

AGENDA

Bainbridge Island Metropolitan Park & Recreation District Regular Board Meeting 6:00 pm Thursday – March 21, 2024

Bainbridge Island Recreation Center
11700 Meadowmeer Circle NE
Bainbridge Is, WA 98110
206-842-5661

Remote access options for board meetings available at www.biparks.org.

10. CALL TO ORDER

- 10.1** Roll Call
- 10.2** Adjustments to the Agenda
- 10.3** Conflict of Interest Disclosure
- 10.4** Mission Statement: The mission of the Bainbridge Island Metropolitan Park & Recreation District is to build a healthy community through effective, sustainable stewardship of the District's parks and open space, and through the development and delivery of innovative cultural and recreation opportunities.

20. PUBLIC COMMENTS

30. BOARD CONSENT

- 30.1** Minutes: Regular Board Meeting of March 7, 2024
- 30.2** Financial: Approval of vouchers and payroll.

40. GENERAL BUSINESS

- 40.1** Kitsap Public Utility District Storm Water Easement at Gazzam Lake Nature Preserve
Action: Possible motion to approve. Hamlin (10 min)
- 40.2** Ray Williamson Pool Project Discussion of Potential Funding Options For Two Lane Expansion (Phase II B)
Action: Possible motion to approve a funding option. Swenson (45 min)

50. STAFF REPORT

60. UPCOMING MEETINGS

| | | | |
|----------|-----------------------|------|-------------------------------------|
| 04/04/24 | Regular Board Meeting | 6 pm | Bainbridge Island Recreation Center |
| 04/18/24 | Regular Board Meeting | 6 pm | Bainbridge Island Recreation Center |
| 05/02/24 | Regular Board Meeting | 6 pm | Bainbridge Island Recreation Center |
| 05/16/24 | Regular Board Meeting | 6 pm | Bainbridge Island Recreation Center |
| 06/06/24 | Regular Board Meeting | 6 pm | Bainbridge Island Recreation Center |

70. BOARD MEMBER REMARKS

80. ADJOURNMENT

90. ADJOURN TO EXECUTIVE SESSION IF NEEDED

- 100. EXECUTIVE SESSION** — real estate, per RCW 42.30.110(1)(b) To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price.

110. RECONVENE TO REGULAR SESSION

120. ADJOURNMENT

Board Committees

Governance
Capital Facilities
Program
Budget & Finance
Personnel
Ad Hoc Committee: Forest Management
Ad Hoc Committee: Sakai Site Planning

2024 Board Representatives

Swolgaard/Janow

Janow/DeWitt
Kinney/Swolgaard

Board Liaisons

Park District Committees:
Trails Advisory Committee
Dog Advisory Committee

Goodlin/DeWitt
Kinney/Janow

Community/Public Agencies:
Bainbridge Island Parks & Trails Foundation
Bainbridge Island School District
City of Bainbridge Island

Goodlin/Janow

BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT
REGULAR BOARD MEETING March 7, 2024
BAINBRIDGE ISLAND RECREATION CENTER

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

BOARD MEMBERS PRESENT: Ken DeWitt, Tom Goodlin, Dawn Janow, Jay Kinney, Tom Swolgaard.

ADJUSTMENTS TO AGENDA: Add an executive session for real estate and legal for 25 minutes. Move item 40.4 Board Policies Discussion to the end of General Business.

MISSION STATEMENT: Chair Swolgaard read the Park District's mission statement: The mission of the Bainbridge Island Metropolitan Park & Recreation District is to build a healthy community through effective, sustainable stewardship of the District's parks and open space, and through the development and delivery of innovative cultural and recreation opportunities.

PUBLIC COMMENTS

Trails Director Barb Trafton spoke on behalf of the Bainbridge Island Parks & Trails Foundation to say that they are excited to move forward with the Sound to Olympics trail planning. BIPTF donated \$50,000 to the City of Bainbridge Island to advance the alignment plan and were successful this year in helping with the Puget Sound to Pacific federal RAISE grant. They are hoping Bainbridge Island can plan quickly so they can get some of their Sound to Olympics trail projects in another grant application for construction funding.

Caty Kehs said she depends on the Park District to provide quality programs that are dependable, but the chess program she relied on for her son for after school programming was unconscionably and irresponsibly canceled twenty minutes before school was dismissed.

Hilde Chichester was involved in the walking program with Mark Cohen and said it is a real disappointment that he will no longer be leading it.

Christy Rice is a parent who has had her kids in Park District programs for years and said the way the cancelation of the chess program was handled was unacceptable.

Edith Cobourn spoke to ask for consideration regarding not permanently changing the tennis courts at Battle Point Park to pickleball courts for at least a year.

Acting Executive Director Dan Hamlin said permits will be submitted soon for the new tennis courts at Sakai Park and the project is still on target for spring/summer construction. Staff are currently working with the City of Bainbridge Island to correct the identification of a stream in the ravine adjacent to Sakai Park which has two storm water outlets that impact it.

BOARD CONSENT

APPROVAL OF MINUTES:

Upon hearing there were no corrections to the minutes of the February 15, 2024 regular board meeting, Chair Swolgaard stated the minutes stand approved as submitted.

Upon hearing there were no corrections to the minutes of the February 22, 2024 special board meeting, Chair Swolgaard stated the minutes stand approved as submitted.

APPROVAL OF PAYMENTS:

| Batch Date | Fund Number & Name | Warrant Numbers | Total Batch Amt | Pre-Approved |
|------------|--------------------|-----------------|-----------------|--------------|
|------------|--------------------|-----------------|-----------------|--------------|

| | | | | |
|----------|--|-------------|------------|----------|
| 02/22/24 | 001 General Fund 300 Capital Improvement Fund | 27449-27501 | 179,845.79 | 02/22/24 |
| 03/04/24 | 001 General Fund 300 Capital Improvement Fund | 27502-27543 | 62,806.86 | 03/04/24 |

MSC: DeWitt/Janow: I move that we approve these vouchers.

Commissioner DeWitt said the next approval is for the final payment for the Comcast Property. **MSC: DeWitt/Janow: Move to approve funds from the Land Acquisition Fund in the amount of \$260,000 to be paid to Kitsap County Clerk for the purpose of land condemnation.**

| Batch Date | Fund Number & Name | Warrant Numbers | Total Batch Amt | Pre-Approved |
|------------|---------------------------|-----------------|-----------------|--------------|
| | 310 Land Acquisition Fund | Pre-approval | 260,000 | |

Assistant Executive Director Amy Swenson said the Park District has taken possession of the Comcast Property. Staff have looked at the building and taken some basic steps to keep it from deteriorating further. Once the final payment is made the Park District will receive a document indicating official ownership of the property.

GENERAL BUSINESS

PREFERRED ROUTE OF SOUND TO OLYMPICS TRAIL THROUGH SAKAI PARK: Acting Executive Director Dan Hamlin introduced City Engineer Peter Corelis with the City of Bainbridge Island. COBI has done an incredible amount of work laying out options for the Sound to Olympics trail. Peter Corelis said he is seeking board approval of the preferred STO trail routes that have been identified. The project scope was the 20% design for the Sakai Park route for the STO and the 20% design and planning level/conceptual alignments from Madison Avenue to the bridge which is all focused on the west side of State Route 305. The alternative 1 alignment through Sakai Park is on the east side of the pond and stays entirely within the Washington State Department of Transportation right of way, COBI property, and Park District property. Alternative 2 is longer and is on the west side of the pond. The key features of alternative 2 are that it is in more wetland, wetland buffer, and stream buffer and therefore there is a higher amount of mitigation that would need to occur, and it is almost double the cost. COBI is seeking board endorsement of alternative 1 through Sakai Park. The corridor wide planning study between Madison Avenue and the bridge is broken into seven segments and for each segment, two routes were evaluated. All the preferred alternatives require the least amount of right of way acquisition. COBI is seeking endorsement of the corridor study preferred alignments.

Commissioner DeWitt asked how many trees would have to be removed for alternative 1 through Sakai Park. Peter Corelis said that the tree count has not been done yet. Commissioner DeWitt said one of the concerns of the board has been the removal of screening for Sakai Park and he asked if in both alternatives the plan is to pave the trail. Peter Corelis said yes, the trail will be paved. Commissioner Goodlin said it is pretty clear that for Sakai Park alternative 1 is an easy choice due to less mitigation, less impact, maybe less elevation change, and because there is a need to get easements for alternative 2. Commissioner Swolgaard asked how COBI proposes handling storm water management for the trail at Sakai Park. Peter Corelis said that is part of the next step. **MSC: Janow/Goodlin: Motion that Park District board make an endorsement to the City Council on the STO trail preferred alignment through Sakai Park alternative 1 and that the board endorses the City Council on recommended preferred alignments for the STO trail plan study.** Commissioner Janow said thank you for the work that has been done to get to this point. Commissioner Kinney asked if staff have an opinion on the preferred route for Sakai Park. Dan Hamlin said staff support alternative 1 which has been walked with COBI staff. Most of the tree screening will be preserved and there is a lot less impact on the wetland and the recreational trail on the west side of the pond.

RAY WILLIAMSON POOL RENOVATION FUNDING OPTIONS DISCUSSION: Acting Executive Director Dan Hamlin said tonight Assistant Executive Director Amy Swenson is going to talk about how to fund the original six lane project (Phase I and Phase II A). The potential for a two-lane expansion (Phase II B) will be a topic at the next board meeting at which time options will be discussed to bridge the funding gap between Phase II A and Phase II B. Amy Swenson said funding options include utilizing reserves and the Capital Improvement Fund, taking out loans, other funding types, and any combination thereof. Staff would like the board to choose a funding option soon for several reasons: 1) the CIF needs to be amended before staff can move forward on other projects, 2) staff needs time to work on a request for proposals if a decision is made to take out a loan, and 3) staff needs to know the closure dates, which will be determined by the contractor, in order to finalize program schedules and so that agreements with other pools can be worked on. Additional reasons include that costs will continue to rise, the International Building Code is changing and to stay under the 2018 IBC the project must start this year, and the potential for a forced closure due to failure of systems. Phase I, which includes the critical elements, is estimated to cost 3.5 million dollars. Phase II A is estimated to cost 2 million dollars. Expenditures to date are \$397,956 for planning which got the project to this point. There is about \$200,000 still in the budget for planning. The planning costs are not included in the 5.5 million dollar estimated project cost. Goals for funding the decision are to keep reserves above the 2.4-million-dollar mark which is needed for operations. Staff also want all the projects currently in the five-year CIF budget to stay on plan. Ultimately the amended CIF budget will be reviewed and approved by the board. An option that will address all the goals is to use 2.5 million dollars from reserves and the CIF budget and take a loan for the remainder with grants and fundraising possible as well. This option will keep the reserves at a healthy level, allow the project to move forward right away, and maintain all the projects currently in the CIF budget. Commissioner Janow noted that the Park District has been saving money for this project over the years and reserves are currently at about 7 million dollars.

Commissioner Goodlin asked if the board decides to support Phase II B, which would widen and deepen the pool, how much of what is decided tonight applies to that situation. Dan Hamlin said it will still apply, although Phase II B will necessitate a conversation about a bond. Approving funding tonight kicks the project back into gear to finish planning for Phase I for this summer. Commissioner DeWitt said there has to be some assurance tonight that the Park District is moving down this path even if the Phase II B option does not move forward. Dan Hamlin said this answers the question of what happens if the community does not fund Phase II B. Commissioner DeWitt said assurances also have to be made to the rest of the community that the Park District will be following through on the projects currently in the CIF budget.

Beth Lipton asked about the urgency with the code issue for the six-lane scenario. Dan Hamlin said staff submitted permits under the 2018 IBC and the 2021 IBC would increase project costs by millions of dollars due to additional requirements such as a requirement for electric car charging stations. Beth Lipton asked for clarification that nothing in the code requirements is related to the pool itself and safety issues. Dan Hamlin said no.

Eric Thompson asked regarding the permitting if there is a differentiation between pool permitting and building permitting and for confirmation that the building is not being rebuilt. Dan Hamlin said some roofing will be done and windows will be replaced which will be impacted by the code changes. Eric Thompson said he does not buy that changing some windows out means you have to add electric car charging spaces. Commissioner Swolgaard said the 2021 IBC is more stringent than the 2018 IBC and that is what the City of Bainbridge Island building officials have said. Eric Thompson continued to question the code concerns and said it seems really nefarious to him and that adding two lanes is an illogical way to spend money.

Martha Deveraux asked about down time for the kids who swim and about temporary measures to keep kids swimming competitively on track during the down time. Aquatic Program Administrator Jenette Reneau said the short answer is that nothing is going to look like it does now, and everyone is going to have to bend. Staff plans to utilize the Bainbridge Island

Recreation Center pool and maximize the use of the Don Nakata pool at the Aquatic Center. She has also started talks with off-site locations.

A man in the audience said capacity is an issue and an eight lane or 50-meter pool would be a better option than just fixing what there is currently.

Commissioner Goodlin said there has been recognition in the community since at least 2015 that the community could use more pool space and a deeper pool. There has been a long discussion, and the board has had staff look at and evaluate options for a variety of sizes for a new pool. What the board was facing is that those were very expensive options and meanwhile the Ray Williamson pool is in worse shape every year and needs attention. The board decided this time last year to do significant maintenance and repairs. While the work needed to be done, that approach had the consequence of not increasing pool capacity. The reason the board is looking at the alternative to add two lanes and an even depth is that it increases the capacity and makes it better for swimming and water polo. It is an opportunity to improve the pool situation. It has been decided that the repairs will be done, and the pool will be shut down for two different periods even with the six-lane option. The board is looking at changing the pool configuration to increase capacity because that opportunity is not going to come around for a couple more decades. The pool can be fixed, or the pool can be fixed and improved, which in his mind is a great benefit to the community.

Commissioner DeWitt said tonight is about fixing the pool, at the next board meeting there can be a bigger discussion about enlarging and deepening the pool.

A man in the audience said people from across the county use the pool and he hopes those folks can be encouraged to be involved.

MSC: DeWitt/Janow: I move that the Board of Commissioners authorize the Executive Director or his designee to proceed with the renovation of the Ray Williamson pool in its existing configuration (Phase II A) using a maximum of \$2.5 million from reserves and the Capital Improvement Fund, with the balance of the estimated \$5.5 million project cost to be funded through a combination of fundraising, grants, and loans. The Executive Director (including Board Chair, if required) or his designee is authorized to sign any project related documents. Construction is subject to acceptable final bids to be approved by the Board of Commissioners.

MEETING ADJOURNED to a five-minute recess at 7:23 pm with announced time to reconvene at 7:28 pm. **MEETING RECONVENED** at 7:28 pm.

ENTERPRISE LEASE: Acting Executive Director Dan Hamlin said at the February 1 board meeting staff brought a proposal for an Enterprise fleet lease option. Since that time staff have completed reviewing the option with the finance team and legal counsel. Staff have also contacted five agencies who utilize an Enterprise lease. Staff will work with Enterprise annually to assess vehicles and make sure it stays within the budget constraints. Tonight, staff would like board approval to move forward with leasing ten vehicles this year. Commissioner Swolgaard said his understanding is you can opt out if it does not work out. Dan Hamlin said yes, and it is very flexible. **MSC: Kinney/DeWitt: Authorize the Acting Executive Director to sign the lease with Enterprise for 10 trucks through 2024.**

BOARD POLICIES DISCUSSION: Commissioner Janow said the board is looking at the board policies section of the Park District policy manual which has not been updated since 2017. She led a review of the policies and proposed items for further review and possible update. Commissioner Kinney volunteered to look more closely into the applicable RCWs for some of the policies.

STAFF REPORT

Acting Executive Director Dan Hamlin said that regarding the chess program cancelation brought up during public comment that staff was onsite to help with the children impacted by the cancelation. The Park District's hands were tied with the decision that had to be made. Staff were put in a precarious situation, and they handled it well although the contractor involved did not make it easy by being onsite when he was told not to be. Staff did do their due diligence for a tough situation and reviewed as a team what the impacts would be and were prepared to watch the children enrolled in the program throughout the scheduled program time frame if that was needed. One of the concerns heard tonight was that the program was relied on for childcare and staff were certainly prepared to provide that though they were turned down by most of the families. Staff has also been available to work to place the children into other programs.

Recreation Division: Recreation Division Director Madison Collins said the walking program mentioned tonight during public comment is still being offered and this is a good time to recognize that no program is owned by one staff member. The Park District is going to have a hiring fair on April 15 from 2:00-6:00 pm at the Aquatic Center. The National Recreation and Park Association is holding a cover photo contest and staff submitted a photo of adaptive recreation participants in front of Pia the troll at Sakai Park. Bainbridge Island Swim Club is setting some team records. There will be a snowshoe trip on Sunday to Lake Angeles. Gymnastics Open Play Time is being offered again on Saturdays due to increased staffing levels. The summer recreation catalog will be viewable online on April 5 with the first day of registration on May 4.

Park Services Division: Senior Planner Matthew Keough said state grant season is starting and next week staff will submit a preapplication for a community oriented athletic facility grant for 1.2 million dollars for the Battle Point Park artificial turf field replacement and one for the Ray Williamson pool renovation. Park Services Superintendent Lydia Roush said she was invited to speak at a Bainbridge Island Parks & Trails Foundation meeting about how the Park District implements their stewardship funds in parks and why they are so meaningful. There are a lot of activities planned for Earth month. Staff are gearing up with the City of Bainbridge Island for work on the farm trail. The grounds crew is wrapping up spring preparations by pruning orchards and mulching flower beds. Fields are too wet right now to support equipment for mowing and dragging the fields, but staff are keeping an eye on the weather and will get to it as soon as they can. The Strawberry Hill Park tree thinning project is complete. Park Services Superintendent David Harry said work is being done at Williams-Olson Park. Staff have also spent time stabilizing and preserving the building on the Comcast Property. The permit for the dock extension was received from the City of Bainbridge Island. Matthew Keough noted that the federal permits for that project have not been received and that they require that the mitigation be paid for.

Administrative Division: Assistant Executive Director Amy Swenson said hopefully by the end of March staff will go live with the new accounting system for accounts payable.

Dan Hamlin said the Park District has possession of the Comcast Property and the facility looks nice. He made a presentation to the Oatmeal Club this morning regarding what the Park District is working on, what is coming up, and what the challenges are. He said the staff the Park District has are great and are making his job easy, it is a privilege to be taking credit for all their work. So far 115 responses to the recent Ray Willimson pool survey have been received.

BOARD MEMBER REMARKS:

- Commissioner Goodlin said that he attended the recent Bainbridge Island Parks & Trails Foundation meeting.
- Commissioner Kinney said at the Bainbridge Island Parks & Trails Foundation annual meeting this afternoon Park Services Superintendent David Harry got kudos for his work on the structure at Pritchard Park. He thanked David Harry and said people on the island appreciate it.
- Commissioner DeWitt said he was at upper Fort Ward Park on February 17 and there was a trail work party with 17 people.

- Commissioner DeWitt said February 19 he was at the Bainbridge Island Japanese American Exclusion Memorial Association work party with over 100 people.
- Commissioner DeWitt said he attended the Bainbridge Island Chamber of Commerce annual mixer.
- Commissioner DeWitt said he and Commissioner Kinney were at the Bainbridge Island Parks & Trails Foundation annual meeting today.
- Commissioner Janow said she was at the recent Bainbridge Island Parks & Trails Foundation meeting with Commissioner Goodlin where Park Services Superintendent Lydia Roush spoke. Commissioner Janow said that every time Lydia Roush speaks, she learns something new.
- Commissioner Swolgaard said the snowshoe trail up to Lake Angeles is one tough trail.
- Commissioner Janow said the Bainbridge Island Parks & Trails Foundation has launched their fundraising campaign for the bike park.
- Commissioner DeWitt thanked the staff for the good presentation last week at the community meeting regarding the Ray Williamson pool renovation.

MEETING ADJOURNED to a four-minute recess at 8:37 pm with announced time to reconvene at 8:41 pm. **MEETING RECONVENED** at 8:41 pm.

MEETING ADJOURNED TO EXECUTIVE SESSION at 8:41 pm for discussion of real estate and legal with announced time to reconvene at 9:06 pm.

MEETING RECONVENED at 9:06 pm and **ADJOURNED TO EXECUTIVE SESSION** at 9:06 pm for continued discussion of the above items, with announced time to reconvene at 9:11 pm.

MEETING RECONVENED at 9:11 pm and **ADJOURNED** at 9:11 pm.

Helen Stone
Dan Hamlin
BAINBRIDGE ISLAND METROPOLITAN
PARK & RECREATION DISTRICT

BY: _____
John Thomas Swolgaard

BY: _____
Dawn Janow

BY: _____
Kenneth R. DeWitt

BY: _____
Jay C. Kinney

ATTEST: _____
Tom Goodlin

Return Address:
Public Utility District No. 1 of Kitsap County
P.O. Box 2910
Poulsbo, WA 98370

PUBLIC UTILITY DISTRICT NO. 1 OF KITSAP COUNTY
STORMWATER EASEMENT

Grantor: BAINBRIDGE ISLAND METRO PARK & RECREATION DISTRICT

Grantee: PUBLIC UTILITY DISTRICT NO. 1 OF
KITSAP COUNTY, a municipal corporation

Abbreviated Legal Description: See Legal Tax Description in Exhibit A below.

Assessor's Tax Parcel ID#: 322502-1-004-2001 ("Property")

Project Name: Deer Path Reservoir Project ("Project")

The Grantor, **Bainbridge Island Metro Park & Recreation District**, a municipal corporation, for and in consideration of the general public welfare and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants and conveys unto **Public Utility District No. 1 of Kitsap County**, Kitsap County, Washington, a municipal corporation, Grantee, and its agents, assigns, contractors, employees and consultants, a perpetual non-exclusive easement and right-of-way over, through, under and across, upon and in the following described real property, situated in Kitsap County, Washington.

Except as may be otherwise set forth herein, Grantee's rights shall be exercised upon that portion of the Property (the "Easement Area" herein) described as follows:

See attached Exhibit A Description of Easement Area and Map

1. PURPOSE. Grantee shall have the right to use the Easement Area for any and all uses necessary for the following: (1) the discharge and dispersion of stormwater caused by or resulting from the Project in accordance with Best Management Practices ("BMP") T5.12: Sheet Flow Dispersion and T5.13: Post-Construction Soil Quality and Depth, from the Stormwater Management Manual for Western Washington ("SWMMWW"), 2019 edition, and (2) the inspecting, maintaining, and replacing of vegetation as needed (and with approval from the Grantor) to maintain the requirements of a vegetated flow path as defined by the SWMMWW, 2019 edition. If any new plantings are installed within the easement area, they shall be native vegetation species as defined in the SWMMWW, 2019 edition.

2. ACCESS. Grantee shall have the right of access to the Easement Area over and across the Easement Area to enable Grantee to exercise its rights hereunder, provided that Grantee shall compensate Grantor for any damage to the Property caused by the exercise of said right of access.

3. PUBLIC BENEFIT. The grant of this easement is necessary to complete the Project and to mitigate the increased stormwater flows from impervious areas anticipated to result from the Project. The grant of this easement, therefore, is in the best interests of the public and, in particular, for the citizens of Bainbridge Island.

4. MAINTENANCE. Grantee shall be responsible for the maintenance of all vegetation, landscaping, and any other features installed by Grantee to meet the stormwater needs of the Project. Grantor shall be responsible for all other landscaping and features, including any trails or paths or areas held open to the public for public use or public recreation.

5. GRANTORS' USE OF EASEMENT. Grantor reserves the right to use the Easement Area for any purpose not inconsistent with the rights herein granted, provided; that Grantor's use of the Easement Area will allow stormwater to be dispersed through a sufficiently dense "vegetated flow path" per the 2019 edition of the SWMMWW.

If Grantor decides, in its sole discretion, to develop the Easement Area with buildings or structures, then Grantor will coordinate with Grantee on alternative stormwater mitigation as necessary pursuant to stormwater requirements in effect at that time. Expenses associated with any alternative stormwater mitigation measures shall be borne by the Grantee.

6. SUCCESSORS AND ASSIGNS. The rights and obligations of the parties shall inure to the benefit of and be binding upon their respective successors and assigns. This easement shall exist in perpetuity and shall run with the land. Easement terminates automatically if all impervious surfaces (tanks and associated structures) immediately to the west of the Easement Area are removed.

7. INDEMNIFICATION. Grantor shall hold harmless, defend, and indemnify Grantee and its agents, successors, assigns, and representatives from and against all claims, causes of actions, lawsuits, damages, and/or injuries, resulting from any condition of the Easement Area, including but not limited to any trails or paths or areas held open to the public for public use or public recreation; provided that Grantee shall hold harmless, defend, and indemnify Grantor and its agents, successors, assigns, and representatives from and against all claims, causes of actions, lawsuits, damages, and/or injuries resulting from vegetation, landscaping, and features installed and/or maintained by Grantee to meet the stormwater needs of the Project.

Grantor holds Grantee harmless from claims arising from public use of the Easement Area, except to the extent caused or contributed to by the Grantee.

Grantee holds Grantor harmless from claims arising from Grantee's exercise of rights under this easement agreement, except to the extent caused or contributed to by Grantor.

Dated this ____ day of _____, 2024, at _____, Washington.

Grantor

STATE OF WASHINGTON)
) ss
County of _____)

On this ____ day of _____, 2024, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____ to me known to be the individual(s) described in and who executed the foregoing instrument, and acknowledged that _____ signed and sealed the same as his/her/their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal the day and year last above written.

NOTARY PUBLIC in and for the State of Washington,
Residing at _____

My term expires _____

EXHIBIT A

Description of Easement Area

Easement Area Description:

A strip of land 40 feet wide by 100 feet long lying immediately east of and along the entire 100-foot eastern easement boundary described in the "Amendment to Interlocal Agreement Between Public Utility District One of Kitsap County and Bainbridge Island Metropolitan Park and Recreation District for Agreement on Easement Amendment and Improvements" dated 1/28/2024, as set forth below:

Existing Easement Description:

"The portion of Southeast quarter of the Southeast quarter of Section 32, Township 25 North, Range 2 East, W. M., City of Bainbridge Island, Kitsap County, Washington, described as follows:

Commencing at 6" square concrete monument at the Southeast corner of said Section 32 from which a 5 ½" diameter concrete monument at the East quarter corner of said Section 32, bears North 01°15'48" East 2645.24 feet;

Thence along the East line of said Section 32, North 01°15'48" East 1062.62 feet;

Thence leaving said East line, North 88°34'04" West 375.00 feet to the True Point of Beginning;

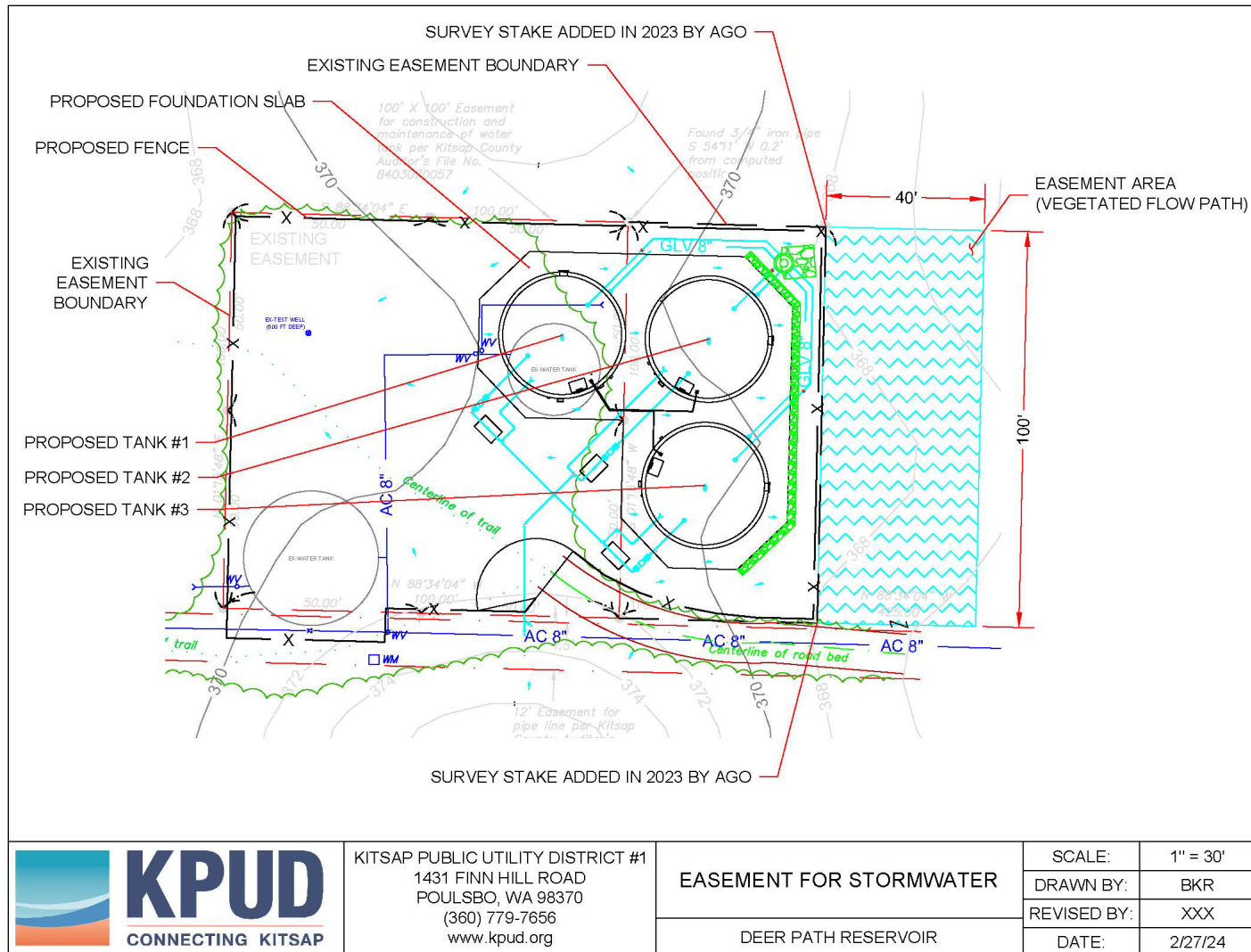
Thence continuing North 88°34'04" West 150.00 feet;

Thence North 01°15'48" East 100.00 feet;

Thence South 88°34'04" East 150.00 feet;

Thence South 01°15'48" West 100.00 feet to the True Point of Beginning"

Map of Easement Area



Legal Tax Description

RESULTANT PARCEL B OF BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NO. 200808210110, RECORDS OF KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: PARCEL 1: THE EAST 236.65 FEET OF GOVERNMENT LOT 3, SECTION 29, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; PARCEL 2: THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 29; THENCE NORTH 88°38'33" WEST, A DISTANCE OF 1322.79 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE TRUE POINT OF BEGINNING; THENCE NORTH 00°44'54" EAST, A DISTANCE OF 219.05 FEET TO THE SOUTHEAST CORNER OF THAT PROPERTY CONVEYED TO ROY REESE AND HIS WIFE BY INSTRUMENT RECORDED ON SEPTEMBER 22, 1976 UNDER AUDITOR'S FILE NO. 1145298; THENCE NORTH 88°38'33" WEST, A DISTANCE OF 517.18 FEET; THENCE SOUTH 00°44'54" WEST, A DISTANCE OF 219.05 FEET; THENCE SOUTH 88°38'33" EAST, A DISTANCE OF 517.18 FEET TO THE TRUE POINT OF BEGINNING; EXCEPT THE EAST 20 FEET AS CONVEYED TO KITSAP COUNTY FOR ROAD PURPOSES BY DEED FILED UNDER AUDITOR'S FILE NO. 8710200037; PARCEL 3: THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; EXCEPT THE EAST 40 FEET THEREOF; PARCEL 4: THE EAST 1150 FEET OF TRACT 19, CRYSTAL SPRINGS TRACTS, ACCORDING TO PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 90, IN KITSAP COUNTY, WASHINGTON; PARCEL 5: THE EAST 390 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; PARCEL 6: THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; PARCEL 7: THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER IN SECTION 28, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; PARCEL 8: THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 28, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; PARCEL 9: THAT PORTION OF THE NORTH 100 FEET OF TRACT 13 AND THE SOUTH 100 FEET OF TRACT 14, ALL IN CRYSTAL SPRINGS TRACTS, ACCORDING TO THE PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 90, RECORDS OF KITSAP COUNTY, WASHINGTON, WHICH LIES EASTERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT AN EXISTING PIPE WHICH MARKS THE INTERSECTION OF THE NORTH LINE OF THE SOUTH 100 FEET OF SAID TRACT 14 WITH THE WESTERLY LINE OF THE CRYSTAL SPRINGS COUNTY ROAD, SAID EXISTING PIPE HAVING BEEN SET BY ROATS ENGINEERING AND SHOWN ON SURVEY DRAWING BY ROATS ENGINEERING ENTITLED "SURVEY OF PORTION OF TRACTS 13 AND 14, CRYSTAL SPRINGS TRACTS" DATED JUNE 27, 1969, JOB NO. 69-2655; THENCE SOUTH 88°46'06" EAST ALONG SAID NORTH LINE 316.57 FEET TO AN INTERSECTION WITH A LINE OF PIPES SET BY JONES, BASSI & ASSOCIATES, ENGINEERS AND SURVEYORS ON NOVEMBER 2, 1972, SAID INTERSECTION BEING THE TRUE POINT OF BEGINNING OF THE LINE TO BE HEREIN DESCRIBED; THENCE SOUTH 28°14'51" EAST ALONG SAID LINE OF PIPES, 28.11 FEET TO AN IRON PIPE; THENCE CONTINUING SOUTH 28°14'51" EAST ALONG SAID LINE OF PIPES, 94.75 FEET TO AN IRON PIPE; THENCE CONTINUING SOUTH 28°14'51" EAST ALONG SAID LINE OF PIPES, 101.68 FEET TO AN IRON PIPE; THENCE CONTINUING SOUTH 28°14'51" EAST 5.21 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 100 FEET OF SAID TRACT 13, SAID INTERSECTION BEING THE TERMINUS OF THE LINE HEREIN DESCRIBED; PARCEL 10: THAT PORTION OF GOVERNMENT LOT 1, SECTION 32, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON, LYING EAST OF TRACTS 10, 11, 12 AND 13 OF THE PLAT OF CRYSTAL SPRINGS TRACTS, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 2 OF PLATS, PAGE 90, RECORDS OF KITSAP COUNTY, WASHINGTON; PARCEL 11: THE NORTHEAST QUARTER OF THE

NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; PARCEL 12: THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER; AND THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; EXCEPT THE SOUTH 30 FEET THEREOF; ALL IN SECTION 33, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; PARCEL 13: THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER, SECTION 33, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; PARCEL 14: THAT PORTION OF TRACT 10, CRYSTAL SPRINGS TRACTS, AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 90, RECORDS OF KITSAP COUNTY, WASHINGTON, LYING EAST OF CRYSTAL SPRINGS ROAD; PARCEL 15: THAT PORTION OF TRACT 7, THE NORTH 40 FEET OF TRACT 6, AND THE SOUTH 10 FEET OF TRACT 8, ALL IN CRYSTAL SPRINGS TRACTS, ACCORDING TO THE PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 90, RECORDS OF KITSAP COUNTY, WASHINGTON, LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT AN EXISTING CONCRETE MONUMENT AT THE SOUTHEAST CORNER OF THE NORTH 40 FEET OF SAID TRACT 6; THENCE SOUTH 89°40'27" WEST ALONG THE SOUTH LINE OF THE NORTH 40 FEET OF SAID TRACT 6 FOR A DISTANCE OF 659.34 FEET TO AN IRON PIPE SET BY JONES, BASSI & ASSOCIATES, ENGINEERS AND SURVEYORS, ON DECEMBER 15, 1971, SAID PIPE BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 25°41'59" WEST 69.58 FEET TO AN IRON PIPE SET BY SAID SURVEYORS; THENCE CONTINUING NORTH 25°41'59" WEST 85.37 FEET TO AN IRON PIPE SET BY SAID SURVEYORS; THENCE NORTH 13°57'25" WEST 113.23 FEET TO AN IRON PIPE SET BY SAID SURVEYORS AT THE INTERSECTION WITH THE NORTH LINE OF THE SOUTH 10 FEET OF SAID TRACT 8, SAID PIPE BEING THE TERMINUS OF THE LINE HEREIN DESCRIBED; PARCEL 16: THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; PARCEL 17: THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, SECTION 33, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; PARCEL 18: THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; EXCEPT THE SOUTH QUARTER THEREOF; AND THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; EXCEPT THE NORTH QUARTER THEREOF; ALL IN SECTION 33, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; PARCEL 19: THE NORTH 274.47 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 32, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; PARCEL 20: THE NORTH HALF OF THE FOLLOWING DESCRIBED TRACT LYING EAST OF THE BAKER HILL COUNTY ROAD: BEGINNING AT A POINT COMMON TO FRACTIONAL SECTIONS 5 AND 32, TOWNSHIP 24 AND 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON, AND INDICATED BY A STONE MONUMENT MARKED "MC"; THENCE SOUTH 89°15'08" EAST ALONG THE LINE BETWEEN SECTIONS 5 AND 32, A DISTANCE OF 2539.65 FEET TO THE CLOSING CORNER OF SECTIONS 4 AND 5, TOWNSHIP 24 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; THENCE SOUTH 89°19'45" EAST BETWEEN SECTIONS 4 AND 32, 419.51 FEET TO THE CORNER OF SECTIONS 32 AND 33, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; THENCE NORTH 00°34'15" EAST ALONG THE LINE BETWEEN SECTIONS 32 AND 33, A DISTANCE OF 1045 FEET TO A STONE MONUMENT MARKED "NE CORNER FURUYA L. CO."; THENCE NORTH 89°15'08" WEST 2856.53 FEET TO A STONE MONUMENT SET AT THE NORTHWEST CORNER OF THE APPLE HOUSE AND MARKED "NW CORNER FURUYA L. CO." AND BEING 1045.53 FEET NORTH OF AND 113.85 FEET EAST OF THE PLACE OF BEGINNING; THENCE SOUTHERLY ALONG THE SHORE OF PORT ORCHARD BAY TO THE PLACE OF BEGINNING; EXCEPT THAT PORTION LYING WEST OF THE EAST MARGIN OF BAKER HILL ROAD; SUBJECT TO AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES, OVER, UNDER AND ACROSS A 20.00 FOOT WIDE STRIP OF LAND THE NORTHERLY AND WESTERLY LINE OF WHICH IS DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF

THE SOUTHEAST QUARTER OF SAID SECTION 29; THENCE ALONG THE NORTH LINE THEREOF, NORTH 88°37'16" WEST 20.00 FEET TO THE WESTERLY RIGHT-OF-WAY OF SPRINGRIDGE ROAD NE; THENCE ALONG SAID RIGHT-OF-WAY, NORTH 00°45'31" EAST 219.05 FEET TO THE SOUTH LINE OF THE PARCEL CONVEYED UNDER KITSAP COUNTY AUDITOR'S FILE NO. 1145298 AND THE TRUE POINT OF BEGINNING; THENCE NORTH 88°37'16" WEST 497.18 FEET; THENCE SOUTH 00°45'31" WEST 219.05 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 29; THENCE ALONG SAID NORTH LINE AND THE NORTH LINE OF GOVERNMENT LOT 3 OF SAID SECTION 29; NORTH 88°37'16" WEST 1042.15 FEET TO THE WEST LINE OF THE EAST 236.65 FEET OF SAID GOVERNMENT LOT 3 AND THE TERMINUS.



Memorandum

Date: 3/15/2024

To: BIMPRD Board of Commissioners

From: Matthew F. Keough, Senior Planner
Bainbridge Island Metropolitan Park & Recreation District

Subject: Ray Pool Renovation Update

Background:

The Park Board's acceptance of a comprehensive renovation strategy could extend the lifespan of the Ray Williamson Pool an additional 50 years. This urgent project is tied to an existing permit with phase 1 planned for Summer -Winter 2024. This effort will help to protect against potential closure, growing costs, and a change in the building code that could limit the use of the existing pool building.

The recent necessary split of the project into two phases allows us to assess the size and timing of the second phase. In December 2023, members of the aquatic community came forward with a request to consider amending the pool tank, to change the depth of the pool and to accommodate 2 additional swim lanes. The project management team, led by Stemper Architects, conducted a feasibility study of this option, and, at the January 18th Park Board meeting, provided rough-order-of-magnitude cost estimates for two expansion options. The Park Board directed staff to reach out to the broader aquatic community to determine the level of interest in these options, noting the current funding gap.

At a community meeting on February 28th at the Aquatic Center, the Park District staff provided an update on the project, sharing the present opportunity to either rehabilitate the existing pool or to renovate it with an expansion option. 52 individuals personally signed in that night, providing the majority of the 35 handwritten surveys collected at the Aquatic center to date. An online survey went live that night which encouraged comments as well as questions for the community to address in evaluating the options. Since that time, following an email announcement to approximately 2000 emails on file for Aquatic programming, 218 electronic responses have been collected as of March 15. The project webpage hosts a regularly updated FAQ document. Final results will be summarized on March 20.

At the March 7th Board Meeting, the Park Board committed funding for the base rehabilitation project (6-lane renovation) while remaining open to community fundraising for pool expansion (8-lane renovation.) Specifically, the Board authorized the use of \$2.5 million from Park District reserve funds



Memorandum

for the Ray Pool project with reliance on a combination of loans, grants, and fundraising for the remainder.

At the March 21st Board meeting, the Park Board will evaluate the community interest and fundraising options to address the additional \$5.5 million estimated for the expense to expand the pool in the Phase 2B option. This meeting is well timed to consider the viability of a potential bond measure to augment the base rehabilitation project.