



CITY OF
BAINBRIDGE ISLAND

CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, NOVEMBER 26, 2019

MEETING MINUTES

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

Mayor Medina called the meeting to order at 6:02 p.m.

Mayor Medina, Deputy Mayor Tirman and Councilmembers Blossom, Peltier and Schneider were present. Councilmember Deets was not present for the initial roll call; Councilmember Nassar had not yet connected via phone.

MOTION: I move to add an executive session to the agenda.

Peltier/Blossom: The motion carried 5 – 0.

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

NOES: None

ABSENT: Joe Deets, Rasham Nassar

ABSTAIN: None

2) EXECUTIVE SESSION [ADDED]

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.

Council returned from Executive Session at 6:20 p.m.

Mayor Medina reconvened the meeting at 6:24 p.m. and mentioned that Councilmember Nassar did take part in the executive session via phone.

3) APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE

MOTION: I move to add a new item, Ordinance No. 2019-40 Moratorium on Self Storage.

Deets/Peltier: The motion carried 5 – 1.

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

NOES: Sarah Blossom

ABSENT: Rasham Nassar

ABSTAIN: None

Councilmember Peltier moved and Councilmember Deets seconded to approve the agenda as amended; The motion was approved by unanimous consent.

4) PUBLIC COMMENT

Larry Koss spoke regarding the departure of Deputy Chief Horn.

Kathy Wolfe thanked staff member Emily Cady for her work on drainage.

Mary Clare Kersten spoke regarding concerns about Councilmember Nassar.

Cynthia Bellas spoke regarding hearing examiner selection.

Angela Cudone-Sheridan spoke regarding hearing examiner process.

Karen Vargas spoke regarding the Race Equity Task Force.

Deanna Martinez spoke regarding xenophobia on the island.

5) MAYOR'S REPORT

Mayor Medina remarked on the very full agenda on December 10 and perhaps starting at 5:00 p.m.

The Bainbridge Island Metropolitan Parks and Recreation District is holding their annual winter wonderland at Waterfront Park.

6) CITY MANAGER'S REPORT

City Manager Smith mentioned the closure for Thanksgiving and S'mores with the Squad on Saturday.

7) PUBLIC HEARING(S)

7.A Ordinance No. 2019-39 Extending the Landmark Tree Ordinance, Ordinance No. 2019-17 - Planning

Cover Page

Ordinance No. 2019-39 Extending Landmark Tree Regulations Winslow Area

Exhibit A Work Plan

Exhibit B Winslow Master Plan Study Area

Planning Director Wright introduced the agenda item.

Mayor Medina opened the public hearing at 6:53 p.m.

Mayor Medina closed the public hearing at 6:53 p.m.

MOTION: I move to forward Ordinance No. 2019-39 to the December 10, 2019 Consent Agenda for consideration for approval.

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

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

7.B Public Hearing on Point Monroe Street Vacation, portion of, and Consideration of Ordinance No. 2019-34 - Public Works

Cover Page

STAFF REPORT Robbins-Newlon Street Vacation - Point Monroe

Ordinance No. 2019-34 Pt. Monroe Street Vacation - Robbins-Newlon

Street Vacation Application - Pt. Monroe

Pt. Monroe Street Vacation Comments to Date

Public Works Director Wierzbicki introduced the agenda item.

Mayor Medina opened the public hearing at 6:56 p.m.

Mayor Medina closed the public hearing at 6:56 p.m.

MOTION: I move to forward Ordinance No. 2019-34 for approval with the December 10, 2019 consent agenda.

Tirman/Schneider: The motion carried unanimously.

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

8) UNFINISHED BUSINESS

8.A Ordinance No. 2019-40 Moratorium on Self Storage Units [Added]

Councilmember Deets introduced the agenda item.

MOTION: I move to approve Ordinance No. 2019-40 Moratorium on Self Storage Units.

Deets/Peltier: The motion carried, 5 – 2.

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

8.B Race Equity Task Force Recommendations - RETF members and Council Liaisons

Cover Page

RETF 11_5 City Council Proposal_ Memo

GARE Bainbridge Island Proposal August 2019

RACE EQUITY TASK FORCE_ GARE Proposal Revised Presentation

King County Equity and Social Justice Strategic Plan - Executive Summary

Public Comment

Kerrie Agosta spoke regarding the Race Equity Task Force.

Debbie Haase spoke regarding the Race Equity Task Force.

Robin Hunt spoke regarding the Race Equity Task Force.

Erin Phillips spoke regarding the Race Equity Task Force.

Sal DeRosalia spoke regarding the Race Equity Task Force.

Kamara Blackwell spoke regarding the Race Equity Task Force.

Brenda Fantroy-Johnson regarding the Race Equity Task Force.

Kenza Salem spoke regarding the Race Equity Task Force.

Leslie Daus spoke regarding the census.

MOTION: I move to direct the City Manager to develop an agreement between the City of Bainbridge Island and GARE for technical assistance and to become a member of the GARE network.

Deets/Schneider: The motion carried unanimously.

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

NOES: None

ABSENT: None

ABSTAIN: None

8.C Ordinance No. 2019-32 Amending BIMC 2.16.020.S Housing Design Demonstration Projects (HDDP) Program - Planning

Cover Page

20191126 Staff Memo

Ordinance No. 2019-32 Extending HDDP Program

Planning Commission Rationale for HDDP Sunset 111819

HDDP Program Summary

Planning Commission Minutes DRAFT 110719

BIMC 2.16.020.S HDDP Program

Comp Plan Goals and Policies to support HDDP

Ordinance No. 2018-31 Limiting the Housing Design Demonstration Project Program to Affordable Housing Approved 082818

PLANNING COMMISSION MINUTES 062118

Senior Planner Sutton introduced the agenda item.

Public Comment

Herb Hethcote spoke regarding sun setting the HDDP.

Jane Rein spoke regarding sun setting of the HDDP.

Lisa Macchio spoke for herself, not the planning commission.

Elise Wright spoke regarding lack of affordable housing on Bainbridge Island.

MOTION: I move to direct the City Manager to revise the ordinance to eliminate Tiers 1, 2, and 4 and to eliminate the requirement for 100% affordability in the applicability section, and to add a provision to make units affordable in perpetuity

Blossom/Schneider: The motion carried, 4 – 3.

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

NOES: Ron Peltier, Rasham Nassar, Kol Medina

ABSENT: None

ABSTAIN: None

8.D Resolution No. 2019-26, Updating the City's Ethics Program - Executive

Cover Page

Staff Memo - Potential Discussion Points for City Council Consideration

Revised Code of Conduct and Ethics Program - Track Changes

Resolution No. 2019-26, Updating the City's Ethics Program

Deputy City Attorney Sepler introduced the agenda item and provided a brief overview of changes in the draft resolution.

Public Comment

Stan Rein made comment on the resolution.

MOTION: I move to change "investigation" to "review" in Article III, 5.E.

Deets/Peltier: The motion carried unanimously, 6 – 0.

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

NOES: None

ABSENT: Rasham Nassar

ABSTAIN: None

MOTION: I move to approve Resolution No. 2019-26 as amended.

Tirman/Blossom: The motion carried, 5 – 2

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

NOES: Ron Peltier

ABSENT: Rasham Nassar

ABSTAIN: None

8.E Consideration of Options Related to Shade Covenant on the Crawford Property - Executive

[Cover Page](#)

[Staff Memo - Options Regarding Shade Covenant](#)

Deputy City Manager Schroer introduced the agenda item.

MOTION: I move to direct the city manager to move forward with Option I to remove all 93 trees over 30 feet tall from the Buffer Area.

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

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

NOES: Rasham Nassar, Ron Peltier

ABSENT: None

ABSTAIN: None

9) NEW BUSINESS

9.A Cultural Funding Advisory Committee 2020-21 Funding Recommendations - Executive

[Cover Page](#)

[Recommendation_for_2020-21_Cultural_Funding_for_CC_11262019-2](#)

Deputy City Manager Schroer introduced the agenda item.

MOTION: I move to forward the Cultural Funding Advisory Committee's recommendation for 2020 and 2021 funding awards for approval with the December 10, 2019 Consent Agenda, thereby authorizing the City Manager to execute agreements with the recipient organizations to reflect the funding amounts approved by the City Council.

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

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

NOES: None

ABSENT: None

ABSTAIN: None

Councilmember Nassar absent for remainder of meeting.

9.B Ordinance No. 2019-36 Relating to 2019 4th Quarter Budget and Updated Capital Improvement Plan Amendments - Finance

[Cover Page](#)

[Staff 2019 4th QTR Budget Amendments Transmittal Memo.docx](#)

[Ord 2019-36 2019 4th Qtr Budget Amendments](#)

[Ord 2019-36 Attachment A - Q4 Budget Amendments](#)

MOTION: I move to forward for approval with the Consent Agenda on December 10, 2019, Ordinance No. 2019-36, relating to 2019 4th Quarter budget and updated Capital Improvement Plan amendments.

Schneider/Deets: The motion carried, 6 – 0.

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

9.C Video Inspection Camera Procurement - Public Works

[Cover Page](#)
[Cues QUOTE.pdf](#)
[Video Camera Bid Form.pdf](#)
[Video Camera Proposed Purchase Order](#)

Public Works Director Wierzbicki introduced the agenda item.

MOTION: I move to forward the procurement of the video inspection camera for approval with the December 10, 2019 Consent Agenda.

Deets/Tirman: The motion carried, 6 – 0.

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

9.D Waterfront Park Tree Removal Discussion - Public Works

[Cover Page](#)
[Memo_WFP Tree Removal.docx](#)
[Attach A_WFP Hazard Tree Report_2019-11-06.pdf](#)
[Attach B_WFP Tree Removal_2019.pdf](#)

City Arborist Nick Snyder introduced the agenda item for discussion only.

9.E Old Treatment Plant Pump Station Replacement Project Final Change Order- Public Works

[Cover Page](#)
[OTP Pump Station Replacement Change Order Summary Sheet.pdf](#)

Public Works Director Wierzbicki introduced the agenda item.

MOTION: I move to forward the final change order for the Old Treatment Plant Pump Station Replacement Project for approval with the December 10, 2019 Consent Agenda.

Peltier/Tirman: The motion carried unanimously, 6 – 0.

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

9.F Ordinance 2019-24 Updating Bainbridge Island Municipal Code Sections 2.16.040, 2.16.050, 2.16.070, 2.16.110, 18.09.020, 18.09.030, and 18.36.030 Related to Public Participation Meetings for Short Plats, and Decision Criteria for Site Plan and Design Review and Conditional Use Permits - Planning

Cover Page
PC Staff Memo re Ord 2019-24
Ord 2019-24 - Revisions to BIMC 2.16, 18.09, and 18.36
Exhibit A Title 2 Changes
Exhibit A Clean
Exhibit B 18.09 Use Table
Exhibit C Use Specific Standards

MOTION: I move to forward Ordinance 2019-24 to the December 10, 2019 Consent Agenda.

Deets/Tirman: The motion carried, 6 – 0.

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

9.G Resolution No. 2019-29, Updating the Administrative Manual to Reflect the New Subdivision Standards and the New Design Standards and Guidelines - Planning

Cover Page
Resolution No. 2019-29 PCD Administrative Manual Updates for Ord 2019-03 and 2019-25
Resolution No. 2019-29 Exhibit A Admin Manual Updated - City Council

Senior Planner Tayara introduced the agenda item.

MOTION: I move to forward Resolution No. 2019-29 for approval with the Consent Agenda on December 10, 2019.

Tirman/Blossom: The motion carried, 6 – 0.

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

9.H Resolution No. 2019-30 Relating to Clean Fuel Standard Endorsement - Councilmember Peltier

Cover Page
Resolution 2019-30 Relating to Clean Fuel Standards

Councilmember Peltier introduced the agenda item.

MOTION: I move to forward Resolution No. 2019-30 for approval with the December 10, 2019 Consent Agenda.

Peltier/Deets: The motion carried, 6 – 0.

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

10) CONSENT AGENDA

10.A Agenda Bill for Consent Agenda

[Cover Page](#)

10.B Accounts Payable and Payroll

[Cover Page](#)

[Payroll.pdf](#)

[Report to Council of Cash Disbursements 11-27-19.pdf](#)

Payroll: normal direct deposit check sequence 46361 – 46490 = \$322,405.11; regular payroll check sequence 109190 – 109193 = \$ 5,491.01; vendor check run sequence 109194 – 109203 = \$131,742.64; Federal Tax Electronic Funds Transfer = \$117,990.59; ACH \$237.50. Total disbursement = \$577,866.85.

Accounts Payable: check number 352092 from previous run = \$100.00; manual check number sequence 352093 – 352108 = \$143,628.62; regular check number sequence 352109 – 352221 = \$658,808.82. Total disbursement = \$802,437.44.

10.C City Council Special Meeting Minutes, November 5, 2019

[Cover Page](#)

[City Council Special Study Session Minutes, November 5, 2019](#)

10.D City Council Regular Business Meeting Minutes, November 12, 2019

[Cover Page](#)

[City Council Regular Business Meeting Minutes, November 12, 2019](#)

10.E Public Safety Committee Recommendation on Committee Changes - Councilmembers Deets, Blossom, and Peltier

[Cover Page](#)

10.F Ordinance No. 2019-37, Authorizing Local Sales Tax to Support Affordable and Supportive Housing - Finance

[Cover Page](#)

[Ordinance No. 2019-37, Authorizing Local Sales and Use Tax to Fund Investments in Affordable and Supportive Housing](#)

[AWC Implementing HB 1406](#)

[MRSC - SHB 1406 Understanding the Affordable Housing Sales Tax Credit](#)

[Resolution No. 2019-27 Stating Intent to Implement HB1406 Approved 102219.pdf](#)

10.G Lodging Tax Advisory Committee (LTAC) 2020 Funding Recommendations - Executive

[Cover Page](#)

[2020 LTAC Funding Recommendations - for CC 11122019](#)

10.H Ordinance No. 2019-30, Updating Pass-Through Fee from Retailers to Customers Requesting Bags - Finance

[Cover Page](#)

[Ordinance No. 2019-30, Update of Pass-Through Fee from Retailers to Customers Requesting Bags](#)

- 10.I Ordinance No. 2019-35, Relating to Business and Occupation Taxes (B&O) Changes - Finance**
[Cover Page](#)
[Ordinance No. 2019-35 Implementing State Mandated Changes to Business and Occupation Tax AWC 2019 Summary of Changes](#)
- 10.J Interagency Agreement with the Washington State Traffic Safety Commission in Support of Multi-jurisdictional Grant-funded High-visibility Emphasis Activities and Target Zero Campaigns – Police**
[Cover Page](#)
[2020 HVE Region Budget IAA_Region 9.pdf](#)
[2020 HVE Region Budget GRAF_Region 9.pdf](#)
- 10.K Second Amendment to the Interlocal Agreement with Kitsap County Sheriff's Office for the Incarceration of City Prisoners - Police**
[Cover Page](#)
[2020 Jail Contract Amendment](#)
- 10.L West Sound Stormwater Outreach Group Interlocal Agreement - Public Works**
[Cover Page](#)
[2020-2022 West Sound Stormwater Outreach Group ILA, Contract KC-512-19](#)
- 10.M Legal Services Agreement with Kitsap County Prosecuting Attorney's Office for 2020 - Executive**
[Cover Page](#)
[Staff Memo - 2019 Referrals to Kitsap County Prosecuting Attorney's Office](#)
[2020 Legal Services Agreement with Kitsap County Prosecuting Attorney's Office](#)
[2020 Cost Breakdown for Prosecution Services](#)
- 10.N Amendment No. 1 to the Professional Services Agreement with Sound Law Center, LLC, for Hearing Examiner Services - Executive**
[Cover Page](#)
[Amendment No. 1 to PSA with Sound Law Center, LLC, for Hearing Examiner Services](#)
[PSA with Sound Law Center, LLC, for Hearing Examiner Services \(Executed 12-14-17\)](#)
[Sound Law Center HEX Report - January 2018 to October 2019](#)
- 10.O Amendment No. 2 to the Contract for Indigent Defense Services - Executive**
[Cover Page](#)
[Amendment No. 2 to Contract for Indigent Defense Services - THOMAS ALPAUGH](#)
[Amendment No. 1 to Contract for Indigent Defense Services - THOMAS ALPAUGH](#)
[Contract for Indigent Defense Services - THOMAS ALPAUGH](#)
[Q1-Q3 2019 - Public Defender Tracking](#)

Item 10.N was pulled for discussion.

MOTION: I move to approve Item 10.N on the Consent Agenda.

Peltier/Blossom: The motion carried, 6 – 0.

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

NOES: None

ABSENT: Rasham Nassar
ABSTAIN: None

Councilmember Peltier moved and Councilmember Blossom seconded to approve the consent agenda, as amended. The motion was approved by unanimous consent.

11) COMMITTEE REPORTS

11.A Committee Reports

Cover Page

Climate Change Advisory Committee Meeting Minutes, October 16, 2019

Race Equity Task Force Meeting Minutes, October 3, 2019

Utility Advisory Committee Meeting Minutes, October 9, 2019

12) FOR THE GOOD OF THE ORDER

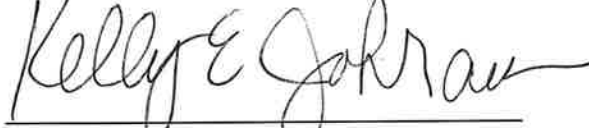
Councilmember Schneider highlighted an opportunity needing Council discussion: Squeaky Wheels matching funds for Dana's Trail. This item will be placed on the December 3, 2019 Study Session agenda.

13) ADJOURNMENT

Mayor Medina Mayor Medina adjourned the meeting at 10:23 p.m.



Kol Medina, Mayor



Kelly Jahraus, Deputy City Clerk