

ISSUES DISCUSSED

1. EXECUTIVE SESSION: POTENTIAL LITIGATION (RCW 42.30.110(1)(I))
2. CALL TO ORDER / ROLL CALL
3. ACCEPTANCE OR MODIFICATION OF AGENDA / CONFLICT OF INTEREST DISCLOSURE
4. CITY MANAGER'S REPORT: COMPREHENSIVE PLAN/NAVIGATE BAINBRIDGE UPDATE
5. PRESENTATION
 - A. STREAM TYPING/FISH BARRIER INVENTORY, AB 15-029 – PUBLIC WORKS
 - B. KITSAP REGIONAL COORDINATING COUNCIL INTERLOCAL AGREEMENTS, AB 15-034 – MAYOR BLAIR
6. STAFF INTENSIVE
 - A. WATER QUALITY FLOW MONITORING PROGRAM FLOW STATION RETROFIT/UPGRADE, AB 15-030 – PUBLIC WORKS
 - B. ELECTRIC VEHICLE CHARGING STATION, AB 15-031 – PUBLIC WORKS
 - C. COMCAST FRANCHISE NEGOTIATIONS, PROFESSIONAL SERVICES AGREEMENT, AB 15-033 – EXECUTIVE
7. COUNCIL DISCUSSION
 - A. HOUSING RESOURCES BAINBRIDGE FUNDING REQUEST, AB 15-032 – COUNCIL
 - B. LODGING TAX ADVISORY COMMITTEE RECOMMENDATIONS FOR 2015 AWARDS, AB 14-020 – LTAC CHAIR BLOSSOM
8. COMMITTEE REPORTS
9. REVIEW UPCOMING COUNCIL MEETING AGENDAS
10. FOR THE GOOD OF THE ORDER
11. ADJOURNMENT

1. EXECUTIVE SESSION: POTENTIAL LITIGATION (RCW 42.30.110(1)(I)) 6:30 PM

Mayor Blair called an executive session to order at 6:30 p.m. with Councilmembers Blossom, Bonkowski, Roth, Scott and City Attorney Marshall to discuss Potential Litigation (RCW 42.30.110(1)(I)) in the Planning Conference Room. The recording system was turned off and a notice was posted on the door to the Council Chamber. The executive session adjourned at 7:00 p.m. No action was taken.

2. CALL TO ORDER / ROLL CALL 7:01 PM

Mayor Blair called the meeting to order at 7:01 p.m. with Councilmembers Blossom, Bonkowski, Roth and Scott present. Councilmembers Tollefson and Townsend were absent and excused. Records Management Coordinator Jahraus monitored the recording of the meeting and prepared the minutes.

3. ACCEPTANCE OR MODIFICATION OF AGENDA / CONFLICT OF INTEREST DISCLOSURE 7:02 PM

***MOTION:** I move to accept the agenda as presented.*

***BONKOWSKI/ROTH:** The motion carried 5-0.*

4. CITY MANAGER'S REPORT: COMPREHENSIVE PLAN/NAVIGATE BAINBRIDGE UPDATE 7:03 PM

City Manager Schulze remarked on legislation pertinent to Bainbridge Island; HB1850 relating to improving the efficiency of conducting certain department of transportation actions by exempting those actions from obtaining local reviews or permits under the shoreline management act.

HB 1461 revises numerous regulatory provisions regarding recreational and medical marijuana, including those pertaining to: excise taxes and exemptions; the allocation of revenues derived from excise tax proceeds and the siting of recreational marijuana businesses.

City Manager Schulze also shared that he walked up and down Winslow Way inviting business owners to the visioning/listening sessions pertaining to the Comprehensive Plan Update.

5. PRESENTATION 7:08 PM

A. STREAM TYPING/FISH BARRIER INVENTORY, AB 15-029 – PUBLIC WORKS

Jamie Glasgow with Wild Fish Conservancy and Justin Zweifel with the Department of Fish and Wildlife updated the City Council on recent stream typing and fish barrier inventory results of streams on Bainbridge Island.

Public Comment

Robert Dashiell, Tolo Road, looks forward to new maps with more thorough definitions of the fish in the habitats.

B. KITSAP REGIONAL COORDINATING COUNCIL INTERLOCAL AGREEMENTS, AB 15-034

– MAYOR BLAIR 7:39 PM

Mary McClure explained that the organizational restructuring and long-term sustainability of Kitsap Regional Coordinating Council has been under discussion for over a year. Pending development of inter-jurisdictional Interlocal Agreements (ILAs), COBI representatives to the KRCC Executive Board Blair and Bonkowski described the preliminary restructuring plans and discussed proposed ILAs.

***MOTION:** I move to forward one Interlocal Agreement associated with the KRCC restructure and two Interlocal Agreements related to transfer of the Housing Grants Programs with Kitsap County to the consent agenda for February 24, 2015.*

***BONKOWSKI/ROTH:** The motion carried 5-0.*

6. STAFF INTENSIVE 8:16 PM

A. WATER QUALITY FLOW MONITORING PROGRAM FLOW STATION RETROFIT/UPGRADE, AB 15-030 – PUBLIC WORKS

Public Works Director Loveless introduced the information-only agenda item. Since 2010, the City has been improving the flow sensing technology at the City's automated flow monitoring stations in order to minimize station downtime (data loss) and improve efficiency and quality.

Currently, two improved stations have the same capabilities and equipment and utilize similar techniques for flow measurement and water quality data acquisition. However, the remaining stations utilize older equipment and techniques and have dissimilar capabilities. This difference in equipment, techniques and capabilities creates challenges for data acquisition, post-processing, and management; equipment maintenance; and overall general operations, particularly during automated targeted storm event sampling.

Improvements outlined in the scope of work will enhance and streamline data acquisition, processing and management all while increasing efficiency and, ultimately, reducing labor and maintenance costs.

This scope of work also includes routine annual weather station maintenance tasks and provides for on-call, only-as-needed, trouble-shooting technical assistance.

A professional services agreement with Cardno Tech in the amount of \$21,181.36 (within the City Manager's signing authority) was recommended to the City Manager for approval.

B. ELECTRIC VEHICLE CHARGING STATION, AB 15-031– PUBLIC WORKS 8:22 PM

The EV charging station located on Winslow Way was installed by Blink during the Winslow Way Reconstruction project and is now owned by the City. The unit has had on-going reliability issues and is currently inoperative without a service contract. Blink will assume ownership of the unit and repair or replace it with the contract terms being an exclusive 4-year entitlement to operate this unit and any other units the City may install over this term. In addition, Blink will retain 60% of the net profits generated by the unit net of operating costs. After considerable evaluation by City staff, it is recommended that another service provider would be more responsive and reliable.

Charge Northwest has provided the City a quote for removal of the existing Blink charging station and installation of a new Chargepoint dual head charger. An additional estimated \$1,000.00 is needed for an electrical contractor to install the charging station for a total estimated expense of \$8,224.00. The initial expense includes a 3-year discounted, pre-paid network subscription plan. In addition, Chargepoint would retain 10% of the fees collected at the station and the City will have full control over setting the fees charged.

Other areas in Kitsap County use Chargepoint units including Central Market in Poulsbo, and Town & County Market plans to install a new unit as part of their renovation project.

Public Comment

Rex Oliver, Chamber of Commerce, recommends a dual head charges in one parking spot.

8:38 PM

***MOTION:** I move that the City Council amend the 2015 Equipment CIP to authorize the purchase of a Chargepoint Electric Vehicle charging station in the estimated amount of \$8,224.00 and forward to the February 24, 2015 consent agenda.*

***SCOTT/ROTH:** The motion carried 5-0.*

C. COMCAST FRANCHISE NEGOTIATIONS, PROFESSIONAL SERVICES AGREEMENT,

AB 15-033 – EXECUTIVE 8:38 PM

City Manager Schulze addressed Council for the agenda item. He explained the City's franchise agreement with Comcast of California/Colorado/Washington L.P. terminated on January 31, 2013. A review of files from January 2010 – January 2013 did not result in any documentation of an extension, which is provided for in the franchise agreement. The first step in the process of renewing a cable television franchise is receipt of written notice from the cable operator under Section 626 of the 1984 Cable Act, which provides for the commencement of a formal renewal procedure. The City of Bainbridge Island received the written notification from Comcast on March 8, 2010. No further action has been taken by either party since the notification was received.

The expired franchise agreement is extremely outdated and there are significant elements missing that would be beneficial to the City. For example, the expired franchise agreement's definition of gross revenues does not provide detail to include many revenues generated by cable operators. The expired franchise agreement does not provide the City with authority to conduct performance evaluations regarding compliance with the franchise agreement. There is no authority for the City to require a basic quality of service or ensure technical performance meets or exceeds federal technical standards.

In 2014, River Oaks Communication Corporation was chosen as the consultant to engage Comcast in franchise negotiations. This request is to enter into a new PSA with River Oaks Communications Corporation to continue their work in developing a revised franchise agreement.

Public Comment

Debbi Lester, Ericksen Avenue, wanted to know what we have spent and what have we accomplished with the Comcast agreements to date.

8:51 PM

***MOTION:** I move the City Council forward the Professional Service Agreement with River Oaks Communications to the February 24, 2015 consent agenda.*

***BONKOWSKI/SCOTT:** The motion carried 5-0.*

7. COUNCIL DISCUSSION 8:52 PM

A. HOUSING RESOURCES BAINBRIDGE FUNDING REQUEST, AB 15-032 – COUNCIL

Council has been provided a letter from Housing Resources Bainbridge outlining a funding request for a Housing Trust Fund grant to complete the development of the HRB Ferncliff Townhomes Project. The City Council allocated a transfer of \$150,000 from the General Fund to the Housing Trust Fund in the 2015 Budget, but did not appropriate expenditures from the HTF. Therefore, any expenditure from the HTF will require a budget amendment.

Mark Blatter of HRB addressed council.

Councilmember Bonkowski read Councilmember Tollefson's comments for the record.

The agenda item was forwarded to the February 24, 2015 agenda under Council Discussion.

B. LODGING TAX ADVISORY COMMITTEE RECOMMENDATIONS FOR 2015 AWARDS,

AB 14-020 – LTAC CHAIR BLOSSOM 9:11 PM

In response to a Request for Proposal issued by the City in fall 2014, the Lodging Tax Advisory Committee (LTAC) has received and reviewed proposals submitted by eligible organizations requesting monies from the Lodging Tax (Civic Improvement) Fund for 2015. The City received requests for funding from 12 projects. Eligible funding requests totaled \$299,381 for next year's funding cycle.

The 2015 LTAC recommendation totals \$135,000. The recommended grants for each project range from 80% to 0% of the requested amount. Details of LTAC's review and the suggested funding are included in the attached 2015 Funding Recommendation.

The City's Code contains a provision to encourage the use of these funds for Capital Projects and specifically provides that 50% of the funds be provided to capital projects. In past years, this requirement has often been waived by the City Council at the time of the approval of the project awards. Changes to State law in mid-2013 eliminated LTAC eligibility for capital projects undertaken by non-profit or private sector entities. As a result, only municipal entities may currently use LTAC funds for capital expenditures. This change decreases the pool of potential applications that are eligible to propose capital projects.

Following City Council approval, contracts will be developed for each agency for which 2015 funding is provided.

9:14 PM

MOTION: That the City Council considers approval of the distribution of \$135,000 in 2015 Civic Improvement Funds as detailed in the 2015 Funding Recommendation from LTAC and waive the requirement that 50% of the funds go to capital expenditures and forward to the February 24, 2015 consent agenda.
BLOSSOM/ROTH: The motion carried 5-0.

8. COMMITTEE REPORTS 9:15 PM

Mayor Blair reported on three City advisory committees: Historical, Harbor and Road Ends. Councilmember Tollefson submitted a Utility Advisory Committee Liaison Report in writing.

9. REVIEW UPCOMING COUNCIL MEETING AGENDAS 9:19 PM

February 24, 2015 Business Meeting

Kitsap Public Health District Results of ETA-Funded Shoreline Survey Project
Kitsap Regional Coordinating Council Interlocal Agreements
Electric Vehicle Charging Station
Housing Resources Bainbridge Request for Housing Trust Fund Grant
Lodging Tax Advisory Committee Recommendations for 2015 Awards
Comcast Franchise Negotiations, Professional Services Agreement
Options for Shoreline Master Program Monitoring

10. FOR THE GOOD OF THE ORDER 9:27 PM

None offered.

11. ADJOURNMENT 9:28 PM

Mayor Blair adjourned the meeting at 9:28 p.m.



Anne S. Blair, Mayor



Kelly Jahraus, Records Management Coordinator