

# CITY OF BAINBRIDGE ISLAND CITY COUNCIL AGENDA BILL



## PROCESS INFORMATION

Subject: Waive Approval Requirement for 30% Design of Strawberry Plant Shoreline Restoration		Date: 3/25/09
Agenda Item: New Business		Bill No.: 0798
Proposed By: Peter Namtvedt Best	Referral(s): PWTC	

## BUDGET INFORMATION

Department: N/A	Fund:	Munis Contract #
Expenditure Req: None	Budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Budget Amend. Req? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## STANDING COMMITTEE INFORMATION

Referring Committee: Public Works and Transportation Committee	Recommendation: Approve	
Date of Referral: 3/16/09	Vote: Consensus (no vote)	Minority Report <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## DESCRIPTION/SUMMARY

### **Action Item:**

The City Council (vote 5-0; Vancil & Brackett absent) and Park Board (vote 3-1; Cross absent) approved the preferred shoreline restoration design concept (attached) for the Strawberry Plant property during a joint meeting on February 24, 2009. The Council approved scope of services for the shoreline restoration project includes a requirement that Council approve the 30% design.

The Public Works and Transportation Committee (PWTC) and staff are recommending that Council waive the requirement to approve the 30% design. If Council prefers to review and approve the 30% design, staff will need to bring the 30% design to Council on April 8, 2009.

\*\*\*Continued on Page 2\*\*\*

## RECOMMENDED ACTION

### **Motion:**

I move that the City Council waive the requirement for Council to approve the 30% design for the Strawberry Plant Shoreline Restoration project.

## DESCRIPTION/SUMMARY – Page 2

### **History:**

The City and Park District entered into an agreement in November 2004 clearing the way for City acquisition of the Strawberry Plant property and calling for a joint-planning process and eventual transfer to the Park District. The City acquired the property on January 28, 2005 for the purposes of shoreline restoration and park improvements. Council approved the contract with the City's consultant (Anchor Environmental) on March 12, 2008 and approved the scope of services for the Strawberry Plant project on May 28, 2008. The Council also accepted a design grant from the Salmon Recovery Funding Board (SRFB) on October 10, 2007 and entered into a Memorandum of Agreement with the Elliott Bay Trustee Council on April 10, 2008 to utilize Natural Resource Damage Assessment (NRDA) funding for this and other projects. On January 28, 2009 the Council approved a license agreement with the Washington State Department of Natural Resources to remove creosote treated piling from the property (the Park Board approved the piling removal in a separate meeting). The piling were removed in February 2009.

Staff and consultants conducted site assessment work throughout 2008 and coordinated with NOAA on the ongoing historical and archaeological review of the property, including early consultations with the State Department of Archaeological and Historical Preservation, Suquamish Tribe, City Historic Preservation Commission, BI Historical Society, and Mr. Jerry Elfendahl. The City and Park District conducted a joint public design process in Fall 2008, including a design charrette and a broader public comment period with an open house. Design concepts were shared with project funders and permitting agencies for feedback. A preferred shoreline restoration design concept was developed based on the site assessment work and all the input from the public design process. The City has maintained a comprehensive web page for the project ([www.ci.bainbridge-isl.wa.us/strawberry\\_plant.aspx](http://www.ci.bainbridge-isl.wa.us/strawberry_plant.aspx)) which contains a full explanation and materials from the public design process. At a joint meeting on February 24, 2009, Council and the Park Board approved the preferred shoreline restoration design concept for the areas waterward of the 50' native vegetation zone (see attached approved concept design).

On March 16, 2009, PWTC discussed a request from staff to consider recommending waiving the requirement to approve the 30% design to the full Council. The following were identified by the PWTC and staff as reasons to support waiving the requirement to approve the 30% design:

- There will be no significant material changes between the 30% design and the concept design approved on 2/24/09 for the shoreline restoration area (see attached approved concept design);
- Approving the 30% design would be largely duplicative of the recent approval of the design concept where there was substantial opportunity for public comment and Council deliberation;
- Relinquish time for the Council to conduct other important business on upcoming agendas;
- The project timeline is quite tight to bring this project to construction on target this Fall and a few weeks made available early in the project schedule would help significantly;
- Moving forward with the restoration project will not limit or preclude potential park improvements landward of the approved shoreline restoration area; and
- Staff will continue to coordinate with the Park District on the planning process for park improvements landward of the approved shoreline restoration area.

Staff and the City Attorney have consulted about the proper mechanism for approving this change to the scope of services. Should the Council choose to waive the requirement to approve the 30%

design, the City Attorney and staff agree that a simple motion of the Council is all that is necessary. With an approved Council motion, staff could then effectuate an amendment to the scope of services without further Council action under the terms of the contract with the consultants.

**Schedule/Next Activities:**

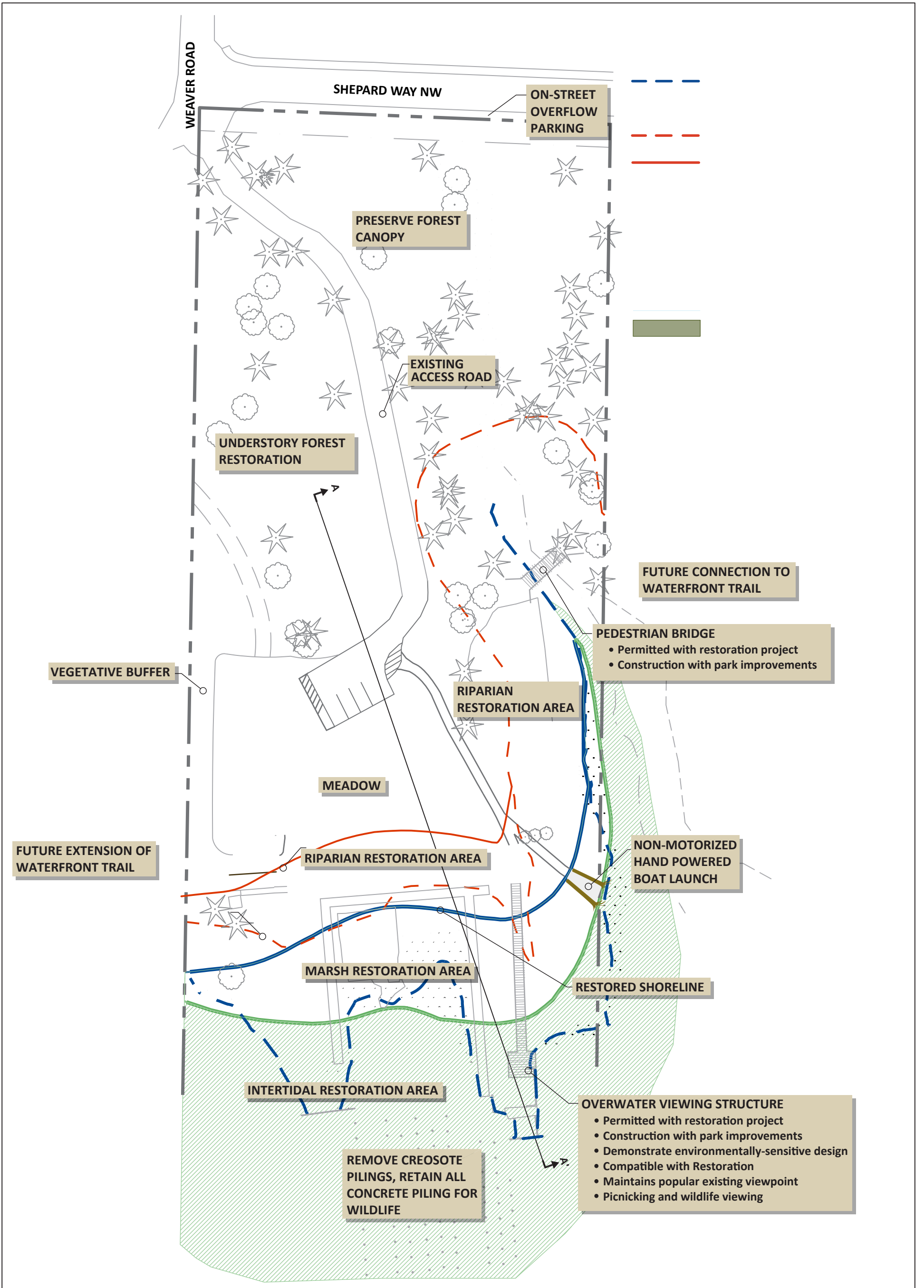
Staff will submit permit applications in April and continue to move the restoration project to construction this Fall. The construction contract will be brought to Council after the project is bid. Staff will also continue to coordinate with the Park District on the planning process for park improvements landward of the approved shoreline restoration area.

**Budget:**

The Council issued a bond in Fall 2008 that included the \$126,650 match to a \$77,350 SRFB design grant. The City has received \$33,960 in NRDA funding for the design phase of the project and WDNR has contributed approximately \$58,000 worth of in-kind services for the removal of the creosote-treated piling. The City has been awarded another SRFB grant for the construction phase, which is pending contract approval at a forthcoming Council meeting. The SRFB portion of this construction grant is \$252,395 and will be matched with \$257,444 of NRDA funding. An additional \$62,500 of NRDA funding is anticipated for stewardship of the restoration project. In total, the City is contributing approximately 14% of the estimated start-to-finish cost for the shoreline restoration project.

**Location:**

Strawberry Plant property at 240 Weaver Avenue.



# Strawberry Plant Park

## Preferred Shoreline Restoration Design Concept

Bainbridge Island Metro  
Park & Recreation District

