

KITSAP TRANSIT BOARD OF COMMISSIONERS MEETING

MINUTES OF APRIL 6, 2021

Board of Commissioners Present:

Daug, Leslie, Council Member, City of Bremerton
Deets, Joe, Council Member, City of Bainbridge Island
Erickson, Becky, Mayor, City of Poulsbo
Fuller, Mark, Teamsters Local No. 589, *non-voting member*
Garrido, Charlotte, Kitsap County Commissioner
Gelder, Robert, Kitsap County Commissioner
Putansuu, Robert, Mayor, City of Port Orchard, **Chair**
Schneider, Leslie, Mayor, City of Bainbridge Island
Wheeler, Greg, Mayor, City of Bremerton
Wolfe, Edward, Kitsap County Commissioner, **Vice Chair**

Staff Present:

Vanessa Audett, Human Resources Director; Sanjay Bhatt, Marketing Director; Jill Boltz, Clerk of the Board; John Clauson, Executive Director; Dennis Griffey, Vehicle & Facilities Maintenance Director; Steffani Lillie, Service & Capital Development Director; Charlotte Sampson, Executive Assistant/Deputy Clerk of the Board; Ray Scott, Marine Services Director.

Also Present: David Weibel, Legal Counsel

1. CALL TO ORDER: Chairperson Putansuu called the meeting of the Kitsap Transit Board of Commissioners to order at 8:31AM.

Clerk of the Board Boltz shared the following opening statement: this meeting of the Kitsap Transit Board of Commissioners is being held virtually in accordance with Governor Inslee's Proclamation No. 20-28 and subsequent extensions relating to the suspension of certain provisions of the Open Public Meetings Act. Staff has provided numerous resources for the public to listen, view and provide comment for this meeting. This meeting will be recorded and available for viewing at the public's convenience on the Kitsap Transit website or through Bremerton Kitsap Access Television (BKAT). This information was provided to the public through regular distribution of the agenda, posting on Kitsap Transit's website and Rider Alert.

The public was invited to submit written comments to be included in the record by 4:00PM on Monday, April 5, 2021 to myself, Jill Boltz, Clerk of the Board. One set of comments was received and forwarded to the Board. The Board will also take Public Comments during the designated time on the agenda. When called upon, please state your name for the record and you will have three (3) minutes to address the Board.

2. AGENDA REVIEW

Commissioner Putaansuu asked if there were any changes to the agenda. There were none.

3. CHAIRPERSON'S COMMENTS

Commissioner Putaansuu commented on the opportunity to ride during the inaugural sailings of the Southworth Fast Ferry, and that it was a phenomenal day. We now have all three routes up and running. He also viewed the double deck electric bus on display at the Bremerton Transportation Center. Putaansuu noted that he is looking forward to the day where we have facilities to maintain this type of bus.

4. EXECUTIVE SESSION – Potential Litigation – Pursuant to RCW 42.30.110(1)(a)

At 8:35AM Chairperson Putaansuu recessed the regular meeting into executive session for approximately 20 minutes.

At 8:55AM, Clerk of the Board Boltz informed the public the Board would be extending another 10 minutes.

At 9:07AM, Chairperson Putaansuu reconvened the regular meeting.

5. CONSENT/ACTION ITEMS

- a. Warrants for February 2021
 - Warrant numbers transit fund 155918 to 156189 in the amount of \$1,439,442
 - Warrant numbers ferry fund 603450 to 603522 in the amount of \$2,094,429
 - Payroll transfer in the amount of \$1,912,399
 - ACH clearing account payments in the amount of \$32,627
 - Travel Advances of \$375
- b. Minutes of March 2, 2021 Board Meeting
- c. Resolution No. 21-24, 2nd Quarter Procurements
- d. Resolution No. 21-25, Surplus Vehicles, Parts & Equipment

Commissioner Wolfe moved and Commissioner Garrido seconded the motion to approve the Consent Agenda as presented. Discussion: None. Motion passed.

6. FULL DISCUSSION /ACTION ITEMS:

- a. *Resolution No. 21-26, Potential Condemnation to Acquire Real Property – SR16 Park & Ride Project*

Executive Director Clauson explained staff is moving forward with right-of-way acquisition necessary for park and ride facility planned for the Sidney/Sedgwick/Hwy 16 interchange. Staff

is requesting permission to move forward with condemnation proceedings under eminent domain, if necessary.

Legal Counsel Weibel explained this Resolution authorizes staff and general counsel to pursue negotiation to acquire the listed properties and, if that effort is unsuccessful to proceed with condemnation under state law. There are three parcels identified for the purpose of this resolution. The properties are under contract with a third party who has started the development process with a pre-application with the City of Port Orchard. The proposal is for 173 apartment units which would be inconsistent for the proposed use as a park and ride project. This site was identified through a fairly lengthy process beginning with the need for a park and ride along the Hwy 16 corridor between Gorst and Gig Harbor. A study was conducted to determine the best possible site, and this site was selected as a result of that study and approved by the Board. Acquisition will be funded through the Federal Transit Administration (FTA) and staff has received approval to take protective action in a Categorical Exemption to proceed forward with acquisition at this time. The condemnation action is a petition process through the court to determine if the park and ride is a reasonable use and necessity. Then just compensation of the site will be determined, involving appraisers. If a price for the site cannot be agreed upon, then the case will most likely be determined by a jury trial in court.

Commissioner Erickson moved and Commissioner Wheeler seconded the motion to adopt Resolution No. 21-26, authorizing staff, with the assistance of General Counsel, to negotiate terms for the acquisition of Parcels 1, 3, and 4 and/or bring proceedings in the manner provided for by law to condemn, take, and appropriate the lands, building and property interests described in this resolution.

Discussion:

Commissioner Wolfe spoke to moving forward and in support of the motion.

Commissioner Erickson stated it is imperative to support transit as we go forward. Park and Rides are necessary for transit and they are needed, for people need ways to get back and forth for their jobs and to support their families.

Commissioner Wheeler agreed with previous comments and stated it is imperative we take advantage of opportunities to decrease congestion and help alleviate the pressure in Gorst as we look for solutions moving forward.

Commissioner Daugs stated she was hesitant but wants to support transit and feels confident in moving forward after listening to the conversations.

Commissioner Schneider agreed with previous comments and spoke in support of the motion. Schneider also addressed climate change and the need to reduce carbon, noting a park and ride is essential for those who are not otherwise able to use transit.

Commissioner Deets spoke in support of the motion for all of the reasons previously stated.

Chair Putaansuu spoke in support of the motion and process. The City conducted a subarea plan last year and the park and ride lot and mixed use development that is long-term planned for this area is consistent with the subarea plan. Parking is needed to support the ferry operation and reduce congestion in Gorst.

Commissioner Gelder spoke to the long term vision for subarea plan and park and ride, unintended consequences of Transit Oriented Development (TOD) and the unfortunate displacement of those that need public transit the most. Gelder encouraged the City to keep this on radar as things move forward.

Motion passed unanimously.

b. Resolution No. 21-27, Bid Award – Charleston Base Electric Infrastructure Construction

Executive Director Clauson explained grant funding has been awarded for this project allowing for the upgrade of electrical service, providing additional electricity to support a number of new charging units. This project is currently limited to six chargers for the electric bus fleet. Staff is recommending award to McCoy Electric as the lowest responsible bid.

Commissioner Gelder moved and Commissioner Deets seconded the motion to adopt Resolution No. 21-27, authorizing staff to award a construction contract to McCoy Electric Company, Inc. in an amount of five hundred eleven thousand three hundred twenty-nine dollars and twenty-six cents (\$511,329.26). Discussion: None. Motion passed unanimously.

c. Resolution No. 21-28, Agreement with Puget Sound Energy for Electrical Services Upgrade for Charleston Base Electric Infrastructure Project

Executive Director Clauson explained part of the electrical service upgrade requires Puget Sound Energy (PSE) to install an expanded transformer to support Charleston Base electrical vehicle chargers. This portion of the upgrade will also be covered by grants received from Washington State.

Commissioner Garrido moved and Commissioner Daus seconded the motion to adopt Resolution No. 21-28, authorizing staff to execute an agreement with Puget Sound Energy (PSE) for electrical service upgrades for the Charleston Base Electric Infrastructure project in an amount of one hundred fourteen thousand two hundred forty-one dollars (\$114,241). Discussion: None. Motion passed unanimously.

d. Resolution No. 21-29, Memorandum of Agreement with the Suquamish Tribe

Executive Director Clauson explained that Fast Ferry routes travel in the Suquamish Tribe's usual and accustomed fishing grounds. Kitsap Transit has worked closely with the Tribe from the beginning of the Fast Ferry program. Clauson noted the importance of acknowledging the Tribe's treaty rights and maintaining that relationship. In the past, a Bremerton Fast Ferry ran over a [fishing] net; fortunately, it was within the Executive Director's authority and the tribal member was reimbursed. Kitsap Transit has been working with the Tribe acknowledging any damage they may incur due to the operation of the Fast Ferry program. The agreement establishes a fund, administered by the Suquamish Tribe, whereas if there is damage to fishing equipment and time loss, the Tribe will validate the damage and reimburse the fisherman. The damage will be documented and provided to Kitsap Transit. At such time the fund reaches \$5,000 Kitsap Transit will replenish the fund. The agreement has a provision for an annual meeting to review the agreement. Clauson noted that this expenditure is within the Executive Director's authority; however, he wanted to bring it to the Board because the Memorandum of Agreement is not only with another entity but with another nation.

Commissioner Daugs questioned whether the \$20,000 is a set amount and if Kitsap Transit will be expending this every year or as needed. Clauson explained that if there are no damages, Kitsap Transit would not be obligated to add additional funds. The impacted fishermen would go to the Tribe and if a need is determined, the Tribe would reimburse the fishermen from the fund. Daugs asked if the fund would go higher than \$20,000. Clauson stated that there is certainly a possibility in the future as the cost of nets and equipment increases, but the amount should be sufficient in the near term.

Commissioner Wheeler moved and Commissioner Daugs seconded the motion to adopt Resolution No. 21-29, authorizing the Executive Director to enter into a Memorandum of Agreement with the Suquamish Tribe as it relates to operation of the three fast ferry routes within the Tribe's usual and accustomed fishing grounds and stations.

Discussion:

Commissioner Wheeler applauded Kitsap Transit for reaching out and showing leadership in this regard. It is important to continue and build on relationship with the Tribe and local jurisdictions. Kitsap Transit is operating in tribal territory where we have to maintain and respect the cultural values including the fishing rights.

Commissioner Deets echoed Commissioner Wheeler's comments and spoke in support of the motion. Deets questioned whether Washington State Ferries (WSF) has taken such proactive steps. Clauson stated that WSF is interested in working with all Tribes in Puget Sound but how they specifically deal with nets, he is not sure. In the case of Bremerton, Kitsap Transit (KT) is following the same route as WSF; with Kingston, KT goes out to main shipping lanes; and from Southworth, KT follows the same lanes as King County for their ferry to downtown from Vashon.

Motion passed unanimously.

e. Legislative Update

Legislative Liaison Dylan Doty reported that today is day 86 of the 105-day legislative session. Doty gave a general overview of the session including the Operating Budget and Federal COVID Relief, Transportation Budget and Revenue Discussions.

Commissioner Wolfe spoke to the mention of an electric fast ferry between Bremerton and Port Orchard and whether other routes are being considered. Executive Director Clauson stated not at this time. The high speed electric technology cannot provide a battery without it draining and requiring an extended period to recharge. We are working with a group on the feasibility of a high-speed, carbon fiber, battery-electric hydrofoil vessel. The challenge is there is not enough time for recharging, so the approach is to look at easily removing and replacing the battery packs. This opportunity was a quick last minute project with the need to replace the Admiral Pete.

Wolfe expressed interest in looking fast ferry route from Silverdale to Bremerton or Kingston

Commissioner Gelder stated another jurisdiction looking at all electric vessel is Skagit County. Gelder questioned whether the [ferry] industry is moving toward hydrogen electric for continual recharging. Gelder asked what is Doty hearing regarding the use of the American Recovery Plan (ARP) dollars as it relates to the budget, without guidance from the Treasury and with only two weeks left in session. Doty explained this is the single biggest question as the session nears the end. The legislature feels comfortable using some of the funding on "water projects" such as culverts or forest management; however, the current thinking is to park a number of those dollars in a budget stabilization account due to the generous timeline.

Commissioner Wheeler recognized those involved in the almost thirty Zoom meetings with the legislators around the State to ensure Gorst is included in the Transportation package. Wheeler noted the involvement of the Tribe, Port of Bremerton, County Commissioners, and Kitsap Transit.

Commissioner Erickson asked if Kitsap Transit would be receiving more toll credits. Doty stated he has not been asked to push for more. Each biennium Kitsap Transit (KT) requests a budget proviso for use of toll credits at the \$3 million level. Erickson stated KT should be more now with augmenting Washington State Ferries.

7. EXECUTIVE DIRECTOR ITEMS

Executive Director Clauson gave an update on the following:

- Carlisle II Update
 - Photos of progress, including photos of travel lift.

- Diesel Coach Alternatives
 - The new Gillig electric bus will be going into revenue service soon and staff will be evaluating performance. So far, the operators are very pleased with it.
 - New Flyer Hydrogen Cell Bus. The bus was borrowed from Palm Springs and was operated for a few days. The experience with the bus was positive during trials and KT will continue looking at this as a possibility.
 - Alexander Dennis Double Deck Electric Bus. These buses can be added to the fleet once KT has a heavy-duty maintenance facility.
- Southworth Fast Ferry Inaugural Launch.
- Solano Update.
- April 19, 2021 Board Meeting.

Staff has been approached by Congressman Kilmer's Office and Senator Murray's office to submit projects. A request to fund the park and ride portion of the Day Road/305 project has been submitted to Congressman Kilmer's Office and a request to Senator Murray's office in the amount of \$25 million to assist with funding right-of-way acquisition for regional Passenger-Only Ferry facility in Seattle.

There was an unfortunate situation where some transit agencies included in Puget Sound Regional Council (PSRC) put forward a funding proposal that excluded KT out of any funding. Clauson thanked Commissioner Erickson for her assistance with putting a stop to that funding proposal. There is a meeting scheduled with the help of Josh Brown, PSRC, to include all General Managers, not just those on the east side of Puget Sound.

Clauson asked that the Work Study be moved to the second meeting in May due to all of moving pieces.

8. PROGRESS REPORTS

- a. Draft Financial Reports through February 2021
- b. Capital Work in Progress
- c. Fuel Costs Report through the end of March 2021

9. STAFF INFORMATION / EMPLOYEE RECOGNITION

- a. Recognizing the January Driver of the Month in Routed – Richard Niemi
- b. Recognizing the January Driver of the month in ACCESS – Tim Stewart
- c. Recognizing the February Driver of the Month in Routed – Alan Braunstein
- d. Recognizing the February Driver of the month in ACCESS – Jon Orr

PUBLIC COMMENTS

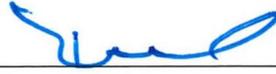
No additional public comments were received.

10. GOOD OF THE ORDER

None

11. ADJOURN: Meeting adjourned at 10:05AM.

ADOPTED by the Board of Commissioner of Kitsap Transit at a regular meeting thereof, held on the 4th day of May, 2021.



Robert Putaansuu, Chairperson



Jill A. Boltz, MMC
Clerk of the Board