

**BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT  
REGULAR BOARD MEETING JULY 19, 2018  
STRAWBERRY HILL CENTER**

**CALL TO ORDER** A quorum being present, the meeting was called to order at 6:00 pm by Chair Kinney.

**BOARD MEMBERS PRESENT:** Lee Cross, Ken DeWitt, Jay Kinney, Tom Swolgaard. Absent: Michael Pollock

**ADJUSTMENTS TO AGENDA:**

Add 15-minute Executive Session after approval of payments, as well as an Executive Session at the end of the meeting. Commissioner Kinney stated that the board will not be discussing off-leash dog use at Pritchard Park tonight.

**BOARD CONSENT**

**APPROVAL OF MINUTES:** Upon hearing there were no corrections to the minutes of the June 21, 2018 regular board meeting, Chair Kinney stated the minutes stand approved as submitted.

**APPROVAL OF PAYMENTS: MSC: DeWitt/Cross: Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing that has been made available to the Board. As of this date, the Board, by a unanimous vote, does approve for payment those vouchers included in the above list and summarized as follows:**

Batch Date	Fund Number & Name	Warrant Numbers	Total Batch Amount	Pre-Approved
6/26/18	001 General Fund 002 Imprest Fund 300 Capital Improvement Fund	16754-16794	59,912.60	6/21/18
6/30/18	001 General Fund (payroll)	EFT (direct deposit)	370,476.67	
7/3/18	001 General Fund 300 Capital Improvement Fund	16795-16823	52,721.57	7/2/18
7/10/18	001 General Fund 300 Capital Improvement Fund	16824-16860	92,183.64	7/11/18
7/17/18	001 General Fund 300 Capital Improvement	16901-16924	102,577.54	7/16/18

**MEETING ADJOURNED TO EXECUTIVE SESSION** at 6:03 pm for discussion of real estate, with announced time to reconvene at 6:18 pm.

**MEETING RECONVENED** at 6:20 pm.

**UNFINISHED BUSINESS**

**TRANSFER PORTION OF COBI OWNERSHIP IN PRITCHARD PARK TO PARK DISTRICT:**

Clarence Moriwaki, President of the Bainbridge Island Japanese American Community and active member of the Bainbridge Island Japanese Exclusion Memorial stated that they have been waiting for this transfer for years. One reason is that there has to be cooperative management of the memorial site between all stakeholders, and they have been waiting to sign an agreement with the National Park Service until any approaching transfer is finalized. The transfer is important for proper management of the site as the Park District is better suited to this role than the City. A boundary line adjustment has already been completed. He made it clear that as the Park District moves forward with policies it is important that the memorial site remain dog free with the exception of service dogs, as it is a sacred contemplative place and not a recreational site.

Bill Glasser, with BI Barks spoke to say that dogs should be on-leash in the memorial area. He said many people in attendance tonight support the transfer with the stipulation that off-leash dog activities are a passive permitted use. He asked that audience members show their support for off-leash dog activities at Pritchard Park by standing up.

Wayne Webster, a Bill Point resident spoke to strongly support the transfer, as he believes the Park District is the best suited organization for ownership in terms of resources and management expertise. He and his wife collected signatures from other Bill Point residents in support of the transfer and provided them for the record. They believe it is the most unique public property on the island and while it has been neglected, it deserves to be dealt with appropriately.

Kirk Robinson, former commissioner and current member of the Park District's Dog Advisory Committee stated that he supports the transfer. He supports everything stated by Clarence Moriwaki and respects the wishes for the memorial site. As to future uses for Pritchard Park he believes that any transfer should not come with preconceived promises to any group and that there should be a formal planning process.

Frank Stowell, island resident on Blakely Avenue, spoke to his support of the transfer and the potential for developing trails at the park. He said the intention of the park was always to heal two wrongs, both for the Japanese American Community and the Superfund site. He was involved with the Bainbridge Island Land Trust's effort to acquire Pritchard Park. He has also been involved with a citizen group working on the Superfund cleanup and is comfortable with the data from the Environmental Protection Agency about how to clean up the site as well as the liability issues.

Barb Trafton, Executive Director of the Bainbridge Island Parks Foundation and Pritchard Park neighbor strongly endorsed the transfer. As chair of the Design Advisory Committee for the park she echoed the theme of healing in regard to both the Japanese American Exclusion Memorial and the Superfund site.

Former Mayor Darlene Kordonowy said she would not duplicate all of the positive comments she heard tonight. In 2007 and 2008 when the EPA was going to change or reduce its cleanup efforts the City worked with then Congressman Jay Inslee and the Washington State Department of Ecology. The DOE now has a major part of the cleanup responsibility. She believes that working with the DOE is easier than the EPA and that having the DOE as a partner is good for everyone.

Executive Director Terry Lande said that at the April 19, 2018 board meeting there was a presentation regarding the Pritchard Park transfer after which staff was asked to work with Park District Attorney Hayes Gori to research liability issues related to the transfer. Hayes Gori was introduced and said there are several guests in attendance tonight: Helen Bottcher Program Manager for the Wycoff site with the EPA, Barry Rogowski Section Manager with the Washington State DOE and a number of his colleagues as well as Mike Dunning, Partner with Perkins Coie LLP who is representing the Park District and is here to discuss the liability aspects. Helen Bottcher gave a slide presentation about the Wycoff Superfund site covering project background, cleanup efforts to date and future cleanup efforts. It was noted that all of the property being considered for transfer tonight is judged to be clean and safe by the EPA, and that the City will maintain control of the Superfund site. Continued cleanup plans are consistent with the current design for Pritchard Park. Terry Lande showed a map presenting current ownership of the park which is split between the City and the Park District. Several more maps illustrated which parcels would be transferred tonight to exclusive Park District ownership if the board makes that decision. Attorney Mike Dunning informed the room that he is an environmental and contaminated sites specialist. He has assessed the extent to which the Park District may take on liability in the event of a transfer, his conclusion is that there will be no additional liability. As it stands today the Park District is a co-owner and legally liable, that liability will not increase with the transfer of additional property. The Park District will actually become party to an agreement that the City made with the EPA in 2004 that will completely absolve Park District liability for the site. Furthermore, there is a second agreement from 1994 when the Federal Government settled its claim with the Wycoff Company that protects the Park District, as a successor, from any natural resource liability. Through these agreements he has concluded that the Park District will not

take on any additional liability for cleanup costs at the federal Superfund site. Melanie Keenan asked if any of the property is going to be needed for staging for future cleanup efforts, Helen Bottcher responded that the EPA does not anticipate needing access to the hillside, only use of the road. The City Council has already approved the Pritchard Park parcels as surplus property.

**MSC: DeWitt/Cross: Authorize the Executive Director to execute the agreement regarding transfer of Pritchard Park properties and associated documents in substantially the form presented tonight.**

Jay Kinney thanked the public for their support and for asking questions that prompted the board to look further into liability issues.

**MSC: DeWitt/Cross: Authorize the Executive Director to execute the undertaking and certification and associated documents to be presented to the EPA in substantially the form presented tonight.**

**MEETING ADJOURNED** for a short break at 6:57 pm and **RECONVENED** at 7:02 pm.

#### **FORT WARD COMMUNITY HALL LEASE AGREEMENT:**

The Park District has been working with the Sewer District and Friends of Fort Ward toward the renovation of the Fort Ward Community Hall (FWCH). This hall would become a community facility on the south end of the island operated by the Park District, which currently has no facilities in the area. Park Services Director Dan Hamlin stated that the Sewer District has already reviewed and approved the lease agreement as presented tonight and asked for board approval. Commissioner DeWitt inquired about parking, staff is working to resolve the parking issues with the City stemming from right of way permits.

**MSC: Swolgaard/DeWitt: Move that the board approves the FWCH lease agreement and authorize the Executive Director to sign.**

Commissioner Cross said she thinks it is a terrific agreement and commended the Sewer District for their fundraising effort. Sewer District Commissioner Sara Lee thanked the Park District and commented on how fantastic staff has been to work with. She said the project is a good example of public agencies cooperating for the benefit of the tax payer. Executive Director Terry Lande recognized Doug Crist for his work on the project.

#### **EMPLOYEE DISCOUNTS:**

Administrative Services Director Amy Swenson presented an overview of how employee discounts are handled. All employees and their dependents are eligible for half off the price of most Park District classes. Discounts are budgeted for in Administration so that department budgets are not affected. Facility rentals, camping, team fees and trips are not covered by employee discounts. Amy Swenson showed slides illustrating the history of amounts spent since 2012, which have risen steadily. This year the budgeted amount of \$7,000 has already been spent. Instead of ending the program for the remainder of the year, the leadership team recommends that the board authorize an amendment to the budget to increase the budgeted amount to \$15,000. Commissioner DeWitt inquired as to whether the percentage of employees using the benefit has gone up or if it is staying about the same given that there are now more employees. Amy Swenson did not have that information available tonight but said she would get that information to the board. It was noted that employee discounts are the only benefit offered to part time employees.

**MSC: Swolgaard/Cross: Authorize an increase in the budgeted amount not to exceed \$15,000 for employee discounts.**

#### **GENERAL BUSINESS**

#### **RESOLUTION 2018-08: PERSONNEL POLICY REVISIONS:**

Administrative Services Director Amy Swenson explained that when non-exempt employees are called in to work on the weekend or after they have gone home for the day they are paid 1.5 times their hourly rate and are guaranteed a minimum of two hours compensation. Currently patrons are directed to list of contact numbers for employees if they call after hours to report an issue in a park. Problems with the current policy include multiple employees responding to a situation, and confusion for the patron. The proposed change is to have an established on-call list with a dedicated phone number that just one designated person would carry on a rotating basis. The on-call person would be compensated for being on-call as well as being compensated if they have to show up and perform work. Staff believes the policy change makes the Park District more responsive to the public and more fair to employees.

**MSC: DeWitt/Swolgaard: That Resolution 2018-08, revising a section in the Personnel Policy, be adopted.**

#### **DIRECTOR'S REPORT**

**Park Services:** Park Services Director Dan Hamlin said the USGS will be sampling for earthquake information at Battle Point Park on Monday. The Hawley Cove Park boardwalk HPA (state permit) has been received, the building permit has been approved and project materials have been ordered. Work on the boardwalk is expected to begin in mid-August and to last two or three weeks. Senior Planner Perry Barrett added that as part of the Washington State Recreation and Conservation Office grant received for the boardwalk project the Park District has been asked to expand the archeology effort for 5-05 compliance. The contract with the firm ESA has been amended to accomplish this. Park Services Intern Bailey Barrett will be at the next board meeting to give two presentations. One presentation will be about off-leash dog parks across the nation and how they compare to what the Park District is doing and the other will be a trail condition assessment report. The trails crew has started, and Bailey Barrett is leading the crew during the final three weeks of her internship. Permission was given by the City and work has begun on trails at Pritchard Park in anticipation of the transfer. Student Conservation Corps finished their first session last week and the second session has begun. At Williams-Olson Park SCoCo cleared ivy from 107 trees, at Hawley Cove Park 141, at Hidden Cove Park 120 and at Blakely Harbor Park 75 as well as removing eight yards of blackberry roots. Camping revenue at Fay Bainbridge Park is up this year after the addition of the cabins and electric hook ups at many of the RV sites. The third cabin at Fay Bainbridge Park is now open. The Caregiver statue at Owen's Playground at Rotary Park is being installed and the dedication will be on July 28 at 10:00 am, the artist Craig Jacobson was commended for his work. The Fay Bainbridge Park playground being donated in remembrance of a loved one has been solidified with the donors and will move ahead in 2019. Dan Hamlin commended Senior Park Manager David Harry's crew, staff members Willy Doyle, Casey Shortbull, Charlie Powers and Chris Newlin for their quick work to bring the roller hockey rink back to playing condition after damage caused by vandals. This is a temporary fix but allows the Roller Hockey League to finish their season.

**Administrative:** Senior Planner Perry Barrett stated that the Request for Qualifications for Sakai Park will close on July 27. This week a technical deadline has been met for RCO grants for the Kids Up Playground and bathroom and for the Sakai property acquisition. Several trail negotiations and approvals are currently going on at Schel Chelb Park, Hawley Cove Park and Sakai Park. Some final tasks are being finished up in relation to the grant at Hidden Cove Park regarding invasive species and landscape improvements. The City has a requirement for development projects to post a bond for landscape vegetation, work has been initiated for the return of that bond from the Rotary Park renovation in 2013. Administrative Services Director Amy Swenson checked in with commissioners about the email migration as to who still needs access to their email and promised to follow up with those commissioners. Executive Director Terry Lande said that the recreation department is extremely busy, and he believes that the staff this summer is one of the best he has seen. There was a situation at Eagledale Pottery Studio where a student needed accommodations, Program Manager Shannon Buxton handled the situation and the patron was pleased with the remedies. The softball league is going well this year and there is

an onsite supervisor. Last night was the second concert in the Sounds of Summer concert series, the next four bands will be phenomenal and everyone is encouraged to attend.

**UPCOMING MEETINGS & EVENTS:**

July 28: Caregiver statue grand opening at Owen's Playground at Rotary Park at 10:00 am.

**BOARD MEMBER ITEMS:**

- Commissioner Swolgaard asked about ownership of Creosote Place, it is a road right of way. At the Trails Committee Meeting a Meigs Park trail was discussed that would make an east-west connection across the north side. His son in law is playing in the Park District's recreational softball league and enjoying a great season.
- Commissioner Cross said she went to the Hidden Cove Park dock opening and had a great time. She inquired about the current fire conditions, Dan Hamlin informed the room that Bainbridge Island is in a phase 1 burn ban and fires are still allowed in a contained ring.
- Commissioner DeWitt noted there was an erroneous post on the social media site Nextdoor Bainbridge stating that dog parks would be discussed at tonight's board meeting. He posted a correction and submitted copies of his post for the record. He attended a Multimodal Transportation Committee meeting and was impressed with the group. On October 6 the Bainbridge Mobility Alliance is sponsoring an Imagination Transportation Day to promote non-motorized transportation options with a parade of bikes, including electric bikes. The Multimodal Transportation Committee was asked by the City Council for input on the final draft of the Sound to Olympics trail corridor and will be discussing it at their next meeting. The City Council voted to put a 15 million-dollar non-motorized issue on the ballot. The Mayor wants to set up a citizen jury to evaluate and rate the non-motorized projects; Commissioner DeWitt believes the current Multimodal Transportation Committee would be a good fit for this task. Committee member and Civil Engineer Bob Schulock did some preliminary work and a 7-foot bicycle and pedestrian cantilevered walk way could be added to the Agate Pass Bridge for 3 million dollars; staff at the Washington State Department of Transportation are not interested. Commissioner DeWitt read aloud a memorandum from the Dog Advisory Committee that endorses the transfer of Pritchard Park with a majority opinion asking for an off-leash dog area as an allowed use. They have developed an official off-leash area recommendation for Pritchard Park that they will present to the board at an upcoming meeting.

**MEETING ADJOURNED TO EXECUTIVE SESSION** at 8:10 pm for discussion of real estate, with announced time to reconvene at 8:40 pm.

**MEETING RECONVENED** at 8:44 pm and **ADJOURNED** at 8:45 pm.

Helen M. Stone  
Terry M. Lande  
BAINBRIDGE ISLAND METROPOLITAN  
PARK & RECREATION DISTRICT

BY: \_\_\_\_\_

  
Jay C. Kinney

BY: \_\_\_\_\_

  
Lee Cross

BY: \_\_\_\_\_

  
Michael Pollock



BY:   
Kenneth R. DeWitt

ATTEST: \_\_\_\_\_  
John Thomas Swolgaard

