



CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, NOVEMBER 12, 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 Tirman, and Councilmembers Blossom, Deets, Nassar and Schneider were present. Councilmember Peltier arrived at 6:02 p.m.

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

Council returned from executive session at 6:21 p.m., and Mayor Medina re-convened the meeting at 6:22 p.m.

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

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

4) PUBLIC COMMENT

Michael Knapp spoke about the Puget Sound Energy proposal.

Kathy Hansen spoke about the Puget Sound Energy.

Tom Hansen spoke about Puget Sound Energy.

Diane Landry spoke in favor of the update to the pass-through fee for bags.

David MacKenzie spoke about Puget Sound Energy.

Eve Palay spoke about the Transgender Day of Remembrance.

Kevin Fetterly spoke in favor of a Bainbridge solar facility at Vincent Road.

Rob Miller thanked Council for their support in improving drainage on his street.

Jack spoke about the Council districts.

Larry Koss spoke about the Police Chief, code compliance issues, and the appeal fee.

5) [MAYOR'S REPORT](#)

Mayor Medina mentioned the re-appointment of Diane Landry to the Kitsap County Solid Waste Advisory Committee.

6) [CITY MANAGER'S REPORT](#)

City Manager Smith provided information on the new City bond rating of Aaa, the Police Chief finalists, Planning Department Open Houses, and Planning and Public Works counter closures.

7) [PRESENTATION\(S\)](#)

7.A [Proclamation Declaring the Week of November 16 - 23 as "National Hunger and Homelessness Awareness Week" - Mayor Medina](#)

[Cover Page](#)

[National Hunger and Homelessness Awareness Week Proclamation 2019](#)

Mayor Medina read the proclamation.

Tina Gilbert, Housing Resources Bainbridge Board member, thanked Council for their support.

Laurie Stumme-Diers, Chair of the Board of Helpline House, thanked Council for their support.

7.B [Puget Sound Energy Briefing - Executive](#)

[Cover Page](#)

[PSE Fact Sheet](#)

[PSE Council Briefing](#)

Andy Wappler and Jens Nedrud from Puget Sound Energy provided a presentation on Puget Sound Energy's planned investments in reliability and grid modernization and addressed Council's questions.

8) [UNFINISHED BUSINESS](#)

8.A [Public Safety Committee Recommendation on Committee Changes - Councilmembers Deets, Blossom, and Peltier](#)

[Cover Page](#)

Councilmember Blossom introduced the agenda item, and Council discussed the recommendation.

MOTION: I move to forward for approval with the City Council consent agenda on November 26, 2019 the dissolution of the Public Safety Committee effective December 31, 2019, and that going forward the quarterly reports relating to the Bainbridge Island Police Department on matters of public safety that have in the past been presented to the Public Safety Committee will instead be presented to the City Council at a business meeting.

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

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

NOES: None

ABSENT:

ABSTAIN: None

8.B 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](#)

Finance Director Pitts introduced the agenda item.

Public Comment

Sal DeRosalia spoke about using Lodging Tax funds for affordable housing.

MOTION: I move to forward Ordinance No. 2019-37 for approval with the November 26, 2019 Consent Agenda.

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

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

NOES: None

ABSENT:

ABSTAIN: None

8.C Ordinance No. 2019-27 Relating to Property Tax Levy for Collection in 2020 - Finance

[Cover Page](#)

[Ordinance No. 2019-27 Relating to the Levy of Property Taxes for Collection in 2020](#)

[City of Bainbridge Island Levy Limit Calculation 11 5 19 TY-2020.docx](#)

[Property Tax CC 102219.pptx](#)

Finance Director Pitts introduced the agenda item.

MOTION: I move to approve Ordinance No. 2019-27 relating to the Property Tax Levy for collection in 2020.

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

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

8.D Ordinance No. 2019-28 Adopting Mid-Biennium Modifications to the Final Budget ending December 2020 - Finance

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[Ordinance No. 2019-28 Adopting Mid-Biennium Modifications to the Final Budget ending December 2020.docx](#)

[2020 Expenditures by Fund Exhibit A to Ordinance 2019-28.pdf](#)

[2020 Budget Modifications for CC 100119.pptx](#)

[2020 Budget Modification Memo - Final - 100119](#)

Finance Director Pitts introduced the agenda item.

MOTION: I move to approve Ordinance No. 2019-28 adopting mid-biennium modifications to the Final Budget ending December 2020.

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

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

8.E Impacts from Passage of I-976 - Finance

[Cover Page](#)

[Presentation TBD - CC 11122019](#)

[Bainbridge Island Initiative 976 FAQ](#)

[Vehicles Subject to Fees](#)

Finance Director Pitts provided a presentation on impacts from the passage of Initiative I-976, and Council discussed the topic.

8.F Puget Sound Energy Community Solar Sites - Request for Information (RFI) - Public Works

[Cover Page](#)

[PSE Community Solar Memo](#)

[PSE Community-Sited Solar RFI](#)

Public Works Director Wierzbicki introduced the agenda item, and Council discussed the topic.

Public Works Director Wierzbicki and Matt Perry from Puget Sound Energy addressed Council's questions.

Public Comment

Dave McCaughey spoke about the request for information.

MOTION: I move to direct the City Manager to respond to Puget Sound Energy's Request for Information (RFI) for community located distributed solar sites by completing the RFI survey and returning it to PSE by November 27, 2019 and that it include the ground-mount system at Vincent Road.

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

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

NOES: None

ABSENT:

ABSTAIN: None

9) NEW BUSINESS

9.A [Lodging Tax Advisory Committee \(LTAC\) 2020 Funding Recommendations - Executive Cover Page](#) [2020 LTAC Funding Recommendations - for CC 11122019](#)

Deputy City Manager Schroer introduced the agenda item.

Council discussed the use of Lodging Tax funds for affordable housing.

Council asked that the wayfinding sign project come back to Council at the December 10, 2019 business meeting with a motion to fund the remaining funds for the project from the Council Contingency Fund.

Deputy Mayor Tirman left the Council meeting at 8:45 p.m.

Public Comment

Dominique Cantwell spoke about the process and affordable housing.

MOTION: I move to forward the Lodging Tax Advisory Committee's 2020 funding recommendation for approval with the November 26, 2019 Consent Agenda, and to authorize the City Manager to execute the associated funding agreements with recipient organizations.

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

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

NOES: None

ABSENT: Matt Tirman

ABSTAIN: None

9.B [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](#)

Finance Director Pitts introduced the agenda item.

MOTION: I move to forward Ordinance No. 2019-30 for approval with the November 26, 2019 Consent Agenda.

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

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

9.C 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](#)

Finance Director Pitts introduced the agenda item.

MOTION: I move to forward Ordinance No. 2019-35 for approval with the November 26, 2019 Consent Agenda.

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

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

9.D Set Public Hearing on Ordinance No. 2019-39 Extending the Landmark Tree Ordinance, Ordinance No. 2019-17 - Planning

[Cover Page](#)

[Ordinance No. 2019-39](#)

[Exhibit A \(Work Plan\) to Ordinance No. 2019-39](#)

[Ordinance No. 2019-39 Exhibit B](#)

Planning Director Wright introduced the agenda item.

Nick Snyder, the City's new arborist, introduced himself to Council.

MOTION: I move to set the Public Hearing on Ordinance No. 2019-39, as amended by the City Attorney, to occur on November 26, 2019 related to extension of the duration of the interim official control related to the preservation of landmark trees.

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

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

9.E 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](#)

Interim Deputy Police Chief Weiss introduced the agenda item.

MOTION: I move to forward the Interagency Agreement with the Washington Traffic Safety Commission regarding Target Zero and High Visibility Emphasis Patrols for approval with the November 26, 2019 Consent Agenda.

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

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

NOES: None

ABSENT: Matt Tirman

ABSTAIN: None

9.F 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](#)

Interim Deputy Police Chief Weiss introduced the agenda item.

MOTION: I move to forward the Second Amendment to the Interlocal Agreement with the Kitsap County Sheriff's Office for the Incarceration of City Prisoners for approval with the November 26, 2019 Consent Agenda.

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

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

NOES: None

ABSENT: Matt Tirman

ABSTAIN: None

9.G West Sound Stormwater Outreach Group Interlocal Agreement - Public Works

[Cover Page](#)

[2020-2022 West Sound Stormwater Outreach Group ILA, Contract KC-512-19](#)

Public Works Director Wierzbicki introduced the agenda item.

MOTION: I move to forward the West Sound Stormwater Outreach Interlocal Agreement for approval with the November 26, 2019 Consent Agenda.

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

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

NOES: None

ABSENT: Matt Tirman

ABSTAIN: None

9.H 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](#)

Deputy City Attorney Sepler introduced the agenda item.

MOTION: I move to forward the legal services agreement with the Kitsap County Prosecuting Attorney's Office for approval with the November 26, 2019 Consent Agenda.

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

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

NOES: None

ABSENT: Matt Tirman

ABSTAIN: None

9.I 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

Deputy City Attorney Sepler introduced the agenda item.

MOTION: I move to forward Amendment No. 1 to the Professional Services Agreement with Sound Law Center, LLC, for approval with the November 26, 2019 Consent Agenda.

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

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

NOES: None

ABSENT: Matt Tirman

ABSTAIN: None

9.J Amendment No. 2 to the Contract for Indigent Defense Services - Executive

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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

Deputy City Attorney Sepler introduced the agenda item.

MOTION: I move to forward Amendment No. 2 to the Contract for Indigent Defense Services with Thomas S. Alpaugh for approval with the November 26, 2019 Consent Agenda.

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

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

NOES: None

ABSENT: Matt Tirman

ABSTAIN: None

10) CONSENT AGENDA

10.A Agenda Bill for Consent Agenda

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10.B Accounts Payable and Payroll

[Cover Page](#)

[Payroll.pdf](#)

[Report to Council of Cash Disbursements 11-13-19.pdf](#)

Payroll: normal direct deposit check sequence 46212 – 46339 = \$300,222.37; regular payroll check sequence 109168 – 109172 = \$ 11,113.76; vendor check run sequence 109173 – 109184 = \$ 329,094.21; Federal Tax Electronic Funds Transfer = \$ 20,490.18; ACH \$237.50; Police retro direct deposit sequence 46340 – 46360 = \$ 58,692.21; Police retro sequence 109185 – 109189 = \$12,927.71. Total disbursement = \$ 845,338.94.

Accounts Payable: check number 351925 from previous run = \$273.45; manual check number sequence 351930 – 351960 = \$703,969.91; check number 352092 = \$100.00; regular check number sequence 351961 – 352091 = \$431,580.43. Total disbursement = \$1,158,089.05.

10.C City Council Study Session Minutes, October 15, 2019

[Cover Page](#)

[City Council Study Session Minutes, October 15, 2019](#)

10.D City Council Regular Business Meeting Minutes, October 22, 2019

[Cover Page](#)

[City Council Regular Business Meeting Minutes, October 22, 2019](#)

10.E First Amendment to the Interlocal Agreement for the Kitsap County Department of Emergency Management - Executive

[Cover Page](#)

[First Amendment to ILA for Kitsap County Department of Emergency Management](#)

[Memo re KCDEM Agreement May 2019.docx](#)

10.F Donation of a Cargo Trailer for Emergency Management Purposes from Virginia Mason - Public Works

[Cover Page](#)

[Staff Memo - Virginia Mason Trailer Donation](#)

[Donation Agreement for Virginia Mason Trailer](#)

10.G Interlocal Agreement with the Houston-Galveston Area Council (HGAC) for Cooperative Purchasing - Public Works

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[HGAC ILA Agreement](#)

10.H Roadside Chipper Procurement - Public Works

[Cover Page](#)

[WA State Master Contract No. 05218](#)

[FMI Equipment Quote](#)

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

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

11) COMMITTEE REPORTS

11.A Committee Reports

Cover Page

Cultural Funding Advisory Committee Minutes, October 14, 2019

Cultural Funding Advisory Committee Minutes, October 28, 2019

Cultural Funding Advisory Committee Minutes, November 4, 2019

Cultural Funding Advisory Committee Minutes, November 6, 2019

12) FOR THE GOOD OF THE ORDER

Council discussed the timing for appointing new Council liaisons to committees.

Council discussed a temporary replacement for a member of the Design Review Board who is on a leave of absence. Council's consensus was to not make a temporary appointment.

Councilmember Schneider updated Council on climate change action plans in other jurisdictions.

Councilmember Schneider proposed adding regular updates from Council committees to give them an additional opportunity for Council feedback. Council agreed to continue the discussion at a future Council meeting.

Mayor Medina mentioned Transgender Awareness Week and the proposal for Council participation at the November 19, 2019 study session.

13) ADJOURNMENT

Mayor Medina adjourned the meeting at 9:51 p.m.


Koi Medina, Mayor


Christine Brown, CMC, City Clerk