



CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, JANUARY 22, 2019

MEETING MINUTES

1) CALL TO ORDER/ROLL CALL

Mayor Medina called the meeting to order at 6:01 p.m. in Council Chambers.

Mayor Medina, Deputy Mayor Schneider, and Councilmembers Peltier, Nassar, Deets and Tirman were present. Councilmember Blossom was absent and excused.

2) EXECUTIVE SESSION

2.A Pursuant to RCW 42.30.110(1)(b), to consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price.
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2.B. Pursuant to RCW 42.30.110(1)(i) to discuss with legal counsel representing the City matters relating to City enforcement actions, or to discuss with legal counsel representing the City litigation or potential litigation to which the City, the City Council, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the City **[Added]**

Mayor Medina adjourned the meeting to an executive session at 6:01 p.m. pursuant to RCW 42.30.110(1)(b) and RCW 42.30.110(1)(i).

At 6:28 p.m., Mayor Medina extended the executive session to 6:45 p.m. Council returned from executive session at 6:46 p.m.

3) PLEDGE OF ALLEGIANCE / APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE

Mayor Medina re-convened the meeting at 6:49 p.m. with the aforementioned Council members present.

Councilmember Deets moved to add to the agenda ethics complaints that fall under Article I of the Ethics Program, and there were no objections. Mayor Medina added the item as a new agenda item 9.A. He also noted a requested to swap the order of agenda items 7.C and 7.B.

Councilmember Nassar moved and Councilmember Tirman seconded to approve the agenda, as modified. The motion was approved by unanimous consent.

4) PUBLIC COMMENT

Sal DeRosalia thanked Council for attending the Martin Luther King event at the Bainbridge Island Museum of Art.

Mary Clare Kersten spoke against recent complaints about Councilmembers Peltier and Nassar.

Gloria Saylor highlighted important issues before Council.

David Johnson spoke in favor of the Ethics Program.

Robert Dashiell inquired about an annual financial report for the Transportation Benefit District.

5) MAYOR'S REPORT

Mayor Medina provided information on assistance for Federal workers, Ward meetings, and a letter from Housing Kitsap.

6) CITY MANAGER'S REPORT

City Manager Smith provided information on the communications survey, the open house on Design Guidelines, and emergency permits and work on Rolling Way Walk due to erosion.

7) CITY COUNCIL DISCUSSION

7.A Review of Ethics Complaint No. 2018-04 - Mayor Medina

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Memo - Process for Review - Ethics Complaint 2018-04 (Article II)

Ethics Complaint No. 2018-04

Response to Ethics Complaint No. 2018-04

Ethics Board Determination on Ethics Complaint No. 2018-04

Resolution No. 2018-10, Adopting the City's Current Ethics Program

Mayor Medina introduced the agenda item. Deputy City Attorney Sepler provided additional information.

Public Comment

Randall Samstag inquired about the other complaints.

Marshall Tappan expressed concerns with the ethics complaint and finding.

Melody Mitchelski said that ethics is really about perception.

Councilmember Peltier spoke about the complaint. Council discussed the complaint.

MOTION: I move to remand Ethics Complaint No. 2018-04 to the Ethics Board with the direction to develop additional written findings and conclusions showing the rationale behind the Ethics Board's determination that a material violation of the Code of Ethics has likely occurred.

Deets/Schneider: Motion carried 5 – 0.

AYES: Rasham Nassar, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina

NOES: None
ABSENT: Sarah Blossom
RECUSED: Ron Peltier

7.C Discussion of Councilmember Nassar's Situation - Mayor Medina [Moved up]
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Mayor Medina introduced the agenda item. Councilmember Nassar provided information on her property.

Public Comment

Bonnie McBryan spoke about her concerns.

7.B Sustainable Transportation Planning - Deputy Mayor Schneider
[Cover Page](#)
[Sustainable Transportation Proposal](#)
[Sustainable Transportation Proposal Redline](#)

Mayor Medina introduced the agenda item. Councilmember Schneider provided additional information on the proposal.

Public Comment

Don Willott made additional suggestions for the proposal.

MOTION: I move to approve the proposed 10-year strategy to update the Bainbridge Island Sustainable Transportation Plan as presented and direct the City Manager to bring back to us an RFP, as described in that document.

Nassar/Deets: Motion carried unanimously, 6 – 0.

8) UNFINISHED BUSINESS

8.A Subdivision Guidelines and Standards Update - Planning
[Cover Page](#)
[20190122 Memo Subdivision Ordinance Overview.docx](#)

Senior Planner Carr provided a presentation on subdivision guidelines and standards, and Council concurred with the approach.

8.B Resolution No. 2019-08 (Formerly Resolution No. 2018-33), Relating to Transportation Benefit District Fee Increase - Finance
[Cover Page](#)
[Resolution No. 2019-08, Relating to Transportation Benefit District Fee Increase](#)

Interim Accounting Manager Logghe introduced the resolutions and provided information on rebate options.

Public Comment

Kate Sharafanowich asked Council to table the decision until additional information is provided.

Erika Shriner spoke in favor of marketing BI Ride and in favor of the resolution.

MOTION: I move to approve Resolution No. 2019-08.

Nassar/Tirman: Motion carried 5 – 1.

AYES: Rasham Nassar, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina

NOES: Ron Peltier

ABSENT: Sarah Blossom

ABSTAIN: None

8.C Resolution No. 2019-07 (Formerly Resolution No. 2018-38), Updating Financial Policies Relating to Use of Transportation Benefit Fund Fee Increase - Finance

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[Resolution No. 2019-07, Updating the City's Financial Policies](#)

MOTION: I move to approve Resolution No. 2019-07.

Tirman/Nassar: Motion carried 5 – 1.

AYES: Rasham Nassar, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina

NOES: Ron Peltier

ABSENT: Sarah Blossom

ABSTAIN: None

8.D Resolution No. 2019-06, Directing Use of Additional Vehicle License Fee Revenue - Finance

[Cover Page](#)

[Councilmember Tirman Memo TBF December 10, 2018.docx](#)

[Resolution No. 2019-06, Specifying Use of Revenue from Increased Vehicle License Fee](#)

MOTION: I move to approve Resolution No. 2019-06

Tirman/Nassar: Motion carried 6 – 0.

AYES: Ron Peltier, Rasham Nassar, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina

NOES: None

ABSENT: Sarah Blossom

ABSTAIN: None

9) NEW BUSINESS

9. Article I Ethics Complaints [Added]

Councilmember Deets introduced the agenda item. Council discussed whether the Ethics Board should address Article I complaints.

MOTION: I move to forward discussion of Ethics Board as pertains to the decision to authorize the Ethics Board to submit advisory opinions on Article I complaints to a future City Council study session.

Nassar/Tirman: Motion carried 3 – 1.

AYES: Rasham Nassar, Matt Tirman, Kol Medina

NOES: Joe Deets

ABSENT: Sarah Blossom

ABSTAIN: Leslie Schneider, Ron Peltier

9.A Shoreline Master Program Periodic Review Process Introduction and Work Plan Overview - Planning

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20190122_Staff_Memo____Introduction_and_Work_Plan_Overview.docx

Periodic Review Summary of Rule.pdf

Public Participation Program.pdf

20180111 Draft Work Plan.pdf

20180111 Staff Memo SMP Guiding Themes.pdf

Senior Planner Carr introduced the agenda item. Council's consensus was to follow the joint optional process. Council had no comments on the public participation program or the draft work plan.

9.B Resolution No. 2019-04, Updating the City's Procurement Policy - Finance

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Resolution No. 2019-04, Updating the City's Procurement Policy

Exhibit A to Resolution No. 2019-04, Updated City Procurement Policy

Exhibit A to Resolution No. 2019-04 - Redline

Interim Finance Director Shaw introduced the resolution and changes to the policy.

MOTION: I move to forward Resolution No. 2019-04, Updating the City's Procurement Policy, for approval with the February 12, 2019 Consent Agenda.

Tirman/Nassar: Motion carried unanimously, 6-0.

9.C Greenhouse Gas Emissions Inventory Professional Services Agreement, Executive

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PSA for Greenhouse Gas Inventory

Deputy City Manager Schroer provided a presentation on the agenda item.

MOTION: I move to authorize the City Manager to sign the contract in the amount of \$42,599 with Cascadia Consulting to conduct a two-year greenhouse gas emissions inventory, with optional items as recommended by the Climate Change Advisory Committee.

Deets/Peltier: Motion carried 6 – 0.

AYES: Ron Peltier, Rasham Nassar, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina

NOES: None

ABSENT: Sarah Blossom

ABSTAIN: None

9.D Appointment to the Planning Commission - Mayor Medina

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Domenick - Planning Commission (Redacted).pdf

Dunn - Planning Commission (Redacted).pdf

Etzold - Planning Commission (Redacted).pdf

Forsher - Planning Commission (Redacted).pdf

Haugan - Planning Commission (Redacted).pdf

Miller - Planning Commission (Redacted).pdf

Morss - Planning Commission (Redacted).pdf

[Paar - Planning Commission \(Redacted\).pdf](#)
[Weeding - Planning Commission \(Redacted\).pdf](#)
[Wilkinson - Planning Commission \(Redacted\).pdf](#)
[Zigich - Planning Commission \(Redacted\).pdf](#)

Mayor Medina introduced the agenda item.

MOTION: I move to appoint Joe Parr to the Planning Commission, Position 7, through June 2019.

Nassar/Schneider: Motion carried 5 – 1.

AYES: Rasham Nassar, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina

NOES: Ron Peltier

ABSENT: Sarah Blossom

ABSTAIN: None

10) CONSENT AGENDA

10.A [Agenda Bill for Consent Agenda](#) [Cover Page](#)

10.B **Accounts Payable and Payroll**

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[Report to Council of Cash Disbursements 01-23-19.pdf](#)

[Payroll.pdf](#)

Accounts Payable: last check number 349468 from previous run for \$11.36; manual check number sequence 349469 – 349478 for \$157,494.39; regular check number sequence 349479 – 349608 for \$455,635.39; Total disbursement = \$613,129.78. Retainage Release 171 – 172 for \$2,877.85.

Payroll: normal direct deposit check sequence 043754 – 043878 for \$328,541.81; normal payroll check sequence 108833 - 108835 for \$11,991.78; vendor check run sequence 108836 – 108847 for \$127,274.44; ACH for \$308.69; Federal Tax Electronic Funds Transfer for \$130,316.64. Total disbursement = \$598,433.36.

10.C **Special City Council Meeting Minutes, January 4, 2019**

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[CCMIN 010419 SPECIAL WSF TOUR](#)

10.D **City Council Regular Business Meeting Minutes, January 8, 2018**

[Cover Page](#)

[CCMIN 010819 BUSINESS](#)

10.E **Village Pump Station Replacement Project Change Order No. 3 - Public Works**

[Cover Page](#)

[Village Pump Station Project Change Order No. 3](#)

10.F **Resolution No. 2019-01 to Update the City Fee Schedule - Finance**

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[Resolution No. 2019-01 - Amending Fee Schedule](#)

10.G Resolution No. 2019-09, Rescinding Prior Decisions to Surplus Certain City-Owned Real Property - Executive

[Cover Page](#)

[Staff Memo re Res 2019-09 re Removal of Surplus Designation for Certain Properties](#)

[Resolution No. 2019-09 \(Formerly 2018-37\) Rescinding Prior Decisions to Surplus Certain City-Owned Real Property](#)

[2018 Surplus Property Report](#)

10.H Agreement for Provision of Juvenile Detention Facilities - Police

[Cover Page](#)

[2019 Juvenile Detention Facilities Agreement](#)

MOTION: I move to approve the Consent Agenda, as presented.

Nassar/Peltier: The motion was approved by unanimous consent.

11) COMMITTEE REPORTS

11.A Committee Reports

[Cover Page](#)

[Climate Change Advisory Committee Minutes, December 17, 2018.pdf](#)

[Ethics Board Minutes, November 19, 2018.pdf](#)

[Ethics Board Minutes, December 17, 2018.pdf](#)

[Marine Access Committee Minutes, November 7, 2018.pdf](#)

[Marine Access Committee Minutes, December 10, 2018.pdf](#)

[Multi-Modal Transportation Advisory Committee Minutes, December 12, 2018.pdf](#)

[Utility Advisory Committee Minutes, December 12, 2018.pdf](#)

12) FOR THE GOOD OF THE ORDER

Councilmember Deets updated Council on the homeless camp.

Councilmember Peltier updated Council on the Bainbridge Island Police Department's Awards Gala.

Council authorized Mayor Medina to sign the Kitsap Housing letter.

13) ADJOURNMENT

Deputy Mayor Schneider adjourned the meeting at 9:49 p.m.


Koi Medina, Mayor


Christine Brown, CMC, City Clerk