



CITY OF
BAINBRIDGE ISLAND

CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, JULY 9, 2019

MEETING MINUTES

1) CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

Mayor Medina called the meeting to order at 6:00 p.m. in Council Chambers.

Mayor Medina, Deputy Mayor Tirman, and Councilmembers Blossom, Deets, Nassar, Peltier and Schneider were present.

2) EXECUTIVE SESSION

2.A Pursuant to RCW 42.30.110(1)(i), to discuss with legal counsel matters relating to litigation or potential litigation to which the city, the governing body, 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 agency.
[Cover Page](#)

Mayor Medina adjourned the meeting to an executive session at 6:01 p.m. pursuant to RCW 42.30.110(1)(i). Council returned from executive session at 6:22 p.m., and Mayor Medina re-convened the meeting at 6:23 p.m.

3) APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE

Councilmember Nassar moved and Councilmember Deets seconded to approve the agenda as presented. The motion was approved by unanimous consent. There were no conflicts of interest disclosed.

4) PUBLIC COMMENT

Pete Brady spoke about youth mental health.

Patti Dusbabek spoke about the Farmer's Market sign and the M & E property.

Stan Rein spoke about Article I of the Ethics Program and advisory opinions.

Dan Taylor spoke against the reduction in speed on Fletcher Bay.

5) MAYOR'S REPORT

Mayor Medina stated that there will be no Council meeting on July 30, 2019 and the August 6, 2019 Council meeting will take place as scheduled.

6) CITY MANAGER'S REPORT

City Manager Smith mentioned the upcoming Ward meetings, an opportunity for Shoreline Master Program public comment at the Planning Commission meeting on Thursday, July 11, 2019, collection of flares and fireworks by the Bainbridge Island Police Department, and an upcoming Washington State Ferry schedule change.

7) UNFINISHED BUSINESS

7.A Discussion of Process for Moving Forward with Amending the Ethics Program - Mayor Medina Cover Page

Mayor Medina introduced the agenda item. City Attorney Levan responded to public comment on Article I of the Ethics Program.

Public Comment

Sal DeRosalia spoke about the need to clarify the process.

Stan Rein spoke about the February 5, 2019 motion.

Council discussed the topic.

MOTION: I move to direct the Deputy City Attorney to bring back to us a draft revision to the Ethics Program that maintains the Ethics Board in its current role in relation to folks asking for opinions about their own behavior and changes the Article II process so that the Ethics Board is retained in its current role with modifications and their determinations go directly to a Hearing Examiner.

Deets/Blossom: The motion carried, 6 – 1.

AYES: Sarah Blossom, Ron Peltier, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina

NOES: Rasham Nassar

ABSENT: None

ABSTAIN: None

Council discussed next steps regarding Article I complaints. Council will discuss the topic further at the next business meeting on July 23, 2019.

7.B Request for Proposals for 2020 Lodging Tax Projects - Executive

Cover Page

2020_LTAC_RFP_for_CC 07092019

LTAC Presentation for CC 9 July 2019

MRSC - Lodging Tax (Hotel-Motel Tax)

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

Public Comment

Patti Dusbabek spoke against the process.

Sal DeRosalia spoke against the process.

MOTION: I move to forward approval of this Request for Proposals for 2020 Lodging Tax Projects to the July 23, 2019 Consent Agenda.

Nassar/Deets: The motion carried, 6 – 1.

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

NOES: Sarah Blossom

ABSENT: None

ABSTAIN: None

7.C Potential City Proposal for Lodging Tax Advisory Committee (LTAC) Funds - Executive

Cover Page

Wayfinding for CC 7_9_19.doc

Public Works Director Loveless introduced the agenda item.

Public Comment

Patti Dusbabek spoke about the project.

MOTION: I move to direct City staff to develop a proposal that staff will bring back to the City Council for review and approval before submitting in Fall 2019 for 2020 LTAC funding.

Nassar/Schneider: The motion carried unanimously, 7 – 0.

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

NOES: None

ABSENT: None

ABSTAIN: None

7.D Police and Municipal Court Funding Approach Decisions - Executive

Cover Page

Police-Municipal Court for CC July 09, 2019 Update for Packet

MRSC - Types of Municipal Debt

Draft Schedule 2019 LTGO and Refunding

City Manager Smith introduced the agenda item. Deputy City Manager Schroer provided a presentation on the topic, and Council discussed the funding approach.

Public Comment

Patti Dusbabek inquired about bond rates.

MOTION: I move to direct City staff to proceed with a planning assumption of \$8.0 million in long-term debt and \$12.0 million in existing City funds for the Police/Court Building project.

Tirman/Schneider: The motion carried, 5 – 2.

AYES: Sarah Blossom, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina

NOES: Ron Peltier, Rasham Nassar
ABSENT: None
ABSTAIN: None

MOTION: I move to direct City staff to prepare for issuance of \$8 million in Councilmanic debt for the Police/Court project.

Tirman/Blossom: The motion carried, 5 – 2.

AYES: Sarah Blossom, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina
NOES: Ron Peltier, Rasham Nassar
ABSENT: None
ABSTAIN: None

Deputy City Manager Schroer provided information on the timeline for next steps.

7.E Ordinance No. 2019-18 Correcting an Error in Ordinance No. 2019-14 Regarding Sewer Utility Fees - Public Works

Cover Page

Ordinance No. 2019-18 correcting Ord 2019-14

FCS Rate Study Page 21.pdf

Public Works Director Loveless introduced the agenda item.

MOTION: I move to approve Ordinance No. 2019-18 correcting an inadvertent error in Ordinance No. 2019-14 regarding sewer utility fees.

Nassar/Schneider: The motion carried unanimously, 7 – 0.

AYES: Ron Peltier, Rasham Nassar, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina, Sarah Blossom
NOES: None
ABSENT: None
ABSTAIN: None

7.F Sustainable Transportation Project Professional Services Agreement - Public Works

Cover Page

Sustainable Transportation Plan_PSA Scope of Work_20190626.pdf

Sustainable Transportation Plan_PSA Budget_20190626.pdf

CC_Sustainable_Transportation_Proposal_.pdf

Public Works Engineering Project Manager Epstein introduced the agenda item. Council discussed the agreement.

MOTION: I move to authorize the City Manager to prepare and execute a Professional Services Agreement with Nelson Nygaard for preparing the proposed scope of work for the sustainable transportation project for the budget described with this agenda item.

Tirman/Deets: The motion carried unanimously, 7 – 0.

AYES: Ron Peltier, Rasham Nassar, Joe Deets, Matt Tirman, Leslie Schneider, Kol Medina, Sarah Blossom
NOES: None

ABSENT: None

ABSTAIN: None

8) NEW BUSINESS

8.A Interlocal Agreement for Navigator Behavioral Health Support - Police

Cover Page

Navigator Services ILA

Poulsbo Navigator Policy - Updated 03.01.2019

Interim Police Chief Horn introduced the agenda item. Council asked that data on the program be provided at a future meeting.

MOTION: I move to forward the Navigator Services ILA with the City of Poulsbo for approval with the July 23, 2019 Consent Agenda.

Nassar/Deets: The motion carried unanimously, 7 – 0.

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

NOES: None

ABSENT: None

ABSTAIN: None

8.B Resolution No. 2019-23, Adopting a Vehicle License Fee Rebate Program - Finance

Cover Page

Resolution No. 2019-23, Adopting a Vehicle License Fee Rebate Program

TBD Vehicle License Fee Rebate Program Summary

Vehicle License Fee Rebate Application Form

Senior Financial Analyst Logghe introduced the agenda item.

MOTION: I move to forward Resolution No. 2019-23 for approval with the July 23, 2019 Consent Agenda.

Tirman/Blossom: The motion was approved by unanimous consent.

Deputy Mayor Tirman proposed discussing agenda item 8.H next due to audience interest.

8.H [Moved] Resolution No. 2019-22, Supporting a County-Wide Ban on the Aerial Spray of Glyphosate and Stating the City's Intent to Pursue a Ban on the General Use and Sale of Glyphosate on Bainbridge Island - Councilmember Nassar

Cover Page

Resolution No. 2019-22 Supporting Ban on Aerial Spraying of Glyphosate

Councilmember Nassar introduced the agenda item.

Public Comment

Pam Kealy spoke in favor of the resolution.

Margaret Tufft spoke in favor of the resolution.

MOTION: I move to forward Resolution No. 2019-22 for approval with the July 23, 2019 Consent Agenda.

Nassar/Peltier: The motion carried unanimously, 7 – 0.

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

NOES: None

ABSENT: None

ABSTAIN: None

Deputy Mayor Tirman left the meeting at 8:38 p.m.

8.C 2019 Chip Seal Project Contract Award - Public Works

[Cover Page](#)

[2019 Chip Seal Map](#)

Public Works Director Loveless introduced the agenda item.

Deputy Mayor Tirman re-joined the meeting via conference call.

MOTION: I move to forward the 2019 Chip Seal project contract award for further consideration as part of the July 23, 2019 Unfinished Business Agenda.

Schneider/Deets: The motion carried unanimously, 7 – 0.

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

NOES: None

ABSENT: None

ABSTAIN: None

8.D Olympic Drive Design Professional Services Agreement Amendment No. 1 - Public Works

[Cover Page](#)

[Amendment No. 1 to PSA with MIG SvR Design](#)

[Exhibit A to Amendment No. 1](#)

[Original PSA With MIG SvR Design - Executed April 15, 2019](#)

Public Works Director Loveless introduced the agenda item.

MOTION: I move to forward Amendment No. 1 to the Professional Services Agreement with MIG SvR Design for approval with the July 23, 2019 Consent Agenda

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

8.E Municipal Court Lease Extension - Public Works

[Cover Page](#)

[Amendment No. 2 to the Commercial Lease Agreement for the Municipal Court Building](#)

Public Works Director Loveless introduced the agenda item.

MOTION: I move to forward Amendment No. 2 to the Lease for the Current Municipal Court Building for approval with the July 23, 2019 Consent Agenda.

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

8.F Biosolids Contract - Public Works

Cover Page

Staff Memo

Proposed Contract for Biosolids Hauling Services

Biosolids RFP

MOTION: I move to forward the contract with King County and Boulder Park, Inc. for the City's biosolids disposal, rejection of the May 2019 Request for Proposals for Biosolids Hauling and Beneficial Use, and waiver of procurement manual policy regarding purchased services for further consideration as part of the July 23, 2019 Unfinished Business Agenda.

Blossom/Deets: The motion was approved by unanimous consent. Councilmember Nassar was absent from Council Chambers for the vote.

8.G Police Vehicle Procurement - Public Works

Cover Page

POLICE Vehicle DES WA Specifications

Public Works Director Loveless introduced the agenda item.

MOTION: I move that the City Council forward the Police Vehicle Procurement with the Washington State Department of Enterprise Services in the amount of \$212,420.64 and related approval of an exemption for police vehicles for emergency response under RCW 43.19.648 for approval with the July 23, 2019 Consent Agenda.

Blossom/Peltier: The motion was approved by unanimous consent. Councilmember Nassar was absent from Council Chambers for the vote.

8.I Authorization to Engage Outside Legal Counsel to Pursue Prescription Opiate Litigation - Executive

Cover Page

Keller Rohrback Engagement Agreement - FORM

City Attorney Levan introduced the agenda item.

MOTION: I move to authorize the City Manager and/or the City Attorney to engage Keller Rohrback LLP to represent the City of Bainbridge Island in prescription opiate litigation and to execute a contingency fee agreement and related documents necessary to effectuate that litigation on behalf of the City.

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

9) CONSENT AGENDA

9.A Agenda Bill for Consent Agenda

Cover Page

9.B Accounts Payable and Payroll

Cover Page

Report to Council of Cash Disbursements 07-10-19.pdf

[Payroll.pdf](#)

Accounts Payable: check number 350902 from previous run = \$508.72; manual check number sequence 350903 – 350907 = \$ 53,940.98; EFT check number 345 = \$9,604.45; ACH 346 – 347 = \$5451.98; regular run check sequence 350908 – 351005 = \$243,236.22. Total disbursement = \$316,933.27.

Payroll: normal direct deposit check sequence 045145 – 045278 = \$ 311,103.87; regular payroll check sequence 109018 – 109025 = \$ 8,335.06; vendor check run sequence 109026 – 109038 = \$ 325,102.72; Federal Tax Electronic Funds Transfer = \$ 127,104.69; ACH \$237.50; miscellaneous check number 109309 = \$149.67; vendor check number 109040 = \$35.67. Total disbursement = \$ 773,500.91.

9.C City Council Regular Business Meeting Minutes, June 11, 2019

[Cover Page](#)

[CCMIN 061119 BUSINESS.pdf](#)

9.D City Council Study Session Minutes, June 18, 2019

[Cover Page](#)

[CCMIN 061819 STUDY SESSION.pdf](#)

9.E City Council Regular Business Meeting Minutes, June 25, 2019

[Cover Page](#)

[CCMIN 062519 BUSINESS.pdf](#)

9.F Water and Sewer Telemetry Upgrade Professional Services Agreement - Public Works

[Cover Page](#)

[Water and Sewer Telemetry Upgrade PSA](#)

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

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

Deputy Mayor Tirman left the conference call.

10) COMMITTEE REPORTS

10.A Committee Reports

[Cover Page](#)

[Marine Access Committee April 8, 2019 Minutes](#)

[Marine Access Committee May 13, 2019 Minutes](#)

[Utility Advisory Committee May 8, 2019 Minutes](#)

[Utility Advisory Committee May 22, 2019 Minutes](#)

[Utility Advisory Committee June 12, 2019 Minutes](#)

10.B Regional Committee Reports by Council Member Liaisons - Mayor Medina

[Cover Page](#)

Mayor Medina provided an update on Housing Kitsap and 550 Madison.

11) **FOR THE GOOD OF THE ORDER**

Councilmember Nassar inquired about a covered roof for the Farmer's Market. Council directed staff to proceed with the project and return to Council with an update.

Mayor Medina mentioned a technical issue with watching Council meetings on mobile devices.

12) **ADJOURNMENT**

Mayor Medina adjourned the meeting at 9:14 p.m.



Kol Medina, Mayor

Christine Brown, CMC, City Clerk