

ITEMS DISCUSSED

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3. ACCEPTANCE OR MODIFICATION OF AGENDA / CONFLICT OF INTEREST DISCLOSURE
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 - L. TRANSFER OF KITSAP COUNTY TIDELANDS TO CITY OF BAINBRIDGE ISLAND, AB 15-042
 - M. PROFESSIONAL SERVICES AGREEMENT FOR CHAMBER OF COMMERCE LODGING TAX ADVISORY COMMITTEE PROJECT, AB 14-020
9. COMMITTEE REPORTS
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10. REVIEW UPCOMING COUNCIL MEETING AGENDAS
11. FOR THE GOOD OF THE ORDER
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13. ADJOURNMENT

1. EXECUTIVE SESSION: COLLECTIVE BARGAINING NEGOTIATIONS, ISSUES OR PROCEEDINGS (RCW 42.30.140) 6:31 PM

Mayor Blair called an executive session to order at 6:31 p.m. with Councilmembers Blossom, Bonkowski, Roth, Scott, Tollefson, Townsend, and City Attorney Marshall to discuss Collective Bargaining Negotiations, Issues or Proceedings (RCW 42.30.140) in the Planning Conference Room. The recording system was turned off and a notice was posted on the door of the Council Chamber. The executive session adjourned at 7:00 p.m. No action was taken.

2. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE 7:03 PM

Mayor Blair called the regular business meeting to order at 7:03 p.m. with Councilmembers Blossom, Bonkowski, Roth, Scott, Tollefson and Townsend present. Everyone stood for the Pledge of Allegiance. Records Management Coordinator Jahraus monitored the recording of the meeting and prepared the minutes.

3. ACCEPTANCE OR MODIFICATION OF AGENDA / CONFLICT OF INTEREST DISCLOSURE 7:04 PM

7:04 PM

***MOTION:** The agenda accept the agenda as presented.*

***BONKOWSKI/TOLLEFSON:** The motion carried 7-0.*

Councilmember Blossom will abstain from voting on Item 8G due to family-business connections.

4. PUBLIC COMMENT 7:05 PM

Erika Shriner, NE Baker Hill Road, commented on the PSE Green Power program.

Brian Anderson, NE Hill Top Drive, spoke to PSE using coal for the next 20 years.

Jane Lindley, Torvanger Road, president of Sustainable Bainbridge, encouraged green energy.

Peggy Erickson, Hawley Road, fully supported the adoption of green energy by the city.

Gloria Sayler supported green energy.

Kim Raymond, Wallace Way, asked for discussion on mobile food retail.

Dave Henry commented on the Tot Lot.

Craig Spencer, Hidden Cove, commented on the Tot Lot and use restrictions.

5. CITY MANAGER'S REPORT: COMPREHENSIVE PLAN/NAVIGATE BAINBRIDGE UPDATE 7:29 PM

City Manager Schulze's report included:

- The final two Comprehensive Plan listening sessions have taken place; the comments will be reviewed by Joe Tovar.
- A meeting of the Access Channel task force took place on March 6.
- Citizens representing an initiative to form a municipal electric utility met with City Manager Schulze providing him with an update and to answer questions. At this point, it is still very much a grassroots effort.

6. UNFINISHED BUSINESS 7:36 PM

A. LICENSE AGREEMENT WITH MADISON DINER FOR TRAIL ACCESS, AB 15-021

City Attorney Marshall briefed Council on the issue of the 305 Madison Diner property that contains a well-used pedestrian pathway that connects Shepard Way to Madison Avenue. When the Diner property was developed about 14 years ago, the developer constructed a staircase on the western boundary of his property to accommodate access from his property to Shepard Way. Pedestrian traffic typically enters the property from the east, travels across the Diner parking lot, up the stairs on the westerly border of the property, and onto Shepard Way.

The Madison Diner property owner desires to enter into an agreement to prevent any legal exposure to the Diner that may arise from the public's use of the Diner property as a trail connection. Under the agreement, the City does not pay for the use of the Diner property. The City's use of the property without paying for it is something the Diner property owner is giving up; in exchange for use of the property without charge, the City is accepting possible liability for personal or property damage on the trail. The term of the initial license agreement is for five years, renewing for successive five-year periods thereafter. The agreement requires the City to maintain insurance; if personal injury arose from the public's use of the Diner property, the City's insurance carrier (WCIA) would most likely cover it.

Council reviewed this item at the February 3, 2015 Study Session. Following that meeting, the City Attorney was approached by a citizen with a request to add the following statement to Paragraph 2, subsection 2: "provided that such determination may not be made under any circumstances during the first five-year Term of this Agreement." The addition of this phrase operates to prevent the Diner from revoking the License during the first five years of the term of the Agreement. No other change has been made since the February 3, 2015 Study Session.

7:39 PM

MOTION: I move the City Council authorize the City Manager to execute the attached License Agreement with Madison Diner for trail access.

TOLLEFSON/BONKOWSKI: The motion carried 7-0.

B. ALLOCATION FROM HOUSING TRUST FUND GRANT, AB 15-032 7:39 PM

The City Council allocated a transfer of \$100,000 from the General Fund to the Housing Trust Fund (HTF) in both the 2015 Budget and the 2016 Budget years, but did not provide specific plans for expenditures from this funding.

At Council meetings on February 10 and February 24, Council discussed a funding request from Housing Resources Bainbridge (HRB). HRB requested \$75,000 in both 2015 and 2016 (a total of \$150,000) as part of the funding to complete the development of the HRB Ferncliff Townhomes Project. Council discussed approving this request, with the understanding that the Ferncliff Townhomes Project would achieve funding from other sources, and begin this project in 2015.

7:51 PM

MOTION: *The motion to designate \$75,000 of the total of \$100,000 placed in the Housing Trust Fund in 2015 and \$75,000 of the total of \$100,000 placed in the Housing Trust Fund in 2016 to support the Housing Resources Bainbridge Ferncliff Townhomes Project subject to a mutually agreed upon contract establishing deliverables.*
TOLLOFSEN/TOWNSEND: *The motion carried 7-0.*

7. NEW BUSINESS 7:51 PM

A. PROCLAIMING MARCH 18, 2015 AS TRAUMATIC BRAIN INJURY AWARENESS DAY, AB 15-047

A brain injury can happen anytime, anywhere to anyone. Brain injuries do not discriminate. 1.7 million people each year sustain a brain injury. We also nationally are seeing an increase need for brain injury care for active duty military and veterans. An injury that happens in an instant can bring a lifetime of physical, cognitive and behavior challenges. Early, equal and adequate access to care will greatly increase overall quality of life.

7:53 PM

MOTION: *I move that the City Council authorize the Mayor to sign the proclamation declaring March 18, 2015 as Traumatic Brain Injury Awareness day.*
BONKOWSKI/SCOTT: *The motion carried 7-0.*

B. ELECTION OF DEPUTY MAYOR FOR APRIL-JUNE, 2015 7:54 PM

The motion to reappoint Deputy Mayor Townsend for the months April through June carried 7-0.

8. CONSENT AGENDA 7:55 PM

A. ACCOUNTS PAYABLE VOUCHER AND PAYROLL APPROVAL

Accounts Payable ACH Check Numbers 173-174, EFT Check Number 175, Manual Void Check Numbers 337788 and 337762, Manual Check Numbers 337971 through 337981, Regular Run Check Numbers 337982-338084 for a total of \$342,133.34. Payroll Miscellaneous Check Numbers 107004-107115, Direct Deposit Check Numbers 032469-032579, Regular Run Check Numbers 107006-107010, Vendor Check Numbers 107011-107023 and Federal Tax Electronic Transfer for a total of \$594,528.95

B. ADVANCE MEETING MINUTES, JANUARY 27, 2015

C. BUSINESS MEETING MINUTES, FEBRUARY 10, 2015

D. STUDY SESSION MINUTES, FEBRUARY 17, 2015

E. BUSINESS MEETING MINUTES, FEBRUARY 24, 2015

F. STUDY SESSION MINUTES, MARCH 3, 2015

G. LYNNWOOD CENTER OUTFALL IMPROVEMENTS PROJECT, AB 11-086 [VOTED ON SEPARATELY]

H. GROUNDWATER ASSESSMENT PROFESSIONAL SERVICES AGREEMENT, AB 15-038

Approve the Groundwater Assessment Professional Services Agreement with Aspect Consulting in the amount of \$55,200.00.

I. INTERLOCAL AGREEMENT WITH THE PORT GAMBLE S'KLALLAM TRIBE REGARDING THE PURCHASE OF TWO MOTORCYCLES, AB 15-037

Approve the Interlocal Agreement with the Port Gamble S'Klallam Tribe to purchase two 2009 BMW G650 GS-P motorcycles in the amount of \$10,000.00 plus sales tax and amend the CIP to authorize the purchase of two police gasoline motorcycles.

J. PUBLIC WORKS VEHICLE PROCUREMENT, AB 15-036

Approve the purchase of a 2015 Ford F150 in the amount of \$31,509.20 from the Washington State Department of Enterprise Services and authorize the City Manager to execute the procurement documents.

K. CONTRACT AMENDMENT WITH RIDOLFI TO AMEND CONTRACT SCHEDULE FOR RESTORATION MONITORING PROGRAM AT JOHN NELSON PARK AT STRAWBERRY CANNERY COVE AND PRITCHARD EAST BLUFF, AB 15-044

Approve the contract amendment with Ridolfi to amend contract schedule for restoration monitoring program at John T. Nelson Park at Strawberry Cannery Cove and Pritchard East Bluff.

L. TRANSFER OF KITSAP COUNTY TIDELANDS TO CITY OF BAINBRIDGE ISLAND, AB 15-042

Authorize the City Manager to execute 21 quitclaim deeds for transfer of Kitsap County Tidelands to the City.

M. PROFESSIONAL SERVICES AGREEMENT FOR CHAMBER OF COMMERCE LODGING TAX ADVISORY COMMITTEE PROJECT, AB 14-020

Approve a professional services agreement with the Chamber of Commerce in the amount of \$34,818 to support the Visitor Information Center as approved by City Council during review of the Lodging Tax Advisory Committee funding recommendations for 2015.

MOTION: *I move that the City Council approve Consent Agenda Items A through M (except Item G) as presented.*
BONKOWSKI/ROTH: *The motion carried 7-0.*

G. LYNWOOD CENTER OUTFALL IMPROVEMENT PROJECT, AB 11-086 [VOTED ON SEPARATELY]

***MOTION:** I move that the City Council approve the Lynwood Center Outfall Improvements project award to Sound Excavation in the amount of \$249,700 and approve a budget amendment of \$60,000 from the SSWM fund.*

***CM/CM:** The motion carried 6-0 with one abstention (Blossom.)*

9. COMMITTEE REPORTS 7:56 PM

A. NON-MOTORIZED TRANSPORTATION ADVISORY COMMITTEE REPORT (MARCH 4, 2015)

Information only.

10. REVIEW UPCOMING COUNCIL MEETING AGENDAS 7:57 PM

March 17

Proposed Revisions to Animal Control Ordinance (Info.)

PBB: Affirm Results Map

Police Department Annual Report (Info.)

Professional Services Agreement with Joseph Tovar for Comprehensive Plan Update (Info.)

Ordinance No. 2015-08 Modifying BIMC 2.16.190 Regarding Comprehensive Plan Amendment Process (Info.)

2015 Asphalt Repair Contract (Info.)

Interlocal Agreement w/King County-Data Assessment (Info.)

Business License Amendment Related to Retail Marijuana Sales (Info.)

Historic Preservation Commission 2015 Work Plan (Info.)

Road Ends Advisory Committee 2015 Work Plan (Info.)

National Estuary Program Grant Opportunity (Info.)

Proclamation for Meals on Wheels Kitsap (Consider Action)

11. FOR THE GOOD OF THE ORDER 8:05 PM

Councilmember Tollefson provided an overview of the Madison Avenue Tot Lot issue.

12. WORK SESSION (PUBLIC COMMENT TO BE ACCEPTED) TRAFFIC IMPACT FEE DISCUSSION 8:14 PM

The 2004 Island-wide Transportation Plan identified traffic impact fees as a potential revenue source to provide for transportation improvements to accommodate future growth. More recently, members of City Council expressed interest in studying transportation impact fees; therefore, this item was added to the City's 2014 Work Plan.

Victor Salemann, PE, of Transportation Solutions Inc, addressed Council and provided a PowerPoint presentation.

13. ADJOURNMENT 8:53 PM

Mayor Blair adjourned the meeting at 8:53 p.m.



Anne S. Blair, Mayor

Deputy Mayor



Kelly Jahraus, Records Management Coordinator