7:00 p.m. Call to Order

Mayor Matthes called the meeting to order at 7:00 p.m. Pro-Tem Cindy Lucarelli and Councilmembers Jeff Cartwright, Bek Ashby, Rob Putaansuu, John Clauson, Fred Chang and Jerry Childs were present. Community Development Director Nick Bond, City Clerk Brandy Rinearson, IT Technician Vince Tucker, City Attorney Greg Jacoby and Office Assistant II Jenine Floyd were also present.

Mayor Matthes led the audience and Council in the Pledge of Allegiance.

1. Discussion: Councils City Hall Email Account Access

City Clerk Rinearson stated the discussion is regarding Council having an easier method of accessing their City Hall email account. Staff has researched options allowing elected officials to read City email on their personal mobile devices without compromising the City’s security measures.

IT Technician Tucker stated he did research on several different applications available for sending City email to personal devices. The product he found is Maas360, which is a fully encrypted email delivery system. It is a web based application with an annual fee.

In response to Councilmember Putaansuu, IT Technician Tucker stated 25 licenses would be a good start and all the elected officials, department heads, and select employees would receive the application.

In response to Councilmember Childs, IT Technician Tucker responded this is in addition to webmail.

In response to Councilmember Ashby, IT Technician Tucker said this was not a 2014 budgeted item.

Council and staff briefly discussed the different servers, personal devices, and applications they currently use or have at work, and voiced their concerns on security issues and discovery data on this application.

Council Direction: Council directed IT Technician Tucker to contact Maas360 and ask for a 30 day demo, as well as if the price can be pro-rated, or if it is an annual contract. Currently, 25 licenses would be $2,500.00. Councilmember Chang volunteered to try the 30 day demo and report back to the Council. Council will consider this proposal during the 2015 budget discussions.
2. **Discussion: City Hall Wi-Fi Access**

City Clerk Brandy Rinearson stated staff was requested to look into the City’s Wi-Fi strength in the Council Chambers and determine if the Council wants to increase the strength and at what cost.

In response to Councilmember Clauson, IT Technician Tucker stated per the franchise agreement, Wave Broadband is providing a low speed connection, which comes into the server closet and it is then distributed to multiple wings in the building. We have 3 floors, two wings, and six distribution nodes feeding off of the one inbound device. There is currently a device in the Chambers, behind the Mayor’s seat on the dais, which feeds the entire floor. Citizens, as well as staff and Council use the Wi-Fi. However, they all share the 1.5 gig, low speed connection.

Council and staff briefly discussed the slow connection and wonders about asking Wave Broadband to increase the speed or the possibility of using someone else.

In response to Mayor Matthes, IT Technician Tucker stated Wave offers four speeds in a commercial environment, and the cost is anywhere from $40 to $199 a month, depending on the speed.

In response to Councilmember Putaansuu, IT Technician Tucker said our current equipment could handle up to the $109.95 per month. This would be a 55 megabyte link, compared to the current 1.5.

Council and staff continued to discuss the City’s Wi-Fi connection strength and work productivity.

**Council Direction:** Council directed IT Technician Tucker to ask the Public Utility District about using their Wi-Fi service, ask Wave Broadband to increase the service as part of the franchise agreement, and speak to City Treasurer Martin about spending $100 out of the 2014 Budget to bump up the City’s Wi-Fi service.

3. **Discussion: City Flag Policy**

City Clerk Rinearson noted she has provided the Council with a draft flag policy for them to review.

Council discussed their concerns about the flag policy mentioning use of the City’s logo and using it on materials and merchandise. Also, who would approve use of the City’s flag; the Council or Mayor?
Council Direction: Council directed City Clerk Rinearson to revise the flag policy by changing the word ‘logo’ to the word ‘flag’ in section 1.20.30 and define who has the authority to approve the use of the City flag.

4. Discussion: Business Professional 2 (PBII) Ordinance

Development Director Bond stated back in October, business owner Marc Islam asked the Council to consider relaxing some of the regulations for the Business Professional Zone. He had an existing commercial building that was rezoned after it was already built and had trouble renting out the building and had to turn away potential tenants.

The Council had asked the Planning Commission to look into this, who then did some public outreach and mailed notices out to property owners within 1,000 foot radius of the area to seek feedback. After some testimony, the Planning Commission has developed a proposal to create a Business Professional (BP) Zone II. This would have a slightly different set of uses allowed and would be less restricted, in a very small geographic area near the west side of Pottery Avenue, south of South Kitsap Blvd. The Planning Commission has not yet approved the Resolution recommending this; this will happen on Monday.

In response to Councilmember Ashby, Development Director Bond said the Planning Commission was concerned with franchises in that they didn’t want the area to become a destination for people pulling off SR16 to get fast-food, but they did want to support employment and other businesses within the area.

In response to City Attorney, Development Director Bond said the commission went through the SIC code and specifically listed services they felt was acceptable and not harmful.

Council Direction: No direction was given to staff.

5. Discussion: Downtown Overlay District Ordinance

Development Director Bond stated the Planning Commission has been looking at the Downtown Overlay District (DOD) Ordinance and the concerns of the loophole with certain types of uses that are restricted to the second floor. The Planning Commission clarified which uses are allowed within the DOD and slightly changed a couple of words to define the terms ground floor, second floor, and loft.

In response to Councilmember Childs, Development Director Bond said a list of comments received from the survey is available to the Council for their review.

City Attorney Jacoby noted it was a year ago that they looked at this and asked the Planning Commission to revisit the issue, pointing out that the list of allowed uses in the
DOD has not been reviewed or updated since the DOD was adopted. As a result, there may be a number of uses the Council wants the Planning Commission to consider excluding from the code.

**Council Direction:** No direction was given to staff.

6. **Discussion: KRCC's City of Port Orchard Population and Employment Allocations**

Development Director Bond stated with the start of the Comprehensive Plan Update, it is a good time to start discussing with the Council what our responsibility is as a City, in terms of accommodating our regional share of the growth. This is mandated through the Growth Management Act and through Vision 2040.

In 2016 when we finish the Comp Plan, we have to get it certified by PSRC and if we lose certification of our plan, we are ineligible for federal transportation funding. One of the things we have to do is take a share of the population and employment growth. Back in December, the countywide planning policies were ratified, which adopted our population allocations. Meaning that is how much of the County's growth is coming to the City or how much we have to plan to accommodate for.

Currently the KRCC directors are discussing the employment allocations, which have not been adopted yet. The City of Port Orchard was given a growth allocation to accommodate by 2035 of an additional 8,235 residents. The City has to show we have enough land and the right zoning in place to accommodate the additional residents, as well as having the housing infrastructure in place.

In response to Councilmember Childs, Development Director Bond replied if we annex the Urban Growth Area (UGA), a share of that is shifted to the City.

In addition, Cities are encouraged to annex their UGA's, and in 20 years if this growth came to the City and the growth area, we would be a City of 41,000 people.

Councilmember Ashby noted per the RCW, once we become a City of 25,000 in population, we have three years to take over any landslide problems. It would be the City's responsibility, instead of the State's.

In response to Councilmember Lucarelli, Development Director Bond noted when the County's Comprehensive Plan was challenged, they had to shrink the urban growth area because it was determined they had more than enough capacity for the expected growth of the County.

In addition, the second part of the population allocation is ensuring we have enough land capacity. The County determined we have about 50 percent more land than we need to
accommodate our allocations. There was also a proposal to reduce Port Orchard’s UGA allocations, and change from Port Orchard to Poulsbo. This reduces the County’s burden to plan for jobs in the UGA and shifts it to Poulsbo.

In response to Mayor Matthes, Development Director said SKIA is part of the allocations.

Councilmembers discussed they would like to see services and jobs stay local and not create longer commutes; and discussed the different aspects of the population and employment allocations could impact the City.

**Council Direction:** No direction was given to staff.

7. **New Item – KRCC Ad-Hoc Committee Update**

Councilmember Pataansuu noted he attended the KRCC Ad-Hoc Committee today, which is looking at KRCC’s organizational structure; and the process has been formed by function and funding. It is recognized that transportation and planning is the core function, and they have identified that housing is potentially another core function. It appears a recommendation is going to come forward.

Currently there is a KRCC board and they contract with McClure Consulting, and part of looking down the road is possibly a recommendation that they form something like CENCOM or the Public Facilities District. This is so Mary, with McClure Consulting, has the potential to go from a contract employee to becoming an executive director. Most likely they will be the same bodies, just changing the structure.

Their funding is currently at about $200,000, and then there is housing money which comes in around $100,000. Mary currently provides office space for free and the agency has no reserves. This is a product of the economic downturn. The numbers that came in today is they will need about $80,000 more in funding. $60,000 is for the agency and $20,000 is to build some reserves. If we don’t change the dues structure the basic dues would go up very little and how the agency would be paid for is a match on a grant. So those that receive grants will pay for the agency.

**Council Direction:** No direction was given to staff.

8. **Discussion: Council Committee Attendance and Noticing**

Councilmember Clauson would like to know how to deal with committee meetings that result in a quorum. Councilmember Ashby has been attending a variety of meetings to get up to speed, but the problem is we are creating a special meeting by having a quorum attend.
City Attorney Jacoby stated it is very clear that when committees of three Councilmembers get together, the meetings have been noticed. The wrinkle is when we have four Councilmembers attend the meeting. Councilmember Ashby asked him late last year if it was okay for her to attend. He said yes, but there are noticing issues we need to take care of. City Clerk Rinearson checked with MRSC to see if they had any guidance, who then pointed out that in respect to State Law and the Open Public Meetings Act, that once a fourth Councilmember attends the committee meeting, it is no longer a committee meeting; it is now a special meeting of the council, which means there is a whole different noticing procedure to follow. However, this City Council has adopted its own rules with respect to this issue. In our code, it states our City Council meetings, including committee meetings, are governed by Roberts Rules of Order, which in turn states that with respect to committees, unless the committee is holding some kind of public hearing or information gathering which invites members of its council or public, the general rule is the members of the larger council shall not attend committee meetings, unless invited.

Councilmember Clauson noted by ordinance, whenever the City Council meets, the department heads are required to be in attendance. From his perspective, the other issue is it is unfair to the rest of the Council who is not there, because potentially a decision could be made that obligates the City, and not all members had the opportunity to be a part of the decision.

Councilmember Ashby stated this issue was brought up because she has been attending the committee meetings. However, with the information just brought up, she has no problem not attending the meetings. She invites the Council to have all committee meetings in the Chambers and have them recorded.

Councilmember Clauson voiced his concern about the schedule of the committee meetings and trying to fit time in from their other jobs. He suggested bringing a tape recorder to the meetings so it could be listened to at a later date.

City Attorney Jacoby noted if the Council would like to change these rules, they could update the Code and say Robert’s Rules of Order no longer apply.

Councilmember Childs asked about sending press releases. No objections were made by the rest of the council. City Clerk Rinearson reminded him that if a press release is sent, that she needs to receive a copy for City records.

**Council Direction:** Council agreed to limit the Council Committee meetings to only three Councilmembers.

9. **Discussion: Lodging Tax Advisory Committee Appointments**
In response to Councilmember Clauson, City Attorney Jacoby noted for a special event or festival and the group who is sponsoring it is not a 501c3 or 501c6 entity, the City can still give them lodging tax dollars. Also, if a recipient receives funding, they may be on the Lodging Tax Committee the following year. However, you do not have to be eligible to receive money, to be on the Committee.

Councilmember Ashby would like to see the Lodging Tax Committee on a rotating schedule, that way they would not need to have this discussion every year.

Councilmember Putaansuu noted these are the Mayor’s appointments, and it is up to the Council to confirm or deny these appointments. It is not up to them to micro-manage.

City Attorney Jacoby replied the Committee is appointed by the legislative body of the municipality.

Councilmember Chang stated they can give their input to the Mayor, who then collates it for them. Only three Councilmembers had responded as to who they would like to serve on the board.

Council and staff discussed who serves and how many members should be on the board.

**Council Direction:** Council will email City Clerk Rinearson with their recommendations for organizations to serve on the LTAC; who will then inform the council of the top four choices.

At 9:10 p.m., Mayor Matthes adjourned the meeting.

Brandy Rinearson, City Clerk

Timothy C. Matthes, Mayor