



CITY OF  
BAINBRIDGE ISLAND

**CITY COUNCIL REGULAR BUSINESS MEETING  
TUESDAY, MARCH 10, 2020**

**MEETING MINUTES**

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

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

Mayor Schneider, Deputy Mayor Nassar, and Councilmembers Deets, Hytopoulos, Medina and Pollock 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.**

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Mayor Schneider adjourned the meeting to an executive session at 6:03 p.m. with an expected adjournment at 6:50 p.m. The executive session was extended for 10 minutes at 6:50 p.m.

Mayor Schneider reconvened the meeting at 7:02 p.m.

**3) APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE**

Councilmember Medina moved and Deputy Mayor Nassar seconded to add Resolution 2020-06 to the agenda under New Business. The motion was approved by unanimous consent.

Councilmember Deets moved and Deputy Mayor Nassar seconded to remove Item 9.H. The motion was approved by unanimous consent.

Councilmember Deets moved and Deputy Mayor Nassar seconded to approve the agenda as amended. The motion was approved by unanimous consent.

Councilmember Medina declared a potential conflict of interest regarding Item 8.C as he worked with the Islander Mobile Home Park assisting them with selling bonus FAR in the past. The city attorney has determined there is no conflict.

Mayor Schneider disclosed her company Office XPats is in the Pavilion that is owned by Madison Avenue Real Estate. The city attorney has determined there is no conflict.

#### 4) PUBLIC COMMENT

Erin Phillips spoke regarding the Race Equity Task Force appointment and process.

Lisa Macchio referenced an email sent to Council regarding the Floor Area Ratio Bonus.

Ron Peltier spoke regarding ethics and transparency.

Shannon Turner spoke in support of Erin Phillips as an appointee to the Race Equity Task Force.

Robin Hunt spoke regarding the Race Equity Task Force and in support of Erin Phillips.

Belinda Thornburg spoke regarding Ordinance 2020-10.

Gina Corpuz spoke regarding the Race Equity Task Force and the withdrawal of the nomination of Erin Phillips.

Peter Berg spoke in support of Erin Phillips.

Nick Masla spoke regarding Floor Area Ratio Bonus.

Tom Daniels spoke about affordable housing and Floor Area Ratio Bonus.

Jim Halbbrook spoke regarding Floor Area Ratio Bonus.

Mary Clare Kersten spoke regarding development on the island.

Larry Koss offered general comment.

#### 5) MAYOR'S REPORT

Mayor Schneider mentioned the primary election.

#### 6) CITY MANAGER'S REPORT

City Manager Smith reported on the corona virus and the City's response.

#### 7) FUTURE COUNCIL AGENDAS

##### 7.A Future Council Agendas

[Cover Page](#)

[2020 List of Pending Council Meeting Topics.pdf](#)

[2020 List of Proposed Future Council Topics.pdf](#)

[031720 City Council Study Session.pdf](#)

[032420 City Council Regular Business Meeting.pdf](#)

[040720 City Council Study Session.pdf](#)

Council discussed the possibility of cancelling the meeting on April 7 given the Bainbridge Island School District spring break.

## 8) UNFINISHED BUSINESS

### 8.A Schedule a Public Hearing on Ordinance No. 2020-09, Related to Extending the Moratorium on Certain Development Activities - Planning

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Development Moratorium Handout

Moratorium Extension Ordinance No. 2019-26

20200221\_Abbreviated\_moratorium\_work\_program\_status\_report.docx

Senior Planner Sutton introduced the agenda item.

#### Public Comment

Ron Peltier spoke regarding the moratorium.

**MOTION:** I move to schedule a public hearing on March 24, 2020, related to Ordinance No. 2020-09, which would extend the moratorium on certain development activities for six months.

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

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

### 8.B Wyatt Way Reconstruction Project Contract Award - Public Works

Cover Page

Wyatt Way Presentation 031020.pptx

Wyatt Way Reconstruction Budget Report.pdf

Bid Tab Wyatt Way\_KGREVISED.xlsx

Wyatt Contract Seton DRAFT

Public Works Director Wierzbicki introduced the agenda item.

**MOTION:** I move to forward the Wyatt Way Reconstruction project contract award to Seton Construction in the amount of \$2,860,154.64, and a 1st quarter budget amendment for the water fund portion of the project in the amount of \$45,000.00, for approval with the March 24, 2020 Consent Agenda.

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

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

### 8.C Ordinance No. 2020-10 Relating to an Interim Zoning Control Suspending BIMC 18.12.030.E. and Related Provisions Regarding Floor Area Ratio Bonus Density Options, Except for Sections E.1. and E.6. of BIMC 18.12.030.E.

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Ordinance No. 2020-10 Adopting an Interim Zoning Control Related to Use of Bonus Density.docx

Resolution No. 2001-54 Relating to Distribution of Funds from FAR

Resolution No. 2003-25 Designating the City Council as the Decision-Making Authority for  
Proposals to Construct Public Amenities in Exchange for FAR Bonuses  
BIMC 18.12.030 FAR BONUS OPTIONS.docx  
Ordinance No. 2019-26 Extending the Development Moratorium Approved 092419

Mayor Schneider introduced the agenda item.

### **Public Comment**

Jeb Thornburg spoke about process and putting hard stops on projects.

Ron Peltier stated concern about full disclosure and conflict of interest.

**MOTION:** I move to amend Ordinance No. 2020-10, Section 2.B., to add an exclusion to the interim zoning control for development projects that filed a complete land use permit application with the City and have purchased from the City or otherwise acquired development rights, including related to bonus floor area ratio, through an executed covenant, development agreement, or contract, prior to the effective date of this ordinance.

**Medina/Deets:** The motion carried, 5 – 1.

**AYES:** Deets, Hytopoulos, Medina, Pollock, Schneider

**NOES:** Nassar

**ABSENT:** None

**ABSTAIN:** None

**MOTION:** I move to remove the recital in the ordinance: *Whereas the City's affordable housing bonus density program has had limited success because of competing bonus density options such as the option for direct purchase of bonus density; and...*

**Pollock/Medina:** The motion carried unanimously, 6 – 0.

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**MOTION:** I move to remove the recital in the ordinance: *Whereas, the effect of these competing bonus density options is to create a socioeconomic environment in downtown Winslow that is at odds with the Guiding Principles, the Housing Element, and other Elements of the City's Comprehensive Plan; and...*

**Pollock/Medina:** The motion carried unanimously, 6 – 0.

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**MOTION:** I move to approve Ordinance No. 2020-10, relating to an interim zoning control to hereby suspend BIMC 18.12.030.E. and related provisions as described in the ordinance regarding floor area ratio bonus density options, except for Sections E.1. and E.6. of BIMC 18.12.030.E. as amended.

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

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**MOTION:** I move to set a public hearing on Ordinance No. 2020-10, relating to an interim zoning control to hereby suspend BIMC 18.12.030.E. and related provisions as described in the ordinance regarding floor area ratio bonus density options for April 14, 2020.

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

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

## 9) NEW BUSINESS

### Proclamation on Corona Virus [ADDED]

Resolution No. 2020-06 Covid-19 - Affirming Proclamation of Emergency

Deputy City Attorney Sepler introduced the agenda item.

**MOTION:** I move to approve Resolution No. 2020-06 Covid-19 - Affirming Proclamation of Emergency

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

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

### 9.A Creation of a Term-Limited Position Dedicated to Public Records Response - Executive

Cover Page

Presentation - Request to Add Term-Limited Position CC 03102020

Staff Memorandum - Exec Staffing Request for Term-Limited PRR Position

Deputy City Manager Schroer introduced the agenda item.

**MOTION:** I move to forward for approval with the Consent Agenda for the March 24, 2020, Council meeting creation of a term-limited position to support public records response.

**Pollock/Nassar:** The motion carried unanimously, 6 – 0.

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

### 9.B Ordinance No. 2020-07, Amending Ch. 2.41 BIMC Relating to the Human Services

Funding Advisory Committee, Executive

Cover Page

Ordinance No. 2020-07, Amending Chapter 2.41 BIMC Relating to the Human Services Funding Advisory Committee

Deputy City Manager Schroer introduced the agenda item.

**MOTION:** I move to forward Ordinance No. 2020-07 for approval with the March 24, 2020 Consent Agenda.

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

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**9.C Ordinance No. 2020-08, Amending Ch. 2.43 BIMC Relating to the Cultural Funding Advisory Committee - Executive**

Cover Page

Ordinance No. 2020-08, Amending Chapter 2.43 BIMC Relating to the Cultural Funding Advisory Committee

**MOTION:** I move to forward Ordinance No. 2020-08 for approval with the March 24, 2020 Consent Agenda.

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

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**9.D Interlocal Agreement with Kitsap County Regarding for Emergency Vehicle Operation Course (EVOC) Training - Police**

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Interlocal Agreement with Kitsap County Regarding for Emergency Vehicle Operation Course (EVOC) Training

Interim Police Chief Weiss introduced the agenda item.

**MOTION:** Rasham Nassar moved and Joe Deets seconded to approve

I move to forward the Interlocal Agreement with Kitsap County for Emergency Vehicle Operation Course Training for approval with the March 24, 2020 Consent Agenda.

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

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**9.E Memorandum of Understanding with Olympic Educational Service District Regarding the Regional Student Threat Assessment Level II Team Program - Police**

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Memorandum of Understanding with Olympic Educational Service District Regarding the Regional Student Threat Assessment Level II Team Program

Interim Police Chief Weiss introduced the agenda item.

**MOTION:** I move to forward the Memorandum of Understanding with Olympic Educational Service District Regarding the Regional Student Threat Assessment Level II Team Program for approval with the March 24, 2020 Consent Agenda.

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

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**9.F Janitorial Contract Award - Public Works**

[Cover Page](#)

[Janitorial Agreement 2020](#)

Public Works Director Wierzbicki introduced the agenda item.

**MOTION:** I move to forward consideration of the Janitorial Contract Award to the March 24, 2020 Unfinished Business agenda.

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

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**9.G Utility Van Procurement - Public Works**

[Cover Page](#)

[Columbia Ford Utility Van Quote.pdf](#)

Public Works Director Wierzbicki introduced the agenda item

**MOTION:** I move to forward the Utility Van Procurement in the amount of \$100,623.38 for approval with the March 24, 2020 Consent Agenda.

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

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**9.H Appointment to the Race Equity Task Force - Mayor Schneider [Pulled]**

[Cover Page](#)

[Race Equity Task Force Prior Applications - Redacted \(March 2020 Appointment\)](#)

**9.I Appointments to the Green Building Task Force - Mayor Schneider**

Mayor Schneider introduced the agenda item.

**MOTION:** I move to forward for approval with the March 24, 2020 Consent Agenda the following appointments to the Green Building Task Force: Jonathan Davis, Russ Hamlet, Julie Kriegh, Kathleen O'Brien, Richard Perlot, Dave Sale, Marty Sievertson, Kathleen Smith, and Jason Wilkinson.

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

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

## 10) COUNCIL DISCUSSION

### 10.A Role of Council Liaisons - Councilmember Medina

Cover Page

Councilmember Liaison Job Description draft 2-23-20 redlined

Councilmember Liaison Job Description draft 2-23-20 clean.docx

Councilmember Medina introduced the agenda item

**MOTION:** I move to approve the Councilmember Liaison job description as attached with this agenda item.

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

**AYES:** Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

### 10.B Task Force on Land Use Review Procedures

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Councilmember Medina introduced the agenda item.

Council discussed whether to form an ad-hoc or task force.

Further discussion will take place at a future council meeting.

## 11) CONSENT AGENDA

### 11.A Agenda Bill for Consent Agenda

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### 11.B Accounts Payable and Payroll

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Payroll.pdf

[Report to Council of Cash Disbursements 03-11-20.pdf](#)

Payroll: normal direct deposit check sequence 47265 – 47394 = \$311,450.90; regular payroll check number 109288 = 2,026.26; vendor check run sequence 109289 – 109302 = \$329,386.84; Federal Tax Electronic Funds Transfer = \$117,444.83; ACH \$237.50. Total disbursement = \$760,546.33.

Accounts Payable: check number 353013 from previous run = \$379.69; manual check number sequence 353014, 353016 – 353022 = \$155,958.30; regular check number sequence 353023 – 353121 = \$356,452.58; retainage release 183 = \$5,882.66; travel advance 88 = \$50.00. Total disbursement = \$526,406.71.

**11.C City Council Business Meeting Minutes, February 25, 2020**

[Cover Page](#)

[City Council Regular Business Meeting Minutes February 25, 2020](#)

**11.D Ordinance No. 2020-06, Amending the 2020 Budget to Carry Forward Funding for Work Funded in 2019 but to be Performed in 2020 - Finance**

[Cover Page](#)

[2019\\_Budget\\_Carry\\_over\\_into\\_2020\\_Transmittal\\_Memo](#)

[Ordinance No. 2020-06 Amending the 2020 Budget to Carry Forward 2019 Items.docx](#)

[Ord 2020-06 Attachment A - Carryover Request Final.xlsx](#)

**11.E Appointment to the Design Review Board - Mayor Schneider**

[Cover Page](#)

[Design Review Board Applications \(Redacted\).pdf](#)

Deputy Mayor Nassar moved and Councilmember Deets seconded to approve the consent agenda as presented. The motion was approved by unanimous consent.

**12) COMMITTEE REPORTS**

**12.A Committee Reports, Executive**

[Cover Page](#)

[Climate Change Advisory Committee Minutes, January 27, 2020](#)

[Environmental Technical Advisory Committee Minutes, January 9, 2020](#)

[Race Equity Task Force Minutes, February 6, 2020](#)

**13) FOR THE GOOD OF THE ORDER**

Deputy Mayor mentioned the Request for Qualification process for committee members.

City Manager Smith reiterated how the City is preparing across the organization for the corona virus.

**14) ADJOURNMENT**

Mayor Schneider adjourned the meeting at 10:10 p.m.



Kelly Jahraus, Deputy City Clerk



Leslie Schneider, Mayor