

AGENDA

**Bainbridge Island Metropolitan Park & Recreation District
Regular Board Meeting 6:00 pm
Thursday – June 6, 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 May 16, 2024
- 30.2** Financial: Approval of vouchers and payroll.

40. GENERAL BUSINESS

- 40.1** Pickleball Community Proposal for Expansion and Covered Facility
Action: Information only. Kinney (45 min)
- 40.2** Ray Williamson Pool Renovation Phase I Bid Award
Action: Motion to approve. Miller (10 min)
- 40.3** Don Nakata Pool Liner Bid Award
Action: Motion to approve. Miller (10 min)
- 40.4** Puget Sound Energy Easement at Pritchard Park
Action: Motion to approve. Harry (10 min)

50. STAFF REPORT

60. UPCOMING MEETINGS

06/20/24	Regular Board Meeting	6 pm	Bainbridge Island Recreation Center
07/18/24	Regular Board Meeting	6 pm	Bainbridge Island Recreation Center
08/01/24	Regular Board Meeting	6 pm	Bainbridge Island Recreation Center
08/15/24	Regular Board Meeting	6 pm	Bainbridge Island Recreation Center
09/05/24	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
- 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

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

Goodlin/DeWitt
 Kinney/Janow

Goodlin/Janow

**BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT
REGULAR BOARD MEETING May 16, 2024
BAINBRIDGE ISLAND RECREATION CENTER**

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

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

MISSION STATEMENT: Vice-Chair Janow 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

Clay Roberts said there was a recent article about a regional pickleball facility in Poulsbo and he does not want that to get confused with the goal to build covered outdoor pickleball courts on the island. He asked about the status of the tennis courts planned to be built at Sakai Park. Senior Planner Matthew Keough said the permitting process required the tennis court plans to be revised and resubmitted due to a stream buffer. There has been a preliminary review, and the project still has the potential to be out for bid this summer.

Edith Cobourn said that the tensions between the tennis and pickleball players at the shared tennis courts at Battle Point Park are down if not gone at this point and she requested that the board consider not turning the shared tennis courts into pickleball courts for at least a year after the new tennis courts at Sakai Park are built.

BOARD CONSENT

APPROVAL OF MINUTES:

Upon hearing there were no corrections to the minutes of the May 2, 2024 regular board meeting, Vice-Chair Janow stated the minutes stand approved as submitted.

APPROVAL OF PAYMENTS: MSC: DeWitt/Kinney: I have reviewed the following vouchers, warrants and electronic payments and move that they be approved for payment.

Batch Date	Fund Number & Name	Warrant Numbers	Total Batch Amt	Pre-Approved
04/25/24	001 General Fund	27786-27787	63,782.33	04/25/24
04/30/24	001 General Fund	27788-27843	87,884.62	04/30/24
05/10/24	001 General Fund	27844-27879	86,160.72	05/10/24

GENERAL BUSINESS

RAY WILLIAMSON POOL RENOVATION BOND DISCUSSION: Acting Executive Director Dan Hamlin said that after the May 2 board meeting there were questions from staff and the public about the intent of the Ray Williamson pool renovation bond. Staff need clarification of the intent to hold question and answer sessions about the bond.

Dan Hamlin reviewed a brief history of the project starting with the March 7 board meeting at which a motion was passed by the board regarding how to fund Phase I and Phase II A to renovate the pool in the existing configuration. At the March 21 board meeting a motion was passed by the board to seek an 8–10-million-dollar bond to fund Phase II B of the project. At the April 4 board meeting the board learned that a campaign committee was forming, and a significant number of people showed up in support of Phase II B. Staff brought a draft resolution authorizing a bond issue to the board at the April 18 board meeting that was flexible should costs escalate due to discovered conditions. At the May 2 board meeting Resolution

2024-04 was passed by the board after being reviewed and discussed at length. The discussion about the flexibility of the language left it up in the air as to what the board's intention for the bond is. Staff are now looking for clarification regarding the goal of the bond as well as what criteria could lead to a decision to change that goal. Staff are continuing to update the frequently asked questions document and are preparing an operational impact presentation for the board as well as preparing for question-and-answer sessions with the public.

Joy Archer said that over the last several weeks many people came forward to show support for expanding the Ray Williamson pool and now the campaign committee needs clarification of the intention of the bond to support their efforts to campaign and fundraise for the project. She also asked for a public question-and-answer forum regarding Phase II B.

Ken Bennett asked for clarification of the board's intention for the Ray Williamson pool renovation since the resolution language was noncommittal and for a public forum or two detailing Phase II B with a question-and-answer period.

Commissioner Goodlin said Phase I and Phase II A will go forward with Park District funds and loans without the need for a bond measure. Pursuing Phase II B requires a bond and that was the genesis of discussion about the bond measure. The resolution was written so as not to bind the agency in case the situation evolved making it difficult for the agency to follow through. Commissioner Kinney said if the bond passes, he would interpret that to mean the public wants the Park District to add two lanes if it is possible. If the project ends up costing significantly more than 10 million dollars it may not be possible. If the tank is redone, then the entire pool will be brand-new and hopefully the Park District will get another 50 years out of it. This is the chance to make the pool bigger to serve the public for the next 50 years. Commissioner DeWitt said that one of the reasons the bond issue is worded the way it is, is due to the rush to get this project permitted under the International Building Code in effect as of March 15. He joined the board right after the bond issue for the Don Nakata Pool was passed. The estimates were way below the actual cost for that project and he is concerned about a circumstance like that. The intent is to expand the Ray Williamson pool if the bond passes but there are still unknowns related to the groundwork that could impact cost. Dan Hamlin said he reached back out to Stemper Architecture Collaborative, and they verified that the estimate remains between 10-12 million dollars for Phase I and Phase II B. The bond would only cover 10 million dollars but as of today there are 2.5 million dollars in reserves that have been committed to the project. Commissioner Janow said she understands that there is a desire and a need, but it is a huge community investment into a facility that is subsidized. She voted for Resolution 2024-04 authorizing the bond measure to be on the ballot as it is written because of the flexibility it allows for. **MSC: Goodlin/DeWitt: Move the following: should the Ray Williamson pool renovation bond measure created through Resolution 2024-04 be approved by the voters on the August 6, 2024 ballot, then the board hereby clarifies that its intent is to expand the Ray Williamson pool to an eight lane width and create an even depth of 6.5 feet so long as the construction is financially feasible. Commissioner Janow opposed the motion.**

MEETING ADJOURNED to a five-minute recess at 7:04 pm with announced time to reconvene at 7:09 pm. **MEETING RECONVENED** at 7:07 pm.

PUGET SOUND ENERGY EASEMENT AT SAKAI PARK: Park Services Superintendent David Harry said this is the same Puget Sound Energy easement for Sakai Park the board saw at the April 18 board meeting this year and staff would like the board to move forward and approve the easement. **MSC: Kinney/DeWitt: Move to approve the easement to grant to Puget Sound Energy at Sakai Park.**

PUGET SOUND ENERGY EASEMENT AT PRITCHARD PARK: Park Services Superintendent David Harry said that this Puget Sound Energy easement request facilitates the transmission line across Pritchard Park onto the Wyckoff site which the City of Bainbridge Island owns. The PSE easement with COBI was included in the board packet as information because the Wyckoff site will be transferred to the Park District in the future. The easement area is already in use, this is part of an effort by PSE to formalize their easements.

STAFF REPORT

Recreation Division: Recreation Division Director Madison Collins said staff is working to accommodate people who were waitlisted for summer programs with expanded offerings while also putting together the fall recreation catalog. The men's steam room at Bainbridge Island Recreation Center was renovated and has reopened. Recreation Superintendent Bryan Garoutte said the recent middle school dance had 103 participants.

Park Services Division: Senior Planner Matthew Keough said the Ray Williamson pool renovation is moving forward with a bid opening for Phase I on May 21. After that there will be a schedule negotiation with the lowest bidder that meets the criteria. Staff received word today that the permit for the batting cage at Strawberry Hill Park will be issued in the morning. Staff has a strategy to comply with setback requirements for the Grand Forest West parking lot which would elongate the shape of the parking lot. Park Services Superintendent David Harry said the parking lot needs to be squeezed between a stream buffer and a right-of-way setback. Park Services Superintendent Lydia Roush said that staff are working to submit the building permit for the bike park at Strawberry Hill Park. There is a strong level of interest from students in participating in the Student Conservation Corps this summer. The City of Bainbridge Island now has all the permits for the Farm Trail and work on that will begin soon. Park Services Superintendent David Harry said staff are continuing to make progress at Williams-Olson Park and at the storage area near the new administration building. The contract has been awarded for the septic system at Hilltop. One bid was received for relining the Don Nakata pool and it came in over the budgeted amount so staff will be bringing it to the board for approval as a lower bid is not anticipated were it to be reopened.

Acting Executive Director Dan Hamlin said last Saturday was the final session of Imagine Bainbridge. It was an interesting session and good forum for networking and collaborating within the community.

BOARD MEMBER REMARKS:

- Commissioner DeWitt said last Saturday he was in the Grand Forest during the Trillium Trail Run. It was fun to watch and neat to see families participating in the event.
- Commissioner DeWitt thanked Senior Planner Matthew Keough for the update on the batting cage at Strawberry Hill Park during the staff report.
- Commissioner DeWitt said he attended the work party at Moritani Preserve today and it was a lot of fun.
- Commissioner Kinney said he has also been to Moritani Preserve lately and it is quite an improvement, the same can be said for the tree thinning at Strawberry Hill Park.
- Commissioner Kinney asked if notice has been given to the Battle Point Park neighbors yet about the upcoming presentation to the board from the pickleball community for covered courts as Battle Point Park is their preferred location for covered courts. Acting Executive Director Dan Hamlin said not yet, but it will be going out.
- Commissioner Janow gave kudos to staff for the forestry work being done and said there is passion in the community for trees, and the environment.
- Commissioner Janow went to the recent Eagledale Pottery Studio sale. She said that studio produces amazing art and the breadth of what the Park District does is incredible.
- Commissioner Janow said Bouy, the Seattle Kraken mascot, is coming to the roller hockey rink at Battle Point Park on Saturday.

MEETING ADJOURNED at 7:49 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

DRAFT

RETURN ADDRESS:

**Puget Sound Energy, Inc.
Attn: ROW Department / SJW
3130 S. 38th Street
Tacoma, WA 98409**



EASEMENT

**GRANTOR (Owner): BAINBRIDGE ISLAND METROPOLITAN PARK AND RECREATION DISTRICT
GRANTEE (PSE): PUGET SOUND ENERGY, INC.
SHORT LEGAL: RES PAR A, BLA 201704180186-7, PTN NE 35-25-02E
ASSESSOR'S PROPERTY TAX PARCEL: 352502-1-001-2001**

For and in consideration of good and valuable consideration, the receipt and sufficiency of which are acknowledged, **BAINBRIDGE ISLAND METROPOLITAN PARK AND RECREATION DISTRICT**, a Washington municipal corporation ("Owner" herein), hereby grants and conveys to **PUGET SOUND ENERGY, INC.**, a Washington corporation ("PSE" herein), for the purposes described below, a nonexclusive perpetual easement over, under, along across and through the following described real property (the "Property" herein) in **KITSAP** County, Washington:

RESULTANT PARCEL A OF BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NO. 201704180186, AND AS DEPICTED ON SURVEY RECORDED UNDER AUDITOR'S FILE NO. 201704180187, IN VOLUME 84 OF SURVEYS, PAGES 48 AND 49, RECORDS OF KITSAP COUNTY, WASHINGTON, BEING A PORTION OF GOVERNMENT LOTS 3 AND 4 (IN THE NORTHEAST QUARTER), SECTION 35, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M. IN KITSAP COUNTY, WASHINGTON; TOGETHER WITH SECOND CLASS TIDELANDS TO THE LINE OF EXTREME LOW TIDE AS CONVEYED BY THE STATE OF WASHINGTON, SITUATE IN FRONT OF, ADJACENT TO AND ABUTTING THEREON

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

AN EASEMENT AREA THAT IS TEN (10) FEET IN WIDTH HAVING FIVE (5) FEET OF SUCH WIDTH ON EACH SIDE OF THE CENTERLINE OF GRANTEE'S FACILITIES LOCATED AS CONSTRUCTED OR TO BE CONSTRUCTED, EXTENDED OR RELOCATED, LYING SOUTH OF THE FORTY (40) FOOT WIDE ACCESS AND UTILITIES EAESMENT AS SHOWN ON AUDITOR'S FILE NO. 202012310447 LYING WITHIN THE ABOVE DESCRIBED PROPERTY.

1. Purpose. PSE shall have the right to use the Easement Area to construct, operate, maintain, repair, replace, improve, remove, upgrade and extend one or more utility systems for purposes of transmission, distribution and sale of electricity. Such systems may include, but are not limited to:

Underground facilities. Conduits, lines, cables, vaults, switches and transformers for electricity; fiber optic cable and other lines, cables and facilities for communications; semi-buried or ground-mounted facilities and pads, manholes, meters, fixtures, attachments and any and all other facilities or appurtenances necessary or convenient to any or all of the foregoing.

Following the initial construction of all or a portion of its systems, PSE may, from time to time, construct such additional facilities as it may require for such systems.

2. Access. PSE shall have a reasonable right of access to the Easement Area over and across the Property to enable PSE to exercise its rights granted in this easement.

3. Easement Area Clearing and Maintenance. PSE shall have the right to cut, remove and dispose of any and all brush, trees or other vegetation in the Easement Area. PSE shall also have the right to control, on a continuing basis and by any prudent and reasonable means, the establishment and growth of brush, trees or other vegetation in the Easement Area.

4. Trees Outside Easement Area. PSE shall have the right to cut, trim remove and dispose of any trees located on the Property outside the Easement Area that could, in PSE's reasonable judgment cause damage to PSE's systems and/or present a hazard to the general public health, safety or welfare as defined in RCW 64.12.035. PSE shall, except in the event of an emergency, prior to the exercise of such right, identify such trees and make a reasonable effort to give Owner prior notice that such trees will be cut, trimmed, removed or disposed. Owner shall be entitled to compensation for the actual market value of merchantable timber (if any) cut and removed from the Property by PSE. .

5. Restoration. Following the initial installation, repair or extension of its facilities, PSE shall, to the extent reasonably practicable, restore landscaping and surfaces and portions of the Property affected by PSE's work to the condition existing immediately prior to such work. PSE shall use good faith efforts to perform its restoration obligations under this paragraph as soon as reasonably possible after the completion of PSE's work.

6. Owner's Use of Easement Area. Owner reserves the right to use the Easement Area for any purpose not inconsistent with the rights herein granted, provided, however, Owner shall not perform the following activities without PSE's prior written consent: (1) excavate within or otherwise change the grade of the Easement Area; (2) construct or maintain any buildings, structures or other objects on the Easement Area; and/or (3) conduct any blasting within 300 feet of PSE's facilities.

7. Indemnity. PSE agrees to indemnify Owner from and against liability incurred by Owner as a result of PSE's negligence, or the negligence of PSE's employees, agents or contractors in the exercise of the rights herein granted to PSE, but nothing herein shall require PSE to indemnify Owner for that portion of any such liability attributable to the negligence of Owner, its employees, agents or contractors or the negligence of third parties.

8. Attorneys' Fees. The prevailing party in any lawsuit brought to enforce or interpret the terms of this Easement shall be entitled to recover its reasonable attorneys' fees and costs incurred in said suit, including on appeal.

9. Successors and Assigns. This Easement is binding upon and will inure to the benefit of the successors and permitted assigns of the parties. PSE may not assign or otherwise transfer any of its rights, obligations or interest under this Easement without the prior written consent of Owner, which consent may not be unreasonably withheld. Notwithstanding the foregoing, PSE may assign this Easement to an affiliate or in connection with a merger, acquisition, corporate reorganization, sale of assets or other change in control.

10. Complete Agreement; Amendment; Counterparts. This Easement contains the entire agreement of the parties with respect to this subject matter and supersedes all prior writings or discussions relating to the Easement. This Easement may not be amended except by a written document executed by the authorized representatives of Owner and PSE. This Easement may be executed in counterparts, each of which shall be treated as an original for all purposes and all executed counterparts shall constitute one agreement.

11. Warranty and Representation of Authority. The parties each represent to the other that the person or persons executing this Easement have authority to do so and to bind the parties hereunder. All consents, permissions and approvals related to this Easement, and the obligations hereunder, have been obtained. Owner further warrants to PSE that it has the necessary right, title and interests in the Property to grant the easement rights set forth herein.

12. Severability. Invalidation of any of the provisions contained in this Easement, or of the application thereof to any person, by judgment or court order, shall in no way affect any of the other provisions thereof or the application thereof to any other person and the same shall remain in full force and effect. If a provision is found to be unenforceable or invalid, that provision shall be modified or partially enforced to the maximum extent permitted by law to effectuate the purpose of this agreement.

13. Non-Waiver. The failure of any party to insist upon strict performance of any of the terms, covenants or conditions hereof shall not be deemed a waiver of any rights or remedies which that party may have hereunder or at law or equity and shall not be deemed a waiver of any subsequent breach or default in any of such terms, covenants or conditions.

DATED this _____ day of _____, 20_____.

OWNERS: BAINBRIDGE ISLAND METROPOLITAN PARK AND RECREATION DISTRICT

BY: _____

TITLE: _____

STATE OF _____)
) ss
COUNTY OF _____)

On this _____ day of _____, 20_____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____(name), to me known to be the person who signed as _____(title), of **BAINBRIDGE ISLAND METROPOLITAN PARK AND RECREATION DISTRICT**, the entity that executed the within and foregoing instrument, and acknowledged said instrument to be his/her free and voluntary act and deed and the free and voluntary act and deed of **BAINBRIDGE ISLAND METROPOLITAN PARK AND RECREATION DISTRICT**, for the uses and purposes therein mentioned; and on oath stated that he/she was authorized to execute the said instrument on behalf of said municipal corporation.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

(Signature of Notary)

(Print or stamp name of Notary)
NOTARY PUBLIC in and for the State of
_____, residing at _____

My Appointment Expires: _____

Notary seal, text and all notations must not be placed within 1" margins



Missing or invalid reference
e: ..\CUSTOMER FILES\SITE PLAN.pdf
sheet: 1

Park

WIN
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