



CITY COUNCIL BUSINESS MEETING
TUESDAY, OCTOBER 12, 2021

MEETING MINUTES

1) CLOSED SESSION

2) [CALL TO ORDER/ROLL CALL](#)

Mayor Nassar called the meeting to order at 6:00 p.m. on the Zoom webinar platform.

Mayor Nassar, Deputy Mayor Pollock, and Councilmembers Deets, Fantroy-Johnson, Hytopoulos and Schneider were present. Councilmember Carr was absent and excused.

3) EXECUTIVE SESSION

3.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 Nassar adjourned the meeting to an executive session at 6:02 p.m. pursuant to RCW 42.30.110(1)(i).

Council returned from executive session at 6:20 p.m., and Mayor Nassar reconvened the meeting.

4) [APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE](#)

Councilmember Hytopoulos asked to pull items 6.D and 6.G from the Consent Agenda. Councilmember Deets moved and Deputy Mayor Pollock seconded to approve the agenda as modified. The motion carried 6-0. There were no conflicts of interest disclosed.

5) [PUBLIC COMMENT](#)

5.A Instructions and Guidelines for Providing Public Comment at Remote Meetings - City Clerk
[Cover Page](#)
[Instructions for Providing Public Comment at Remote Meetings.pdf](#)

Heather Trim spoke in favor of the waste reduction ordinance.

Bob Scales spoke about an agreement regarding the tax title property.

Mona Swanson spoke in favor of the tax title property agreement.

Jon Quitslund spoke about the need for a Code update in connection with the Multifamily Tax Exemption (MFTE) program.

Tyler Hannon spoke in favor of the agreement on the tax title property.

Sal DeRosalia thanked Council for investing in affordable housing and spoke in favor of race equity training for Council.

Phedra Elliott thanked Council for supporting affordable housing and spoke in favor of the MFTE program and extending the Housing Design Demonstration Project (HDDP) ordinance.

Ashley Mathews spoke in favor of the Government Alliance for Race Equity (GARE).

Nora Nickum spoke in favor of the draft waste reduction ordinance.

6) CONSENT AGENDA

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

MOTION: I move to approve the Consent Agenda as amended, removing items 6.D and 6.G.

Deets/Pollock: The motion carried 6 – 0.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson

NOES: None

ABSENT: Christy Carr

ABSTAIN: None

6.B Approve Accounts Payable and Payroll

[Cover Page](#)

[Payroll Council Report 10-5-21.pdf](#)

[AP Report to Council of Cash Disbursements 10-13-21.pdf](#)

6.C Approve City Council Meeting Minutes

[Cover Page](#)

[City Council Study Session Minutes, September 21, 2021.pdf](#)

[City Council Business Meeting Minutes, September 28, 2021.pdf](#)

6.E Authorize Solicitation of Professional Services Contract for Wastewater Treatment Plant Capacity Upgrade Support (>\$100K) - Public Works

[Cover Page](#)

[WWTP Capacity Memo 100621.docx](#)

6.F Authorize Ford F450 Crew Cab Flatbed Truck Procurement (\$104,758.84), including Flat Bed Dump Box, Snowplow and Sander - Public Works

Cover Page
01124_Quote.pdf

6.H Confirm Recommended Appointments to the Lodging Tax Advisory Committee - Council

Cover Page
Corbin - LTAC (Redacted).pdf
Dumouchel - LTAC (Redacted).pdf
Fitzgerald - LTAC (Redacted).pdf
Raffa - LTAC (Redacted).pdf

6.I Authorize One-Year Renewal of Annual \$65,000 Payment to Friends of the Farms and Direct an Analysis of Policy and Service Delivery - Executive

Cover Page
Background: Public Farmland Ad Hoc Committee and Scope of Work 01282020.pdf
Background: Public Farms Map
COBI-Friends of the Farms (Amendment No. 3) - Executed.pdf
Background: COBI-FOF Master Lease

6.J Review 2021 Quarterly Workplan Document - Executive

Cover Page
Workplan Presentation for 10122021.pdf
2021 Workplan 09-2021 for CC 10122021

REMOVED FROM THE CONSENT AGENDA

6.D Accept Loan Awards for Two Projects from the Washington State Public Works Board for the Winslow Water Tank Replacement Project (\$4,500,000) and the West Eagle Harbor Sewer Complex Project (\$2,500,000) (with Interest Rate of 0.94 percent), and Authorize the City Manager to Execute Loan Contracts for Each Award - Public Works

Cover Page
Winslow Water Tank_PWVB Loan Award.pdf
W Eagle Harbor Sewer_PWVB Loan Award.pdf

Councilmember Hytopoulos explained her concern with the agenda item, and City Manager King responded to the concern.

MOTION: I move that we accept two Washington State Public Works Board construction loans for the Winslow Water Tank Replacement Project in the amount of \$4,500,000 and the West Eagle Harbor Sewer Complex Project in the amount of \$2,500,000, with an Interest Rate of 0.94 percent for a 20-year term and Authorize the City Manager to execute loan contracts for each award.

Hytopoulos/Deets: The motion carried 6 – 0.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson
NOES: None
ABSENT: Christy Carr
ABSTAIN: None

6.G Adopt Ordinance No. 2021-28 - Update of the City's Capital Improvement Plan - Finance/Public Works

[Cover Page](#)
[2022 Modifications to the 2021-2026 CIP.pdf](#)
[Ordinance_No._2021-28_Adopting_the_2022_Update_of_the2021-2026_Six-Year_CIP.docx](#)

Councilmember Hytopoulos explained her concern with the agenda item, and City Manager King responded to the concern.

MOTION: I move that we adopt Ordinance No. 2021-28.

Hytopoulos/Fantroy-Johnson: The motion carried 6 – 0.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson
NOES: None
ABSENT: Christy Carr
ABSTAIN: None

7) COUNCIL ANNOUNCEMENTS

Councilmember Deets provided an update on an agreement between the neighbors and Bainbridge Island Sportsman Club.

8) CITY MANAGER'S REPORT

City Manager King mentioned Planning Director Wright's resignation, Climate Mitigation Officer Salamack's first day at the City, and support for Indigenous Peoples Day.

9) PRESENTATION(S)

9.A Present Proclamation Declaring October 2021 as National Community Planning Month

[Cover Page](#)
[2021 October National Community Planning Month Proclamation.docx](#)

Councilmember Schneider read the proclamation. Planning Director Wright accepted the proclamation and highlighted improvements in the department.

10) UNFINISHED BUSINESS

10.A Consider Draft Ordinance No. 2021-23 Creating a Multifamily Tax Exemption Program - Planning

[Cover Page](#)
[MFTE presentation.pptx](#)
[MFTE Staff Memo.docx](#)
[Draft Ordinance No. 2021-23 MFTE Program.docx](#)
[Exhibit A BIMC 3.62 MFTE.docx](#)
[Exhibit B Greater Winslow Area.pdf](#)
[Exhibit C Lynwood Center Area.pdf](#)
[Resolution No. 2021-09-Relating to MFTE Designation Areas-Approved 052521.pdf](#)
[2021 WA ESD Occupational employment and wage estimates Bremerton Silverdale MSA.pdf](#)
[PSRC Summary Multifamily Tax Exemption](#)
[2019 Dept of Commerce MFTE Report](#)

City Manager King introduced the agenda item. Planning Director Wright and Senior Planner Sutton provided additional information. Council discussed income requirements for Multifamily Tax Exemption Program (MFTE) affordable units.

MOTION: I move to set the level of affordability and the maximum household incomes for units designated as affordable housing through the MFTE Program at 80% Area Median Income for the 20-year program, and 80% Area Median Income [for] the 12-year program, in a manner consistent with state law.

Deets/Pollock: The motion carried 5 – 1.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock
NOES: Brenda Fantroy-Johnson
ABSENT: Christy Carr
ABSTAIN: None

10.B Authorize Amendment to the City's Water System Plan and Authorize an Associated Washington State Drinking Water Revolving Fund Loan/Grant Application (\$800,000) for Ferncliff Water Main Extension - Public Works

[Cover Page](#)

[COBI WSP Ferncliff Update - Section 9.3.pdf](#)

[COBI WSP Ferncliff Update - Figure 9.1.pdf](#)

[DOH - Drinking Water State Revolving Fund Loan Fact Sheet.pdf](#)

[Ferncliff Water Extension 092821.pptx](#)

City Manager King introduced the agenda item. Public Works Director Wierzbicki provided additional information.

MOTION: I move to authorize the City Manager to prepare and execute an amendment to the City's Water System Plan that identifies a potential extension of the Ferncliff Avenue water main and authorize the City Manager to submit an application for a State Revolving Fund loan/grant in the amount of \$800,000 to support the potential extension.

Fantroy-Johnson/Deets: The motion carried 6 – 0.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson
NOES: None
ABSENT: Christy Carr
ABSTAIN: None

10.C Respond to Mediation Request Relating to Madison Avenue Tax Title Property - Executive

[Cover Page](#)

[RE_ Follow-up Tax Title Property.pdf](#)

City Manager King introduced the agenda item.

MOTION: I move to table this discussion pending review of the proposed contract.

Pollock/Deets: The motion carried 6 – 0.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson
NOES: None
ABSENT: Christy Carr
ABSTAIN: None

10.D Adopt Goals and Objectives for the Groundwater Management Plan - Public Works

[Cover Page](#)

[GWMP City Council Presentation 12Oct2021.pptx](#)

City Manager King introduced the agenda item.

Councilmember Deets moved and Councilmember Fantroy-Johnson seconded to adopt the goals and objectives for the Groundwater Management Plan as discussed and amended at the October 12, 2021 City Council meeting.

Hydrogeologist Whalen provided a presentation. Council provided feedback on the goals and objectives. Councilmember Deets withdrew his motion. The amended goals and objectives will be brought back to Council for approval.

10.E Receive Plastic and Waste Reduction Task Force Recommendation

[Cover Page](#)

[Plastic Waste Reduction Taskforce Recommendation 10 07 2021.pdf](#)

[Clean Copy Draft Revised Waste Reduction Ordinance 10 07 2021.pdf](#)

[Redlined Draft Revised Waste Reduction Ordinance 10 07 2021.pdf](#)

City Manager King introduced the agenda item. Council discussed the recommendations.

MOTION: I move that we receive the Plastic and Waste Reduction Task Force Recommendations, and we direct the City Manager to develop an ordinance consistent with those recommendations to bring back to the Council for further consideration.

Pollock/Deets: The motion carried 6 – 0.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson
NOES: None
ABSENT: Christy Carr
ABSTAIN: None

11) NEW BUSINESS

11.A Consider Ordinance No. 2021-27 Relating to 2022 Mid-Biennium Budget Modifications and Set Public Hearing - Finance

[Cover Page](#)

[2021 Budget Presentation for CC 10122021.pptx](#)

[2022 Budget Modification Memo.pdf](#)

[2022 Expenditures by Fund Exhibit A.pdf](#)

[Ordinance No. 2021-27 Adopting Mid-Biennium Modifications to Final Budget ending December 2022.docx](#)

City Manager King introduced the agenda item. Council discussed the budget modifications.

MOTION: I move to set a public hearing for October 26, 2021, on Ordinance No. 2021-27 relating to the 2022 mid-biennium budget modifications.

Deets/Pollock: The motion carried 5 – 1.

AYES: Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson
NOES: Rasham Nassar
ABSENT: Christy Carr
ABSTAIN: None

Mayor Nassar adjourned the meeting for a break at 8:43 p.m. and reconvened the meeting at 8:49 p.m.

11.B Set the Public Hearing for Ordinance No. 2021-26 Relating to the Property Tax Levy for Collection in 2022 - Finance

[Cover Page](#)

[Ordinance No. 2021-26 Relating to the Levy of Property Taxes for Collection in 2022.dcx](#)

[City of Bainbridge Island Levy Limit 9 29 21.docx](#)

Deputy City Manager Schroer introduced the agenda item, and Council discussed the topic.

MOTION: I move to set a public hearing for October 26, 2021, regarding Ordinance No. 2021-26, relating to the Property Tax Levy for Collection in 2022.

Pollock/Deets: The motion carried 6 – 0.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson
NOES: None
ABSENT: Christy Carr
ABSTAIN: None

11.C Consider Extension of BIMC 2.16.020.S. Housing Design Demonstration Projects (HDDP) Program - Planning

[Cover Page](#)

[Map of Winslow Sewer & WMP areas.pdf](#)

[BIMC 2.16.020.S Housing Design Demonstration Projects.pdf](#)

[Ordinance No. 2019-32 HDDP.pdf](#)

[Comp Plan Goals and Policies to support HDDP](#)

[Nov 7, 2019, Planning Commission Meeting Minutes.pdf](#)

City Manager King introduced the agenda item.

Councilmember Deets moved and Councilmember Schneider seconded to extend the Housing Design Demonstration Projects Program for 2 years, until December 31, 2023, and for the City Manager to take steps to effectuate the extension.

Council discussed the program. Deputy Mayor Pollock moved and Councilmember Deets seconded to amend the motion to refer the item to Planning Commission for consideration and a recommendation. The amendment passed, 6-0.

AMENDED MOTION: I move to refer to the Planning Commission, for consideration and a recommendation, the proposal to extend the Housing Design Demonstration Projects Program for 2 years, until December 31, 2023, and for the City Manager to take steps to effectuate the extension.

Deets/Schneider: The motion carried 6 – 0.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson
NOES: None
ABSENT: Christy Carr
ABSTAIN: None

11.D Set the Public Hearing on Ordinance No. 2021-29, Extending Small Wireless Facilities Design Standards Interim Official Control - Executive

[Cover Page](#)

[Ordinance No. 2021-29 Extending Interim Control - Small Wireless Facilities.docx](#)

[Ordinance No. 2021-14-Relating to Extending Interim Control of Small Wireless Facilities-](#)

[Approved 042721.pdf](#)

Mayor Nassar introduced the agenda item.

MOTION: I move to set a public hearing for October 26, 2021, related to Ordinance No. 2021-29, which would extend the interim control regarding small wireless facilities design standards for six months.

Pollock/Hytopoulos: The motion carried 6 – 0.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson
NOES: None
ABSENT: Christy Carr
ABSTAIN: None

11.E Consider Recommended Appointments to the Cultural Funding Advisory Task Force - Council

[Cover Page](#)

[Chandrasekaran - Cultural Funding \(Redacted\).pdf](#)

[Crandall - Cultural Funding \(Redacted\).pdf](#)

[Denis - Cultural Funding \(Redacted\).pdf](#)

[Douglass-Resnik - Cultural Funding \(Redacted\).pdf](#)

[Reynolds-Gooch - Cultural Funding \(Redacted\).pdf](#)

Mayor Nassar introduced the agenda item.

MOTION: I move to forward the confirmation of the appointment of Terry Douglass-Resnik to Position I to the October 26, 2021, Consent Agenda.

Fantroy-Johnson/Pollock: The motion carried 6 – 0.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson
NOES: None
ABSENT: Christy Carr
ABSTAIN: None

MOTION: I move to forward the confirmation of the appointment of Emily Crandall to Position 3 to the October 26, 2021, Consent Agenda.

Fantroy-Johnson/Pollock The motion carried 6 – 0.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson

NOES: None

ABSENT: Christy Carr

ABSTAIN: None

MOTION: I move to forward the confirmation of the appointment of Thangam Chandrasekaran to Position 2 to the October 26, 2021, Consent Agenda.

Fantroy-Johnson/Pollock The motion carried 6 – 0.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson

NOES: None

ABSENT: Christy Carr

ABSTAIN: None

MOTION: I move to forward the confirmation of the appointment of Peter Denis to Position 4 to the October 26, 2021, Consent Agenda.

Fantroy-Johnson/Pollock The motion carried 6 – 0.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson

NOES: None

ABSENT: Christy Carr

ABSTAIN: None

MOTION: I move to forward the confirmation of the appointment of David Reynolds-Gooch to Position 5 to the October 26, 2021, Consent Agenda.

Fantroy-Johnson/Pollock The motion carried 6 – 0.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson

NOES: None

ABSENT: Christy Carr

ABSTAIN: None

12) COMMUNICATIONS

I2.A Request from Councilmember Schneider to Schedule a Discussion on Diversity/Equity/Inclusion Training for Council on a Future Council Agenda – Councilmember Schneider

[Cover Page](#)

[Agenda Request from Councilmember Schneider.pdf](#)

Councilmember Schneider introduced the agenda item.

MOTION: I move to forward this request for diversity, equity, and inclusion training to a Council meeting sometime in the future, preferably the near future.

Pollock/Deets: The motion carried 4 – 2.

AYES: Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock

NOES: Rasham Nassar, Brenda Fantroy-Johnson

ABSENT: Christy Carr

ABSTAIN: None

12.B Request from Councilmember Deets to Schedule a Discussion on Locating a Biodigester on Bainbridge Island to a Future Council Agenda - Councilmember Deets

[Cover Page](#)

[Agenda Request from Councilmember Deets.pdf](#)

Councilmember Deets introduced the agenda item.

MOTION: I move to schedule a discussion of a biodigester on a future Council agenda.

Pollock/Schneider: The motion carried 6 – 0.

AYES: Rasham Nassar, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Michael Pollock, Brenda Fantroy-Johnson

NOES: None

ABSENT: Christy Carr

ABSTAIN: None

13) COMMITTEE REPORTS

There were no committee reports.

14) ADJOURNMENT

Mayor Nassar adjourned the meeting at 9:42 p.m.

/s/

Rasham Nassar, Mayor

/s/

Christine Brown, CMC, City Clerk