

**BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT  
REGULAR BOARD MEETING JULY 30, 2015  
BAINBRIDGE AQUATICS CENTER**

**INFORMAL MEETING:**

At 6:02 pm, Commissioner Swolgaard, Board Secretary, announced that at this moment there was not a quorum due to Commissioner Kinney being detained unexpectedly while working in Everett. He said an informal meeting would be held since there were people from the public present, but that no board action could be taken.

The following public comments were offered:

Terry Samilson, island resident, commented as one of the gardeners in the Red Pine Park garden plots. She has spent hours in its gardens working as a steward and volunteer. She is distressed over not being allowed by the Park District to: 1) place a pot of zucchini outside the border of her garden plot; and 2) Post a sign distinguishing the private plots from the public foraging areas. Executive Director Lande said he did not know anything about this, and that he would look into it.

Otis Doxtater, island resident, was introduced by Park Services Director Dan Hamlin as a young man who came with his two friends to offer an apology. Otis Doxtater said he and his friends made a poor choice to drive on the grass at Battle Point Park, and has since learned that poor actions have consequences. He understands what they did affected staff who has to repair the damage and park users who have to see the damage. He offered a sincere apology and said it will not happen again. Dan Hamlin said they have offered to do community service work for the Park District as well.

Craig Spencer, island resident, asked why the Park District proposed a land swap at the Madison Avenue Tot Lot when it had awareness a declaration existed that would not allow this. Executive Director Terry Lande said the Park District was approached by a land developer with a proposal to trade the tot lot for another parcel of land. After deferring this matter to the City who transferred the tot lot to the District, the Park District was informed of the 1997 Declaration of Covenants put in place by the original owners who transferred the land to the City. The proposed land swap has since been dropped.

Margaret Celestino, island resident, had several questions about the draft Madison Avenue Tot Lot Easement Agreement on the agenda, and was informed by the Park District's attorney Ryan Vancil that the exhibits have not yet been completed.

**Discussion of Fort Ward Bakery Building:**

John Poppe, new manager of Kitsap County Sewer District #7 at Fort Ward expressed appreciation to the Park District for its efforts to negotiate an agreement between the two parties for renovation of the Fort's old bakery building. Senior Planner Perry Barret commented briefly on the status of the negotiations.

**Discussion of draft easement agreement for the Madison Avenue Tot Lot:**

Executive Director Terry Lande said work is underway with developer Jim Laughlin regarding an easement across a corner of the property. He said the land swap brought up earlier is not happening since the neighborhood did not want this. He has met recently with some neighbors about the proposed easement and found them to be very supportive. Jim Laughlin commented on the status of the project, saying approval of the easement is still subject to the City's site plan review process.

Brief comments by Perry Barrett were offered on the following other agenda topics: Trail easement connecting Eagle Dale Park to Blakely Cemetery and the regional imagery funding agreement.

At 6:50 pm, the informal meeting came to a close since a quorum of commissioners was needed for the board to conduct business and take action. After exploring several options, it was learned Commissioner Kinney would arrive in approximately one hour. The formal board meeting was postponed until his arrival, estimated at 8:00 pm. Board members and staff remained in the meeting room to inform anyone who might come of the meeting's delay.

**CALL TO ORDER** A quorum being present, the meeting was called to order at 8:12 pm by Secretary Swolgaard.

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

**ADJUSTMENTS TO AGENDA:** Add to Unfinished Business: Sakai Property Agreement for Satisfaction of Due Diligence Review and Clean-up of Site Materials. No executive session.

**BOARD CONSENT**

**APPROVAL OF MINUTES:** Upon hearing there were no corrections to the minutes of the July 9, 2015 regular board meeting, Secretary Swolgaard stated the minutes stand approved as submitted.

**APPROVAL OF PAYMENTS: MSC: DeWitt/Kinney: 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 Dated  | Batch Amt  | Fund No. | Fund Name      | Fund Amt   | Pre-Approved |
|--------------|------------|----------|----------------|------------|--------------|
| 7/14/15      | 72,223.80  | 001      | General        | 58,096.30  | 7/9/15       |
|              |            | 300      | Capital        | 12,500.00  |              |
|              |            | 310      | Land Acquisiti | 1,627.50   |              |
| 7/21/15      | 36,577.47  | 001      | General        | 36,577.47  | 7/20/15      |
| July Payroll | 409,045.62 | 001      | General        | 409,045.62 |              |
|              | 6,988.69   |          |                | 6,988.69   |              |

**UNFINISHED BUSINESS**

**FORT WARD BAKERY BUILDING TERM SHEET FOR LEASE AGREEMENT:** As discussed briefly during the preceding informal meeting, preliminary negotiations are underway between the Park District and Sewer District to renovate the bakery building (Fort Ward Community Hall). A term sheet for a subsequent agreement as well as a preliminary cost spreadsheet were provided in the board packets for general review. Senior Planner Perry Barrett said no action is needed tonight.

**MADISON AVENUE TOT LOT EASEMENT AGREEMENT:** As discussed briefly during the preceding informal meeting, the draft easement agreement in the board packets was for review only and does not require board action tonight.

**FINAL TRAIL EASEMENT AGREEMENT CONNECTING EAGLEDALE PARK TO BLAKELY CEMETERY:** Senior Planner Perry Barrett said this trail easement agreement addresses the final trail easement needed to complete the trail connection between Eagledale Park and Blakely Cemetery. The money for the purchase is being provided by an anonymous donor through the BI Parks Foundation. He said the District's attorney Ryan Vancil has reviewed the document and it is ready for board approval. **MSC: DeWitt/Kinney: to approve the final trail easement agreement (Van Slyke) connecting Eagledale Park to Blakely Cemetery, and to authorize the Executive Director to sign.**

**REGIONAL AERIALS IMAGERY FUNDING AGREEMENT:** Senior Planner Perry Barrett presented the 2015 Regional Aerial Funding Agreement for approval saying it is the Park District's contribution to a joint effort to update the aerial mapping of the area. King County is the overall lead for the project, with Kitsap County serving as the local lead. Approximately 109 agencies and municipalities are participating. These updates take place every few years and integrate into the Park District's GIS network. The cost for the District to participate is \$4000, with \$2000 invoiced at this time and \$2000 paid at the end of 2014. A portion of this may be refundable. **MSC: DeWitt/Kinney: to approve the 2015 Regional Aerial Funding Agreement and authorize the Executive Director to sign.**

**SAKAI PROPERTY AGREEMENT FOR SATISFACTION OF DUE DILIGENCE REVIEW AND CLEAN-UP OF SITE MATERIALS:** The Park District's attorney Ryan Vancil said this agreement is needed prior to closing on the Sakai property. The environmental assessment report has been done, and any site clean-up needed has been completed with the exception of some soil that still needs to be removed from the Reserved Property where an underground home heating tank used to be. This agreement says everything has been satisfied following the Park District's due diligence review with this one exception, and that the Sakai family is agreeing to remove the soil in this area in accordance with stipulated guidelines, and in a timely manner. **MSC: Kinney/DeWitt: to approve the Agreement for Satisfaction of Due Diligence Review and Clean-Up of Site Materials between the Sakai family as seller and the Park District as buyer, and to authorize the Executive Director to sign.**

### GENERAL BUSINESS

**RESOLUTION 2015-13: SAKAI PROPERTY PURCHASE: PAYMENT APPROVAL:** Finance Officer Amy Swenson said the resolution before the board tonight has been revised slightly from the one in their board packets since it's been learned that the funds to purchase the Sakai property must be provided through a wire transfer as opposed to a check. This resolution approves a wire transfer in the amount of \$5,634,703.80 to purchase the Sakai property and authorizes the Executive Director to sign the closing documents. The resolution was adopted with the following restriction. **MSC: DeWitt/Kinney: That Resolution 2015-13 authorizing the transfer of funds for the purchase of the Sakai property be adopted, but with the restriction that the transaction not be released to record until the Agreement for Satisfaction of Due Diligence Review and Clean-Up of Site Materials is signed by the seller.**

**RESOLUTION 2015-14: INTERFUND TRANSFER: SAKAI EARNEST MONEY:** Finance Officer Amy Swenson said this resolution is needed to reimburse the Park District's General Fund for the earnest money paid in December 2014 for the Sakai property purchase. **MSC: Kinney/DeWitt: That Resolution 2015-14, authorizing an interfund transfer from the Land Acquisition Fund to the General Fund for reimbursement of the Sakai property earnest money, be adopted.**

**RESOLUTION 2015-15: AMENDED 2015 SALARY SCALE:** Finance Officer Amy Swenson said this resolution reflects the following: 1) The retirement of the Recreation Services Director and the decision to restructure his position with two staff members promoted to Recreation Service Superintendents; 2) Funds saved by not replacing the Recreation Services Director were used in part to hire a new position Community Outreach Program Manager; 3) The resignation of the Marketing Program Manager led to hiring a new position Marketing Specialist at a new salary scale level who works for the Community Outreach Program Manager; 4) The need to move the Accounting Specialist to a coordinator level since her duties have grown to being fully in charge of the Park District's payroll. It was noted that all these changes have been done through adjustments that do not affect the overall payroll budget. **MSC: Kinney/DeWitt: That Resolution 2015-15, amending the 2015 Salary Scale, be adopted.**

**DIRECTOR'S REPORT**

Park Services Director: Dan Hamlin: a meeting will be held tomorrow with a number of parties to address issues related to the work performed by the contractor when constructing the upper ballfield at Rotary Park; work on the lower ballfield is going well under Liden, the new contractor; work is underway to develop a contract with the Kitsap Humane Society in regards to the enforcement of leash laws.

Senior Planner: Perry Barrett: a meeting with Jones & Jones is coming up to assess structural alternatives for the jetty bridge at Blakely Harbor Park.

Executive Director: Terry Lande: Will be away on vacation for several weeks, returning on August 18.

**BOARD MEMBER ITEMS:**


- Commissioner DeWitt mentioned an upcoming BI Parks Foundation Trails Committee meeting that neither he nor Commissioner Cross can attend. The consultant Phil Pearl will be there, and he thought another board member might want to attend (August 7, 9:30 am).
- Commissioner DeWitt expressed interest in tying into parks the names of historical owners of park properties.
- Commissioner Swolgaard will be gone for the August 13 board meeting.

**MEETING ADJOURNED** at 8:50 pm.

Elizabeth R. Shepherd  
Terry M. Lande  
BAINBRIDGE ISLAND METROPOLITAN  
PARK & RECREATION DISTRICT

BY:   
Kirk B. Robinson

BY:   
Lee Cross

BY:   
Kenneth R. DeWitt

BY:   
Jay C. Kinney

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