGULATIONS OF THE SHORELINE MASTER PROGRAM [ADDED] 7:26 PM

Councilmember Tollefson indicated that last year the Council approved a version of the Shoreline Master Program that included certain aquaculture elements which were rejected by the Department of Ecology and alternative language was proposed. He explained the Council adopted the Department of Ecology's requested language essentially because they were under the gun to get a SMP in place in order to apply for some funding for another project. He explained a recent appeal of the aquaculture regulations has been filed and that the Council, he believed, would like to be in the position of being on record of having adopted what Council really believed in instead of what was forced on them.

7:28 PM ***MOTION:** I would like to propose a motion that Council direct the planning and community development department to prepare amendment of our aquaculture regulation portion of the Shoreline Master Program consist with what we originally adopted and present that amendment or proposed amendment to the Planning Commission.*
***TOLLEFSON/BONKOWSKI** – Motion carried, 6-0.*

Councilmember Bonkowski thought it would be appropriate to have the city manager staff lay out a timeline for how that process would work. City Manager Schulze replied he would work with Planning Director Cook.

C. SOCIAL MEDIA ADMINISTRATIVE POLICY [ADDED] 7:30 PM

City Manager Schulze explained how he was using Facebook to post information.

8. CLOSED RECORD PUBLIC MEETING 7:34 PM

A. RESOLUTION NO. 2014-24, GROW COMMUNITY PHASE II FINAL SUBDIVISION (SUB13551B), AB 12-125 – PLANNING 7:34 PM

City Attorney Marshall referred to rules regarding closed record public meeting procedures. Associate Planner Beckmann gave a brief presentation and fielded questions.

***MOTION:** I move that the City Council adopt Resolution No. 2014-24, including findings of fact and conclusions of law, approving the final Plat of Grow Community II Subdivision.*
***BLOSSOM/BONKOWSKI** – Motion carried, 6-0.*

9. PUBLIC HEARINGS

A. RESOLUTION NO. 2014-25, GROW COMMUNITY PHASE I FINAL SUBDIVISION AMENDMENT II (SUBA13551B) AND BOUNDARY LINE ADJUSTMENT III (BLA13551C), AB 12-125 – PLANNING 7:43 PM

Associate Planner Beckmann illustrated what was approved under the first subdivision amendment as well as what was being proposed under the second amendment. Councilmember Tollefson asked whether the space between lots 20 and 21 become open space to which Associate Planner Beckmann replied it did not but actually goes to lot 20.

Mayor Blair opened the public hearing at 7:48 PM.

Charles Schmid, 10677 Manitou Park Boulevard, commented on the great job done by staff and the architects on the project.

Mayor Blair closed the public hearing at 7:49 PM.

***MOTION:** I move the City Council adopt Resolution No. 2014-25 including findings of fact and conclusions of law approving the second amendment of the Plat of the Grow Community I single and multi-family subdivision.*
***BONKOWSKI/ROTH** – Motion carried 6-0.*

B. ORDINANCE NO. 2014-38, MODIFYING BAINBRIDGE ISLAND MUNICIPAL CODE CHAPTER 15.18, LAND CLEARING, AB 14-143 – PLANNING 7:50 PM

Special Project Planner Sutton explained the Tree Ordinance Ad Hoc Committee proposed to establish an after-the-fact clearing permit for previously unauthorized clearing as well as establishing a fee to discourage repeat offenders. Councilmember Townsend noted you could not get an after-the-fact permit unless you could have gotten a before-the-fact permit. She explained two other proposed changes include promoting preservation of existing tree canopy in the Downtown Mixed Use Town Center and High School Road Zoning Districts by lowering the threshold for what qualifies as a significant tree to 8 inches, requiring a clearing permit to remove any significant trees as well as creating criteria, strict review and scrutiny over tree removal requests.

Also discussed were revisions related to tree removal determined by a qualified professional the recording of and easement or covenant to maintain view access before removal, fees and the establishment of a tree bank. Following brief comments, Mayor Blair opened the public hearing.

Ron Peltier read a passage from the Economic Element of the Comprehensive Plan. He thought the City needed to go a little bit further in recognizing the desire to maintain the environmental quality of the island.

Charles Schmid, Association of Bainbridge Communities, commented on the benefits of trees.

Olaf Ribiero, 10744 Manitou Beach Drive, thanked the Ad Hoc Committee for their work. He suggested "board feet" be explained in layman's terms, adding buffer language related to adjacent property tree clearing and the establishment of a tree bank.

Nichols Daluso, 7151 Blue Sky Lane, wanted to make sure it is clear who has the discretion to make these decisions.

Mayor Blair closed the public hearing at 8:20 PM.

There was a brief discussion regarding replanting requirements, preserving and protecting the environment, tree ratio, tree bank and proposed replanting language. There was no action taken. The item will come back to a future meeting.

10. NEW BUSINESS

A. HARBOR COMMISSION APPOINTMENTS, AB 14-199 – MAYOR BLAIR 8:34 PM

***MOTION:** I move that the City Council confirm the appointment of Samantha Everett to the Harbor Commission, Position 1, for a three-year term expiring June 30, 2017.
BONKOWSKI/ROTH – Motion carried 6-0.*

***MOTION:** I move that the City Council confirm the appointment of John Brownlow to the Harbor Commission, Position 2, for a three-year term expiring June 30, 2017.
BONKOWSKI/ROTH – Motion carried 6-0.*

***MOTION:** I move that the City Council approve Harbor Commissioner Davis' request to change her position from Position 6 to Position 4 expiring June 20, 2015.
BONKOWSKI/ROTH – Motion carried 6-0.*

***MOTION:** I move that the City Council confirm the appointment of Frank Ostrander to the Harbor Commission, Position 6, for a three-year term expiring June 30, 2016.
BONKOWSKI/ROTH – Motion carried 6-0.*

B. KITSAP REGIONAL COORDINATING COUNCIL (KRCC) TRANSPOL AND PUGET SOUND REGIONAL COUNCIL (PSRC) TRANSPORTATION POLICY BOARD APPOINTMENTS, AB 14-201 – MAYOR BLAIR 8:38 PM

***MOTION:** I recommend to the KRCC that Councilmember Steve Bonkowski continue on the KRCC TRANSPOL and the Puget Sound Regional Council Transportation Policy Board, Operations Committee (alternate) and Executive Committee (alternate).
TOLLEFSON/ROTH: Motion carried 6-0.*

***MOTION:** Confirm that Councilmember Roth will sit as the second person on the KRCC Executive Board.
BLAIR/ : Motion carried 6-0.*

Mayor Blair suggested asking the incoming Councilmember whether they would be interested in serving as the KRCC alternate. Councilmember Bonkowski said it should also be recommended that Councilmember Tollefson continue on KRCC TRANSPOL as well.

C. PROCESS FOR FILLING CITY COUNCIL POSITION #4, CENTRAL WARD VACANCY, AB 14-202 8:43 PM

City Manager Schulze indicated as a result of the recent announcement of Councilmember Ward's resignation, the Council is required to fill the position by appointment until the next general election. He noted the process, as established in the RCW, does not give a whole lot of direction in terms of how other than by majority vote. He pointed out if the Council failed to appoint someone within 90 days they actually lose that authority and it goes to the County Council and then the Governor.

He outlined the process and packet materials. Mayor Blair noted an Ad Hoc Subcommittee could be formed if more than five applications were received and shared the process.

8:54 PM **MOTION:** *I move the City Council approve the proposed timeline, application and interview questions, application screening process and interview process for filling vacant Council Position #4.*
ROTH/BONKOWSKI – Motion carried 6-0.

There was Council consensus to form a Screening Ad Hoc Committee, if necessary, consisting of Mayor Blair, Deputy Mayor Roth and Councilmember Blossom.

D. ELECTION OF DEPUTY MAYOR FOR JANUARY THROUGH JUNE, 2015 – CITY COUNCIL 8:55 PM

MOTION: *I would like to nominate Roger Townsend as Deputy Mayor for the term January 1 through March 31, a three-month term.*
ROTH/BLOSSOM – Motion carried, 5-1 with Councilmember Townsend abstaining.

11. CONSENT AGENDA 8:57 PM

A. ACCOUNTS PAYABLE VOUCHERS AND PAYROLL APPROVAL

Accounts Payable ACH Check Numbers 164 and 166, EFT Check Number 165, 6 LTGO ACH's, Manual Check Numbers 337296-337297 and Regular Run Check Numbers 337298-337365 for a total of \$2,425,515.54. Payroll Direct Deposit Check Numbers 031818-031925, Regular Run Check Numbers 106896-106900, Vendor Check Numbers 106901-106914 and Federal Tax Electronic Transfer for a total of \$603,071.85.

B. SPECIAL/REGULAR BUSINESS MEETING MINUTES, OCTOBER 28, 2014

C. SPECIAL/REGULAR STUDY SESSION MEETING MINUTES, NOVEMBER 4, 2014

D. RESCHEDULED SPECIAL/REGULAR BUSINESS MEETING MINUTES, NOVEMBER 10, 2014

E. SPECIAL/REGULAR STUDY SESSION MEETING MINUTES, NOVEMBER 18, 2014

F. SPECIAL MEETING MINUTES, NOVEMBER 22, 2014

G. ORDINANCE NO. 2014-42, RELATING TO SEWER CONNECTION REQUIREMENTS AND AMENDING BAINBRIDGE ISLAND MUNICIPAL CODE SECTION 13.12.010, AB 14-197 – PUBLIC WORKS

H. ORDINANCE NO. 2014-43, FINAL 2014 BUDGET ADJUSTMENTS, AB 14-064 – FINANCE

I. GENERAL SEWER PLAN, PROFESSIONAL SERVICES AGREEMENT AMENDMENT NO. 1 EXTENSION, AB 12-108 – PLANNING

J. HPO ORGANIZATIONAL LEADERSHIP STATEMENTS, AB 14-190 – EXECUTIVE

K. ANNUAL CONTRACT RENEWALS, AB 14-196 – EXECUTIVE

1. KITSAP HUMANE SOCIETY INTERLOCAL AGREEMENT

2. KITSAP COUNTY PROSECUTOR'S OFFICE PROFESSIONAL SERVICES AGREEMENT

3. PUBLIC DEFENDER SERVICES CONTRACT, THOM ALPAUGH

4. COMMUNITY SERVICES AGREEMENTS – HELPLINE HOUSE, BAINBRIDGE YOUTH SERVICES, HOUSING RESOURCES BOARD

5. UDO WALK CONCESSION AGREEMENT

MOTION: *I move the City Council approve consent agenda items A through K as outlined in the agenda bill.*

TOLLEFSON/BONKOWSKI – Motion carried 6-0.

12. COMMITTEE REPORTS 8:59 PM

There was a brief discussion regarding the various ad hoc and liaison positions previously held by former Councilmember Ward. Mayor Blair shared her interest in getting involved with the Suzuki Task Force. She will also contact the Utility Advisory Committee chair to confirm their meeting date.

13. REVIEW UPCOMING COUNCIL MEETING AGENDAS 9:02 PM

City Manager Schulze indicated the last meeting will be held on December 16 for the purpose of conducting his performance review.

14. FOR THE GOOD OF THE ORDER

None was offered.

15. ADJOURNMENT 9:08 PM

The December 9, 2014 business meeting adjourned at 9:08 PM.



Anne S. Blair, Mayor



Rosalind D. Lassoff, City Clerk